



Definitions

1. The following items have these meanings in this Code:
 - a) “*Club*” refers to the Brampton Cycling Club.
 - b) “*Individuals*” refers to those engaged in activities with the Club including, but not limited to members, riders, volunteers, committee members and Directors of the Club.
 - c) “*Complainant*” – The Party alleging an infraction.
 - d) “*Respondent*” – The alleged infracting Party.

Purpose

2. Individuals are expected to fulfill certain responsibilities and obligations including, but not limited to, complying with the Club’s policies, Bylaws, rules and regulations, and the *Code of Conduct and Ethics*. Pursuant to this Policy, non-compliance may result in warnings and, at the end of the process, expulsion from the Club.

Application of this Policy

3. This Policy applies to all Individuals.
4. This Policy applies to matters that may arise during the course of the Club’s business, activities, and events including, but not limited to, club rides, social events and meetings.
5. This Policy also applies to Individuals’ conduct outside of the Club’s business, activities, and social events when such conduct adversely affects relationships within the Club or is detrimental to the image and reputation of the Club. Applicability will be determined by the Club at its sole discretion.

Process

6. Any Individual may report an incident or complaint to the President or VP Touring in writing, within seven (7) days of the alleged incident. Incidents reported may include, but are not limited to:
 - a) Unsafe riding
 - b) Disrespectful, abusive, racist, or sexist comments or behaviour
 - c) Disrespectful conduct or any conduct contrary to the values of the Club
 - d) Non-compliance with the Club’s policies, procedures, rules, or regulations
 - e) Violations of the Club’s *Code of Conduct and Ethics*
 - f) Intentionally damaging Club property or improperly handling Club monies

Please note any Individual may contact the President or VP Touring in person, by phone, or email to discuss an incident or complaint without initiating the “formal complaint process” outlined in this policy. These situations will be addressed at the discretion of the President or VP Touring with no formal disciplinary action taken.

7. Upon receipt of a *formal written complaint*, the President and VP Touring discuss the complaint, and either the President or the VP Touring contacts the Complainant and the Respondent.
8. After hearing from both the Complainant and the Respondent, the President and VP Touring decide whether a verbal warning should be sent to the Respondent. If that is the case, the Respondent is advised and, if he/she disagrees with the warning, they can submit their reasons for disagreement to the Club Executive via the Club Secretary.
9. If the verbal warning is uncontested, it is sent via email along with the message that a repeat infraction will cause a written warning to be sent and that a further repeat infraction after the written warning will result in expulsion from the Club.
10. If the verbal warning is contested, the Respondent's submission is reviewed by the Executive and a majority decision is reached to either proceed with the verbal warning following the procedure described in (9) above or to uphold the Respondent's appeal and advise both the Respondent and the Complainant that the complaint has been dismissed.
11. If the Respondent has a verbal warning on his/her record prior to the latest complaint, the steps from 7 to 10 above are followed, but, if the final decision is to issue a warning, a written, rather than a verbal, warning results. This written warning will be sent by email with a request that the Respondent confirm receipt. If the Respondent does not confirm receipt, the warning will be sent by registered mail.
12. If the Respondent has a written warning on his/her record prior to the latest complaint, either the President or the VP Touring contacts the Complainant and the Respondent and then presents the information gathered (including any arguments against the complaint submitted by the Respondent) to the Executive. A majority decision is reached by the Executive to either expel the Respondent from the Club or dismiss the complaint. Both the Respondent and the Complainant are advised of the Executive's decision.
13. The Respondent is given at least fifteen (15) days' notice of the expulsion with reasons; and is given an opportunity to be heard by the Executive, orally or in writing, not less than five (5) days before the expulsion becomes effective.
14. The notice of expulsion, if issued, will be sent by registered mail with an email confirmation.

Criminal Convictions

15. An Individual's conviction for a *Criminal Code* offense, as determined by the Club, will be deemed an infraction under this Policy and will result in expulsion from the Club. *Criminal Code* offences may include, but are not limited to any:
 - a) Child pornography offences
 - b) Sexual offences
 - c) Offence of physical violence
 - d) Offence of assault
 - e) Offence involving trafficking of illegal drugs

Confidentiality

16. The discipline and complaints process is confidential and involves only the Complainant, the Respondent and members of the Club Executive as noted in the Process (above steps 6 to 12). Once initiated and until a decision is released, none of the Parties will disclose confidential information relating to the discipline or complaint to any person not involved in the proceedings.

Records and Distribution of Decisions

17. Records of complaints submitted and decided upon shall be maintained by the Club Secretary with backup copies at a location on the Club website not accessible to anyone outside of the Executive.