

Salto Gymnastics Club

Discipline and Complaints Policy

1) Definitions

- a. The following terms have these meanings in this Policy:
 - i) *Case Manager* – A person appointed by the Society, who need not be a member or affiliated with the Society, to administer this *Discipline and Complaints Policy*. The Case Manager will comply with the position description described in Appendix A.
 - ii) *Complainant* – The party alleging an infraction.
 - iii) *Days* – Days irrespective of weekend and holidays.
 - iv) *In writing* – a letter or email sent directly to Salto Gymnastics Club.
 - v) *Member* - A member of the Sherwood Park Salto Gymnastics Club as defined in the Salto Gymnastics Bylaws, as well as all individuals employed by or engaged in activities with the Society, including but not limited to, directors, officers, committee members, coaches, judges, parents/guardians, volunteers, and administrators.
 - vi) *Respondent* – The alleged infracting party.
 - vii) *Society* – Salto Gymnastics Club.

2) Purpose

- a. Membership in the Society, as well as participation in its activities, brings with it many benefits and privileges. At the same time, Members and participants are expected to fulfill certain responsibilities and obligations including, but not limited to, complying with the Salto Gymnastics Club bylaws, policies, including Code of Conduct, and rules and regulations. Irresponsible behaviour by Members can result in severe damage to the integrity of the Society. Conduct that violates these values may be subject to sanctions pursuant to this policy.

3) Application of this Policy

- a. This Policy applies to all Members as defined in the Definitions.
- b. This Policy applies to discipline matters that may arise during the course of Society business, activities and events, including but not limited to, competitions, practices, tryouts, training camps, travel associated with Salto Gymnastics Club activities, and any meetings.
- c. This Policy also applies to all Members' conduct outside of the Society's business, activities and events when such conduct adversely affects relationships within

Salto Gymnastics Club (its work and sport environment) or is detrimental to the image and reputation of the Salto Gymnastics Club. The jurisdiction of the Policy will be determined by the Society at its sole discretion.

- d. This Policy does not prevent discipline from being applied, during a competition or event. Further discipline may be applied according to this Policy. Any infractions or complaints occurring within competition will be dealt with by the procedures specific to the competition, when applicable. In such situations, disciplinary sanctions will be for the duration of the competition, training, activity or event only.
- e. An employee of the Club found to have been a Respondent will be subject to appropriate disciplinary action subject to the terms of the Club's Employee Policies and Procedures, as well as the employee's Employment Agreement, as applicable. Violations may result in a warning, reprimand, restrictions, suspension or other disciplinary actions up to and including termination of employment.

4) Reporting a Complaint

- a. Any Member may report to the Society's head office any complaint of an infraction by a Member. Such a complaint must be in writing and must be filed within thirty (30) days of the alleged incident. Anonymous complaints may be accepted upon the sole discretion of the Society.
- b. Complaints must be submitted to:
President, Board of Directors, Salto Gymnastics Club
president@saltogymnastics.ca
- c. A Complainant wishing to file a complaint beyond the 30 days must provide a written statement giving reasons for an exemption to this limitation. The decision to accept, or not accept, the notice of complaint outside the 30-day period will be at the sole discretion of the Society. This decision may not be appealed
- d. At the Club's discretion, the Club may act as the complainant and initiate the complaint process under the terms of this Policy. In such cases, the Club will identify an individual to represent the Club.
- e. Resignation or lapsing of membership after a complaint is filed does not preclude disciplinary proceedings being pursued under this Policy.
- f. Upon formal receipt, the Club will review the complaint within 15 days to determine jurisdiction and the required next steps.

5) Case Manager

- a. Upon the receipt and review of a complaint, the Society will appoint an independent, third Party, unbiased Case Manager to manage and administer complaints submitted in accordance with this Policy.
- b. The Case Manager is not required to be a member of the Society. The Case manager will oversee the management and administration of appeals submitted in accordance with this Policy. The Case Manager has an overall responsibility to ensure procedural fairness is respected at all times in this Policy, and to implement this Policy in a timely manner. More specifically, the Case Manager has a responsibility to:
 - i. Determine whether the complaint is frivolous or vexatious and within the jurisdiction of this Policy. If the Case Manager determines the complaint is frivolous or vexatious or outside the jurisdiction of this Policy, the complaint will be dismissed immediately. The Case Manager's decision to accept or dismiss the complaint may not be appealed.
 - ii. Determine if the complaint is a minor or major infraction;
 - iii. Appoint the Disciplinary Panel, if necessary, in accordance with this Policy;
 - iv. Determine the format of the hearing;
 - v. Coordinate all administrative aspects and timelines;
 - vi. Provide administrative assistance and logistical support to the Panel as required; and
 - vii. Provide any other service or support that may be necessary to ensure a fair and timely proceeding.
- c. The Case Manager will inform the Parties if the incident is to be dealt with as a minor infraction or major infraction and the matter will be dealt with according to the applicable section relating to the minor or major infraction.
- d. This Policy does not prevent an appropriate person having authority from taking immediate, informal or corrective action in response to behaviour that constitutes either a minor or major infraction. Further sanctions may be applied in accordance with the procedures set out in this Policy.

6) **Minor Infractions**

- a. Minor infractions are single incidents of failing to achieve the expected standards of conduct that generally do not result in harm to others, to the Salto Gymnastics Club or to the sport of gymnastics.
Examples of minor infractions include, but are not limited to, a single incident of:
 - Unsportsmanlike conduct;
 - Disrespectful comments or behavior directed towards others; and

- Non-compliance with the bylaws, policies, procedures, rules, regulations and directives of the Society.
- b. All disciplinary situations involving minor infractions will be dealt with by the appropriate person having authority over the situation and the individual involved (the person in authority may include, but is not restricted to, staff, officials, coaches, organizers, or Salto Gymnastics decision makers).
- c. Procedures for dealing with minor infractions will be informal as compared to those for major infractions and will be determined at the discretion of the person responsible for discipline of such infractions (as noted above in Section 5d). This is provided that the Respondent being disciplined is told the nature of the infraction and has an opportunity to provide information concerning the incident.
- d. Penalties for minor infractions, which may be applied singly or in combination, include the following:
 - i) Verbal or written apology;
 - ii) Service or other voluntary contribution to the Society;
 - iii) Removal of certain privileges of membership for a designated period of time;
 - iv) Suspension from certain competitions, activities or events; or
 - v) Any other sanction considered appropriate for the offense.
- e. Minor infractions that result in discipline will be recorded and maintained by the Society. Repeat minor infractions may result in further such incidents being considered a major infraction.

7) Procedure for Major Infraction Hearing

- a. If the Case Manager is satisfied that the complaint is a major infraction, the Case Manager will inform the Society's Board of Directors and will establish a Disciplinary Panel consisting of up to 3 Adjudicators to hear the complaint.
- b. The Case Manager will determine the format of the hearing, which may involve an oral hearing in person, by telephone or by virtual meeting, a hearing based on written submissions or a combination of these methods. The hearing will be governed by the procedures that the Case Manager and the Panel deem appropriate in the circumstances, provided that:
 - i) The hearing will be held within the appropriate timeline determined by the Case Manager.
 - ii) The Parties will be given appropriate notice of the day, time and place of the hearing.

- iii) Copies of any written documents which the Parties wish to have the Panel consider will be provided to all Parties in advance of the hearing in accordance with the appropriate timeline.
- iv) Both Parties may be accompanied by a representative or adviser, including legal counsel at their own expense.
- v) The Panel may request that any other individual participate and give evidence at the hearing.
- vi) 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 a party to the appeal in question and will be bound by its outcome.
- vii) Decisions will be by majority vote.
- c. If the Respondent acknowledges the facts of the incident, the Respondent may waive the hearing, in which case the Disciplinary Panel will determine the appropriate disciplinary sanction. The Disciplinary Panel may still hold a hearing for the purpose of determining an appropriate sanction.
- d. The hearing will proceed in any event, even if a Party chooses not to participate in the hearing.
- e. In fulfilling its duties, the Panel may obtain independent advice or legal counsel.

8) Decision

- a. After hearing and/or reviewing the matter, the Panel will determine whether an infraction has occurred and if so what appropriate sanction(s) will be imposed. The Panel's written decision, with reasons, will be distributed to the Case Manager, the claimant, the respondent and the Society's Board of Directors within fourteen (14) days of the conclusion of the hearing.
- b. The decision will be considered a matter of public record unless decided otherwise by the Disciplinary Panel.

9) Sanctions

- a. The Panel may apply the following disciplinary sanctions singly or in combination, for major infractions:
 - i. Verbal or written reprimand;
 - ii. Verbal or written apology;
 - iii. Service or other voluntary contribution to the Society;
 - iv. Removal of certain privileges of membership;
 - v. Suspension from certain Salto Gymnastics teams, events and/or activities;

- vi. Suspension from all Salto Gymnastics Club activities for a designated period of time;
 - vii. Payment of the cost of repairs for property damage;
 - viii. Expulsion from the Salto Gymnastics Club;
 - ix. Other sanctions against Persons or the Society as may be considered appropriate for the offense;
 - x. Make any reasonable order to resolve and remedy the dispute if the Society is at fault.
- b. Unless the Panel decides otherwise, any disciplinary sanctions will commence immediately. Failure to comply with a sanction as determined by the Panel will result in automatic suspension of membership in the Society until such time as compliance occurs.
 - c. A written record will be maintained by the Society at their head office for major infractions that result in a sanction.

10) Suspension Pending a Hearing

- a. The Society, in consultation with the Case Manager, may determine that an alleged incident is of such seriousness as to warrant suspension of the Respondent pending a hearing and a decision of the Panel.

11) Criminal Convictions

- a. A Member's conviction for any of the following Criminal Code offenses will be deemed a major infraction under this Policy and will result in expulsion from the Society and Salto Gymnastic Club:
 - i. Any sexual offences
 - ii. Any child pornography offences
 - iii. Any offence of physical violence
 - iv. Any offence of assault; or
 - v. Any offence involving trafficking or possession of illegal drugs
 - vi. Any offense that involves a loss of life, injury to third parties, or any significant breach of trust.
- b. If any person convicted of a Criminal Code offense, included but not limited to all offenses listed in Section 11A, can provide proof they have received a full pardon for their offense, they will be exempt from expulsion from the Society on the basis of that infraction under this Policy,

12) Timelines

- a. If the circumstances of the complaint are such that this policy will not allow a timely conclusion, or if the circumstances of the complaint are such the

complaint cannot be concluded within the timelines dictated in this Policy, the Disciplinary Panel may direct that these timelines be revised.

13) Confidentiality

- a. The discipline and complaints process are confidential involving only the Parties, the Case Manager and the Panel. Once initiated and until a decision is released, none of the Parties will disclose confidential information relating to the discipline or complaint to any person not involved in the proceedings.
- b. The decision will be considered a matter of public record unless decided otherwise by the Disciplinary Panel. Any decisions rendered in accordance with this Policy may be communicated to Alberta Gymnastics Federation, other Persons or organizations, including but not limited to, national sport organizations, provincial sport organizations, etc...

14) Appeals Procedure

- a. The decision of the Panel may be appealed in accordance with the *Salto Gymnastics Club Appeal Policy*.

15) Policy Review

- a. This Policy will be reviewed annually and may be amended as necessary to maintain a safe and healthy environment for the Salto Gymnastics Club community. All members of the Society are expected to remain informed and adhere to the most current version of the policy.