



# Western United States Pipe Band Association (WUSPBA) Member Protection Policy

## Changes Proposed by EC

### ~~PREFACE~~ INTRODUCTION

This Member Protection Policy aims to ensure WUSPBA core values, good reputation, positive behaviors and attitudes are expressed and maintained. ~~maintained. It reiterates~~ WUSPBA's ~~is~~ committed to ensuring that every person involved in the association is treated with respect and dignity and is ~~safe and~~ protected from harassment or abuse. Through this Policy, WUSPBA aims to ensure that everyone involved in the association is aware of their ethical rights and responsibilities.

This Policy also provides the procedures that support WUSPBA's commitment to eliminating discrimination, harassment, abuse and other forms of inappropriate behavior from individuals within the association.

~~WUSPBA is committed to providing a safe environment, which is free from harassment and abuse for everyone, and promotes respectful and positive behavior and values. This Policy, along with WUSPBA's Code of Conduct, form the standards of appropriate and ethical conduct which everyone involved in the association must~~ is expected to abide by. These Policies are

~~This Member Protection Policy is an essential part~~s of WUSPBA's proactive and preventative approach to tackling inappropriate behavior.

### ~~MEMBER PROTECTION POLICY~~

#### ~~1. Introduction~~

~~WUSPBA is committed to educating its members and bands regarding this policy. Through this Policy, WUSPBA aims to ensure that every member involved in WUSPBA is aware of their ethical rights and responsibilities.~~

#### ~~2. Purpose of this policy~~



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### PURPOSE

The Member Protection Policy's purpose is to preserve and promote WUSPBA's core values and standards of acceptable behavior. It communicates WUSPBA's commitment to ensuring that every member involved in WUSPBA is treated with respect and is able to participate in WUSPBA pipe bands, solos, sanctioned activities, and educational offerings, etc., in a safe and comfortable environment.

This Policy is intended to set the standards of acceptable behavior within the Association and to communicate those standards to the membership.

### SCOPE

#### 3. Who this Policy Applies To

This policy applies to anyone participating or involved in WUSPBA activities, including, but not limited to the following people:

- Members of WUSPBA, including its Branches, Executives and Councils;
- Persons appointed or elected to committees and sub-committees;
- Judges, instructors and band leaders;
- ~~Members, including life members, of WUSPBA;~~
- Other personnel participating in events and activities held or sanctioned by WUSPBA.

### HARASSMENT

WUSPBA opposes all forms of harassment, discrimination, and bullying. Harassment involves conduct that adversely affects the environment and that the perpetrator knew, or reasonably should have known, would be unwelcome.

Intimate ~~sexual~~ relationships between ~~tutors/band leaders~~ (including but not limited to: band leaders, WUSPBA leaders, judges and instructors) and players—while not necessarily ~~unlawful~~ harassment—can have



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harmful effects on the player, on other players and ~~tutors~~ instructors, and on the band's public image. Such relationships can be exploitative because there is often a disparity between ~~tutors~~ leaders and players in terms of authority, maturity, status, or dependence.

Because there is always a risk that the relative power of the ~~tutor~~ leader is a factor in the development of such relationships, ~~tutors~~ leaders working at all levels should avoid such relationships.

### **INDIVIDUAL RESPONSIBILITIES**

Individuals bound by this policy are responsible for:

- Making themselves aware of the policy and complying with its standards of behavior;
- Ensuring the safety and welfare of all WUSPBA members;
- Recognizing each individual's responsibility for their behavior;
- Reporting a concern or registering a complaint about possible abuse, discrimination, harassment, or other inappropriate behavior; and
- Complying with any decisions and/or disciplinary measures imposed under this policy.

### ~~4. Responsibilities of WUSPBA regarding the WUSPBA Member Protection Policy~~

### **WUSPBA RESPONSIBILITIES**

- Adopt, implement, and comply with this policy;
- Make such amendments to its Constitution, Rules, or Policies necessary for the enforcement of this policy;
- Publish, distribute, and promote this policy and the consequences of breaches;
- Promptly deal with any breaches or complaints made under this policy in a fair, timely manner;
- Apply this policy consistently;
- Recognize and enforce any penalty imposed under this policy;



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- Ensure that a copy of this policy is available or accessible to the persons and associations to whom this policy applies;
- Use appropriately trained personnel to receive and manage complaints and allegations; and
- Monitor and review this policy at least annually.

### ~~5. Individual Responsibilities (moved - see above)~~

~~Individuals bound by this policy are responsible for:~~

- ~~• Making themselves aware of the policy and complying with its standards of behavior;~~
- ~~• Ensuring the safety and welfare of all WUSPBA members;~~
- ~~• Recognizing each individual's responsibility for their behavior;~~
- ~~• Reporting a concern or registering a complaint about possible abuse, discrimination, harassment, or other inappropriate behavior; and~~
- ~~• Complying with any decisions and/or disciplinary measures imposed under this policy.~~

### ~~6. Position Statements~~

#### ~~6.1 Member Protection~~

- ~~• WUSPBA is committed to the safety and wellbeing of all members including children and young people within the association and will act to maintain a safe environment. It also supports the rights and wellbeing of its staff and volunteers.~~

#### ~~6.1.1 Report and Respond Appropriately To Suspected Abuse~~

- ~~• WUSPBA leadership will ensure all members are aware of their responsibilities under this policy.~~

#### ~~6.2 Anti-Discrimination and Harassment~~

- ~~• WUSPBA opposes all forms of harassment, discrimination, and bullying. Harassment involves conduct that adversely affects the environment and that the perpetrator knew, or reasonably should have known, would be unwelcome.~~



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### 6.3 Intimate Relationships

- Intimate sexual relationships between tutors/band leaders and players—while not necessarily unlawful harassment—can have harmful effects on the player, on other players and tutors, and on the band's public image. Such relationships can be exploitative because there is often a disparity between tutors and players in terms of authority, maturity, status, or dependence.
- Because there is always a risk that the relative power of the tutor is a factor in the development of such relationships, tutors working at all levels should avoid such relationships.

### 7.

## GRIEVANCES

### Initial Grievance:

In an attempt to resolve the issue(s) directly, a member who experiences harassment is encouraged to make it known to the respondent(s) that the behavior is unwelcome, offensive and contrary to this Policy.

If confronting the respondent(s) is not possible, or if after confronting the respondent(s) the harassment continues, the complainant should request a meeting with a member in authority of the respective parties involved, or WUSPBA Branch leadership to attempt to resolve the complaint at as low a level as possible. Only if the situation remains unsolvable should the following procedures be used.

### Formal Grievance:

After exhausting all other avenues of complaint resolution, a member may formally submit a written complaint to any member of the WUSPBA Executive Committee.

The written complaint shall provide details of the incident(s), including dates, times, locations, description of occurrence(s), account



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of dialogue, the name of the respondent(s), names of other individuals who may have also been harassed, and names of any witnesses.

On receipt of the written complaint, the Executive Committee shall ensure that an investigation is initiated as soon as possible. The investigation may either be conducted by the President or by an appointed Disciplinary Panel.

~~A grievance is a dispute under this Policy between:~~

- ~~• a member and another member;~~
- ~~• a member and the Executive Committee;~~
- ~~• a member and WUSPBA.~~

### ~~Categories for Grievances~~

- ~~• Infringement with Protest: In the event of a protest lodged by one band against another band for infringement of the rules at any contest and the Association representatives are unable to render a decision, the Executive Committee shall make a full inquiry into the protest. Should the Executive Committee be satisfied that an infringement has taken place, it may suspend the decision of the judges and award any prize to the band next in order of merit.~~
- ~~• Infringement without Protest: The Executive Committee shall have the power to act without a protest being lodged if it is satisfied that an infringement of the rules has occurred.~~

### ~~8. Disciplinary Action~~



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### DISCIPLINARY ACTION

- The Executive Committee may consider and deal with any reported breach of this Policy after the ~~reported member~~ respondent has been informed that the Committee intends to proceed in the matter.
- The reported member shall be entitled to address the Committee in relation to the report.
- The Committee may take any disciplinary action it thinks fit in response to the report, including suspending the reported member or terminating their membership in the association.
- A member who is suspended or whose membership is terminated pursuant to this ~~Clause~~ Policy may ~~by written notice to the Secretary within seven days after he is notified thereof appeal to an Extraordinary General Meeting. Such meeting will be called without delay for the sole purpose of hearing the appeal and which may by resolution carried by three-fifths of the members present and entitled to vote allow the appeal.~~ request reconsideration,
- ~~The Executive Committee shall proceed in accordance with its Dispute Resolution procedure as outlined in Article 18 of the WUSPBA Bylaws, which can be found at:~~  
<https://wuspba.org/rulesbylaws/>

Lachlan Abner

12/31/18 Original Date

10/23/2020 Revised