

Halifax Trojan Aquatic Club (HTAC) COMPLAINT POLICY

Definitions

The following terms have this meaning in this policy:

- “Complainant” - the person who makes the complaint
- “Respondent” - the person or organization against whom the complaint is made
- “investigation” - neutral fact finding to determine whether unacceptable conduct occurred
- “President” - the person holding that office, or in the case of co-presidents, one of the co-officers selected by the Board of Directors to manage complaints.

Purpose

The Halifax Trojan Aquatic Club is a swim club that is committed to providing a safe, positive and respectful environment for all participants in our organization. This policy is one of the many ways we fulfill that commitment. We recognize the importance of addressing complaints or concerns in a timely, fair and respectful manner. We encourage all participants to report any suspected violations of our policies, and we will take appropriate action to address those violations. This policy outlines the process for making a complaint and the steps that will be taken to address and resolve complaints.

When choosing to contact individuals with concerns or when filing a formal complaint we encourage you to ensure all questions and communication are done in an effective and respectful manner.

Application

This Policy applies to all individuals who are subject to the HTAC Code of Conduct and Ethics.

Scope and Principles

HTAC will, at all times, comply with requests from legal authorities to provide any and all information gathered under this process. If the alleged breach of the HTAC Code of Conduct and Ethics also involves a potential criminal code violation, the police will be contacted immediately.

HTAC will follow these guiding principles from Swimming Canada for all complaints
<https://www.swimming.ca/en/safe-sport/response/investigation/>

Confidentiality - All reports of violations of our policies will be kept confidential to the extent possible, consistent with the organization’s need to investigate the report and take appropriate action. The organization will take steps to protect the confidentiality of the person who reported the violation and the person who is the subject of the report. A confidential and secure record will be maintained of all formal complaints and their resolutions.

Procedure

Step 1: Informal Resolution

In most cases, complaints can be resolved informally by speaking with the individual(s) involved. If you feel comfortable please speak directly to the person(s) involved and attempt to resolve the issue through discussion and mutual agreement. See Appendix A for guidance from Swimming Canada on conflict resolution.

Step 2: Formal Complaint

1. If the complaint can not be resolved informally, or if you are uncomfortable speaking directly with the person(s) involved you may submit a formal complaint in writing to the President of the Board of Directors. Complaints may be submitted by email to president@htac.ca

Your complaint or concern should include:

- Details of the incident(s) or behavior(s) that are the subject of the complaint
 - The names of any individuals involved
 - The date(s) and location(s) of the incident(s)
 - Any evidence or witnesses that may support your complaint
2. The President will inform the HTAC Board of Directors of complaints filed through this process. The President will provide confirmation of receipt of the complaint to the Complainant within 72 hours.
 3. The President or someone they designate may, if deemed necessary, gather additional necessary information and discuss the complaint with the Complainant to explore options for resolution.
 4. If resolution is not readily available, the President or their designated representative may escalate the complaint to the Reviewing Committee. The President or their designated representative will form a Reviewing Committee, which will include no less than three members of the Board of Directors, one of which will be the President or their designated representative and one of which will be the Safe Sport Representative.
 5. An Investigator will be appointed by the Reviewing Committee to further investigate the complaint. An investigation will include interviewing witnesses, gathering evidence and taking any other steps necessary to determine whether a violation of our policies has occurred. All investigations will be completed in a fair and impartial manner. The Investigator shall present findings to the Reviewing Committee upon completion of the investigation.

The Reviewing Committee will adhere to the following guidelines when appointing an Investigator:

- The Reviewing Committee will determine whether there are any conflicts of interest, if there are any legal considerations and what level of expertise the investigation requires.
- The Investigator will be unbiased and have previous experience and training on how to properly conduct investigations.
- Confidentiality will be maintained throughout the process to the extent possible (see Scope and Principles above).
- The Investigator may be someone within the Board of Directors, within the organization or outside the organization.

Violations of our policies may result in disciplinary action up to and including suspension or termination of membership or participation in our organization. The nature and severity of the disciplinary action will depend on the circumstances of the violation, including the nature of the conduct, the harm caused and any mitigating or aggravating factors.

6. The Reviewing Committee will receive the Investigator's findings and come to a resolution/decision. The Reviewing Committee is granted full discretion and authority to deal with the complaint as it feels appropriate and it is empowered to take whatever steps are necessary to come to an appropriate resolution.

The Reviewing Committee's decisions are final with no appeal.

Recurring issues with the same individuals will face increasing sanctions. Moreover, nuisance complaints filed without justification may result in sanctions against the Complainant.

In the extreme event whereby a very serious problem directly or immediately threatens the ongoing safety of an individual or the continued viability of HTAC, the President of HTAC has the unilateral authority to take immediate action to nullify that threat regardless of this process.

Review and Update of Policy

This policy will be reviewed annually by the Board of Directors to ensure that it remains current and effective. Any changes to this policy will be communicated to all members.

Appendix A (Conflict Resolution – Swimming Canada)

Swimming Canada believes that everyone in the sport has the right to enjoy the sport at whatever level they participate.

Conflict is inevitable and occurs naturally when people interact. Conflict can be positive. When two people disagree, it means they care enough to take a stand. Individuals and teams need conflict to grow and to generate new ideas. Conflict can be productive or non-productive, depending on how the issues are handled. Resolving a conflict at an early stage may prevent a situation from getting worse and may reduce the risk of it turning into a formal complaint.

TIPS FOR RESOLVING CONFLICT

Here are a few tips on how to resolve conflict situations.

- Pause, breathe deeply and get grounded to make sure you are calm when you have the discussion.
- Choose the right time and place for conflict resolution.
- Zoom out and look at the situation from a neutral place to give you perspective.
- Focus on the problem, not on the person with whom you are having the conflict.
- Really listen. Active listening means more than just waiting for your turn to speak.
- Reflect empathy by acknowledging the person's feelings even if you do not agree with their perspective.
- Be aware that your non-verbal communication – your tone of voice, hand gestures, body language and facial expressions – form the majority of your communication.
- Avoid the four behaviours that fuel a conflict situation: criticism, contempt, stonewalling and defensiveness.
- Take responsibility for your behaviour and for your part in the conflict.
- Use assertive communication. Use “I” statements rather than “you” statements to reduce defensiveness.
- Let everyone offer possible solutions. Explore the possibilities together. Once decided, have everyone commit to the resolution.
- Involve a third party if you have not been able to come to an agreement yourselves.