



BC ALPINE CODE OF CONDUCT POLICY

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Section 1.0 – Preamble

BC Alpine accepts all language contained in the British Columbia Universal Code of Conduct (BC UCC). A copy of the code is hosted at <http://www.viasport.ca/bc-universal-code-of-conduct>.

BC Alpine commits to being a leader in advancing inclusive, healthy, rights-based, safe sport for all individuals. It is paramount for BC Alpine to foster a safe sport environment that protects everyone from harm and promotes individual welfare in the administration and delivery of all BC Alpine programs and events within and outside of Canada. BC Alpine has adopted the *Universal Code of Conduct to Prevent and Address Maltreatment in Sport (UCCMS)* in its Code of Conduct, which serves as the basis for the development of this policy, including the definitions contained herein.

For the purpose of this document, Safe Sport refers to the collective responsibility of all Participants (as defined in Section 2.0) affiliated with BC Alpine to create, foster, and preserve sport environments that ensure positive, healthy, and fulfilling experiences for all Participants. A safe sport environment is one in which all sport Participants recognize and report acts of Maltreatment and prioritize the welfare, safety, and rights of every person at all times.

In alignment with the Safe Sport Working Group's consensus statements and the Pan-Canadian consultation held from March to May 2019, BC Alpine is committed to the goal of Safe Sport and have agreed that Maltreatment has no place in Canadian sport and, when present, must be sanctioned appropriately. The commitments expressed below reflect this common understanding amongst all Participants:

- a. All Participants in sport can expect to play, practice and compete, work, and interact in an environment free from Maltreatment;
- b. Addressing the causes and consequences of Maltreatment is a collective responsibility and requires the deliberate efforts of all Participants, sport stakeholders, sport club administrators and organization leaders;
- c. Participants in positions of trust and authority have the general responsibility to protect the health and well-being of all other Participants;
- d. Adult Participants have a specific ethical and statutory duty and the additional responsibility to respond to incidents of Maltreatment involving Minors and other vulnerable individuals;
- e. All Participants recognize that Maltreatment can occur regardless of age, sex, sexual orientation, gender identity or expression, race, ethnicity, Indigenous status, or level of physical and intellectual disability and their intersections. Moreover, it is recognized that those from traditionally marginalized groups have increased vulnerability to experiences of Maltreatment;
- f. All Participants recognize that individuals who have experienced Maltreatment may experience a range of effects that may emerge at different time points and that can profoundly affect their lives;
- g. All adults working with children and youth have a duty to prevent or mitigate opportunities for misconduct; and
- h. In recognition of the historic vulnerability to discrimination and violence amongst some groups, and that continues to persist today, participants in positions of trust and authority have

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a duty to incorporate strategies to recognize systemic bias, unconscious bias, and to respond quickly and effectively to discriminatory practices.

Affiliation with BC Alpine brings many privileges and benefits. As such, Participants where they may be seen to be representing the BC Alpine are expected to conduct themselves in all situations involving or impacting the BC Alpine in a manner fully consistent with the highest standards of behaviour upon which the BC Alpine's reputation rests.

This Code of Conduct Policy includes a series of policies affiliated with BC Alpine conduct and procedures, including:

- a. Complaint Management and Discipline Policy
- b. Appeal Policy
- c. Whistleblower Policy
- d. Athlete Protection Policy
- e. Screening Policy

Section 2.0 – Definitions

The definitions herein apply to the entire body of the BC Alpine Code of Conduct. In certain sections of the document there are definitions that apply exclusively to those sections.

a. ***Aiding and Abetting***

- i. Aiding and Abetting is any act taken with the purpose of facilitating, promoting, or encouraging the commission of Maltreatment by a Participant.

b. ***Athlete(s)***

- i. Any individual who is registered, carded, or funded to compete in sanctioned events.

c. ***Bullying***

- i. Includes physical, verbal, or psychological attacks or intimidations that are intended to cause fear, distress, or harm to the victim.
- ii. Includes an absence of provocation by the victim, and repeated incidents between the same individuals over a prolonged period.
- iii. There is still often a power imbalance in these relationships, but the bully is not in an officially prescribed position of authority over the victim.

d. ***Consent by a Person over the Age of Majority***

- i. Consent is defined in Canada's Criminal Code as the voluntary agreement to engage in the sexual activity in question. The law focuses on what the person was actually thinking and feeling at the time of the sexual activity. Sexual touching is only lawful if the person affirmatively communicated their consent, whether through words or conduct. Silence or passivity does not equal consent. Sexual activity is only legal when both parties consent.
- ii. The Criminal Code also says there is no consent when:
 1. Someone says or does something that shows they are not consenting to an activity;
 2. Someone says or does something to show they are not agreeing to continue an activity that has already started;
 3. Someone is incapable of consenting to the activity, because, for example, they are unconscious;
 4. The consent is a result of a someone abusing a position of trust, power or authority or someone consents on someone else's behalf.
- iii. A person cannot say they mistakenly believed a person was consenting if:
 1. That belief is based on their own intoxication;
 2. They were reckless about whether the person was consenting;
 3. They chose to ignore things that would tell them there was a lack of consent;
 4. They didn't take proper steps to check if there was consent.
- iv. Sexual activity with a Minor is a criminal offence as is sexual activity with a person under the age of 18 years when the other person is in a position of trust or authority.
- v. The responsibility for ensuring there is consent is on the person who is initiating or pursuing the sexual activity. When someone has said no to sexual contact, the other

person cannot rely on the fact that time has passed or the fact that the individual has not said no again to assume that consent now exists. No one can legally consent in advance to sexual activity in the future when they will be unconscious. No one can legally consent to activity where they will suffer bodily harm, such as activity that will cause serious bruises, stitches or broken bones. It is a criminal offence to engage in sexual activity with a child, as a child is unable to consent.

e. ***Disclosure***

- i. The sharing of information by a Participant regarding an incident or a pattern of Maltreatment experienced by that Participant. Disclosure does not constitute a formal report that initiates a process of investigation to address the Maltreatment.

f. ***Duty to Report under Child Protection Legislation***

- i. A legal duty to report is mandated by law, and the requirement varies by province depending on provincial legislation. Everyone has a duty to report child abuse and neglect under Canadian child welfare laws. Professionals who work with children and youth have an added responsibility to report. Adults are obliged to report child Maltreatment if there is knowledge or suspicion that it is occurring. This is called the “duty to report.”
- ii. Every person in Canada has the duty to report known or suspected child Maltreatment by law. Known or suspected abuse or Neglect of a child must be reported to: local child welfare services (e.g., children’s aid society or child and family services agency), or provincial/territorial social service ministries or departments, or local police.

g. ***Duty to Report Concerns Outside the Scope of Child Protection Legislation***

- i. Participants have a duty to report concerns of inappropriate conduct of other Participants to uphold the ethical standards and values of Canadian sport. Reporting inappropriate conduct is important to ensure proper action is taken and expectations are re-established. By addressing inappropriate conduct, a collective responsibility to protect Participants from Maltreatment is enacted.

h. ***Grooming***

- i. Deliberate conduct by a Participant to sexualize a relationship with a Minor that involves the gradual blurring of boundaries and normalization of inappropriate and sexually abusive behaviour. During the grooming process, the Participant will gain the trust of the Minor and protective adults and peers around the Minor often under the guise of an existing relationship. Manipulation tactics are then used to blur perceptions and gain further access to and private time with the Minor to abuse or exploit the Minor. Grooming can occur whether or not harm is intended or results from the behaviour.

i. ***Harassment***

- i. Engaging in inappropriate physical or verbal behaviour that is known or ought reasonably to be known to be unwanted or insulting, intimidating, humiliating, hurtful, malicious, derogatory, degrading or otherwise offensive to a Participant or group.

- ii. Harassment may occur in several ways including, but not limited to, face-to-face interactions, written communications, email, phone call, social media, non-verbal gestures, and supervision methods.
- iii. Although it is commonly the case, the harasser does not necessarily need to have power or authority over the recipient; harassment may occur within any relationship dynamic.
- iv. The use of communications be it through cyber, online or any other social media to engage in any of the activities described in (i) through (iii) above constitutes harassment, as does cyber stalking of a sexual or other nature.
- j. ***Hazing***
 - i. Any form of conduct which exhibits any potentially humiliating, degrading, abusive, or dangerous activity expected of a junior-ranking Athlete by a more senior teammate, which does not contribute to either Athlete's positive development, but is required to be accepted as part of a team, regardless of the junior-ranking Athlete's willingness to participate.
- k. ***IST Staff***
 - i. ISTs are multi-disciplinary teams of sport science, sport medicine and sport performance professionals that support coaches and Athletes in their goal for international podium success. The goal of an IST is to ensure that Canadian athletes are healthy, fit and psychologically ready for optimal performance. ISTs include experts in exercise physiology; mental performance; biomechanics and performance analysis; sport nutrition; strength and conditioning; sport medicine, including physical therapy and massage therapy; and sport administrators.
- l. ***Minor(s)***
 - i. An individual who is under the age of majority at the time and in the jurisdiction where the alleged Maltreatment occurred. It is the responsibility of an individual over the age of majority to know the age of a Minor.
- m. ***Maltreatment***
 - i. Volitional acts that result in harm or the potential for physical or psychological harm.
- n. ***Neglect***
 - i. Any pattern or a single serious incident of lack of reasonable care, inattention to a *Participant's* needs, nurturing or well-being, or omissions in care. *Neglect* is determined by the objective behaviour but the behaviour must be evaluated with consideration given to the *Participant's* needs and requirements, not whether harm is intended or results from the behaviour.
- o. ***Participant(s)***
 - i. Includes all individuals who are engaged in activities that are provided, sponsored, promoted, supported, or sanctioned by the BC Alpine . Without limiting the generality of the foregoing, Participant(s) include, but are not limited to:
 - 1. Board members;
 - 2. Employees (e.g., coaches and staff);

3. Contract staff;
4. Provincial Team Athletes;
5. Registered coaches and Athletes; and
6. Volunteers and officials participating in BC Alpine sanctioned events.

p. ***Physical Maltreatment***

- i. Any pattern or a single serious incident of deliberate conduct that has the potential to be harmful to the physical well-being of the Participant. Physical Maltreatment includes, without limitation, physical contact or non-contact infliction of physical harm. Physical Maltreatment is determined by the objective behaviour, not whether harm is intended or results from the behaviour.

q. ***Power Imbalance***

- i. A Power Imbalance may exist where, based on the totality of the circumstances, a Participant has supervisory, evaluative, a duty of care, or other authority over another Participant. A Power Imbalance may also exist between an Athlete and other adults involved in sport in positions such as high-performance directors, sport specific health-care providers, sport science support staff, care or support persons, guides or pilots. Maltreatment occurs when this power is misused.
- ii. Once a coach-Athlete relationship is established, a Power Imbalance is presumed to exist throughout the coach-Athlete relationship, regardless of age, and is presumed to continue for Minor Athletes after the coach-Athlete relationship terminates or until the Athlete reaches 25 years of age.
- iii. A Power Imbalance may exist, but is not presumed, where an intimate relationship existed before the sport relationship commenced (e.g., a relationship between two spouses or life partners, or a sexual relationship between consenting adults that preceded the sport relationship).
- iv. A Power Imbalance may arise whether the Participants are in:
 1. An authority-based relationship in which one person has power over another by virtue of an ascribed position of authority, such as between high performance director and coach; employer and employee; technical official and Athlete;
 2. A dependency relationship in which the person in a position of lesser power is dependent upon the other person for a sense of security, safety, trust, and fulfillment of needs, conducive to intimate physical or psychological connections, such as between parent and child; teacher and student; coach and Athlete; high performance director and Athlete, sport science and medical support staff and Athlete; billet or host family and Athlete;
 3. A peer-to-peer relationship, including but not limited to teammate-teammate, Athlete-Athlete, coach-coach or official-official relationships.
- v. Power may be represented by seniority, ability, physical size, public profile, gender identity or expression, sexual orientation, ethno-racial identity, level of physical and intellectual disability, and their intersections, as some examples. Maltreatment occurs

when this power is misused. Moreover, it is recognized that those from traditionally marginalized groups have experienced positions of lesser power.

r. ***Psychological Maltreatment***

- i. Any pattern or a single serious incident of deliberate conduct that has the potential to be harmful to the psychological well-being of the Participant. Psychological Maltreatment includes, without limitation, verbal conduct, non-assaultive physical conduct, and conduct that denies attention or support. Psychological Maltreatment is determined by the objective behaviour, not whether harm is intended or results from the behaviour.

s. ***Reporting (or Report)***

- i. The provision of information in writing by any person or a Participant to a relevant independent authority (the independent person or position charged with receiving a report and determining next steps) regarding Maltreatment. Reporting may occur through either:
 1. The Complainant (of any age) who may be the one who experienced the Maltreatment or is a witness – someone who witnessed the Maltreatment or otherwise knows or suspects Maltreatment.
- ii. In either case, the intention of Reporting is to initiate an independent investigative process, which could result in disciplinary action being taken against the Respondent.

t. ***Sexual Maltreatment involving a Minor***

- i. Any form of sexualized interaction by a person over the age of majority with a person under the age of majority constitutes sexual abuse. Sexual abuse may occur through behaviours that either do or do not involve actual physical contact.

u. ***Sexual Maltreatment involving a person over the Age of Majority***

- i. Any sexual act, whether physical or psychological in nature, that is committed, threatened, or attempted against a Participant without the Participant's Consent. It includes any act targeting a Participant's sexuality, gender identity or expression, that is committed, threatened or attempted against a Participant without that Participant's Consent, and includes but is not limited to, the Criminal Code Offences of sexual assault, sexual exploitation, sexual interference, invitation to sexual touching, indecent exposure, voyeurism and non-consensual distribution of sexual/intimate images.
- ii. Sexual Maltreatment also includes sexual harassment and stalking.

v. ***Workplace***

- i. Any place where business, work-related activities, training and competitions, at all levels, occur. Workplace includes but is not limited to, work-related social or media functions, work assignments outside BC Alpine's offices, travel, and attendances at conferences or training sessions which are work related, BC Alpine's office environment, and any meetings, whether conducted in-person or online/remotely, irrespective of location.

Section 3.0 – Code of Conduct Policy

3.1 – Purpose

- a. The purpose of this Code of Conduct is to establish standards of behavioural conduct that will promote the individual welfare of every Participant and safeguard them from acts of Maltreatment that may occur in the Workplace.

3.2 – Application

- a. This policy applies at all times, wherever BC Alpine related work or activities take place. The work or activities may be located at the BC Alpine head office, external locations and at all activities and events in which BC Alpine is engaged and has jurisdiction. This Code of Conduct policy applies to Participants' conduct during all BC Alpine's activities and events in the Workplace.

3.3 – Roles and Responsibilities

3.3.1 – The Following Subsections Apply to All Participants

a. Daily Expectations

- i. Protect and preserve the dignity and self-esteem of Participants by:
 - i. Treating each other with the highest standards of respect and integrity;
 - ii. Focusing comments or criticism appropriately and avoiding public criticism of Athletes, coaches, officials, organizers, volunteers, or employees;
 - 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; and
 - vi. Ensuring adherence to the rules of the sport and the spirit of those rules.
- ii. Refrain from the use of power or authority in an attempt to coerce another person to engage in inappropriate activities.
- iii. Respect the property of others and not willfully cause damage.
- iv. Promote the sport in the most constructive and positive manner possible.
- v. When driving a vehicle with a Participant:
 - i. Not have his or her license suspended;
 - ii. Not be under the influence of alcohol or illegal drugs or substances; and
 - iii. Have valid car insurance with limited liability insurance.

b. Policy

- i. Respect the rights, dignity, and worth of all Participants.
- ii. Comply, at all times, with BC Alpine bylaws, policies, procedures, and rules and regulations, as adopted and amended from time to time.
- iii. Adhere to all Canadian federal, provincial and municipal laws and all similar host country laws.

- iv. Report to BC Alpine or member club president regarding any ongoing criminal investigation, conviction, or existing bail conditions involving themselves or any other Participant.

c. Doping and Recreational Use of Drugs, Cannabis, Alcohol, and Tobacco

- i. Abstain from the non-medical use of drugs or the use of performance-enhancing drugs or methods. More specifically, BC Alpine adopts and adheres to the Canadian Anti-Doping Program. Any infraction under this Program shall be considered an infraction of this Code and may be subject to further disciplinary action, and possible sanction, pursuant to BC Alpine's Complaint Management and Discipline Policy. BC Alpine will respect any penalty enacted pursuant to a breach of the Canadian Anti-Doping Program, whether imposed by BC Alpine, Alpine Canada Alpin (ACA) or any other sport organization.
- ii. 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).
- iii. Refrain from consuming tobacco products, cannabis, or recreational drugs while participating in BC Alpine's programs, activities, competitions, or sanctioned events.
- iv. Do not consume alcohol, tobacco, or cannabis at any competition or event.
- v. Individuals over the age of majority are not to consume cannabis in the Workplace or in any situation associated with BC Alpine's events (subject to any requirements for accommodation), and take reasonable steps to manage the responsible consumption of alcohol in social situations associated with BC Alpine's events.

d. Maltreatment

- i. Refrain from any behaviour that constitutes Maltreatment, including, but not limited to, Physical Maltreatment, Psychological Maltreatment, Sexual Maltreatment, Bullying, Discrimination, Grooming, Harassment, Hazing or Neglect.
- ii. Any Person in Authority who knowingly places a Participant in a situation that makes them vulnerable to Maltreatment. This includes, but is not limited to, instructing an Athlete and a coach to share a hotel room when traveling, hiring a coach who has a past history of Athlete Maltreatment, assigning guides and other support staff to an athlete with a disability when the guide or support staff has a reputation for Athlete Maltreatment or assigning such a guide or support staff to a Para-Athlete in the absence of consultation with the Para-Athlete.
- iii. Not engage in a sexual relationship where a Power Imbalance exists. Such activity will be the subject of zero tolerance.

3.3.2 – CEO and Chair of Board of BC Alpine

- a. The Chief Executive Officer (CEO) and the Chair of the Board of BC Alpine are responsible for ensuring that policy and related measures to mitigate risk are in place. Specifically, those responsibilities include:
 - i. Ensure appropriate oversight of all defined responsibilities outlined in the policy including enforcement of discipline as prescribed for those who are found not to be in compliance with the policy; and
 - ii. Conduct annual policy reviews and revise policies accordingly to better align with developments in Canada's safe sport system.

3.3.3 – Directors, Committee Members and Staff

- a. BC Alpine's Directors, Committee Members, employees, and contractors will have the responsibilities dependent upon their role with BC Alpine and the following additional responsibilities depending upon their role with BC Alpine:
 - i. Act with honesty and integrity and conduct themselves in a manner consistent with the nature and responsibilities of BC Alpine's business and the maintenance of Individuals' confidence;
 - ii. Conduct themselves transparently, professionally, lawfully and in good faith in the best interests of BC Alpine;
 - iii. Be independent, impartial, and not be influenced by self-interest, outside pressure, expectation of reward, or fear of criticism;
 - iv. Behave with decorum appropriate to both circumstance and position;
 - v. Exercise the degree of care, diligence, and skill required in the performance of their duties pursuant to the laws under which BC Alpine is incorporated;
 - vi. Respect the confidentiality appropriate to issues of a sensitive nature;
 - vii. Commit the time to attend meetings and be diligent in preparation for, and participation in, discussions at such meetings;
 - viii. Have a thorough knowledge and understanding of all of BC Alpine's governing documents; and
- ix. Be knowledgeable of and conform to the bylaws and all policies approved by BC Alpine.

3.3.4 – Coaches

- a. 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 have additional responsibilities to where applicable:
 - i. 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;
 - ii. Maintain and update their knowledge around safe and effective athletic development;
 - iii. 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;
 - iv. 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;

- v. Support the coaching staff of a training camp, Provincial team, or national team; should an Athlete qualify for participation with one of these programs;
- vi. Provide Athletes (and the parents/guardians of Minor Athletes) with the information necessary to be involved in the decisions that affect the Athlete;
- vii. Consider the academic pressures applicable to Athletes who are students and conduct training and events in a manner that supports academic success;
- viii. Take ownership of actions and decisions made while coaching;
- ix. Not publicly criticize other coaches, officials or any club or association;
- x. Assist with the development of less experienced coaches;
- xi. Be in good standing with all required professional associations and BC Alpine policies on professional development and screening;
- xii. 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, cannabis, recreational drugs and/or tobacco;
- xiii. Disclose any sexual or intimate relationship with an Athlete over the age of majority to BC Alpine [or Member Organization] and immediately discontinue any involvement with that Athlete because of the Imbalance of Power; and
- xiv. Use professional, inclusive, respectful language, considering the audience being addressed.

3.3.5 – *IST Staff*

- a. IST staff will have additional responsibilities where applicable:
 - i. Providing any medical, therapeutic, psychological, or rehabilitative services in the hotel room of Athletes is prohibited (See **Section 8.0 Athlete Protection Policy**);
 - ii. Disclose any sexual or intimate relationship with an Athlete over the age of majority to BC Alpine and immediately discontinue any involvement with that Athlete because of the imbalance of power;
 - iii. Use professional, inclusive, respectful language, considering the audience being addressed; and
 - iv. Provide Athletes (and the parents/guardians of Minor Athletes) with the information necessary to be involved in the decisions that affect the Athlete.

3.3.6 – *Athletes*

- a. Athletes will have additional responsibilities to where applicable:
 - i. Report any medical issues or concerns in a timely fashion, when these may limit the Athlete's ability to travel, practice, or compete; or in the case of carded Athletes, interfere with the Athlete's ability to fulfill the requirements of the Athlete Agreement;
 - ii. Participate and appear on-time and prepared to participate to the best of their ability in all training camps, competitions, practices, training sessions, time trials, races, and major events;
 - iii. Properly represent themselves and participate only in competition for which they are eligible;

- iv. Adhere to BC Alpine's or the clubs rules and requirements regarding clothing and equipment;
- v. Act in a sportsmanlike manner and not display appearances of violence, foul language, or gestures to other Athletes, officials, coaches, or spectators; and
- vi. Respect training schedules, team rules, and instructions offered by coaches.

3.3.6 – Officials

a. Officials will have additional responsibilities to where applicable:

- i. Maintain and update their knowledge of the rules and rule changes;
- ii. Work within the boundaries of their position's description while supporting the work of other officials;
- iii. Act as an ambassador of BC Alpine by agreeing to enforce and abide by international, national, and Provincial/Territorial rules and regulations;
- iv. Avoid at all times betting on any BC Alpine events, and not accepting payment for any information related to BC Alpine events;
- v. Take ownership of actions and decisions made while officiating;
- vi. Respect the rights, dignity, and worth of all Participants;
- vii. Not publicly criticize other officials or any club or association;
- viii. Assist with the development of less experienced officials;
- ix. Conduct themselves openly, impartially, professionally, lawfully, and in good faith in the best interests of BC Alpine, Athletes, coaches, other officials, and parents;
- x. Be fair, equitable, considerate, independent, honest, and impartial in all dealings with others;
- xi. 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;
- xii. Honour all assignments unless unable to do so by virtue of illness or personal emergency, and in these cases, inform the assignor or association at the earliest possible time; and
- xiii. When writing reports, set out the true facts.

Section 4.0 – Complaint Management and Discipline Policy

Compliance with the BC Alpine Code of Conduct Policy is expected of all Participants affiliated with the organization. Any Participant who believes that a Participant listed within the BC Alpine Code of Conduct Policy scope has failed to meet their obligations under the BC Alpine Code of Conduct Policy or has demonstrated behaviour that is prohibited and categorized as Maltreatment is required to follow the reporting procedures outlined in the subsequent sections. Failure to comply with the BC Alpine Code of Conduct Policy may result in disciplinary and remedial action including but not limited to written warnings, educational training, mediation, loss of privileges, termination of employment or contract, probation, suspension, or expulsion from membership.

4.1 – Definitions

The following definitions are to be used in the interpretation of Sections 4.0 and 5.0.

- a. **ACA**
 - i. Refers to Alpine Canada Alpin
- b. **Adjudication**
 - i. The act where a dispute is resolved or a decision rendered. It may also refer to a judicial decision or a ruling. Adjudication refers to the legal process by which a judge, arbitrator or other trier of fact reviews evidence, hears arguments and legal reasoning of the opposing parties to reach a binding decision which determines the rights and obligations between the parties to the dispute.
- c. **Alpine Independent Supervisory Board (AISB)**
 - i. A group of professionals, including but not limited to, lawyers, researchers, and sport administrators, independent of BC Alpine and ACA who will serve as a disciplinary committee, responsible for the adjudication of Major Infractions.
- d. **Complainant**
 - i. A Participant or observer who makes a report of an incident of Maltreatment or suspicions of an incident of Maltreatment.
- b.1 **Complaint**
 - i. ACA Complaint form prescribed for use under this policy to report a suspicion of; or, an incident of Maltreatment.
 - ii. A verbal report of a suspicion or incident of Maltreatment to the ITP will also be considered a Complaint.
- e. **Duty to Report under Child Protection Legislation**
 - i. There is a mandatory legal duty to report by law. The duty varies by province depending on provincial legislation. Everyone has a duty to report child abuse and neglect under Canadian child welfare laws. Professionals who work with children and youth have an added responsibility to report. Adults are obliged to report child Maltreatment if there is knowledge or suspicion that it is occurring. This is called the “duty to report.”
 - ii. Every person in Canada has the duty to report known or suspected child Maltreatment by law. Known or suspected abuse or Neglect of a child must be reported to: local

child welfare services (e.g., children's aid society or child and family services agency), or provincial/territorial social service ministries or departments, or local police.

f. ***Duty to Report Concerns Outside of Child Protection Legislation***

- i. Participants have a duty to report concerns of inappropriate conduct of other Participants to uphold the ethical standards and values of Canadian sport. Reporting inappropriate conduct is important to ensure proper action is taken and expectations are re-established. By addressing inappropriate conduct, a collective responsibility to protect Participants from Maltreatment is enacted.

g. ***Independent Third Party (ITP)***

- i. A person external to the organization with experience in Maltreatment cases and investigation techniques who is hired to receive complaints, investigate complaints, and determine course of action in which the complaint is handled, within the relevant jurisdictions affiliated with ACA.

e.1 ***Intentionally Filing a False Allegation***

- i. Filing an intentionally false allegation that a Participant engaged in Maltreatment or attempting to influencing others to do so is deemed to constitute Maltreatment and may also lead to disciplinary action under the BC Alpine Code of Conduct.
- ii. An allegation is false if the reported events comprising the allegation did not occur and the person making them knows the allegations did not occur.

h. ***Mediation***

- i. An alternative dispute resolution process facilitated by a professional and neutral third-party mediator who helps the parties (i.e., the Complainant and Respondent) find a solution together.

i. ***Reporting (or Report)***

- i. The provision of information in writing by any person or a Participant to a relevant independent authority (the independent person or position charged with receiving a report and determining next steps) regarding Maltreatment. Reporting may occur through either:
 - 1. The Complainant (of any age) who may be the one who experienced the Maltreatment or is a witness – someone who witnessed the Maltreatment or otherwise knows or suspects Maltreatment.
- ii. In either case, the intention of Reporting is to initiate an independent investigative process, which could result in disciplinary action being taken against the Respondent.

j. ***Respondent***

- i. A Participant who is alleged to have engaged in Maltreatment and thereby to have violated the BC Alpine Code of Conduct.

k. ***Responsible Adult***

- i. Any parent or legal guardian who will have the right to act on behalf of the Complainant or Respondent throughout the complaint process, in the event that the Complainant or Respondent is a Minor.

l. ***SDRCC***

- i. Means the Sport Dispute Resolution Centre for Canada.

4.2 – Reporting or Report

- a. Every Participant has a responsibility of advancing Safe Sport. This means not engaging in, allowing, condoning, or ignoring behaviour that violates the BC Alpine Code of Conduct Policy.
- b. Every Participant has a responsibility to support this Code of Conduct by taking measures to report incidents of misconduct. Reporting may occur through either:
 - i. The Complainant (of any age) who may be the one who experienced the Maltreatment; or,
 - ii. Someone who witnessed the Maltreatment or otherwise knows, or suspects Maltreatment has occurred.
- c. Upon becoming aware of an incident, BC Alpine may have an obligation to report misconduct to ACA's Independent Third Party (ITP) for review and investigation if necessary, even without a formal complaint being made. Participants holding a position of trust or authority in an BC Alpine program or activity, or those persons who are in an administrative position, have a responsibility to report infractions that they have witnessed or of which they suspect or have been made aware. This is to protect other Participants within the organization from suspected risks of harm.
- d. In the case of Participants who are Minors, an individual acting on behalf of the Participant may report misconduct. If an individual files a Complaint on behalf of a Minor, the individual also has the right to receive notices on behalf of the Minor and be present at all dealings with the Minor. In the event that the individual filing a Complaint on behalf of the Minor is not the parent or legal guardian, the Minor's parent or legal guardian must be informed and kept apprised of all matters at all stages in the process.
- e. All Major Infractions must be reported to ACA's ITP. While BC Alpine encourages that Complaints be made in the prescribed form, a Complaint can also be made verbally to the ACA's ITP, using the ITP hotline or through the whistleblower mechanism. Additional attachments may be filed at the same time as the Complaint Form, if applicable. A Participant who files a Complaint is a Complainant and has the following responsibilities:
 - i. To report the incident(s) as soon as possible, especially if their safety and/or the safety of others is at risk.
 - ii. To provide as much detail as possible about the alleged conduct, including the date, time, and location of the incident(s), the name of the person alleged to have engaged in misconduct, details of what happened and/or what was said, names of any witnesses, description of action taken (if any), and copies of any documents that may be relevant, e.g., a letter, email, or note that pertains to any matter in issue.
 - iii. To cooperate fully in the investigation and resolution of any concerns, incidents, and allegations.
 - iv. To uphold the strict confidentiality of all individuals involved in the matter and only discuss the matter with others on a need-to-know basis with respect to any legal

issues, or as directed by BC Alpine, for the purposes of investigating or taking corrective action with respect to the incident or allegation, or as otherwise required by law.

- v. Any individual who engages in intentionally filing a false allegation will render themselves liable to disciplinary action in addition a Maltreatment violation will be deemed to have occurred.
- vi. To be a witness in any adjudication if requested by BC Alpine.

4.2.1 – Reprisal and Retaliation

- a. A Participant who submits a complaint to ACA's ITP, or who gives evidence in an investigation, may not be subject to reprisal or retaliation from any individual or group. Should anyone who participates in the process face reprisal or retaliation, that individual will have cause to submit a complaint.

4.2.2 – False Allegations

- a. A Participant who submits allegations that the ITP determines to be false or without merit may be subject to a complaint pursuant to BC Alpine's *Complaint Management and Discipline Policy*. In such circumstances, BC Alpine or the individual against whom the false allegations were submitted may act as the Complainant.

4.3 – Independent Third Party (ITP) Responsibilities

- a. Any Participant affiliated with BC Alpine may submit a formal complaint related to Maltreatment at any time. Complaints about BC Alpine should also be submitted to the ITP. The ITP is responsible for ensuring that all complaints, allegations, incidents, or referrals related to Maltreatment and the safeguarding of Participants are dealt with fairly and equitably. In particular, and without limiting that responsibility, the ITP shall:
 - i. Upon receipt of a Complaint, undertake a preliminary confidential review of the Complaint and determine if the Complaint is admissible according to ACA policies.
 - ii. If the Complaint is deemed admissible, make a preliminary assessment of the allegation and will determine the appropriate course of action to be taken. The assessment will recommend the course of action wherever possible to resolve the Complaint.
 - iii. If necessary, seek out advice or support from other professional experts to enhance the investigation process.
 - iv. Inform the appropriate statutory agency (the police and/or the Local Authority Children's Social Care Department) where a report is made relating to concerns about suspected or actual Maltreatment of a Minor, and to comply with any directions or requirements they may make regarding the case.

- v. Monitor and review the progress on all cases and identify any trends emerging which may require a review of current policies and procedures.
 - vi. Consider medium and low risk cases and decide whether to issue any conditions regarding further participation in the sport.
 - vii. Advise generally on matters of safeguarding policy, strategy, and procedure, and to approve appropriate protocols.
- b. Any Participant, regardless of age or status, may report an incident or Complaint to the ITP. Complaints can be submitted in writing through email (alpinecanada@itpsport.ca) or through the designated ITP hotline (1-833-913-1304), both of which are only accessible by the ITP who will hold the information in confidence subject to disclosure on a need to know basis and after obtaining a confidential non-disclosure agreement from that person.
- c. A number of government agencies have been established to prevent and redress acts of Maltreatment. The implementation of this Policy and complaints procedure does not prohibit a Complainant who experiences such behaviour from reporting incidents to and seeking assistance from their respective provincial and territorial government body.

4.3.1 – ITP Recommendations

- a. On completion of the initial assessment of the Complaint, the ITP will determine whether the acts complained of are substantiated. The ITP's Report will make one of six recommendations:
 - i. The complaint should be dismissed as it is unsubstantiated, trivial, or insufficient; or
 - ii. The complaint is deemed criminal, as defined by federal, provincial, and/or territorial legislation, and will be reported to appropriate services, including local police, Child Welfare Services (if the complainant is a Minor) and/or provincial/territorial social service ministries; or
 - iii. The complaint does not fall within the scope and jurisdiction of this Policy, and it should be referred to the appropriate body having jurisdiction, (e.g., the member association or local club); or
 - iv. The complaint should be dealt with as a Minor infraction, as defined in Section **4.4.1 – Minor Infractions** and referred to the appropriate person of authority (i.e., CEO or Chair of Board); or
 - v. The complaint should be dealt with as a major infraction, as defined in Section **4.4.2 – Major Infractions** and will undergo Dispute Resolution through a third-party mediator from SDRCC roster of mediators; or
 - vi. The complaint should be referred to the Alpine Independent Supervisory Board (AISB), a disciplinary committee independent of BC Alpine responsible for the adjudication of Major Infractions and determining sanctions or a another, yet similar, adjudication tribunal.
- b. Where a concern, incident, or Complaint is not substantiated, there will be no repercussions against the Complainant as long as the Complaint did not intentionally file a false complaint.

- c. The ITP recommendations will follow the guidelines outlined in ACA policy and cannot be appealed.

4.4 – Types of Infractions

- a. The ITP shall determine if the Complaint is considered to be a Minor or a major infraction of this policy. The ITP has the absolute discretion to determine the categorization of an infraction as Minor or major depending on the totality of the evidence, circumstances, and risks posed. The lists of infractions in Sections 4.4.1 and 4.4.2 are provided merely as a guide for the use of the ITP.
- b. Discipline for Minor Infractions will be imposed by the ITP in consultation with the CEO whereas discipline for Major Infractions will be imposed by the Alpine Independent Supervisory Board (AISB) in accordance with this policy (See section **4.6.7 – *Alpine Independent Supervisory Board (AISB)***).

4.4.1 – Minor Infractions

- a. Minor Infractions may be a single incidence of behaviour resulting in a breach of the expected standards of conduct and may include, but are not limited to, behaviours, such as:
 - i. A single instance of disrespectful comments or behaviour directed towards others;
 - ii. A single instance of unsportsmanlike conduct;
 - iii. A single instance of a team member or support staff member breaking team rules that do not constitute a major infraction;
 - iv. Conduct contrary to the values of BC Alpine;
 - v. Violations of BC Alpine's Code of Conduct determined to be Minor by the ITP; and
 - vi. A single instance of non-compliance with the policies, procedures, rules, or regulations of BC Alpine.

4.4.2 – Major Infractions

- a. Major Infractions are instances of misconduct that result or have the potential to result in harm to other persons, to BC Alpine or its reputation, and/or to the sport of skiing. Examples of Major Infractions include, but are not limited to:
 - i. Repeated Minor Infractions;
 - ii. Behaviour that constitutes Maltreatment of any kind, as outlined in the BC Alpine Code of Conduct;
 - iii. Major incidents of violence (e.g., fighting, attacking);
 - iv. Pranks, jokes, or other activities that endanger the safety and well-being of others;
 - v. Major or repeated violations of BC Alpine's Code of Conduct Policy;
 - vi. Conduct that interferes with a competition or with any Athlete's preparation for a competition;

- vii. Consistent or deliberate disregard for the policies, procedures, rules or regulations of BC Alpine or the rules and regulations of competitions and events;
- viii. Intentional damage to BC Alpine's property or improper handling of BC Alpine's finances;
- ix. Conduct that intentionally damages the image, credibility, or reputation of BC Alpine, including actions taken despite a clear conflict of interest;
- x. Excessive use of alcohol, any use of alcohol or cannabis by Athletes and Minors, use of illicit drugs and narcotics, or use of banned performance enhancing drugs or methods; and
- xi. A conviction for any offence under the Criminal Code, R.S.C., 1985, c. C-46.

4.5 – Complaint Management – Minor Infractions

- a. Following the ITP's determination that the Complaint is a Minor infraction, a disciplinary meeting shall be held within two (2) days with the Complainant, Respondent, and the CEO of BC Alpine. If the Minor infraction involves a Participant affiliated with a National Team, the High-Performance Director is also required to be present for the meeting. If the Minor infraction is about the CEO, the Chair of the Board will determine an appropriate sanction. The disciplinary meeting may take place in person, by phone, or other electronic means, such as videoconferencing.
- b. Prior to the disciplinary meeting, the Participant accused of the Minor infraction, i.e., the Respondent, must:
 - i. Be informed within two (2) days once a complaint has been made;
 - ii. Cooperate fully in the investigation and resolution of any concerns, incidents, and complaints;
 - iii. Refrain from any form of reprisal against anyone involved in the investigation;
 - iv. Be provided within two (2) days a written summary of the allegation(s), including the nature of the infraction and the specific clause within the Code of Conduct Policy that has allegedly been contravened;
 - v. Be advised that they are not to discuss the complaint, incident, investigation, or their testimony with other people, witnesses, or third parties unless necessary to obtain legal advice;
 - vi. Be afforded an opportunity to respond to the complaint by providing information and documents concerning the alleged incident. This information may be provided during a phone call, videoconference, or in person depending on the timing and logistics involved; and
 - vii. Be afforded the opportunity to be represented or accompanied by another (uninvolved) individual of their choice, including legal counsel, at any stage of the process including at the disciplinary meeting.
- c. Where a Respondent denies the allegations made, the discussion should nonetheless be treated as a formal warning that inappropriate behaviour will not be tolerated. Information about the

allegations and the Respondent's response must be available to all those making any disciplinary decision about the matter on a "need to know" basis. A decision regarding disciplinary or corrective action can be made immediately after the discussion, but no later than 24 hours after the disciplinary meeting. The CEO (or Chair of the Board) will either set aside the report of misconduct if it is unfounded or uphold the report (in part or in its entirety), in order to apply the appropriate disciplinary measures noted below. Once a decision is made, the CEO (or Chair of the Board) must inform the parties, in writing and verbally, of the results of the investigation and of any corrective action that will be taken as a result of the investigation.

- d. At any time, the CEO or Chair of the Board may request third-party mediation through SDRCC to resolve Minor Infractions.

4.5.1 – Disciplinary Sanctions for Minor Infractions

- a. The following conduct sanctions may be applied, individually or in combination, for Minor Infractions:
 - i. Verbal reprimand;
 - ii. Remedial education;
 - iii. Performance improvement measures;
 - iv. Written reprimand to be placed in the individual's file;
 - v. Verbal apology to recipient(s) of infraction and/or BC Alpine;
 - vi. Hand-delivered written apology to recipient(s) of infraction and/or BC Alpine;
 - vii. Suspension from current or upcoming competitions; or
 - viii. Other penalties as may be considered appropriate for the offence.
- b. Disciplinary sanctions for Minor Infractions cannot be appealed.

4.5.2 – A Minor Filing or Responding to a Complaint

- a. If the Complainant or Respondent is a Minor, the ITP will communicate with both the Complainant or Respondent and a Responsible Adult. The Responsible Adult will have the right to act on behalf of the Complainant or Respondent throughout the complaint process, including:
 - i. Providing assistance with filing or responding to the Complaint;
 - ii. Receiving all notices and correspondence on behalf of the Complainant or Respondent; and
 - iii. Being present at all dealings with the Complainant or Respondent, at all stages in the process.
- b. For the purposes of this section Responsible Adult means the Minor's parent or legal guardian. In unusual cases, the Minor may be assisted in filing or responding to a complaint by another adult designated as the Responsible Adult, such as a social worker, but the parent or legal guardian must always be aware and kept apprised of the filing and proceedings at all stages of the process.

4.6 – Complaint Management – Major Infractions

- a. If the ITP has determined that the Complaint is considered to be a Major Infraction of this policy, then, the ITP will review the Complaint and any attachments submitted for completeness and adherence to the submission procedures. If the documentation is either incomplete or missing, the Complainant will be asked to provide completed documentation.

4.6.1 – Suspension of Activity While Complaint is Under Review

- a. The ITP may determine that an allegation is sufficiently serious to warrant a provisional suspension of the Respondent, pending investigation of the complaint. In the event that a complaint warrants a provisional suspension, the ITP will communicate the recommendation to the CEO – or the Chair of the Board if the complaint is about the CEO – immediately following their conclusion that a suspension is warranted. The CEO or Chair of the Board will be responsible for administering a written and verbal suspension within 24 hours of the ITP's recommendation.
- b. The provisionally suspended Respondent(s) may challenge the provisional suspension to the appropriate SDRCC Tribunal. The Respondent(s) will be responsible for all costs associated with the appeal.
- c. If any Participant who has agreed to abide by this Policy and is charged of a criminal offence, the CEO, or Chair of the Board if the criminal charge involves the CEO, may immediately upon becoming aware of the criminal charge provisionally suspend that Participant, pending the resolution of the criminal charges and any subsequent investigation by ACA's ITP, law enforcement, or child welfare services. A suspension revokes all participation privileges for the duration of time stated in the suspension order.
- a. The CEO or Chair of the Board will forward all information in ACA's hands regarding the charge or conviction, as well as any suspension order to the ITP, at which time the ITP will follow the process of building a Case Report to make appropriate recommendations. Any information deemed appropriate or relevant by law enforcement authorities to support their investigation will be provided by the ITP.
- d. In addition to the ITP, the Complaint may also be reviewed by other external experts (e.g., legal), if necessary, to determine if a provisional suspension is warranted. A provisional suspension has the effect of revoking all participation privileges for the duration of time stated in the suspension order.
- e. A provisional suspension is not a finding of guilt, and that the investigation will proceed to make such determination.

4.6.2 – Illegal Activity to be Reported

- a. If the ITP receives a Complaint that involves allegations that may be of an illegal nature, as defined by federal, provincial, or territorial legislation, such allegations will immediately be reported to the appropriate law enforcement and/or child welfare authorities, by the ITP.

- b. In that event, BC Alpine will cooperate fully with, and take direction from, the authority with which jurisdiction over the allegations resides.

4.6.3 – Refusal to Participate in the Investigation

- a. If a Respondent attempts to circumvent the process by failing to respond to a complaint in a thorough or timely fashion or at all, or if the Respondent refuses to participate in the investigation process, the ITP shall nonetheless proceed based on the information made available to them by the Complainant and any witnesses interviewed as part of the process.

4.6.4 – Notification to the Respondent’s Member Association

- a. The Respondent’s Member Association and/or local club will be informed that a Complaint has been received and the Respondent is under investigation, but will not be provided with a copy of the complaint materials, any details as to the nature of the complaint, or the ITP’s Report by ACA, in order to uphold confidentiality, unless required for the purposes of investigating the matter, taking corrective action, or as otherwise required by law.

4.6.5 – ITP’s Final Report

- a. The ITP will work as quickly as possible to collect all pertinent information from the Complainant, the Respondent, any pertinent witnesses, and external investigators (if applicable) to produce the ITP’s Final Report, which will summarize the findings, conclusions, and recommendations for how to proceed.
- b. The ITP has thirty (30) days from when the Complaint is submitted to generate a report.
- c. If the ITP’s Final Report classifies the complaint as a Major Infraction, then the following procedures may follow:
 - i. Dispute Resolution (i.e., Mediation); or
 - ii. Review by the Alpine Independent Supervisory Board (AISB)

4.6.6 – Dispute Resolution

- a. Before any Complaint proceeds to the AISB, there will be an attempt to resolve the dispute with the assistance of a third-party mediator through SDRCC. BC Alpine supports the principles of Dispute Resolution and is committed to the techniques of negotiation, facilitation, and mediation as effective ways to resolve disputes. Dispute Resolution also avoids the uncertainty, costs, and other negative effects associated with lengthy appeals or complaints, or with litigation.
- b. A Mediation shall be commenced when the Parties (i.e., the Complainant and Respondent) have agreed in writing to proceed by way of Mediation before the SDRCC.

4.6.6.1 – Dispute Resolution – Mediation

- a. The SDRCC shall appoint a Mediator from its Rotating List, unless the Parties have agreed to a Mediator prior to filing their joint Request for Mediation.

- b. Upon receipt of a request for Mediation, the Parties will be provided with a time limit, set by the SDRCC, to agree on a Mediator. If the Parties do not agree on a Mediator when the time limit expires, the SDRCC shall appoint the Mediator from its Rotating List.
- c. Complaints pertaining to Maltreatment of a Minor, criminal behaviour, or sexual harassment cannot be settled through mediation.

4.6.6.2 – Final and Binding

- a. Any negotiated settlement will be made in writing and will be binding on the parties. Negotiated settlements may not be appealed or subsequently re-submitted as a Complaint to the ITP.
- b. Decisions that arise out of mediation are final and binding on all the parties.

4.6.6.3 – Confidentiality of Mediation

- a. The meetings between the Respondent, Complainant, and the Mediator shall be confidential and without prejudice.
- b. The Mediator, the Respondent, the Complainant, their representatives and advisors, the experts, and any other person present during the Mediation session shall not disclose to any third party any information or document given to them during the Mediation, unless required by law to do so or with the consent of all persons.

4.6.7 – Alpine Independent Supervisory Board (AISB)

- a. ACA will endeavor to maintain an AISB roster of 7 to 10 qualified individuals (e.g., lawyers, researchers, sport administrators) from across the country, from which an AISB of 3 will be struck when required for adjudication of Major Infractions.
- b. The AISB must be able to fully function in either English or French. Where the Complainant and the Respondent do not speak the same official language, the AISB may be bilingual (i.e., English and French speaking) or interpretation may be provided.
- c. No current member of the ACA Board, BC Alpine Board, HR Equity, Diversity and Inclusion Committee, or current Director of a Member Club can be on the AISB. Current staff members or contractors are also restricted from sitting on the AISB.
- d. All AISB members must sign a Non-Disclosure Form and Declaration of Independence.
- e. The AISB will only be convened to investigate and adjudicate Major Infractions.

4.6.7.1 – AISB Process

- a. ACA's Administrative Case Manager will convene the AISB within five days of the ITP's recommendation to have the complaint further investigated and adjudicated by the AISB.
- b. The composition of the AISB shall be as follows:
 - i. Three persons will be appointed, of which one is named as Chair who must be legally trained, and one as committee secretary. The Administrative Case Manager will be

- responsible for all communications with the Complainant and Respondent regarding the discipline hearing and decisions made; and
- ii. The AISB will include at least one lawyer and one individual with knowledge of and/or experience in the area of Maltreatment, including, but not limited to, a researcher, or sport administrator. The third member may be an individual from the sport community, who may or may not be affiliated with ACA or BC Alpine.
- c. In making the appointments, every attempt will be made to ensure the following:
 - i. That no association exists between the Complainant or the Respondent and an AISB member, either actual or apparent;
 - ii. That no AISB member has been involved in any preliminary stage of the complaint;
 - iii. That no AISB member has a pre-set attitude, conflict with or apparent interest in the ultimate outcome (Definition: “apparent” is defined to mean “in appearance” or “reasonable likelihood”);
 - iv. That the AISB members speak the official language selected for the hearing (English or French); and
 - v. That there is appropriate gender representation amongst the members of the AISB (e.g., at no time should the AISB be comprised strictly of individuals from one gender).

4.6.7.2 – Timing of the Discipline Hearing

- a. The discipline hearing will be called by the AISB Chair on a timely basis, but no later than 30 days after the AISB is convened.
- b. The discipline hearing shall proceed as scheduled unless both the Complainant and Respondent consent to an extension of time. No extension shall be granted more than 14 days past the original date set for the hearing. If the circumstances are such that the hearing cannot be concluded within the timelines prescribed by the Policy, the AISB Chair may extend the timelines.

4.6.7.3 – Principles for the Hearings of the AISB

- a. The AISB shall be empowered to conduct the hearing in accordance with this Policy.
- b. The AISB will designate one language for the proceedings. Prior to the commencement of the hearing, the AISB Chair shall inform the Participants of their right to an interpreter, which will be provided on behalf of ACA or BC Alpine.
- c. The principles of natural justice will be applied:
 - i. Everyone has the right to a fair hearing in the course of determining whether an infraction has been committed;
 - ii. The issue should be clearly and concisely stated so that both parties are aware of the essentials of the complaint;
 - iii. An Athlete has the opportunity to have an “Athlete Advocate” present at the hearing;
 - iv. Both parties have the right to have a legal representative present their case;
 - v. Relevant information must be available to all parties;
 - vi. Both parties have the right to call and cross-examine witnesses; and

- vii. Both parties have the right to receive a written decision following the hearing.

4.6.7.4 – AISB’s Use of ITP’s Report

- a. The original complaint, the submissions by the Complainant and Respondent, and the ITP’s Report will form the written documentation submitted to the AISB. All members of the AISB must receive the documentation by the Administrative Case Manager on the day they agree to be part of the AISB.

4.6.7.5 – Discipline Hearing Procedures

- a. The AISB may choose to meet in person or via videoconferencing, but if the meeting takes place through videoconference, all AISB members, the Complainant, the Respondent and all attending witnesses must have two-way audio contact with all other persons attending the meeting.
 - i. All Participants must have in their possession copies of all written materials;
 - ii. The Complainant and the Respondent will have the right to be accompanied by and represented by legal counsel at any stage of the process, at their own expense;
 - iii. At the discipline hearing, either party may present information, witnesses, documents and/or personal statements, and either party may cross-examine the other, or their witnesses. The AISB members may similarly cross-examine or request any information from either party or any Participant of BC Alpine;
 - iv. A Minor Complainant, Respondent, or witness can only be questioned at a discipline hearing if a “Responsible Adult” is also present on their behalf;
 - v. The AISB will then deliberate to reach a decision and make its decision on the basis of the written and verbal evidence presented at the Hearing;
 - vi. The AISB shall provide written reasons for its decision, which reasons shall be delivered within 14 days, via email, to each party and the CEO of BC Alpine;
 - vii. Notwithstanding subsection f), the AISB may render a verbal decision immediately at the hearing provided that a written decision is delivered following the hearing in accordance with subsection f);
 - viii. The date on which the AISB sends the written decision via registered mail to the parties shall be deemed to be the date on which the decision was rendered;
 - ix. The AISB, on its own discretion, may grant monetary relief to either party in the form of expenses (limited to documented travel costs); and
 - x. Any Member or Participant shall be entitled to obtain a copy of the decision rendered, unless the AISB considers the matter to be sensitive or confidential in nature.

4.6.7.6 – Powers of the AISB

- a. The AISB shall be empowered to impose penalties based on its findings and decision at the discipline hearing. The following are examples of disciplinary penalties that may be applied where it is found that a Major Infraction has occurred:

- i. Verbal or written reprimand placed on the Respondent's file;
 - ii. Verbal or written apology to be issued to all affected parties;
 - iii. Removal of certain privileges of registration or contracting with BC Alpine;
 - iv. Participation in behavioural counselling, education, training, or other similar activities;
 - v. Suspension from certain events, including suspension from current or future competitions;
 - vi. Suspension from certain BC Alpine activities such as competing, coaching, or officiating for a designated period of time;
 - vii. Removal and discontinuance of BC Alpine funding;
 - viii. Suspension from all BC Alpine activities for a designated period of time;
 - ix. Suspension of license;
 - x. Expulsion from membership; and/or
 - xi. Publication of the disciplinary sanction.
- b. The above list includes representative penalties only, and therefore, these penalties may be modified or combined to adequately address the circumstances of the infraction. This list is presented generally in order of severity. What is appropriate in any given situation will vary, and will depend on a number of factors including, among other things, the nature and seriousness of the infraction, and whether this is a new or recurrent infraction.

4.6.7.7 – Discipline Material

- a. After completion of its duties, the AISB will turn over all copies of the documentation from the discipline hearing to the CEO and/or Administrative Case Manager, including a copy of the complaint and details about the incident, the ITP's Report, a summary of the results of the investigation that was provided to the Complainant and Respondent, any written submissions and notes taken by AISB members during the Hearing, and a copy of the decision and any corrective action taken to address the complaint, to BC Alpine, for safe-keeping in a secure location for a minimum of 7 years.
- b. After 7 years, only the ITP's Report and the decision will be kept in perpetuity.

4.7 – Confidentiality

- a. The Complaint Management process is confidential and involves only those within ACA or BC Alpine with a need to know, including a limited number of staff members (e.g., CEO if provisional suspension recommended or Administrative Case Manager if required to convene AISB), the Participant(s) acting as the Complainant(s) and Respondent(s) and individuals acting on their behalf, the ITP, the AISB, and any independent advisors to the AISB.
- b. Once a complaint is initiated and until a decision is released, disclosure of confidential information related to the complaint to any individual outside of the proceedings is prohibited except as strictly required for the purposes of investigating, taking corrective action with respect to the complaint, or as otherwise compelled by law. Any breach of this confidentiality obligation will be treated as a serious misconduct.

- c. All appropriate federal, provincial and territorial laws should be upheld throughout all disciplinary processes.
- d. Consenting to the BC Alpine Code of Conduct permits BC Alpine the right to publicize the final decision of an investigation and the associated sanctions made against Participants on the ACA or BC Alpine website.

4.8 – Reprisal Prohibited

- a. Under no circumstances will BC Alpine condone acts of retaliation or reprisal by Participants, by parents or legal guardians or other supporters of the Participants against those individuals who have reported inappropriate behaviour or actions to ACA or BC Alpine.
- b. Similarly, no individual may retaliate against an individual who is accused of having acted inappropriately and contravened any policies. All participants are to report complaints under the Complaints and Discipline Policy and Procedures.
- c. Any individual who believes that they, or someone else has been subjected to unlawful reprisal must promptly report those concerns to ACA or BC Alpine.

4.9 – Training and Policy Review

- a. BC Alpine will provide information and training sessions to ensure that all Participants are aware of and understand this Policy and related policies. BC Alpine will also ensure that said policies are maintained and reviewed annually or when gaps or deficiencies are identified as a result of an investigation.

Section 5.0 – Appeal Policy

5.1 – Submission of Appeals

- a. A Complainant or Respondent may file an Appeal of the AISB decision only in accordance with this Policy.
- b. The Appeal must be filed in writing within 14 days from the date the AISB sends its decision by email to the Complainant and Respondent and must be deemed received 2 days following

being sent to last known email of the Appellant. The Appeal must be submitted using the Appeal Submission Form.

5.2 – Grounds for Appeal by a Respondent

- a. The Respondent may appeal any disciplinary decision if the decision:
 - i. Will limit or remove the Respondent access to program or committee activities;
 - ii. Will suspend or expel the Respondent from Participant status; or
 - iii. If the Complaint process did not properly follow the procedures set out in this Policy, if proven by Respondent.

5.3 – Grounds for Appeal by a Complainant

- a. A Complainant may appeal an AISB decision if the Complaint process did not properly follow the procedures set out in this Policy, if proven by the Complainant.
- b. The Complainant does NOT have grounds to file an appeal if the Complaint was not upheld, or if a Complaint was upheld but the Complainant disagrees with the type of disciplinary action taken against the Respondent.

5.4 – The Appeal Committee

- a. The Administrative Case Manager will convene the Appeal Committee within five days of the appeal officially being made. The Appeal Committee will be comprised of three different panel members from the AISB, who were not affiliated with the adjudication process of the initial complaint.
 - i. The composition of the Appeal Committee shall be as follows:
 - i. Three persons will be appointed, of which one is named as Chair, and one as committee secretary;
 - ii. No committee member shall be a Participant of ACA or BC Alpine; and
 - iii. The Appeal Committee will include at least one lawyer and one individual with knowledge of or experience in the area of Maltreatment, including, but not limited to, a Researcher, or Psychotherapist. The third member may be an individual from the sport community, who is not affiliated with ACA or BC Alpine.

5.5 – Validating the Grounds for Appeal

- a. The Appeal Committee Chair will review the written appeal submission and, in his or her sole discretion, determine if there are sufficient grounds for appeal. In the event there are sufficient grounds, the Appeal Hearing process will be initiated.
- b. Any Appeal by the Respondent based on disciplinary action taken against them will automatically be referred to an Appeal Hearing without the need for the Appeal Committee Chair to review the appeal submission.

5.6 – Proceedings for Appeal Hearings

5.6.1 – Timing of the Appeal Hearing

- a. The Appeal Hearing will be called to convene by the Appeal Committee Chair on a timely basis, but no later than 14 days after the Appeal is received.

5.6.2 – Principles for the Appeal Hearing

- a. The Appeal Committee shall be empowered to conduct the Appeal Hearing in accordance with this Policy.
- b. With respect to language rights, the Appeal Hearing shall be conducted in the official language or languages that had previously been selected by the parties and the BC Alpine unless the Appeal is based on an alleged breach of a party's language rights.
- c. The principles of natural justice will be applied:
 - i. Everyone has the right to a fair hearing in the course of determining an outcome for the Appeal;
 - ii. The issue should be clearly and concisely stated so that both parties are aware of the essentials of the Appeal;
 - iii. An Athlete has the opportunity to have an "Athlete Advocate" present at the hearing;
 - iv. Both parties have the right to have a legal representative present their case;
 - v. Relevant information must be available to all parties;
 - vi. Both parties have the right to call and cross-examine witnesses;
 - vii. Both parties have the right to receive a written decision following the hearing.

5.6.3 – Appeal Hearing Procedures

- a. The Appeal Committee may choose in its sole discretion to meet in person or via videoconferencing. If the appeal takes place through videoconference, all Committee members, the Complainant, the Respondent, and all attending witnesses must have two-way audio contact with all other persons attending the appeal.
 - i. All participants must have in their possession copies of all written materials, including a copy of the decision under appeal;
 - ii. The Complainant and the Respondent will have the right to be accompanied by and represented by legal counsel at any stage of the process, at their own expense;
 - iii. The Hearing will deal only with the reasons for the Appeal. If the submission is based on an alleged contravention of this Policy, the facts of the original complaint and misconduct will not be heard.
 - iv. The Appeal Committee will deliberate to reach a decision based upon the written and verbal evidence presented at the Appeal Hearing;
 - v. The Appeal Committee shall provide written reasons for its decision, which reasons shall be delivered within three (3) days by email to the parties involved in the course of the appeal and deemed to be received two days after sending;

- vi. The Appeal Committee may render a verbal decision immediately at the hearing provided that a written decision is delivered following the hearing;
- vii. The date on which the Appeal Committee sends the written decision via email to the parties shall be deemed to be the date on which the decision was rendered;
- viii. The Appeal Committee, on its own discretion, may grant monetary relief to either party in the form of expenses (limited to documented travel costs); and
- ix. Any Member or Participant shall be entitled to obtain a copy of the decision rendered, unless the Appeal Committee considers the matter to be sensitive or confidential in nature.

5.6.4 – Appeal Decision

- a. The Appeal Panel may, by a majority vote of its members:
 - i. Dismiss the appeal and uphold the decision of the AISB; or
 - ii. Substitute its own decision for that of the AISB.

5.6.5 – Final and Binding Decision

- a. The decision of the Appeal Committee will be final and binding on all parties in relation to registered participation in programs and activities offered by ACA or BC Alpine.

5.6.6 – Appeal Material

- a. After completion of its duties, the Appeal Committee will turn over all copies of the documentation from the Appeal Hearing, including all materials received from the discipline hearing any notes taken by Committee members during the hearing, and a copy of the decision, and any corrective action taken to address the complaint, to BC Alpine for safe-keeping in a secure location for a minimum of 7 years. After this time, only the decision will be kept in perpetuity.

Section 6.0 – Whistleblower Policy

- a. It is in the interest of all Participants that concerns regarding Participants' conduct at ACA or BC Alpine Activities (as defined below) be reported so that they can be properly investigated. The ACA Whistleblowing Policy ("Policy") is in place:
 - i. To encourage and enable Participants to raise any concerns about behaviour, to report any prohibited behaviour, or any breach, or potential, or suspected breach of the BC Alpine Code of Conduct Policy without fear of reprisal; and

- ii. To provide for anonymous reporting.
- b. All Participants are expected to promptly report any behaviour of which they become aware that may constitute a breach of the BC Alpine Code of Conduct Policy, or contravenes the law. This duty to report includes situations where the breach is suspected, provided the Participant has reasonable grounds to believe such suspicion is true. No person who is the subject of the report, or who has a material interest in the matter shall participate in the initial review and assessment procedure described below (except as a party, if applicable).

6.1 – Confidentiality

- a. The BC Alpine will use reasonable efforts having regard to the circumstances, to conduct the initial review and assessment in confidence, including where reasonably possible, protecting the anonymity of the Whistleblower. Confidentiality will no longer apply when the BC Alpine may be required by law to produce information or reveal the identity of the Whistleblower.
- b. To the extent possible, reports, complaints, witness statements and other documents produced under this Policy or shared in an investigation, shall be held in confidence by the BC Alpine. The BC Alpine cannot and does not guarantee confidentiality but will use its best efforts to maintain confidentiality. Circumstances in which information may be shared include, without limitation:
 - i. When criminal conduct may be involved;
 - ii. When it is felt to be necessary to protect others from harassment, discrimination, violence or any other potential breach of the Conduct Policy;
 - iii. When required to ensure fairness or natural justice in the procedures contemplated by this Policy;
 - iv. In the course of an investigation by a law enforcement agency;
 - v. To protect the interests of the BC Alpine; and
 - vi. When required by law.

6.2 – Reprisals

- a. Any person who reports a concern in good faith will not be subject to reprisal or other adverse consequences as a result of submitting a report. Any Participant who has reasonable grounds to believe that a reprisal has occurred may file a Complaint under the BC Alpine Code of Conduct Policy. Any Participant who retaliates against someone who has reported a concern in good faith will be subject to sanctions in accordance with the BC Alpine Code of Conduct Policy.
- b. For the purpose of this BC Alpine Code of Conduct Policy, knowingly making a groundless or false allegation, or knowingly providing false information shall also be deemed a reprisal and may be subject to sanctions under the BC Alpine Code of Conduct Policy.

6.3 – Procedure

- a. A concern can be reported in confidence using the ACA's online Whistleblower Form, by calling the confidential ITP hotline or by emailing the ITP. If the latter two options are used,

a request for anonymity may be made to the ITP to remain anonymous throughout any procedures or investigations to follow the disclosure. All reporting information is outlined on the attached Whistleblower Form.

- b. The Whistleblower Form will be received by the ITP for initial review and assessment. Following the initial review and assessment, if it has been determined that the matter merits further review and action, the ITP will so advise the ACA's CEO and the matter shall thereafter be handled in accordance with the Conduct Policy. If the CEO is the subject of the report or has a material personal interest in the matter, the ITP will turn the matter over to the Chair of the Board and the matter shall thereafter be handled in accordance with the Conduct Policy.
- c. As part of the initial review and assessment, the ITP shall have the following rights and authority:
 - i. To retain outside counsel, accountants, investigators and other external resources or engage or inform internal resources, as deemed necessary to conduct an appropriate initial review and assessment to determine whether the matter necessitates a more fulsome review as outlined in the ACA Code of Conduct Policy or to otherwise manage the situation;
 - ii. To share such information as is deemed necessary to ensure the effective resolution of any complaint in the most appropriate forum;
 - iii. To refer a matter to a more appropriate authority (e.g., WADA, RCMP, NSF, Sport Canada); and
 - iv. In the absolute discretion of the ITP a Complaint may be held in abeyance pending the resolution of a similar or other related Complaint.
- d. Except when a report is anonymous, the Whistleblower will be advised once the initial review and assessment of a matter has been completed, and if the matter has been provided to the CEO or Chair of the Board for further investigation in accordance with the Conduct Policy. In such circumstances, the Whistleblower shall be directed to the Conduct Policy.
- e. In any year in which a concern has been reported through the Whistleblower mechanisms, a summary of the reports filed, and actions taken under this Policy will be provided by the ITP.
- f. The ITP shall forward to the CEO or Chair of the Board the documentation resulting from every report received under this Policy, which may include a written report initiated by the ITP on behalf of an anonymous Whistleblower, when warranted. If the CEO is the subject of the report or has a material personal interest in the matter, the ITP shall forward the documentation resulting from such report received under this Policy to the Chair of the Board. Similarly, if the Chair of the Board is the subject of the report or has a material personal interest in the matter, the ITP shall forward the documentation resulting from such report received under this Policy to the CEO and the Safe Sport Manager.

Section 7.0 – Additional Standards of Behaviour

7.1 – Conflicts of Interest

- a. All Participants are obligated to avoid conflicts of interest and the appearance of a conflict of interest. Participants must avoid situations where their own or their Family Members' personal interests could interfere or may conflict, directly or indirectly, with their obligations to the BC Alpine.

- b. Participants must not allow their personal interests or the interests of their Family Members to take precedence over the interests of BC Alpine. No Participant shall have an undisclosed direct or indirect interest in or relationship with any outside organization or person that might affect the objectivity or independence of their judgment in carrying out the duties and responsibilities they have with BC Alpine. Anything that could constitute a conflict of interest or unethical conduct on the part of a Participant is also a conflict of interest if knowingly engaged in through a third party such as a Family Member, or other related persons or organization.
- c. A “Family Member” shall include, but is not limited to, a spouse, partner, natural or adoptive parent, child, sibling, people who are in an intimate relationship and people who permanently reside together. A Related Party: shall include a Family Member, associates or a private corporation controlled by any of these individuals.
- d. A Participant is required to disclose to their immediate supervisor, or the CEO, any conflict, or potential conflict of interest as soon as the Participant becomes aware of it and must recuse themselves from any related decisions.
- e. Conflicts of interest may arise in situations involving:
 - i. An interest, either real or perceived, that benefits the Participant or a Related Party;
 - ii. Outside organizations with which the Participant has an official governing responsibility, or which employ the Participant or a Family Member;
 - iii. The Participant having a financial interest in the outside organization; or
 - iv. Real or perceived potential to compromise the best interest of BC Alpine.
- f. Circumstances in which a conflict of interest or unethical conduct would arise include, but are not limited to:
 - i. Material or direct personal involvement with bid city committees, sponsors, suppliers, vendors, contractors, customers or others, liable or seeking to benefit from the assistance of the Participant in his or her capacity with BC Alpine;
 - ii. Exerting undue influence with respect to the qualification of an Athlete;
 - iii. Ownership of a material interest in one or more Entities, acting in any material capacity in one or more Entities, or acceptance of material payments, services or loans from such Entities; or
 - iv. Ownership of property directly and specifically affected by BC Alpine’s actions or acquired as a result of Confidential Information obtained from BC Alpine.

7.1.1 – Conflict of Interest Amongst Board Members

- a. Directors are considered to be in a “conflict of interest” whenever they have an interest in a Board decision which may benefit them personally or professionally, or when their personal or professional interests in a decision conflict with the interests of the organization. A conflict of interest may be “real”, “potential” or “perceived”. The same duty of disclosure applies to each situation.

b. To avoid conflicts of interest:

- i. Directors must openly disclose a conflict of interest to the Chair of the Board as soon as the issue arises and before the Board or its committees deal with the matter.
- ii. If the Director is not certain that they are in a conflict of interest position, the matter may be brought before the Board Chair or Governance and Human Resources Committee for advice and guidance.
- iii. It is the responsibility of other Directors who are aware of a conflict of interest on the part of a fellow Director to raise the issue for clarification, first with the Director, and if unresolved, with the Board Chair.
- iv. If there is a question or doubt about the existence of a conflict of interest, the Board will determine by vote if a conflict exists. The person potentially in conflict will be absent from the discussion and the vote.
- v. The disclosure and decision as to whether a conflict exists, along with the member's abstention from the discussion and vote, will be recorded in the minutes of the meeting.

7.2 – Preferential Treatment

- a. Participants must not act in their official roles with BC Alpine to assist organizations or persons in their dealing with BC Alpine, this may result in, or potentially appear to result in, preferential treatment to that organization or person.

7.3 – Corporate Property

- a. Participants must not use corporate property to pursue their private interests or the interests of a Related Party. Without limiting the foregoing, occasional, limited personal use of BC Alpine computers, phones and other communication equipment is permitted, provided it does not negatively impact productivity, or interfere with normal business operations.

Section 8.0 – Athlete Protection Policy

8.1 – Rule of Two

- a. BC Alpine and its Participants must observe and apply the 'Rule of Two' when interacting with Athletes. The Coaching Association of Canada describes the intention of the 'Rule of Two' as follows:

- i. A coach must never be alone or out of sight with a Minor Athlete;
 - ii. Two National Coaching Certification Program (NCCP) trained or certified coaches should always be present with an Athlete, especially a Minor Athlete, when in a potentially vulnerable situation such as in a locker room or meeting room;
 - iii. All one-on-one interactions between a coach and an Athlete must take place within earshot and in view of a second coach except for medical emergencies. One of the coaches must also be of the same gender as the Athlete;
 - iv. Should there be a circumstance where a second screened and NCCP trained or certified coach is not available, a screened volunteer, parent, or adult can be recruited; and
 - v. No athletic therapy may occur within a Participant's hotel room.
- b. BC Alpine recognizes that fully implementing the 'Rule of Two', as described above (and modified accordingly for Persons in Authority), in all circumstances, may not always be possible. Consequently, at a minimum, interactions between Persons in Authority and Athletes must respect the following:
 - i. The training environment should be open to observation so that all interactions between Persons in Authority and Athletes are observable;
 - ii. Private or one-on-one situations must be avoided unless they are observable or within earshot of another adult or Athlete; and
 - iii. Vulnerable Participants must not be in any situation where they are alone with a Person in Authority without another Athlete or screened adult present unless prior written permission is obtained from the Vulnerable Individual's parent or guardian.
- c. In addition to respecting the minimum requirements described above, it is strongly recommended that:
 - i. Teams or groups of Athletes always have at least two Persons in Authority with them;
 - ii. For mixed gender teams or groups of Athletes, there will be one Person in Authority from each gender; and
 - iii. Screened parents or other volunteers will be available in situations when two Persons in Authority cannot be present.

8.1.1 – Practices and Competitions

- a. As it relates to practices and/or competitions, the following shall be respected:
 - i. If the Vulnerable Participant is the first Athlete to arrive, the Athlete's parent should remain until another Athlete or Person in Authority arrives; and
 - ii. If a Vulnerable Participant would potentially be alone with a Person in Authority following a competition or practice, the Person in Authority should ask another Person in Authority (or a parent or guardian of another Athlete) to stay until all of the Athletes have been picked up. If an adult is unavailable, another Athlete, who is preferably not a Vulnerable Participant, should be present in order to avoid the Person in Authority being alone with a single Vulnerable Participant.

8.1.2 - Communications

- a. Communications between Persons in Authority and Athletes should respect the following:
 - i. Group messages, group emails or team pages are to be used as the regular method of communication between Persons in Authority and Athletes; and
 - ii. Persons in Authority may only send personal texts, direct messages on social media or emails to individual Athletes when necessary and only for communicating information related to team issues and activities (e.g., non-personal information). Any such texts, messages or emails shall be professional in tone.
- b. No personal texts between Vulnerable Individuals and Persons in Authority are to be sent; however, if this is necessary, it should include one other adult person on the message.
- c. Parents and guardians of Vulnerable Participants may request that their child not be contacted by a Person in Authority using any form of electronic communication and/or to request that certain information about their child may not be distributed in any form of electronic communications.
- d. All communication between a Persons in Authority and Athletes must be between the hours of 6:00am and midnight unless extenuating circumstances justify otherwise.
- e. Communications concerning drugs or alcohol use (unless regarding its prohibition) is not permitted.
- f. No sexually explicit language or imagery or sexually oriented conversation is permitted nor may be communicated by any medium.
- g. Persons in Authority are not permitted to ask Athletes to keep a secret for them.
- h. A Person in Authority should not become overly-involved in an Athlete's personal life.

8.1.3 – Travel

- a. Any travel involving Persons in Authority and Athletes shall respect the following:
 - i. Teams or groups of Athletes shall always have at least two Persons in Authority with them;
 - ii. For mixed gender teams or groups of Athletes, there will be one Person in Authority from each gender;
 - iii. Screened parents or other volunteers will be available in situations when two Persons in Authority cannot be present;
 - iv. No Person in Authority may drive a vehicle with an Athlete alone unless the Person in Authority is the Athlete's parent or guardian - if it cannot be avoided, the Athlete must ride in the back seat;
 - v. A Person in Authority may not share a room or be alone in a hotel room with an Athlete unless the Person in Authority is the Athlete's parent or guardian;
 - vi. Room or bed checks during overnight stays must be done by two Persons in Authority; and
 - vii. For overnight travel when Athletes must share a hotel room, roommates will be age-appropriate (e.g., within two years of age of one another) and of the same gender identity.

8.1.4 – Locker Rooms/Changing Areas

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

8.1.5 – Photography and Video

- a. Any photograph or video involving Athletes shall respect the following:
 - i. Photographs and video may only be taken in public view, must observe generally accepted standards of decency, and be both appropriate for and in the best interest of the Athlete; and
 - ii. The use of recording devices of any kind in rooms where there is a reasonable expectation of privacy is strictly prohibited.
- b. Examples of photos that shall be edited or deleted include:
 - i. Images with misplaced apparel or where undergarments are showing;
 - ii. Suggestive or provocative poses; and
 - iii. Embarrassing images.

Section 9.0 – Screening Policy

9.1 – Definitions for purposes of this Section 9.0

- a. ***Criminal Record Check (CRC)***
 - i. A search of the RCMP Canadian Police Information Centre (CPIC) system for adult convictions.

- b. **Local Police Information (LPI)**
 - i. Additional conviction and selected non-conviction information in national and local police data sources which may be relevant to the position sought.
- c. **Enhanced Police Information Check (E-PIC)**
 - i. A Criminal Record Check plus a search of local police information, available from SterlingBackcheck.com.
- d. **Vulnerable Sector Check (VSC)**
 - i. A detailed check that includes a search of the RCMP Canadian Police Information Centre (CPIC) system, local police information, and the Pardoned Sex Offender database.
- e. **Vulnerable Participants**
 - i. A person under the age of 18 years old and/or a person who, because of age, disability or other circumstance, is in a position of dependence on others or is otherwise at a greater risk than the general population of being harmed by people in positions of trust or authority.

9.2 – Preamble

- a. BC Alpine understands that screening personnel and volunteers is a vital part of providing a safe sporting environment and has become a common practice among sport organizations that provide programs and services to the community.

9.3 – Application of this Policy

- a. This Policy applies to all individuals whose position with BC Alpine is one of trust or authority which may relate to, at a minimum, finances, supervision, or Vulnerable Participants.
- b. Not all individuals associated with BC Alpine will be required to obtain a criminal record check or submit screening documents because not all positions pose a risk of harm to BC Alpine or to its Participants. BC Alpine will determine which individuals will be subject to screening using the following guidelines BC Alpine may vary the guidelines at its discretion):
 - i. **Level 1 – Low Risk:** Participants involved in low-risk assignments who are not in a supervisory role, not directing others, not involved with financial/cash management, and/or do not have regular access to Vulnerable Participants. Examples: a) Parents, youth, or volunteers who are helping on a non-regular informal basis; or b) Event volunteers;
 - ii. **Level 2 – Medium Risk:** Participants involved in medium-risk assignments who may be in a supervisory role, may direct others, may be involved with financial/cash management, and/or who may have limited access to Vulnerable Participants. Examples: a) Athlete support personnel; or, b) Coaches who are typically under the supervision of another coach; or c) officials; or
 - iii. **Level 3 – High Risk:** Participants involved in high-risk assignments who occupy positions of trust and/or authority, have a supervisory role, direct others, are involved with financial/cash management, and who have frequent access to Vulnerable Participants. Examples: a) Licensed Coaches; or, b) Team Managers, Technical Leaders; c) IST and medical personnel; d) High-Performance Directors.

9.4 – Screening Committee

- a. The implementation of this policy is the responsibility of BC Alpine's [or the Member Organization] Screening Committee which is a committee of one (1) member appointed by the Chief Executive Officer (CEO) of BC Alpine or Member Organization President. The CEO will ensure that the members appointed to the Screening Committee possess the requisite skills, knowledge and abilities to accurately screen documents and render decisions under this Policy.
- b. The Screening Committee will carry out its duties, in accordance with the terms of this policy, independent of the Board.
- c. The Screening Committee is responsible for reviewing all documents submitted and, based on the review, making decisions regarding the appropriateness of individuals filling positions within BC Alpine [or the Member Organization]. In carrying out its duties, the Screening Committee may consult with independent experts including lawyers, police, risk management consultants, volunteer screening specialists, or any other person.

9.5 – Screening

- a. If an individual subsequently receives a charge, conviction for, or is found guilty of, an offense they will report this circumstance immediately to BC Alpine. Additionally, the individual will inform BC Alpine of any changes in their circumstance that would alter their original responses in their Screening Disclosure Form.
- b. If BC Alpine learns that an individual has provided false, inaccurate, or misleading information, the individual may be removed from their position and may be subject to further discipline in accordance with BC Alpine's *Complaint Management and Discipline Policy*.

9.6 – Young People

- a. BC Alpine defines a young person as someone who is younger than 18 years old. When screening young people, BC Alpine will:
 - i. Not require the young person to obtain a VSC or E-PIC; and
 - ii. In lieu of obtaining a VSC or E-PIC, require the young person to submit up to two (2) additional letters of reference.
- b. Notwithstanding the above, BC Alpine may ask a young person to obtain a VSC or E-PIC if BC Alpine suspects the young person has an adult conviction and therefore has a *criminal record*. In these circumstances, BC Alpine will be clear in its request that it is not asking for the young person's *youth record*. BC Alpine understands that it may not request to see a young person's youth record.

9.7 – Orientation, Training, and Monitoring

- a. The type and amount of orientation, training, and monitoring will be based on the individual's level of risk, at BC Alpine's discretion.
- b. Orientation may include, but is not limited to: introductory presentations, facility tours, equipment demonstrations, parent/Athlete meetings, meetings with colleagues and supervisors, orientation manuals, orientation sessions, and increased supervision during initial tasks or initial period of engagement.

- c. Training may include, but is not limited to: certification courses, online learning, mentoring, workshop sessions, webinars, on-site demonstrations, and peer feedback.
- d. At the conclusion of orientation and training, the individual will be required to acknowledge, in written form, that they have received and completed the orientation and training.
- e. Monitoring may include but is not limited to: written or oral reports, observations, tracking, electronic surveillance (e.g., facility security cameras), and site visits.

9.8 – How to Obtain an E-PIC or VSC

- a. A member from the Screening Committee will provide further information to Participant who are required to complete an E-PIC or VSC.
- b. Participants may only obtain a VSC by visiting an RCMP office or police station, submitting two pieces of government-issued identification (one of which must have a photo), and completing any required paperwork. Fees may also be required.
- c. Fingerprinting may be required if there is a positive match with the individual's gender and birth date.
- d. BC Alpine understands that it may be required to assist an individual with obtaining a VSC. BC Alpine may need to submit a Request for VSC (**Appendix F**) or complete other documentation describing the nature of the organization and the individual's role with vulnerable individuals.

9.9 – Procedure

- a. Screening documents will be sent to CEO of BC Alpine or your respective club.
- b. An individual who refuses or fails to provide the necessary screening documents will be ineligible to volunteer or apply for the position sought. The individual will be informed that their application and/or position will not proceed until such time as the screening documents are submitted.
- c. BC Alpine understands that there may be delays in receiving the results of an E-PIC or a VSC. At its discretion, BC Alpine may permit the individual to participate in the role during the delay. BC Alpine may withdraw this permission at any time and for any reason.
 - i. BC Alpine recognizes that different information will be available depending on the type of screening document that the individual has submitted. For example, an E-PIC may show details of a specific offense, or not, and/or a VSC may be returned with specific information or simply a notification indicating 'cleared' or 'not cleared'. The Screening Committee will use its expertise and discretion when making decisions based on the screening documents that have been submitted.
 - ii. Following the review of the screening documents, the Screening Committee will decide:
 - 1. The individual has passed screening and may participate in the desired position;
 - 2. The individual has passed screening and may participate in the desired position with conditions;
 - 3. The individual has not passed screening and may not participate in the desired position; or
 - 4. More information is required from the individual.

- d. In making its decision, the Screening Committee will Consider the type of offense, date of offense, and relevance of the offense to the position sought.
- e. The Screening Committee must decide that an individual has not passed screening if the screening documentation reveals any of the following:
 - i. If imposed in the last three years:
 - 1. Any “criminal” traffic offense involving the use of a motor vehicle, including but not limited to impaired driving;
 - 2. Any offense for trafficking and/or possession of drugs and/or narcotics; and/or
 - 3. Any offense involving conduct against public morals.
 - ii. If imposed in the last ten years:
 - 1. Any crime of violence including but not limited to, all forms of assault; and/or
 - 2. Any offense involving a Minor or Minors.
 - iii. If imposed at any time:
 - 1. An individual’s conviction for any of the following *Criminal Code* offenses:
 - i. Any offense of physical or psychological violence;
 - ii. Any crime of violence including but not limited to, all forms of assault;
 - iii. Any offense involving trafficking of illegal drugs;
 - iv. Any offense involving the possession, distribution, or sale of any child-related pornography;
 - v. Any sexual offense; and/or
 - vi. Any offense involving theft or fraud.

9.10 – Conditioning Monitoring

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

9.11 – Records

- a. All records will be maintained in a confidential manner and will not be disclosed to others except as required by law, or for use in legal, quasi-legal, or disciplinary proceedings.
- b. The records kept by BC Alpine as part of the screening process include but are not limited to:
 - i. An individual’s Vulnerable Sector Check;
 - ii. An individual’s E-PIC (for a period of three years);
 - iii. An individual’s Screening Disclosure Form (for a period of three years);
 - iv. An individual’s Screening Renewal Form (for a period of one year);
 - v. Records of any conditions attached to an individual’s registration by the Screening Committee; and
 - vi. Records of any discipline applied to any individual by BC Alpine or by another sport organization.

Note: This policy is available in English and French. Should a dispute arise with the interpretation of the translated policy, the English version of the policy shall prevail.

Date Approved:

Appendices

Appendix A: BC Alpine Screening Disclosure Form

FIRST NAME: _____ **MIDDLE NAME:** _____

LAST NAME: _____

OTHER NAMES YOU HAVE USED: _____

CURRENT PERMANENT ADDRESS (STREET, CITY, PROVINCE, POSTAL CODE):

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

CLUB (if applicable): _____

EMAIL: _____ **TELEPHONE:** _____

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

1. Do you have a criminal record? If so, please complete the following information for *each conviction*. Attach additional pages as necessary.

Name or Type of Offense: _____
Name and Jurisdiction of Court/Tribunal: _____
Year Convicted: _____
Penalty or Punishment Imposed: _____
Further Explanation: _____

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

Name of disciplining or sanctioning body:

Date of discipline, sanction or dismissal:

Reasons for discipline, sanction or dismissal:

Penalty or Punishment Imposed:

Further Explanation:

3. Are criminal charges or any other sanctions, including those from a sport body, private tribunal or government agency, currently pending or threatened against you? If so, please

complete the following information for each pending charge or sanction. Attach additional pages as necessary.

Name or Type of Offense: _____

Name and Jurisdiction of Court/Tribunal: _____

Name of disciplining or sanctioning body: _____

Further Explanation: _____

PRIVACY STATEMENT

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

CERTIFICATION

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

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

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

SIGNATURE: _____

Appendix B: BC Alpine Screening Renewal Form

FIRST NAME: _____ **MIDDLE NAME:** _____

LAST NAME: _____

OTHER NAMES YOU HAVE USED: _____

CURRENT PERMANENT ADDRESS (STREET, CITY, PROVINCE, POSTAL CODE):

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

EMAIL: _____ **TELEPHONE:** _____

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

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

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

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

SIGNATURE: _____

Appendix C: BC Alpine Request for Vulnerable Sector Check

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

INTRODUCTION

BC Alpine is requesting a Vulnerable Sector Check for _____ [insert individual's full name] who identifies as a _____ [insert gender identity] and who was born on _____ [insert birthdate].

DESCRIPTION OF BC ALPINE

BC Alpine is a not-for-profit national organization for the sport of skiing located in Vancouver, British Columbia.

[Insert additional description if necessary]

DESCRIPTION OF ROLE

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

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

CONTACT INFORMATION

If more information is required from BC Alpine, please contact Anders Hestdalen, Chief Executive Officer, AndersH@bcalpine.com

Signed: _____ Date: _____

Appendix D: Sources of Information and Support

1. Alpine Canada Alpin

- a. <https://alpinecanada.org/page/safe-sport>
- b. Safe Sport Manager, Alpine Canada Alpin Alexia Tam atam@alpinecanada.org

- c. Independent Third Party, Alpine Canada Alpin, alpinecanada@itpsport.ca or 1-833-913-1304

2. Sport Canada

- a. Canadian Sport Helpline: 1-888-83SPORT (1-888-837-7678) or info@abuse-free-sport.ca

3. Canadian Centre for Child Protection

- a. (204) 560-2083 or Toll-free: 1-800-532-9135; [Contact Us – protectchildren.ca](https://www.protectchildren.ca)

4. Crisis Services Canada

- a. Canada Suicide Prevention Service at 1-833-456-4566 (24/7) or text 45645 (4 pm to 12 am ET)
- b. **Local Authorities:** 911
- c. **Kids Help Phone:** 1-800-668-6868 (toll-free) or text CONNECT to 686868 for Participants up to age 20 years
- d. **Hope for Wellness Help Line:** 1-855-242-3310 (toll-free) or connect online at [Hope for Wellness Chat](https://www.hopewellness.ca)
- e. **Trans Lifeline:** 1-877-330-6366 (all ages)
- f. **Alberta Crisis Line:** 403-266-4357 (all ages)
- g. **British Columbia Crisis Line:** 1-800-SUICIDE (all ages)

5. Jurisdictional Legislation on Child Protection

- a. [Provincial and Territorial Child Protection Legislation and Policy \(2018\)](#)
- b. <https://www.viasport.ca/quality-sport/safe-sport>