



# Dispute Resolution Guide

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### Important

If there is a discrepancy between this Dispute Resolution Guide, and any of the following documents, including but not limited to; SW Hockey Policies & Procedures, SW Hockey Bylaws, Hockey Calgary, Hockey Alberta, or Hockey Canada Rules & Regulations, those documents will take priority over this document.

Southwest Hockey recognizes the sensitive nature of matters, and in particular; the difficulties associated with an incident involving unacceptable conduct. SW Hockey also recognizes that matters may be requested to be dealt with confidentially. However, in order to conduct investigations, disclosure of information would be required and therefore no absolute guarantee of confidentiality of information can be provided. Nevertheless, a conscious, mindful approach will be used whenever possible.

Any discrepancies should promptly be brought to the attention of the Administrator at:  
[admin@southwesthockey.ca](mailto:admin@southwesthockey.ca)

## 1.0 Contact Information

Questions surrounding the Dispute Resolution Process, should be directed to:

Administrator:	<a href="mailto:admin@southwesthockey.ca">admin@southwesthockey.ca</a>
Director at Large:	<a href="mailto:directoratlarge3@southwesthockey.ca">directoratlarge3@southwesthockey.ca</a>
President:	<a href="mailto:president@southwesthockey.ca">president@southwesthockey.ca</a>

## 2.0 Application

The Dispute Resolution Guide applies to all matters that fall under the Southwest Hockey Association. These procedures have been implemented by SW Hockey in order to establish a process that will allow members to participate in the various activities & positions within the Association; in a respectful environment that is free from harassment, bullying and abuse.

Investigations and disciplines can be independent of any action taken by Hockey Calgary, and SW Hockey can implement disciplines that are over and above any Hockey Calgary suspension(s), just as Hockey Calgary can implement sanctions over and above SW Hockey sanctions. At times SW Hockey may also be obligated to consult with, and report to Hockey Calgary any information regarding complaints filed, investigations, or disciplinary hearings resulting in sanctions.

Where the Discipline Committee believes there is sufficient evidence to warrant the Complainant to make a formal complaint, but the Complainant does not wish to do so, the Discipline Committee may still proceed and make a formal complaint on behalf of the SW Hockey Association and proceed in accordance to these procedures.

## 3.0 Core Values

For the purpose of resolving disputes, and protecting the game of Hockey, all individuals should be working together to maintain core values;

1. **RESPECT:** the expectation of all players, coaches, officials, volunteers and spectators to be respectful of each other, at all times.
2. **ACCOUNTABLE:** being responsible for our own decisions and actions.
3. **APPROACHABLE:** listening to the concerns of others in response to their needs.
4. **COLLABORATIVE:** building mutually beneficial relationships with others, towards a common goal.
5. **COMMUNICATIONS:** getting the right message to the right people, at the right time and in the right way.
6. **CONSISTENCY:** being open and consistent in the interpretation and application of rules and policies.
7. **FAIR PLAY CODES:** being supportive of the values in which the Fair Play Codes are intended.

## 4.0 Respect in Sport

Regardless of the type of issue that is the subject matter of a complaint, a complaint that has been raised to the Board level of SW Hockey will not be formally considered by SW Hockey unless the complaint is submitted in writing (via the Incident Form), and accompanied by a valid Hockey Calgary Respect In Sport (RIS) Certification number obtained by the individual making the complaint. For clarification, if one parent of a player has an RIS number and one parent does not, only the parent with the RIS number can have a complaint heard by SW Hockey.

## 5.0 Definitions

For the purpose of this Dispute Resolution Guide, definitions are as follows:

1. “**Complainant**”: is a person who discusses a concern or makes a complaint, allegation (either verbal or written) of unacceptable conduct; as the conduct is described by Policy.
2. “**Respondent**”: is a person against whom a complaint is filed.
3. “**Appellant**”: is an individual who wishes to appeal a decision, under the Discipline Policy.
4. “**Harassment**”: is any aggressive or intimidating behaviour that is likely to undermine the dignity, self-esteem or productivity of any member.
5. “**Verbal Harassment**”: is name-calling, spreading rumours, threatening, or making negative references to one’s culture, ethnicity, race, religion, gender and/or sexual comments.
6. “**Social Harassment**”: is mobbing, scapegoating, excluding others from a group, ganging up on and group teasing.
7. “**Physical Harassment**”: hitting, poking, pinching, chasing, shoving, coercing, destroying or stealing belongings.
8. “**Cyber Harassment**”: using the internet, Social Media or text messaging to intimidate, put-down, spread rumours or make fun of someone.
9. “**Bullying**”: is a conscious, willful, deliberate and hostile activity marked by an imbalance of power, intended to harm, and/or threat of aggression.
10. “**Hazing**”: is an initiation practice that may humiliate, demean, degrade, or disgrace a person regardless of location or consent of the participant(s).
11. “**Fair Play Code**”: are the Codes set out in the Hockey Canada “Safety Requires Teamwork”, which are guidelines for players, coaches, parents, officials, spectators and organizers set out to promote a positive hockey experience.
12. “**Parent Code of Conduct**”: are behaviour expectations that are agreed to at the time of registration which include such expectations as, but not limited to: Respect, the “24-Hour Rule”, approach concerns in a responsible and open-minded manner, and to not publicly criticize players, coaches, officials, parents or other volunteers.
13. “**Social Media**”: forms of electronic communication through which users create online communities to share information, ideas, personal messages and other content. These include but are not limited to: Facebook, Twitter, LinkedIn, Instagram, personal blogs and YouTube Videos. **NOTE**: Social Media should not be used to ‘fight your battles’, and rather, the channels provided by SW Hockey should be utilized.

## 6.0 Expected Standard of Conduct

A Standard of Conduct identifies the standard behaviour which is expected of all SW Hockey members, including but not limited to; Players, Coaches, Referees, Parents/Guardians, Directors, Coordinators, Volunteers and Spectators.

Southwest Hockey is committed to providing an environment which all individuals are treated with respect. Members of SW Hockey shall conduct themselves in a fair and responsible manner. Members shall refrain from comments or behaviour that is disrespectful, malicious, offensive, abusive, racist, sexist or brings the sport of hockey in disrepute.

Failure to comply with the Standard of Conduct may result in disciplinary actions in accordance with the SW Hockey Policies and Procedures, or those Rules and Regulations set forth by Hockey Calgary, Hockey Alberta, or Hockey Canada. Such disciplines may include the member losing privileges that come with a SW Hockey membership, up to and including suspension or possible removal from the Southwest Hockey Association.

## 7.0 Type of Code of Conduct Policies

Southwest Hockey has the following types of policies, which can be reviewed in further detail within the SW Hockey Policies and Procedures:

1. Bullying Policy
2. Hazing Policy
3. Social Media Policy
4. Abuse Prevention Policy
5. Volunteer Harassment Policy

Through any investigative process, the above policies can be utilized when attempting to resolve disputes and where a discipline must be applied.

## 8.0 Resolution Timeframe

### 8.1 “24 Hour Rule”

Upon an incident or dispute occurring, the “complainant” is to first adhere to the “**24 Hour Rule – Cooling Off Period**”. Once the “24 Hour Rule” has been completed, the Complainant would contact the appropriate 1<sup>st</sup> contact; depending on which level of violation is being addressed. Refer to **Section 9.0** (Dispute Communication Chart) & **Section 10.0** (Types & Levels of Violation) to determine this 1<sup>st</sup> step.

### 8.2 Beginning with your Team

**Southwest Hockey requests teams do their best to resolve issues at the team level first**, (unless there is an imminent safety concern). If the issue(s) cannot be effectively resolved within 48 hours (following the 24-Hour Rule), the Complainant should contact the SW Hockey Administrator for a copy of an Incident Form. The Administrator can be reached at: [admin@southwesthockey.ca](mailto:admin@southwesthockey.ca)

If a Director/Board Member is contacted as a 1<sup>st</sup> point of contact, the Director/Board Member should re-direct the complainant back to the Team Manager, Head Coach and/or the Administrator.

**NOTE:** If the Complainant does not feel comfortable reporting an incident to the Team Manager or Head Coach (as the incident involves both of these individuals), then the Complainant should contact the Administrator for an Incident Form.

### 8.3 Sending the Email

It is the intention of SW Hockey to ensure that complaints are handled / addressed within a reasonable timeframe. **Therefore, in order to support the timeliness of addressing the matter, in the SUBJECT line of your email, it is recommended to include the following:**

**DISPUTE RESOLUTION REQUEST - \_\_\_\_\_ (\*INSERT YOUR LAST NAME)**, then in the body of your email, you'll request an Incident Form with regards to your issue(s).

#### 8.4 Target Response

The target acknowledgment time to the Dispute Resolution Request is 48 hours from the time/date stamp on the email. The length of time to come to a final resolution will vary on a case by case basis. While the goal is to resolve incidents as quickly as possible, there are times during the year whereby email traffic is at its peak.

**NOTE:** *If you have not received a response by 48 hours, sending a courtesy email to the Administrator, is acceptable.*

#### 8.5 Waiting Time

Once a **Dispute Resolution Request** email has been sent to the Administrator requesting an Incident Form, it is recommended that there be no further confrontational communications with any of the parties involved.

Once the Director at Large (regarding a Level 1 Violation, and Level 2 Violation), or the President (regarding a complaint against a Referee), has received the Incident Form, the Director at Large or President will contact you with regards to next steps.

#### 8.6 Incident Form Deadline

Incidents and/or disputes must be in writing and made within 14 days of the alleged infraction. Disputes submitted after 14 days may not be considered.

**Reason:** In order to support the Core Values as represented in **Section 3.0** (“getting the right message, to the right people, at the right time, and in the right way”); having unresolved disputes will only build friction. Instead the goal should be to build mutually beneficial relationships for a content season.

#### 8.7 Complaints regarding Referees

Any complaints regarding Referees or other major Officials by; coaches, managers, players or spectators must be sent to the Association President for endorsement and onward delivery to Hockey Calgary for possible action.

To submit a complaint:

1. Email the Administrator at: [admin@southwesthockey.ca](mailto:admin@southwesthockey.ca) for a copy of an Incident Form;
2. Once the Incident Form is received by the Administrator, a copy will be sent to the President;
3. President will decide if endorsement is warranted, and will forward to Hockey Calgary for possible action.

#### 8.8 Complaint received from outside of SW Hockey

If a complaint or incident is reported from someone outside of SW Hockey; such as persons from other Associations, Facilities, Hockey Calgary etc., the SWH Board may deviate from the above-mentioned steps; and proceed accordingly given the circumstances in which they were presented with and address the issue in a manner that is deemed appropriate, while acting reasonably. An Incident Form may still be required; as deemed necessary, and can be requested from the Administrator.

Issues regarding SW Hockey players, coaches and/or spectators may be brought forward by people that are not members of SW Hockey. These issues are required to be reported, in writing, to the SW Hockey President. **NOTE:** If the person bringing the issue forward is a member of another Minor Hockey Association, the written report **MUST** be signed by their Association’s President/or alternate; before the matter will be addressed by the SWH President.

## 9.0 Dispute Communication Chart

Within this chart is a list of first points of contact. To find out if your dispute/incident is a Level 1, Level 2 Violation, or is involving a Referee/Official, Refer to [Section 10.0](#).

Level 1 Violation	Level 2 Violation	Referees
<b>First Points of Contact</b>		
Issue involving: Player, Parent, Coach, Manager, or Other	Issue involving: Player, Parent, Coach, Manager, or Other	Issue Involving a Referee
<p>↓</p> <p><b>24 Hour Rule</b></p> <p>↓</p> <p><b>Complainant</b></p> <p>↓</p> <p><b>Team Manager / Head Coach</b> <i>(If there's no attempt to resolve the issue within 48 hrs. (following the "24 Hour Rule"), or if a resolution is not on the horizon, go to next step)</i></p> <p>↓</p> <p><b>Administrator</b> <i>(Complainant to email the Administrator requesting a copy of an Incident Form)</i></p> <p>↓</p> <p><b>Director at Large</b> <i>(Administrator to contact a Director at Large, once the Complainant has submitted the Incident Form)</i></p> <p>↓</p> <p><b>Discipline Committee</b> <i>(If Director at Large cannot find a resolution or situation has escalated, the Director at Large is to convene the Discipline Committee)</i></p> <p>↓</p> <p><b>President</b> <i>(Chair of the Appeals Committee)</i></p> <p>↓</p> <p><b>Hockey Calgary</b></p>	<p>↓</p> <p><b>24 Hour Rule</b></p> <p>↓</p> <p><b>Complainant</b></p> <p>↓</p> <p><b>Administrator</b> <i>(Complainant to email the Administrator requesting a copy of an Incident Form)</i></p> <p>↓</p> <p><b>Director at Large</b> <i>(Administrator to contact a Director at Large, once the Complainant has submitted the Incident Form)</i></p> <p>↓</p> <p><b>Discipline Committee</b> <i>(If no resolution or situation has escalated, Director at Large is to convene the Discipline Committee)</i></p> <p>↓</p> <p><b>President</b> <i>(Chair of the Appeals Committee)</i></p> <p>↓</p> <p><b>Hockey Calgary</b></p>	<p>↓</p> <p><b>24 Hour Rule</b></p> <p>↓</p> <p><b>Complainant</b></p> <p>↓</p> <p><b>Administrator</b> <i>(Complainant to email the Administrator requesting a copy of an Incident Form)</i></p> <p>↓</p> <p><b>President</b> <i>(Administrator to send form to the President, once received from Complainant)</i></p> <p>↓</p> <p><b>Hockey Calgary</b> <i>(The President will review the complaint and if supported, will forward to Hockey Calgary for review)</i></p> <p>↓</p> <p><b>Central Zone Referee's Committee</b> <i>(Hockey Calgary will contact the Central Zone Referee's Committee; as deemed necessary)</i></p>



## 10.0 Types and Levels of Violations

### 10.1 Level 1 Violation

Level 1 Violations, including but not limited to alleged misconduct of players, coaches, and parents should first be reported by the Complainant to the Team Manager and/or Head Coach AFTER following the 24-Hour Rule; unless there is an immediate concern where the safety of any person(s) is in jeopardy.

**NOTE:** *Generally; at no time, and under no circumstances, should any Southwest Hockey member or spectator confront a player, coach, game official, or other parent at the time of the incident, or at any time in the presence of players.*

**Southwest Hockey requests teams do their best to resolve issues at the team level first**, (unless there is an imminent safety concern). If the issue(s) cannot be effectively resolved within 48 hours (following the 24-Hour Rule), the Complainant should contact the SW Hockey Administrator for a copy of an Incident Form. The Administrator can be reached at: [admin@southwesthockey.ca](mailto:admin@southwesthockey.ca)

However, if the Complainant does not feel comfortable reporting an incident to the Team Manager or Head Coach (as the incident involves both of these individuals), then the Complainant should contact the Administrator for an Incident Form.

#### 10.1.1 Level 1 Violations involve such behaviour as, but not limited to;

1. Single incident of disrespect, or unsportsmanlike conduct; such as outbursts or arguing;
2. Obscene or vulgar language, or gesture directed towards anyone at any time;
3. Abusive language towards players, coaches, officials, parents, opponents, or spectators;
4. The taunting of players, coaches, officials, opponents or spectators by means of baiting or ridiculing;
5. Addressing a player, coach, official or volunteer in an unsportsmanlike, discourteous or threatening manner;
6. Adult bullying a Player or Adult bullying another Adult;
7. Breach of Social Media Policy;
8. Not adhering to the "24-Hour Rule", and proceeds to question or approach a team official with a complaint regarding a practice, game or other activity.

**NOTE:** *Level 1 violations may be dealt with at the Team Level, and can also be dealt with by the Association as required, depending on the severity.*

#### 10.1.2 Level 1 Suspensions

Can carry a penalty of up to a two (2) game suspension. The suspension would be applied once a decision has been completed.

An immediate suspension can be applied however, depending on the severity of the actions, and until the investigation is completed. The immediate suspension



(& number of games in which the person missed) while conducting the investigation may be taken into consideration when determining the overall suspension period.

## **10.2 Level 2 Violation**

Level 2 Violations will be dealt with at the Association level, and should be escalated to the Administrator immediately where an Incident Form must be completed.

### **10.2.1 Level 2 Violations, include such behaviour as, but not limited to:**

1. Volunteer harassment;
2. Deliberate disregard for Rules and Regulations under which Hockey Calgary, Hockey Alberta, Hockey Canada or SW Hockey;
3. Threats of physical violence towards any player, coach, official, parent, opponent, volunteer or spectator;
4. Throwing of an object in the spectator viewing area, player's bench, penalty box, locker room or on the ice that in a manner appears to be malicious or creates a safety hazard;
5. Intentionally shoving or striking a player, coach, or official during any Southwest Hockey activity, event or general business;
6. Public criticism of other Southwest Hockey members (allegations have to be proven false statements);
7. Any use of alcohol, tobacco/vaping, or cannabis by minors;
8. A second (2<sup>nd</sup>) violation of the same Level 1 Violation, or a total of three (3) or more Level 1 Violations.

### **10.2.2 Level 2 Suspensions**

Can carry a penalty of up to a six (6) game suspension which includes games, practices and all team & Association functions. The suspension would be applied once a decision has been completed.

An immediate suspension can be applied however, depending on the severity of the actions, and until the investigation is completed. The immediate suspension (& number of games in which the person missed) while conducting the investigation may be taken into consideration when determining the overall suspension period.

## **10.3 Level 3 Violation**

### **10.3.1 Level 3 Violations will be at the discretion of the Discipline Committee**

Determination would be based on a full investigation of the violation(s) involved.

If it is found that the violation(s) are a Level 3, the Discipline Committee will put forth a recommendation to the SW Hockey Board.

### **10.3.2 Level 3 Suspensions**

Can carry between a minimum seven (7) game suspension, up to a one (1) season suspension; or up to and including possible removal from the Southwest Hockey Association. This would also place the member as a “Member not in Good Standing”. The suspension or removal from the Association begins when a decision and notification has been completed.

An immediate suspension can be applied however, depending on the severity of the actions, and until the investigation is completed. The immediate suspension (& number of games in which the person missed) while conducting the investigation may be taken into consideration when determining the overall suspension period.

A Level 3 decision will be discussed ‘in camera’ at a Southwest Hockey Association Board Meeting, where quorum must be met and a 2/3 majority decision must be reached in order to approve the Level 3 Violation and discipline outcome.

## **11.0 Enforcement of Code of Conduct Breaches**

The objective is to maintain safety and acceptable behaviour within Southwest Hockey.

Reported incident(s) of conduct unbecoming will be reviewed on a case by case basis. While the types/levels of violations have been ‘sectioned off’ within this guide, there are still varying degrees of each type of conduct unbecoming which may lead to varying degrees of enforcement.

Therefore, while the goal is to be consistent with the enforcement(s) issued, the Discipline Committee and/or SW Hockey Board may deviate from ‘typical’ outcomes depending on the severity of the violation(s) and as deemed necessary when also taking into consideration any prior incident(s) and/or in accordance with Hockey Calgary.

### **11.1 Hockey Calgary League Chair Enforcement**

As per Hockey Calgary Rules & Regulations, it will be the duty of the League Chair/Coordinator to;

1. Supervise and direct the conduct of the teams, managers, coaches, players and spectators coming under their jurisdiction.
2. Have the authority to rule any team, team official, player or spectator who contravenes any rules and regulations established by Hockey Calgary.
3. Deal with anyone associated with a Hockey Calgary registered team who (in their opinion), is guilty of conduct unbecoming the game of hockey and may suspend a team, team official, player or spectator for up to three (3) games.
4. Liaise with the Category Governor, who may extend the suspension(s) to five (5) games.
5. Have the authority during a game or other activity under the auspices of Hockey Calgary to ask any participant or spectator to leave or not to enter an arena if in their sole opinion, the participant or spectator is exhibiting behaviour deemed to be unbecoming or detrimental to the game of hockey.

If a Hockey Calgary League Chair / Coordinator must enforce their duty with regards to the behaviour of teams, managers, coaches, players and/or spectators; Southwest Hockey may also impose further sanctions (suspension) as deemed necessary.

## 11.2 Bullying Enforcement

Hockey Calgary has instituted many rules around bullying behaviour. In all cases, the Hockey Calgary Rules and Regulations superseded this internal document. Any reported incidents of bullying towards players, coaches, officials or parents will be considered a Level 1 Violation and can be reviewed by the Association.

At minimum, the following 'zero-tolerance' will be in effect:

### Player bullying another Player;

- 1<sup>st</sup> Offense: Miss 1 period of play during a sanctioned game;
- 2<sup>nd</sup> Offense: Suspended from one (1) sanctioned game; Exhibition games do not count;
- 3<sup>rd</sup> Offense: Suspension from all sanctioned games and team activities; pending a review by the Association. The Team Manager and/or Head Coach (or Complainant) must contact the SW Hockey Administrator at: [admin@southwesthockey.ca](mailto:admin@southwesthockey.ca)

### Adult bullying a Player;

**Zero-tolerance.** This is considered a Level 2 Violation and the adult will be immediately suspended from attending all team related activities (practices, games, events etc.), pending a review by the Disciplinary Committee.

### Adult bullying another Adult;

**Zero-tolerance.** This is considered a Level 2 Violation and the adult will be immediately suspended from attending all team related activities (practices, games, events etc.), pending a review by the Disciplinary Committee.

Depending on the seriousness surrounding the circumstances of the bullying, the Calgary Police Service can be used as a resource.

## 11.3 Hazing Enforcement

**Zero-tolerance.** A player, team official, team, association, or any other Hockey Canada Registered Participant found, by an investigative process, to have condoned, initiated or, to the detriment of another, participated in hazing actions or behaviour shall be subject to discipline up to and including expulsion from Hockey Canada registered programs.

Any reported incidents of violations regarding the Hazing Policy will be considered a Level 3 Violation that will be reviewed by the Association.

## 11.4 Social Media Enforcement

Reported incidents of violations regarding Social Media will be considered a Level 1 Violation and can be reviewed by the Association.

At minimum, the following will be in effect:

- 1<sup>st</sup> Offense: One (1) game suspension;
- 2<sup>nd</sup> Offense: Two (2) game suspension;
- 3<sup>rd</sup> Offense: Becomes a Level 2 Violation;
- 4<sup>th</sup> Offense: Becomes a Level 3 Violation

Depending on the seriousness surrounding the circumstances of the Social Media breach, the Calgary Police Service can be utilized as a resource.

### **11.5 Volunteer Anti-Harassment Enforcement**

Any reported incidents of Volunteer Harassment will be considered a Level 2 Violation that will be reviewed by the Association.

At minimum, the following will be in effect:

- 1<sup>st</sup> Offense: Up to a six (6) game suspension
- 2<sup>nd</sup> Offense: Becomes a Level 3 Violation

### **12.0 Reporting a Dispute / Unacceptable Conduct**

1. A person who experiences, witnesses or has reason to believe that unacceptable conduct has occurred is encouraged to make it known directly to the alleged offender as soon as it is possible (following the 24 Hour Rule, and within the Incident Deadline date), indicating that the behaviour is unwelcome, offensive or contrary to Southwest Hockey Policies.
2. However, if the person does not feel comfortable approaching the alleged offender, they are encouraged to report the incident in accordance to the Dispute Communication Chart.
3. If the person does not feel they can approach the Team Manager and/or Head Coach, they are then to contact the SW Hockey Administrator at: [admin@southwesthockey.ca](mailto:admin@southwesthockey.ca) for a copy of the Incident Form.
4. Once the Incident Form has been received from the Complainant, the Administrator will submit the Incident Form to the Director at Large who is overseeing disputes.

The Director at Large will;

1. Immediately reach out to the Complainant simply acknowledging that the form has been received and that they will be in touch for further follow up;
2. Review the Incident Form to determine if there has been unacceptable conduct;
3. If it is determined that a further review is needed, then the Director at Large will proceed to **Section 13.0: Determining Relevance**.

### **13.0 Determining Relevance**

To determine the relevance of the dispute being submitted, at a “high-level”, the Director at Large will determine;

1. Whether the alleged conduct falls within the definitions of unacceptable conduct as established by the Policy;
2. The nature of the complaint, including an initial assessment to the seriousness of the alleged conduct;
3. Who the complaint involves?

**13.1 If it's determined that the complaint does NOT fall within the definition of the SW Hockey Discipline Policy, or that the complaint does not involve any person to whom the Policy applies;**

1. The Complainant will be notified accordingly and no further action will be taken;
2. The Director at Large may recommend other avenues be pursued by the Complainant in order to resolve the matter at hand.

**13.2 If it IS determined that the complaint DOES** involve a person or persons to whom the Policy applies and the complaint is initially assessed as minor in nature, and if agreed upon by parties involved;

1. A resolution may first be attempted through a preliminary conversation; where any such resolution may also provide for an opportunity of withdrawing the complaint or a portion thereof.
2. If the preliminary conversation IS successful, and a resolution is found:
  - a. Director at Large to submit an email to the Administrator noting in the email the outcome(s) and;
  - b. Team Manager / Head Coach are informed of the resolution and steps to take if there are any repeated incidents.
3. Should the preliminary conversation be unsuccessful, or if at any time; one or both parties decline to participate further with the initial mediation;
  - a. The Director at Large shall proceed to escalate the matter to the SWH Discipline Committee.

**13.3 If the complaint is initially assessed as serious in nature**, and is determined that the complaint involves a person or persons to whom the Policy applies; then the Director at Large should escalate the matter to the Discipline Committee.

#### **14.0 Discipline Committee**

It is SW Hockey's intention that each incident be dealt with in an objective, fair and as consistent manner as possible with appropriate repercussions for the severity of the actions.

The Discipline Committee will deal with infractions regarding Code of Conduct and will be chaired by;

1. Vice President On-Ice;
2. Up to three (3) Board of Directors; as appointed by the President.

Conflicts of Interest must be disclosed by members of the Disciplinary Committee PRIOR to beginning any investigative process; or as soon as a Conflict of Interest presents itself.

The Disciplinary Committee may request, from the Administrator; the **Discipline & Appeal Guideline document** to assist in the investigative process.

The Disciplinary Committee has the authority to determine the outcome(s) including any disciplinary actions or suspension(s) that may be warranted.

#### **15.0 Investigations**

When it is determined that an investigation is warranted, the Discipline Committee members must be specifically tasked, in order to carry out the investigation in a timely manner.

Tasks include, but are not limited to:

1. Notify the Respondent that a complaint has been received, and that an investigation is underway. The Respondent should be told what the complaint is in regards to;
2. Provide the Respondent a reasonable opportunity to consult with a representative (if required to do so);

3. Request that the Respondent provide a written response regarding the complaint, within a reasonable timeframe (which can be at the discretion of the Discipline Committee).
4. Investigate the complaint, including interviewing both the Complainant and the Respondent, along with any other person(s) deemed relevant to the investigation;
5. Re-interview as needed, in order to provide person(s) full opportunity to respond to all pertinent information that has been gathered during the investigation;

### **15.1 Disciplinary Sanctions**

Disciplinary Sanctions are meant to be progressive in nature, however these determinations will depend on the severity of the alleged breach(es) of Policy or Conduct.

The following disciplinary sanctions may be utilized; singly or in combination of:

1. Verbal reprimands;
2. Written reprimand;
3. Verbal or written apology;
4. Service or other voluntary contribution to SW Hockey;
5. Removal of certain privileges;
6. Suspension(s) from games, practices, team and/or Association events, coaching;
7. Expulsion from SW Hockey;
8. Or as otherwise determined appropriate for the offence.

When determining Disciplinary Sanctions, considerations may be given for such reasons as, but not limited to:

1. The nature and severity of the infraction;
2. Whether the infraction was an isolated incident or part of an ongoing pattern;
3. Age of the Respondent;
4. Whether the Respondent had been involved in previous infractions of similar nature;
5. Whether the Respondent acknowledged responsibility;
6. The extend of the Respondent's remorse;
7. The likelihood of the Respondent's 'rehabilitation', or likelihood to repeat.

### **15.2 Disciplinary Outcomes – Written Report**

Within ten (10) business days of the receipt of the Incident Form by the Discipline Committee (or as soon as possible thereafter), the Discipline Committee will deliver its written decision to the Complainant, Respondent, Discipline Committee, and if the outcome affects the Members standing with the Association, then the Administrator and Registrar should also be informed.

The written decision shall contain the following:

1. A summary of the facts, referring (as necessary), to the investigator's report;
2. A conclusion as to whether or not Policy has been breached;
  - a. No further action to be taken as it was determined that no breach of Policy or Conduct was found to have occurred, or;
  - b. The Complainant HAD merit, and what the repercussions (corrective actions and/or suspensions) will be given for parties involved, or;

3. Disciplinary action (if any), to be taken against the Respondent for any breach of Conduct or Policy found to have occurred;
4. What the disciplinary sanctions (if any), will be administered to the Complainant; in the event of finding that the complaint was clearly false, malicious, or frivolous;
  - a. If action is to be taken against the Complainant, those repercussions are to also be included in the written report, or a new investigation is to be opened against the Complainant.
5. If determined to be necessary, measures to remedy or mitigate the harm or loss suffered by the Complainant for any breach of Policy or Conduct found;

Unless the Disciplinary Committee determines otherwise, any suspensions/sanctions to be taken against either the Complainant or Respondent; shall take effect immediately.

A copy of the written report from the Discipline Committee, is to be submitted to the Administrator, for filing.

***Failure by a member to comply with the suspension(s)/sanction(s) as determined by the Disciplinary Committee shall result in an automatic suspension of membership with SW Hockey, until such time as the sanction is fulfilled.***

## 16.0 Appeals

Both the Complainant and Respondent shall have the right to appeal the decision of the Discipline Committee, for any incidents where there were seven or more (7+) game suspensions issued.

***NOTE: For suspensions where 6 or less games were issued, NO appeals will be heard.***

A notice of intent to appeal (**Appeal Form**), along with the grounds for the appeal, must be provided within 5 business days of the Complainant and/or Respondent receiving the Discipline Committee's written decision.

The other party will be notified, if an appeal is being requested. The party will be provided with the grounds of the appeal and the opportunity to submit a response to the notice.

***NOTE: The time/date stamp of the Discipline Committee's decision will be used to determine the appeal submission timeline.***

Appeal Form can be requested, by contacting Administrator at: [admin@southwesthockey.ca](mailto:admin@southwesthockey.ca)

### 16.1 Appeal Package

The Appeal Package, must include:

1. Completed Appeal Form;
2. Appeal Fee (non-refundable).
  - a. For the current Suspension Appeal Fee, contact the Administrator.
  - b. Cash or Money Order is the only form of payment accepted.
    - i. Money Orders to be made payable to Southwest Hockey Association.
  - c. The completed Appeal Form and Appeal Fee is to be submitted to the Administrator within the noted appeal timeline.



## 16.2 Appeal Committee

The President shall Chair the Appeal Committee, and will appoint a minimum of 3 Board Members who:

1. Shall have no significant relationship with the affected parties;
2. Shall have no significant involvement with the issue being appealed and;
3. Shall be free from any other actual or perceived bias or conflict.

## 16.3 Appeal Preliminary Review

Within 72 hours of receiving an appeal notice, the President shall decide whether or not the appeal is based on one or more of the "Reasons for Appeal" (Grounds for Appeal), as outlined on the Appeal Form.

**NOTE: The President shall not determine if an error has been made, only if the Complainant or Respondent is basing the appeal on such an allegation of error.**

If the appeal is denied on the basis of insufficient grounds the "Appellant" shall be notified by the President of this decision in writing; giving reasons. This decision is at the sole discretion of the President, and may not be appealed. The Appeal Fee would be returned.

If the President is satisfied that sufficient grounds for an appeal have been identified, they shall appoint the Appeal Committee and arrange the following;

1. Date and location of hearing;
2. Deadline for collecting/exchanging of documents;
3. Clarification of issue(s) in dispute;
4. Any procedural matters (order and procedure of hearing);
5. Remedies being sought;
6. Identification & notification to attendees/witnesses;
7. Any other matters which may assist in expediting the appeal proceedings.

## 16.4 Appeal Timeline

Within 7 business days of the President receiving the written Appeal Form & Appeal Fee, they shall arrange a date & time for the Appeal Hearing and will give notice of the date to the Complainant or Respondent.

This date & time may not be rescheduled, unless extenuating circumstances presents itself, and approved by the President. Otherwise failure to attend the Appeal Hearing will forfeit the Appeal Hearing, and Appeal Fee.

No further appeal may be submitted, and any disciplinary action(s), suspension(s) or sanction(s) initially issued by the Disciplinary Committee will remain in effect.

## **16.5 Appeal Hearing (Meeting)**

Representation(s) are limited at an Appeal Hearing to those persons requested to, or approved to be in attendance; by the Chair of the Appeal Committee.

The Appeal Committee has discretion to govern the hearing of the appeal in a manner deemed appropriate; provided the Committee adheres to the following:

1. The decision of the Appeal Committee will be based on a review of the documentation regarding the complaint, including the complaint and any reply by the Respondent;
2. The report of the investigator(s);
3. Submissions made by the parties in response to the investigator(s) findings;
4. The decision of the Discipline Committee;
5. Notice of Appeal Form, and any representations in response to the appeal, as permitted by the Chair of the Appeal Committee.

The time limit for the Complainant or Respondent to give their presentation, will be a maximum of 15 minutes.

The length of the 'question period', will be as determined by the Appeals Committee; at its sole discretion. Once the 'question period' has concluded, the Appeals Committee will meet privately to deliberate on the appeal and make a decision.

## **16.6 Appeal Decision**

Within 48 hours of the conclusion of the Appeal Hearing, the President shall issue the written decision, including reasons, to the Appellant, Appeal Committee, and if the outcome affects the Members standing with the Association, then the Administrator and Registrar should also be informed. A copy of the decision will be kept on file, along with the Discipline Committee's written report, and is to be submitted to the Administrator.

In deciding the appeal, the Appeal Committee may;

1. Uphold the decision of the Disciplinary Committee;
2. Substitute its decision, or;
3. Modify the Disciplinary Committee's written report.

The ruling of the Appeal Committee is final.

## 17.0 Procedural Overview

From the time in which an incident occurs, **IF** each of the following escalations are required (& completed in a timely manner **by all parties involved**), then the approximate timeline for determining a final outcome could be up to 30 days.

**NOTE:** SW Hockey aims to resolve incidents as quickly as possible, and acknowledges that there will be incidents/disputes resolved well before the 30 days. However, if the dispute/incident is deemed serious enough, then adequate investigation(s) and follow-up(s) will be required in order to come to a final determination.

