



Objective

Canoe Slalom New Zealand (CSNZ) is committed to providing a sport environment, which is athlete- centered, and characterized by the values and principles of collaboration, honesty, transparency, commitment to excellence, safety, trust and enjoyment.

Membership in CSNZ, as well as participation in its activities, requires members to fulfill certain responsibilities and obligations including but not limited to, complying with policies, by-laws, rules & regulations, agreements and Codes of Conduct for CSNZ.

Scope

This Policy applies to all members of CSNZ.

This Policy applies to discipline matters that may arise during the course of all CSNZ business, activities and events, including but not limited to training camps, events in NZ and competition/training tours overseas associated with Canoe Slalom.

As part of fulfilling CSNZ responsibilities, managers of NZL representative trips are expected to ensure that the performance and behaviour of members contributes to a positive image of CSNZ and the sport of canoe slalom. Where behaviour is inappropriate, managers are to work within this policy to address any issues.

All disciplinary issues are to be managed with procedural fairness and with natural justice as a cornerstone of how CSNZ treats people going through this process.

Members have the right to representation during any and all stages of the disciplinary process including informal meetings.

Managers are to work with the CSNZ Committee and in particular the Chairperson, as part of any disciplinary process.

DISCIPLINARY PROCEDURES

What follows is an outline of the process, which will generally be followed. However, CSNZ reserves the right to vary this process as it considers appropriate in the circumstances.

Informal Action

In many situations it will be appropriate to take informal action to improve a member's behaviour. The focus is to communicate that the behaviour is undesirable, work through

any issues, communicate what the required behaviour and performance is and to provide appropriate support. Informal action may include but is not limited to:

- Clarifying expectations and objectives relating to behaviour – a clear understanding of what needs to be achieved and how the objectives and tasks should be achieved;
- Providing feedback to the member so they are aware of the issue;
- Asking the member what they could do differently if a similar situation arose;
- Providing feedback and offering support to change the behaviour or performance

All informal situations occurring within the jurisdiction of CSNZ will be dealt with by the appropriate person having authority over the situation and the individual involved. (the person in authority may include, but not be restricted to, the event leader, coach, manager,)

All disciplinary incidents/actions are to be recorded on the CSNZ incident form and presented to the president of CSNZ.

If the undesirable behaviour or performance continues then formal disciplinary action should be taken.

Formal Disciplinary Action

On a reported disciplinary action (incident), there should be an investigation to establish the facts and determine whether a formal disciplinary meeting is appropriate. Any member, or representative of CSNZ may report an incident to the president of CSNZ and this should be reported using the incident report form.

The following process may be applied and may change depending on the nature, seriousness and urgency of the issues:

- Evidence is gathered, for example who was involved, what happened, examples of behaviour, impact on people, CSNZ members and other stakeholders.
- The aim is to identify the key facts and surrounding circumstances, consider the information and the implications of what has occurred then determine whether a formal disciplinary meeting is required.
- The investigation may include a meeting between the manager of a NZL representative team, a representative from the CSNZ committee and the person concerned.
- Relevant documentation may also be gathered and discussions with appropriate people may be included

It is important to note that the purpose of an investigation is a fact finding exercise.

Where an investigation meeting is required to take place a written request to the member to attend the meeting should include:

- an outline of the issues
- ability to bring a support person to the meeting

- following the meeting a decision will be made as to whether a formal Disciplinary meeting is required
- The meeting will be held in private and all details will be kept confidential until a decision has been reached
- Where the individual acknowledges the facts of the incident, he or she may waive the formal meeting, in which case the Panel will determine the appropriate disciplinary sanction.

Formal Disciplinary Meeting

A disciplinary meeting follows the investigation and focuses on gaining an explanation in response to the allegations that have arisen from the investigation, as related to misconduct or serious misconduct.

A written invitation should be issued to the member including:

- clearly identified allegations and issues of poor conduct;
- supporting material gathered by the investigation and examples of the conduct at issue;
- that the member may bring a support person or representative;
- that disciplinary action may be taken and to list the possible disciplinary outcomes.

The focus of the meeting is to put the allegations and issues to the member using supporting information, give the member the opportunity to respond and listen to the explanation provided by the manager of the NZL representative team and CSNZ committee member. Adjournments may be required during the meeting or further meetings booked so that new information may be gathered and considered and the findings communicated to the member. If the explanation is accepted then disciplinary action may not be required. Otherwise, the member will be notified of CSNZ's conclusions on the allegations and issues. CSNZ will then outline the proposed disciplinary action and the member will be given an opportunity to comment on this before a final decision on the disciplinary outcome is made.

Sanctions/Outcomes

The following disciplinary sanctions singly or in combination may apply:

- No action
- Informal action
- Written reprimand to be placed in the individuals file
- A written apology
- Suspension from certain CSNZ events which may include suspension from the current competition or from future teams or competitions
- Suspension of CSNZ Funding (support maybe from CSNZ/Funding withdrawal)
- Suspension for certain CSNZ activities (i.e. competing, coaching or officiating) for a designated period of time
- Suspension from all CSNZ activities for a designated period of time
- Expulsion from CSNZ (? and associated clubs)
- Other sanctions as may be considered appropriate for the offense from the panel.

In recommending sanctions, the following aggravating or mitigating circumstances may be taken into account:

- The nature and the severity of the offence
- Whether the incident is a first offence or has occurred repeatedly
- The individual's acknowledgement of responsibility
- The individual's extent of remorse
- The age maturity or experience of the individual, and
- The individual's prospects for rehabilitation.

No action or informal action may be appropriate for very low level and low impact issues or where no breach of policy or standards has occurred. CSNZ reserves the right to vary the process outlined below (including moving directly to a final written warning in the event of misconduct) if it considers it appropriate in the circumstances.

Where a written warning is appropriate, the intention is to make it clear that the behaviour is undesirable, must not continue and that any further occurrences are likely to result in additional disciplinary action.

A final written warning is for repeated breaches or repeated performance issues or for more serious performance or behaviour issues. Whether a written or final written warning is given depends on the circumstances of each case.

When a warning or final written warning involves an improvement plan, the warning should include:

- Performance expectations going forward;
- Consequences of not meeting expectations within the required timeframe established for the improvement to be made;
- Dates of any required reviews.

If conduct issues continue, CSNZ may return to the disciplinary process.

Following repeated issues (that the member has been warned about) or in circumstances of serious misconduct, a member may be terminated as a member of CSNZ following a full and fair investigation and disciplinary process.

Notwithstanding the procedures set out in this Policy, any member of CSNZ who is found guilty of a criminal offense under the Criminal Act 1961 (reviewed and reprinted in 2015), involving sexual exploitation, sexual interference, sexual assault, will be automatically expelled from CSNZ and Associated clubs. Such expulsion will be subject to any further disciplinary action pursuant to this Policy

DEFINITIONS

Code of conduct

Document identifying the behaviours, ethics and conduct expected of all members
The documents aim is to promote a common understanding of personal conduct and ethics in the environment and to protect the interests of all those involved in the environment

Misconduct

Conduct that is not serious misconduct but nonetheless conduct which is unsatisfactory or some form of wrong doing, breach or other action which may result in disciplinary action.

Serious misconduct

A serious dereliction of good behaviour by a member or some form of serious wrong doing or omission/failure to act which may result in disciplinary action up to and including cessation of membership.

Suspension

Where a member is required to be suspended as a member of CSNZ for a period of time while an investigation and/or disciplinary process is undertaken or where CSNZ considers it is necessary.

Manager

A person who has been appointed by the CSNZ Committee to manage a NZL representative team and has the authority to initiate a disciplinary process.

EXAMPLES

Misconduct

Any allegations of potential misconduct may be investigated and could result in disciplinary action being taken, up to and including cessation of membership. Misconduct may include, but is not limited to:

- Failure to comply with or any breach of the CSNZ Code of Conduct, CSNZ policies, procedures, processes including the Health & Safety Policy and Procedures;
- A single incident of disrespectful, offensive, abusive, racist, sexist comments or behaviour directed towards others, including but not limited to peers, opponents, athletes, coaches, managers, officials, spectators and sponsors
- Disorderly conduct in a public place or personal behaviour which adversely affects CSNZ in its business dealings or CSNZ's reputation.

Depending upon the situation and severity of the above, the aspects listed above may also be considered as serious misconduct.

Serious Misconduct

Any allegations of potential serious misconduct may be investigated and could result in disciplinary action being taken, up to and including cessation of membership to CSNZ.

Serious misconduct may include, but is not limited to:

- Discrimination, bullying or harassment and/or intimidation of another member or person associated with the sport of canoe slalom. This includes sexual harassment
- Any serious breach of or failure to comply with CSNZ's Code of Conduct, policies and procedures
- Failure to comply and follow CSNZ's health and safety policies and procedures including: notification of hazards, reporting of injuries, wearing and use of safety equipment or protective clothing, and failing to follow lawful instructions regarding health and safety
- Any act or omission that causes injury or damage or adversely affects the sport of canoe slalom, including irresponsible use of any CSNZ equipment;
- Any use of Alcohol by minors (Under 18years of age)
- Bringing, possessing or consuming drugs with the exception of drugs personally prescribed by your doctor and in accordance with the member's Drug Free Sport obligations
- Competing for NZL in such a condition that, in the manager's opinion due to the consumption of alcohol or other substance or any other reason, results in the member being unable to compete at their best or safely
- Driving or operating vehicles or equipment while being impaired or under the influence of alcohol and/or drugs during the time period they are representing NZL;
- Refusal to comply with any reasonable request or lawful instruction by a person with the appropriate authority;
- Conduct that brings (or has the potential to bring) the image or reputation of CSNZ into disrepute;
- Making unauthorised statements on behalf of CSNZ to the media or in public meetings;
- Victimisation, intimidation, publishing defamatory statements via public forums, fighting and/or physical abuse/assault including inappropriate language or behaviour towards another person while representing NZL or at any CSNZ or other sport organisations' social or public occasion;
- Knowingly falsifying a document or CSNZ records or knowingly making a false declaration or statement;
- Unauthorised possession and/or inappropriate use, neglect, willful damage or abuse of CSNZ equipment and property;
- Disclosing confidential or commercially sensitive and/or personal information to those not entitled to have it and/or breaching confidentiality;
- Unauthorised possession of firearms or weapons of any kind at CSNZ sanctioned events or meetings;
- Misuse or misappropriation of CSNZ funds.

This list is not exhaustive. Other behaviours or serious breaches of misconduct, which in the opinion of the CSNZ Committee damages or undermines the reputation of CSNZ and the sport of Canoe Slalom, may be added.

DECLARATION

This Policy was approved by the members of the CSNZ committee on

Date:

It will be reviewed on an annual basis and may be amended, deleted or replaced by a resolution of the committee

REFERENCES

Human Rights Act 1993

<http://www.legislation.govt.nz/act/public/1993/0082/latest/DLM304212.html>

Protected Disclosures Act 2000

www.legislation.govt.nz/act/public/2000/0007/latest/DLM53466

Health and Safety at Work Act 2015

www.legislation.govt.nz/act/public/1992/0096...DLM278829 CSNZ Constitution

SportNZ

Cavaliers sports club

NZ Olympic Policy

Crimes Act 1961