



POLICY - COMPLAINTS and DISPUTE RESOLUTION

Effective Date: 2020 Revision

Related Policies

Board of Directors Policy

Discipline & Appeals Policy

Sports4all encourages all members (players, parents, and coaches) to attempt to resolve issues in good faith prior to club intervention keeping in mind the criteria provided in our Club Code of Conduct, but understands that this is not always possible.

Encouraging open communication, Sports4all is committed to investigate and act fairly, and without bias upon all complaints or reports of inappropriate behavior pertaining to Sports4all sports related activities.

As with the majority of non-profit organizations in Canada, Sports4all is a private tribunal, essentially autonomous and self-governing; deriving our authority from our “governing documents” – our constitution, bylaws, policies, procedures and rules. As a tribunal, we are also subject to the rules of procedural fairness. For example, before an organization can make a decision that adversely affects an individual, that individual has a right to know the case against them and to be given a reasonable opportunity to respond on their own behalf.

If the situation warrants, following consultation with our governing bodies, an independent review of complaints will be sought in order to maintain the fairness of the evaluation

Complaints about Directors or Staff

If a member of the Sports4all wishes to make a formal complaint about any Director of the Board, they may do so, in writing. Any such complaint, is to be directed to Sports4all's Operations Director at info@sports4all.ca.

Formal complaints regarding club members, staff, volunteers, coaches, players, referees, etc. that require investigation should be submitted in writing to the Operations Director of Sports4all at info@sports4all.ca.

If a formal complaint is to be made against the Sports4all Operations Director, please contact the Sports4all President at info@sports4all.ca in writing with the details of the complaint.

Complaints regarding breaches of the Confidentiality Policy are to be directed to the club President at info@sports4all.ca who shall act as the Club's Privacy Officer.

Formalizing Complaints

- a) Any complaint can be communicated verbally, initially, to a club official or employee but must be followed up in written form (letter and/or email) in order to be acted upon.
- b) All complaints to the club must be in written form before a complaint is dealt with. A confirmation from Sports4all that the complaint has been received will be provided via email if possible; other confirmation forms may include telephone or letter.
- c) Once a written complaint has been filed with the club, a Review Committee consisting of least three (3) committee members, independent of the Sports4all Board of Directors, will be struck to review the complaint and determine if a hearing will be required.
- d) A committee member assigned to lead the investigation into the complaint will schedule a Complaint Hearing within ten (10) business days of receipt/filing of the complaint, also providing notice to the individual(s) whom the complaint has been filed against. The individual(s) who are named on the complaint shall be contacted by e-mail and requested to appear at the Complaint Hearing.
- e) Hearings shall be conducted by three (3) committee members (members who were NOT part of the initial Review Committee wherever possible, yet independent of the Board of Directors) one of whom is to be a certified Discipline Chair. If a certified Chair is not available within the club, the Region will be asked to provide a certified Chair for these purposes.
- f) The individual(s) named on the complaint is/are entitled to be present at the hearing. Only individuals called by the committee shall be allowed to participate in a hearing.
- g) Hearings can take place by way of written submissions or oral submissions and with differing degrees of formality and complexity. The main consideration will be to decide upon a process that best allows the affected individual to adequately answer the case against them given the circumstances of the complaint and the nature of the matter being considered.
- h) The committee shall then deliberate in camera following the Hearing with the individual(s) who are named on the complaint.
- i) The decision of the committee shall be communicated to the individual named in the complaint within ten (10) working day of the Complaint Hearing.
- j) Penalties can range from a permanent suspension from the club, suspension for a specified period of time, and a probationary period where the individual is allowed to continue with the club.
- k) All committee decisions are final, and the issuing of "Reasons for Decision" along with the decision is not mandatory due to legislated privacy constraints.
- l) Individual(s) who are charged with a criminal offense involving club related incidents shall be immediately suspended from the club pending resolution of the charges. No Complaint or Discipline Hearing shall take place when an individual is facing criminal charges for club related incidents. Club members who are convicted of a Criminal Code of Canada offense are subject to suspension or removal.
- m) Any individual who is convicted of a criminal offense resulting from sexual or physical abuse shall be banned for life from the club.

Appeals

No action or legal proceeding will be commenced against Sports4all or its club members, staff,

volunteers, coaches, players, referees, etc, in respect of a complaint or dispute, unless Sports4all has refused or failed to provide or abide by the dispute resolution process and/or appeal process as set out in Club policies and/or procedures.

Dispute Resolution

Dispute resolution is defined as “the process of resolving disputes between parties”. In the case of the Sports4all disputes are typically brought to the attention of the club by way of a formal complaint. Resolution is most often achieved following investigation by club officials and follow-up discussions and/or the provision of education/training with the parties involved.

Formal dispute resolution for matters of “a corporate nature” (as shown below), may be addressed through the CSA Dispute Resolution Policy:

- a) The calling and holding of general meetings
- b) The presentation and approval of financial statements
- c) The nomination and election of Directors and Officers
- d) The removal of Directors and Officers
- e) The acceptance, rejection and removal of members
- f) The calling and holding of Board meetings
- g) Breaches of parliamentary procedure
- h) Other matters of a similar corporate or governance nature