

CSC General Dispute and Resolution Policy

Document Classification: Policy

Associated Documents: General Dispute and Resolution Procedure

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POLICY purpose: The Clinton Skating Club (“the club”) places the highest priority on ensuring there is a safe, professional, inclusive, and respectful environment for all participants and the General Dispute Reporting and Resolution Policy (“Policy”) has been established to ensure such an environment. This Policy promotes awareness, fairness, equity, transparency, prevention and the appropriate timely response and resolution of reported violations to this Policy.

Critical to creating and maintaining a safe environment includes the establishment of preventative measures; as well as accessible reporting and resolution mechanisms to ensure fair and equitable treatment of all participants.

This Policy encourages the fair and impartial management of general disputes and is intended to encourage and enable all individuals to whom this Policy applies to submit and respond to concerns classified as a general dispute in nature. General disputes include matters such as breach of contracts and of the Club/Skate Ontario/Skate Canada rules, regulations and/or policies.

POLICY scope:

This policy applies to all individuals engaged in activities (on or off ice) with the club. An individual means a person, including registrants, volunteers, parents/guardians of skaters (including minor skaters), as well as persons engaged in activities, events/competitions, and programs with and/or hosted by the club (including coaches and staff members).

This Policy applies to general disputes between or amongst individuals, as defined above, in accordance with the club’s General Dispute Reporting and Resolution Procedure (“Procedure”).

Violations of any club/Skate Ontario/Skate Canada policies may result in a warning, reprimand, restrictions, suspension, or other disciplinary actions up to and including expulsion, as applicable and appropriate, and/or as permitted by the Bylaws of the club.

This Policy establishes the Procedure and is designed to ensure an appropriate and timely resolution of reports of general disputes.

This policy does not apply to matters where there are other Skate Ontario policies in place, which the club has adopted, including but not limited to the policy on anti-doping, and appeals related to the team selection and carding process.

POLICY statement:

Reporting Process

General Disputes may be reported to the club via email to clintonskatingclub@hotmail.com

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 offense, subject to disciplinary action up to and including expulsion from membership in the club.

Review and Investigation

Upon receipt of a complaint, the complaint will be reviewed by the board and committee members of the Clinton Skating Club to determine the merits of the complaint and next steps in accordance with the Procedure.

Once a full investigation has been performed, following the process outlined in the accompanying Procedure, a recommendation will be made by the committee whether a violation of this Policy and/or related club/Skate Ontario/Skate Canada policies and procedures has occurred. The committee will provide a recommendation for what actions, if any, must be taken by one or more of the involved parties. In most cases, measures will be limited to corrective actions to be taken to prevent future instances of similar violations.

If it is determined that sanctions should be imposed, sanctions imposed will be proportionate to, and reflective of, the nature and severity of the violation, and may involve one or more of a series of disciplinary measures, including suspension or expulsion from membership of the club.

Decisions/Sanctions

The club's committee will present the findings and recommended actions to be taken by the club to the Board of Directors for a final decision. In instances where there are multiple or repeat complaints of a similar nature against a specific party, sanctions imposed by the club will be more severe if the club finds a party has not/will not take the appropriate/required corrective action as communicated in the decision of the original complaint.

Appeal Process

The decision of the club as it relates to this Policy may be appealed, only in accordance with this Policy and the Procedure, if and as applicable.

Not all decisions may be appealed. Decisions may only be appealed on procedural grounds where it has been demonstrated that:

- a decision was made outside of the club's authority or jurisdiction, as set out in club's governing documents;
- procedures were not followed as laid out in approved policies of the club;
- a decision was influenced by bias, where bias is defined as a lack of neutrality to such an extent that the decision-maker is unable to consider other views, or that the decision was influenced by factors unrelated to the substance or merits of the decision;
- discretion was exercised for an improper purpose.

An appeal of any decision and/or sanction imposed by the club may be appealed to Skate Ontario.

Confidentiality

Once a general dispute has been reported and until a decision is released, to protect the interests of all parties, no individual is permitted to disclose either the existence of a complaint or confidential information or records that form part of the investigation of the complaint to any individual outside of the complaint except as strictly required for the purposes of investigating, taking corrective action with respect to the complaint or as otherwise compelled by law.

Any breach of the confidentiality requirements as outlined herein will be treated as a serious offense. The individual who breached the confidentiality requirements may be subject to disciplinary action, at the sole discretion of the club, up to and including expulsion from membership in the club.

Timelines

If the circumstances are such that a timely resolution is not possible, the club (depending on the nature of the report) may direct that the timelines as outlined in the Procedure be revised. Records of all decisions, including all supporting documentation (investigation reports, any corrective action taken, notes, etc.), will be maintained by the club.

Exceptions

If the complaint contains any allegations of misconduct as defined below, the complaint will be automatically redirected to the Skate Canada external independent third-party Case Manager process by way of the following channels:

Online: www.skate-safe.ca

Telephone: 1.833.723.3758

Misconduct means acts, conduct and/or behaviours that result in or have the potential to result in physical or psychological harm, which for the purposes of Policy includes: maltreatment, behaviours, acts and/or conduct of abuse including physical, psychological, and sexual; neglect; grooming; and interference or manipulation with the processes related to the implementation of this Policy, including retaliation, aiding and abetting, failure to report maltreatment of a minor, failure to report inappropriate conduct, and intentionally filing a false allegation, abuse of authority, bullying, harassment, and discrimination.

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