



Last updated May 2018

Dispute Resolution and Discipline Policy

The purpose of this policy is for the North Shore Female Ice Hockey Association (NSFIHA) to provide an explanation as to how complaints are handled. Complaints can arise in a variety of circumstances but most frequently all arise from a belief that there has been a material breach of the constitution, bylaws or policies of the NSFIHA or any policies or guidelines issued by the Pacific Coast Amateur Hockey Association, British Columbia Amateur Hockey Association (more commonly known as BC Hockey) or Canadian Hockey Association (more commonly known as Hockey Canada).

1. Introduction

- 1.1 The NSFIHA recognizes that issues and differences can arise among parties within the hockey environment. Communication (or lack thereof) is often a primary issue in these differences. It is the goal of the NSFIHA to limit problem situations through the promotion of clear and respectful communication.
- 1.2 This policy will apply:
 - (a) upon submission of a complaint to the President involving persons participating in activities of the NSFIHA including players, parents, volunteers, coaches and other team officials, referees, employees, directors, officers, committee members and other representatives of the NSFIHA;
 - (b) upon a director or member of the NSFIHA initiating the complaint process; and
 - (c) to all complaints that come to the attention of the NSFIHA and involve harassment or abuse, where provided by the NSFIHA's Harassment and Abuse Policy.

2. Complaint Process

- 2.1 All complaints:
 - (a) must, subject to the discretion of the President, be made in writing using the Complaint Submission Form or in some other acceptable written form; or

- (b) may be initiated, or otherwise investigated, by the President in his or her discretion.
- 2.2 Before advancing or investigating a complaint, the President may, in his or her sole discretion, require the complainant to demonstrate that the complaint has either attempted to solve the issues(s) raised in an informal manner before the President will accept the complaint.
- 2.3 After accepting, or initiating, a complaint, the President has the option to:
- Investigate the matter further himself/herself and make a ruling or decision; or
 - Refer to the matter to the Dispute Resolution and Discipline Panel consisting of 2-5 appointees selected by the President and which may include the President (the "Panel"), and the Panel will oversee a review process in which the Panel shall determine, at its discretion, which of the following procedures shall be used by the Panel to deal with the complaint:
 - The Panel shall review the statements, if any, of the person who raised the complaint and may conduct any other investigations it deems appropriate and shall then render a recommendation to the President as to the appropriate decision/outcome; or
 - The Panel shall convene a hearing (with the procedure in the discretion of the Panel) involving, where applicable, the person who raised the complaint, the subject of the complaint and any persons the Panel deems appropriate. The parties and the witnesses shall have an opportunity to present. Following the hearing the Panel shall render a recommendation to the President as to the appropriate decision/outcome.
- Following the recommendation to the President in either case, the President will render his/her decision.
- 2.4 If the President is of the opinion that matter is sufficiently serious or the President, in his or her sole and unfettered discretion, otherwise deems it appropriate, the President may immediately suspend on an interim basis any individual from involvement in all NSFIHA activities pending a final decision of the President or recommendation of the Panel and/or forward the complaint to appropriate governmental authorities, as the President deems appropriate.
- 2.5 If at any point in the proceedings the person who initially raised the complaint withdraws his or her complaint, the President or Panel, as the case may be, shall decide whether or not to continue the review of the complaint in accordance with this policy.

3. Decisions of President

3.1 Decisions of the President shall be communicated to the subject of the complaint and may, in the President's sole discretion, be communicated to any other person. The decision may contain:

- Any recommended measures that may be imposed, if any, at the President's sole discretion, which may include, but are not limited to:
 - Suspension;
 - Verbal apology;
 - Written apology;
 - Letter of reprimand from the NSFIHA;
 - Referral to counseling;
 - Suspension or removal from office or position;
 - Cancellation of membership;
 - Probationary period;
 - Recommendation of changes to NSFIHA policies to the Board; and
 - Such other actions as the President deems appropriate.

4. Appeal of Decisions

4.1 Both the person who raised the complaint and the subject of the complaint have the right to appeal the decision of the President by filing with the President a written notice of appeal setting out, with full particulars, the grounds of appeal. The only permissible grounds of appeal are as follows:

- The President or Members of the Panel, if applicable, were biased;
- The President based on his or her decision on wholly irrelevant considerations; or
- The President reached a decision which was wholly unreasonable.

4.2 The notice of appeal must be delivered to the President not later than five days (including weekends and holidays) following notice of the decision being provided to the complainant.

4.3 An appeal filed in compliance with sections 4.1 and 4.2 shall be reviewed by the Board of Directors of the NSFIHA, but not including the President, and not including the members of the Panel if the Panel made a recommendation to the President in respect of

the initial decision under appeal (such remaining members, the “Appeal Committee”). The Appeal Committee shall render a decision on a review of the documentation surrounding the complaint, including the statements of the person who raised the complaint and the subject of the complaint, the recommendation of the Panel, the notice of appeal, and any other facts that the Appeal Committee deems relevant in its sole discretion.

- 4.4 In deciding the appeal, the Appeal Committee shall have the authority to uphold or reverse the decision of the President and/or to modify the President’s decision. The decision of the Appeal Committee shall be final and binding and shall not be subject to further review or appeal.

5. General

- 5.1 The NSFIHA recognizes the potentially sensitive and serious nature of certain complaints and will strive to keep matters relating to a complaint confidential. However, the President may make disclosure of a complaint and information gathered related thereto, if the President deems it appropriate, if required by law, advised by legal counsel, or if otherwise guided to do so by the British Columbia Amateur Hockey Association (more commonly known as BC Hockey), the Pacific Coast Amateur Hockey Association or Canadian Hockey Association (more commonly known as Hockey Canada).
- 5.2 The President may delegate its powers and responsibilities under this Policy to the Vice President of the Board or to any other member of the Board.