

Annex C

CODE OF ETHICS AND CONDUCT FOR MEMBERS OF OSCA

1. AS A COLLECTIVE BODY

- 1.1 The body of individuals being Ontario swimming coaches or its elected representatives shall:
- a) define modes of behaviour, conduct and ethical standards for its individual members;
 - b) enact decisions concerning the behaviour of individual members;
 - c) determine disciplinary actions, where necessary, for breaches of the Code or other actions which bring the membership into possible disrepute; and
 - d) uphold respect for both the CSCTA and OSCA Code of Ethics.

2. COACHING INTENT

- 2.1 The conduct of an Ontario swimming coach:
- a) must consider that the welfare of and provision of services for athletes is paramount;
 - b) should promote swimming in the most constructive and positive manner possible;
 - c) must respect the rights, dignity, and worth of every human being, regardless of sex, ethnic origin, religion, or political persuasion;
 - d) must ensure that athletes are discouraged from the use of measures that violate the rules of their sport;
 - e) should respect the confidentiality of the coach/athlete bond;
 - f) must provide a safe environment for the athletes as far as humanly possible;
 - g) must be in accordance with both the CSCTA and OSCA Code of Ethics.

3. PROFESSIONAL CONDUCT

- 3.1 An Ontario swimming coach must conduct his/her bearing and affairs according to the following guidelines;
- a) dress must be neat and inoffensive; and
 - b) language must be inoffensive, taking into account the audience being addressed.
 - c) a coach must avoid presenting himself or herself before any athlete when he or she is impaired by any self-induced disability, such as the use of intoxicants or drugs.
 - d) a coach must avoid any self-induced disability, such as the use of intoxicants or drugs, which interferes with or prejudices the coach's ability to provide his or her services to the athlete. A criminal conviction for possession, use or sale of any illegal substance, such as recreational drugs, will be considered unsatisfactory professional conduct, and will result in disciplinary action.
- 3.2 With regard to certain personal interactions that commonly surround a swimming environment, an Ontario swimming coach:
- a) should recognize the role and importance of parents being involved in decisions of importance surrounding their dependents who have not attained the legal age;
 - b) should respect the responsibilities and preferences of other coaches and interact in a professional manner;
 - c) must set and monitor appropriate boundaries between a working relationship and friendship with the athletes, and maintain standards of propriety at all times;
 - d) should respect all other teams, and athletes from other teams; and in dealings with them not encroach upon topics or actions which are deemed to be within the realm of coaching, unless first receiving approval from the coach who is responsible for the team or athlete(s) involved; and
 - e) should react to requests by athletes or parents that relate to the joining of another club in an objective manner, with the athlete's welfare always being the primary concern.

- f) this will include contact with the head coach of the club that a swimmer may be leaving. This will be done within 3 days of first contact from a swimmer or parent.
 - 3.3 An Ontario swimming coach must refrain from public criticism of a fellow coach.
 - 3.4 All OSCA members must abide by the policies and procedures of the Harassment Policy of Swimming/Natation Canada. This is available at www.swimming.ca/swimming/
- 4. ENFORCEMENT
 - 4.1 In matters that constitute a possible breach of the Code, the body of individuals being Ontario swimming coaches, or its elected representatives, shall:
 - a) uphold the CSCTA CODE OF PROFESSIONAL CONDUCT available at www.casca.org;
 - b) designate the CSCTA CODE OF PROFESSIONAL CONDUCT to supersede the OSCA Code if appropriate; in cases whereby the CSCTA is taking action; and
 - c) have the power to enact enforcement policies and appeal procedures, even if CSCTA takes no action; or if the CSCTA action is deemed inappropriate or inadequate.
 - 4.2 Misconduct may be grounds for disciplinary action. In the event the Ethics Committee determines that there has been a violation, any one or combination of penalties may be imposed:
 - a) A letter of reminder of this Code and expected ethical conduct to the Member.
 - b) A letter of reprimand to the Member.
 - c) A letter of reprimand to the Member, with copies to the employer of the Member, as applicable.
 - d) A letter as above, with additional copies to Swim Ontario, Swimming/Natation Canada, or other bodies that govern swimming or coaching (as applicable).
 - e) Permanent letter in the file of the Member, to become a part of that Member's permanent certification record, to be distributed with information on the Member's certification status.
 - f) Temporary suspension of OSCA membership for a defined period of time.
 - g) Indefinite suspension of OSCA membership, to be reviewed at a future time.
 - h) Revocation or suspension of OSCA membership. It is understood that the above are representative penalties only, and may be modified by the Ethics Committee to appropriately fit the circumstances of the violation, and that they are presented in order of severity.
 - 4.3 The Ethics Committee of the Ontario swimming coaches shall be a sub-committee of the Board of Directors of the Ontario swimming coaches, and shall consist of the Vice-Chairperson, the Regional Coaches' Representative for the Region in which the defendant coach is located, one designated Director-at-Large, and the Swim Ontario Technical Director, and a Swim Ontario Board member. In case of a conflict of interest involving one of these members, the Chairperson of the Ontario swimming coaches shall appoint an alternate member to the committee. The Ethics Committee shall be charged with bringing a report to the Chairperson, and shall have the following disciplinary powers:
 - a) to conduct an investigation into any complaints or charges brought to their attention;
 - b) to render an appropriate verdict; and
 - c) to enforce any disciplinary action deemed appropriate as listed above.
 - 4.4 Procedure for complaints or charges shall be:
 - a) for a plaintiff to direct said complaints or charges, in writing, to any member of the OSCA Board of Directors, within sixty days of the occurrence of the grounds for complaint;
 - b) for the plaintiff to post a \$100.00 bond with the complaint or charge, to be returned only if the verdict of the Ethics Committee is in agreement with the plaintiff;

- c) for the Chairperson or Vice-Chairperson of OSCA to inform any member who is the subject of a complaint, of the nature of the complaint, and of the complainant's identity; and
 - d) for the Ethics Committee of OSCA to render a verdict in as timely a fashion as possible, and to inform the plaintiff and defendant of this verdict.
- 4.5 In the event where a complaint of harassment is filed against a member of OSCA, the Ethics Committee Chairperson shall notify the Harassment Officer of Swim Ontario, and the investigation shall proceed based on the policies and procedures outlined in the Harassment Policy of Swimming Natation Canada, as followed by Swim Ontario. The Swim Ontario Harassment Officer and the Ethics Committee Chairperson of OSCA shall comprise two thirds of any tribunal struck to investigate the harassment claim, to be joined by a 3rd member, mutually agreed upon by the parties involved. The Ethics Committee Chairperson of OSCA shall be the representative of the Ethics Committee on the tribunal, the decision-making authority of which shall supersede that of the Ethics Committee.
- 4.6 Procedure for appeal of the verdict of the Ethics Committee is restricted to a maximum of one appeal each for plaintiff and defendant, if valid grounds can be shown for an appeal, and shall be:
 - a) for the appealing party to direct an appeal, in writing, to the Chairperson or Vice-chairperson of the Ontario swimming coaches within thirty days of the decision that is being appealed; and
 - b) for an ad hoc committee, as designated by the Chairperson of the OSCA, and made up of different members than the Ethics Committee, to study the appeal and render a verdict in as timely a fashion as possible.
- 4.7 Disciplinary procedures shall be as listed above.
 - a) a reprimand shall be considered the start of probation.
 - b) a reprimand shall stay on file with OSCA for a period of 5 years.
 - c) a violation which occurs while a reprimand is current shall be grounds for suspension.
 - d) a suspension shall remain on file with OSCA permanently, i.e., an individual who serves a suspension remains on permanent probation.
- 4.8 A majority vote of the Ethics Committee of OSCA shall carry any disciplinary proposal, except in the case of termination of membership, which shall require unanimous approval of the Ethics Committee.
- 4.9 A majority vote of the harassment tribunal shall carry any disciplinary proposal in a harassment complaint, except in the case of termination of membership, which shall require the unanimous vote of the tribunal. Any disciplinary action taken against an OSCA member shall be reported to the OSCA Board of Directors.