

PROGRESSIVE DISCIPLINE GUIDELINE

For the purposes of this document, the title "Supervisor" will be used instead of Group Commissioner or other Scouting line supervisor / Key 3 member (e.g. Council Key 3 members, Relationship Manager, Group Support Scouter, Camp Committee Chairperson or Event Management lead).

This guideline is not intended for Scouts Canada employees, for which the Scouts Canada employee and/or supervisor is referred to Human Resources for more information.

This guide details the steps of progressive discipline for Scouts Canada volunteers. The intent is to assist Commissioners or supervisors in determining when disciplinary action is necessary, what level of discipline is appropriate, and how to administer discipline.

Most volunteers only need to be properly onboarded, trained and informed of the expectations in order to be positive, productive Scouters. There are, however, times when a supervisor must use a more formal discipline process in order to get the Scouter's attention and attain the desired result. Supervisors must make sure that the Scouter has been properly trained and informed prior to resorting to the discipline process.

The principles of progressive discipline and just cause set forth in this guide are consistent with best practice people management from external organizations. The guide details:

- How to evaluate a situation prior to taking any disciplinary action
- A checklist of questions is provided to help the supervisor through the disciplinary process
- Sample templates for documenting disciplinary action as well as sample disciplinary letters

Two important issues need to be emphasized. First, although most of the guide focuses on cases that stem from a series of events leading to discipline, such as poor volunteer performance or poor behaviours, sometimes more serious incidents occur which require immediate suspension or termination. There are also times when a step can be repeated or skipped. Second, the level of responsibility or type of position within Scouts Canada may be relevant when implementing progressive discipline.

Volunteer Services and/or the Council Key 3 are available to assist the supervisor in administering the disciplinary process in conformity with Scouts Canada policies and procedures. At the more advanced disciplinary steps of suspension and termination of membership, Scouts Canada requires that the supervisor work with the Council Key 3 / Safe Scouting Department as required—and follow the Temporary Suspension and Termination Procedure.

Introduction to Progressive Discipline

a. Purpose of Discipline

The vast majority of Scouters will never need discipline or performance management, and all Scouters join Scouting with good intentions. In Scouts Canada, we will always first 'hold the mirror up' to ensure we have set you, the Scouter, up for success before we consider discipline management.

Discipline can be viewed as a form of performance management. In its literal sense, it is training that corrects or improves. Its purpose in Scouts Canada is to correct or improve role-related performance or behaviour by reinforcing desirable behaviour. Discipline should be progressive in nature so that Scouts Canada imposes the least severe action necessary to correct undesirable behaviour and moves to increasingly severe measures only if the problem is not corrected. The primary objective of discipline is to correct, not punish.

b. Progressive Nature of Discipline

Discipline must be progressive; this involves informing the volunteer of the problem and the need to correct it, and then using increasingly stronger disciplinary measures if the volunteer fails to correct the problem.

Often, the problem will first be brought to the volunteer's attention with a discussion. This initial discussion is generally not considered part of the formal disciplinary process. During the discussion, the supervisor should make sure the volunteer is aware of the problem and stress the importance and necessity of correcting the problem. Most volunteers will correct the problem through such a discussion. If the problem continues, disciplinary action may be initiated. Although this discussion is not recognized as a formal disciplinary step, we strongly recommend keeping a written record (typically in the form of a follow-up email to the volunteer).

c. Steps for Managing Performance

The formal disciplinary process may include a verbal warning, a written warning, Scouter role reassignment, or place Membership Under review with the potential recommendation for suspension and termination. For more serious problems, the earlier steps may be eliminated—refer to the Discipline, Temporary Suspension and Termination of Membership Policy and associated procedure.

The degree of discipline taken must correlate to the seriousness of the offence and the volunteer's record. Discipline should be taken at the minimum level necessary to bring about correction of the problem. If the problem is not corrected, more severe action will be taken, up to and including termination of membership. Other factors to consider when determining the appropriate discipline are the level of the volunteer's position and the type of position. For example, managers (e.g. Group Support Scouters, Council Key 3) and supervisors (e.g. Group Commissioners, Event or Camp Committee chairpersons) are held to higher standards of expected performance and behaviour.

- Preliminary discussion (performance coaching and support)—consider discussing role suitability with the volunteer, as appropriate.
- Progressive Discipline
 - Verbal warning
 - Written warning
 - Scouter role reassignment
 - Membership under review: potential suspension or termination from Scouts Canada

d. Establishing the Ground Rules (Our Code of Conduct)

Supervisors are required to promote volunteer morale and maintain a productive volunteer team. As a first step, supervisors must ensure the “ground rules” to which Scouts Canada requires all members to adhere are met or exceeded—our Code of Conduct. This will have been made clear in the initial onboarding and orientation phase for a volunteer including screening, Scouting Fundamentals and interviews.

Supervisors are accountable to ensure compliance with the Scouts Canada Code of Conduct, Bylaws, Policies and Procedures (BP&P) consistently and without discrimination—as well as consistent application of the Scout Law that all Scouters should abide. Being overly lenient or overlooking rules altogether invites disrespect, and over a period of time the rules become dormant and unenforceable.

By establishing clear, reasonable, and understandable expectations, communicating the expectations to volunteers and applying the expectations consistently, the supervisor is setting the standards for volunteer performance and behaviour. Not every volunteer will measure up to performance standards or comply with established expectations. When this occurs, the supervisor's responsibility is to take the necessary progressive disciplinary action.

The Steps of Progressive Discipline

There are no formulas or set rules that will apply to all situations and give the “answer” to the “proper” disciplinary steps to take. Each disciplinary action will depend upon the nature of the offence and the related circumstances.

Each step includes:

- **Providing detailed information** about the problem, concern or complaint:
 - Meet with the volunteer privately (consider a witness, support as required).
 - Clearly identify the problem and attempt to ensure the volunteer understands.
 - Allow the volunteer an opportunity to explain. Keep an open mind and listen to them.
 - Explain to the volunteer the expected behaviours.
 - Give clear, concise direction with specific goals, and provide opportunities for growth.
 - Explain the timeline for correction, and enlist volunteer's ideas and cooperation.
 - Inform the volunteer of the consequences if the problem is not resolved.
 - Ask if there is something you can do to support them being successful.
- **Documenting all interactions**
 - Keep careful, detailed, notes
 - Meeting dates
 - What you discussed
 - Any specific agreements the volunteer made to improve (what, when, etc.)
 - When you have agreed to meet again
 - Avoid use of emotional language—be specific and objective

Step 1: Verbal Warning

The verbal warning is used to bring a problem to the attention of the volunteer before it becomes so serious that it jeopardizes the long-term membership of the volunteer. It is the initial “formal” step of progressive discipline. The verbal warning is given privately, and the discussion is conducted in a friendly, but firm, “low-key” manner. A verbal warning is generally used when a problem persists after the supervisor has brought it to the volunteer’s attention first through a discussion. The purpose of this step is to alleviate any misunderstanding and to clarify the direction for necessary and successful correction of the problem.

Most performance problems are resolved at this stage. If the problem continues, the supervisor may want to repeat this step before proceeding to a written warning.

The verbal warning **must be documented** in a Performance Management / Discipline Incident Form and emailed to the Relationship Manager, CK3 and Safe Scouting. Safe Scouting will enter the record into a new ScoutSafe file and allocate a reference ID.

- Recap your initial discussion—reference the email and date.
- Clearly and objectively outline the complaint with specific dates, times and examples of the problem.
- Explain the steps of progressive discipline.
- Give specific expectations of improvement.
- State the consequences and the next steps of progressive discipline if performance or behaviours does not improve.
- Gain the volunteer’s commitment.
- Schedule a time to evaluate the volunteer’s progress.
- Document your meeting using the Performance Management / Discipline Incident Form. Send in an email to the Scouter and copy in the Relationship Manager and Safe Scouting.
- Safe Scouting is to enter the record into a new ScoutSafe file and allocate a reference ID.

Step 2: Written Warning (Formal Reprimand)

If the problem persists after a verbal warning, the next step is a formal written warning (reprimand). A written warning may also be the initial disciplinary action in more serious incidents.

The process is basically the same as in the verbal warning step—with the addition of a mandatory record and submission of a Performance Management / Discipline Incident Form. The

written warning includes a review of any prior related disciplinary action taken, a thorough statement of the circumstances causing the current disciplinary action, and a clear picture of future expectations. Documentation is critical, and the supervisor must complete the appropriate Performance Management / Discipline Incident. Safe Scouting will enter the record into a new ScoutSafe file and allocate a reference ID.

- Prepare a detailed written description of the problem, including specific times and dates.
- Explain the complaint to the volunteer.
- Recap the previous meetings.
- Give specific expectations of improvement.
- Point out specific performance goals.
- Schedule a time to evaluate progress.
- Explain the next step of progressive discipline if behaviour or performance does not improve.
- Gain the volunteer’s commitment.
- Document your meeting using the Performance Management / Discipline Incident Form. Send the form in an email to the Scouter and copy in the Relationship Manager and Safe Scouting.
- Safe Scouting is to enter the record into a new ScoutSafe file and allocate a reference ID.
- Continue to express your confidence in the volunteer’s ability to improve.

Step 3: Scouter Role Reassignment

When repeated coaching, training, and support do not help the Scouter meet our expectations, the responsible supervisor will explore with the Scouter reassignment to a different role. This can either be a role within the existing structure (e.g. Group, Section, functional team / committee), or can be a Scouts Canada ‘member’ without a designated youth or volunteer role, if appropriate.

Important: This is not a formal suspension, termination or removal from Scouting. This is a change in assigned role—in most instances to a role more suitable to the volunteer’s competency and interests, but can be no formal volunteer or youth role within the Group or Section. The volunteer is still a member of Scouts Canada.

Step 4: Membership Under Review—Recommend for Potential Suspension/Termination

In Scouts Canada, the Discipline, Temporary Suspension and Termination of Membership Policy and associated procedures referenced therein set out how violations of Scouts Canada's Adult and Youth Scouter Code of Conduct are to be handled.

Suspension is the last corrective step in the disciplinary process and is normally preceded by a verbal warning and a written warning/reprimand. In a few extremely serious cases, suspension may be warranted as the initial step in the disciplinary process (refer to the policies for more specific details). Contact Safe Scouting if considering the potential suspension of any volunteer.

When a supervisor believes that one or more official warnings for repeated violations of the Code of Conduct warrants the termination of a Scouter's membership, the Commissioner must:

- Submit a summary template to the Council Key 3 and document in the ScoutSafe App.
- The Key 3 will submit approved reports to the Safe Scouting Department. The Safe Scouting Department will present it to the National Review Board for consideration.
- Inform the Scouter that the matter has been to the National Review Board. The explanation must be in writing (template letter provided).

The Scouter will be informed of the decision of the National Review Board along with the procedure for appealing a termination.

Important: The Temporary Suspension and Termination Procedure describes how and when a Scouts Canada member may be suspended or terminated as a result of their conduct. Only the Director of Safe Scouting may suspend a member pending review of the member's behaviour.

Note: It is not necessary for a membership to be suspended in order for the CK3 to recommend the membership be placed under review to the NRB.

Note: When a volunteer has their Membership Under Review, the accountable CK3 should ensure that all documentation is completed and provided to Safe Scouting for NRB within a 30-day period.

Time Frames

Timing is critical in three different areas within the disciplinary process: timeliness of the disciplinary action, time between disciplinary actions and the time given to the volunteer to correct the problem.

a. Timeliness of the Disciplinary Action

Disciplinary action should be administered as soon as possible after the problem occurs or is discovered. Generally, it should not take more than ten days to complete an investigation and administer any appropriate disciplinary action after the incident or after the supervisor learns about the incident. The time frame could be extended if Scouts Canada Safe Scouting needs to complete an investigation.

b. Time Between Disciplinary Actions

Progressive discipline is considered successful if no further disciplinary action is necessary for at least three years. There is no minimum time between disciplinary steps. The supervisor needs to allow enough time for the volunteer to correct the problem. This may be immediately, a week, a month or several months, depending upon the nature of the problem.

c. Time Limits for Correcting the Problem

In situations where the volunteer can resolve the problem, indicate the expectations that the volunteer must immediately achieve and maintain acceptable performance standards to avoid further disciplinary action. While it is appropriate to give positive as well as constructive feedback to the volunteer, don't go overboard in praising the volunteer as you address the problem. It is important for the volunteer to know, although they have done well, the problem is still a concern and the potential for further disciplinary action still exists.

If the supervisor sets a target date by which the volunteer must display the required behaviour, it may inadvertently hamper flexibility and commitment to start over or repeat a disciplinary step if the problem recurs after the target date. In situations where the volunteer needs to develop a skill, learn a procedure, or improve the level of performance, it may be appropriate to set a date when the situation will be reviewed. Document throughout this time period. Once the skill has been learned or a certain level of proficiency attained, it is essential to communicate the expectation that the acceptable performance level must be maintained.

d. Time for Follow-Up when Membership Under Review

When a volunteer has their Membership Under Review, the accountable CK3 should ensure that all documentation is completed and provided to Safe Scouting for NRB within a 30-day period.