

Issue Resolution Policy and Procedures

1. Introduction

When to use

This policy sets out the requirements for Society for Creative Anachronism (SCA) members and wider SCA institution to report, investigate and manage issues to protect its members.

A summary flowchart is also available to help quickly follow the process here:

<https://sca.org.au/wp-content/uploads/2024/06/Lochac-Issue-Resolution-Procedure-Flowchart-7-June-2024.pdf>

Apply this policy when you need to:

- Report an issue.
- Respond to an issue.
- Investigate an issue.
- Apply an administrative action, including temporary suspension from:
 - Holding an office,
 - Access to SCA bank accounts or monies,
 - Specific SCA-related activities,
 - Participation, including kingdom-controlled social or electronic media,
 - Contacting, or being in line of sight of, the Crown.
- Permanently prohibit a person from all participation, including kingdom-controlled social or electronic media (i.e., Revocation and Denial of membership or R&D).
- Appeal a decision made by an officer.

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2. About this policy

2.1 Purpose

The primary purpose of issue resolution is to protect members, participants, and the public so that they may safely enjoy the SCA. By providing clear direction on the fair and timely resolution of issues, issue resolution not only protects people but strengthens the organisation's reputation by taking action to mitigate identified risks. This can include, if necessary, the removal or restriction of participation of an individual who has demonstrated conduct that conflicts with the SCA values and [expected behaviours](#).

This policy also addresses the obligations of s26 of New Zealand's Incorporated Societies Act 2022.

This policy sets out:

- That anyone can report an issue.
 - What issues should be reported and how to report them.
 - How to respond to an issue including the requirements for investigating circumstances that lead to an issue being raised.
 - The types and maximum durations of administrative actions.
 - The process for issuing a revocation and denial of membership.
 - The right of appeal against a decision made as part of issue resolution.
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2.2 Who it applies to

This policy applies to:

- All officers and members conducting SCA related activities, including but not limited to:
 - The Board of SCA Ltd (SCA Ltd) and Committee of SCANZ (SCANZ),
 - The Kingdom Seneschal,
 - The Crown,
 - Greater Kingdom Officers and Group Seneschals, or any other
 - Officers operating in an official SCA related capacity.
- Participants of SCA events, including but not limited to:
 - Any person reporting concerning behaviour, and
 - The subject of a complaint or person subject to a sanction.
- Direct online communication with another member of the society or interaction on a SCA-related group or page

2.3 Change management

Changes to this policy must be ratified by both the SCA Ltd and SCANZ before publication.

As this document is wholly part of the SCANZ Rules of the Society, changes must be approved by vote in a SCANZ General Meeting before adoption.

3. Reporting an issue

3.1 What to report

- Anyone may report issues relating to:
- Hazards that present, or are likely to present, an unacceptable risk of injury or illness.
 - Incidents, including near misses, that did, or were likely to cause harm.
 - Concerning, inappropriate or unwanted behaviours, including patterns of behaviour, from another person.
 - Unreasonable requirements or expectations placed on a participant by the Society.
 - Failure of an officer to fulfil the requirements of their office without reasonable cause.

3.2 Who to notify

Type of issue	Who to notify	How to notify
1. An immediate risk to life	Emergency Services	'000' – Australian events '111' – New Zealand events
2. Where there is believed to be criminal conduct	Police	Crime Stoppers '105' – New Zealand events
3. Issues arising during participation in specific SCA related activities	Person Supervising an SCA related Activity	Verbally or in writing
4. Issues relating to participation in an SCA event	Event Steward	Verbally or in writing
5. Issues relating to activity on SCA related social media	Lochac Social Media Officer	media@lochac.sca.org
6. Issues relating to the conduct of an officer or a member of the SCA	Group Seneschal, Greater Kingdom Officer, or Kingdom Seneschal	seneschal.lochac.sca.org/contacts
7. Complaints relating to the conduct of either the Kingdom Seneschal or Crown	The Board of SCA Ltd and/or the Committee of SCANZ	sca.org.au/board/ sca.org.nz/committee

Any person may nominate an advocate to report on their behalf.

Issues relating to minors must be brought to the attention of their legal guardian as soon as practicable. An exception would be if the legal guardian is the cause of the issue, in which case the local group Seneschal must be advised.

Issues may also be reported by completing a [Lochac Hazard, Incident and Complaints Form](#) after an event has concluded.

3.3 When to report

Issues should be reported as soon as practicable to the relevant officer.
There is no cut-off date by which an issue may be reported, however, the capacity for the society to respond may be limited by the availability of evidence.

3.4 Privacy

Officers who are approached with an issue or risk, or who are provided with a report regarding an issue or risk, must maintain strict confidentiality, and only share that information with other officers directly involved in the management and resolution of that issue or risk. Officers who fail to uphold the privacy of reported issues or risks will be subject to sanctions themselves under this policy.

4. Responding to an issue

4.1 Emergency response

In the case of an emergency, the event's emergency plan shall be enacted immediately.
The Kingdom Seneschal must be notified within 24 hours of any incident involving emergency services.

4.2 Investigating an issue

All issues shall be investigated by the most appropriate officer available as soon as practicable who must determine if:

1. There is an unacceptable risk to any person's health and safety and, where appropriate, activities could be adjusted to eliminate or else reduce the risk as far as is reasonably practicable.
2. The conduct of a participant at an event, on the balance of probabilities, has or is likely to have breached the SCA Ltd or SCANZ [Code of Conduct](#) and, if so, to take proportionate and appropriate actions within their authority to mitigate any further risk in a fair, efficient, and effective manner.

Any person making a complaint (complainant) has a right to be heard by the officer before the complaint is resolved or any outcome is determined and, if the issue or dispute relates to the conduct of another person, the:

- (a) Complainant must be advised of the need to disclose sufficient information to the other party (the respondent) to fairly advise them of all allegations.
- (b) Respondent(s) also have a right to be heard before any outcome is determined; including being advised in a timely manner of all allegations concerning the respondent, with sufficient details and adequate time given to enable the respondent to prepare a response; and that the respondent has a reasonable opportunity to be heard in writing or at an oral hearing (if one is held).
- (c) Respondent also has the right to an advocate to speak on their behalf.

An officer may choose to conclude an investigation, and/or recommend no further action if:

- (a) The issue appears to be without foundation or there is no apparent evidence to support it; or
- (b) The conduct, incident, event, or issue giving rise to the complaint has already been investigated and dealt with fairly and appropriately; or
- (c) There has been an undue delay in making the complaint.
- (d) There are no further actions warranted.

Where an officer does not proceed further, all parties must be notified of this outcome.

Where an officer is suspected or perceived to have a personal bias, the complainant may appeal to the next officer in the chain.

An officer may turn the matter over to another suitable officer where they have self-identified bias.

The investigating officer may nominate others to conduct duties as part of the process.

4.3 Types of administrative actions

Administrative sanctions

The Kingdom Seneschal has the authority to restrict participation in any SCA events or online SCA-related groups or pages by taking administrative actions based on just and stated cause.

Specific authority is delegated to Lochac officers to impose administrative actions within their areas of authority, in accordance with the rules defined by their office handbooks or specifically granted to their offices by the Governing Documents of the SCA for just and stated cause.

Type	Details
Suspension of office.	Suspension of an individual from holding a specific officer role. Only the Kingdom Seneschal may impose a suspension of office.
Suspension of financial access	Prohibition from handling money and/or accessing SCA related bank accounts.
Suspension from a specified activity	Suspension of an individual from participating in specific aspects of SCA activities or events.
Temporary suspension from participation	Suspension from participation in any aspects of SCA activities or events. Only the Kingdom Seneschal may impose a temporary suspension.

4.4 Notification of administrative actions

If an investigation identifies the need to take administrative actions to temporarily restrict a person's capacity to participate in SCA related activities, the officer must attempt, in good faith, to notify the person of:

1. the reason for the decision,
2. the duration and extent of restrictions,
3. to whom they may appeal this decision,
4. the next steps.

The officer must not delegate this notification to another person. Each attempt to notify must be recorded including the means, date, and time of the attempt. Where Email notifications are used, notification must be sent using an official SCA email address (lochac.sca.org or sca.org.nz) and marked as Confidential in the title/subject line.

Any individual receiving a temporary suspension must, where possible, be notified via registered post within 20 business days from the imposition of the sanction and this letter must include the:

1. Date of commencement of the suspension.
2. Specific basis/reason(s) giving rise to the suspension.
3. Activities that the individual has been suspended from doing
4. Term/duration of the suspension.
5. A link or reference to the SCA Issue Resolution Policy and Procedures along with reference to the appeals process contained therein.
6. A link or reference to the Code of Conduct.
7. Kingdom Seneschal's contact information.
8. In the event that either SCANZ or SCA Ltd choose to initiate an investigation into Revocation of Membership and Denial of Participation (R&D), then the subject shall be notified of this investigation by the Kingdom Seneschal in the expulsion letter which should also include contact information for the Society Seneschal allowing for a response by the sanctioned individual.

Where contact with the person has not been successful the officer must alert the Seneschal of the corresponding group of the inability to contact the person and the impact of any temporary restrictions.

The officer must also notify the next officer in their reporting chain related to the issue causing the action as soon reasonably practicable. For example, actions taken by a group seneschal will need to be reported to the Kingdom Seneschal.

SCANZ and/or SCA Ltd must be notified of any temporary suspensions within 24 hours or otherwise as soon as reasonably practicable.

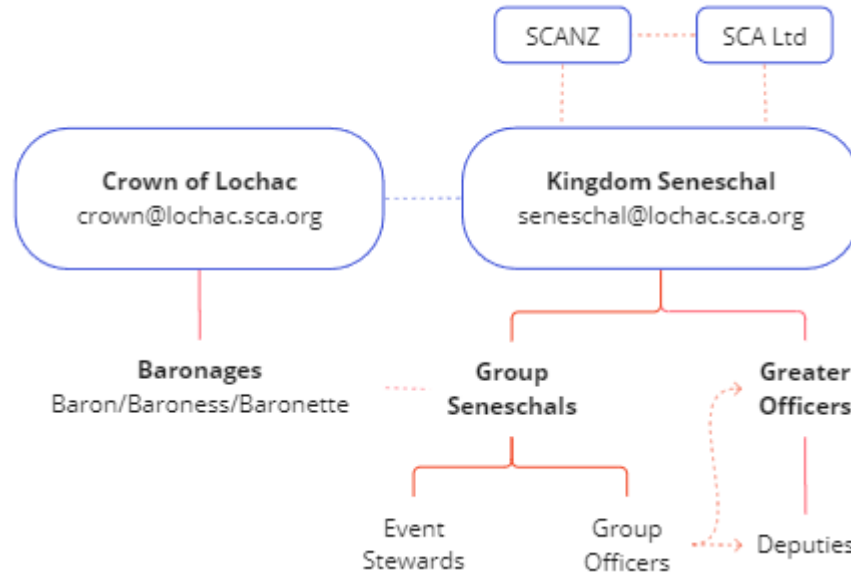
4.5 Confidentiality

The details of any administrative actions are confidential or "need-to-know basis only".

The Kingdom Seneschal is able to provide guidance on the meaning of "need-to-know basis only" for specific instances.

4.6 Appealing administrative actions

The person subject to an administrative action may appeal to the next highest authority in accordance with the reporting lines outlined below.



The next highest authority who has received an appeal may elect to conduct their own investigation and modify or remove restrictions.

4.7 Record management

The officer must ensure that reported issues are documented and accessible to the Kingdom Seneschal.

This includes records being kept of where an officer has elected not to proceed on an investigation and the reasoning behind this decision.

These records must be retained indefinitely.

4.8 Duration

Administrative actions that remove the ability to participate in an aspect of SCA activity within a kingdom cannot exceed the term of office of the officer imposing the restriction. If the next officer wishes to extend the restriction, and the Kingdom Seneschal agrees, this can be done, but the total period of the exclusion cannot exceed two years.

4.9 Review

SCANZ and SCA Ltd reserve the right to review any administrative action.

In particular, the following sanctions will always be reviewed:

- Temporary suspension when issued by the Kingdom Seneschal
- Suspension of Office issued by the Kingdom Seneschal

5. Revocation and denial of membership (R&D)

5.1 Scope

R&D sanctions may only be issued by The Board of SCA Ltd and/or the Committee of SCANZ where there is reason to believe that the ongoing participation of a person in SCA related activities presents a serious threat to the SCA or its members. Revocation and denial of membership is upheld by SCA Inc. and all affiliates, so it is a global sanction. SCA Ltd and SCANZ will uphold any R&Ds from SCA Inc. or its affiliate organisations after review.

A matter under legal action does not preclude the SCA from placing sanctions on an individual, including matters under criminal investigation by a real-world law enforcement agency.

SCA Ltd and SCANZ will consider a request for the R&D of an individual under any of the following circumstances:

- a. Documentation of cause for expulsion from the SCA;
- b. Conviction or violation of a civil or criminal law which could put the SCA or its participants at serious risk;
- c. Actions that did, or may foreseeably have seriously endangered another person;
- d. Violation of the Governing Documents or other rules of the SCA;
- e. Formal recommendation arising from procedures defined in Corpora.

5.2 R&D Investigation

SCA Ltd and/or SCANZ may:

1. Refer an issue to an external party for investigation and/or legal advice.
2. Refer the complaint to any type of consensual dispute resolution (e.g. mediation) with the consent of all parties to a complaint.
3. Direct the Kingdom Seneschal to investigate a serious issue. A lead investigator must be appointed who must:
 - a. Determine the scope of the investigation.
 - b. Develop a timeline to conduct the investigation approved by the Kingdom Seneschal.
 - c. Ensure that all proceedings related to the investigation are conducted in accordance with principles of natural justice, including:
 - i. fair hearing – including prior notice of the hearing and the allegations, and the right to be heard.
 - ii. no bias – including actual or imputed bias such as ensuring that no person may judge their own case.
 - d. Compile a report to the Kingdom Seneschal that summarises the findings, including any supporting evidence, and any recommendations on further action warranted.
 - e. Maintain complete confidentiality regarding the investigation, except on a 'need to know' basis.

5.3 Confidentiality

All decision makers, investigators, or other persons operating in an official capacity are prohibited from commenting on any ongoing or previous R&D, including any investigation into any matter that may lead to an R&D, with any person not included within the scope.

This prohibition does not include necessary privileged contact with additional appropriate members of The Board of SCA Ltd and/or the Committee of SCANZ and/or any Society or Kingdom officers and/or mundane authorities.

5.4 Decision

A person may not act as a decision maker in relation to an R&D if 2 or more members of the committee/board or a complaints subcommittee consider that there are reasonable grounds to believe that the person may not be—

- (a) Impartial; or
- (b) Able to consider the matter without a predetermined view.

The process to determine whether to impose an R&D on an individual involves a:

1. Review of the findings of the investigation, including any recommendations regarding the imposition of an R&D or alternative administrative sanction.
2. Meeting between the Board and/or Committee and individual or that person's representative to discuss the findings of the investigation including allegations and to ensure that all sides are heard. If, after sufficient notice of the meeting, the person or their representative does not attend, the process may continue with them in absentia.
3. Board and/or Committee vote to determine whether an R&D, or any other alternative administrative sanctions are warranted.
4. Discussion with the other Board or Committee (as per affiliation agreement), as any R&D determinations by SCA Ltd or SCANZ must be reviewed by the other before proceeding.

5.5 Formal notification

The formal notification of R&D to the sanctioned person must include:

1. the date the expulsion went into effect,
2. the specific basis/reason(s) giving rise to the expulsion,
3. the statement of facts,
4. the duration and extent of restrictions of the expulsion,
5. a link to this policy and reference to the appeal process contained herein, and,
6. to whom they may appeal this decision.

The statement of facts in the sanction letter shall be redacted to protect the identity of the complainant or witnesses, who shall be referred to as "Complainant (#)" or "Witness (#)".

Email notifications must be sent using an official SCA email address (lochac.sca.org or sca.org.nz) and marked as Confidential.

Where the sanctioned person has a last known postal address, notification must also be sent by the secretary of SCA Ltd or SCANZ via certified/registered postal mail and include delivery confirmation.

5.6 Appealing an R&D

Any person who has received a sanction may appeal to the Kingdom Seneschal. Only the sanctioned person, or their appointed representative, may bring the appeal.

Appeals must have the following:

- an introductory letter explaining the circumstances surrounding the sanction,
- any information that the sanctioned individual believes supports the appeal which the decision makers should consider. Particularly any new evidence that could have led to a different decision had it been known, or a discovery of a material error of fact, and,
- where an advocate or representative will be acting on the sanctioned persons behalf, a signed letter from the sanctioned person giving the advocate or representative authority to act on their behalf and access information relating to the issue.

5.7 Review

If an appeal is sought, the Kingdom Seneschal must re-check investigation based on any new information brought forward and present their findings and recommendation to SCA Ltd and/or SCANZ.

If the appeal is unsuccessful, the Kingdom Seneschal shall notify the person about the reasons for the decision.

If the appeal is successful, the Kingdom Seneschal shall notify the person and all other parties privy to the details of the sanction of the withdrawal of the decision.

5.8 Notification

In the event that an R&D is to be applied:

- SCA Ltd and/or SCANZ must notify the Society Seneschal and Kingdom Seneschal before promulgation.
- The sanction must be added to the sanctions register by the Kingdom Seneschal who shall then notify any relevant officers of the addition.
- All notices relating to sanctions of an SCA Ltd or SCANZ Member which are required to be published in a kingdom or society newsletter shall be published in Pegasus or by emails sent to members.

6. Definitions**Appeal**

Application for a reversal of a decision.

Authorisation

Approval to participate in specified martial activities.

Authority

The power to make decisions and to make sure that rules are obeyed.

Bias

A pre-existing attitude or opinion that favours one side over another in a dispute.

Complainant

The party/ies that lodge the complaint/s

Complaint	<p>A member, an officer, or a society makes a complaint if, in accordance with the society's constitution, —</p> <ul style="list-style-type: none"> (a) The member or officer starts a procedure for resolving a dispute in accordance with the constitution; or (b) The society starts a procedure for resolving a dispute in accordance with the constitution (for example, the society starts a disciplinary action against a member or an officer in relation to an allegation relating to misconduct).
Corpora	The overarching policies governing activities within the whole of the Society that generally apply to all participants in all Kingdoms and affiliate organisations.
Crown	The Sovereign and Consort of a kingdom, acting together
Dispute	<p>A disagreement or conflict is a dispute if—</p> <ul style="list-style-type: none"> (a) it is between— <ul style="list-style-type: none"> i. 2 or more members; ii. 1 or more members and the society; or iii. 1 or more members and 1 or more officers; or iv. 2 or more officers; or v. 1 or more officers and the society; or vi. 1 or more members or officers and the society; and (b) the disagreement or conflict relates to an allegation that— <ul style="list-style-type: none"> i. A member or an officer has engaged in misconduct; or ii. A member or an officer has breached, or is likely to breach, a duty under the society's constitution or bylaws or this Act; or iii. The society has breached, or is likely to breach, a duty under the society's constitution or bylaws or this Act; or iv. A member's rights or interests as a member have been damaged or members' rights or interests generally have been damaged.
Emergency	An emergency is any sudden, unexpected, and potentially dangerous situation that requires immediate action or intervention to minimize harm, loss, or damage to individuals, property, or the environment.
Emergency Plan	<p>An emergency plan is a documented set of procedures and guidelines that outlines how to respond and mitigate potential risks or emergencies within a specific setting, such as a workplace, community, or organization. It serves as a roadmap for individuals to follow to ensure their safety and minimize harm during unexpected events.</p> <p>This may be provided by a venue, otherwise a template is available here.</p>
Governing Documents	<p>Click through for information on Governing Documents: https://seneschal.lochac.sca.org/laws-of-lochac/</p>
Harm	Personal harm refers to any form of injury, damage, or negative impact that affects an individual's physical, emotional, mental, or psychological well-being. It can manifest in various ways and may result from different sources, including actions, events, or circumstances.

Injury	An injury is typically defined as harm or damage done to the body resulting from an external force, accident, or any form of physical, chemical, or biological agent. It can affect various parts of the body and can manifest in different ways, ranging from minor to severe.
Investigation	The action of investigating something or someone; formal or systematic examination or research.
Member	Any person recognised as a current member who is acting in their capacity as a member.
Natural Justice	The rules and procedures to be followed by a person or body with the power to settle disputes. Some rules of natural justice are to act fairly and without bias, and the right of all parties to be heard.
Officer	A Society member serving in an appointed office as a member of either SCA Inc or SCANZ, or as defined in Corpora, or as an appointed deputy in such an office, or in another office as may be defined by Kingdom Law, at any level of the Society, or in the role of organiser of a Society event (commonly referred to as “Event Steward”), or as a Territorial Baron or Baroness, or as Crown or Coronet or heir to a Crown or Coronet who is acting in their capacity as an officer.
Organizational Handbook	Contains the Introduction, Corpora, the Articles of Incorporation of the SCA, Inc., the By-Laws of the SCA, Inc., the Corporate Policies of the SCA, Inc., and any amendments and appendices.
Participant	Any person participating in: <ul style="list-style-type: none"> • an SCA event as indicated by signing the relevant attendance sheet, or • direct online communication with another member of the society or interaction on a SCA-related group or page, see: SCA Ltd Social Media Policy for more information.
Redacted	To censor or obscure (part of a text) for legal or security purposes
Revocation and Denial of Membership (R&D)	Exclusion from participation within the SCA permanently, and denial of future membership. This includes participation from SCA Inc or any of its affiliates globally.
Sanction	A punitive or coercive measure or action that results from failure to comply with a law, rule, or order
Society for Creative Anachronism (SCA)	<p>The Society for Creative Anachronism (SCA) is an international non-profit volunteer educational organization. The SCA is devoted to the research and re-creation of pre-17th century skills, arts, combat, culture, and employing knowledge of world history to enrich the lives of participants through events, demonstrations, and other educational presentations and activities.</p> <p>SCA means the collection of affiliated organisations which includes SCA Inc., SCA Ltd and SCANZ, and the European affiliates.</p>

Society for Creative Anachronism Incorporated (SCA Inc.)	The Society for Creative Anachronism, Inc., California non-profit (or not-for-profit) corporation, including the Board of Directors.
Society for Creative Anachronism Limited (SCA Ltd)	The Society for Creative Anachronism Ltd (Australia), the company representing the SCA in Australia
Society for Creative Anachronism New Zealand Incorporated (SCANZ)	The Society for Creative Anachronism New Zealand Incorporated, the incorporated society representing the SCA in New Zealand.
Temporary Suspension	Exclusion from specific participation for a specified period of time
Witness	A person who can provide direct information based on their own knowledge about a relevant fact in issue

7. Related information

Global - <https://www.sca.org/>

- Corpora
- Society Seneschals Handbook
- Society for Creative Anachronism, Inc. Sanctions Procedures and Policies Manuals

SCA Ltd (Australia) - <https://sca.org.au/documents/policy/>

- Alcohol Policy
- Assets Policy
- Board Membership Policy
- Bullying and Harassment Policy
- Child Protection Policy, Background Check Procedures and Nomination of Caregiver Form
- Code of Conduct
- Financial Policy and Personal Gain Fact Sheet
- Operating Agreement Between the Society for Creative Anachronism Ltd Australia and the Society for Creative Anachronism New Zealand Incorporated
- Privacy Statement
- Proof of Membership and Indemnity Policy (for SCA events in Australia)
- Social Media Policy
- Weapon Guides and Policies Page

New Zealand - <https://sca.org.nz/node/56>

- Bullying & Harassment Policy
- Children & Young People (Under 18) Participation Policy

- Code of Conduct
- Financial Policy
- Operating Agreement Between the Society for Creative Anachronism Ltd Australia and the Society for Creative Anachronism New Zealand Incorporated
- Privacy Policy
- Publishing Policy
- Social Media Policy
- February 2009 statement from the SCANZ Committee regarding the activities that may be carried out under event memberships vs full memberships

Kingdom of Lochac - <https://seneschal.lochac.sca.org/>

- Book of Laws of the Kingdom of Lochac
- Investigations Guide
- Issue Resolution Handbook
- Kingdom of Lochac Fighters and Marshals' Handbooks
- Kingdom of Lochac Fencing Combat Handbook
- Lochac Incident and Hazard Form
- Lochac Procedures Manual

8. Document information

Owner	Board of SCA Ltd (Australia) and Committee of SCANZ
Last reviewed	19 July 2023
Review period	Every second year

9. Record of amendments

Date	Brief description of amendment
November 2023	<ul style="list-style-type: none"> • Incorporated feedback received during the consultation period
July 2023	<ul style="list-style-type: none"> • Moved to a new document format to improve readability • Rename and rescope to Issue Resolution (policy and procedures). • Incorporation of hazard and incident reporting and issue resolution/dispute resolution from Lochac Laws (and proposed subsequent removal thereof) including: <ul style="list-style-type: none"> • Additional guidance for 'Who to notify' when an issue arises. • When to enact emergency response. • The inclusion of investigation prior to any sanctions being administered (note: these are distinct from investigations performed as part of the R&D procedure). • Clarity regarding who should be notified of administrative actions and what the appeals process is. • Removal of the capacity of the crown to 'exile from the realm'; this has been merged into the Kingdom Seneschal's capacity to apply a 'temporary suspension'. • Removal of the requirement to notify the populace via court and via Pegasus of any sanctions taken. The focus is instead on ensuring that those that 'need-to-know' are kept informed. • Generalisation of Administrative sanctions into 4 types with the capacity for all officers to issue these "within the scope of their authority". This includes the

	<p>capacity for event stewards to ask a participant to leave an event for 'just and stated causes' that are within their jurisdiction.</p> <ul style="list-style-type: none"> • Standardised appeals process including a simple org chart to help identify the officer to bring an appeal to. • Record keeping requirements including the need to keep records for any matter that results in administrative actions. • Alignment to New Zealand's Incorporated Societies Act 2022 requirements regarding the inclusion of issue resolution in the constitution.
June 2023	Revised version incorporating feedback.
April 2022	Initial version.