

# **SKGABC Complaints Process Review for Anonymized Complaint Process:**

**Update March 22, 2019**

## **SKGABC Complaint Process**

### **SKGABC Complaint Statement**

If a member is alleged to have displayed unethical, illegal, unprofessional, unsafe, or unfair practice, in violation of the SKGABC Operating Standards, By-Laws, or Code of Ethics, a written complaint may be made to the SKGABC. Complaints may be authored by SKGABC members, employers, or members of the public.

The SKGABC takes all complaints against its members seriously. You will receive confirmation of the receipt of your complaint as soon as possible.

### **In this document:**

- “Board” means “Sea Kayak Guides Alliance of B.C. Board of Directors”
- “complainant” means the author(s) of the complaint
- “accused member” means the SKGABC member (or former SKGABC member) against whom the complaint is made
- “jury” refers to a “jury of appeal will consist of three SKGABC members in good standing with a minimum of one of which is of a peer certification level and a minimum of one long-established member of level 3 or higher.” Members who are discovered to have a conflict of interest with one or more members or companies involved will not be eligible for the jury.

### **Confidentiality**

The SKGABC Board and staff will keep confidential (from the wider SKGABC membership and from the public) specific details of allegations and identities of members directly involved in the grievance process, until the complaint process is resolved.

- At the request of the complainant, initial anonymity of complainant may be preserved in an informal complaint process (steps 1 through 5 of this document).
- In a formal complaint process (steps 6 and on of this document), the identity of the complainant will be made known to the accused member.
- After the complaint process is resolved, the Board will use discretion in deciding what information to release to SKGABC membership or to the public.

Complaints will be addressed as follows:

### **Complaint Process**

1. Only written complaints of which the complainant is identified will be considered and recorded.
2. A copy of the complaint will be sent to the accused member for response. Initial anonymity of complainant may be preserved.
3. The accused member must respond in written form to the SKGABC Board of Directors.
  - a. Upon receiving information from both the complainant and the accused member, the SKGABC Board of Directors, will determine if a non-disciplinary resolution is appropriate.

- b. If the accused member does not respond, the Board may discipline, suspend, or expel the accused member, by Board resolution, based on their judgement.
4. The accused member's response will be considered by the Board. The Board may provide informal or formal coaching or a written warning to the accused member at this time, and/or decide to proceed to a formal complaint process.
5. A copy of the complaint and proceedings or resolution will be kept on file.

Should the informal complaint process be insufficient, or the accused member's response deemed insufficient by the Board, and the complaint require further review, mediation, resolution or expertise, the complaint and responses will be considered by a jury of appeal.

6. The jury will review statements and information from the complainant, the accused member, Board proceedings and any other relevant information including past complaints.
7. The jury will make a recommendation to the Board regarding the discipline, warning, suspension, or expulsion of the accused member; or the dismissal of the complaint.

Considerations for the jury include:

- The Board has authority to discipline, warn, suspend, or expel the member from the SKGABC, based on the alleged offence and on the recommendation of the jury.
- In cases where the jury recommends disciplinary methods or suspension, the accused member may be required to complete an educational, re-training, reflective, or restorative justice process as a condition of their continued SKGABC membership.
- Repeat offences of a similar nature or repeat offences with disregard to the "SKGABC Complaint Statement" will be dealt with at a higher level of disciplinary action. Three or more complaints will be regarded as the accused member's disregard for operating within set standards of professionalism and result in expulsion.
- If the accused member's response is acceptable, the complaint may be withdrawn. A record of the complaint and resolution will be kept on file.
- If the response is not acceptable, the Board has authority to discipline, warn, suspend, or expel the member from the SKGABC, based on the alleged offence and on the recommendation of the jury.
  - Any written warnings will be sent to the accused member, with a copy sent to the complainant.
  - Notifications of suspension or expulsion from the SKGABC will be sent in writing to the accused member, with a copy sent to the complainant.