



General Dispute Reporting Process

A general dispute may be reported to the Stratford Skating Club by email to the Stratford Skating Club:

stratfordskating@gmail.com

If the complaint contains any allegations of misconduct, 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

The general dispute report must contain as much information as possible about the dispute of concern, including but not limited to dates, times, locations of the dispute (as applicable), names of any witnesses to the dispute(s) and a detailed description of the dispute.

The general dispute report must be made in writing by email to the SSC within thirty (30) days of the occurrence of the dispute, although this timeline can be waived or extended at the SSC's sole discretion. To encourage timely and appropriate resolution, any dispute reported more than six (6) months after the interaction, incident, event or situation experienced or witnessed may not be accepted if the situation is such that an appropriate investigation is no longer feasible.

Assessment Process

When a general dispute is reported the SSC will assess the information received with the objective of determining if the general dispute should be resolved:

1. at the club/skating school level, if reasonable efforts to pursue and resolve amongst themselves at the level at which the situation originated were not previously pursued;
2. by the SSC informally through a discussion and/or an early resolution facilitation process; or
3. by Skate Ontario formally by initiating an investigation per this procedure. Skate Ontario reserves the right to engage, at its sole discretion, the assistance of an outside investigator, mediator, and/or other available means in the investigation process.

Following a determination by the Stratford Skating Club President that a general dispute reported should be accepted and resolved by Skate Ontario, timelines will be established by the SSC to ensure procedural fairness and timely resolution.

Upon the Stratford Skating Clubs acceptance of a general dispute, a receipt of acknowledgement will be provided to the complainant and notice will be provided to any other affected party that a general dispute has been reported and the resolution process has been initiated.

Resolution Process

When a general dispute is reported to and accepted by the SSC, as determined by the President, the Stratford Skating Club will lead the appropriate and applicable resolution process and arrive at a final decision.

The President and another SSC Board Member will proceed to review the file, and proceed with an investigation.

The use of an independent third-party investigator and/or subject matter experts may be sought to support and/or develop a resolution process for the general dispute, if necessary. Any costs associated with an investigation will be absorbed by the SSC.

The President and another SSC Board Member will take appropriate steps to work with the parties to address the dispute with the objective of arriving at a mutually agreed upon resolution. What is appropriate will depend on the nature of the dispute and other relevant circumstances. The process may include, but is not limited to, an investigation, and interviewing the complainant and respondent as well as any witnesses and other individuals necessary to obtain sufficient information upon which to make an assessment and informed decision.

If appropriate, depending on the assessment and nature of the general dispute, the SSC, at its sole discretion will attempt to support the parties in the resolution of the issue(s) informally or formally, through methods that may include, but are not limited to, the following means:

- i. communication with individual(s);
- ii. early resolution facilitation;
- iii. mediation; and/or

If at any time during the resolution process the dispute can be resolved to the satisfaction of the complainant and in a manner acceptable to the respondent and the SSC, the resolution will be documented, with a copy provided to both the complainant and the respondent.

The circumstances of the general dispute and resolution steps throughout the process will be documented in detail by the President, including a summary of the complaint and response(s) of the respondent and any witnesses.

Once the investigation is completed, an investigation report will be prepared by the President for the SSC Board to review.

Once the investigation report has been reviewed, the President will prepare a decision which will include a summary of the process that has been undertaken, the findings of the investigation/review and where applicable, may include corrective actions to be taken by one or more of the involved parties and/or disciplinary sanctions as determined by the President.

In any instance where it is recommended that the sanction should include temporary suspension of membership or termination of membership, this recommendation must be presented to the Board for a final decision.

In cases where it has been determined sanctions should be taken against a coach, those recommendations will be sent to Skate Ontario for final resolution.

If it is determined through the resolution process that an individual has made a false general dispute or made the general dispute with the intent to harm another individual, this will be investigated separately and disciplinary action may be taken.

Decision

The complainant and the respondent, and other parties as applicable, will be notified of the findings and the conclusions made as a result of the investigation. Whenever any individual is found to have engaged in conduct that constitutes a breach of SSC policies, including but not limited to the Code of Ethics Policy, SSC will take appropriate disciplinary and remedial action to address and correct the situation.

The decision will be distributed by registered mail or email to all applicable parties, including information on the appeal process, as applicable, not more than thirty (30) days following the decision, if one is issued, and in all other cases, within sixty (60) days of the date the general dispute was accepted, unless other timelines have been established and the parties have been notified of the same.

Disciplinary Action

Disciplinary steps range from informal (e.g. a verbal or written reprimand/warning and/or education) to formal (e.g. probation, privileges of membership from the Club may be temporarily suspended, registrant participation be restricted, suspended or cancelled) and from less serious to more serious.

Remedial steps that may be recommended range from a verbal or written apology, verbal or written warning, letter of reprimand on the respondent's membership file, etc. to a defined requirement (e.g., payment of a fine/levy, probation, requiring formal counselling or training curriculum, etc.).

Records of all decisions and supporting documentation (including, without limitation, reports, initial assessment, investigation reports, resolution, corrective action, etc., as applicable) will be maintained by the Stratford Skating Club in a secure location.

Appeal Process

Appeals may only be submitted based on procedural grounds.

The individual appealing the decision will bear the onus of proof in the appeal, and must demonstrate, on a balance of probabilities, that the decision-maker has made an error. In addition, the individual appealing the decision must have abided by the terms of the resolution process in all respects, including complying with the confidentiality restrictions as outlined in this Policy.

The decision is final and binding on all parties, subject to the right for an independent appeal.

- Decisions of the President may be appealed to the Stratford Skating Club Board of Directors.
- Decisions of the SSC Board of Directors may be appealed to the Skate Ontario.

A decision may be appealed by delivering a written Notice of Appeal addressed as outlined below within fifteen (15) days from the date that the initial general dispute decision letter is sent by registered mail or email to the individuals involved. The Notice of Appeal must indicate:

- intention to appeal;
- name and address of individual appealing;
- identity of the individual whose decision is being appealed and any affected parties;
- copy of the decision being appealed or description of decision if a written decision or document is not available;
- grounds for the appeal as outlined in the policy;
- why the sanction is inappropriate; and
- all evidence to support their position of appeal.

Appeals can be submitted as follows:

Attention: President via email to stratfordskating@gmail.com Subject Line: Appeal of Decision dated DD/MM/YYYY

Any documentation which the parties wish to have considered as part of the appeal must be in writing and provided to all parties, including the President, within fifteen (15) days from the date that the decision letter is sent by registered mail or email to the individuals involved.

When an appeal is escalated to the Board, in addition to any other powers properly conferred upon the Board as part of the Bylaws of the SSC, the Board shall have the power to:

- i. dismiss the appeal summarily and without formal investigation if it determines that the appeal is frivolous or vexatious; or
- ii. affirm, reverse, nullify/cancel, or modify the decision appealed from, including, but not limited to, the following:
 - lift suspension with no restrictions;
 - lift suspension with restrictions; or
 - confirm suspension and/or expulsion.

The written appeal decision by the Board including any actions, as applicable depending on the outcome of the appeal, will be rendered within sixty (60) days of receipt of the Notice of Appeal. The appeal decision, including as applicable any disciplinary and/or corrective action to be taken as a result of the decision, will be delivered via registered mail or email to all applicable parties and the SSC President. The date on which the Board sends the written decision via registered mail or via email to the applicable parties will be deemed to be the date on which the appeal decision was rendered.

An appeal decision of the Board is final and binding on all parties, subject to the right for a complaint addressed to Skate Ontario

The decision of the Board of Directors may be appealed to Skate Ontario in accordance with the applicable Skate Ontario policies and procedures as they relate to general disputes.

Individuals also retain the right to exercise any other legal avenue that may be available.

After completion of the appeal process, the Board will return all copies of the documentation from the appeal process, including any notes taken by the Board during the appeal, and a copy of the appeal decision, and any disciplinary and/or corrective action to be taken to address the complaint or the appeal decision as applicable, to the Stratford SC for safe-keeping in a secure.

Controls and Monitoring

The primary controls and monitoring mechanisms for this Procedure are as follows:

- i. Establishment, oversight and continuous updating of policies, procedures and guidelines for best practices related to Safe Sport, as applicable.
- ii. Assessment of the effectiveness of the evaluation system that regularly monitors the effectiveness of initiatives in Safe Sport.

Governance / Oversight

This Procedure is reviewed and approved at a minimum every three (3) years in conjunction with the Policy, or sooner if there are legislative or regulatory changes, as part of policy review and validation in accordance with the Policy Management Policy.

Up-dated September 13, 2022