



# BC RUGBY CODE OF CONDUCT

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## 1. Policy Objective

- 1.1. The BC Rugby Code of Conduct aims to provide a safe, fun, positive, and inclusive environment within BC Rugby and all of BC Rugby's programs, competitions, events, and activities.
- 1.2. BC Rugby supports equal opportunity, prohibits discriminatory practices, and is committed to providing an environment in which all Individuals can safely participate in sport and are treated with respect and fairness.
- 1.3. The Code incorporates the key elements of the Universal Code of Conduct to Prevent and Address Maltreatment in Sport (UCCMS) in place at the national level, the British Columbia Universal Code of Conduct (BCUCC) in place at the provincial level, and outlines expected and Prohibited Behaviours of conduct in sport in British Columbia.

## 2. Definitions

**Abuse:** as defined by Rugby Canada's Safe Sport Policy Definitions, and as modified from time to time.

**Appellant:** the individual, or their representative, who is appealing a decision.

**Club (Member):** an organization that is a Member of BC Rugby as defined by BC Rugby Bylaws and registered with Rugby Canada.

**Committee Member:** an Individual appointed to a BC Rugby Board Committee, Discipline Committee or Operational Committee, as defined by the BC Rugby Bylaws.

**Complainant:** Any individual or Participant who lodges a formal complaint in accordance with this document.

**Concussion (sport-related):** as defined by the most recent International Consensus Statement on Concussion in Sport, is a traumatic brain injury induced by biomechanical forces.

**Concussion Recognition Tool:** as defined by the most recent International Consensus Statement on Concussion in Sport, is a method to identify concussion in children, adolescents, and adults. See: <https://coach.ca/sites/default/files/2020-01/CRT5.pdf>



**Consent:** as defined by Rugby Canada's Safe Sport Policy Definitions, as adapted from the UCCMS and Canada's Criminal Code.

**Director:** a Director of the BC Rugby Board, as defined by BC Rugby Bylaws.

**Disclosure:** as defined by Rugby Canada's Safe Sport Policy Definitions, as adapted from the UCCMS, and as modified from time to time.

**Discrimination:** as defined by Rugby Canada's Safe Sport Policy Definitions, and as modified from time to time.

**Disrespect:** actions which negatively impact the respect, dignity and self-esteem of individuals.

**Duty to Report:** as defined by Rugby Canada's Safe Sport Policy Definitions, as adapted from the UCCMS, and as modified from time to time.

**Employee:** as defined by the BC Employment Standards Act.

**Fit for Duty:** is defined as a physical, mental, and emotional state which enables Workers to perform their job tasks competently and continuously in a manner which does not compromise the integrity of the organization for which they work or create a safety hazard to themselves or others.

**Graduated Return to Sport Strategy Guidelines:** as defined by the most recent International Consensus Statement on Concussion in Sport.

**Grooming:** as defined by Rugby Canada's Safe Sport Policy Definitions, as adapted from the UCCMS, and as modified from time to time.

**Harassment:** as defined by Rugby Canada's Safe Sport Policy Definitions, and as modified from time to time.

**Individual Member:** as defined by BC Rugby Bylaws.

**Maltreatment:** as defined by Rugby Canada's Safe Sport Policy Definitions, as adapted from the UCCMS, and as modified from time to time, includes Maltreatment related to Psychological Maltreatment, Physical Maltreatment, Sexual Maltreatment, Neglect, Grooming, interference with or manipulation of process, Retaliation, Aiding and Abetting.

**Match Official Abuse:** disrespectful behaviors toward match officials. These behaviors can be categorized as interactions with the match official which are: dissent, negative verbal comments, threatening actions or words, physical contact or physical abuse.



**Minor:** any Individual under the age of majority as determined by the Government of British Columbia.

**Misconduct:** shall mean any conduct, behaviour, or practices on or off the playing enclosure in connection with a match or tournament (excluding foul play during a match) that is unsporting or unruly or ill-disciplined or that brings or has the potential to bring the game, or BC Rugby into disrepute.

**Neglect:** as defined by Rugby Canada's Safe Sport Policy Definitions, as adapted from the UCCMS, and as modified from time to time.

**Officer:** as defined by BC Rugby Bylaws.

**Participant:** any Individual Member, Director, Committee Member, Employee or Worker of BC Rugby, as well as any individual engaged in activities with or sanctioned by BC Rugby including, but not limited to, Players, temporary Players, visiting Players, coaches, trainers, managers, officials, therapists, medical staff or support personnel, volunteers, parents, guardians, spectators, supporters, and fans.

**Person in Authority:** any Participant who holds a position of authority within BC Rugby or a Member Club, but not limited to coaches, officials, managers, therapist, medical staff or support personnel, Committee members, Directors, and Officers.

**Physical Maltreatment:** as defined by Rugby Canada's Safe Sport Policy Definitions, as adapted from the UCCMS, and as modified from time to time.

**Player:** as defined by the Laws of the Game and includes any Participant subject to the UCCMS and the policies of Rugby Canada and BC Rugby. For clarity, Player is synonymous with Athlete, as defined by Rugby Canada's Safe Sport Policy Definitions, as adapted from the UCCMS.

**Power Imbalance:** as defined by Rugby Canada's Safe Sport Policy Definitions, as adapted from the UCCMS, and as modified from time to time.

**Psychological Maltreatment:** as defined by Rugby Canada's Safe Sport Policy Definitions, as adapted from the UCCMS, and as modified from time to time.

**Recognize and Remove:** as defined by most recent International Consensus Statement on Concussion in Sport.



**Reporting (or Report):** as defined by Rugby Canada's Safe Sport Policy Definitions, as adapted from the UCCMS, and as modified from time to time.

**Respondent:** as defined by Rugby Canada's Safe Sport Policy Definitions, as adapted from the UCCMS, and as modified from time to time.

**Sexual Maltreatment:** as defined by Rugby Canada's Safe Sport Policy Definitions, as adapted from the UCCMS, and as modified from time to time.

**Vulnerable Participants:** as defined by Rugby Canada's Safe Sport Policy Definitions, and as modified from time to time.

**Worker:** any individual who performs work or fulfils responsibilities for BC Rugby or Member Club which includes any Employee, temporary workers, volunteers, Committee Members, Directors, and independent contractors.

**Workplace:** as defined by Rugby Canada's Safe Sport Policy Definitions, and as modified from time to time.

**Workplace Harassment:** as defined by Rugby Canada's Safe Sport Policy Definitions, and as modified from time to time.

**Workplace Violence:** as defined by Rugby Canada's Safe Sport Policy Definitions, and as modified from time to time.

See Appendix for Rugby Canada SafeSport Definitions of Conduct.

### 3. Application and Authority

- 3.1 In accordance with Section 2.3 (a) of BC Rugby's Bylaws, the BC Rugby Code of Conduct applies to any Individual Member of BC Rugby and any Director, Officer, or Committee Member of BC Rugby. Additionally, this Code of Conduct applies to all Workers of BC Rugby.
- 3.2 This Code applies to all Participants' conduct during any involvement with BC Rugby business, teams, programs, competitions, events, and activities including, but not limited to, matches, practices, training camps, workshops, conferences, any travel associated



with BC Rugby activities, teams and competitions, the BC Rugby office or virtual environment and any meetings concerning BC Rugby business.

- 3.3 The BC Rugby Code of Conduct applies to all Participants' during any involvement with BC Rugby Member Club business, teams, programs, competitions, events, and activities, but not limited to, matches, practices, training camps, workshops, any travel associated with BC Rugby Member Club activities, teams and competitions, the BC Rugby Member Club's office or virtual environment and any meetings concerning BC Rugby Member Club's business.
- 3.4 This Code will also apply outside of BC Rugby's sanctioned activities or environment when the individual's conduct has a serious and detrimental impact on another individual or could undermine the integrity of Rugby or bring BC Rugby into disrepute.
- 3.5 Any individual who violates this Code may be subject to discipline in accordance with BC Rugby's Bylaws, Section 2.6.
- 3.6 Any Employee or Worker of BC Rugby found to have violated this Code will be subject to appropriate disciplinary action in accordance with the Employee's employment agreement.
- 3.7 This Code of Conduct Policy will also apply to breaches of the BC Rugby Social Media and Online Conduct Policy.
- 3.8 All members of BC Rugby are required to cooperate with the Discipline Committee during its processes, procedures, hearings, investigations and deliberations.

## 4. Policy Statement

- 4.1 BC Rugby is committed to creating a fun, positive sport environment that is accessible, inclusive, respectful of all Participants, and is free from all forms of Maltreatment.
- 4.2 Maltreatment is unacceptable and fundamentally incompatible with the core values that lie at the heart of Canadian sport and Rugby. The commitments expressed below reflect this common understanding amongst Canadian and Rugby stakeholders.



- (a) All Individuals in sport can expect to play, practice, compete, work, and interact in an environment free from Maltreatment.
- (b) All Individuals recognise that Maltreatment can occur regardless of race, sex, gender identity, gender expression, sexual orientation, age, class background, ability, and religion. Moreover, it is recognised that those from marginalised groups have increased vulnerability to experiences of Maltreatment.
- (c) All Individuals recognise that persons who have experienced Maltreatment may experience a range of effects that may emerge at different times and that can profoundly affect their lives.
- (d) Addressing the causes and consequences of Maltreatment is a collective responsibility and requires the deliberate efforts of all Individuals, sport stakeholders, administrators, and leaders.

**4.3** Misconduct is unacceptable and has the potential to greatly detrimental to the sport of Rugby. BC Rugby is committed to the elimination of misconduct by all members and participants in BC Rugby.

- (a) If the alleged misconduct is a breach of the Laws of the Game, it will be administered pursuant to the BC Rugby Discipline Policy.
- (b) If the alleged misconduct is a breach of the BCRU Code of Conduct, it will be administered pursuant to the BC Rugby Code of Conduct.

## 5. Core Values

### 5.1 Safety

Safety is the top priority at all times. All adult Participants have a legal duty of care and will take the following actions:

- (a) If you suspect any form of Maltreatment of a Minor, including, but not limited to, Abuse, Neglect and Grooming, report the concern to a child welfare officer by phoning 1-800-663-9122 and then report it to BC Rugby.
- (b) If you suspect an injury might be serious, including but not limited to, psychological distress, immediately seek medical assistance. If medical assistance is not on-site, call 9-1-1.
- (c) If you suspect a Player is showing signs or symptoms of Concussion, immediately remove the Player from physical activity and direct them to seek





medical assistance. That individual is not permitted to partake further in any physical activity in that same day.

Furthermore, all Participants are encouraged to:

- (d) Understand, identify, and report Maltreatment or signs of Maltreatment in any form by contacting the local police non-emergency line in BC at 604-717-3321 and then report it to BC Rugby.
- (e) Enhance the safe play of Rugby by instilling and upholding a culture of safety, injury prevention and fair play.
- (f) Understand the symptoms of concussion and support the disclosure of those symptoms.
- (g) If you suspect a Participant is physically unwell or needing mental health support, recommend that they speak with their family doctor, or a registered nurse by phoning 8-1-1 or seek one of the many free services available in British Columbia, including Kids Helpline on 1-800-668-6868. If the Participant is a minor, make this recommendation to both the Player and their parent or legal guardian.
- (h) In the case of individual adults who meet the legal drinking age, take reasonable steps to manage the responsible and safe consumption of alcohol at events associated with BC Rugby.

## 5.2 Integrity

Integrity is a core value of Rugby and is upheld through honesty, diligence, and fair play. All Participants will:

- (a) consistently demonstrate the spirit of sportsmanship, sport leadership and ethical behaviour.
- (b) ensure adherence to the Laws of the Game and the spirit of those laws.
- (c) promote and uphold Rugby as a Clean Sport by abstaining from the promotion, endorsement, supply or use of non-medical drugs or the use of performance-enhancing drugs. More specifically, BC Rugby adopts and adheres to the Canadian Policy Against Doping (CAPD) in Sport. Any infraction under the CAPD shall be considered an infraction of this Code and may be subject to



further disciplinary action from BC Rugby. BC Rugby will enforce any penalty enacted pursuant to a breach of the CAPD.

- (d) adhere to all federal, provincial, municipal and host country laws; and
- (e) comply, at all times, with BC Rugby's Bylaws, policies, procedures, rules and regulations, as adopted and amended from time to time.

### 5.3 Respect

Respect is at the heart of our sport and the Rugby community should have a sense of pride for upholding this core value. All Participants have a responsibility to:

- (a) treat others with respect and dignity.
- (b) demonstrate the spirit of sportsmanship, leadership, and ethical behaviour.
- (c) maintain and enhance the dignity and self-esteem of individuals by:
  - i. treating all individuals fairly and respectfully regardless of, including but not limited to, body type, physical characteristics, athletic ability, sex, gender identity, gender expression, ancestry, ethnic or racial origin, nationality, national origin, sexual orientation, age, marital status, religion, religious belief, political belief, disability, background, or economic status; and
  - ii. providing comments or feedback that is appropriate and constructive, and refraining from criticism of Players, coaches, officials, organisers, volunteers, Workers, therapists, medical staff and support personnel, or any other Individual Members.
- (d) refrain from any behaviour that constitutes Maltreatment in any form, including online.
- (e) refrain from the use of power or authority in an attempt to coerce another person to engage in inappropriate activities; and
- (f) respect the property of others and not willfully cause damage.

### 5.4 Inclusion for All

Rugby has the power to build communities through teamwork, camaraderie, fostering mutual respect and a sense of belonging which embraces and celebrates individual differences. All Participants have a responsibility to:

- (a) promote the sport of Rugby.



- (b) proactively invite and include all people, regardless, including but not limited to, of body type, physical characteristics, athletic ability, sex, gender identity, gender expression, ancestry, ethnic or racial origin, nationality, national origin, sexual orientation, age, marital status, religion, religious belief, political belief, disability, background, or economic status.
- (c) demonstrate respect for the diversity of Participants, and act to correct or prevent practices that are unjustly discriminatory.
- (d) uphold safety for all as the top priority, make or provide modifications to make BC Rugby competitions, programs, and events accessible to Players and Participants of all abilities.
- (e) uphold safety for all as the top priority, make or provide modifications or exemptions to facilitate mixed-gender play; and
- (f) uphold integrity as a priority, make or provide modifications or exemptions to facilitate the inclusion of Players from lower socio-economic households.

## 6. Accountability

### 6.1 Directors, Committee Members and Workers

In addition to Section 5 of this Policy, Directors, Committee Members and Workers are the privileged keepers of this great sport and must uphold the highest standards of ethical behaviour. Therefore, BC Rugby's Board of Directors, Committee Members and Workers shall:

- (a) provide leadership by demonstrating and promoting the values of Rugby and the key principles of the Code of Conduct through their decisions, actions, and behaviour. Their behaviour must build and inspire the community's trust and confidence in BC Rugby.
- (b) function primarily as a Director, Member of a Committee or Worker of BC Rugby, and not act with self-interest or as a representative of any other organisation.
- (c) act with honesty and integrity and conduct themselves in a manner consistent with the Values of Rugby and the responsibilities of BC Rugby business, including being Fit of Duty when undertaking their responsibilities.
- (d) conduct themselves openly, professionally, responsibly, lawfully and in good faith in service of BC Rugby's Constitutional Purpose.



- (e) behave with decorum appropriate to both circumstance and position, and be fair, equitable, considerate, and honest in all dealings with others.
- (f) exercise the degree of care, diligence, thoughtfulness, skill, and time commitment required in the performance of their duties pursuant to the laws under which BC Rugby is incorporated.
- (g) conform to and uphold the Bylaws and Policies approved by BC Rugby, in particular this Code of Conduct, Conflict of Interest Policy, and Privacy Policy.
- (h) refrain from any behaviour that constitutes Workplace Harassment; and
- (i) refrain from any behaviour that constitutes Workplace Violence.

## **6.2 Directors and Officers of Clubs**

In addition to Section 5 of this Policy, Directors & Officers of BC Rugby Member Organizations are the privileged keepers of our great sport and must uphold the highest standards of ethical behaviour. Therefore, they shall:

- (a) provide leadership by demonstrating and promoting the values of Rugby and the key principles of the Code of Conduct through their decisions, actions, and behaviour. Their behaviour must build and inspire the community's trust and confidence in Rugby in BC.
- (b) behave with decorum appropriate to both circumstance and position, and be fair, equitable, considerate, and honest in all dealings with others.
- (c) conform to and uphold the Bylaws and Policies approved by BC Rugby, in particular this Code of Conduct.
- (d) refrain from any behaviour that constitutes Workplace Harassment; and
- (e) refrain from any behaviour that constitutes Workplace Violence.
- (f) at all times display respect towards opposing clubs, their members, supporters and match officials both in victory and defeat, setting an example and educating all members of their clubs on the values of Rugby.

## **6.3 Coaches**

In addition to Section 5 of this Policy, coaches have many responsibilities. The Coach-Player relationship is a privileged one and plays a critical role in the personal, mental, and athletic development of the Player. Coaches must understand and respect the inherent power



imbalance that exists in this relationship and must not abuse the inherent power imbalance, consciously or unconsciously. Coaches will:

- (a) understand, recognize, and respect the inherent Power Imbalance of the coach-Player relationship, respect the rights of all Participants in sport. This is accomplished by establishing and following procedures for confidentiality (right to privacy), informed participation and fair and reasonable treatment.
- (b) be Fit for Duty when undertaking their responsibilities.
- (c) act in the best interest of the Player's physical, mental, and emotional well-being.
- (d) ensure the safety of training equipment and the playing environment, select appropriate training activities, provide a Player appropriate recovery time and treatment for injury, and establishing controls that are suitable for the age, gender, body type, experience, ability, and fitness level of the involved Players.
- (e) maintain World Rugby's Concussion Management for the General Public certification every two years, educate Players, and their parents/guardians, on the symptoms of concussion as per Concussion Recognition Tool,
- (f) create a culture of safety by encouraging, prioritizing, and facilitating the disclosure of concussion symptoms to ensure appropriate care is provided to the Player.
- (g) adhere to the Recognize and Remove process, at all training sessions, training camps and matches. If in doubt, sit them out.
- (h) only permit a Player to return to rugby after a suspected or diagnosed concussion, who has followed a Graduated Return to Sport protocol and obtained written medical clearance from a Physician, prior to return to contact (Step 5) as per the Graduated Return to Sport Strategy Guidelines.
- (i) act in the best interest of the Player's development as a whole person, particularly their formal schooling education.
- (j) Support and advocate for the present and future health of Players by communicating and cooperating with health care professionals in the diagnosis, treatment, and management of Players' medical and psychological needs.
- (k) Support Players' personal goals, including but not limited to sporting and academic goals, and refer Players to other coaches and sport specialists as appropriate.
- (l) Provide Players (and parent/guardians of Minors) with information necessary to be involved in the decisions that impacts the Player.



- (m) adhere to the policies and procedures of Coaching Association of Canada, as applicable.
- (n) at all times display respect towards therapists or medical staff, acting upon their instructions or recommendations that prioritize the short- or long-term wellbeing of the Player.
- (o) at all times display respect towards opponent clubs, their members and supporters and match officials, both in victory and defeat, setting an example and educating Players on the values of Rugby; and
- (p) not engage in an intimate or sexual relationship with a Player under 18 years old, or an intimate or sexual relationship with a Player over the age of 18 if the coach is in a position of power, trust, or authority over that Player.

#### **6.4 Team Managers, Therapists, Medical Staff or Support Personnel**

In addition to Section 5 of this Policy, team managers, therapists, medical staff, or support personnel have responsibilities to ensure the health, safety, and well-being of Players. Team managers, therapists, medical staff, and medical support personnel will:

- (a) act in the best interest of the Player's physical, mental, and emotional well-being.
- (b) be Fit for Duty when undertaking their responsibilities.
- (c) understand and respect the inherent power imbalance in their relationships with Players and protect the Player's privacy, as appropriate.
- (d) adhere to the Recognize and Remove process as defined by most recent International Consensus Statement on Concussion in Sport, at all training sessions, training camps and matches. Only permit a Player to return to rugby after a suspected or diagnosed concussion, who has followed a Graduated Return to Sport protocol and obtained written medical clearance from a Physician, prior to return to contact (Step 5) as per the Graduated Return to Sport Strategy Guidelines.
- (e) maintain World Rugby's Concussion Management for Doctors and Health Care Professionals certification every two years, if engaged as a therapist or medical staff.
- (f) maintain World Rugby's Concussion Management for the General Public certification if engaged as a team manager or support personnel;



- (g) provide Players (and parent/guardians of Minors) with information necessary to be involved in the decisions that impacts the Player.
- (h) document all major injuries on the Rugby Canada Incident Report Form in a detailed, accurate and timely manner; and
- (i) not engage in an intimate or sexual relationship with a Player under 18 years old, or an intimate or sexual relationship with a Player over the age of 18 if the team manager, therapist, medical staff, or medical support personnel is in a position of power, trust, or authority over that Player.
- (j) at all times display respect towards opponent clubs, their members and supporters and match officials, both in victory and defeat, setting an example and educating Players on the values of Rugby.

## 6.5 Officials

In addition to Section 5 of this Policy, Officials have a significant role in the prevention and management of injuries and concussion. Officials will:

- (a) ensure a safe playing environment by enforcing and communicating the enforcement of the Laws of the Game appropriate to the age, gender, body type, experience, ability, and fitness level of the involved Players.
- (b) be Fit for Duty when undertaking their responsibilities.
- (c) provide accurate accounts of the facts when completing match reports; and
- (d) maintain World Rugby's Concussion Management for the General Public certification and enforce the 'Recognize and Remove, if in doubt, sit them out' protocol at all BC Rugby competitions, tournaments, and events.
- (e) at all times display respect towards all participants, in all occasions and setting an example and educating all Rugby participants on the values of Rugby.

## 6.6 Players

In addition to Section 5 of this Policy, Players have responsibilities on and off the pitch. Players will:

- (a) compete and participate in a spirit of fair play, honesty and respect for the opponent, the officials, and the supporters.



- (b) compete and participate within the Laws of the Game and any rules of competitions or tournament rules.
- (c) report any current or past health or medical issues that may risk their physical or mental well-being when participating in athletic activities, including any signs or symptoms of concussion.
- (d) at all times show and uphold respect for coaches, team managers, therapists, medical staff, and support personnel, and show appreciation for their contribution to the sport of Rugby; and
- (e) at all times show and uphold respect for match officials and show appreciation for their contribution to the sport of Rugby.

## **6.7 Parents, Guardians and Spectators**

In addition to Section 5 of this Policy, Parents and guardians have additional responsibilities, particularly as it relates to ensuring the safe and fair play of Rugby. Parents and guardians of Players will:

- (a) Encourage Players to compete within the Laws of the Game and to resolve conflicts without hostility or violence.
- (b) Instill and model a spirit of fair, positive play, and sportsmanship.
- (c) at all times show and uphold respect for the Players, coaches, team staff, opponents, match officials, and fellow supporters.
- (d) continually inform the relevant therapist, medical staff, coach, team manager, and/or club official if your child has been injured, is ill, concussed, or shows any symptoms of concussion; and
- (e) inform the relevant therapist, coach, team manager, and/or club official if your child has any medical or health condition, as well as any sensory, intellectual, psychological, or physical condition that may impact their health, ability or enjoyment while participating in Rugby.
- (f) at all times show and uphold respect for match officials and show appreciation for their contribution to the sport of Rugby.





## 7. Breaches and Complaints

- 7.1 All Individuals shall abide by the requirements of BC Rugby's Bylaws and this Code of Conduct and shall endeavour to resolve disputes in good faith.
- 7.2 If the complaint in any way refers to the possible abuse or neglect of a child or youth under 19 years of age, the complainant or BC Rugby Discipline Committee has the legal duty to report the concern to a child welfare worker by phoning 1-800-663-9122. If anyone believes any person or child is in imminent danger, call 9-1-1.
- 7.3 Any concerns regarding possible Maltreatment should be directed to the Canadian Sport Helpline, by phoning 1-888-837-7678 or emailing [info@abuse-free-sport.ca](mailto:info@abuse-free-sport.ca).
- 7.4 Any complaints concerning a violation or breach of this Code of Conduct should be submitted to BC Rugby in writing as soon as practicable and in any event within three (3) months of the alleged breach or last alleged breach where there are continuing breaches.
- 7.5 Written complaints submitted should contain full and exact details of the incident(s), including date, time and/or duration, location, full names of the persons involved, names of any witnesses, and other pertinent details of the alleged breach of this Code of Conduct.
- 7.6 The complainant has the following avenues to report their complaint:
- a) Report to BC Rugby: email SafeSport @bcrugby.com or contact any member of BC Rugby Staff or Director.
  - b) Report to Rugby Canada: email [safesport\\_wwdrs@primus.ca](mailto:safesport_wwdrs@primus.ca)
  - c) Report via the Canadian Sport Helpline: email [infor@abuse-free-sport.ca](mailto:infor@abuse-free-sport.ca)
- 7.7 If reported to the Rugby Canada or via the Canadian Sport Helpline, the complainant may be referred back to BC Rugby to be dealt under this Code of Conduct.
- 7.8 The procedures of the Discipline Committee shall determine in each case, and it shall be entitled to depart from the procedures set out in the Policy. However, subject to the power to regulate its own procedures and depart from the procedures set out in this Policy, it shall:



- a) seek to conform generally with the procedures set out in this Policy and,
- b) ensure that a person subject to disciplinary proceedings has a reasonable opportunity to be heard and to present their case and,
- c) comply with the principles and Standard of Proof provisions set out in the BC Rugby Discipline policy.

- 7.9** a) if the Chair of the discipline committee is the subject of, or is implicated in a complaint, then the complaint shall be addressed to the CEO or the President of BC Rugby.
- b) if at any time, it becomes apparent that the complaint directly or indirectly refers to criminal behaviour, the Chair of the Discipline Committee shall refer the matter to the local police.

- 7.10** a) Upon receipt of the complaint under Section 7.4, the Chair of the Discipline Committee [or the CEO or President of BC Rugby if the complainant is against a member of the Discipline Committee] shall notify the CEO of BC Rugby.

b) After reviewing the complaint, the Chair of the Discipline Committee shall determine that either:

(i) the complaint is within the jurisdiction of this Code of Conduct and has the potential to succeed and thus the Discipline Committee shall continue with the processes as described in this policy.

(ii) the complaint is beyond the jurisdiction of this Code of Conduct or unlikely to succeed and thus the Chair shall notify the CEO of BC Rugby and the complainants that the Discipline Committee will take no further action.

- 7.11** (a) The standard of proof for decisions of the Discipline Committee is the balance of probabilities, not beyond a reasonable doubt.
- (b) The Discipline Committee shall be entitled to receive such evidence and, in such form, as it thinks fit (including evidence in writing), notwithstanding the evidence may not be legally admissible and shall be entitled to attach such weight to that evidence as it sees fit.



(c) Generally, the Discipline Committee shall look to the best evidence available to the Discipline Committee. This means that first-hand accounts from persons present at the hearing as to their observations of the incident in question should be preferred.

(d) Hearsay evidence may be accepted. However, caution will be exercised before hearsay evidence is accepted in preference to first-hand evidence and generally less weight is likely to be given hearsay evidence.

(e) Further, as a general rule, the Discipline Committee should not permit the introduction of opinion evidence other than expert opinion evidence. Expert opinion evidence is only likely to be permitted when the evidence falls outside the everyday knowledge of members of the Discipline Committee, for example, medical or legal opinion.

**7.12** (a) If a determination is made under 7.10 (b) (i), to continue the processing of the complaint, the Chair of the Discipline Committee will make an assessment as to the nature of the complaint. The Chair shall consider the nature of the alleged misconduct, the age of those involved, the effect of the alleged misconduct on the victims, or any other criteria deemed appropriate.

b) Following this assessment, the Chair shall determine that either:

(i) the alleged behaviors are of a sensitive nature or extraordinarily serious or involve the well-being of young player, and the alleged acts are including but not limited to grooming, maltreatment, neglect, psychological maltreatment, sexual maltreatment, etc, then the process in 7.13 and 7.14 of this Code shall be followed or

(ii) the alleged behaviors are not a sensitive or extraordinary seriousness or do not involve the well-being of young player and the alleged acts are including but not limited to misconduct, discrimination, harassment, referee abuse, etc, then the complaint can proceed directly to a hearing according to the processes in section 7.15 of this Code.

**7.13** (a) If the Chair rules under 7.10 (b) (i) that there should be further investigation, they shall assemble an independent and impartial Investigative Panel comprised of one or more persons to investigate the complaint.

(b) The person(s) on the Investigative Panel should have recent knowledge of the laws and skills of the Game and appropriate Rugby experience preferably as a player, referee, coach, manager or administrator.



#### **7.14** The Investigative Panel's investigation shall:

- (a) be conducted in a manner of its choosing, but which accords with the principles of due process and natural justice,
- (b) provide an investigation update to the Chair of the Discipline Committee within forty-five (45) days of receipt of the complaint,
- (c) At any stage of its investigation, the Investigative Panel may determine to:
  - (i) continue the investigation or
  - (ii) make a written recommendation to the Discipline Committee that the complaint be dismissed as unfounded, beyond the jurisdiction of this Code of Conduct or unlikely to succeed or
- d) After concluding its investigation, the Investigative Panel shall provide a written confidential report to the Discipline Committee.  
The confidential report shall contain:
  - the findings of its investigation, AND
  - its opinion that there has been, on a balance of probabilities, a breach of this Code of Conduct, AND
  - a recommendation to the Chair of the Discipline Committee that a hearing before the Discipline Committee be held into the complaint under section 7.15., AND
  - any recommendations it might have as to the appropriate resolution of the complaint as described in section 8.
- (e) The Discipline Committee will not be bound to accept all or any of the recommendations of the report prepared by the Investigative Panel. The Discipline Committee may, at its discretion, make such decisions as it deems appropriate.
- (f) The respondent to an alleged breach or breaches of the Code shall not be suspended from Rugby activities during the investigation of the alleged breach or breaches, unless the Chair of the Discipline may determine that a particular alleged breach or breaches of this Code are of such seriousness to warrant their suspension pending a hearing and a decision of the Discipline Committee

#### **7.15** Hearing into a breach of the Code



- (a) Following the determinations in 7.14 d) or 7.12 b) ii) the Chair shall convene a hearing of the Discipline Committee
- (b) Prior to the convening of a hearing, the Discipline Committee shall ensure that all persons who are party to the hearing have received all the documents which the Discipline Committee will consider in regard to the complaint. The Chair of the Discipline Committee has the power to redact any such document under section 7.18 (b) of the Code.
- (c) The Discipline Committee may hold its hearing into the complaint with or without the presence of the complainant, the respondent or both. The Discipline Committee may require the attendance of witnesses.
- (d) The respondent attending a Discipline Committee hearing may do so in person or by electronic means so long as the person and the other participants can communicate with each other during the meeting. The respondent attending by electronic means is deemed to be present in person for the purposes of the meeting.
- (e) The respondent who is attending a Discipline Committee hearing shall be entitled to be represented at the hearing by an official of their club or other affiliated organization, or by legal counsel.
- (f) The Discipline Committee shall be entitled to determine whether witnesses that give evidence are able to remain in "the room" in which the hearing is being heard, (physical or electronic), after their evidence has been given.
- (g) Where evidence is given before the Discipline Committee, there shall be no direct questioning of any witness, save by Discipline Committee members, except as otherwise agreed by the Discipline Committee. Questions may, however, be put to a witness through the Discipline Committee Chair at the Discipline Committee Chair's discretion.
- (h) Unless it otherwise directs, the procedure of the Discipline Committee at a hearing for a breach of the Code will be as follows:
- (i) The Discipline Committee Chair will explain the procedure to be followed.
  - (ii) The Chair of the hearing will advise the attendees that their portion of the hearing is being recorded.



(iii) The respondent (if present) will be asked to confirm if they admit to having committed the behaviour alleged in the complaint.

(iv) If the respondent is present and if they (or any witnesses to be called) elect to give evidence, it will be heard.

(v) any final submissions will be heard.

(i) The Discipline Committee deliberations on its decision shall take place in private.

(j) A decision of a Discipline Committee shall be valid if taken by consensus or at least a simple majority of the Members of the Discipline Committee of those eligible to participate.

(k) No Member of a Discipline Committee may abstain from any decision subject to application of the conflict rules found in the BC Rugby Discipline Policy.

(l) The Discipline Committee Chair shall, as he or she considers appropriate, be entitled to deal with any investigatory matters or procedural matters relating to a hearing.

(m) The Discipline Committee shall have power to postpone or adjourn a hearing at which discipline proceedings are to be heard.

(n) No member of the Discipline Committee shall comment to the media on a decision of the Discipline Committee, but the Discipline Committee Chair may release the summary report from the hearing.

**7.16** All complaints shall be dealt with by the Discipline Committee, but nothing herein stops a Voting Member or Associate Member of BC Rugby from undertaking its own investigation of alleged misconduct, and from imposing its own sanctions where appropriate on its own Individual Members.

#### **7.17** Post Hearing Procedures

(a) Following any hearing and any subsequent ruling, the Discipline Committee shall produce a Reasons for Ruling Report in which it describes the complaint(s), the findings of fact, the ruling(s) of the Discipline Committee and the reasons for the ruling(s).



The Chair of the Discipline Committee has the power to redact the Reasons for Ruling Report under section 7.18(b) of the Code of Conduct.

- (b) The Reasons for Ruling report shall be provided to the CEO of BC Rugby, the complainant(s) and the respondent(s).
- (c) The Chair of the Discipline Committee may produce a brief report which outlines the complaint and the Discipline Committee's ruling for publication on the BC Rugby website. This report must adhere to section 7.18 (b) and may be redacted.

## **7.18**

- (a) BC Rugby will retain all reports prepared under the Code of Conduct.
- (b) The Investigative Panel, the Discipline Committee and BC Rugby shall take all appropriate steps to maintain the privacy of the complainants and respondent if the material in any of the reports produced by these groups may cause unnecessary distress, embarrassment, or hardship to the individuals.

## **8. Disciplinary Action**

- 8.1** (a) If any participant, as defined in the Code of Conduct, is found by the BCRU Discipline Committee, to have breached this Code of Conduct. they may be subject to disciplinary sanctions.
- (b) The Discipline Committee may apply any sanctions it deems appropriate. These sanctions may include but are not limited to: fines, written or recorded video apologies, training courses, counselling, restorative justice, reprimand, suspension, probation, performance bonds, loss of home games, league points, play-off eligibility or expulsion from BC Rugby and/or BC Rugby's Board, Committees, membership, competitions, events, programs, squads or teams.
- (c) If the participant who has breached the Code of Conduct is a BC Rugby Director, Committee Member or Employee, the Discipline Committee may apply sanctions, such as, but not limited to:
  - (i) Counselling of the Director, Committee Member or Employee, or



- (ii) termination of Director's or Committee Member's appointment, or
- (iii) termination of the Employee's employment, or
- (iv) implementation of such other measures as deemed appropriate at the discretion of the Discipline Committee.

**8.2** At the sole discretion of the BC Rugby Board of Directors, a conviction for a Criminal Code offense may result in expulsion from BC Rugby and/or removal from BC Rugby teams, competitions, programs, activities, and events as well as banning from any future membership or involvement with BC Rugby.

## 9. Appeals

**9.1** Any Complainant or Respondent who wishes to appeal a decision made under this Code of Conduct may do so in line with BC Rugby's Appeals Policy.

## 10. Supporting Policies

### Internal

- BC Rugby Bylaws
- BC Rugby Appeals Policy
- BC Rugby Discipline Policy
- BC Rugby Gender Equity, Diversity & Inclusion Policy
- BC Rugby Reciprocity Policy

### External

- Rugby Canada Safe Sport Suite
- Universal Code of Conduct to Prevent and Address Maltreatment in Sport
- British Columbia Universal Code of Conduct
- The Criminal Code of Canada (Criminal Code, R.S.C. 1985, c.C-46, as amended)
- International Consensus Statement on Concussion in Sport





- Coaches Association of Canada Policy

## 11. Revision and Approval

This Code of Conduct shall be reviewed by the Discipline Committee, the Safe Sport Committee and the Chief Executive Officer on a regular basis, who may each recommend revisions to the Governance Committee for approval by the Board.

## 12. Contact Us

All feedback, comments, requests for support and other communications relating to this Code of Conduct should be directed to: [info@bcrugby.com](mailto:info@bcrugby.com).

## 13. Appendix

[Rugby Canada Safe Sport Definitions](#)

### Supporting Documents:

[Rugby Canada Safe Sport Policy Manual](#)