

Complaints Procedure

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1. Purpose

- 1.1** This document sets out the process to be followed when an allegation or complaint is made against any WSAVA volunteer. The allegation or complaint must relate to a breach of the WSAVA Code of Conduct, which includes the Ethical Conduct, Anti-Harassment Policy and Member Community Pledge or any other relevant WSAVA policies, or where a complainant alleges, they have been unlawfully discriminated against or harassed.
- 1.2** WSAVA is strongly against any form of harassment (see Code of Conduct). Our community culture is a key factor to our success, how we interact, communicate, and behave with each other. All volunteers and workers are entitled to an environment which respects their personal dignity, and which is free from any objectionable conduct. Harassment is an offence and incidents will be dealt with under this complaint's procedure.
- 1.3** This policy applies to all volunteers, including volunteers who are engaged as contractors, and/or employees of WSAVA.

2. Procedure to be followed in resolving grievances

- 2.1** Whenever possible a grievance should be dealt with immediately.
- 2.2** Where practical, the person raising the grievance should raise their grievance with the person concerned and initially, seek to discuss the issue with them.
- 2.3** If an attempt has been made to resolve the issue informally and directly with the person(s) concerned, but the matter has not been resolved to the satisfaction of the person raising the grievance, they should submit their grievance formally, in writing. This should be addressed to the Executive Director.
- 2.4** Should the grievance be with the Executive Director, the grievance formally in writing should be submitted to the President. In which case any reference to the Executive Director in this Procedure will refer to the President.
- 2.5** Once a formal grievance has been lodged in writing it will be investigated following the process set out.

3. Filing a complaint or allegation

- 3.1** A formal complaint or allegation by a complainant should include, where possible, the following information:
 - a) The name of the person(s) submitting the complaint and the name and any other identifying detail (affiliation, etc.) of the person(s) alleged to have committed the violation.

- b) A description of the event, including the date(s) and circumstances of the alleged violation.
 - c) A statement explaining any relevant prior interactions or professional or personal relationship that the person filing has with the person(s) named in the complaint.
 - d) It is advisable for anyone submitting a complaint or allegation to keep notes on the names of potential witnesses.
- 3.2 Allegations should be submitted in writing to the Executive Director.
- 3.3 To the extent practical, the complainant should provide details, specific facts, and any documentation of the allegations. Additionally, the complainant should provide their contact information, including a phone number and email address.
- 3.4 All complaints will be treated seriously and will respect and maintain confidentiality and privacy as much as possible.

4. Preliminary Investigation

- 4.1 The Executive Director will review the allegations in the formal written complaint and determine whether the complaint, on its face, alleges a violation of the WSAVA Code of Conduct or any other WSAVA policies. WSAVA has the sole discretion to determine which complaints should be pursued, how they should be pursued, and what action, if any, should be taken. If the alleged violations relate to conduct that occurred outside of WSAVA events or activities, WSAVA may, in its sole discretion, defer review of or action on the complaint unless and until the allegations have been investigated by a third-party entity with jurisdiction over the actions and greater investigative authority than WSAVA, such as the member's home association or a court.
- 4.2 If the determination is that the allegations described in the complaint do not constitute a violation of applicable WSAVA policies, no further action will be taken, and the complainant will be informed of this determination.
- 4.3 If the determination is that the formal written complaint alleges conduct in violation of any applicable WSAVA policies, the Executive Director will convene an Independent Panel and share the complaint with them for investigation. The Executive Director will also forward the complaint detailing the allegations that have been made against him or her to the alleged harassers address(es) WSAVA has on file for the accused, unless the Independent Panel determines that consideration of the complaint should be deferred. Acknowledgment of receipt and confidentiality will be requested.
- 4.4 The Independent Panel will comprise of two WSAVA representatives and two representatives of the alleged harassers Member Association. Members of the Independent Panel will be chosen by the WSAVA Executive Board. The Chair of the Independent Panel will ordinarily be the WSAVA Executive Board President or his/her nominee.

- 4.5 Where the alleged harasser is not a member of a WSAVA Member Association the Executive Board will act as the Independent Panel.
- 4.6 The accused may submit a written response to the complaint within 30 days after the date of the Executive Director's notification. The response should be submitted to the Executive Director. The Executive Director will forward the response to the Independent Panel.
- 4.7 After filing a complaint with WSAVA, a complainant may request that WSAVA provide protections from harassment, discrimination, or bullying at WSAVA activities. Such actions may include but are not limited to barring a respondent from any WSAVA activities.
- 4.8 In some cases, an allegation may be resolved informally, such as through an apology and assurance that the action will not happen again (especially in cases of the respondent unknowingly causing offense).

5. Mediation

- 5.1 Wherever appropriate and possible, the parties to the complaint will be offered mediation prior to proceeding with an investigation. Mediation is voluntary and confidential. It is intended to assist the parties to arrive at a mutually acceptable resolution. The mediator will be a neutral person, agreed upon by both parties. The mediator will not be involved in investigating the complaint.
- 5.2 The Complainant, or the Chair of the Independent Panel, may make a recommendation for mediation at any time during the investigation process, or as a final resolution after an investigation is completed.
- 5.3 If mediation fails, or mediation is refused by any party to the complaint, the alleged harasser's member association will receive a copy of the complaint.

6. Procedure for Investigation

- 6.1 After receiving a complaint from the Executive Director, the Independent Panel will review the materials. During this time, the Independent Panel may request additional information from the parties. The Independent Panel may consult with WSAVA legal counsel at any time in order to reach its decision.
- 6.2 Witnesses may have to be asked for witness statements. Confidentiality will be maintained where possible at all times. The importance of confidentiality will be stressed to all those interviewed, and everyone will be required not to discuss the complaint with other volunteers.
- 6.3 Investigations will be carried out with sensitivity and with respect for the rights of both the complainant and the alleged harasser.

- 6.4 Investigations will focus on the facts of the complaints. Notes will be kept and those interviewed will receive notes of the interview to approve.
- 6.5 The Independent Panel may consider additional relevant information, including any information that is part of a member's WSAVA record or information obtained from a third party. If WSAVA obtains additional information from a third party relevant to consideration of a complaint, that information will be shared with the subject of the complaint, and it will be made part of the record.
- 6.6 If the alleged violations relate to conduct that occurred outside of WSAVA events or activities, the Independent Panel may, in its sole discretion, defer review of, or action on, the complaint unless and until the allegations have been investigated by a third-party entity with jurisdiction over the actions and greater investigative authority than WSAVA. In that event, the Independent Panel will notify the parties of its deferral decision.
- 6.7 The Independent Panel will meet to discuss the complaint and related information and submissions. Unless consideration or action by the Panel has been deferred, the Panel will make a determination, based on the evidence and its credibility determinations, about whether a violation of WSAVA policies has occurred. If the Panel finds a violation, the Panel will also determine the sanction that will be imposed, in its discretion.

7. Sanctions

- 7.1 Sanctions for a violation of the WSAVA Code of Conduct, or any other relevant WSAVA policies may include but are not limited to one or more of the following:
 - a) Written reprimand or warning.
 - b) Removal from volunteer WSAVA position(s).
 - c) Suspension from attending or presenting at WSAVA-sponsored meetings for a specific period of time or permanently.
 - d) Suspension or temporary or permanent revocation of the membership of any Committee, Working Group or being a Member Representative.
 - e) Restrictions on the person's privileges and rights, including holding leadership or Committee roles with WSAVA.
 - f) Denial of eligibility for, or revocation of, WSAVA honours or awards.
- 7.2 The outcome of WSAVA's review of a complaint may or may not be made public.
- 7.3 Once the Independent Panel's decision has been reached, the Executive Director will notify the involved parties in writing. Any adverse finding against the subject of the complaint will include a statement of the basis for the Independent Panel's decision.

8. Appealing a decision of the Independent Panel

- 8.1** The subject of the complaint will have the opportunity to appeal a decision of the Independent Panel that suspends, revokes, or denies eligibility as a volunteer or membership of any Board, Committee, Working Group or being a Member Representative, or revokes an WSAVA honour or award. Appeals must be submitted in writing to WSAVA's Executive Director within 30 days of the date of the notification of the adverse decision. Appeals must state with specificity the grounds on which the individual is requesting the appeal and must be signed. If an appeal is not postmarked or emailed within 30 calendar days of the notice of the Independent Panel's decision, the Independent Panel's decision shall constitute the final decision of WSAVA on the matter and shall not be subject to further review or appeal absent extraordinary circumstances, as determined solely by WSAVA.
- 8.2** In the event of an appeal, the WSAVA Executive Board will review the written record related to the matter and affirm, modify, or reverse the finding of violation and imposition of sanctions based on that review. The review shall be limited to a determination of whether:
- a) a procedural error contributed to the Independent Panel's decision; or
 - b) the Independent Panel's decision was arbitrary and capricious or was unsupported by the evidence.
- 8.3** Additional material that was available to the subject of the sanction but was not submitted to the Independent Panel at the time of its deliberations will not be included in the record on appeal, and no new evidence will be considered after the date of submission of the appeal.

Appendix 1 – Complaints Management Form

Name and contact information of volunteer who has allegedly experienced harassment or become aware of a breach of the Code of Conduct or any other relevant policy:

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Name of alleged breacher or harasser(s) and contact information, if available:

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Details of the Complaint

Please describe in as much detail as possible the breach of policy including any bullying and harassment incident(s), including: (a) the names of the parties involved; (b) any witnesses to the incident(s); (c) the location, date and time of the incident(s); (d) details about the incident(s) (behaviour and/or words used); (e) any additional details

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Relevant Documents/Evidence

Attach any supporting documents, such as emails, handwritten notes, or photographs.

Signature		Date	
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Appendix 2 – Investigation Template

This template may be used for guidance in investigating any breach of policy including harassment complaints. The persons conducting the investigation must not have been involved in the incident or complaint of harassment and must not be under the direct control of the alleged harasser or breacher.

Name of investigator: _____

Date of investigation: _____

1. **Background Information:** Who are the people involved? Who reported and when?

Name of person who reported the policy breach or harassment:	
If not the same person as above, name of person who allegedly experienced harassment:	
Date complaint/concern raised and how:	
Name of respondent(s) (alleged harasser or breacher)	

A. Investigation Plan: Plan and conduct the investigation

1. An investigator will interview the volunteer who allegedly experienced harassment
2. The same investigator will interview the alleged harasser or breacher.
3. Interview relevant witnesses. Ask specific questions about what they have observed, are aware of or have personally experienced.
4. Collect and review relevant documents from the volunteer, alleged harasser, breacher and witnesses
5. Take detailed notes.
6. Keep the investigation confidential. Instruct the volunteer who allegedly experienced harassment, the alleged harasser or breacher and witnesses not to talk to others about the investigation unless it is necessary, for instance, to obtain advice or counselling.

B. Volunteer (s) Concerns/ Breach of Policy or Harassment Allegations: When did the incident(s) occur?
Confirm date of first incident and any subsequent behaviours or conduct.

Date of first incident: _____

Date of last incident: _____

Date of other incident(s): _____

C. Alleged Harasser(s), Breacher Response:

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D. Interview Relevant Witnesses: List witnesses. Interview relevant witnesses and make notes.

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E. Collected documentation: List the documents collected for the investigation and how or from whom they were obtained.

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F. Investigation Result(s): The investigator's summary report should set out who was interviewed, what evidence was obtained and an analysis of the evidence to determine whether harassment occurred.
Summary of key evidence:

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G. Recommended Next Steps:

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H. Report provided to:

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I. Appeals process

Either the complainant or alleged harasser may, within thirty (30) days of being notified of the investigation result, submit an appeal, in writing, to the Executive Director.

Appeals will be considered on the following grounds:

1. procedural irregularities prejudiced the outcome of the complaint.
2. there was bias amongst the original decision maker(s).
3. new information/evidence has come to light that should be investigated.
4. the proposed action is inappropriate.

If it is determined that further investigation is required, the WSAVA Board review the findings. These shall be disclosed to the parties, who will be provided with an opportunity to respond.

The decision of the WSAVA Board will be final.