



POLICY: Complaint Resolution Procedure	APPROVED: September 2023	REVISED:	PAGES: 3
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1. The following terms have these meanings in this Code:
 - a. “*Complainant*” – The Party alleging an infraction
 - b. “*Respondent*” – The alleged infracting Party
 - c. “*Parties*” – The Complainant, Respondent, and any other Individuals, persons, or organizations affected by the complaint.
 - d. “*Days*” – Days irrespective of weekend and holidays
 - e. “*Executive Director*” – The individual who receives an applicable complaint
 - f. “*Complaint Resolution Manager*” – The individual appointed by the Administrator who has an overall responsibility to ensure procedural fairness is respected at all times, and to implement this *Code of Conduct* in a timely manner
 - g. “*Individuals*” – All individuals employed by, or engaged in activities with OneAbility Foundation including but not limited to staff, board members, members at large, volunteers, contractors or participants,

Purpose

2. Affiliation with OneAbility Foundation brings many privileges and benefits. At the same time, Individuals are expected to meet certain obligations including complying with OneAbility Foundation policies and this *Code of Conduct*. Behaviour that violates this code can result in severe damage to the integrity of OneAbility, harm to our community, and harm to individuals within our community.
3. Individuals must be aware that they are expected to model behaviour appropriate for the Individual’s role as a member or associate of OneAbility Foundation. This OneAbility *Code of Conduct* outlines the conduct expected of Individuals and review process that Individuals are subject to if there is a complaint about an Individual’s conduct.
4. OneAbility has adopted the BC Universal Code of Conduct for the purposes of this code.

Application of the *Code of Conduct*

9. The *Complaint Resolution Procedure* applies to Individuals’ conduct during OneAbility Foundation related business, activities, and events including, but not limited to OneAbility events, trainings, member forums, member engagements, social media engagement, programming or any other service directly provided or supported by OneAbility.
 - a. For clarity if it is hosted or funded by OneAbility then this code is in effect.
 - b. If it is an activity hosted by a member of OneAbility without a funding or delivery relationship with OneAbility, then it would fall under respective organization’s requirements or code of conduct.



10. The *Code of Conduct* also applies to Individuals' conduct outside of OneAbility related business, activities, and events when such conduct adversely affects relationships with other Individuals, or when it is detrimental to OneAbility Foundation's integrity and reputation.

Prohibited Behaviours:

11. It is a violation of the One Ability Code of Conduct, for a Participant to engage in the behaviours described in prohibited behaviours per the BC Universal Code of Conduct.
12. Full definitions can be found included in the BC Universal Code of Conduct, noting that the prohibited categories include:
 - a. Psychological Maltreatment
 - b. Physical Maltreatment
 - c. Neglect
 - d. Sexual Maltreatment
 - e. Grooming
 - f. Boundary Transgressions
 - g. Discrimination
 - h. Aiding and Abetting
 - i. Failure to Report
13. Individuals who do not follow the Code of Ethics may have violated OneAbility's *Code of Conduct* of their organizations respective code of conduct. Should an individual directly or indirectly involved with OneAbility violate an equivalent item per this Code, OneAbility may impose or align with any sanction received from a member organization.

Complaint Resolution Procedure

14. To ensure that OneAbility's Complaint Resolution process is credible and inclusive, OneAbility has developed this procedure for dealing with incidents and complaints.

Complaint Reporting Procedure

15. How to report:
 - a. Team members or members should report incidents or complaints of workplace bullying and harassment either in writing or orally to the Executive Director or designate.
 - b. Alternatively, if the behaviour occurred within a member organization's jurisdiction, the individual is encouraged to report to the member organization and can disclose the outcome of the complaint process to OneAbility foundation.
 - c. **When to report:**
 1. Incidents or complaints should be reported as soon as possible after experiencing or witnessing them for the employer to investigate promptly.



- d. **Reporting contact:** Team members or members must report any incidents or complaints to the Executive Director directly, unless that person is the individual who has allegedly engaged in inappropriate behaviour. The Executive Director may draw on the resources of a third party to ensure reports are addressed appropriately and in a timely way. If the Executive Director is the individual engaging in the inappropriate behaviour, reports should be directed to the Chair of the Board.
- e. **What to include in the team member's report:** Provide as much information as possible in the report, including:
 1. The names of people involved and/or witnesses;
 2. Where the event(s) occurred;
 3. When the event(s) occurred; and
 4. What behaviours and/or words led to the complaint.
 5. Attach any supporting documents, such as emails, hand-written notes, or photographs. Physical evidence, such as vandalized personal belongings, can also be submitted.

MINORS

16. Complaints may be brought by or against a OneAbility Member who is a Minor. Minors must have a parent/guardian or other adult serve as their representative during this process.
17. Communication from the Executive Director or appointed complaint resolution manager (as applicable) must be directed to the Minor's representative.
18. If the Minor's representative is not their parent/guardian, the representative must have written permission to act in such a capacity from the Minor's parent/guardian.
19. A Minor is not required to attend or participate in an oral hearing, if held, or participate in an investigation if conducted. In such circumstances, no adverse inference can be drawn against the Minor.

Executive Director RESPONSIBILITIES

20. Upon receipt of a complaint, the Executive Director or appointed complaint manager has a responsibility to:
 - a. Determine whether the complaint falls within the jurisdiction of this Policy;
 - b. Determine whether the complaint is frivolous, vexatious or if it has been made in bad faith;
 - c. Determine whether the complaint primarily involves a violation of the policies, by-laws, rules, or regulations of BC Alpine or a Member/affiliated organization.
 - d. Determine if the alleged incident should be investigated pursuant to **the Investigation Procedure**; and
 - e. Administer the complaint resolution process and/or investigation process to hear and adjudicate the matter.



21. Following the determination that the complaint or incident should be addressed under the *Complaint Resolution Policy*, Executive Director or appointed complaint manager has the responsibility to:
 - a. Propose alternative dispute resolution techniques, if appropriate; and/or
 - b. Ask the Complainant and the Respondent for either written or oral submissions regarding the complaint or incident. Both Parties shall also have the right to submit to Executive Director or appointed complaint manager, any relevant evidence, including, but not limited to witness statements, documentary evidence or evidence from other media (i.e., photos, screenshots, videos, or other recordings).
 - c. Each Party shall have the right to receive the other Party's submissions and evidence, including the Complainant's complaint. In the case of oral submissions, each Party shall be present when such submissions are made (unless waived by a Party); and/or
 - d. Following receipt of the Parties' submissions, Executive Director or appointed complaint manager may convene the Parties to a meeting, either in person or by way of video or teleconference to ask the Parties questions and to allow the Parties to ask questions of one another.
 - e. Following their review of the submissions and evidence related to the complaint, Executive Director or appointed complaint manager shall determine if any of the incidents listed in the *Code of Conduct* have occurred and, if so, determine whether to impose a sanction and, if so, determine the appropriate sanction (see: **Sanctions**). If, after hearing the Parties and reviewing their submissions, Executive Director or appointed complaint manager considers that none of the incidents listed the *Code of Conduct* have occurred, they shall dismiss the complaint.
22. Executive Director or appointed complaint manager will inform the Parties of the decision, which shall be in writing and include reasons. Executive Director or appointed complaint manager decision will take effect immediately, unless specified otherwise by Executive Director or appointed complaint manager. Should the circumstances require a decision to be rendered immediately or within a short timeline Executive Director or appointed complaint manager may render a short decision, either orally or in writing, followed by a written reasoned decision.
23. Any decision rendered by Executive Director or appointed complaint manager shall be provided to and maintained in the records of the relevant **affiliated organization, Member, and OneAbility**. Decisions will be kept confidential by the Parties and the aforementioned organizations and shall be retained and discarded in accordance with the relevant and applicable privacy legislation.
24. Decisions may only be published if deemed necessary and appropriate at the sole discretion of the Executive Director or appointed complaint manager.



Investigation Procedure

25. Most investigations at OneAbility. will be conducted internally. In complex or sensitive situations, an external investigator may be hired.
26. Investigations will include interviews with the complainant, the respondent, and any witnesses. If the complainant and the respondent agree on what happened, then OneAbility Foundation. will not have to investigate any further and will determine what corrective action to take.
27. The investigation will also review any evidence, such as emails, handwritten notes, photographs, or physical evidence such as vandalized objects.

Investigations will:

28. Be undertaken promptly and diligently, and given the circumstances, be as thorough as possible.
29. Be fair and impartial, providing both the complainant and respondent equal treatment in evaluating the allegations.
30. Be sensitive to the interests of all parties involved and maintain confidentiality.
31. Be focused on finding facts and evidence, including interviews with the complainant, respondent, and any witnesses.
32. Incorporate, where appropriate, any need or request from the complainant or respondent for assistance during the investigation process.
33. Be final, once complete.