



SNB believes that everyone in the sport has the right to enjoy the sport at whatever level or position they participate. Athletes, coaches, officials, and volunteers have the right to participate in a safe and inclusive training and competitive environment that is free of abuse, harassment, or discrimination.

SNB believes the welfare of everyone involved in the sport is a foremost consideration and in particular, the protection of children/athletes in the sport is the responsibility of each individual, member, and special interest group in the swimming community.

Safe Sport Operational Statement

The SNB safe sport program will focus on three key areas: **education, prevention, and response**, all of which will be supported by strong governance, policies, and procedures. The goal is to ensure that all members and registrants of SNB, at all levels, have the resources to provide and access a fun, healthy, inclusive, and safe environment.

Safe Sport Officer

SNB’s Safe Sport Officer is an independent third party who will guide you through the complaints process and/or explore other options. This Independent Official is empowered to supersede Swim New Brunswick staff and Board members and launch appropriate investigations and policies as required based on evidence or a situation reported. Your contact with the Safe Sport Officer is confidential, subject to certain legal limits. For general disputes, you are encouraged to try to resolve your situation at the club or provincial level before contacting SNB.

SNB’s Safe Sport Officer can be contacted by email at SNB_SafeSport@swimnb.ca, or by requesting contact information from SNB staff.

Safe Sport Framework¹

Education	Protection and Prevention	Discipline and Response
True Sport principles Codes of conduct Equity, diversity & inclusion Anti-doping	Screening personnel The “Rule of two” Social media Photography	Incident report Incident investigation Disciplinary procedures Appeals

¹ <https://www.swimming.ca/en/safe-sport/>

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Throughout this document "member" refers to all categories of members in Swimming New-Brunswick (SNB), as well as to all individuals engaged in activities with or employed by SNB, including, but not limited to, athletes, coaches, officials, volunteers, directors, officers, team managers, team captains, medical and paramedical personnel, administrators, and employees (including contract personnel)².

² SNB Canada Games Plan 2022, p 11



Policy Statement

1. SNB provides a fun, healthy, inclusive, and safe environment. Swimming enriches the lives of everyone involved by ensuring that the training and competitive environment is one where athletes, coaches, officials, and volunteers know they are safe, and are treated with respect and dignity.

Purpose Statement

2. SNB believes that everyone in the sport has the right to enjoy the sport at whatever level or position they participate. Athletes, coaches, officials, and volunteers have the right to participate in a safe and inclusive training and competitive environment that is free of abuse, harassment, or discrimination.
3. SNB believes the welfare of everyone involved in the sport is a foremost consideration and in particular the protection of children/athletes in the sport is the responsibility of each individual, member, and special interest group in the swimming community.³

Application

4. SNB and its Members commit to the True Sport Principles.⁴
5. SNB and its Members adopt Codes of Conduct and Ethics that describe standards of conduct and behaviour that apply to all individuals, including specific sections for: Athletes; Coaches; Officials; Volunteers; Directors and Committee Members; and Parents and Spectators.⁵
6. SNB and its Members commit to developing, maintaining, and supporting a culture of equity, diversity and inclusion in its operations, activities, and partnerships⁶.
7. SNB and its Members strongly oppose the use, possession, and the supply of banned substances and practices in competitive swimming by swimmers, coaches, medical, paramedical, other team support personnel, administrators, and officials. SNB and its Members adopt and adhere to the Canadian Anti-Doping Program⁷.

³ 1-3 from SNC Safe Sport Environment Policy 20190329

⁴ GNB 10-2

⁵ GNB 10-4

⁶ SNC EDI policy

⁷ GNB 11-7, SNC Antidoping policy



The True Sport Principles express an approach to sport that the vast majority of Canadians already believe in and practice. Although widely embraced, these principles often go unspoken. So, when they are violated — when people’s attitudes and actions threaten healthy and respectful competition — supporters of good sport can be caught off guard, unsure how to stand up for the sport they believe in.

Go For It

Rise to the challenge – always strive for excellence. Be persistent and discover how good you can be.

Play Fair

Understand, respect, and follow the rules. Play with integrity – competition is only meaningful when it is fair.

Respect Others

Show respect for everyone involved in creating your sporting experience, both on and off the field of play. Win with dignity and lose with grace.

Keep It Fun

Find the joy in sport and share it with others. Remember what you love about sport and why you play.

Stay Healthy

Always respect and care for your mind and body. Advocate for the health and safety of yourself and those around you.

Include Everyone

Recognize and celebrate strength in diversity. Invite and welcome others into sport.

Give Back

Say thanks and show gratitude. Encourage your sport group to make a difference in the community.

⁸ <https://truesportpur.ca/true-sport-principles>

SNB is committed to providing an environment in which all individuals are treated with respect. Further, SNB supports equal opportunity and prohibits discriminatory practices. Members are expected to conduct themselves at all times in a manner consistent with the values of SNB which include fairness, integrity, open communication and mutual respect. Irresponsible behaviour by members can do severe damage to the sport of swimming and to the support which all levels of swimmers have worked so hard to achieve. Conduct which violates these values may be subject to sanctions pursuant to SNB's Discipline Policy.

In addition to the above, the following specific behaviours will be subject to sanction pursuant to SNB's Discipline Policy:

1. not complying with the by-laws, rules, regulations or policies of SNB, as adopted and amended from time to time;
2. verbally or physically abusing opponents, coaches, officials, spectators or sponsors;
3. showing disrespect to officials, including the use of foul language and obscene or offensive gestures;
4. abusing swim facilities or equipment;
5. failing to comply with the conditions of entry of a swim meet including any rules with regard to clothing or advertising;
6. failing to be available to meet reasonable requests for interviews by the media;
7. any other unreasonable conduct which brings the sport of swimming into disrepute, including but not limited to, abusive use of alcohol, non-medical use of drugs, use of alcohol by minors.

Examples of minor infractions:

- Single incident of disrespectful, offensive, abusive, racist or sexist comments or behaviour directed towards others, including but not limited to peers, opponents, athletes, coaches, officials, administrators, spectators and sponsors;
- Unsportsmanlike conduct such as angry outbursts or arguing;
- Single incident of being late for or absent from SNB events and activities at which attendance is expected or required;
- Non-compliance with the rules and regulations under which SNB events are conducted, whether at the local, provincial, national or international level.

Examples of major infractions:

- Repeated incidents of disrespectful, offensive, abusive, racist or sexist comments or behaviour directed towards others, including but not limited to peers, opponents, athletes, coaches, officials, administrators, spectators and sponsor;
- Repeated unsportsmanlike conduct such as angry outbursts or arguing;
- Repeated incidents of being late for or absent from SNB events and activities at which attendance is expected or required;

⁹ SNB Canada Games Plan 2022, p 11-12

- Activities or behaviors that interfere with competition or with the preparation of another athlete for competition;
- Tricks, jokes or other behavior endangering the safety of others;
- Deliberate indifference to the rules governing SNB competitions and activities, whether on the local, provincial, national or international scene;
- Heavy drinking, where the qualifier "heavy" means drinking such that speaking, walking or driving is impaired, behavior is disturbed or the ability to function effectively and safely is compromised;
- Any consumption of alcohol by a minor;
- Use of illegal drugs or narcotics;
- The use of prohibited techniques or drugs to increase performance.



In order to get the most out of the sport or leisure activity, the athlete or participant must have an attitude and behaviour that stems from the purest spirit of sportsmanship or camaraderie.

The important thing is not to win or lose, but the way in which he or she practices the discipline (sport or leisure). He or she should never lose sight of the fact that it is a game. To obtain the maximum enjoyment, every athlete must:

1. Play for fun, remembering that sport or leisure is not an end, but a means.
2. Strictly observe the rules of the game and the sportsmanship charter.
3. Always accept and respect the decisions of the officials.
4. Always respect the officials, the opponents, and their supporters, who must not become enemies.
5. Always remain in control of yourself.
6. Show exemplary conduct in, around, and outside the pool, using language without insults, vulgar terms, or profanity.
7. Respect your coach and managers and follow their instructions when they are not contrary to your well-being.
8. To commit all one's strength to the sport, avoiding discouragement in failure and vanity in victory.
9. To respect the property of others and avoid theft or vandalism.
10. Refuse and not tolerate the use of drugs, medications, or stimulants to enhance performance.
11. Know that abuse, harassment, neglect, violence, or any other inappropriate behavior will not be tolerated, and immediately report to the coach or to a person in authority any such act committed against another person or against oneself.
12. Use social networks, the internet, and other electronic media in an ethical and respectful manner towards colleagues, coaches, and leaders, not to use them to provoke opponents or other members.
13. Ensure that everyone is treated with respect and fairness.

¹⁰ <https://fnq.ca/fonce/sportsecuritaire/>

Athletes, coaches, and team managers who travel with the Provincial Swimming New Brunswick team represent the province, the sport of swimming and their community. Swimming New Brunswick would like to be proud of our sport and our swimmers. Thus, all members of the provincial team must abide by the following code of conduct, from departure to return home. If an athlete does not comply with the Provincial Team Code of Conduct, they may be sent home, at their expense.

By signing this form, you agree to abide by the code of conduct when you represent Swimming New Brunswick.

1. During a team trip, swimmers should behave appropriately. If a member of the training staff determines that an athlete's behavior is unacceptable, the athlete's participation in the competition may be jeopardized and the athlete may be required to return home at his own expense. Refusal to comply with curfew rules established by team staff, for example, is deemed unacceptable
2. Athletes must behave in a calm and disciplined manner when they are in public, especially on public transport, around the swimming pool before the start of their event and at the restaurant.
3. Accommodation establishments or any place acting as such (hotels, residences, dormitories, sports complexes, and school gymnasiums) are places devoted to rest. Unacceptable behaviors in such places include running, being on the phone constantly, listening to music or TV at high volume, fighting, making jokes that could cause injury or property damage, or using food, of shaving cream, baby oil or any other material inappropriately.
4. Athletes must not be in possession of stolen equipment, nor willfully cause damage to the property of others.
5. Athletes must respect others individual needs regarding such as study periods, rest period and any other needs.
6. Curfews are determined by members of the team staff and must be respected at all-times.
7. Room doors should be left ajar whenever a member of the opposite gender is in the room. Persons who are not immediate members of the team are not allowed to be in the rooms unless they have obtained permission from the head coach or team manager.
8. Athletes must treat team members, teammates, officials, and swimmers of other teams with respect at all-times. Immoral behavior is not acceptable. Abusive or foul language is not acceptable.
9. Athletes are not allowed to drink or carry alcoholic beverages, to use drugs or medication, except medication prescribed by a medical doctor, which must be communicated to team staff, although the proper use of prescription medication remains the responsibility of each athlete.
10. Athletes are not allowed to smoke or chew tobacco
11. When hosted by families, athletes must behave responsibly at all-times. Conditions may not always be ideal, but unacceptable behavior will not be tolerated in any way.
12. Athletes should consider it their responsibility to report to the head coach or team manager anything that goes against the code of conduct. Any athlete present during a breach of the code of conduct of a swimmer from another team must leave the scene immediately and return to his team.

¹¹ SNB Canada Games Plan 2022, p 13

13. Athletes should attend competitions of other team members as much as possible.
14. Athletes are not allowed to leave the team unless they have received permission from the head coach or team manager
15. During the last night of the trip, athletes must behave in accordance with the code of conduct.

Swimming New Brunswick is fully aware that the above conditions may affect certain legal freedoms of athletes. However, for the sake of unity within the team, the cooperation of athletes is necessary and expected.

Any swimmer who disagrees with any aspect of this code of conduct may choose not to be part of the trip. Refusal to sign this agreement within the allocated time will be sufficient to justify a swimmer's exclusion from the trip.

Signed by

Swimmer

Parent/guardian

Coach



SNB and Members require all coaches to respect the Canadian Swimming Coaches Association code of professional conduct, available on the CSCA website, at:

<https://www.cscs.org/policies.aspx>

¹²

No competition can be conducted satisfactorily without the presence of officials and volunteers. Good officials ensure the enjoyment of competing while respecting the rules of swimming. However, the decisions of the officials can be the source of frustrations, and their judgments are not always unanimous. Volunteers are necessary for the smooth running of each activity and must often support the meet manager and other officials. Efficient and competent officials and volunteers must:

1. Protect the integrity of the competition and the safety of the participants.
2. Be familiar with the rules and their interpretation and comply with the stated rules.
3. Apply the rules objectively, impartially, fairly and with discretion.
4. Communicate respectfully with participants.
5. Be physically and mentally fit for the task at hand
6. Avoid being overly intrusive in a way that puts oneself in the spotlight to the detriment of participants.
7. Plan all activities in such a way that an official or volunteer is never alone in a closed private area with a participant or anyone else. This place can be real (room, dressing room, car) or virtual (messaging, social network).
8. On trips involving overnight stays, the official or volunteer must limit visits to hotel rooms to visitors of the same gender. Room checks should be done by trained adults, preferably in mixed pairs, and chaperones should be kept in a room adjacent to participants' rooms.
9. Use social networking, internet, and other electronic media ethically and respectfully of fellow athletes, coaches, and leaders. Do not use it to provoke the opponent or others.
10. Refrain from the use of alcoholic beverages or drugs while on duty.
11. Ensure that everyone is treated with respect and fairness.

Specifically for officials:

- Officials must be familiar with the rules and their interpretation, comply with the stated rules, and apply them objectively, impartially and fairly.
- Electronic communications between a participant and an official must include the athlete's parents if the athlete is under 18 years of age. Group e-mail should be preferred over private messages.
- The official must request the presence of another adult when a participant visits the office or other closed space.
- The official shall not drive participants under the age of 18 to or from any activity (practice, game, competition or other) without parental consent. He/she must obtain parental permission for all exceptions.

¹³ <https://fnq.ca/fonce/sportsecuritaire/>

Decision-making powers rest with the administrators. Administrators have the ultimate responsibility for the quality of sport and recreation. Local, regional, and provincial administrators must ensure that the conduct of the sport or recreation activity meets the values of educational and social purposes.

To fulfill this role, administrators must:

1. Remember that the athletes are at the centre of the sport and motivate all decisions and actions.
2. Ensure that equal opportunity to participate in activities is provided to all participants, regardless of age, gender, or skill level.
3. Ensure that athletes are supervised by competent people who respect the principles promoted by the organization.
4. Promote sportsmanship, social and civic commitment, and the spirit of solidarity.
5. Promote the participation of all volunteers in advanced training course.
6. Take all necessary means to value and demand respect for the officials.
7. Take all necessary means to ensure the safety and integrity of participants.
8. Ensure that the location, facilities, equipment, and rules of the sport are appropriate to the interests and needs of the participants.
9. Ensure good relations and contacts with the media, the public and all organizations or persons connected with the organization.
10. Plan all activities in such a way that an intervener (coach, administrator, therapist, volunteer, official, etc.) is never alone in a closed private place with a participant or anyone else. This place can be real (room, dressing room, car) or virtual (email, social network).
11. Use social networking, internet, and other electronic media ethically and respectfully of fellow athletes, coaches, and leaders. Do not use it to provoke the opponent or others.
12. Refrain from the use of alcoholic beverages or drugs while on duty.
13. Ensure that everyone is treated with respect and fairness. Ensure that everyone is treated with respect and fairness. Act in good faith, be trustworthy, competent, prudent, diligent, objective, efficient, diligent, fair, impartial, honest, honest, and loyal.
14. Participate actively in the work of the Board of Directors and be bound to discretion regarding what he/she knows in the performance of his/her duties and must, at all times, respect the confidentiality of the information thus received.
15. Avoid placing themselves in a situation of real or potential conflict of interest or using the attributes of their position to obtain an undue advantage for themselves or a third party. Administrators must declare any conflict of interest situation and refrain from taking part in any deliberation or decision related in any way to such situation.

¹⁴ <https://fnq.ca/fonce/sportsecuritaire/>

Parents who are concerned about their child's development must take an interest in their child's well-being and be aware of the educational values conveyed by the sport or leisure activity. They must therefore collaborate in the use of sport or leisure activities as a means of education and expression so that their child may benefit from them. To fulfill their role, parents must adopt the following behaviors:

1. Demonstrate respect for coaches, leaders, and officials.
2. Show good behaviour and use appropriate language.
3. Avoid verbal abuse of participants and support all efforts to do so.
4. Always remember that their child is participating for his/her own enjoyment, not for the enjoyment of his/her parents.
5. Encourage their child to respect the True Sport Principles, rules of swimming and any competition, club, or team rules.
6. Recognize their child's good performances as well as those of opposing participants.
7. Help their child to strive to improve his/her skills and develop sportsmanship or camaraderie.
8. Teach their child that an honest effort is just as important as winning.
9. Objectively judge their child's possibilities and avoid projections.
10. Help their child to choose an activity or activities according to his/her taste.
11. Never ridicule a child for making a mistake or for his/her performance.
12. Encourage their child by their example to respect the rules and resolve conflicts without aggression or violence.
13. Use social networking, internet, and other electronic media ethically and respectfully of fellow athletes, coaches, and leaders. Do not use it to provoke the opponent or others.
14. Ensure that everyone is treated with respect and fairness.

¹⁵ <https://fnq.ca/fonce/sportsecuritaire/>



1. Equity is the belief and the practice of treating persons in ways that are fair, equitable and just. SNB is an inclusive organization and welcomes full participation of all individuals in our programs and activities, irrespective of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation gender identity, gender expression, age, marital status, family status or disability.
2. SNB encourages participation in the sport of swimming. SNB will ensure that equity, diversity and inclusion are key considerations when developing, updating or delivering Swimming Canada policies and programs.
3. Equity does not necessarily mean that all persons must be treated exactly the same. People may need to be treated differently in order to be treated fairly. SNB will take a leadership position by making a clear commitment to full and equitable participation in all levels of the organization.
4. SNB and Members should:
 - a. Make efforts towards raising the awareness and understanding of the equity, diversity and inclusion issues among members, coaches, athletes, officials, staff, committees, board members and in the broader sport community.
 - b. Make reasonable accommodations for individuals where doing so would support equity, diversity and inclusion in the programs and/or operations of SNB.
 - c. Consider equity, diversity and inclusion in reviewing existing programs and when creating new programs.
 - d. Encourage equity, diversity and inclusion in recruiting and developing staff and volunteers.
 - e. Pursue opportunities to educate SNB members, including staff, athletes, coaches and volunteers the importance of equity, diversity and inclusion to SNB
 - f. Develop operational procedures and rules which are equitable, and support diversity and inclusion.

¹⁶ Source: SNC Equity, Diversity and Inclusion Policy 20170801



1. SNB advocates and promotes practices that enhance swimming performance through the application of scientific methods and through the provision of education programs for all participants in Swimming Canada.
2. SNB supports Swimming Canada in facilitating both announced and unannounced doping controls throughout Canada and elsewhere in conjunction with the Canadian Centre for Ethics in Sport (CCES), as defined in the Swimming Canada Doping Control Plan and will comply with the requirements of the CCES anti-doping program in accordance with the Canadian Anti-Doping Program (CADP) administered by the CCES.
3. SNB and Members should:
 - a. Play a positive role in raising the awareness and understanding of doping and anti-doping among Provincial Sections and member clubs
 - b. Play a positive role in raising the awareness and understanding of doping and anti-doping among Swimming Canada Coaches and Teachers Association and Provincial Coaches Associations.

¹⁷ Source: <https://www.swimming.ca/en/anti-doping/>



Policy Statement

1. SNB and its Members are committed to a sport environment that respects dignity and privacy and that is free from abuse and harassment. SNB and its Members will work to protect athletes and all other members of our community and to ensure that abuse or suspected abuse can be reported and addressed.¹⁸

Purpose Statement

2. Abuse can take different forms and an abuser may use several different tactics to gain access to children, exert power and control over them, and prevent them from telling anyone about the abuse or seeking support. The abuse may happen once, or it may occur in a repeated and escalating pattern over a period of months or years. The abuse may change form over time. Abuse of children or youth in sport can include emotional maltreatment, neglect, and physical maltreatment.¹⁹
3. Abuse of vulnerable adults is often described as a misuse of power and a violation of trust. Abusers may use several different tactics to exert power and control over their victims. Abuse may happen once, or it may occur in a repeated and escalating pattern over months or years. The abuse may take many different forms, which may change over time.²⁰
4. Harassment is a form of discrimination and is prohibited by human rights legislation in each province of Canada. Harassment is offensive, degrading and threatening, and in its most extreme forms, harassment can be an offence under Canada's Criminal Code.²¹

Application

5. SNB and its Members have **zero tolerance** for any type of abuse. Individuals are required to report instances of abuse or suspected abuse to the Member or to SNB to be immediately addressed under the terms of the applicable policy.²²
6. SNB and its Members support the standardized screening protocol for coaches, officials, and other related parties, developed by Swimming Canada and the Canadian Swimming Coaches and Teachers Association²³.
7. SNB requires that individuals engaged by the organization will complete the requirements

¹⁸ GNB p23-1, 2

¹⁹ GNB p23-3,4,5

²⁰ GNB p24-10

²¹ SNC Harassement policy

²² GNB p23-2

²³ <https://www.swimming.ca/en/safe-sport/prevention/screening/>

outlined in the SNB Screening Matrix upon engagement, and at three-yearly intervals thereafter. SNB encourages Members to impose similar requirements upon individuals imposed by them.²⁴

8. SNB and its Members strongly recommend the 'Rule of Two' for all Persons in Authority who interact with athletes²⁵.
9. SNB and its Members are aware that Individual interaction and communication occurs frequently on social media and expects that clubs, athletes, coaches, officials, parents and all other individuals connected with SNB and its members will respect SNB's Codes of Conduct and Social Media guidelines. Any conduct falling short of the standard of behavior required by these guidelines may be sanctioned.
10. Reports of abuse that are shared confidentially with an Individual by a Vulnerable Individual may require the Individual to report the incident to parents/guardians, the Organization and its Members or police. Individuals must respond to such reports in a non-judgmental, supportive, and comforting manner but must also explain that the report may need to be escalated to the proper authority or to the Vulnerable Individual's parent/guardian.²⁶
11. SNB seeks to promote the responsible use of social networks by our employees, representatives, athletes, and their families. To do so, we must manage the use of social network accounts and the creation of content by our employees, administrators, and volunteers, who may be adults or not.²⁷
12. SNB and member clubs use photography and videography to celebrate and promote athletes' involvement and achievements within the sport, but also recognize that certain images can be misused and/or misinterpreted to put athletes at risk. In order to minimize risk, all photographs and video taken at SNB sanctioned competitions and activities must observe generally accepted standards of decency.²⁸

²⁴ GNB p54-16&17

²⁵ GNB 14-1

²⁶ GNB 25-22

²⁷ Source: SNB Social Media policy

²⁸ Source: SNC Event Photography and Videography Procedure

SNB and its Members understand 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 sport community.

1. Member clubs are usually responsible for engaging personnel and volunteers and are responsible for screening. SNB is responsible for screening provincial employees.
2. Not all individuals associated with SNB or a Member will be required to obtain a Criminal Record Check or submit screening documents because not all positions pose a risk of harm to SNB, Members, or participants. SNB or the Member will determine which individuals will be subject to screening using the following guidelines, which may be varied at their discretion:

Level 1 – Low-Risk	Level 2 – Medium-Risk	Level 3 – High-Risk
Individuals involved in low-risk assignments who are not in a supervisory role, not directing others, not involved with finances, and/or do not have unsupervised access to Vulnerable Individuals.	Individuals involved in medium-risk assignments who may be in a supervisory role, may direct others, may be involved with finances, and/or who may have limited access to Vulnerable Individuals.	Individuals involved in high-risk assignments who occupy positions of trust and/or authority, have a supervisory role, direct others, are involved with finances, and/or who have frequent or unsupervised access to Vulnerable Individuals.

3. If an individual subsequently receives a charge, conviction for, or is found guilty of, an offense they will report this circumstance immediately to SNB or the Member, as applicable. Additionally, the individual will inform the organization of any changes in their circumstance that would alter their original responses in their Screening Disclosure Form.
4. If SNB or the Member learns that an individual has provided false, inaccurate, or misleading information, the individual will immediately be removed from their position and may be subject to further discipline in accordance with the Discipline and Complaints Policy.

²⁹ Source: GNB p53 -1, 3 16, 17



Risk Level	Roles (Note Young People Exception Below)	Training Recommended/Required	Recommended Screening
Level 1 Low-Risk Youth	People younger than 18 years old, acting under adult supervision.	Training, orientation, and monitoring as determined by SNB or the club	Submit up to two (2) letters of reference.
Level 1 Low-Risk Adults	<ul style="list-style-type: none"> • Parents, youth or volunteers acting in non-regular or informal basis 	Recommended: <ul style="list-style-type: none"> • Respect in Sport for Activity Leaders 	<ul style="list-style-type: none"> • Application Form • Screening Disclosure Form •
Level 2 Medium-Risk	<ul style="list-style-type: none"> • Athlete support personnel • Non-coach employees or managers • Directors • Coaches who are typically under supervision of another coach • Officials 	Recommended based on role: <ul style="list-style-type: none"> • NCCP or NBOC certification. 	<ul style="list-style-type: none"> • Level 1 Requirements • Provide an E-PIC • Provide one letter of reference related to the position • Provide a driver's abstract, if requested
Level 3 High-Risk	<ul style="list-style-type: none"> • Full-time coaches • Coaches who travel with Athletes • Coaches who could be alone with Athletes 	Required: <ul style="list-style-type: none"> • NCCP certification 	<ul style="list-style-type: none"> • Level 2 Requirements • Provide a VSC • Provide a second letter of reference from a sport organization

E-PIC Enhanced Police Information Check

VSC Vulnerable Sector Check

Consult local police for further information

³⁰ Source: GNB p59



Individuals who are applying to volunteer or work within certain positions with SNB or a Member club must complete this Application Form for the position sought. If the individual is applying for a new position with SNB or a Member club, a new Application Form must be submitted.

Name: _____
First Middle Last

Other names you have used: _____

Current permanent address:

_____ Street City Province Postal

2023-03-22 of birth: _____ **Gender identity:** _____

Email: _____ **phone:** _____

Position sought: _____ **Club:** _____

By signing this document below, I agree to adhere to the policies and procedures of SNB, including, but not limited to the *Safe Sport Education Policy*, the *Safe Sport Prevention Policy* and the *Safe Sport Discipline Policy*, including Code of Conduct, and Screening requirements.

I recognize that I must pass certain screening requirements depending on the position sought, as outlined in the Screening requirements, and that SNB will determine my eligibility to volunteer or work in the position.

Name (print): _____ **2023-03-22:** _____

Signature: _____

³¹ Source: GNB p61



Name: _____
First Middle Last

Other names you have used: _____

Current permanent address:

Street City Province Postal

2023-03-22 of birth: _____ Gender identity: _____

Email: _____ phone: _____

Position: _____ Club: _____

Failure to disclose truthful information below may be considered an intentional omission and may result in the loss of volunteer responsibilities or other privileges and/or disciplinary action.

1. Have you been convicted of a crime? 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: _____

2023-03-22 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 the Organization and/or the Member 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 the Screening Policy, administering membership services, and communicating with National Sport Organizations, Provincial/Territorial Sport Organizations, Clubs, and other organizations involved in the governance of sport. The Organization and its Members do 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 the Organization or the Member (as applicable) 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): _____

Signature: _____



Name: _____
 First Middle Last

Other names you have used: _____

Current permanent address:

 Street City Province Postal

2023-03-22 of birth: _____ Gender identity: _____

Email: _____ phone: _____

Position: _____ Club: _____

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 the Organization or to the Member. 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 2023-03-22 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 the Organization or the Member. 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 the 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): _____ 2023-03-22: __

Signature: _____

³² Source: GNB p64



The Coaching Association of Canada describes the intention of the ‘Rule of Two’ as follows:

A coach must never be alone or out of sight with a minor athlete. Two 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. 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. 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.

SNB and its Members recognize that it may not always be possible to fully implement the ‘Rule of Two’, (for coaches, officials, and other Persons in Authority), in all circumstances, may not always be possible. The following guidelines cover some of the more common situations:

1. The training environment should be open and transparent so that all interactions between Persons in Authority and Athletes are observable.
2. A Person in Authority should never be alone with a Vulnerable Individual prior to or following a competition or practice unless the Person in Authority is the Athlete’s parent or guardian
3. Persons in Authority giving instructions, demonstrating skills, or facilitating drills or lessons to an individual Athlete should always do so within earshot and eyesight of another Person in Authority
4. When observing the Rule of Two is not possible due to training or competition circumstances, Persons in Authority and Athletes should take additional steps to achieve transparency and accountability in their interactions. For example, a Person in Authority and an Athlete who know they will be away from other Individuals for a lengthy period of time must inform another Person in Authority where they are going and when they are expected to return. Persons in Authority should always be reachable by phone or text message.
5. Communications between Persons in Authority and Athletes should respect the following:
 - Group messages, group emails or team pages are to be used rather than private messages.
 - Direct messages, if required for team issues or activities shall be professional in tone
 - No sexually explicit language or imagery or sexually oriented conversation may be communicated in any medium
 - Persons in Authority are not permitted to ask Athletes to keep a secret for them
6. Any travel involving Persons in Authority and Athletes shall respect the following:
 - Teams or groups of Athletes shall always have at least two Persons in Authority with them

³³ Source: GNB 14-16

- For mixed gender teams or groups of Athletes, there should be one Person in Authority from each gender
 - Screened parents or other volunteers will be available in situations when two Persons in Authority cannot be present.
 - See also Codes of Conduct for coaches, officials, and volunteers.
7. It is recognized that some physical contact between Persons in Authority and Athletes may be necessary for various reasons including, but not limited to, teaching a skill ,or tending to an injury. Any physical contact shall respect the following:
- Unless it is otherwise impossible because of serious injury or other justifiable circumstance, a Person in Authority must always clarify with an Athlete where and why any physical contact will occur prior to the contact occurring. The Person in Authority must make clear that he or she is requesting to touch the Athlete and not requiring physical contact
 - Infrequent, non-intentional physical contact during a training session is permitted
 - Hugs lasting longer than five seconds, cuddling, physical horseplay, and physical contact initiated by the Person in Authority is not permitted. It is recognized that some Athletes may initiate hugging or other physical contact with a Person in Authority for various reasons (e.g., such as celebrating or crying after a poor performance), but this physical contact should always be limited to circumstances where the Person in Authority believes it is in the best interest of the Athlete and when it occurs in an open and observable environment.

Swimming New Brunswick (SNB) seeks to promote the responsible use of social networks by our employees, representatives, athletes, and their families. To do so, we must manage the use of social network accounts and the creation of content by our employees, administrators, and volunteers, who may be adults or not.

1. SNB's online presence and social networks shall not be used in any way to promote or disseminate images or information that are pornographic, humiliating, degrading, racist, sexist, hateful, political, religious, defamatory, or otherwise inconsistent with the values of our organization.
2. SNB establishes a presence on appropriate platforms to promote our sport and the activities of our athletes. Since NNB recognizes the importance of social networks for our athletes and wishes to empower them in the management of these platforms, SNB will establish a presence on the appropriate platforms to promote our sport and the activities of our athletes. The SNB CEO and the Chair of the SNB Outreach Committee are responsible for the implementation of this policy. They are authorized to modify or delete any image or information published on SNB accounts and may revoke the authorizations of any persons already authorized to publish on SNB accounts.
3. SNB shall establish an Outreach Committee to promote swimming in NB and to manage and maintain our online presence. This committee shall be comprised of adults and minor swimmers in order to represent the diversity of clubs and athletes in NB, particularly with respect to both official languages.
4. The Outreach Committee establishes a list of "editors" - people who are authorized to publish images and information about our accounts. All editors must have attended appropriate training (as determined by the committee) and have signed the Code of Conduct. The CEO and the Chair of the Outreach Committee may withdraw authorization at any time.
5. The Outreach Committee may organize contests or other activities to generate material for broadcast and for publication on SNB accounts. SNB may establish a budget to enable the Outreach Committee to pursue its man2023-03-22.
6. Publications by the Director-General and on behalf of the Outreach Committee shall comply with the language policy of SNB. Publications made by journalists may be in English or French, although SNB encourages bilingualism.
7. Any minor (under 18 years of age) who wishes to participate in the Outreach Committee or as an editor must be authorized by a parent/guardian and the president of his/her swim club.

³⁴ Source: SNB Social Media policy

SNB and member clubs believe that when used properly photography and videography are excellent tools to celebrate and promote one's involvement and achievements within the sport. SNB and member clubs make regular use of photos and videos of athletes, coaches, and volunteers for a variety of purposes including:

- team websites and social media pages;
- celebrating competitions and athlete successes;
- promotional and advertising materials;

Athletes or their parents are typically required to authorize the taking of photographs as part of the Swimming Canada registration process. As such, coaches and volunteers will take photos and record images of athletes during training and competitions. We also recognize that other participants and parents may also take photos or record images without the knowledge or sanction of SNB, a member club or Swimming Canada. Accordingly, this policy establishes guidelines for taking and using images, rather than an authorization process.

While the great majority of images are appropriate and are taken in good faith, it is a fact that certain images can be misused and/or misinterpreted to put an event participant, most notably children, at risk. In order to minimize risk, all photographs and video taken at SNB sanctioned competitions and activities, whether taken by a professional photographer or videographer, spectator, team support staff or any other participant, must observe generally accepted standards of decency - in particular:

- 1- Photography and videography are prohibited:
 - in locker-rooms or bathrooms or any other dressing or preparation area;
 - behind swimming blocks at the start of a race or where otherwise posted.
- 2- Action shots should be a celebration of the sporting activity and not a sexualized image in a sporting context.
- 3- Action shots should not be taken or retained where the photograph reveals a torn or displaced swim suit.
- 4- Avoid images, camera angles and poses that may be more prone to misinterpretation or misuse by others.
- 5- Delete images (or mask the offending section) that include:
 - nudity or where undergarments are showing;
 - Suggestive or provocative poses;
 - Embarrassing images.

³⁵ Source: SNC Event Photography and Videography Procedure



Policy Statement

1. SNB is committed to providing a sport environment which is athlete-centered, and which is characterized by the values of fairness, integrity, open communication, and mutual respect. The SNB Code of Conduct identifies the standard of behavior which is expected of members of SNB. Members who fail to meet this standard may be subject to the disciplinary sanctions identified within this policy³⁶.

Purpose Statement³⁷

2. Membership in SNB, as well as participation in the activities of SNB, brings with it many benefits and privileges. At the same time members are expected to fulfill certain responsibilities and obligations, including but not limited to, complying with the Code of Conduct, policies, rules and regulations of SNB.
3. This policy applies to discipline matters that may arise during the course of all SNB business, activities and events, including but not limited to, swim meets, training camps, meetings and travel associated with these activities.
4. Discipline matters arising within the business, activities or events of member clubs, or affiliated organizations of SNB shall be dealt with using the discipline policies and mechanisms of such organizations.

Application

5. Any Individual who suspects or becomes aware of another Individual's inappropriate conduct has a duty to report such inappropriate conduct to SNB or to the appropriate Member club. Individuals in positions of trust and authority who become aware of another Individual's inappropriate conduct have a responsibility for reporting the concern within SNB policies and procedures³⁸.
6. Any person may report a complaint to a Member club or to SNB, or to SNB's Safe Sport Officer. Complaints or incident reports should be made in writing and the person making the complaint may contact SNB's Safe Sport Officer for direction, who may accept any report, in writing or not, at their sole discretion³⁹.
7. When a complaint is made to SNB, the Safe Sport Officer shall determine how to deal with the incident in respect of the Investigation and Disciplinary Procedures of this Policy. The Safe Sport Officer should advise SNB (or Swim Canada if necessary) of the complaint within 7 days of receiving the Incident Report
8. Individuals ("whistleblowers") within SNB or Members who observe or experience incidents of wrongdoing committed by other individuals associated with SNB or its Members may report

³⁶ SNB Discipline Policy – 1 & 3

³⁷ SNB Discipline Policy – 2

³⁸ GNB – p 7 art 21j

³⁹ GNB – p 28, 12

these incidents to Club officials, the SNB Executive Director or President, the Safe Sport Officer or to the Police, as the individual deems appropriate. SNB and its Members pledges not to dismiss, penalize, discipline, or retaliate or discriminate against any person who discloses information or submits, in good faith, a report against a person under the terms of this Policy. Reports will be investigated as an infraction under this policy while taking every precaution to protect the identity of the person who submitted the report.

9. If an incident involves possible criminal activities, including sexual assault or harassment, the complainant will be advised to contact the police. The SSO is also authorized to refer the incident to the police. Investigations as to whether an action is treated as criminal shall be undertaken by the authorities, and not by SNB, the SSO or Members.
10. Minor infractions, such as a single contravention of a code of conduct will usually be dealt with informally by the appropriate person having authority over the situation and the individual involved. Appropriate disciplinary sanctions could include reprimands, apologies or suspension from a competition or activity.
11. Major infractions, such as repeated contraventions of a code of conduct, endangering the safety of others, or deliberate disregard for rules and regulations may be dealt with immediately by the appropriate person having authority over the situation and the individual involved. An immediate and temporary sanction, such as suspension from a competition or activity may be imposed. A Disciplinary Panel will be formed within 7 days of the Incident Report and hearing organized within 21 days. The Disciplinary Panel will determine appropriate disciplinary sanctions, which could include reprimands, apologies, payment of a financial fine, suspension or expulsion from SNB.
12. Any member of SNB who is affected by a decision of the Board of Directors, of any Committee of the Board of Directors, or of any body or individual who has been delegated authority to make decisions on behalf of the Board of Directors, shall have the right to appeal that decision, provided there are sufficient grounds for the appeal as set out below. Such decisions may include, but are not limited to, carding, employment, contract matters, harassment, selection, and discipline.
13. SNB will make every effort to preserve the confidentiality of the Complainant, Respondent, and any other party, recognizing that maintaining anonymity may be difficult and disclosure of information may be necessary for the purpose of investigation, taking corrective action, or as otherwise required by SNB policy.



2023-03-22 and time of incident: _____

Name of writer: _____ Position: _____

Location of incident: _____

This incident is a: _____ minor infraction _____ major infraction

Individual(s) involved in the incident:

Objective description of the incident (please be concise, accurate and non-judgmental):

Names of individuals who observed the incident:

Disciplinary action which was taken (if applicable): _____

Signature of writer: _____ 2023-03-22: _____

Received by: _____ 2023-03-22: _____

⁴⁰ Source: SNB Incident Report

SNB expects that many incidents arising from failure to respect the Safe Sport Policy, Procedures and Guidelines will be able to be resolved by Clubs or other members of the SNB community. SNB relies on the Complainant and Respondent to provide factual information, including witness statements and other relevant documentation, to substantiate or defend against a complaint, and to enable appropriate disciplinary actions. However, there may be circumstances under which an investigation is necessary or desirable, such as when a Party to the complaint is unable to provide adequate or necessary information or when the situation leading to a complaint is complex.

1. The SNB Safe Sport Office (SSO) has the responsibility and discretion to determine whether an investigation into a complaint is necessary. The SNB President may also initiate an investigation when made aware of concerns but when no formal complaint has been filed.
2. Upon determining that an investigation is necessary or desirable, the SSO shall appoint an Investigator to review the complaint or as otherwise directed.
3. The SSO should advise the SNB Executive Director or the President of the complaint within 7 days of receiving the Incident Report, without revealing details of the complaint or of people involved. If the SSO considers that the SNB Executive Director or President is in conflict of interest, the Vice-President or Swim Canada should be advised.
4. If an incident involves possible criminal activities, including sexual assault or harassment, the complainant will be advised to contact the police. The SSO is also authorized to refer the incident to the police. The SNB President or Club President, as appropriate, should be informed of this referral but do not have authority to refuse such a referral. Investigations as to whether an action is treated as criminal shall be undertaken by the authorities, and not by SNB, the SSO or Members.
5. The Investigator may be a representative of SNB or an independent third-party skilled in investigating; the Investigator should not have a conflict-of-interest and should have no connection to either Party involved in the complaint.
6. The SSO and SNB will adhere to all disclosure and reporting responsibilities required by any government entity, local police force, or child protection agency.
7. If the complaint is related to workplace harassment, federal and/or provincial legislation may apply; the Investigator should review workplace safety legislation and/or consult independent experts to determine if this is the case.
8. The investigation may take any form as decided by the Investigator, guided by any applicable legislation and in consultation with the SSO and SNB where applicable, and may include:
 - Interview of the Complainant;
 - Interview of witnesses;
 - Developing a statement of facts (Complainant’s perspective), prepared by the Investigator, acknowledged by the Complainant, and provided to the Respondent;
 - Interview of the Respondent;

⁴¹ NB Gymnastics Association

- Interview of additional witnesses; and
 - Developing a statement of facts (Respondent's perspective), prepared by the Investigator, acknowledged by the Respondent, and provided to the Complainant.
9. Upon completion of their investigation, the Investigator shall prepare a report that will include a summary of evidence provided by the Parties and any witnesses (including both statements of facts), and a recommendation of whether, on a balance of probabilities, an incident occurred that could be considered misconduct or a breach of a governing document. The report shall be provided to the SSO and SNB or the Club as applicable.
 10. The SSO shall determine next steps, according to the Discipline and Response Policy, and shall provide the report to the SNB President, the Executive Director and appropriate Club Presidents. SNB will establish a Disciplinary Panel to consider the report, in addition to submissions from the Parties, before rendering a decision. The SSO is also authorized to provide the report to Swimming Canada's Safe Sport Officer if appropriate. The SNB President should be informed of this referral but does not have authority to refuse such a referral.
 11. The Investigator will make every effort to preserve the confidentiality of the Complainant, Respondent, and any other party, recognizing that maintaining anonymity may be difficult and disclosure of information may be necessary for the purpose of investigation, taking corrective action, or as otherwise required by SNB policy.

1. Any member, or representative, of SNB may report a minor infraction to Club officials, to the SNB Executive Director or President, or to SNB's Safe Sport Officer (SSO). Major infractions should usually be reported to the SSO. Complaints or incident reports should generally be made in writing and the person making the complaint may contact the SSO for direction, who may accept any report, in writing or not, at their sole discretion⁴³.
2. Incident reports submitted to SNB staff and officials, or arising from SNB sanctioned activities such as competitions and camps, should be immediately referred to the SSO. Incident reports relating to Club activities may be dealt with in accordance with the Club's own Safe Sport policies or may be referred to the SNB SSO.
 1. Upon receipt of an Incident Report, the SSO shall determine if the incident is better dealt with as a minor infraction, or if a hearing is required to address the incident as a major infraction.
 2. The Safe Sport Officer should advise SNB (or Swim Canada if necessary) of the complaint and proposed action within 7 days of receiving the Incident Report, without revealing details of the complaint or of people involved.
 - 3.
 4. Incidents relating to possible criminal activities, including sexual assault or harassment, shall be referred to police. Investigations as to whether an action is treated as criminal shall be undertaken by the authorities, and not by SNB, Members or the SSO.

Minor Infractions

5. Examples of minor infractions include:
 - a single incident of disrespectful, offensive, abusive, racist or sexist comments or behavior directed towards others, including but not limited to peers, opponents, athletes, coaches, officials, administrators, spectators and sponsors;
 - unsportsmanlike conduct such as angry outbursts or arguing;
 - a single incident of being late for or absent from SNB events and activities at which attendance is expected or required;
 - non-compliance with the rules and regulations under which SNB events are conducted, whether at the local, provincial, national or international level.
6. All disciplinary situations involving minor infractions occurring within the jurisdiction of SNB will be dealt with by the appropriate person having authority over the situation and the individual involved (this person may include, but is not restricted to, a board member, committee member, swim meet chairperson, official, coach, team manager, team captain or head of delegation).
7. Procedures for dealing with minor infractions shall be informal as compared to those for major infractions and shall be determined at the discretion of the person responsible for discipline of such infractions, provided the individual being disciplined is told the nature of the infraction and has an opportunity to provide information concerning the incident.

⁴² SNB Discipline and complaints policies.

⁴³ GNB – p 28, 12

8. The following disciplinary sanctions may be applied, singly or in combination, for minor infractions:
 - a. verbal reprimand,
 - written reprimand to be placed in individual's file,
 - verbal apology,
 - hand-delivered written apology,
 - team service or other voluntary contribution to SNB,
 - suspension from the current competition,
 - other sanctions as may be considered appropriate for the offense.
9. Minor infractions which result in discipline shall be recorded using the Incident Report form. Repeat minor offenses may result in a further such incident being considered as a major infraction.

Major Infractions

10. Examples of major infractions include:
 - repeated incidents of disrespectful, offensive, abusive, racist or sexist comments or behavior directed towards others, including but not limited to peers, opponents, athletes, coaches, officials, administrators, spectators and sponsors;
 - repeated unsportsmanlike conduct such as angry outbursts or arguing;
 - repeated incidents of being late for or absent from SNB events and activities at which attendance is expected or required;
 - activities or behavior which interfere with a competition or with any athlete's preparation for a competition;
 - pranks, jokes or other activities which endanger the safety of others;
 - deliberate disregard for the rules and regulations under which SNB events are conducted, whether at the local, provincial, national or international level;
 - abusive use of alcohol where abuse means a level of consumption which impairs the individual's ability to speak, walk or drive; causes the individual to behave in a disruptive manner; or interferes with the individual's ability to perform effectively and safely;
 - any use of alcohol by minors;
 - use of illicit drugs and narcotics;
 - use of banned performance enhancing drugs or methods.
11. Major infractions occurring within competition may be dealt with immediately, if necessary, by a SNB representative in a position of authority, such as the Judge-arbitre. The individual being disciplined must be told of the nature of the infraction and must have an opportunity to provide information concerning the incident. In such situations, disciplinary sanctions shall be for the duration of the competition only. Further sanctions may be applied but only after review of the matter in accordance with the procedures set out in this policy for major infractions. This review does not replace the appeal provisions of this policy.
12. If a hearing is required, the alleged offender shall be notified as quickly as possible and in any event no later than 3 days from 2023-03-22 of receipt of the Incident Report, and shall be advised of the procedures outlined in this policy.

Hearing

13. Within 7 days of receiving the Incident Report for a Major Infraction, the SSO shall appoint three individuals to serve as a Disciplinary Panel. Where possible, one of the Panel members shall be from the peer group of the alleged offender.
14. The Discipline Panel shall hold the hearing as soon as possible, but not more than 21 days after the Incident Report is first received by the SSO.
15. The Discipline Panel shall govern the hearing as it sees fit, provided that:
 - the individual being disciplined shall be given 10 days written notice (by courier, mail or fax) of the day, time and place of the hearing. The Panel may decide to conduct the hearing in person or by telephone or video conference;
 - the individual being disciplined shall receive a copy of the incident report;
 - members of the Panel shall select from among themselves a Chairperson;
 - a quorum shall be all 3 Panel members;
 - decisions shall be by majority vote; the Chair carries a vote;
 - the individual being disciplined may be accompanied by a representative;
 - the individual being disciplined shall have the right to present evidence and argument;
 - the hearing shall be held in private;
 - the Panel may request that witnesses to the incident be present or submit written evidence;
 - once appointed, the Panel shall have the authority to abridge or extend timelines associated with all aspects of the Hearing.
16. The Discipline Panel shall render its decision, with written reasons within 5 days of the Hearing. A copy of this decision shall be provided to all of the parties to the hearing and to the SSO. The SSO will inform SNB (and Swim Canada if appropriate) of the outcome of the Panel, preserving the confidentiality of the parties and the hearing to the extent possible.
17. The preceding provisions may be modified, or added to, as required by the provisions of any other pertinent SNB policy, such as those dealing with harassment, personnel, or event-specific matters.
18. Where the individual acknowledges the facts of the incident, he or she may waive the hearing, in which case the Panel shall determine the appropriate disciplinary sanction. The Panel may hold a hearing for the purpose of determining an appropriate sanction.
19. If the individual being disciplined chooses not to participate in the hearing, the hearing shall proceed in any event.

Sanctions

20. Within 7 days of receiving the Incident Report for a Major Infraction, the SSO shall appoint three individuals to serve as a Disciplinary Panel. Where possible, one of the Panel members shall be from the peer group of the alleged offender.
21. The Discipline Panel may apply the following disciplinary sanctions singly or in combination, for major infractions:
 - Written reprimand to be placed in individual's file;
 - Hand-delivered written apology;
 - Suspension from certain SNB events which may include suspension from the current competition or from future teams or competitions;
 - Being sent home following suspension from the current competition;
 - Payment of a financial fine in an amount to be determined by the Disciplinary Panel;

- Suspension of SNB funding;
 - Suspension from certain SNB activities (i.e. competing, coaching or officiating) for a designated period of time;
 - Suspension from all SNB activities for a designated period of time;
 - Expulsion from SNB;
 - Other sanctions as may be considered appropriate for the offense.
22. The preceding sanctions may be modified, or added to, as required by the provisions of any other pertinent SNB policy, such as those dealing with harassment, doping, personnel or event-specific matters.
23. Unless the Discipline Panel decides otherwise, any disciplinary sanctions shall commence immediately.
24. In applying sanctions, the Disciplinary Panel may have regard to the following aggravating or mitigating circumstances:
- the nature and severity of the offense,
 - whether the incident is a first offense or has occurred repeatedly,
 - the individual's acknowledgment of responsibility,
 - the individual's extent of remorse,
 - the age, maturity or experience of the individual, and
 - the individual's prospects for rehabilitation.
25. Notwithstanding the procedures set out in this policy, any member of SNB who is convicted of a criminal offense involving sexual exploitation, invitation to sexual touching, sexual interference, or sexual assault, shall face automatic suspension from participating in any activities of SNB for a period of time corresponding to the length of the criminal sentence imposed by the Court, and may face further disciplinary action by SNB in accordance with this policy.

Appeals

26. Except where otherwise provided, an appeal of any disciplinary matter will be done according to the Appeals Policy of SNB.

Scope of appeal

1. Any member of SNB who is affected by a decision of the Board of Directors, of any Committee of the Board of Directors, or of any body or individual who has been delegated authority to make decisions on behalf of the Board of Directors, shall have the right to appeal that decision, provided there are sufficient grounds for the appeal as set out below. Such decisions may include, but are not limited to, carding, employment, contract matters, harassment, selection and discipline.
2. This process shall not apply to matters relating to the rules of the swimming, which may not be appealed.

Timing of appeal

3. Members who wish to appeal a decision shall have 21 days from the 2023-03-22 on which they received notice of the decision, to submit written notice of their intention to appeal, along with detailed reasons for the appeal, to the President of SNB. Shorter periods may apply in specific circumstances, such as selection and discipline on the provincial team, provided that this is clearly stated in appropriate documents.

Grounds for appeal

4. A decision cannot be appealed on its merits alone. An appeal may be heard only if there are sufficient grounds for the appeal. Sufficient grounds include the respondent:
 - making a decision for which it did not have authority or jurisdiction as set out in governing documents;
 - failing to follow procedures as laid out in the bylaws or approved policies of SNB;
 - making a decision which was influenced by bias, where bias is defined as a lack of neutrality to such an extent that the decision-maker is unable to consider other views;
 - exercising its discretion for an improper purpose;
 - making a decision which was grossly unreasonable.

Screening of appeal

5. Within 3 days of receiving the notice of appeal, the President shall decide whether or not the appeal is based on one or more of the categories of possible errors by the respondent as set out in Section 5. The president shall not determine if the error has been made, only if the appeal is based on such an allegation of error by the respondent. In the absence of the President, a member of the Executive shall perform this function.

⁴⁴ Source: SNB Existing Appeals Policy

6. If the appeal is denied on the basis of insufficient grounds, the Appellant shall be notified of this decision in writing, giving reasons. This decision is at the sole discretion of the President, or designate, and may not be appealed.

Appeals panel

7. If the President is satisfied that there are sufficient grounds for an appeal, within 10 days of having received the original notice of appeal he or she shall establish an Appeals Panel (the "Panel") as follows:
 - The Panel shall be comprised of three individuals who shall have no significant relationship with the affected parties, shall have had no involvement with the decision being appealed, and shall be free from any other actual or perceived bias or conflict.
 - At least one the Panel's members shall be from among the Appellant's peers.
 - The Appellant shall be given the opportunity to recommend the peer member on the Panel, provided that member satisfies criteria a) above.
 - Should the Appellant not recommend the Panel member as set out in c) above within 5 days, the President shall appoint the peer member of the Panel.

Preliminary conference

8. The Panel may determine that the circumstances of the dispute warrant a preliminary conference:
 - The matters which may be considered at a preliminary conference include 2023-03-22 and location of hearing, time-lines for exchange of documents, format for the appeal, clarification of issues in dispute, any procedural matter, order and procedure of hearing, remedies being sought, identification of witnesses, and any other matter which may assist in expediting the appeal proceedings.
 - The Panel may delegate to its Chairperson the authority to deal with these preliminary matters.

Procedure for the appeal

9. The Panel shall govern the appeal by such procedures as it deems appropriate, provided that:
 - The appeal hearing shall be held within 21 days of the Panel's appointment.
 - The Appellant, respondent and affected parties shall be given 14 days written notice of the 2023-03-22, time and place of the appeal hearing.
 - The Panel's members shall select from themselves a Chairperson.
 - A quorum shall be all three Panel's members.
 - Decisions shall be by majority vote, where the Chairperson carries a vote.
 - Copies of any written documents which any of the parties would like the Panel to consider shall be provided to the Panel, and to all other parties, at least 5 days in advance of the hearing.
 - Any of the parties may be accompanied by a representative or advisor.
 - If the matter under appeal relates to team selection, any person potentially affected by the decision of the Panel shall become a party to the appeal.
 - The Panel may direct that any other individual participate in the appeal.

- In the event that one of the Panel's members is unable or unwilling to continue with the appeal, the matter will be concluded by the remaining two Panel members.
 - Unless otherwise agreed by the parties, there shall be no communication between Panel members and the parties except in the presence of, or by copy to, the other parties.
10. In order to keep costs to a reasonable level the Panel may conduct the appeal by means of a conference call or video conference.

Appeal decision

11. Within 7 days of concluding the appeal, the Panel shall issue its written decision, with reasons. In making its decision, the Panel shall have no greater authority than that of the original decision-maker. The Panel may decide:
- To void or confirm the decision being appealed;
 - To vary the decision where it is found that an error occurred and such an error cannot be corrected by the original decision-maker for reasons which include, but are not limited to, lack of clear procedure, lack of time, or lack of neutrality;
 - To refer the matter back to the initial decision-maker for a new decision; and
 - To determine how costs of the appeal shall be allocated, if at all.
12. A copy of this decision shall be provided to each of the parties and to the President.

Timelines

13. If the circumstances of the dispute are such that this policy will not allow a timely appeal, the Panel may direct that these timelines be abridged. If the circumstances of the disputes are such the appeal cannot be concluded within the timelines dictated in this policy, the Panel may direct that these timelines be extended.

Documentary appeal

14. Any party to the appeal may request that the Panel conduct the appeal by way of documentary evidence. The Panel may seek agreement from the other parties to proceed in this fashion. If agreement is not forthcoming, the Panel shall decide whether the appeal shall proceed by way of documentary evidence or in-person hearing.

Arbitration

15. All differences or disputes shall first be submitted to appeal pursuant to the appeal process set out in this policy. If any party believes the Appeal Panel has made an error such as those described in Section 5 of this Policy, the matter shall be referred to arbitration, such arbitration to be administered under the Sport New Brunswick Provincial Sport Arbitration System for Amateur Sport and its Rules of Arbitration, as amended from time to time.
16. Should a matter be referred to arbitration, all parties to the original appeal shall be parties to the arbitration.
17. The parties to an arbitration shall enter into a formal Arbitration Agreement and the decision of any arbitration shall be final and binding and not subject to any further review by any court of competent jurisdiction or any other body.

Location and jurisdiction

18. Any appeal shall take place in Fredericton, unless held by way of telephone conference call or held elsewhere as may be decided by the Panel as a preliminary matter.
19. This policy shall be governed and construed in accordance with the laws of the Province of New Brunswick.
20. No action or legal proceeding shall be commenced against SNB in respect of a dispute, unless SNB has refused or failed to abide by the provisions for appeal and/or arbitration of the dispute, as set out in this policy