

General Dispute and Resolution Procedure

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Associated Documents: General Dispute and Resolution Policy

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PROCEDURE overview:

This General Dispute Reporting and Resolution Procedure (this “Procedure”) is designed to help Dundas Figure Skating Club (the “club”) take every reasonable measure to promote and maintain a safe, inclusive, and respectful environment. This Procedure standardizes the measures and procedures to meet the obligations as set out in the General Dispute Reporting and Resolution Policy (the “Policy”). This Procedure ensures that individuals have a process to report general disputes, it instills confidence that there will be no retaliation or reprisal for reports made in good faith; and it mandates that reports will be investigated and dealt with in a fair and timely manner, respecting the privacy of all concerned as much as reasonably possible.

PROCEDURE scope:

This Procedure implements the General Dispute Reporting and Resolution Policy and is intended to ensure an appropriate and timely investigation and resolution of general disputes received through the reporting process.

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).

To meet the guiding principles as established in the Policy, this Procedure sets out the process for the reporting, investigation and resolution management processes including:

- initiation of general disputes, including the reporting process and timelines;
- initial assessment to determine the appropriate process to be followed;
- a resolution process, including investigation as applicable and response; and
- decision, including disciplinary action as applicable and an appropriate appeal process.

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PROCEDURE statement:

Reporting Process

General Disputes may be reported to the club via email to DFSCBoard@dundasfsc.ca. The email should contain the following information:

1. What the complaint is – clearly stated concern and what result the complainant would like to see come out of this process.
2. Provide detailed and verifiable support for your complaint (email chains, policies that are not being followed, etc.)

The general dispute report must be made in writing by email to the club within thirty (30) days of the occurrence of the dispute. Extenuating circumstance may be considered at the sole discretion of the Board of Directors. 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 by email, the General Dispute and Resolution Committee (the “committee”) will assess the information received. Following a determination by the committee that a general dispute reported should be accepted and resolved by the club, timelines will be established by the committee to ensure procedural fairness and timely resolution. Upon the club’s acceptance of a general dispute, the committee will acknowledge receipt of a complaint, in writing, within 10 business days. Notice will be provided to any other affected party that a general dispute has been reported and the resolution process has been initiated at that time.

Resolution Process

When a general dispute is reported to and accepted by the club, as determined by the committee, the committee will lead the appropriate and applicable resolution process and arrive at a final decision.

The committee will proceed to review the file presented to the club in the formal complaint email. The committee 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

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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 committee, at discretion of the Board of Directors, 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. iii. mediation; and/or
- iv. iv. arbitration.

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 committee, 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 committee, 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 committee and submitted to the Board of Directors for review. Once the investigation report has been reviewed, the committee 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 to be reviewed the Board of Directors for final approval.

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 because of the investigation. Whenever any individual is found to have engaged in conduct that constitutes a breach of club/Skate Ontario/Skate Canada policies, including but not limited to the Code of Ethics Policy, the club 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

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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 may be temporarily suspended, registrant participation be restricted, suspended, or cancelled) and from less serious to more serious up to and including permanent suspension/expulsion, or any other sanctions/penalties that the club and committee deems appropriate and proportional.

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 in a secure location.

Appeal Process

Appeals may only be submitted based on procedural grounds as stipulated in the General Disputes Reporting and Resolution Policy.

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 club and committee may be appealed to Skate Ontario, in accordance with the relevant Skate Ontario policies and procedures.
- Decisions of Skate Ontario may be appealed to Skate Canada, in accordance with the relevant Skate Canada policies and procedures.

A decision may be appealed by delivering a written Notice of Appeal addressed as outlined below within thirty (30) days from the date that the initial general dispute decision letter is sent to the individuals involved from the club and committee.

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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: Skate Ontario via email to complaints@skateontario.org

Subject Line: Appeal of Decision from Dundas Figure Skating Club dated DD/MM/YYYY

Any documentation which the parties wish to have considered as part of the appeal must be in writing.

Skate Ontario will review and determine next steps in the appeal process as per their General Dispute and Resolution Policy.

Exceptions

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

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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