

ARROWSMITH COMMUNITY JUSTICE SOCIETY

Code of Ethics - Administration



Adopted

16 Oct 2014

GUIDING PRINCIPLE:

1. The Arrowsmith Community Justice Society (ACJS) has a responsibility to ensure that volunteers achieve and maintain high standards of practice and are accountable for their actions. The following structure is defined for administering the Code of Ethics. Definitions for the purpose of this document are:
 - a. Complainant will be the person(s) making the complaint of a breach to the Code of Ethics.
 - b. Defendant will be the person(s) accused of the breach to the Code of Ethics.

OBJECTIVES:

1. This Code of Ethics (Code) will be administered by the ACJS Board of Directors. The board appointed Standards & Ethics (S&E) Committee shall be a standing committee whose activities shall be congruent with the values, philosophy, beliefs and practices of ACJS. The S&E Committee shall:
 - a. Receive all complaints
 - b. Follow the process outlined in this document.
 - c. Upon completion shall make recommendation to the ACJS Board to correct the cause of the complaint.
2. The Code provides guidelines for all volunteers to follow. The effectiveness of the Code rests on the volunteer's integrity and willingness to be bound by it and to comply with any action that may be recommended by those upholding it.
3. A positive approach is taken in dealing with possible breaches of the Code. The process is designed to be fair, giving recourse to those who have legitimate complaints while protecting the defendant from vexatious and mischievous complaints. Where breaches of the Code have been determined, measures imposed will be corrective rather than punitive, designed to improve the volunteer's performance while fostering a positive attitude toward the restorative justice process.

PROCEDURES FOR DEALING WITH COMPLAINTS:

1. Step One – Initial Consultation

- a. Complaints, both verbal and written¹, will be received by the S&E Committee Chairperson who will:
 - i. Contact the complainant to clarify the issue(s),
 - ii. Review the complaint to determine whether or not the Code has been breached, and
 - iii. Notify the defendant that a complaint is pending.
- b. The S&E Committee Chairperson will reserve the right not to consider the matter if circumstances of the complaint do not warrant it. If such a decision is made, a memo to that effect will be entered in the file, stating the reasons for the decision. A copy of the memo will be sent to the complainant and the defendant.
- c. If a breach is verified, the S&E Chairperson will appoint one or two members to proceed with the file. Every attempt should be made to resolve the concern informally. This informal process shall include a facilitated meeting with the parties involved to discuss the issue(s) and attempt to reach a resolution acceptable to all parties.
- d. If a resolution has not been reached through a facilitated meeting, the matter may be:
 - i. referred to a formal process and the complainant will be asked to submit a written complaint, if they have not already done so, and the process will move to the next step, or,
 - ii. Should either party not be willing to meet, referred back to the S&E Committee to make a final decision.
- e. If the complainant does not pursue the complaint but the designated committee member(s) who worked with the complainant have concerns, they are to document them and bring the complaint to the S&E Committee for their consideration.

2. Step Two – Filing of Written Complaint

- a. Upon receipt of a written complaint, an acknowledging letter will be sent to the complainant indicating that the matter is being processed. The letter will include a point by point guide to the process.
- b. The S&E Committee reserve the right not to consider the matter if circumstances of the complaint do not warrant it. If such a decision is made, a memo stating the reasons for the decision will be entered in the file with a copy of the memo being sent to the complainant and the defendant.

¹ In the event that a complaint arises from an evaluation, the S&E committee will consider the complaint independent of the complainant, unless the evaluation is signed. In that event a member of the S&E Committee will contact the complainant to clarify their comments.

3. Step Three – After the Complaint is Filed

- a. The defendant will be contacted by the committee & subsequently notified in writing of the complaint within 10 days of the complaint being filed. The written notification will include a copy of the written complaint and indicate the section of the Code alleged to have been breached. The defendant will be requested to respond, addressing the specifics of the complaint, within ten (10) days of receiving the information package.
- b. The defendant will be notified that a copy of their response will be forwarded to the complainant.
- c. If warranted, the formal meeting will be arranged.

4. Formal Meeting Procedure

- a. The tone of the meeting should be businesslike and respectful. It will follow the steps taken for the Community Conference process.

5. Action in the Event of a Proven Breach of the Code of Ethics

- a. The following procedures may be considered and are recommended should a breach of the Code be proven. Every attempt should be made to provide a corrective solution to the complaint in order to help improve the defendant's performance and/or attitude.
 - i. A specified course of action for the defendant to pursue to improve practice. This might include a period of retraining and/or supervised practice.
 - ii. A verbal and/or written apology by the defendant to the complainant, with a copy of the document to be sent to designated S&E committee member(s). This will demonstrate the defendant's understanding of the breach and recognition of the harm done.
 - iii. Where deemed appropriate, a written reprimand.
 - iv. Permanent suspension of the defendant
- b. In all cases of a proven breach the defendant will receive and sign a letter summarizing the concern and the measures to be taken.