

## CANDANCE

### Complaints Policy

#### Purpose:

This policy aligns with the Network's Code of Ethics.

The CanDance Network is committed to ensuring its Members execute their responsibilities at the highest level, contributing to a culture of respect for all artists, fellow Network members, other presenters, venue operators and the public. The Network strives to foster a national community where all parties are valued and where rights and responsibilities are understood and upheld.

#### Policy:

To ensure that its members conduct their day-to-day business at the highest level as set out in The Code of Ethics, The CanDance Network is required to be responsive to complaints made by other CanDance members, dance artists/companies, other presenters, funding agencies or members of the public. The CanDance Network does not have the resources, nor is the Network mandated to police member activity.

This policy has been created to ensure that any investigation into a member's conduct is conducted fairly and any disciplinary action taken against a member on behalf of The CanDance Network is commensurate with the nature of the transgression or misconduct.

This policy also describes actions that The CanDance Network may undertake when a member does not remit fees committed (and past due) to an artist/company as part of a CanDance sanctioned project.

#### Responsibility and Delivery:

The Membership Committee will receive complaints and among them recommend appropriate action to the Executive Committee of the Network's Board of Directors. The Executive will determine the steps to be taken, if any.

#### **Definitions:**

The following list of potential infractions covered by this policy is not intended to be an all-inclusive list. Infractions may include:

- A member no longer meets the Network's eligibility criteria, or fails to uphold the roles and responsibilities of membership.
- A member's failure to honour its commitments to an artist as set out in a written or verbal contract or agreement.
- A member providing less than industry standard conditions in the presentation of a work.
- A member's failure to remit, in a timely manner, fees due to an artist/dance company as

stipulated in an agreement, including a CanDance Network project.

**Possible Actions:**

Every complaint made to the CanDance Network office will be investigated. The office is obliged to notify the Membership Committee immediately when a complaint has been lodged or a possible infraction has been brought to its attention. In some cases the CanDance staff may be asked to investigate a complaint and report its record of investigation and findings to the Committee. In others, the Committee might appoint one of its members to deal directly with the parties named in the complaint. If CanDance receives a complaint, the member or individual named will be notified and given an opportunity to respond to the complaint.

The circumstances surrounding each possible infraction will be considered on a case-by-case basis. The policy does not require that a certain infraction will result in the same response in every case.

**Actions to be considered**

**Progressive Discipline**

After a thorough investigation the Membership Committee might recommend progressive discipline whereby a member is issued a series of warnings and actions that could escalate to the member's removal. These actions could include:

- Written notice of what the Network requires the member to do to rectify the complaint or infraction and show evidence that they have met the Network's request within a given timeframe.
- Written notice that the member will be excluded from participating in future projects and will not be considered for Board or Committee membership until meeting the Network's request.
- Expulsion. Expulsion process is governed by bylaw 6.5 Removal, copied here.

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**6.5 Removal**

Any member who shall violate any provision of the bylaws of the Corporation or do any act which is, in the reasonable opinion of the board, injurious to the Corporation or to its reputation or who refuses or neglects to comply with any rule, regulation, resolution, order, or direction of the board, or of a duly authorized committee of the board, may be expelled from the Corporation by a resolution passed by at least two-thirds (2/3) of the directors present at a meeting of the board at which the matter is considered. No resolution for expulsion shall be put before the board until after the member in question has been notified in writing given at least one week prior to the date of the meeting of the board at which the resolution shall be put before the board of the allegations against the member, and the time and place of the meeting of the board at which the resolution will be

tabled and is afforded an opportunity for a hearing before the board.

#### Disclosure

It is in the interest of the Network to proceed cautiously when considering how or if it discloses a member's violation and any action taken by the Network in addressing a complaint. To that end, the Membership Committee must at all times conduct its business in an environment of strict confidentiality.

#### Steps:

1. Complaint received.
2. Staff or Board member notifies the Membership Committee about complaint.
3. The member or individual named will be notified about the complaint and given an opportunity to respond.
4. Investigation of the complaint carried out.
5. After a thorough investigation, the Membership Committee recommends a disciplinary action to the Executive Committee of the Network's Board of Directors.
6. If the committee recommends removal, terms of 6.5 in the bylaws are followed.