

Complaint Policy

INTRODUCTION

The purpose of this policy is to provide guidance to deal with a complaint, review or issue with a member's certification or conduct, or to deal with a complaint, review or issue with an affiliate's conduct (collectively referred to as a "Complaint") to ensure the protection of the reputation and integrity of the policies, procedures, codes of conduct and standards of the Lifesaving Society – Ontario Branch (the "Society").

SUBMITTING A COMPLAINT, REVIEW OR ISSUE

Submitting a complaint or concern regarding a Lifesaving Society Member (instructor, lifeguard, etc.)

Who Should Submit

Affiliates, candidates, instructors, examiners, trainers, lifeguards, Lifesaving Society volunteers and general public.

How to Submit

Call: 416-490-8844

Email: experts@lifeguarding.com

Lifesaving Society Website – [Contact Us](#)

When to Submit

If you have a concern regarding a lifeguard, instructor, examiner, trainer, etc. it is important that this is brought forward for investigation. Not all concerns will move forward to a certification review, some may be referred to the affiliate for discussion.

Examples that would warrant submitting a concern:

- Falsifications of qualifications.
- Certifying candidates who have not met the performance requirements as outlined by the Lifesaving Society.
- Teaching or examining courses that the instructor, examiner or trainer is not certified to do.
- Not following the policies and procedures as outlined by the Lifesaving Society.
- Falsifying test sheet or worksheets content.

Refer the Member Certification Reviews below for the full policy – Section 1

Submitting a complaint or concern regarding a Lifesaving Society Affiliate (the organization offering the program)

Who Should Submit

Affiliates, candidates, instructors, examiners, trainers, lifeguards, Lifesaving Society volunteers and general public.

How to Submit

Call: 416-490-8844

Email: experts@lifeguarding.com

Lifesaving Society Website – [Contact Us](#)

When to Submit

If you have a concern regarding an affiliate, it is important that this is brought forward for investigation. Not all concerns will move forward to a certification review, some may warrant discussion or education.

Examples that would warrant submitting a concern:

- Not following the policies and procedures as outlined by the Lifesaving Society.
- Offering programs or services without holding a valid Lifesaving Society affiliation.
- Adding candidates to test sheets or worksheets who have not been evaluated by the instructor, examiner or trainer.
- Removing candidates who have been evaluated by the instructor, examiner or trainer.
- Not informing the Lifesaving Society of a lifeguard, instructor, examiner, trainer, etc. who has not followed the Lifesaving Society policies or procedures (see examples under submitting a member complaint for examples)
- Offering programs or services without the required facilities or equipment.

Refer to the Affiliate Certification Reviews below for the full policy – Section 2

HOW COMPLAINTS ARE MANAGED WITHIN THE LIFESAVING SOCIETY

SECTION 1: MEMBER CERTIFICATION REVIEWS

Structure and governance

The Certification Review Process includes two steps: (1) the investigation; and (2) the review process (the “Review”). The Certification Review Chair is the Senior Training Officer or Senior Officer designate. Their role is to chair (or appoint a vice-chair) and appoint a committee composed of a maximum of five, but no less than three members which will include at least one board member that holds a portfolio relevant to the Review, and at least one National Trainer for each complaint (the “Committee”), where deemed necessary by the Chair.

The Certification Review Chair and where a Vice-Chair is appointed, both are collectively referred to as the “Chair” in this policy.

The investigation is conducted by a Training Program Manager or their delegate (the “Investigator”). The Investigator produces a report for the panel to review and consults with the Chair to determine whether or not a review is necessary.

The Chair shall make inquiries to ensure that no members of the Committee have a conflict of interest in regard to the complaint or accused member. A conflict of interest would be defined as a personal or current professional relationship (direct report) with the member in question.

The Committee reviews the complaint and the investigator’s report, and is part of the interview with the accused member(s) and member certification. They are able to ask the member questions to determine if the policies, procedures, standards or any issued certifications have been compromised. The Chair will provide a report of the Committee’s recommended sanctions to the CEO who will receive and confirm if the panel’s recommendations are acceptable.

Principles to be applied

The Society recognizes that individuals work long and hard to earn their awards and/or appointments and that any decision which alters or revokes that status is a serious matter. The Society also knows that deviations from expected conduct or the lowering of standards could ultimately endanger lives.

The procedures set out are based upon the following policy considerations:

- The Committee considering a complaint must listen to all sides of the issue.

- The members of the Committee must apply judgment carefully, making decisions that are transparent, impartial, and fair.
- There shall be a concentrated effort to be consistent with past decisions.

The Society is a leader in the lifesaving field and has earned the recognition of government bodies. It has a responsibility to protect a public interest by overseeing the quality of its programs and the character or behaviour of its volunteers, appointees and award-holders.

Process

The Certification Review Process includes:

1. When a complaint is lodged or issue comes to the attention of the Society regarding one of its members, it is referred to the Investigator. Ideally the complaint will be received in writing and must relate to a policy, procedure, code of conduct or standard that is being questioned or compromised.
2. The Investigator will document the complaint and follow-up with an investigation.
3. This complaint is confidential and can be received anonymously, however being anonymous does limit the scope of investigation. If the complainant does not consent to the release of their name or the release of correspondence relating to the Complaint, then this information shall not be released unless it is necessary to protect the integrity of the Society.
4. If appropriate and necessary, the Investigator will consult with those who they determine are directly involved with the Complaint. Investigations are undertaken to review and determine the extent of the Complaint. Members under investigation should be notified in writing (including by registered mail or e-mail) and/or by phone, of the Complaint, and any action being taken and the certification review process and their rights within; including representation and parental support (if younger than 18). It is mandatory that the Society attempt to provide notice by all means in its possession, including but not limited to e-mail, registered mail or phone. If the member is uncooperative within 30 days of notice, the Chair may convene a Committee meeting and proceed with the member absent.
5. In extreme cases, including involving serious criminal charges, it may be deemed necessary for a Senior Officer and/or Chair to take immediate action (prior to a Review) regarding a member's privileges due to concerns related to matters such as: safety or abuse, protection of members certification(s) or a significant threat to the integrity of the Society while the certification process roles out. This may include suspending all awards. If there are criminal charges pending, the Review may await a final resolution of the criminal charges before the Review is conducted, unless the member who is the subject of the complaint requests a Review at an earlier date. If the member is convicted of a crime as described above, their awards may be revoked or permanently decertified with a Review, unless a Review is requested by the member within 60 days of the conviction date.
6. A complaint may be resolved during the investigation process.
7. The Chair will convene a Committee meeting for the Review of up to five members, but not less than three members (which may include the Chair) to review and discuss the complaint. The Committee structure is set out above in this policy. This Committee will review all documents. All documents will be provided to the accused member ahead of time and they will be invited to be interviewed by the Committee to provide their explanations.
8. The Chair will determine any action required such as communication letters and reports to the CEO.
9. The CEO approved sanctions are acted upon and communicated to the appropriate persons, organizations or agencies. The member(s) management file is updated by the Senior Operations Officer as required.
10. A report of the Committee's findings and CEO approved sanctions will be provided by the Chair to the CEO and Corporate Secretary for presentation to the Board of Directors.

11. All decisions made and actions taken for certification reviews are documented on the Master Chart to help assist with decision making for future certification reviews.

Possible outcomes

The sanctions or disciplinary procedures which the Society may apply are as follows:

- **No action required:** it has been determined after investigation that Society policies, procedures, code of conduct or standard in question was not compromised.
- **Written reprimand:** may be issued by an Investigator or Chair without convening a Review and which should be written for insertion in the member's file.
- ***Probation:** remedial action designed to correct a deficiency, upgrade behaviour or allow for ongoing assessment of the member's conduct.
- ***Suspension:** more serious, designed to remove the member from their role as a Lifesaving Society representative and to protect the public but anticipating reinstatement, likely upon compliance with specified conditions.
- **Revocation of Appointment or Decertification:** most serious, designed to protect the public, necessary to enable the Society to maintain its integrity. Requires Board of Directors approval.

These sanctions are not mutually exclusive and may be combined where appropriate. The choice of a particular sanction will be governed by the severity of the complaint, having regard to past sanctions in similar circumstances.

**Conditions to be met before the imposed sanction is lifted will be outlined in the Notification of Sanctions letter provided to the member.*

Appeals

Any member subject to probation, suspension or a revocation/decertification is entitled to an appeal hearing if desired. The notification of sanction should inform them of their right to an appeal. Appeal requests must be received by the Society within 5 days of receiving notification of sanction. Any appeal must be commenced within 20 days of receiving the request.

The Chair will appoint an Appeals Committee composed of three individuals who were not part of the Review. An Appeals Committee may include a member of the Board of Directors, Branch Past President, Activity Centre Council Chair, Area Chair, National Trainer, and someone at arm's length to the operation and decision-making of the Society who should understand the Society's aims and objectives as well as its structure, awards and procedures.

The Chair is a non-voting member of the Appeals Committee.

The Appeals Committee shall consider whether the recommendation of the Committee and/or the decision of the CEO was reasonable.

The Appeals Committee's decision to alter or rescind the appeal is final.

Scope of reviews Outside Ontario

Complaints relating to the purpose as set out in paragraph one of this policy are within the scope of the Certification Review Process, as long as they relate in any way to the Society (as defined as the Lifesaving Society – Ontario Branch), if it is deemed necessary by the Chair at their discretion. This includes those holding qualifications with the Ontario Branch, as well as those working or volunteering in Ontario.

The National Certification Review Process does not apply when this process is being used. The Society will make best efforts to cooperate and work with other Lifesaving Society Branches in Canada, in the event it is necessary during a Review.

Employment Issues

Issues relating to employment are not governed by this policy.

Completion

The Certification Review Process will be complete when:

1. The Chair has notified the member of a decision and no appeal hearing (where available) has been requested; or
2. The Appeals Committee has notified the member that the appeal has been allowed or refused or modified.

SECTION 2: AFFILIATE MEMBER REVIEWS

Structure and governance

The Affiliate Member Review Process includes two steps: (1) the investigation; and (2) the review process (the “Review”).

The investigation is conducted by the Senior Operations Officer or designate (the “Investigator”).

The Investigator and selected staff (the “Committee”) review the complaint and compiled reports from the investigation.

The review will determine if the affiliate has failed to fulfill the responsibilities and obligations of an affiliate member as outlined in the Terms of the Affiliate Member Agreement (the “Agreement”). If it is determined that the Agreement terms are not being met by the affiliate, they will receive a letter detailing the infractions and next steps.

If the results of the investigation encompass a complaint or issue involving another department, the participation of senior staff in that department will be requested (e.g. Chief Financial Officer for financial issues, Senior Training Officer for issues related to training standards). The Investigator will provide a report of the Committee’s recommended sanctions to the CEO who will receive and confirm if their recommendations are acceptable.

Principles to be applied

Affiliates of the Society are an essential part of lifesaving training by offering The Society’s training awards to the public or to their members. By signing the agreement, the affiliate acknowledges that they are obligated and responsible for keeping their membership in good standing with the Society.

The procedures set out are based upon the following policy considerations:

- The Investigator considering a complaint must listen to all sides of the story.
- The Investigator must not be biased.
- There shall be a concentrated effort to be consistent with past decisions.

The Society is a leader in the lifesaving field and has earned the recognition of government bodies, it has a responsibility to protect a public interest by overseeing the quality of its programs and the character or behaviour of its volunteers, appointees, affiliates, and award-holders.

Process

The Affiliate Member Review Process includes:



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1. When a complaint is lodged or issue comes to the attention of the Society regarding one of its affiliates, it is referred to the Investigator. The complaint must relate to a policy, procedure or code of conduct that is being questioned or compromised.
2. The Investigator will document the complaint on a Complaint Receipt Form and follow-up with an investigation.
3. This complaint is confidential and can be received anonymously, however, being anonymous does limit the scope of investigation. If the complainant does not consent to the release of their name or the release of correspondence relating to the complaint, then this information shall not be released unless it is necessary to protect the integrity of the Society.
If appropriate and necessary, the Complaint may be shared with those who the Investigator determines are directly involved and necessary such as: Area Chairs, Affiliates, Members, and other volunteer and staff as required by the Investigator. Investigations are undertaken to review and determine the extent of the complaint. Affiliates under investigation should be notified in writing (including by registered mail or e-mail) and/or by phone, of the complaint, and any action being taken and the affiliate review process and their rights within; including representation and parental support (if younger than 18). It is mandatory that the Society attempt to provide notice by all means in its possession, including but not limited to e-mail, registered mail or phone. If the member is uncooperative within 30 days of notice, the Chair may convene a Committee meeting and proceed with the member absent.
4. Staff will be directed to forward all communication from the Affiliate under investigation to the Investigator or designate. This request must be noted in the Affiliate's Member Management file.
5. The Investigator will document all communication with the Affiliate and any parties relevant to the Complaint on a Communication Timeline and Violation Form. Additional information pertaining to the Complaint will be collected from the Society's Order desk, Finance department, and staff.
6. In extreme cases, including involving serious criminal charges, it may be deemed necessary for the Investigator or other Senior Officer to take immediate action regarding an Affiliate's privileges due to concerns related to matters such as: safety or abuse, protection of members certification(s) or a significant threat to the integrity of the Society while the affiliate review process roles out. This may include suspending the affiliate account. If there are criminal charges pending, the Review may await a final resolution of the criminal charges before the meeting is conducted, unless the affiliate who is the subject of the complaint requests a Review at an earlier date. If the affiliate is convicted of a crime as described above, their affiliate membership may be permanently revoked with a Review, unless a Review is requested by the affiliate within 60 days of the conviction date.
7. A complaint may be resolved during the investigation process.
8. The following reports should be compiled for the investigation and review:
 - Complaint receipt form
 - Correspondence noted on the Communication Timeline and Violation Form
 - Test sheet(s) in question
 - Affiliate course and exam notes for candidates (if required)
 - Affiliate's detailed agenda for the course in question (if required)
 - Member Management Affiliate Activity Report, Individual Activity Report, and Individual Record
 - Order history
 - Breach of Affiliate Member Agreement notification letter
9. The Chair will convene a Committee meeting to review and discuss the complaint. The Committee structure is set out above in this policy. This Committee will review all documents. All documents will be provided to the accused affiliate ahead of time and they will be invited to meet with the Committee to provide their explanations.
10. The Investigator will determine any action required such as communication letters and reports to the CEO.

11. The CEO approved sanctions are acted upon and communicated to the appropriate persons, organizations or agencies. The affiliate's Member Management file is updated by the Senior Operations Officer as required.
12. A report of the Committee's findings and CEO approved sanctions will be provided by the Investigator to the CEO and Corporate Secretary for presentation to the Board of Directors.

Possible outcomes

The sanctions or disciplinary procedures which the Society may apply are as follows:

1. **No action required:** it has been determined after investigation that Society policies, procedures, or code of conduct in question was not compromised.
2. **Education:** serious, designed to correct an Affiliate's conduct and re-educate them on the obligations and responsibilities of affiliate members.
3. ***Suspension:** more serious, designed to remove the Affiliate from their role as a Lifesaving Society representative and to protect the public but anticipating reinstatement, likely upon compliance with specified conditions.
4. **Revocation of Affiliate Membership:** most serious, designed to protect the public, necessary to enable the Society to maintain its integrity. Requires Board of Directors approval.

These sanctions are not mutually exclusive and may be combined where appropriate. The choice of a particular sanction will be governed by the severity of the complaint, having regard to past sanctions in similar circumstances.

** Conditions to be met before the imposed sanction is lifted will be outlined in the Notification of Sanctions letter provided to the affiliate.*

Appeals

Any affiliate subject to suspension or a revocation is entitled to an appeal hearing if desired. The notification of sanction should inform them of their right to an appeal. Appeal requests must be received by the Society within 5 days of receiving notification of sanction. Any appeal must be commenced within 20 days of receiving the request.

The Investigator will appoint an Appeals Committee composed of three individuals who were not part of the Review. An Appeals Committee may include a member of the Board of Directors, Branch Past President, Activity Centre Council Chair, Area Chair, National Trainer, and someone at arm's length to the operation and decision-making of the Society who should understand the Society's aims and objectives as well as its structure, awards and procedures.

The Investigator is a non-voting member of the Appeals Committee.

The Appeals Committee shall consider whether the recommendation of the Committee and/or the decision of the CEO was reasonable.

The Appeals Committee's decision to alter or rescind the appeal is final.

Scope of review Outside Ontario

Complaints relating to the purpose as set out in Section Two, paragraph 1 of this policy are within the scope of the Affiliate Member Review Process, as long as they relate in any way to the Society (as defined as the Lifesaving Society – Ontario Branch), if it is deemed necessary by the Investigator at their discretion. This includes those holding affiliate membership with the Ontario Branch.

The National Certification Review Process does not apply when this process is being used. The Society will make best efforts to cooperate and work with other Lifesaving Society Branches in Canada, in the event it is necessary during a Review.

Employment issues

Issues relating to employment are not governed by this policy.

Completion

The Affiliate Review will be complete when:

1. The Investigator has notified the affiliate of a decision and no appeal hearing (where available) has been requested; or
2. The Appeals Committee has notified the affiliate that the appeal has been allowed or refused or modified.

AMENDMENTS TO THIS POLICY

This policy is effective January 25, 2024. The Society reserves the right to review and revise the Complaints Policy as required and without notice.