



**SWIMMING**  
PRINCE EDWARD ISLAND

## **Swim P.E.I. Code of Professional Conduct**

### **PREAMBLE**

This Code has been prepared by Swim P.E.I. as a professional and ethical guide for Swim P.E.I. provincial swim coaches, Swim P.E.I. provincial team managers, Swim P.E.I. certified officials, Swim P.E.I. staff, Swim P.E.I. board members and the Swim P.E.I. paid membership.

The conduct and ethical behaviour of a professional is determined by the degree of respect with which a professional interacts with the public that he or she serves. This public consists of clients (swimmer and their families), peers (other coaches and Swim P.E.I. staff), the board of directors, and Swim P.E.I. member volunteers & volunteer on-deck designated & certified officials.

The intent of this Code is to define the appropriate parameters for these interactions and obligations, and thus to identify a standard of 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, team managers, the association board, certified officials, technical & administrative directors 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 Swim P.E.I. 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.

Throughout this Code, Members are defined as Swim P.E.I. appointed provincial coaches, Swim P.E.I. appointed provincial team managers, Swim P.E.I. contracted Administrator, Swim P.E.I. contracted Technical Director, Swim P.E.I. athletes and Swim P.E.I. board of directors.

### **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, administrator, spectators, the media, and the general public.
- b) Members will display respect and treat all persons equally, within the context of their coaching, teaching or leadership activities, regardless of sex, sexual orientation, religious belief or political affiliation.

- c) The use of alcohol, tobacco or drugs by Swim P.E.I. members will be consistent with high moral ethical and legal standards of the profession of coaching, team management and Technical Director. 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-TEAM MANGER RELATIONSHIP**

- a) Swim P.E.I. members will not impugn the reputation of other coaches and Swim P.E.I. staff or Swim P.E.I. Team Managers for personal motives. However, Members are encouraged to report unprofessional conduct of their colleague to the Swim P.E.I. President, in accordance with this Code.
- b) In all matters regarding changing a swimmer-coach relationship, the initial discussion of such a 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 interested party.
- c) When a swimmer changes coach affiliation, both coaches will communicate and cooperate in the exchange of information in the best interest of the swimmer.

## **3. COACH-ATHLETE/TECHNICAL DIRECTOR-ATHLETE/TEAM MANGER-ATHLETE**

- a) The well-being, health and future of the swimmers will be of paramount concern to the Swim P.E.I. Member.
- b) Swim P.E.I. designated Members will ensure that activities undertaken are suitable for the age, experience and ability of the swimmer.
- c) 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.
- d) Members will not disclose confidential information pertaining to a swimmer without the swimmer's consent unless such disclosure is required for the purposed 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/teaching/leadership position to encourage inappropriate physical or emotional intimacy between the Members and 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 sexual relationship with a minor. Coaches and Members of university aged swimmers will not engage in sexual relations with swimmers whom they coach or interact in a teaching environment, regardless of the swimmers's age.

## **4. MEMBER TO COMMUNITY**

- a) Any decision of a court regarding a Member that reflects adversely on the profession of coaching/leadership/teaching, or on the sport of swimming in general, will constitute a violation of the Code.
- b) Disciplinary proceedings by and employer that lead to dismissal from the 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 any client or prospective client, or in any publication, broadcast, lecture, workshop or seminar.
- b) Swim P.E.I. Members 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, 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 Swim P.E.I. and its representatives.

## **DISCIPLINARY PROCEDURES**

### **1. ETHICS COMMITTEE**

The Swim P.E.I. Board will appoint an Ethics Committee consisting of five individuals who are members of Swim P.E.I., two of whom will be Directors of Swim P.E.I.. 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 Swim P.E.I. Members.
- b) Ensure procedural fairness is respected at all times in the disciplinary process.
- c) Where it is found 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 Swim P.E.I.

### **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 Swim P.E.I.

- 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 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 Ethic Committee or other members of the Swim PEI Board of Directors.
  - i) 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.
  - ii) This evaluation may result in the determination that the complaint is best dealt with as a legal matter or best dealt with 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.
  - iii) 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 the complaint made against the Chair of the Ethics Committee, then his or her responsibilities under this Code will be managed by the President of Swim P.E.I. 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 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 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:
  - i) Accept the response and take no further action on the complaint. The complainant will be notified of the decision.
  - ii) 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.
  - iii) Schedule a hearing to hear and decide the complaint. Hearings may be conducted in writing, via telephone, in person or though 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 the penalties may be imposed:

- a) A letter of reminder of this Code and expected ethical behaviour 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 coaching association,

- e) the provincial swimming association, Swimming/Natation Canada, and/or other bodies that govern swimming/sport in P.E.I.
- e) Permanent letter in the file of the Member, to become part of that Member's permanent certification record, to be distributed with the information on the Member's certification status.
- f) Temporary suspension of his/her Swim P.E.I. membership/employment contract for a defined period of time.
- g) Indefinite suspension of his/her Swim P.E.I. membership/employment contract, to be reviewed at a future time.
- h) Revocation or suspension of his/her Swim P.E.I. membership/employment contract.

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.

**6. JURISDICTION**

Swim P.E.I. does not intend for this Code to replace existing policies at the Swim P.E.I. individual club executive & board levels. Swim P.E.I. encourages member club boards and their executives to govern their members using policies consistent with this Code. This Code is applied to all Swim P.E.I. contracted and/or employed staff, Swim P.E.I. appointed provincial swim coaches, Swim P.E.I. appointed provincial team managers, Swim P.E.I. Board of Directors, and the Swim P.E.I. Membership. In the event of ambiguity about whether a complaint should be accommodated under this Code or another process, Swim P.E.I. will collaborate with its member club counterparts to determine the most appropriate process for dealing with the complaint.

**SIGNED**

I have read and understand the content of Swim P.E.I.'s Code of Professional Conduct signed on the \_\_\_\_\_ day of \_\_\_\_\_, 2008

SWIM P.E.I. STAFF, PROVINCIALY APPOINTED COACH, PROVINCIALY APPOINTED TEAM MANGER, BOARD MEMBER, & MEMBER:

\_\_\_\_\_  
Name

\_\_\_\_\_  
Position

Per: \_\_\_\_\_  
Signature

SWIM PEI

per: \_\_\_\_\_  
Sandi Lowther,  
President