



Complaint, Dispute Resolution, Suspension and Expulsion Policy

The St. Thomas Skating Club (herein identified as “STSC”) supports Skate Canada and Skate Ontario’s principles of Alternative Dispute Resolution and is committed to the techniques of negotiation, facilitation, mediation, and arbitration as effective ways to resolve disputes with and among members, and to avoid the uncertainty, costs and other negative effects associated with litigation.

The Club is committed to providing an environment that is characterized by the value of fairness, integrity, open communication, and mutual respect. Participation in STSC activities brings with it many benefits and privileges. At the same time, STSC members are expected to fulfill certain responsibilities and obligations including, but not limited to, complying with the policies, procedures, rules, and regulations set forth in the STSC Code of Conduct.

1. Purpose

From time to time, issues arise that have the potential to harm the reputation of the Club and sport in general. This Policy has been developed to address the need for STSC to manage and minimize any potential harm and/or damage. Members should be aware that this policy is secondary to any Skate Canada Policies/Rules or Provincial/Federal law.

In accordance with this policy, the Board of Directors may suspend or expel a member of the club for acting contrary to the By-laws, Rules, Regulations and Policies of Skate Canada or of the St. Thomas Skating Club.

2. Complaints

The following steps shall be taken in the event of a complaint or a dispute:

1. The first step is for the member, volunteer, coach, or parent/guardian who believes that there has been a violation of any of the Club’s rules, which include Skate Canada, Skate Ontario, Club, Coach and Parent Code of Ethics, to approach the member, volunteer, coach, or parent/guardian involved to discuss the situation and to advise that person of the rule that may have been violated. Should a skater have violated a rule, the matter should be brought to the attention of his/her coach and the coach should be asked to discuss it with the skater.
2. If there is a second offense or if the situation is unresolved, the complainant shall make a written complaint to the Club’s President, who will notify all persons involved that the Board will review the complaint. The alleged offender has the right to respond in writing to the complaint. The Board will then review all written submissions. The Board’s decision will be conveyed within 5 working days to all parties and a written warning and explanation of the rule sent to the offending party.
3. If there is a subsequent offense, the complainant shall make an additional written submission to the Club’s President, who will again notify all persons involved that the complaint will be reviewed by the Board. The alleged offender again has the right to respond in writing to the complaint. The Board will review all written submissions to determine an appropriate suspension from Club’s programs and events, regardless of location of that program or event, for a period of time based on the severity of the violation. The Board’s decision will be conveyed within 5 working days to both parties.

Anonymous complaints will not be accepted but a complainant may request anonymity during the process.

3. Appeals

The Club supports Skate Canada and Skate Ontario's policy with respect to Appeals. The purpose of this appeals policy is to enable disputes with members to be dealt with fairly, expeditiously, and affordably, within Skate Canada and Skate Ontario, without recourse to formal legal and court-like procedures.

The following steps should be taken in the event an appeal is received:

1. Should either party not be satisfied with the Board's decision, written application for an appeal hearing must be made to the President within 5 working days of receipt of the Board's decision.
2. The Board of Directors will hear the appeal. Both parties have the right to present their case in person.
3. The decision of the Board of Directors is the Club's final decision. If this decision is unsatisfactory to either party, they have the right to appeal to Skate Canada/Ontario.

4. Dispute Resolution

This policy applies to all disputes with and among members or individuals engaged in activities with or contracted by the Club.

A dispute is characterized by a disagreement between two or more parties and may consist of single or multiple incidents. The gravity of a dispute may vary significantly and may be characterized by a range of actions, implications, or consequences. Examples include:

- A complaint alleging that a board member, volunteer, employee, skater, team, coach, official, parent/guardian or spectator is guilty of misconduct.
- A dispute relating to team selection.
- Any other request for resolution of a dispute arising from or relating to the activities of the Club.

No Retaliation for good faith reports: Retaliation against an individual who has reported an incident in good faith will not be tolerated and one who retaliates is subject to discipline up to and including expulsion.

Acting in good faith: Anyone reporting a concern must be acting in good faith and have reasonable grounds for believing the information being reported is true and accurate. Any allegations that prove not to be substantiated and prove to have been malicious or intentionally false will be viewed as a serious offence, subject to disciplinary action.

4.1 Reporting a Dispute

Any individual subject to this policy may report a dispute.

After making every effort to resolve the conflict amongst themselves, a complaint can then be made to the President in writing (signed and dated by the complainant) as soon as reasonably possible and within seven (7) business days as set by this policy. Should the report involve the President, the report will be subsequently managed by another Director on the board.

4.2 Referral and Review of Complaints and Incidents

The President will immediately advise the Board of Directors and the Respondent(s) named in the complaint that a complaint has been filed and, within three (3) business days, provide each with a copy of the complaint.

If the dispute is considered to be trivial, frivolous, or vexatious in nature, the President will advise complainant and thereafter shall take no further action in relation to that dispute.

The President may extend the time for submission of a complaint notwithstanding the expiration of the time set by this policy.

4.3 Investigation Committee

Will consist of three (3) representatives: President (or delegate) as the Chairperson, one board member and one coach representative, to be selected at the beginning of the season.

Should the report involve the President (or delegate) or a Coach, the investigation will be subsequently managed by an alternative member of the Board, ensuring there is no conflict of interest from either party, as per *STSC Conflict of Interest Policy*.

4.4 Investigation Procedure

Disputes will be first referred to the President for consideration, clarification, and possible resolution.

The Investigation Committee will:

1. Provide a copy of the complaint to the Respondent within three (3) business days.
2. Gather information from the Respondent and any witnesses in regard to the dispute.
3. Facilitate a meeting between the parties and/or make recommendations for resolution.
4. A recommendation will be made to the President. This recommendation may include:
 - The President will immediately advise the Executive Board and the Respondent(s) named in the complaint that a complaint has been filed and, within three (3) business days, provide each with a copy of the complaint.
 - If the dispute is considered to be trivial, frivolous, or vexatious in nature, the President will advise complainant and thereafter shall take no further action in relation to that dispute.
 - The President may extend the time for submission of a complaint notwithstanding the expiration of the time set by this policy.
5. On completion of the investigation, the Chairperson shall make a written report to the President, which will include the decision and may relate to any matter disclosed during the investigation.
6. The Executive Board shall notify the parties of the investigation findings and provide a written report.

4.5 Records and Use of Decisions

The Board shall maintain a record of all decisions of investigations.

The Investigation Committee and Board may consider the decisions of previous investigations but are not bound by the precedent.

4.6 Appeal Process

If the dispute is not resolved to the satisfaction of both parties, it may be referred to the local Skate Ontario office.

If the Club's Dispute Resolution Process has been exhausted, it implicates a section, or it involves the President or Delegate or where a conflict of interest exists and/or the matter is not resolved, either party may direct their concern in writing to Skate Canada for resolution in accordance with *Skate Canada's General Disputes Reporting and Resolution Policy* (and/or the *General Disputes Reporting and Resolution Procedure*) through the National Safe Sport Program.

A fee may be charged by Skate Canada to the parties involved.

4.7 Confidentiality

To demonstrate respect for all parties, the Club shall abide by principles of confidentiality in implementing the Dispute Resolution Policy.

5. Suspension

Membership may be suspended from the Club, in accordance with STSC By-laws 4 and 6, if:

1. The member is in arrears in club fees, coaching fees, or both.
2. The member repeatedly contravenes the St. Thomas Skating Club Parent of Conduct or Skating Etiquette and Rules
3. A member of the Board of Directors fails to act honestly and in good faith, properly exercise powers or avoid conflicts of interest as per the St. Thomas Skating Club Conflict of Interest Policy.
4. Pending the outcome of a complaint filed under this same policy.
5. Members shall not be suspended unless recommended through board vote.
6. Members shall be immediately suspended if recommended by Skate Canada.

6. Expulsion

Members shall be immediately expelled from the St. Thomas Skating Club, in accordance with STSC By-laws 4 and 6, if:

1. The member is found guilty of the Skate Canada Anti-Doping Policy.
2. The member is found to be guilty of harassment as per *Skate Canada's Misconduct Reporting and Resolution Policy*.
3. The member is found guilty of a criminal offence involving the St. Thomas Skating club, including but not limited to fraud or abuse.
4. If expulsion of the member is recommended by Skate Canada.

7. Reinstatement

Suspended members may be reinstated at the discretion of the Board of Directors once:

1. Full payment to the club or its coaches have been received
2. The member or parent/guardian has signed a written commitment to adhere to the code of conduct and skater etiquette policies, and a satisfactory apology to those impacted has been given.
3. Appropriate disciplinary measures have been addressed as per the outcome of a complaint and the recommendations of the Board, including but not limited to, verbal apology, written apology, letter of reprimand from the Club, and removal of certain privileges of membership.
4. Expelled members may not be reinstated unless recommended by Skate Canada.

Reference: [Skate Canada's Misconduct Reporting and Resolution Policy](#), *St. Thomas Skating Club Conflict of Interest Policy*, [Skate Canada's General Disputes Reporting and Resolution Policy](#), [Skate Canada Safe Sport Program](#), *Skate Canada Misconduct Reporting and Resolution [Policy](#) and [Procedure](#)*

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