



Thorncliffe-Greenview Ice Skating Club



Dispute Resolution Procedure – Thorncliffe Greenview Ice Skating Club

Effective date: December 9, 2022

Last review date: December 9, 2022

Overview

This document is designed to help TGISC to take every responsible measure to promote and maintain a safe, inclusive, professional, and respectful environment. It is hoped that this process will ensure that individuals have a process to report disputes, misconduct, confidence that there will be no retaliation or reprisal for reports made in good faith, and that reports will be investigated and dealt with in a fair and timely manner, respecting the privacy of all concerned as much as possible.

Definitions

general dispute: means a disagreement between parties that is significant to a party to whom this document applies:

- in respect of a matter of governance or contract which has a negative effect on the figure skating environment in which TGISC or Skate Canada programs are delivered, and/or
- where an individual has committed a serious breach of the membership rules, regulations and/or policies of TGISC or Skate Canada.

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 this document 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), bullying, harassment, and discrimination,

General Procedure

Disputes must first be directed to the appropriate level where individuals involved in the matter must make a reasonable effort to pursue and resolve the matter amongst themselves at the level at which the situation originated (e.g., individually, through the club, coaches, and/or Board member) prior to formal escalation.

The complaint should contain as much information as possible about the dispute/misconduct situation, including but not limited to dates, times, and locations of the occurrence (s) of misconduct, names of any witnesses to the occurrence (s), and a detailed description of the offensive behaviour or misconduct.

In general terms the process for managing disputes is as follows:

- initiation of the dispute/reporting of misconduct, including the reporting process and timelines
- initial assessment to determine the appropriate process to be followed
- informal resolution process
- formal resolution process, including investigation as applicable and response
- decision, including disciplinary action as applicable and appropriate
- appeal process

Process

1. *Disclosure of information to an employee/volunteer/Board member that another individual may have acted inappropriately.*
2. *The person who receives the information discloses it to the head coach and/or the head of the Board and/or coach's representative who will discuss and decide if concern is warranted.*
3. *If warranted, a meeting to discuss the allegations and concerns is initiated with the individual against whom the complaint is lodged. The individual is asked to respond to the allegation.*
4. *Action:*
 - a. *If it is determined that the nature of the conduct is not sufficient to warrant formal action, the organization may choose to clarify expectations with the individual as outlined in our code of conduct.*
 - b. *If it is determined that the nature of the conduct is sufficiently serious to warrant action, an internal follow-up takes place. The circumstances of the general dispute and resolution steps throughout the process will be documented in detail, including responses of the respondent and witnesses.*
5. *Internal follow-up. Upon completion of an investigation and formal follow-up the following may occur:*
 - a. *Inappropriate conduct not substantiated. No further action is required.*
 - b. *Inappropriate conduct is substantiated. Depending on the severity of the conduct, the nature of the information gathered during the internal follow-*

up, and other relevant circumstances, varying levels of disciplinary action may be taken.

- c. Inconclusive. Next steps to be determined and options considered. Consultation with professionals as needed.*
- 6. Once a decision has been made and recommendations given, formal disciplinary action as applicable may be taken once the complainant and the respondent have been notified.*

No retaliation for good faith reports

Retaliation against an individual who has reported an incident in good faith will not be tolerated and one who retaliates is subject to discipline up to and including expulsion.

Acting in good faith

Anyone reporting a concern must be acting in good faith and have reasonable grounds for believing the information reported is true and accurate. If it is determined through the resolution process that an individual has made a false general dispute or complaint of misconduct or made the complaint with the intention to harm another individual this may be investigated separately and disciplinary action may be taken. Further, any allegations that prove not to be substantiated and prove to have been frivolous, malicious, intentionally false, fabricated or vexatious will be viewed as a serious disciplinary offence and the individual who reported the concern will be subject to disciplinary action up to and including suspension/expulsion. Where a complaint is unsubstantiated or based on mistake, it will not necessarily be considered frivolous, malicious, intentionally false, fabricated, or vexatious.

Confidentiality

Confidentiality is to be maintained once a complaint is reported and until a decision is released in order to protect all parties involved. No individual is permitted to disclose either the existence of a complaint or confidential information or records that form part of the investigation to any individual outside of the complaint except as strictly required for the purpose of the investigation, or as otherwise compelled by law.

Appeal Process

The decision of the investigators is final and binding on all parties, subject to right of appeal to the Board. A decision may be appealed within 15 days that the decision is made and delivered to both parties.

Related Documents

Skate Canada Code of Ethics
Skate Canada General Dispute Resolution and Reporting Policy

Skate Canada General Dispute Resolution and Reporting Procedure
Skate Canada Misconduct Reporting and Resolution Policy
Skate Canada Misconduct Reporting and Resolution Procedure
Skate Canada National Safe Sport Program

Coaching Association of Canada: Coaches Code of Ethics, and the Responsible Coaching Movement. <http://coach.ca/responsible-coaching-movement-s17179>

Sport Dispute Resolution Centre of Canada: <http://www.crdsc-sdrcc.ca>

Questions/ Contact Information

For questions, please contact:

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