

CANADIAN SWIM COACHES AND TEACHERS ASSOCIATION (CSCTA) CODE OF PROFESSIONAL CONDUCT

PREAMBLE

This Code has been prepared by the CSCTA as a professional and ethical guide for Canadian swim coaches and swimming teachers who are members of CSCTA.

The conduct and ethical behavior of a professional is determined by the degree of respect with which professional interacts with the public that he or she serves. This public consists of both clients (swimmers and their families) and peers (other coaches and teachers). In addition to serving the public, a professional also has an obligation to the profession, and thus to CSCTA.

The intent of this Code is to define the appropriate parameters for these interactions and obligations, and thus to identify a standard for behaviour. This Code also identifies procedures to be followed when this standard is not achieved.

Compliance with this Code, as with all law in a civil and democratic society, depends primarily upon understanding and voluntary compliance; secondarily upon reinforcement by peer and public opinion; and finally, when necessary, upon enforcement through disciplinary proceedings.

Coaches and teachers may experience conflict between different ethical principles, between ethical and legal requirements, and between their own ethical convictions and those of others. Training and professional development related to ethics is recommended for all Members, in order to develop knowledge and skills for dealing with these conflicts. Members are also encouraged to consult with others having relevant expertise on ethical matters.

The Code does not exhaust the moral and ethical considerations that should always inform a CSCTA Member, for no worthwhile human activity can be completely defined by rules. This Code simply provides a framework for the ethical coaching and teaching of the sport of swimming.

1. PERSONAL CONDUCT

- a) Members are expected to consistently display high personal standards and to project a favourable image of the sport and of coaching to swimmers, other coaches, officials, administrators, spectators, the media and the general public.
- b) Members will display respect and treat all persons equally, within the context of their coaching activity, regardless of sex, sexual orientation, ethnic origin, religious belief or political affiliation.
- c) The use of alcohol, tobacco or drugs by Members will be consistent with high moral, ethical and legal standards of the profession of coaching. Members will not abuse alcohol in the presence of swimmers, nor will Members use recreational, illegal or performance-enhancing drugs.
- d) Violation of anti-doping rules under the World Anti-Doping Code will be an automatic violation of this Code, as will a conviction relating to possession or trafficking of any illegal or banned substance.

2. COACH-COACH RELATIONSHIPS

- a) Members will not impugn the reputation of other coaches and teachers for personal motives. However, Members are encouraged to report unprofessional conduct of their colleagues to CSCTA, in accordance with this Code.
- b) In all matters regarding changing a swimmer-coach relationship, the initial discussion of any such change must be initiated by the swimmer, the swimmer's family where the swimmer is a minor, or the swimmer's coach, and not by any other coach or other interested party.
- c) When a swimmer changes coach affiliation, both coaches will communicate and cooperate in the exchange of information in the best interests of the swimmer.

3. COACH-ATHLETE RELATIONSHIPS

- a) The well-being, health and future of the swimmers will be of paramount concern to the Member.
- b) Members will consult with swimmers and their families on medical treatment, and will recognize the autonomy of those swimmers who are authorized to consent to such treatment.
- c) Members will ensure that activities being undertaken are suitable for the age, experience and ability of the swimmer.
- d) Members will not disclose confidential information pertaining to a swimmer without the swimmer's consent unless such disclosure is required for the purposes of doping control, is required for emergency medical treatment, or is otherwise required by law.
- e) Members will avoid any behaviour that abuses the power inherent in the coaching position to encourage inappropriate physical or emotional intimacy between the Member and swimmer. Such behaviour will be construed as sexual misconduct under this Code and will represent an automatic violation.
- f) No Member will engage in a sexual relationship with a minor. Coaches and teachers of college- or university-aged swimmers will not engage in sexual relations with swimmers whom they coach, regardless of the swimmer's age.

4. COACH TO COMMUNITY

- a) Any decision of a court regarding a Member that reflects adversely on the profession of coaching, on CSCTA, or on the sport of swimming in general, will constitute a violation of this Code.
- b) Disciplinary proceedings by an employer that lead to dismissal from employment connected with coaching or with the sport of swimming will constitute a violation of this Code, provided said dismissal was justly imposed.

5. COACH TO PROFESSION

- a) Members will not misrepresent their background, experience, qualifications, affiliations or professional competence to CSCTA, to any client or prospective client, or in any publication, broadcast, lecture or seminar.
- b) CSCTA will respect disciplinary sanctions imposed by FINA, national sport governing bodies outside Canada, Aquatics Federation of Canada, Swimming/Natation Canada, provincial and territorial bodies within Canada governing swimming, and any other

Canadian bodies that govern swimming and/or coaching, provided such sanctions were justly imposed.

- c) Members recognize that professional self-regulation is a privilege and that each Member has a continuing responsibility to merit this privilege and to support CSCTA and its representatives.

DISCIPLINARY PROCEDURES

1. ETHICS COMMITTEE

The Board of CSCTA will appoint an Ethics Committee consisting of five individuals who are members of CSCTA, two of whom will be Directors of CSCTA. Such appointments will be for terms of two years and such terms may be renewed.

The Ethics Committee will have responsibility to:

- a) Receive and investigate complaints pertaining to the conduct of Members of CSCTA.
- b) Ensure procedural fairness is respected at all times in the disciplinary process.
- c) Where it is found that there is a violation of this Code, impose and enforce appropriate penalties to protect swimmers, the sport, the public, the integrity of the profession, and the CSCTA.

2. PROCEDURAL FAIRNESS

Procedural fairness means that the Member against whom a complaint is made is entitled to the following protections:

- a) The right to receive notice, in writing, of the alleged violations.
- b) The opportunity to defend oneself, and a reasonable period of time to prepare that defense.
- c) The right to legal counsel if the Member wishes it, at his or her own expense.
- d) The right to a hearing before the Ethics Committee that allows the Member the full opportunity to present his or her defense.
- e) The right to know how to appeal a decision, if the decision is against the Member.

3. PROCEDURES

The following are the general procedures to be followed by the Ethics Committee:

- a) Any individual may bring a complaint against a Member of CSCTA.
- b) Complaints brought by one Member against another that are found by the Ethics Committee to be of a spurious nature, will themselves be considered to be a very serious breach of ethical conduct, and will give rise automatically to a complaint. This provision is intended to prevent "nuisance" complaints, or complaints arising from personal animosities.
- c) Complaints are to be made in writing to the Chair of the Ethics Committee. A preliminary evaluation of the complaint will be conducted by the Chair of the Ethics Committee. In carrying out this evaluation the Chair may, at his or her sole discretion, consult with other members of the Ethics Committee or with other representatives of CSCTA.
 - o This evaluation may result in a determination that the complaint does not properly fall within this Code, in which case the Chair of the Ethics Committee will so inform the complainant and the Member against whom the complaint was made. The matter will then be considered to be closed.
 - o This evaluation may result in a determination that the complaint is best dealt with as a legal matter or best dealt with by another body having jurisdiction, in which case the Chair of the Ethics Committee will so inform the complainant and the Member against

- whom the complaint is made, and may, at his or her discretion, refer the matter to the court or to such other body.
- o In the event that a complaint is referred to the courts or to another body having jurisdiction, the Ethics Committee may undertake to revisit the complaint once the court or the other body has concluded its proceedings.
- d) Should any complaint be made against the Chair of the Ethics Committee, then his or her responsibilities under this Code will be managed by the President of CSCTA, or other designate appointed by the Board. Should any complaint be against a member of the Ethics Committee, other than the Chair, then that member will be removed from the Ethics Committee until such time as the complaint is resolved, dealt with or the matter is considered to be closed.
 - e) If the complaint is found to represent a potential violation under this Code, it will be provided to the full Ethics Committee, with a copy provided to the Member against whom the complaint is made. The copy provided to the Member will include an invitation to respond within a reasonable time frame.
 - f) Upon receipt of a written response, the Ethics Committee may choose to;
 - o Accept the response and take no further action on the complaint. The complainant will be notified of this decision.
 - o Propose disciplinary action for the consent of the Member. Should the Member accept the proposed discipline, it will be imposed and the matter will be concluded. Should the Member not accept the proposed discipline, then the matter will proceed to a hearing.
 - o Schedule a hearing to hear and decide the complaint. Hearings may be conducted in writing, via telephone, in person or through a combination of these methods, as determined by the Ethics Committee.

4. PENALTIES

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 the provincial or territorial coaching association (as applicable), the provincial or territorial swimming association (as applicable), 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 CSCTA membership for a defined period of time.
- g) Indefinite suspension of CSCTA membership, to be reviewed at a future time.
- h) Revocation or suspension of CSCTA 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.

5. APPEALS

Sanctions imposed under this Code may be appealed in accordance with the Appeal Policy of CSCTA.

6. JURISDICTION

CSCTA does not intend for this Code to replace existing policies at the provincial or territorial level. CSCTA encourages provincial and territorial associations to govern their members using policies consistent with this Code. In the event of any ambiguity about whether a complaint should be accommodated under this Code or another process, CSCTA will collaborate with its provincial and territorial counterpart to determine the most appropriate process for dealing with the complaint.