

Ottawa City Soccer Club

Club Discipline Procedure Policy

Preamble

It is the hope of the Ontario Soccer Association that Clubs can run effectively and within the spirit of the game. It is however recognized that from time to time issues arise that have the potential to harm the reputation of a soccer club and soccer in general. To that end a guideline has been devised to best help clubs deal with these issues internally and in doing so minimize any 'ripple effect'. Clubs should be aware these guidelines are secondary to any OSA Policies, Rules or Provincial/Federal Law.

Definitions

a) 'Days' – Days irrespective of weekends and holidays b) 'Ottawa City Soccer Club Stakeholders' – Players, Coaches, Referees, Parents, Guardians, Volunteers, Contracted Staff as well as individuals employed or engaged in activities with the Ottawa City Soccer Club.

Purpose

The Ottawa City Soccer Club is committed to providing an environment in which all Ottawa City Soccer Club Stakeholders (from herein referred to as Stakeholders) are treated with respect. Irresponsible behaviour can result in severe damage to the integrity of the Ottawa City Soccer Club. Conduct that violate these values may be subject to disciplinary measures contained in this policy. Since disciplinary measures may be applied, it is only fair to provide Stakeholders a mechanism so complaints and discipline is dealt with fairly, expeditiously and affordably.

The Ottawa City Soccer Club is committed to providing an environment that is characterized by the value of fairness, integrity, open communication and mutual respect. Participation in Ottawa City Soccer Club activities brings with it many benefits and privileges. At the same time, Club Members are expected to fulfil certain responsibilities and obligations including, but not limited to, complying with the policies, procedures, rules and regulations and Code of Conduct.

Application of this Policy

This policy applies to all Stakeholders as defined in the Definitions. This Policy only applies to discipline matters that may arise during the course of Ottawa City Soccer Club business, activities and events including but not limited to, training, activities, events and meetings.

Reporting a Complaint

Any individual may report a complaint following the correct procedure. The complaint, in writing, must be signed and filed within thirty (30) days of the alleged incident. Anonymous complaints may be accepted on the sole discretion of the Ottawa City Soccer Club Board of Directors. A complainant wishing to file a complaint beyond thirty (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 thirty (30) days period will be at the sole discretion of the Ottawa City Soccer Club Board of Directors. This decision may not be appealed.

Discipline and Complaints Policy

If a complaint is determined by the Ottawa City Soccer Club, or designate, to be legitimate, the complaint will be designated as a minor infraction or a major infraction and dealt with according to the appropriate

sections of this Policy. It will be at the sole discretion of the Ottawa City Soccer Club to determine whether a complaint is to be dealt with as a minor or major infraction. This decision may not be appealed.

If the incident is to be dealt with as a minor infraction, the Ottawa City Soccer Club will inform the alleged offender and the matter will be dealt with according to the section relating to minor infractions.

If the incident is to be dealt with as a major infraction, and if the Ottawa City Soccer Club determines a hearing is required, the alleged offender will be notified as quickly as possible and this matter will be dealt with according to the section relating to major infractions.

This Policy will not prevent an appropriate person having authority from taking immediate, informal or corrective action in response to behaviours that constitute either a minor or major infraction provided the individual being disciplined is told the nature of the infraction and has an opportunity to provide information concerning the incident. Further disciplinary measure may be applied in accordance with the procedures set out in this Policy.

Minor Infractions

Examples of minor infractions include, but are not limited to, a single incident of:

- Disrespectful, offensive, abusive, racist or sexist comments or behaviour directed towards others;
- Conduct contrary to the ideals of respect such as angry outbursts or arguments; and
- Non-compliance with the Policies and Procedures under which the Ottawa City Soccer Club is governed.

All disciplinary situations involving minor infractions will be dealt with by the Ottawa City Soccer Club. 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 Ottawa City Soccer Club Board of Directors. This is provided that the individual being disciplined is told the nature of the infractions and has an opportunity to provide information concerning the incident.

Disciplinary measures for minor infractions, which may be applied singly or in combination, include the following:

- Verbal or written reprimand which may be placed on the individual's record;
- Verbal or written apology;
- Service or other voluntary contribution to the Ottawa City Soccer Club;
- Retraining;
- Suspension from the current training, activity or event; or
- Any other disciplinary measure considered appropriate for the offense.

Minor infractions that result in discipline will be recorded and maintained by the Ottawa City Soccer Club. Repeat minor infractions may result in further such incidents being considered a major infraction.

Major Infractions

Major infractions are instances of misconduct that result or have the potential to result, in harm to other persons or the Ottawa City Soccer Club.

Examples of major infractions include, but are not limited to:

Repeated incidents of disrespectful, offensive, abusive, racist or sexist comments or behaviour directed towards others;

Repeated conduct contrary to the ideals of respect such as angry outburst or argument;

Repeated incidents of being late for or absent from Ottawa City Soccer Club events or activities at which attendance is expected or required;

- Incidents of physical abuse;
- Pranks, jokes or other activities that endanger the safety of others;
- Disregard for the rules and regulations under which Ottawa City Soccer Club training, events and programs are conducted;
- Conduct which results in harm to the image, credibility or reputation of the Ottawa City Soccer Club and/or its sponsors;
- Abusive use of alcohol where abuse means a level of consumption that impairs the individual's ability to speak, walk or drive; causes the individual to behave in a disruptive manner; or interferes with the individual's ability to perform effectively and safely; or
- Any use of illicit drugs and narcotics.

Major infractions may be dealt with immediately, if necessary, by Ottawa City Soccer Club personnel, provided the individual being disciplined is told the nature of the infractions and has an opportunity to provide information concerning the incident. In such situations, disciplinary measures will be for the duration of the training, program or event only. Further disciplinary measure may be applied but only after review of the matter in accordance with the procedures set out in the Policy. This review does not replace the appeal provisions of the Policy.

Discipline Panel and Hearing

Within twenty-one (21) days of notifying the respondent of a complaint of a major infraction, the Ottawa City Soccer Club will appoint one to three individuals to serve as a Discipline Panel ("Panel").

The Panel will have no significant relationship with the complainant and respondent; will have no involvement with the alleged infraction; and will be free from any other bias or conflict of interest.

The Panel will hold the hearing as soon as possible, but not more than thirty (30) days after being appointed. Having regard to the nature of the discipline matter and the potential consequences of any resulting disciplinary measure, the Panel will decide to conduct the hearing by way of review of documentary evidence or by way of oral hearing. If the Panel decides to conduct an oral hearing, it may decide to do so in person or by means of telephone conference.

Documentary Review

Where the Panel has determined the appeal will be held by way of documentary submissions, the Panel will govern the hearing fairly and as it sees fit, provided that:

- All parties are given a reasonable opportunity to provide written submissions to the Panel, to review written submissions of the other parties and to provide written rebuttal and argument; and
- The applicable principles and timelines set out by the Panel are respected.

Oral Hearing

Where the Panel has determined the appeal will be held by way of oral hearing, the Panel will govern the hearing fairly and as it sees fit, provided that:

- The affected parties will be given five (5) days written notice of the day, time and place of the hearing
- The affected parties will be provided copies of all evidence to be relied upon;
- Decisions will be by majority vote;
- The Panel will refrain from communicating with the parties except in the presence of, or copy to, the other parties;
- The individual being disciplined may be accompanied by a representative;
- The individual being discipline will have the right to present evidence and argument;
- Any party potentially affected by the matter may be made party to the hearing by the Panel;
- The Panel may request any witness be present at the hearing or submit written evidence in advance of the hearing;
- If the individual being disciplined chooses not to participate in the hearing, the hearing will nonetheless proceed;
- The hearing will be held in private
- Each party will bear their own costs;

Once appointed, the Panel will have the authority to abridge or extend timelines associated with any aspect of the hearing.

After hearing the matter, the Panel will determine whether or not the individual will be disciplined, and if so the appropriate penalty to be imposed and any decision, with reasons, will be distributed to all parties and the Ottawa City Soccer Club within twenty-one (21) days of the conclusion of the hearing.

Where the individual acknowledges the facts of the incidents, he or she may waive the hearing, in which case the Panel will determine the appropriate disciplinary measures. The Panel may hold a hearing for the purpose of determining an appropriate disciplinary measure.

If the individual being disciplined chooses not to participate in the hearing, the hearing may proceed in any event.

Disciplinary Measures

The Panel may apply the following disciplinary measure singly or in combination for major infractions:

- Written reprimand to be placed on the individual's record;
- Written apology;
- Removal of certain privileges;
- Suspension from certain Ottawa City Soccer Club programs, events and/or activities;
- Suspension from all Ottawa City Soccer Club activities for a designated period of time;
- Expulsion from the Ottawa City Soccer Club;
- Publication of the Panel's decision; h) Other measures may be considered appropriate for the offense

Unless the Panel decides otherwise, any disciplinary measure will commence immediately. Failure to comply as determined by the Panel will result in automatic suspension within the Ottawa City Soccer Club until such time as compliance occurs.

A written record will be maintained by the Ottawa City Soccer Club for major infractions that result in disciplinary measures.

Serious Infractions

The Ottawa City Soccer Club may determine that an alleged incident is of such seriousness as to warrant suspension of the individual pending a hearing and a decision of the Panel.

Where it is brought to the attention of the Ottawa City Soccer Club that a Ottawa City Soccer Club Stakeholder has been charged with an offence under the Criminal Code or has been previously convicted of a criminal offence, the Ottawa City Soccer Club may suspend the Ottawa City Soccer Club Stakeholder pending further investigation, a hearing or completion of the criminal proceedings.

Notwithstanding the procedures set out in the Policy, any Ottawa City Soccer Club Stakeholder that is convicted of a criminal offence involving sexual exploitation, invitation to sexual touching, sexual interference, sexual assault or aggravated assault will face automatic suspension from participating in any activities of the Ottawa City Soccer Club for a period of time corresponding to the length of the criminal sentence imposed by the court and may face further disciplinary action by the Ottawa City Soccer Club in accordance with this Policy.

Timelines

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 the policy, the Panel may direct that these timelines be revised.