



INFRACTION OF CODE OF CONDUCT - INVESTIGATION PROTOCOL

1. A complaint concerning the conduct of a member of Racquetball Canada (“the **Respondent**”) shall:
 - a. Be made in writing on the **Racquetball Canada Incident Report** (available on the Racquetball Canada website www.racquetball.ca) within 24 hours of the infraction and submitted to the Racquetball Canada VP Technical.
 - b. The Racquetball Canada Incident report must identify the member against whom the complaint is made, the detail of the complaint, the name and address of the complainant and be signed by the complainant.
2. The VP Technical will within 2 days of receiving a complaint:
 - a. Ensure the complaint is made in the proper form as described in Section 1.
 - b. Send the **Notice of Complaint** document, informing the Respondent that a complaint has been lodged.
 - c. When the complaint is received in the proper form, Racquetball Canada will supply the Respondent with a copy of the Racquetball Canada Incident report within 2 days.
3. The VP Technical will strike a committee known as the **Conduct Panel** with at least 3 members, to investigate if an offence has been committed which comes within the scope of the Code of Conduct. The VP Technical or designate will be the Chair of the Conduct Panel. The Conduct Panel will be the hearing panel for the complaint and will determine if there is cause for disciplinary action. If disciplinary action against the Respondent is warranted, a Conduct hearing is required within seven (7) working days
4. The Conduct panel can make the following determinations:
 - a. Determine that complaint is without merit, the VP Technical on behalf of the Conduct panel shall inform both the Complainant and the Respondent, of this decision in writing, with a copy to the Racquetball Canada Executive Director, after which time the matter shall be considered closed.
 - b. If it is determined that there is cause for the Complaint then the Conduct panel will decide if further investigation is required. If further investigation is required, the Conduct Panel shall interview each of the parties and any witnesses who, in the opinion of the Conduct Panel may have relevant information concerning the complaint. Written reports of the investigation must be submitted to the Racquetball Canada Office for the file on the complaint.
5. Where the Respondent acknowledges and accepts the facts of the complaint, he or she may waive the hearing, in which case the Conduct Panel shall determine the appropriate disciplinary sanction. The Conduct Panel may hold a hearing for the purposes of determining an appropriate sanction.

6. If the Respondent does not agree that a violation of the Code of Conduct was committed, then the Conduct Panel will convene a formal Conduct Panel hearing.
7. The Respondent will have 5 business days from the date of receiving the complaint to respond in written/electronic form to the VP Technical. In extraordinary circumstances the VP may extend the timeline upon the request of the Respondent.
8. The President of the Respondent's Provincial Association will be informed that a code of conduct violation has occurred and that a Conduct Panel hearing will be convened.
9. The Conduct Panel will be chaired by the VP Technical or designate, at least two (2) other Racquetball Canada members; in some circumstance the Conduct Panel may include an additional two (2) Racquetball Canada members to create a panel of 5.
 - a. The Racquetball Canada office will compile a folder for the hearing, including:
 - i. Racquetball Incident Report(s)
 - ii. Alert of a filed complaint letter.
 - iii. Investigation Protocol
 - iv. Any investigation reports
 - v. The Respondent subject to the complaint shall receive a copy of all materials which are being considered by the Conduct panel
 - b. The Respondent and Complainant will be required to attend the hearing and will be allowed to put forth whatever information that they determine as relevant. If they refuse to attend, the hearing will be held without their presence.
 - c. The hearing can be conducted in person, by telephone or video conference.
 - d. The Respondent may be accompanied by a representative. The representative does not have the right to address the panel.
 - e. The Respondent shall have the right to present evidence.
 - f. The hearing shall be in private.
 - g. The Conduct Panel may request that witnesses to the incident be present or submit written evidence.
10. The Conduct Panel shall render its decision within 5 business days to the conclusion of the Hearing. A copy of this decision shall be provided to all parties of the hearing, the VP Technical and the Executive Director of Racquetball Canada). One copy will stay with the file in the Racquetball Canada office.
11. The Racquetball Canada office will contact the President of the Respondent's Provincial Racquetball Association informing them of any further sanctions.

Sanctions

12. The following disciplinary sanctions, singly or in combination may be applied:
 - a. A written reprimand to be placed on the Respondents file
 - b. A verbal and/or written apology
 - c. Any other sanction(s) determined appropriate in the circumstances.
13. The following disciplinary sanctions, singly or in combination may be applied by the Conduct Panel:
 - a. Any sanctions as set out in the Code of Conduct
 - b. Suspension from Racquetball Canada for a specified period of time.
 - c. Termination of membership in Racquetball Canada.
 - d. Monetary fine

14. In applying these sanctions, the VP Technical or Conduct Panel may have regard to the following aggravating or mitigating circumstances:

- a) The nature and severity of the offense
- b) Whether the incident is a first offense or has occurred repeatedly
- c) The Respondent's acknowledgment of responsibility
- d) The Respondent's extent of remorse
- e) The Respondent's extent of cooperation with the procedures set out in this policy
- f) The age, maturity or experience of the Respondent.
- g) The extent to which others were harmed by the Respondent's action.

Automatic Sanction

15. Notwithstanding the procedures set out in this policy, any member who is convicted of a criminal offense involving sexual exploitation, invitation to sexual touching, sexual interference, sexual assault or aggravated assault, shall face an automatic suspension from Racquetball Canada.

Delegation

16. The Executive Director or VP Technical may delegate their responsibilities under this policy as they deem appropriate, in the event they are absent, have a conflict of interest or are unable to complete an act

Appeals Procedure

17. An appeal of a conduct matter shall be conducted under Racquetball Canada Appeals policy.