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**ETHICS & CERTIFICATION MARK COMMITTEE
DETERMINATION OF THE COMPLAINTS AGAINST A SENIOR TEACHER “T2”
DATE OF DECISION: 19th July 2021**

On the 19th July 2021 the Ethics and Certification Mark Committee of Iyengar Yoga Australia made a determination in relation to three formal complaints against an IYA member and senior teacher “T2” in accordance with Clause 20 of the IYA Complaints Handling Procedure.

Those complaints relate to T2’s alleged behaviour towards an IYA member and (then) trainee teacher. Specifically, T2 was alleged to have breached the IYA Teacher’s Code of Conduct (“TCC”) as a result of:

1. A failure to generally maintain high standards of professional competence and integrity in accordance with clause 1.1 TCC;
2. A failure to refrain from being publicly critical of the character of other Iyengar Yoga teachers in accordance with clause 1.5 TCC; and
3. A failure to abide by the IYA policy on harassment, bullying and discrimination in accordance with clause 2.5 TCC.

Following an investigation the ECMC found that Complaints 1 & 3 were made out in accordance with clause 20 CHP. The ECMC found there was not enough evidence to substantiate Complaint 2 and it was dismissed.

In relation to Complaint 3, the ECMC noted that the IYA Harassment, Bullying and Discrimination Policy (the HBD policy) is a relatively new policy, having only been adopted by IYA on the 14th February 2019. Nevertheless, its terms are clear and it has been widely promoted by the Association since its adoption.

The IYA HBD policy says this about Bullying:

Bullying

Bullying is an ongoing and deliberate misuse of power in relationships through repeated verbal, physical and/or social misbehaviour that intends to cause physical or psychological harm.

Bullying can take many forms, including by verbal and electronic communication.

Behaviours that may constitute bullying include:

- *demeaning language;*
- *aggressive or intimidating conduct;*
- *isolation and exclusion;*
- *inappropriate blaming or humiliating comments;*
- *ongoing unconstructive criticism; and*
- *spreading malicious rumours;*

Bullying is unacceptable to the IYA and may also be in breach of Australian Commonwealth and State laws.

The ECMC noted in its decision that it is vital for the integrity, reputation and proper functioning of IYA that its members have confidence and trust that IYA teachers will behave in a manner that is both lawful and acceptable in current day Australia.



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The ECMC also found **T2** was a person of good character who had made an acknowledgement of wrongdoing.

In accordance with clause 24 of the CHP the ECMC imposed the following sanctions upon **T2**:

1. **That T2** be reprimanded for the conduct described in Complaint 1 in accordance with clause 24.1(b) of the CHP;
2. **That** any further sanction for **T2** in relation to Complaint 1 is to be reflected in sanctions attached to Complaint 3.
3. **That T2** be reprimanded for the conduct described in Complaint 3 in accordance with clause 24.1(b) of the CHP;
4. **That** in relation to Complaint 3 a condition be placed upon **T2's** IYA membership requiring participation in IYA activities designed to further educate IYA members about their rights and responsibilities towards each other and other members of the community in accordance with clause 24.1 c iii of the CHP, and that this education have particular emphasis on matters relating to Bullying, Harassment and Discrimination.
5. **That** the decision to sanction **T2** be published on the IYA website in accordance with Clause 38 of the CHP.

