Section Heading: Code of Conduct and Ethics Complaints
Revised: January, August 2020
Revised August 2019
Revised June, December 2018
Revised: February 6, June 28, October 2017
Revised: February 28, 2016
Date: February 11, 2009

Related Documents:
1. POC Code of Conduct and Ethics
2. POC Board Code of Conduct
3. POC Conflict of Interest for Board Members
4. POC Conflict of Interest Policy for Members

Appendices:
A.1. Ethics Committee Roles and Responsibilities
A.2. Ethics Committee Position Description - Chair
A.3. Application to Serve on the Ethics Committee and/or as Chair of Ethics Committee
A.4. Complaint Review Committee Roles and Responsibilities
A.5. Receipt of Complaint Letter (template)
A.6. Notification of Merit Letter (template)
A.7. Notification of Complaint Letter (template)
A.8. Complaint Decision Letter (template)
A.9. Full Complaint Report (template)
A.10. Redacted Complaint Report (template)
A.11. Confidentiality Agreement (template)
A.12. Complaint Submission Guidelines

DESCRIPTION

This document identifies the value that POC has placed in the ethical conduct of members and describes the steps to be followed when initiating, investigating, and resolving any complaint against a POC member, for violation of the following:

1. POC Code of Conduct and Ethics
2. POC Board Code of Conduct
3. POC Conflict of Interest for Board Members
4. POC Conflict of Interest for Members.

For the purposes of this document, these will collectively be known as the Conduct Policies.

It is the responsibility of complainants and respondents to read this policy and familiarize themselves with the processes and potential outcomes.

POLICY
Professional Organizers in Canada is committed to the ethical behaviour of its members, especially when working with clients, interacting with the public, volunteering within the Association or representing POC in leadership roles. To this end, the POC Code of Conduct and Ethics is a set of principles and guidelines that each member of POC is expected to adopt for the exercise of judgment, self-restraint, and conscience. The POC Code of Conduct and Ethics is a mandatory component of membership in POC.

The POC Board Code of Conduct and POC Conflict of Interest for Board Members are **additional** principles to which POC Board members agree to adhere when elected or appointed to the Board of Directors.

A complaint may be brought against a POC member by any member of the public or by another POC member who believes a violation of any of these Codes has occurred. POC maintains a procedure for initiating, investigating and resolving, in a fair and expeditious manner, any complaint against a member. POC believes that ethics complaints are a serious matter and should not be used to resolve business or personal differences. A complaint must refer to a specific principle or statement of behaviour as outlined in the Conduct Policies.

The Ethics Committee

POC maintains an Ethics Committee to provide education, leadership and dissemination of information to the organization on ethical matters. The Ethics Committee consists of seven individuals: five POC members, a Director from the National Board of Directors in non-voting capacity and the Executive Director, also in a non-voting capacity. The five POC members are chosen from a pool of volunteer applicants following an annual solicitation to the membership; the National Board member is appointed at the first Board meeting following the Annual General Meeting of the Association.

A Chair will be selected by the Committee members in accordance with the Roles and Responsibilities (Appendix A.1). The Ethics Chair will appoint a Vice Chair, who will immediately step into the Chair's position if they are unwilling or unable to continue. This would include but not be limited to a situation where the Ethics Chair is in conflict of interest.

The term for all members will be 2 years, except in the initial formation of the committee, where half of the members will serve for one year. In this manner, half of the members will end their term each year.

The following criteria will be *considered* in assessing eligibility to serve on the Ethics Committee:
a. Any past experience developing or administering codes of ethics, codes of conduct, professional standards and the equivalent; or
b. Any past experience as a trainer or instructor in ethics; or
c. Any training or education relating to ethics; or
d. Any experience in non-profit leadership, particularly of professional associations, including but not limited to POC; or

e. Any training, education or experience in non-profit governance; and
f. Any other skills that demonstrate knowledge, commitment and willingness to serve in the ethical review process.

The following criteria are *required* for a member to be considered eligible to serve on the Ethics Committee:
a. Member must not have been found in contravention of ethics codes or the equivalent, and have not been expelled from or disciplined by a professional association or professional regulatory body; and
b. Member must not have been declared mentally incompetent under applicable provincial law.
c. Willingness to undergo a criminal reference check on request, at the expense of POC.

NB: If the candidate has had a declaration of bankruptcy at any time, an explanation may be requested.

The applications will be kept on file at the association management company for the two-year period that the member serves on the committee, and then be archived for five years.

Complaint Review Committees
Members of the Ethics Committee will serve on Complaint Review Committees as required, for investigation and resolution of complaints submitted in accordance with this Policy and Procedure. Any member of the Ethics Committee, including the Chair, who has a personal or business relationship with a complainant and/or a respondent in an Ethics Complaint, or stands to gain materially from the outcome of an Ethics Complaint, will be deemed to have a conflict of interest and may not sit on a Complaint Review Committee to address that specific complaint. In the event that the Chair is deemed to have a conflict of interest, the Vice Chair will substitute for the Chair for that particular Complaint Review Committee. A supplementary list of POC members willing to volunteer for Complaint Review Committees, but not appointed to the Ethics Committee, will be maintained from the initial annual solicitation. In the event that an arms-length Complaint Review Committee cannot be formed using members of the Ethics Committee due to conflict of interest or related issues, members of the Complaint Review Committee will be appointed from this supplementary list.

When a Complaint Review Committee is formed to manage a complaint, a copy of each person's application to the Ethics Committee will be filed with the documentation related to that issue once the complaint is resolved.

Complaint Review Committee Meeting Records
Upon formation of a Complaint Review Committee, a member of the committee will be selected to record the minutes at every meeting. Minutes will be provided directly to all specific Complaint Review Committee members, any non-voting members and to the Ethics Chair, if different from the Complaint Review Committee Chair, provided that the Ethics Chair is not implicated in the complaints or in conflict with respect to the complaint. The Board member who serves on the Ethics Committee in a non-voting capacity will attend all meetings of any Complaint Review Committee, provided they are not in a conflict of interest

or loyalty. The Board member and Executive Director serve in an advisory capacity only, and do not participate in decision-making.

Strategic Advice
The Chair of the Ethics Committee may provide advice to individuals as to whether a particular action, either contemplated or completed, contravenes the principles identified in the Conduct Policies. The Ethics Committee Chair may not deny a complaint unilaterally. All complaints will receive the benefit of a Committee review whether or not they are deemed by the Chair to contravene the principles in the Conduct Policies.

Strategic or ethical advice may also be provided by the Executive Director. If the Executive Director is implicated in the complaint, or unable to fulfil their role, the role of strategic advisor will be outsourced to an ethics consultant/advisor. In addition, POC will engage an ethics consultant/advisor for any complex ethics complaint relating to the operations of POC, including the Board or any Board member in their volunteer capacity.

Cooperation/Interference in Investigations
Attempts by any individual to interfere with, delay or manipulate the work of the Complaint Review Committee may be subject to sanctions by the Complaint Review Committee (including but not limited to probation, suspension, revocation of membership, mandatory professional education, or any other such redress to the ethical violation as the committee may find appropriate in the circumstances).

If the respondent has resigned as a POC member, a recommendation could consider eligibility to re-join. If a key informant will not help with a complaints resolution, without providing an acceptable reason, the Complaint Review Committee may make disciplinary recommendations regarding that individual.

Decisions of the CRC are final. Attempts to advocate for a revision to the decision, to committee members, board members, or to third parties, could result in further sanctions being applied by the ethics committee.

Limitations on Respondents

Complaint about a POC member in their capacity as a volunteer leader, governance or otherwise, on a committee or the Board of Directors:
When a complaint is substantiated, and is lodged against a POC member in their capacity as a volunteer leader/Board member the POC member must declare this to the committee in question/Board of Directors. If they do not, the Ethics Chair, via the Board member serving on the Ethics Committee, will make the information known. The nature of the complaint need not be disclosed.

Complaint about a POC member serving as a volunteer leader, governance or otherwise,

where the complaint does not pertain to their behaviour within that volunteer role:
Respondents who are currently serving as volunteer leaders must also be scrupulous in declaring to their committee/Board of Directors a conflict of interest or loyalty, and have it

minuted whenever that matter is under discussion or being decided. Respondents must fully recuse themselves from related discussions and decisions. If a respondent **does not** declare a conflict, the Executive Director must ask the Board to declare the conflict and recuse the Director. Failure to disclose in this manner will be subject to discipline, including possible dismissal from the Board or committee.

Decision-Making
POC endeavours to use consensus decision-making; however this may not always be the best method to use in an ethics complaint process. Simple majority decision-making may be used when necessary. Resources will be made available, if requested, to educate members about the use of consensus and simple majority decision-making.

PROCEDURE FOR MANAGEMENT OF COMPLAINT

Initiation of Complaint

Any person wishing to lodge a complaint against a member of POC shall contact the Ethics Chair to begin the process. There is no cost for the first complaint filed by any complainant. All subsequent complaints however, initiated by the same complainant, will require payment of a $50.00 fee to commence the process. Should the final outcome of a subsequent complaint be substantiated, the $50.00 fee will be waived, and the money returned to the complainant. If the complaint implicates the Ethics Chair as a respondent, the individual may contact the Executive Director to initiate the process.

The Ethics Chair will provide the complainant with a copy of the Complaint Submission Guidelines. The complainant will be asked to provide the following information in writing, in “read only” format, to both the Ethics Chair and Executive Director:

1. Confirmation that a formal complaint is to be initiated;
2. The citation of the specific conduct principle that has been violated;
3. Details of the circumstances of the complaint along with supporting documentation or information as follows:
    a. For complaints involving written communication, copies of any email correspondence or other documents are to be provided;
    b. For complaints involving verbal communication, the complainant is asked to provide details as to the circumstances of the conversation, persons present, the location and date of the conversation, along with as much of the verbatim conversation as can be recalled.

NB: The complainant will be cautioned to provide only personal recollections of conversations, not to share recollections with any other persons present or ask for clarification of recollections from any other persons present. Other persons present will be contacted separately for their recollections.

At the request of the complainant, one member of the Ethics Standing Committee may be assigned to support the complainant in clarifying and articulating their concerns and complaint submission.

Complainants who have a genuine fear of reprisal may request anonymity. The ethics committee will deal with these requests on a case-by-case basis.

Establishing a Complaint Review Committee

Upon receipt of a complaint, the Ethics Chair will **immediately** confirm to the complainant that their complaint has been received (Appendix A.5).

In accordance with the requirements above, the Ethics Chair will select two members from the Ethics Committee who, along with the Ethics Chair and Board member (as a non-voting member) will form a Complaint Review Committee.

Where possible, Ethics Committee members chosen for any Complaint Review Committee will come from different chapters, preferably also different from the complainant and respondent, and where possible provide the greatest geographic diversity. Geographic diversity should not precede the qualifications of the individuals.

Where a complaint is particularly complex, the Ethics Chair may request an additional two members from the Ethics Committee to serve on a particular Complaint Review Committee.

If the Ethics Committee Chair is not satisfied with the work of a committee member, or a committee member is unable to continue, the Ethics Chair will appoint a new committee member as quickly as possible from the Ethics Committee.

Assessing Merit

No person, regardless of their role within or outside of POC, shall be able to unilaterally dismiss any complaint. A complaint cannot be dismissed without the unanimous consent of the Review Committee if/when the investigation indicates that the complaint is unfounded and/or reveals it to be outside the scope of the Conduct Policies.

Within **30 days** of notifying the complainant of receipt of their complaint (Appendix A.5), the Complaint Review Committee will meet to determine if the complaint merits investigation (Appendix A.6). Only if/when the Review Committee determines that a complaint merits investigation based on the complaint and accompanying documentation, will the Committee advise the subject of the complaint (the respondent) and provide the respondent with a copy of the complaint and all supporting documentation (Appendix A.7). The Ethics Chair will first send an email to the respondent to inform them that the committee will be forwarding confidential information. The Ethics Chair will ask the respondent to confirm that this is the best address to reach them or to provide an alternate address. Communication between the CRC and the respondent is intended for the Complaint Review Committee, and need not be shared with the complainant.

It is the responsibility of the complainant and the respondent to read the P&P and familiarize themselves with the processes and potential outcomes. However, both the complainant and the respondent will be informed at this time that the consequences of an ethics violation include the respondent being banned from serving on the board and disqualified from receiving any POC awards, in perpetuity or for the period of time recommended by the committee**.**

In the event that an Ethics Complaint file pertains to the ongoing work of POC and/or the POC Board of Directors, the Ethics Chair will summarize the relevant issues in writing for the Board, without identifiers, as soon as merit has been determined that the complaint involves Board members or processes. The Ethics Chair will engage with the Executive Director or POC President to solicit strategic advice from outside the organization.

If the Complaint Review Committee identifies that there is insufficient evidence to determine whether the complaint merits investigation, the Complaint Review Committee will seek further information from the complainant. The Ethics Chair or Executive Director may help the complainant provide any missing information.

If no further information is available, the complaint will be dismissed and it will not be reviewed again unless the committee unanimously determines new information has been made available that warrants review.

The Ethics Chair, Ethics Committee and Complaint Review Committee have at their disposal a set of templates to support their communication with the complainant, respondents and any other individuals named in the complaint.

Investigation of Complaint
The Complaint Review Committee will seek additional, supporting information from the complainant, respondent, and any relevant third parties. ***Additional information is to be gathered within the 30 days of the Committee notifying the complainant of merit of the complaint***.

The Committee shall presume at the outset of its investigation that the respondent acted ethically, and shall determine that an act of misconduct occurred only if it finds clear and convincing evidence of such misconduct.

Investigation Medium
An Ethics Complaints Review Committee may, at its discretion, use oral communication to investigate a complaint. The conversation must be recorded for sharing with the other committee members, or conducted live (using online technology) with at least two members of the Complaint Review Committee present. Permission must be obtained from all participants before recording any conversation. Any recorded conversations must be archived with the complaint documentation. Recorded conversations need not be included in documentation disclosed to the other party.

Resolution
The Committee has up to 44 days from the date the complainant was notified that the complaint held merit for investigation, to make one of the following three decisions:
a. The complaint is unsubstantiated;
b. The complaint is substantiated;
c. The complaint is outside the scope of the Conduct Policies and the mandate of the Complaint Review Committee.

In the case of (a) or (c), the complaint shall be dismissed, and the complainant and respondent shall be notified in writing by the committee. This decision shall not be subject to appeal, and the complaint may not be filed again.

In the case of (b), where the committee finds clear and convincing evidence of a violation of the Code of Ethics or Codes of Conduct, the Complaint Review Committee shall prepare a written decision setting forth the nature of the complaint, the basis for the Committee's decision and its recommendation of an appropriate course of action. This document will form, along with any investigative material, the archived file on the complaint. The committee shall inform the complainant and respondent in writing of its decision and recommendations (Appendix A.8) ***within 7 days of the written decision*** and require the Executive Director to act on recommendations that impact the member's relationship with POC.

Sanctions
In the event that a complaint is substantiated (a), however a minor infraction has been found, the committee may request a letter of apology be sent by the respondent to the complainant, within a specified time period. Failing to fulfill this requirement may lead to additional sanctions as described below.

In the event a violation is confirmed by the Complaint Review Committee, the Committee may recommend sanctions including but not limited to probation, suspension, revocation of membership, mandatory professional education, ineligibility to serve on the National Board or other National level committee, or any other such redress to the ethical violation as the committee may find appropriate in the circumstances. **Members who are deemed to have achieved POC awards by the same violation may have that award revoked.**

Members found by a Complaint Review Committee to be in violation of the Code of Ethics, Codes of Conduct or Conflict of Interest Policies may be deemed ineligible to receive future awards. Each year, the Awards Committee Chair shall submit the names of all nominees (or all finalists, if such a list is prepared) to the Executive Director, who shall inform the Chair which, if any, of the nominees have been found in violation of the Conduct Policies and are therefore ineligible for an award. This information shall be kept in strictest confidence by members of the Awards Committee.

The CRC may recommend time limits on any sanctions or consequences arising from their decision, including expunging a violation from the member's record.

If a respondent resigns from POC before resolution of the complaint, the complaint process will proceed and the results will be documented, regardless of the outcome. If the process finds in favour of the complainant, eligibility of the respondent to re-join POC at any point in the future may be withheld.

Complaint Files/Records
At the conclusion of the investigation, the Complaint Review Committee will prepare both a full report as identified above and a redacted version of their report, based on the templates provided. This abstract will not contain any information that identifies either the complainant or the respondent. The full report will include, but not be limited to: a description of the behaviour or actions leading to the complaint, the principles alleged to have been violated, the process the committee undertook, and the decision(s) reached. This full report, once approved by the Complaint Review Committee, will be submitted to the Ethics Committee and kept on file by the association management company. The redacted report will be

retained by the Ethics Committee to form, together with other redacted reports, a reference record for history and precedent.

The POC Board liaison to the Ethics Committee will forward the redacted report to the Board for information purposes only. It will also be kept on file at the association management company. In the event that policy changes are recommended by the Review Committee, the Ethics Committee, or the Board of Directors as the result of a complaint, those recommendations will be filed together with the records of the complaint.

The Complaint Review Committee may make recommendations to the Ethics Committee for additional distribution of the abstract, where appropriate, to individuals deemed by the Complaint Review Committee to have been substantially impacted by, and have a material interest in, the outcome of the complaint.

Additionally, the association management company will maintain a searchable document containing a synopsis of each ethics complaint. This document will list the nature of the complaint, the names of complainant and respondent and their respective chapters, the decision of the committee, and any actions taken or recommendations made. Upon receipt of any new complaint, this document will be reviewed by the Executive Director and/or the Ethics Chair to determine whether there is historical information relevant to the new complaint.

APPEAL PROCESS
*Following notification of the Complaints Review Committee decision, the complainant and respondent have **21 days to appeal** the Committee's decision.*

A decision by the Complaints Review Committee may be appealed if the complainant or respondent has new, relevant information which was not considered by the Committee or wishes to request that specific information be given further consideration. The appealing party must submit the appeal to the Committee Chair, along with any new information, **within 21 days of the notification of the original written decision**.

The Committee shall then review the entire investigative file, its decision and recommendation, as well as the new information and, **within 14 days of receiving the appeal,** shall render its final decision and recommendation, which will be conveyed to the complainant and respondent **within 21 days of having received the appeal.** There will be no further appeal of this decision.

In the event that any of these timelines cannot be met, all parties shall be informed in writing of the status of the investigation, the reason for the delay, and the proposed new target for completion.

Dissolution of Complaint Review Committee
Each Complaint Review Committee will be dissolved approximately one month after the timelines for resolution are fully ended. A debrief about the committee experience will be held by the Complaint Review Committee during that month, in order that any policy or procedure issue may be brought to the attention of the Ethics Committee and, as appropriate, the Board of Directors.

Confidentiality
All Ethics Committee members are required to sign a Confidentiality Agreement (Appendix A.11) with respect to their work on identifiable content of complaint files. Confidentiality Agreements will be retained by the association management company.

During the process of a complaint review all information pertaining to that complaint is confidential. Once the complaint file has been closed the names of the complainants/respondents/other parties **remain** confidential but information concerning the nature of the complaint and its disposition will be shared with relevant bodies.

In the event that the complaint names a Board member as a respondent or involves the operations of the Association, an external consultant will be engaged to support investigation and resolution. That consultant, in conjunction with the Complaint Review Committee, will decide when and how the Board of Directors will be notified if there has been a breach of any of the Conduct Policies that impacts the ongoing work of the Board of Directors and the Association.

Complainants are encouraged to use extreme caution and discretion if/when discussing their complaint internally and externally of the POC Ethics Complaint Review Process, in order to protect the reputation of members involved in a complaint while the investigation is ongoing. This includes discussion amongst family, friends and colleagues, within POC and in the public.

Complaint files will only be made available to the Executive Director, current Ethics Chair, relevant Ethics Complaints Review Committee members and non-voting members, and any external advisors.

Communication with Members
POC is committed to demonstrating accountability and transparency to its members and their clients. Abstracts on each ethics complaint, without identifying information, will be made available on the POC website and published in POC Talk in order to educate the membership on acceptable and unacceptable ethical practice and behaviour.

POC CONFLICT OF INTEREST POLICY
(Created October 2017)

POLICY
This policy outlines procedures to be taken when a conflict of interest, real or perceived, exists. This policy applies to all POC members, employees, and contractors.

PURPOSE
The purpose of this policy is:
- to protect the integrity of POC’s decision-making process;
- to protect the integrity and reputation of POC and its members, volunteers, and Directors;
- to increase confidence in POC and the professional organizing industry.

This policy is intended to supplement fair and impartial judgment and a high ethical standard. Members, volunteers, and staff are expected to respect its spirit as well as its wording.

DEFINITION OF CONFLICT OF INTEREST

A conflict of interest is a situation in which a person has a private or personal interest sufficient to appear to influence the objective exercise of his or her official duties at POC.

“Private or personal interest” refers to an individual’s self-interest (e.g. to achieve financial profit or avoid loss, or to gain another special advantage or avoid a disadvantage); the interests of the individual’s family, business partners or friends; or the interests of another organization in which the individual holds a position (voluntary or paid).

“Objective exercise of duties” refers to an individual’s ability to carry out her or his responsibilities in the best interest of POC.

A Board member, employee or volunteer of POC may be in a conflict of interest situation that is:

- Actual or real, where official duties may be influenced by private interests.
- Perceived or apparent, where it is likely that an observer may perceive that official duties may be influenced by private interests.

PROCEDURES for Declaring and Managing Conflict of Interest

1. This policy must be explained to all new Board members, staff and volunteers. All such affected persons must agree in writing, at the outset of taking a position or volunteering with POC, that they will abide by this policy.

2. Board members and staff must disclose possible conflict situations to the Board. Subsequent material changes must be disclosed when they first emerge. Volunteers must inform their Board Liaison of possible conflict situations.

3. The Board Chair (or Executive Director if appropriate) will indicate to each individual whether any further action is necessary to manage the possible conflicts of interest disclosed. Actions might include the following, depending on the severity of the conflict:

- Declaring the conflict to all concerned before discussion or decision-making;
- Withdrawing from final decision-making only;
- Withdrawing from all aspects of discussion and decision-making.

“Withdrawing” means leaving the room or conference call completely.

4. The Board Vice-Chair will, together with the Board, deal with the Board Chair’s own conflict of interest situation.

5. In the event that an individual does not agree with the perception that he or she is facing a conflict of interest or the action indicated, the decision of the Board will be final.

6. The minutes of the board and of any committee concerned will reflect all disclosures and subsequent actions taken.

7. Should a member participate in discussion or decision-making while failing to disclose a conflict of interest, actual or perceived, that member will immediately be suspended from duties pending a review by the Ethics Committee. If no Ethics Committee is in place or for any reason the Ethics Committee is unable to undertake the review, it will be conducted by the Board. The review body may recommend any of the following consequences:

- The individual may be required to publicly announce their conflict and show evidence that no benefit was received by them, their friends, families, or business associates;
- The individual may be removed from their position;
- The individual may be barred from future service;
- A formal Ethics Complaint may be launched.

8. Members, volunteers, and staff shall exercise care not to disclose confidential information acquired in connection with any declaration of, or investigation into, a conflict of interest. They shall also take care to avoid using such information for their own profit or advantage, or the profit or advantage of friends, colleagues, or family members.

Appendix A.1

POC Ethics Committee

Roles and Responsibilities

Mandate The Ethics Committee will:

a. Serve as a resource to POC and its members on issues related to conduct and ethical principles;
b. Provide leadership to POC and its members on conduct and ethical principles;
c. Serve as a pool of volunteers from which Complaint Review Committee members will be drawn;
d. Make recommendations to the POC Board of Directors on issues of conduct and ethical principles including modifications to governance and/or operational policies and procedures to support the interests of POC and its members;
e. Ensure the Code of Conduct and Ethics Complaint Policy and Procedure is implemented correctly and in a timely manner.

Membership The Ethics Committee shall consist of:

a. Five POC members chosen from a pool of volunteer applicants following an annual solicitation to the membership for members of the Ethics Committee;
b. One member of the National Board of Directors in non-voting capacity, to be appointed at the first Board meeting following the Annual General Meeting of the Association.
c. The Executive Director in a non-voting capacity.

The following criteria will be ***considered*** in assessing eligibility to serve on the Ethics Committee:

a. Any past experience developing or administering codes of ethics, codes of conduct, professional standards and the equivalent; or
b. Any past experience as a trainer or instructor in ethics; or
c. Any training or education relating to ethics; or
d. Any experience in non-profit leadership, particularly of professional associations including but not limited to POC; or
e. Any training or education in non-profit governance; and
f. Any other skills that demonstrate knowledge, commitment and willingness to serve in the ethical review process.

The following criteria will be ***required*** for a member to be considered eligible to serve on the Ethics Committee:

a. Member must not have been found in contravention of ethics codes or the equivalent, and not have been expelled from or disciplined by a professional association or professional regulatory body; and
b. Member must not have not been declared mentally incompetent under applicable provincial law.
c. If the candidate has had a declaration of bankruptcy at any time, an explanation may be requested.
d. Willingness to undergo a criminal reference check on request, at the expense of POC.

Each member will normally serve a two-year term, with a maximum of two terms, with the exception of the non-voting Board member who will be named to the Committee on an annual basis. At the initial formation of the standing committee, half of the committee members will serve a one-year term. In this manner, half of the members will end their term each year.

A Chair will be selected by the Committee members at the first meeting of the Committee from amongst those who stated willingness to act as Chair on their applications. The Ethics Chair will appoint a Vice Chair who will immediately step into the Chair's position if they are unwilling or unable to continue.

The applications will be kept on file at the association management company for the two-year period that the member serves on the committee and then be archived for five years. When a Complaint Review Committee is formed to manage a complaint, a copy of each person's application to the Ethics Committee will be filed with the documentation related to that issue once the complaint is resolved.

Support Staff
The Executive Director (ED) will provide administrative support as needed.

Meetings
The Ethics Committee will meet at least 4 times per year. The meeting schedule and frequency will be determined by the Chair with the Committee members, depending on need. Meetings will be held remotely using contemporary technology such as a bridge line or cloud-based meeting technology. Online documentation will be used.

Upon joining the Ethics Committee, each member is required to sign a Confidentiality Agreement. (Appendix A.11)

Governance
The Ethics Committee shall operate on a consensus basis. Consensus is defined as "a search for the best decision, based on exploring and incorporating everyone's thinking". This does not necessarily mean 100% agreement, but does indicate that everyone understands, can explain, and will support the decision of the group.

The Ethics Committee will report to the Board through the Director who serves on the Committee. The board member will report only those matters they are instructed to report by the Committee, and will not reveal any confidential information to which they are privy as a consequence of serving on the Ethics Committee.

Although POC is a democratic body, it may be necessary to remove a member in order to ensure POC's growth. Any member who does not fulfill their service commitment to the Ethics Committee will be asked to resign. This may result from, but is not limited to, the following:

a. Not adhering to the POC Code of Ethics;
b. Not adhering to the POC Policies and Procedures;
c. Missing two consecutive meetings without medical cause;
d. Misrepresenting one's position and/or authority within POC;
e. Fraudulent and/or illegal behaviour while representing POC.

In the event that a member who acts to the detriment of POC or the Committee refuses to resign, they may be removed using the Association's Policies and Procedures.

Resources and Budget
An annual budget will be identified by the Committee and, through the Chair, finalized in conjunction with the annual POC Board of Directors budgeting process.

Any necessary expenses incurred (such as postage, courier, copying) will be reimbursed by POC, provided the expense is approved by the Director of Finance prior to being incurred.

Deliverables

a. The Ethics Committee will provide a means for enhancing the depth and breadth of knowledge within POC on conduct and ethical principles and standards.

b. The Ethics Committee will ensure that the Code of Conduct and Ethics Policy and Procedure are followed in the event a complaint is received.

c. The Ethics Committee will develop and present to the Board recommendations it identifies to enhance the depth and breadth of ethical understanding and functioning of POC.

Appendix A.2

POC Ethics Committee
Position Description - Chair

Mandate

The Chair of the Ethics Committee provides leadership to the Ethics Committee and any Complaint Review Committees.

Eligibility and Selection of Chair, Ethics Committee

The Chair of the Ethics Committee will be chosen from the pool of members volunteering for membership on the Ethics Committee. In applying for membership in the Ethics Committee, members will indicate if they are interested in serving as Chair of the Ethics Committee. Members of the Ethics Committee will review the application of any member who has expressed interest in the Chair Position. Ethics Committee members will then have a vote to determine who will be the Chair.

Accountability

The Chair is accountable to the Board of Directors to ensure that the mandate of the Ethics Committee is fulfilled.

Term

The Chair of the Ethics Committee serves a two-year term, renewable for one further two-year term.

Responsibility

1. Provide leadership to the Ethics Committee, ensuring its mandate is executed.
2. Be a resource to the POC membership and Board of Directors regarding ethical issues.
3. Address each ethics complaint received by the Association in accordance with the procedure and support the complainant in complying with the procedure requirements.
4. Establish a Complaint Review Committee for each ethics complaint received in accordance with the complaint procedure, and delegate all further decisions regarding that complaint to the specific Review Committee.
5. Act in the capacity of Chair for the Ethics Committee and each Complaint Review Committee, unless otherwise indicated in the policy.
6. Declare a conflict of interest or allegiance if a complaint is received where the Ethics Chair has or had a significant business or personal relationship with a complainant or respondent.
7. Appoint a Vice-Chair in the event the Chair has declared a conflict of interest or is unable to serve in any given complaint or discussion.
8. Inform the Board, at least annually, of the number and type of complaints dismissed, substantiated in whole or in part, or unsubstantiated, and the average response time, including requests for advice.
9. Ensure each Complaint Review Committee resolves complaints within the timelines specified by the Policy, and keep the Board, complainant(s) and respondent(s) regularly informed of the progress of the complaint file if that timeline is not met.
10. Maintain the confidentiality of complainant(s) and respondent(s), including ensuring that reports to the Board or members do not contain any identifying information.
11. Prepare a redacted report for the Board on each ethics complaint received by the Ethics Committee, regardless of its outcome.

12. Review, in conjunction with the Executive Director, abstracts and other records on file whenever a new complaint is received, in order to identify any historical information that may be relevant to the new complaint.

Appendix A.3

POC Ethics Committee
Application to Serve on the Committee

Name of Applicant: ___________________________

POC Member since: ___________________________

Please be advised that the term for all members serving on the Ethics Committee will be 2 years and that you must meet some of the following criteria to be deemed eligible:

1. Please indicate what experience you have developing or administering codes of ethics, codes of conduct, professional standards or the equivalent.

2. Please indicate what experience you have as a trainer or instructor in ethics.

3. Please indicate what training or education you have relating to ethics principles.

4. Please indicate what experience you have in non-profit leadership, particularly of professional associations including but not limited to POC.

5. Please indicate what training or education you have in non-profit governance.

6. Can you affirm that you have not been found in contravention of an ethics code or the equivalent, and that you have not been expelled or disciplined by a professional association or professional regulatory body?

7. Can you affirm that you have not been declared mentally incompetent under any applicable provincial law?

8. Can you affirm that you have never declared a bankruptcy? If you have, would you be willing to provide an explanation?

9. Can you affirm that you do not have a criminal record?

10. Would you be willing to undergo a criminal reference check on request, at the expense of POC?

11. Please indicate what other experience you have that demonstrates knowledge, commitment, skill and willingness to serve in the ethics/conduct review process.

12. Would you be willing to serve as the Ethics Committee Chair?

I solemnly swear that the above information is true and answered to the best of my knowledge and ability.

Signature ________________________________ Date: ________________________________

Appendix A.4

POC Ethics Committee
Complaint Review Committee Roles and Responsibilities

Mandate
The Complaint Review Committee (CRC) will review, research and resolve all complaints that are received.

Membership
The Complaint Review Committee shall consist of two members drawn from the Ethics Committee along with the Ethics Committee Chair. Their term will last until the complaint process has been completed, at which point the Complaint Review Committee will be dissolved by the Chair. A supplementary list of POC members willing to volunteer for the Ethics Committee, but not appointed to the Ethics Committee, will be maintained from the annual solicitation for Ethics Committee members. In the event that for any reason a Complaint Review Committee cannot be struck using members of the Ethics Committee, members of the Complaint Review Committee will be appointed from this supplementary list.

Support Staff
The Executive Director will provide administrative support as needed.

Meetings
The Complaint Review Committee will meet on an **as needed** basis according to the guidelines established in the Code of Conduct and Ethics Complaint Policy and Procedure.

Governance
The Complaint Review Committee is responsible to the Ethics Committee through the Ethics Committee Chair.

Volunteer Expense Reimbursement
Any necessary expenses (such as postage, courier, copying) will be reimbursed by POC. Such expenses shall be approved by the Director of Finance prior to being incurred.

Deliverables
a. Research, in accordance with the POC Code of Conduct and Ethics Complaint Policy and Procedure, a conduct complaint brought to POC in order to determine if there has been a breach of the Conduct Policies by the POC member(s) identified within the complaint.
b. If a breach has occurred, decide what consequences to the member are appropriate.
c. Provide appropriate communication with the complainant(s) and respondent(s).
d. Following resolution or dismissal of the complaint, provide the Executive Director with a full report for inclusion in the POC records kept on file by the management company.
e. Provide the Ethics Committee and the Board with a redacted summary of the complaint, decision and actions taken.
f. Identify and report to the Ethics Committee any issues arising from an ethics complaint that require further research, review or policy development, or education, on the part of POC.

Appendix A.5

POC Ethics Committee
Receipt of Complaint Letter Template

Date:

RE: Receipt of your Letter of Complaint

Dear ***__insert complainant's name__.***

This letter is to acknowledge receipt of your Letter of Complaint dated ___________________________ regarding the action of __________________________.

Your letter was received on ***insert date letter was received.***

The first step of the complaint process is to determine if your complaint has validity. Within the next seven days, the Chair of the Ethics Committee will establish a Complaint Review Committee which will make this determination and notify you of their decision. You may be asked for further information to facilitate this process.

Assuming your complaint is considered valid, a full investigation will be initiated. At that time you will also be provided with additional information to assist you through the Complaint Review Process.

Please do not discuss this matter outside of the Complaint Review Process in order to protect the integrity of the process and the reputations of all involved.

We thank you for your participation in this process.

Sincerely,

Name
Chair, Ethics Committee

Appendix A.6

POC Ethics Committee
Notification of Merit Letter Template

Date:

RE: Decision regarding your complaint dated ______________________________

Dear ***insert complainant's name.***

This letter is to notify you that the Complaint Review Committee has found that your complaint merits investigation.

We will be notifying the respondent immediately to provide them/her/him with a copy of the complaint and request their response. Note that while your name will be revealed to the respondent(s), they will be instructed not to contact you directly. We also ask that you not contact them directly during this process.

We may also seek additional information from you and/or relevant third parties.

The POC Code of Conduct and Ethics Complaint Policy and Procedure states that the Complaint Review Committee has 44 days from the date of this letter to conclude its investigation and render a decision on your complaint.

It is your responsibility to familiarize yourself with the policies and procedures for ethics complaints. In particular, be aware that that members found in violation of the Code of Ethics are banned from serving on the board and disqualified from receiving any POC awards, in perpetuity or for the period of time recommended by the committee.

The deliberations of the Complaint Review Committee are confidential. Please do not discuss this matter outside of the Complaint Review Process in order to protect the integrity of the process and the reputations of all involved.

Sincerely,

Name
Chair, Ethics Committee

Appendix A.7

POC Ethics Committee
Notification of Complaint Letter

Date:

Re: Letter of Complaint submitted by *__insert complainant's name__*.

Dear ***_insert respondent's name_,***

This letter is to notify you that a complaint has been lodged with the POC Ethics Committee by ***_insert complainant's name_***. This complaint alleges misconduct on your part in contravention of the POC Code of Conduct and Ethics. The Ethics Review Committee will be investigating this Complaint.

We are forwarding a copy of the Letter of Complaint to you and ask that you respond to the allegations within 14 days. We may also seek additional information from you and/or relevant third parties.

The POC Code of Conduct and Ethics Complaint Policy and Procedure states that the Ethics Review Committee has 44 days from the date of this letter to conclude its investigation and render a decision regarding this complaint.

It is your responsibility to familiarize yourself with the policies and procedures for ethics complaints. In particular, be aware that that members found in violation of the Code of Ethics are banned from serving on the board and disqualified from receiving any POC awards, in perpetuity or for the period of time recommended by the committee.

insert complainant's name has been instructed to not contact you directly and we also ask that you not contact them/her/him directly during this process.

The deliberations of the Complaint Review Committee are confidential. Please do not discuss this matter outside of the Complaint Review Process in order to protect the integrity of the process and the reputations of all involved.

Sincerely,

Name
Chair, Ethics Committee

Appendix A.8

POC Ethics Committee

Complaint Decision Letter Template

(Notification to Complainant(s) and Respondent(s))

Date:

RE: Complaint Decision

Dear_____________________(complainant) and ___________________(respondent)

In the complaint from ***insert complainant's name*** received on ***date*** regarding the actions of ***insert respondent's name*** regarding ***describe matter***.

The Complaint Review Committee has made a decision that:

a. The complaint is unsubstantiated;
b. The complaint is substantiated; or
c. The complaint is outside the scope of the Policy.

The Committee found clear and convincing evidence of a violation of the POC Code of Conduct and Ethics, the POC Board Code of Conduct, POC Conflict of Interest for Board Members or the POC Conflict of Interest Policies, collectively known as the Conduct Policies, specifically "*quote applicable principle or section*)"

Members found in violation of the Code of Ethics are banned from serving on the board and disqualified from receiving any POC awards, in perpetuity or for the period of time recommended by the committee.

The nature of the complaint:

Our basis for this decision:

Our recommended course of action (probation, suspension, revocation of membership, mandatory professional education, or any other such redress to the ethical violation as the committee may find appropriate in the circumstances):

Under the POC Code of Conduct and Ethics Complaint Policy and Procedure, following this notification, "the complainant and respondent have 21 days to appeal the Complaint Review Committee decision. A decision by the Complaints Review Committee may be appealed if the complainant or respondent has new, relevant information which was not considered by the Committee or wishes to request that specific information be given further consideration." The appealing party must submit their appeal to the Committee Chair, along with any new information, within 21 days of the date of this letter.

Once the appeal time has lapsed, the decisions of the committee are final, and any further requests for review may result in further sanctions.

Sincerely,

Name
Chair, Ethics Committee

Appendix A.9

POC Ethics Committee
Full Complaint Report Template

(*Note that this form may be changed as it is put to use and this version serves as a guiding document.*)

Date of this report: ____________________

RE: Full Complaint Report

Date Complaint received: _________________________

Members of Complaint Review Committee assigned to assess this complaint:

Complainant(s) (Name, Company Name, POC Chapter, City, Relationship to Respondent(s)):

Respondent(s) (Name, Company Name, POC Chapter, City):

Specific ethics/conduct principle(s) alleged to have been violated:

Documentation submitted with complaint (emails, etc.):

Details of the complaint:

Steps taken by Complaint Review Committee (ie interviews, investigative steps, etc.)

Findings/decision of the Complaint Review Committee

Complaint Review Committee recommended course of action (such as probation, suspension, revocation of membership, mandatory professional education, or any other such redress to the ethical violation as the committee may find appropriate in the circumstances)

Date complainant was informed of decision:

Date respondent was informed of decision (if applicable):

Date Appeal received:

Date complainant and respondent notified of Appeal Decision:

Date Redacted Complaint Report submitted to Ethics Committee:

Appendix A.10

POC Ethics Committee
Redacted Complaint Report Template

(*Note that this form may be changed as it is put to use and this version serves as a guiding document.*)

Date of this report:

RE: Redacted Complaint Report

Date Complaint Received: ______________________

Specific ethics/conduct principle(s) alleged to have been violated:

Summary of the complaint (identifying details have been left out to support confidentiality):

Summary of steps taken by Complaint Review Committee (ie interviews, investigative steps, etc., including any appeals):

Summary of findings/decision of the Complaint Review Committee:

Complaint Review Committee recommended appropriate course of action (such as probation, suspension, revocation of membership, mandatory professional education, or any other such redress to the ethical violation as the committee may find appropriate in the circumstances):

Date complainant was informed of decision: ______________________________________

Date respondent was informed of decision (if applicable): ____________________________

Appendix A.11

POC Ethics Committee
Confidentiality Agreement

Date:

Name:

Company Name:

This is to certify that as a POC Ethics Committee member I, ____***insert name***__________ understand that any information (written, verbal or any other form) obtained during the performance of my duties as a Committee member must remain confidential. This includes all information about a complaint itself as well as the identities of those participating in a complaint procedure.

I understand that any unauthorized release or carelessness in the handling of this information is considered a breach of the duty to maintain confidentiality. Devices containing confidential ethics information must be kept private and/or password-protected.

I further understand that any breach of the duty to maintain confidentiality may be grounds for immediate removal from the Ethics Committee and the initiation of an ethics violation complaint against me.

Signature____

Date____

Appendix A.12

Complaint Submission Guidelines

POC Code of Conduct and Ethics

The POC Ethics Committee provides these guidelines to assist with a timely, thorough and formal complaint submission. For complete details refer to POC Code of Conduct and Ethics Policy and Procedures found on our website.

Complaint Submission:
The complainant will be asked to provide the following information in writing, in "read only" format to both the Ethics Chair and Executive Director:

d. Confirmation that a formal complaint is to be initiated;
e. The citation of the specific conduct principle(s) alleged to have been violated;
f. Details of the circumstances of the complaint along with supporting documentation or information as follows:
    - For complaints involving written communication, copies of any email correspondence or other documents are to be provided;
    - For complaints involving verbal communication, the complainant is asked to provide details as to the circumstances of the conversation, persons present, the location and date of the conversation, along with as much of the verbatim conversation as can be recalled.

NB: The complainant will be cautioned to provide only personal recollections of conversations, not to share recollections with any other persons. Other persons present will be contacted separately for their recollections.

Complaint Submission Checklist: (Requirements)
Please compile the following information to provide a clear picture of your concern:

- ❑ State that a formal complaint is to be initiated.
- ❑ Cite the specific conduct principle(s) alleged to have been violated.
- ❑ Include details of circumstances:
    - ❑ Include relevant documents (i.e. copy of contract, emails, other correspondence, etc.)
    - ❑ For complaints involving verbal communication include:
        - ❑ details of the conversation (verbatim where possible)
        - ❑ persons present
        - ❑ the location and date of the conversation
- ❑ Ensure document is in "read only" format.
- ❑ Please describe the relief sought from the respondent.
- ❑ What, if any, steps were taken to remedy this situation?
- ❑ Include your full contact details and preferred phone number.
- ❑ Send to: Ethics Chair and Executive Director