RINGETTE BC

3.6 Discipline and Complaints Policy

PURPOSE

1. Organizational Participants are expected to fulfill certain responsibilities and obligations including, but not limited to, complying with all policies, bylaws, rules, and regulations of the B.C. Ringette Association, doing business as Ringette BC ("RBC"), as updated and amended from time to time.
2. Non-compliance with any of RBC's policies, bylaws, rules, or regulations, as applicable, may result in the imposition of sanctions pursuant to this Policy and/or the bylaws of RBC or, as applicable, those of its Member Organizations.

APPLICATION

Application – General

3. This Policy applies to all Organizational Participants and to any alleged breaches of RBC's policies, bylaws, rules, and regulations, and the Universal Code of Conduct to Prevent and Address Maltreatment in Sport (UCCMS).
4. In addition to being subject to disciplinary action pursuant to this Policy, an employee of RBC who is a Respondent to a complaint may also be subject to consequences in accordance with the employee's employment agreement or RBC's human resources policies, if applicable.
5. Ringette BC will use an Independent Third Party to case manage all complaints that fall within RBC's jurisdiction. Member Organizations are responsible for hearing all matters that are considered Process One that fall under their jurisdiction. Ringette BC, through the Independent Third Party, is responsible for hearing all matters that are considered Process Two.

DEFINITIONS

Alternate Dispute Resolution (ADR) – A process by which the Parties to a complaint attempt to resolve the matter without a formal hearing, which may include mediation, negotiation, or other facilitated resolution methods, as determined appropriate by the Case Manager.

Appeal Manager – An individual appointed by the Independent Third Party to oversee the and management of an Appeal under this Policy. The Appeal Manager must be unbiased and free from any conflict of interest.

Case Manager – An individual appointed by the Independent Third Party or, where applicable, a Member Organization, to oversee the receipt, administration, and management of a complaint under this Policy. The Case Manager must be unbiased and free from any conflict of interest.

Canadian Safe Sport Program (CSSP) Participant – An Organizational Participant who has been designated under the Canadian Safe Sport Program and is subject to the jurisdiction of Sport Integrity Canada.

Complainant – An Organizational Participant who reports an alleged incident or suspected incident of Maltreatment, Prohibited Behaviour, or other conduct that may constitute a breach of RBC's policies, bylaws, rules, or regulations, or the UCCMS.

Discipline Chair – An individual appointed by a Member Organization's Case Manager to hear and decide complaints processed under Process One. The Discipline Chair must be unbiased and free from any conflict of interest.

Discipline Panel – A panel of one or three individuals appointed by the Independent Third Party's Case Manager to hear and decide complaints processed under Process Two. All members of the Discipline Panel must be unbiased and free from any conflict of interest.

Independent Third Party (ITP) – The organization retained by RBC to receive, case manage, and administer complaints that fall within RBC's jurisdiction under this Policy.

Maltreatment – As defined in the UCCMS, as amended from time to time by the Sport Dispute Resolution Centre of Canada.

Member Organization – A sport organization that is a member of RBC and whose Organizational Participants are subject to RBC's policies, including this Policy. "MEMBER" refers to the organizations – LEAGUES and CLUB ASSOCIATIONS that are admitted as members under the RBC bylaws.

Minor – As defined in the UCCMS, as amended from time to time by the Sport Dispute Resolution Centre of Canada.

Organizational Participants – All categories of individual members and/or registrants of RBC or its Member Organizations who are subject to RBC's policies, as well as all individuals employed by, contracted by, or engaged in activities with RBC or its Member Organizations, including but not limited to athletes, coaches, officials, instructors, volunteers, managers, administrators, parents or guardians, spectators, committee members, and Directors and Officers.

Parties – The Complainant(s) and Respondent(s) to a complaint.

Person in Authority – Any Organizational Participant who holds a position of authority within RBC or a Member Organization, including but not limited to coaches, instructors, officials, managers, support personnel, chaperones, committee members, and Directors and Officers.

Power Imbalance – As defined in the UCCMS, as amended from time to time by the Sport Dispute Resolution Centre of Canada.

Prohibited Behaviour – Conduct that is prohibited under the UCCMS or the applicable code of conduct of RBC or a Member Organization.

Respondent – The individual against whom a complaint has been made under this Policy.

Sport Integrity Canada (SIC) – The federal body responsible for administering the Canadian Safe Sport Program and receiving reports of alleged breaches of the UCCMS by CSSP Participants.
UCCMS – The Universal Code of Conduct to Prevent and Address Maltreatment in Sport, as amended from time to time by the Sport Dispute Resolution Centre of Canada.

Vulnerable Participant – Includes Minors and vulnerable adults who, because of age, disability, or other circumstance, are in a position of dependence on others or are otherwise at greater risk of being harmed by individuals in positions of trust or authority.

REPORTING

Reporting Timelines

6. Organizational Participants must submit complaints in writing within twenty-one (21) days of the alleged incident(s).
7. An Organizational Participant wishing to file a complaint outside of twenty-one (21) days must provide a written statement giving reasons for an exemption to this limitation. The decision to accept or deny the complaint outside of this timeline will be made by the Case Manager and can not be appealed.

Reporting Pathways

Reporting to the Member Organization

8. Organizational Participants can report breaches that may be considered Process One (outlined below) directly to their Member Organization.
9. The Member Organization will assign a Case Manager responsible for receiving, case managing, and administering all complaints that fall within the Member Organization's jurisdiction. The assigned Case Manager may be an internal individual (ex Board Member), their own selected Independent Third Party, or Ringette BC's Independent Third Party at their own cost.
10. Member organizations must clearly indicate on their website how a complaint should be submitted under Process One, including who the complaint should directed to.

Reporting to the Independent Third Party

11. Participants must report any allegations that may be considered Process Two (outlined below), or any allegations of Maltreatment, directly to the Independent Third Party in writing.
12. If RBC or a Member Organization receives a complaint with claims that may be considered Process Two, the complaint will be immediately redirected to the Independent Third Party.
13. Once a complaint is submitted to the Independent Third Party, RBC and the Member Organization will have no further involvement in the management of the complaint,

unless the complaint is referred back to the Member Organization by the Independent Third Party.

14. Member Organizations must ensure that information on how to submit a complaint directly to the Independent Third Party is available to all Participants.
15. The Independent Third Party is responsible for receiving, case managing, and administering all complaints that fall within RBC's jurisdiction. The Independent Third Party determines the appropriate process and, where applicable, appoints a hearing panel or facilitates alternative resolution.

Reporting to Sport Integrity Canada (SIC)

16. Any incident that involves alleged breaches of the UCCMS involving a Canadian Safe Sport Program (CSSP) Participant must be reported to the SIC and will be addressed pursuant to the CSSP rules. CSSP participants are those participating in Ringette Canada programs (ie National Team).
17. If such complaints are made to the Independent Third Party or RBC, the Case Manager will refer the matter to the SIC and notify the Complainant of such action.

Reporting Complainants

18. Notwithstanding any provision in this Policy, RBC may, at its discretion, or upon request by the Independent Third Party, act as the Complainant and initiate the complaint process under the terms of this Policy. In such cases, RBC will identify an individual to represent RBC.
19. An Organizational Participant who fears reprisal, or who otherwise has sufficient reason to wish to keep their identity confidential, may file a complaint with the Independent Third Party and request that their identity be kept confidential. The Independent Third Party may, where it considers appropriate, ask that RBC act as the Complainant. Organizational Participants making the complaint may nevertheless be required to participate to some extent in the process. Their identity will be kept in the strictest confidence to the greatest extent possible, but complete anonymity may not be guaranteed for the entirety of the complaint process. Anonymous complaint submissions are not accepted.

MINORS

20. Complaints may be brought by or against an Organizational Participant who is a Minor. Minors must have a parent/guardian or other adult serve as their representative during this process.
21. Communication from the Independent Third Party must be directed to the Minor's representative.
22. If the Minor's representative is not their parent/guardian, the representative must, when possible, have written permission to act in such a capacity from the Minor's parent/guardian.
23. A Minor is not required to attend or participate in an oral hearing, if held, or participate in an investigation if conducted. In such circumstances, no adverse inference can be drawn against the Minor.

ADMISSIBILITY OF COMPLAINTS

24. Upon the submission of a complaint, a Case Manager will be appointed to oversee the management and administration of the complaint in accordance with this Policy. Such an appointment is not appealable.
25. The Case Manager has a responsibility to:
    a. Determine whether the complaint is within the scope of this Policy and the jurisdiction of the entity to which it was reported, and notify the Complainant of the determination;
    b. Assess whether the complaint is frivolous, vexatious, trivial, or made in bad faith. A complaint shall not be characterized as vexatious if the evidence demonstrates there was a reasonable basis for filing it. A complaint is considered made in bad faith where it was filed consciously for a dishonest purpose or with an intention to mislead;
    c. Determine whether Process One or Process Two will be followed, with consideration to Section 32 – 35 of this Policy.
    d. Determine whether the alleged incident must be investigated and, if so, appoint an Investigator. Only matters that may fall under Process Two will be subject to investigation;
    e. Determine whether to combine complaints into a single disciplinary process where there are multiple Complainants against the same Respondent for allegations of a similar nature or occurrence in time;
    f. Appoint the Discipline Panel, if and when necessary;
    g. Coordinate all administrative aspects and set timelines; and
    h. Provide any other service or support necessary to ensure a fair and timely proceeding.
26. If the Case Manager deems the complaint to be frivolous, outside the scope of this Policy, or outside the entity’s jurisdiction, the complaint will be dismissed. The Complainant will be provided with written notice of the dismissal and the Case Manager’s reasons.
27. When a complaint is outside the jurisdiction of the entity, the Case Manager will refer it to the appropriate jurisdiction, where appropriate.
28. If a complaint is not frivolous, has been submitted within the required timeframe, and is within the scope and jurisdiction of this Policy, the complaint will be accepted. The decision to accept the complaint will be communicated to the Complainant(s) and Respondent(s).
29. A Case Manager’s decision to accept or dismiss a complaint can not be appealed.
30. The Case Manager will establish and adhere to timelines that ensure procedural fairness and that the matter is heard in a timely fashion.
31. After a complaint is accepted, the Case Manager may propose the use of Alternate Dispute Resolution (ADR) when appropriate.

AVAILABLE PROCESS

32. There are two different processes to hear and adjudicate admissible complaints. The process followed will depend on where the complaint is reported and the nature of the allegations.
33. Where a complaint is reported directly to the Independent Third Party, the Case Manager appointed by the Independent Third Party has sole discretion to determine whether the matter will be accepted and processed as Process One or Process Two. That decision is not appealable[1].
34. Where a complaint is reported directly to a Member Organization, the Member Organization may assess the complaint and, if it determines the allegations are consistent with Process One, they will accept and proceed with the complaint under Process One without escalating the matter to the Independent Third Party.
35. A Member Organization does not have jurisdiction to hear or adjudicate matters that may constitute Process Two. If a Member Organization receives a complaint that it determines may constitute Process Two, the complaint must be immediately referred to the Independent Third Party.

Process One

36. A complaint may be considered Process One where it contains allegations involving the following behaviours:
    a. Disrespectful conduct or comments;
    b. Minor acts of physical violence, unless the physical violence is between a Person in Authority and a Vulnerable Participant, in which case the matter will be addressed under Process Two;
    c. Conduct contrary to the values of RBC;
    d. Non-compliance or minor violations of the relevant policies, procedures, rules, applicable codes of conduct, or regulations of RBC; or
    e. Conduct that intentionally interferes with a competition or with any Athlete's preparation for a competition.
37. The behaviours identified above are examples only and are not a definitive list of behaviours that may be addressed through Process One.

Process Two

38. A complaint may be considered Process Two where it contains allegations involving the following behaviours:
    a. Repeated incidents described in Process One;
    b. Incidents that constitute Prohibited Behaviour or Maltreatment under the UCCMS;
    c. Hazing;
    d. Abusive, racist, or sexist comments, conduct, or behaviour;
    e. Major incidents of violence (e.g., fighting, attacking);

[1] Where the Independent Third Party determines the matter is Process #1 and within the jurisdiction of a Member Organization, the Independent Third Party will refer the matter to the Member Organization.

f. Pranks, jokes, or other activities that endanger the safety of others;
g. Conduct that intentionally damages the image, credibility, or reputation of RBC or that of one of its Member Organizations or affiliated organizations;
h. Consistent disregard for the bylaws, policies, rules, or regulations of RBC;
i. Major or repeated violations of the applicable codes of conduct, or any other relevant policies, bylaws, rules, or regulations that designate this Policy as applicable;
j. Intentionally damaging the property of RBC, one of its Member Organizations, or affiliated organizations;
k. Inappropriate or abusive use of alcohol, cannabis, or possession of illicit drugs and narcotics; any use or possession of alcohol, cannabis, illicit drugs, or narcotics by Minors; or
l. A conviction for any Criminal Code offence.

39. The behaviours identified above are examples only and are not a definitive list of behaviours that may be addressed through Process Two.

Provisional Measures

40. RBC or the President/Chair, or designated alternate, of a Member Organization may determine that an alleged incident is of such severity that it warrants imposing a provisional suspension or other interim measures for the Respondent, pending the completion of an investigation, criminal process, ADR, a hearing, or a decision of the Discipline Panel.
41. Provisional measures may be imposed in a reasonable and proportionate manner, taking into account the following factors:
    a. The safety or well-being of any Participant and the sport community;
    b. The seriousness of the allegations and the facts and circumstances of the case;
    c. Potential risks and prejudice from action and inaction;
    d. The best interests of sport and those who participate in it;
    e. The impact of the measures on the Respondent; and
    f. The integrity of the process.
42. The Case Manager, upon receipt of a complaint, may make recommendations to RBC or a Member Organization regarding an immediate provisional suspension or interim measure, if no such restrictions have yet been imposed.
43. Any Respondent against whom a provisional measure is imposed may make a request to the Case Manager to have the measures lifted. In such circumstances, RBC or the Member Organization shall be provided with an opportunity to make submissions, orally or in writing, regarding the Respondent’s request.
44. Provisional measures shall only be lifted by the Case Manager in circumstances where the Respondent establishes that it would be manifestly unfair to maintain the measures against them.
45. The decision to lift or continue a provisional measure can not be appealed.

Process One – Hearing Procedure

46. Following the determination that a complaint should be handled under Process One, the Case Manager will appoint a Discipline Chair who must be unbiased and free from any conflict of interest.
47. The Discipline Chair may:
    a. Propose alternative dispute resolution techniques, if appropriate; and/or
    b. Ask the Complainant and the Respondent for either written or oral submissions regarding the complaint. Both Parties shall have the right to submit any relevant evidence, including but not limited to witness statements, documentary evidence, photos, screenshots, videos, or other recordings. Each Party shall have the right to receive the other Party's submissions and evidence, including the Complainant's complaint. In the case of oral submissions, each Party shall be present when such submissions are made; and/or
    c. Following receipt of the Parties' submissions, convene the Parties to a meeting, either in person or by way of video or teleconference, to ask the Parties questions and allow the Parties to ask questions of one another, if deemed appropriate.
48. Following their review of the submissions and evidence, the Discipline Chair shall determine if the alleged breach has been substantiated and, if so, impose an appropriate sanction. If, after hearing the Parties and reviewing their submissions, the Discipline Chair considers that the alleged breach has not been substantiated, the complaint shall be dismissed.
49. The Case Manager will inform the Parties of the decision, which shall be in writing and include reasons. The decision will take effect immediately, unless specified otherwise.
50. Any decision rendered under Process One shall be maintained in the records of the Member Organization and/or RBC.
51. Any decision rendered under Process One is not subject to appeal.

Process Two – Hearing Procedure

52. Following the determination that a complaint should be handled under Process Two, the Independent Third Party's Case Manager shall have the following responsibilities:
    a. Coordinate all administrative aspects of the process and set reasonable timelines;
    b. Provide administrative assistance and logistical support to the Discipline Panel as required, including providing the Discipline Panel with any information related to previously imposed disciplinary sanctions against the Respondent(s); and
    c. Provide any other service or support necessary to ensure a fair and timely proceeding.
53. The Case Manager may propose the use of Alternate Dispute Resolution (ADR) if deemed appropriate. If the dispute is not resolved through ADR, the Case Manager will appoint a Discipline Panel of one (1) person to hear the complaint.
54. If warranted based on the severity of the allegations and at the Case Manager's sole discretion, an Discipline Panel of three (3) people may be appointed. When a three-

person panel is appointed, the Case Manager will designate one member to serve as the Chair.

55. The Case Manager, in cooperation with the Discipline Panel, will decide the format under which the complaint will be heard. This decision may not be appealed. The format of the hearing may be an oral in-person hearing, an oral hearing by telephone or electronic means, a review of documentary evidence, or a combination of these methods.
56. The hearing will be governed by the procedures that the Case Manager and Discipline Panel deem appropriate for the circumstances. The following procedural directions will apply:
    a. The determination of procedures and timelines shall be as expedient and cost-efficient as possible to ensure reasonable resolution;
    b. The Parties will be given appropriate notice of the day, time, and place of the hearing;
    c. Copies of any written documents which any Party wishes to have the Discipline Panel consider will be provided to all Parties through the Case Manager, in advance of the hearing, in accordance with set timelines;
    d. The Parties may engage a representative, advisor, translator, or legal counsel at their own expense;
    e. The Discipline Panel may request that any other individual participate and give evidence at the hearing;
    f. If not a Party to the complaint, RBC shall be allowed to attend the hearing as an observer and will be provided with access to any documents submitted. With the permission of the Discipline Panel, RBC and/or the relevant Member Organization may make submissions or provide clarifying information required for the Panel to render its decision;
    g. The Discipline Panel shall allow any evidence filed by the Parties and may exclude evidence that is unduly repetitious or otherwise an abuse of process;
    h. The decision will be by majority vote of the Discipline Panel when the Panel consists of more than one person;
    i. If the Respondent admits to the alleged breach or acknowledges key facts, the Respondent may waive the hearing, in which case the Discipline Panel will determine the appropriate sanction. The Panel may still hold a hearing for the purpose of determining an appropriate sanction; and
    j. The process will proceed even if a Party chooses not to participate in the hearing.
57. In fulfilling its duties, the Discipline Panel may obtain independent advice.

DECISION

58. Following the hearing process, the Discipline Chair or Panel will determine whether an infraction has occurred and, if so, the sanctions to be imposed. If no infraction has occurred, the complaint will be dismissed.
59. Within fourteen (14) days of the conclusion of the process, a written decision with reasons will be distributed to all Parties and the Member Organization and/or Ringette BC by the Case Manager.

60. In extraordinary circumstances, the Discipline Chair or Panel may first issue a verbal or summary decision soon after the conclusion of the process, with the full written decision to be issued before the end of the fourteen (14) day period.
61. The decision will come into effect as of the date that it is rendered, unless decided otherwise.
62. Records of all decisions will be maintained by RBC in accordance with applicable privacy legislation.
63. When a sanction has been imposed, the decision shall include, at a minimum, the following details:
    a. Jurisdiction;
    b. Summary of the facts and relevant evidence;
    c. The specific provision(s) of RBC's policies, bylaws, rules, or regulations that have been breached;
    d. Which Party or Organization is responsible for the costs of implementing any sanction;
    e. Which organization is responsible for monitoring that the sanctioned individual respects the terms of the sanction;
    f. Any reinstatement conditions that the Respondent must satisfy, if any;
    g. Which organization is responsible for ensuring that any conditions have been satisfied; and
    h. Any other guidance that will assist the Parties to implement the decision.
64. If necessary, a Party or the organization responsible for implementing or monitoring a sanction may seek clarifications from the Case Manager regarding the decision.

SANCTIONS

65. When determining the appropriate sanction, the following factors will be considered where applicable:
    a. The nature and duration of the Respondent's relationship with the Complainant, including whether there is a Power Imbalance;
    b. The Respondent's prior history and any pattern of misconduct, Prohibited Behaviour, or Maltreatment;
    c. The respective ages of the individuals involved;
    d. Whether the Respondent poses an ongoing and/or potential threat to the safety of others;
    e. The Respondent's voluntary admission of the offence(s), acceptance of responsibility, and/or cooperation in the investigative and/or disciplinary process;
    f. The real or perceived impact of the incident on the Complainant, sport organization, or the sporting community;
    g. Circumstances specific to the Respondent being sanctioned (e.g., lack of appropriate knowledge or training; addiction; disability; illness);

h. Whether, given the facts and circumstances established, continued participation in the sport community is appropriate;
i. A Respondent who is in a position of trust, intimate contact, or high-impact decision-making may face more serious sanctions; and
j. Other mitigating or aggravating circumstances.

66. Any sanction imposed must be proportionate and reasonable. However, progressive discipline is not required, and a single incident of Prohibited Behaviour, Maltreatment, or other misconduct may justify elevated or combined sanctions.
67. The following disciplinary sanctions may be applied, singularly or in combination:
    a. Verbal or Written Warning – a verbal reprimand or an official written notice that an Organizational Participant has violated the relevant codes of conduct and that more severe sanctions will result should the Organizational Participant be involved in other violations;
    b. Education – the requirement that an Organizational Participant undertake specified educational or similar remedial measures to address the violation(s);
    c. Probation – a specified period within which certain terms and conditions must be met. Should any further violations occur during the probationary period, additional disciplinary measures, including a period of suspension or permanent ineligibility, may result;
    d. Suspension – either for a set time or until further notice, from participation in any capacity in any program, activity, event, or competition sponsored by, organized by, or under the auspices of RBC or the Member Organization. Reinstatement may be subject to certain restrictions or conditions;
    e. Eligibility Restrictions – restrictions or prohibitions from some types of participation while allowing participation in other capacities under strict conditions;
    f. Permanent Ineligibility – ineligibility to participate in any capacity in any program, activity, event, or competition sponsored by, organized by, or under the auspices of RBC or the Member Organization; and
    g. Other Discretionary Sanctions – other sanctions may be imposed, including but not limited to loss of privileges, no-contact directives, a fine or monetary payment to compensate for direct losses, or other restrictions or conditions as deemed necessary or appropriate.
68. The following presumptive sanctions apply and are presumed to be fair and appropriate for the listed Maltreatment:
    a. Sexual Maltreatment involving a Minor Complainant, or a Complainant who was a Minor at the time of the incidents complained of, shall carry a presumptive sanction of permanent ineligibility;
    b. Sexual Maltreatment, Physical Maltreatment with contact, and Maltreatment related to interference or manipulation of process shall carry a presumptive sanction of either a period of suspension or eligibility restrictions; and

c. Where a Respondent has pending charges or allegations of a crime against a person, if justified by the seriousness of the offence, the presumptive sanction shall be a period of suspension until a final determination is made by the applicable process.

69. An Organizational Participant's conviction for certain Criminal Code offences involving harmful conduct shall carry a presumptive sanction of permanent ineligibility. Such offences may include, but are not limited to, any child pornography offences, any sexual offences, and any offence of physical violence.
70. Failure to comply with a sanction will result in an automatic suspension until such time as compliance occurs.
71. RBC will ensure that any sanctions or measures imposed by the Independent Third Party will be implemented and respected within RBC's jurisdiction once RBC receives appropriate notice.

APPEALS

Grounds for appeal

72. A decision cannot be appealed on its merits alone. An appeal may only be heard if there are sufficient grounds for appeal. Sufficient grounds include one or more of following, as reviewed by the designates appointed by Independent Third Party:
    a. made a decision that it did not have the authority or jurisdiction (as set out in the applicable governing documents) to make;
    b. failed to follow its own procedures (as set out in the applicable governing documents);
    c. made a decision that was influenced by bias (where bias is defined as a lack of neutrality to such an extent that the decision-maker appears not to have considered other views).

Appeal Process

73. Decisions rendered under Process 1 are not subject to Appeal.
74. Appeals for decisions rendered under Process 2 may only be submitted by the Respondent or the Complainant of a case, directly to Independent Third Party.
75. Appeals must be submitted within seven days from the date on which they received notice of the decision. This includes a payment of $1000.00, which may or may not be refundable, as outlined in RBC's Fees and Fines Policy. This payment must be etransfered to the Executive Director of RBC, noting the appeal.
76. The appeal must be submitted directly to the Independent Third Party, including:
    a. The name of the individual filing the appeal and their role (i.e., respondent/complainant)
    b. Grounds for the appeal
    c. Detailed reasons for the appeal
    d. all evidence that supports these grounds, and
    e. requested remedy or remedies

77. An Organizational Participant who wishes to initiate an appeal beyond the seven day period must provide a written request stating the reasons for an exemption. The decision to allow, or not allow an appeal outside of the seven day period will be at the sole discretion of the Case Manager and may not be appealed.
78. The submitted appeal will be reviewed by an Appeal Manager assigned by the Independent Third Party, who shall be a different individual than who initially reviewed the case.
79. If the Appeal Manager denies the appeal because of insufficient grounds because it was not submitted in a timely manner, or because it did not fall under the scope of this policy, the Appellant will be notified, in writing, of the reasons for this decision. This decision may not be appealed.
80. If the Appeal Manager is satisfied there are sufficient grounds for an appeal, the Appeal Manager will appoint an Appeal Panel which shall consist of a single Arbitrator, to hear the appeal.
81. In extraordinary circumstances, and at the discretion of the Appeal Manager, an Appeal Panel composed of three persons may be appointed to hear the appeal. In this event, the Appeal Manager will appoint one of the Panel's members to serve as the Chair.

Determination of Affected Parties

82. To confirm the identification of any Affected Parties, the Appeal Manager will engage RBC. The Appeal Manager may determine whether a Party is an Affected Party in their sole discretion.

Procedure for Appeal Hearing

83. The Appeal Manager shall notify the Parties that the appeal will be heard. The Appeal Manager shall then decide the format under which the appeal will be heard. This decision is at the sole discretion of the Appeal Manager and may not be appealed.
84. If a Party chooses not to participate in the hearing, the hearing will proceed. The Appeals Manager may proceed without further notice or opportunity to participate or provide submissions for the Party refusing to participate.
85. The format of the hearing may involve an oral in-person hearing, an oral hearing by telephone or other electronic means, a hearing based on a review of documentary evidence submitted in advance of the hearing, or a combination of these methods. The hearing will be governed by the procedures that the Appeal Manager and the Appeal Panel deem appropriate in the circumstances. The following guidelines will apply to the hearing:
86. The hearing will be held within a timeline determined by the Appeal Manager;
87. The Parties will be given reasonable notice of the day, time, and place of an oral, in-person hearing or oral hearing by telephone or electronic communications;
88. Copies of any written documents which any of the Parties wish to have the Panel consider will be provided to all Parties in advance of the hearing;
89. The Parties may be accompanied by a representative, advisor, or legal counsel at their own expense;

90. The Appeal Panel may request that any other individual participate and give evidence at an oral in-person hearing or oral hearing by telephone or electronic communications;
91. The Appeal Panel may allow as evidence at the hearing any oral evidence and document or thing relevant to the subject matter of the appeal but may exclude such evidence that is unduly repetitious and shall place such weight on the evidence as it deems appropriate;
92. If a decision in the appeal may affect another Party to the extent that the other Party would have recourse to an appeal in their own right under this policy, that Party will become an Affected Party to the appeal in question and will be bound by its outcome; and
93. The decision to uphold or reject the appeal will be by a majority vote of Appeal Panel members.
94. In fulfilling its duties, the Appeal Panel may obtain independent advice.

Appeal Decision

95. The Appellant must demonstrate, on a balance of probabilities, that the Respondent has made a procedural error as described in the Grounds for Appeal section of this policy and that this error had a material effect on the decision or decision-maker.
96. The Appeal Panel shall issue its decision, in writing and with reasons, within 14 days after the hearing's conclusion. In making its decision, the Appeal Panel will have no greater authority than that of the original decision-maker. The Appeal Panel may decide to:
    a. reject the appeal and confirm the decision being appealed;
    b. uphold the appeal and refer the matter back to the initial decision-maker for a new decision; or
    c. uphold the appeal and vary the decision.
97. The Appeal Panel's written decision, with reasons, will be distributed to all parties, the Appeal Manager, and RBC. In extraordinary circumstances, the Panel may first issue a verbal or summary decision soon after the hearing's conclusion, with the full written decision to be issued thereafter. The decision will be considered a matter of public record and published according to the Publication Guidelines unless decided otherwise by the Appeal Panel.

Timelines

98. If the circumstances of the appeal are such that adhering to the timelines outlined by this policy will not allow a timely resolution to the appeal, the Appeal Manager and/or Appeal Panel may direct that these timelines be revised.

Confidentiality

99. The appeals process is confidential and involves only the parties, RBC, the Appeal Manager, the Appeal Panel, and any independent advisors to the Appeal Panel. Once initiated and until a decision is released, none of the Parties (or their representatives or witnesses) will disclose confidential information relating to the appeal to any person not involved in the proceedings, unless RBC is required to notify an organization such as an international federation, Sport Canada or other sport organization (i.e., where a

Provisional Suspension or interim measures have been imposed and communication is required to ensure that they may be enforced), or notification is otherwise required by law.

100. None of the Parties (or their representatives or witnesses) or organizations referred to will disclose confidential information relating to the appeal to any person not involved in the proceedings, unless RBC is required to notify an organization such as an international federation, NSO, Sport Canada or other sport organization (i.e., where a Provisional Suspension or interim measures have been imposed and communication is required to ensure that they may be enforced), or notification is otherwise required by law.

101. Any failure to respect the confidentiality requirement may result in further sanctions or discipline by the Appeal Panel.

Final and Binding

102. The decision of the Panel shall be binding on the Parties.

103. No action or legal proceeding will be commenced against RBC or Organizational Participants in respect of a dispute, unless RBC refused or failed to provide or abide by the dispute resolution process and/or appeal process as set out in governing documents.

ONSITE DISCIPLINE

104. This policy does not prevent discipline from being applied, during a game, practice, event, or any other sanctioned activity, by a Club Association, League, PSO or event representative.

105. Onsite discipline can extend for the duration of the event.

106. Any sanctions or discipline applied during a game or event should be submitted to Ringette BC and the organization of jurisdiction where the member belongs (Refer to Appendix D).

107. The organization of jurisdiction will review the incident and may escalate to Process 1 or 2, or their own internal policy, if it is deemed that additional sanctions may be required, or there has been a history of repeated warnings, complaints or behaviour contrary to the Ringette BC values and Codes of Conduct.

108. Further action may be taken according to this policy, or the policies of the Organization of Jurisdiction.

CONFIDENTIALITY

109. The disciplinary process is confidential and involves only RBC and/or Member Organization the Parties, the Independent Third Party (and any designates), the Discipline Chair or Panel, and any independent advisors to the panel.

110. Once initiated and until a decision is released, none of the Parties will disclose confidential information relating to the complaint to any person not involved in the proceedings, unless RBC or the Member Organization is required to notify another

organization such as Ringette Canada, Sport Integrity Canada, or other sport organizations, or notification is otherwise required by law.

111. If the complaint is dismissed, the information related to the proceedings may only be published with the Respondent's consent. If the Respondent does not provide such consent, the information will be kept confidential by the Parties, the Independent Third Party, RBC, or the Member Organization, and shall be retained and discarded in accordance with applicable privacy legislation and RBC's policies.

112. Failure to respect the confidentiality requirements of this Policy may result in further sanctions or disciplinary action pursuant to this Policy.

113. Records of all decisions will be maintained by RBC, or the Member Organization, in accordance with applicable privacy legislation and the Privacy Policy.

TIMELINES

114. If the circumstances of a complaint are such that adhering to the timelines outlined in this Policy will not allow for timely resolution, the Case Manager may direct that these timelines be revised.

PRIVACY

115. The collection, use, and disclosure of any personal information pursuant to this policy is subject to the Organization's usual policies and practices regarding private and/or confidential information.

APPENDIX A – INVESTIGATION PROCEDURE

Determination

1. When a complaint is submitted pursuant to the Policy and is accepted by the Independent Third Party, the Independent Third Party will determine if the incident(s) should be investigated.

Investigation

2. If the Independent Third Party considers that an investigation is necessary, they will appoint an Investigator. The Investigator must have experience in investigating. The Investigator must not be in a conflict-of-interest situation and should also have no connection to either Party.

3. Federal and/or Provincial legislation related to Workplace Harassment may apply to the investigation if Harassment was directed toward an employee in a Workplace. The Investigator should review workplace safety legislation, the Organization's policies for human resources, and/or consult independent experts to determine whether legislation applies to the complaint.

4. The investigation may take any form as decided by the Investigator, guided by any applicable provincial legislation. The investigation may include:

   a. interviews with the Complainant;
   b. witness interviews;
   c. statement of facts (Complainant's perspective) prepared by the Investigator, acknowledged by the Complainant and provided to the Respondent;
   d. interviews with the Respondent; and
   e. statement of facts (Respondent's perspective) prepared by Investigator, acknowledged by the Respondent and provided to the Complainant.

Investigator's Report

5. Upon completion of their investigation, the Investigator shall prepare a written report that shall include a summary of evidence from the Parties and any witnesses interviewed. The report shall also include a non-binding recommendation from the Investigator regarding whether an allegation or, where there are several allegations, which allegations, should be heard by an External Hearing Panel pursuant to the *Discipline and Complaints Policy* because they constitute a likely breach of the applicable Codes of Conduct, the UCCMS or any other relevant and applicable RBC policy. The Investigator may also make non-binding recommendations regarding the appropriate next steps (i.e., mediation, disciplinary procedures, further review, or investigation).

6. The Investigator's Report will be provided to the Independent Third Party who will disclose it, at their discretion, all or part of the investigation report to RBC and the relevant members (if applicable). The Independent Third Party may also disclose the Investigator's

Report to the Parties, at their discretion, with any necessary redactions. Alternatively, and only if necessary, other relevant Organizational Participants may be provided with an executive summary of the Investigator's findings by the Independent Third Party.

7. Should the Investigator find that there are possible *Criminal Code* offences, the Investigator shall advise the Parties, RBC and, where applicable, the member, and the matter shall be referred by the Independent Third Party to the police.

8. The Investigator must also inform RBC or the Member (as applicable) of any findings of criminal activity. RBC or the member (as applicable) may decide whether to report such findings to police but is required to inform police if there are findings related to the trafficking of prohibited substances or methods (as indicated in the version of the World Anti-Doping Agency's Prohibited List currently in force), any crime involving Minors, fraud against the Organization or any member(s) (as applicable), or other offences where the lack of reporting would bring the Organization or the member (as applicable) into disrepute.

Reprisal and Retaliation

9. An Organizational Participant who submits a complaint to the Independent Third Party or who gives evidence in an investigation may not be subject to reprisal or retaliation from any individual or group. Any such conduct may constitute Prohibited Behaviour be subject to disciplinary proceedings pursuant to the *Discipline and Complaints Policy* or, as applicable, the policies and procedures.

False Allegations

10. An Organizational Participant who submits allegations that the Investigator determines to be malicious, false, or for the purpose of retribution, retaliation or vengeance may be subject to a complaint under the terms of the *Discipline and Complaints Policy* and may be required to pay for the costs of any investigation that comes to this conclusion. The Investigator may recommend to RBC or the member (as applicable) that the Organizational Participant be required to pay for the costs of any investigation that comes to this conclusion. Any Organizational Participant who is liable to pay for such costs shall be automatically deemed to be not in good standing until the costs are paid in full and shall be prohibited from participating in any member and RBC Events, activities or business. RBC or any member(s) (as applicable), or the Organizational Participant against whom the allegations were submitted, may act as the Complainant with respect to making a complaint pursuant to this section.

Confidentiality

11. The Investigator will make reasonable efforts to preserve the anonymity of RBC, Respondent, and any other party. However, RBC and its members recognize that maintaining full anonymity during an investigation may not be feasible. The Investigator must inform any witness or participant in the investigation of this limitation.

Privacy

12. The collection, use and disclosure of any personal information pursuant to this policy is subject to the relevant and applicable privacy legislation.

13. RBC, its members, or any of their delegates pursuant to this policy (i.e., Independent Third Party, Internal Discipline Chair, External Hearing Panel), shall comply with the relevant and applicable privacy legislation in the performance of their services under this policy.

APPENDIX B - PUBLICATION GUIDELINES

1. Subject to RBC's *Discipline and Complaints Policy*, summaries of disciplinary decisions pertaining to a Process 1 and Process 2 matters, may be published, at the sole discretion of the Organization, in exceptional circumstances and/or if publication is necessary to ensuring the safety of the public, the protection of athletes or minors, and/or if publication will benefit the education of the broader ringette community, the whole subject to the restrictions set out herein.

2. Publication means the communication of information by making it known or accessible to the general public through any means, including print, telecommunication or electronic means.

3. Notification means providing a written copy of any disciplinary decision or provisional measure to an organization as required by the *Reciprocation Policy*. Parties who receive a copy of a disciplinary decision or provisional measure may not publicly disclose this information, expect as reasonably necessary to implement the terms of the decision and any sanction or provisional measure.

4. Publication of any decision will not take place until the disciplinary process undertaken by RBC is complete. Decisions pertaining to provisional measures may be published under exceptional circumstances as determined by the Independent Third Party, External Hearing Panel and/or the Executive Director of RBC.

5. Subject to Section 1, summaries of decisions will be posted in accordance with the following:

    a. Where a sanction or discipline is imposed for a set period where an Organizational Participant is restricted in their involvement with the sanctioned activities of the RBC, such as a suspension or a probationary period, the decision will be posted for the duration of the sanction. It will be removed at once the identified time has passed plus two years.
    b. Where a sanction or discipline involves a verbal or written warning or other reprimand, the decision will be posted for two years.
    c. If a sanction or discipline involves a period of ineligibility, the decision will be posted for the period of ineligibility plus two years, except in the case of a sanction of permanent ineligibility. A sanction of permanent ineligibility will be posted indefinitely.
    d. If a sanction or discipline is conditional on the completion of training, education or other conditions, the decision will be posted until the Organizational Participant has completed the required conditions to the satisfaction of RBC, plus two years.
    e. All publications shall take place following the completion of the complaint process. In exceptional circumstances, publication will take place to protect the public and/or if the integrity of RBC will be affected by not publishing the decision.
    f. The publishing of interim suspensions and/or provisional measures will only take place in exceptional circumstances as described herein.

6. Prior to publishing the disciplinary decision summary, RBC will make reasonable efforts to remove any confidential or sensitive material from the disciplinary decision, including but not limited to any identifying information about Organizational Participants or other individuals named, unless these Organizational Participants are subject to a sanction and/or discipline in the disciplinary decision.

7. The disciplinary decision summary will include the name of the Respondent(s), the nature of the breach or breaches, the policies, bylaws, rules, or regulations that have been breached, the outcome and any sanction imposed, as well as the date of decision.

8. Matters which are resolved prior to a final decision being issued will not be subject to publication, though RBC may notify any relevant organization of any settlement and resulting restrictions on the participation rights of an Organizational Participant within the sanctioned activities of RBC.

9. Identifying information regarding Minor or Vulnerable Organizational Participants will never be published by RBC.

10. Nothing in the above prohibits RBC from notifying relevant sport organizations of any disciplinary decision imposing a sanction and/or discipline on an Organizational Participant, including Minor or Vulnerable Organizational Participant, as required by the *Reciprocation Policy*. If a Minor or Vulnerable Organizational Participant is sanctioned and/or disciplined under a disciplinary decision, any organization who receives notification of this disciplinary decision must keep the decision confidential, expect as reasonably necessary to implement the terms of the disciplinary decision.

11. Records of all decisions will be maintained by RBC in accordance with the relevant and applicable privacy legislation.

APPENDIX C – MINOR ISSUE OR ADMINISTRATIVE JURISDICTION

The Independent Third Party service provided by RBC is primarily for the use of complaints relating to abuse and maltreatment and anything determined to fall under Process 2.

The following issues are typically managed by the Leagues or Club Associations and should be submitted to the Member Organization.

This is a non-inclusive list of examples related to Code of Conduct:

- Intraclub conflict between spectators or behavior by spectators towards team staff or officials
- Athlete comments or behavior about their own team play or one-time comments to other athletes that breach the UCCMS and/or are unsportsmanlike conduct.
- Accidental breaches of the Rule of Two
- Inappropriate or profane language by spectators or team staff or other Organizational Participants either in person, online, or on a live video feed

The following non-inclusive list of administrative issues are governed by the administrative and/or operational policies of RBC, the Club Associations and/or the Leagues. These issues are not admissible complaints, but should still be managed by the Member Organization or Jurisdiction.

- Athlete registration
- Athlete evaluation or team selection
- Athlete placement on a team
- Practice time or game scheduling
- Assignment of Team staff
- Athlete residency and tiering
- Approval process for over or under-age athletes
- Coach disagreements about team practices, game rosters, etc.
- Emergency Goalie Replacement
- Team Staff Qualification requirements
- Game Suspension Policy

APPENDIX D – JURISDICTION

Process 1 Complaints or incidents involving members in the programs or streams of participation below will be dealt with by the organization of jurisdiction listed and should be submitted as noted in this policy.

Ringette BC	Clubs Associations	Leagues	Tournaments & Events
Incidents that occur in programs such as - Excellence - Team BC - Canada Winter Games - BC Winter Games Incidents that occur in the programs noted above AND involve members belonging to the PSO such as - Coaches - Officials - Athletes - Spectators - Parents/Guardians Incidents that involve PSO Staff or Board of Directors	Incidents that occur in programs such as - Children's Ringette - Club U12-U19 - Adult Ringette - Other club level activities Incidents that occur in the streams of participation and programs noted above AND involve members belonging to the Club such as - Club Executive Members - Club Coaches - Officials - Athletes - Spectators - Parents/ Guardians	Incidents that occur in programs such as - Zone - U12 Competition Introduction - Other league level activities Incidents that occur in the streams of participation and programs noted above AND involve members belonging to the League such as - League Executive Members - Zone Coaches - Officials - Athletes - Spectators - Parents/ Guardians	Incidents that occur at Sanctioned events, and require immediate attention, are to be dealt with by the Discipline Committee of the event. Incidents may include violations or breaches of conduct by - Spectators - Coaches - Officials - Athletes - Volunteers Any incidents are to be reported to Ringette BC and the individual's Organization of Jurisdiction for potential additional action as outlined in this policy.

All complaints related to breaches considered maltreatment or abuse, or considered to fall under Process 2, should be submitted to Ringette BC via the Independent Third Party, regardless of the jurisdiction outlined above.