What to Do if you have a Concern in Shambhala

1. Overview
   
   This document relates to concerns or complaints about misconduct as defined in the Shambhala Code of Conduct policies. How situations are addressed will depend on what the problem is, how serious the misconduct is, how urgent it feels and how appropriate you think a particular option might be.

   The options outlined below go from the informal to the formal. You don’t have to go through them in order and can start with any option.

2. If You Need Immediate Assistance
   
   ● If you are injured at a Shambhala location in any way that requires immediate medical attention, it is important that you seek help as soon as possible. Please ask for any assistance you might need in doing this.
   
   ● If you have been subjected to what may be a criminal act, please contact the police or other appropriate authorities directly as soon as possible. Do not wait to go through the Shambhala Code of Conduct complaints procedure.
   
   ● If your concern could involve risk to anyone, including yourself, or a need to act promptly, you are urged to seek assistance.

3. A Support Person When Raising Concerns
   
   You may bring a friend or advisor to accompany you at all stages of raising your concern or complaint. They may attend any meeting with you, support you in the process itself and speak on your behalf if you feel unable to speak for yourself. Your support person does not need to be a Shambhala member; however, they need to abide by the Shambhala Code of Conduct and the confidentiality agreement. A support person is not a “legal advisor,” but can communicate on behalf of a respondent/complainant in the case that the person is experiencing challenges in communicating. The support person must be in the presence of the reporter when communicating.

   If you do not have a support person in mind and wish to have one arranged for you from within Shambhala, please request this.

4. Confidentiality
At all points during the Code of Conduct process, the principle of confidentiality applies. This means that your concern or complaint is not discussed with people who are not involved in the process. This is to protect everyone involved. The principle of confidentiality will be explained to you and everyone else involved with your concern. You and your support person(s) will need to sign an agreement to respect confidentiality early in the process.

Shambhala is committed to taking all reasonable steps to protect you from any negative impacts of raising a concern. If this is itself a matter of concern for you, please talk about it to the people who are assisting you in this process.

As part of the resolution for each concern or complaint, the Code of Conduct process requires a decision to be made on how confidentiality will continue to apply.

5. Options for Raising Concerns and Resolving Complaints

There are several options to address concerns falling under the Code of the Conduct, depending on what the problem is, how serious it is, how urgent it feels, and how helpful a particular action might be. The options range from

- informal conversations
- to a formal complaint process.

5.1. Dialogue

In every kind of community, people experience misunderstandings which can escalate to conflict. The first step in resolving interpersonal concerns is often to speak directly to the person, listen closely and gain perspective on the situation. Talking to one another honestly is part of this life's path of being a warrior. Through listening with mutual respect and compassion, problems and misunderstandings can often be resolved informally between the people involved. Sometimes, it may be helpful to invite a neutral third party to be present, particularly when there is a power differential, to help support a process that clarifies the misunderstanding.

If you are unable to resolve a concern through dialogue, yet wish to take the concern further, contact a Code of Conduct Facilitator to discuss the situation with them.

5.2. Contact a Code of Conduct Facilitator

Code of Conduct facilitators know the Code of Conduct processes and are trained in discussing sensitive matters. In listening to what you have to say about your concern, the CCF will take notes that will form the basis of a record of your concern. When you report a concern and begin a Code of Conduct process, you become a “reporting person”.

You can get contact information for a Code of Conduct Facilitator (CCF) at your local Shambhala centre or on the Code of Conduct Hub. You may choose to contact a Code of Conduct Facilitator outside your area if you prefer to do so. If you contact a CCF and don’t receive a response within three days, you are encouraged to contact codeofconduct@shambhala.org or an alternative CCF.

The Code of Conduct Facilitator (CCF) can explain the available options for the next step in addressing your concern. These range from informal local processes to raising a formal complaint with a Regional or International Conduct Council. The CCF can help you initiate an option, and will follow up with you to ensure that the process moves forward.

Examples of local processes may include:

- community meeting
If you choose a local process, the CCF will contact the person(s) who you are naming in your concern (the "respondent"), informing them of your concern, and asking if they agree to the option you have chosen. If the respondent agrees, then the CCF (and local Shambhala leadership, as appropriate) can organize and manage that process.

If you choose to file a formal complaint, you may either do so with the support of the Code of Conduct Facilitator, or you may go independently to the Regional Conduct Council. When you raise your concern formally, the “concern” is then referred to as a “complaint.” The CCF will help you in documenting the complaint, whether in writing or through an oral recording. You will set out the important details: when, where, who was involved, the names and contact details of any witnesses, and anything else you wish to share. You will also mention anything you have tried to do in order to resolve the matter yourself, such as with personal dialogue.

Most complaints will be handled by the Regional Conduct Council. However, if either party holds a position of international scope, such as a senior teacher or member of the Shambhala Board of Directors, the complaint will be handled directly by the International Conduct Council. The CCF can help put you contact with the ICC.

The CCF’s responsibility is to facilitate the process of addressing concerns raised in Shambhala. The CCF is not an advocate for you or for the respondent but will do whatever they can to ensure a fair and safe process for all concerned.

5.3. File a Complaint with the Regional Conduct Council

Conduct Council members have authority to process and take decisions on each complaint. They follow a systematic process that helps ensure fairness, impartiality and thoroughness.

5.3.1 To ‘file your complaint’ with the Regional Conduct Council (or, where appropriate, the International Conduct Council), you will find an interview form available on the Code of Conduct Hub. A CCF will assist you, or you may contact the RCC directly.

5.3.2 After your complaint is filed, the Regional Conduct Council (or International Conduct Council as appropriate) will respond as soon as possible. They will then hear, and keep records of your complaint. If you contact the RCC, and don’t receive a response within three days, you are encouraged to contact the Office of Community Care and Conduct at codeofconduct@shambhala.org. Note that, when you file a formal complaint, you become a “Complainant”. You will find more information about the people on your RCC on the Code of Conduct Hub. If you have concerns about the impartiality of any member of the Regional Council, you can ask that they recuse themselves. That request will be considered by the entire RCC.

5.3.4 What will happen next

The Regional Conduct Council (RCC) will review all information and documentation that they receive from you (or via the CCF), and ensure you have signed the Confidentiality Agreement. The RCC will also need to communicate with the person(s) you have raised a concern about (the “respondent”).

5.3.5 How the Regional Conduct Council will consider your complaint
If you wish to have a formal interview with the Regional Conduct Council after filing your complaint, you may request one, and the RCC will arrange it in person or by videoconference (or telephone, if necessary).

If you choose to go to the RCC directly, the RCC will always conduct an interview with you. The RCC will also interview the respondent. They will give the respondent your Interview Form and supporting details and ask for a formal response within 30 days. When the RCC receives that response, they will give it to you.

If the RCC needs more information to reach a decision on the complaint than they have received from you and the respondent, they will proceed with an investigation to uncover any additional evidence that may be available. If investigations uncover further relevant information, the RCC will provide it to both parties, and you will have a reasonable opportunity to respond.

5.3.6 How the RCC will make a decision

The Regional Conduct Council (RCC) will make a final decision on your formal complaint based on the information provided, including witness statements, supporting evidence, and other factors that need to be taken into account.

If the RCC concludes that the respondent violated the Code of Conduct, they may consult with you and others involved in the process regarding action to be taken, such as protective or rebalancing measures.

The RCC will tell you about their decision and what measures will be applied, either in person or by videoconference (or telephone, if necessary), with an explanation of their reasoning.

The RCC will confirm its final decision in writing and provide it to you, telling you that you can appeal their decision within 90 days, to the International Conduct Council, otherwise the RCC’s final decision will stand. The RCC will also communicate its final decision to the respondent, the Director of Community Care and Conduct Officer and appropriate community leadership, as well as any CCF involved.

6. If you want to make an anonymous report

You may be concerned about something that has occurred in Shambhala but fear that reporting it might make it worse or expose you to retaliation. Also, you may not trust some of the people who might become aware of your concern. If this is the case, you may report anonymously.

The Code of Conduct process will treat anonymous reports with the same care as any other report, but there may be limits to anonymity in this process. Those limits will be explained to you. For example, if you are the only person who could know about what you’re reporting, your identity may be obvious to the respondent or others.

You may name someone else through whom you can communicate your report and respond to questions about it. The intermediary can be very helpful in the case of an anonymous report.
If your report names any witnesses, describes a situation or pattern of behaviour that can be substantiated, or provides any information sources or details that can back up what you report, the RCC or ICC involved will need to conduct an investigation.

While the RCC or ICC will do all it can to respond to your anonymous report, no Code of Conduct process can ensue if there is not enough information available.

7. **To report misconduct as a witness**

You may want to raise a concern about misconduct you have witnessed, with the intention of stopping that behaviour and protecting the community. In such cases, you may file a report as a witness. Keep in mind that if a specific person has been affected by the behaviour you’ve witnessed they may not want it reported, so generally it is good to talk to that person before reporting it.

In many locations laws require that certain behaviour be reported to the authorities, such as child abuse, and in such cases, you need to follow the required local process external to Shambhala.

Within Shambhala, you may report your concern to a CCF, who would explain the available options to address your concern. You may also report directly to the RCC as described above in Step 4. “File a Complaint with the Regional Conduct Council”. If you want to make the report anonymously, please see “If You Want to Make an Anonymous report” above.

*When raising a complaint under the Code of Conduct process it is important to understand that raising a false or malicious complaint may, itself, be considered misconduct.*

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