

POLICIES AND PROCEDURES TEMPLATE

Section **NUMBER** | **Formal Complaints Policy**

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1 Formal Complaints Policy

1.1 Definitions

- 1.1.1 The following terms have these meanings in this Policy:
- a) *“Association”* – LLOYDMINSTER DISTRICT SOCCER ASSOCIATION
 - b) *“Complainant”* – The Party filing the complaint
 - c) *“Days”* – Days including weekends and holidays
 - d) *“Governing Body”* – It refers to the organization that has the authority to manage a formal complaint per the policies of the Governing Body. Governing Body may refer to the Canadian Soccer Association, Saskatchewan Soccer Association, LLOYDMINSTER DISTRICT SOCCER ASSOCIATION or Clubs/Zones or Entities that are Members of the LLOYDMINSTER DISTRICT SOCCER ASSOCIATION
 - e) *“Members”* – All Members defined by the LLOYDMINSTER DISTRICT SOCCER ASSOCIATION’s [Bylaws](#) and for the purposes of this policy shall also include all individuals associated or affiliated with the LLOYDMINSTER DISTRICT SOCCER ASSOCIATION, including but not limited to athletes, coaches, officials, volunteers, managers, administrator, committee members, directors, officers and parents and spectators at LLOYDMINSTER DISTRICT SOCCER ASSOCIATION events and LLOYDMINSTER DISTRICT SOCCER ASSOCIATION sanctioned competitions
 - f) *“Parties”* – The Complainant, Respondent, and any other Members, persons, or organizations affected by the complaint
 - g) *“Respondent”* – The Party named in the complaint

1.2 Purpose

- 1.2.1 The LLOYDMINSTER DISTRICT SOCCER ASSOCIATION is committed to providing an environment in which all Members involved with the Association are treated with respect. Membership in the Association, as well as participation in its activities, brings many benefits and privileges. At the same time, Members are expected to fulfill certain responsibilities and obligations including, but not limited to, complying with the Association’s policies, bylaws, directives, rules and regulations, and *Code of Conduct and Ethics*. Irresponsible behaviour by Members can result in severe damage to the integrity of the Association. Conduct that violates these values may be subject to sanctions pursuant to this Policy. Since discipline may be applied, the Association provides Members with the mechanism outlined in this Policy so that complaints are handled fairly, expeditiously, and affordably.
- 1.2.2 [The Association is responsible to ensure that its Formal Complaints Policy is consistent with the policy of the Saskatchewan Soccer Association. As such, the Association recommends that Governing Bodies adopt similar processes as described within this Policy or adopt this Policy with the substitution of ‘Association’ with the name of the Governing Body.](#)
- 1.2.3 In the event that Association does not have similar processes or policies, the policies of the Saskatchewan Soccer Association will be deemed adopted and amended accordingly for use by the Association.

1.3 Methods of Resolution

- 1.3.1 As applicable and depending on the nature of the complaint, formal complaints may either be resolved through:
- a) The Discipline Policy,
 - b) The Saskatchewan Soccer Association's Misconduct of a Game Official, or the
 - c) The Dispute Resolution Policy - Furthermore, during the implementation of the Discipline Policy and upon the consent of the Parties, any matter may be referred to the jurisdiction of the Association's Dispute Resolution Policy and may return to the jurisdiction of the Discipline Policy upon the request of a Party.
- 1.3.2 The Formal Complaints Policy **will NOT apply** to decisions relating to:
- a) Membership status of Members within the Association which is within the authority and jurisdiction of the Association's Board of Directors

1.4 Jurisdiction

- 1.4.1 The Saskatchewan Soccer Association will have jurisdiction and the Saskatchewan Soccer Association's *Formal Complaints Policy* will apply to matters of:
- a) Misconduct involving alleged physical or verbal assault of a game official
 - b) Misconduct by a game official
 - c) Repeated dismissals
 - d) Misconduct involving harassment
 - e) Any other matter not described herein that falls within the jurisdiction of the Saskatchewan Soccer Association's Policies
- 1.4.2 The LLOYDMINSTER DISTRICT SOCCER ASSOCIATION will have jurisdiction to manage formal complaints relating to:
- a) Any registered entity or individual under the jurisdiction of that organization
 - b) Misconduct according to the Association's *Code of Conduct and Ethics*
 - c) Misconduct according to the Association's *Conflict of Interest Policy*
 - d) A breach of Association rules, regulations, bylaws, policies or procedures or directives (except as noted in 1.3.2)
 - e) Any other complaint accepted by the Association per their discretion
 - f) Other complaints deemed to violate the principles of the Association's Policies
- 1.4.3 Entities, described below, will have jurisdiction to manage formal complaints:
- a) As per the policies of the Association
 - b) Tournament Committees may have jurisdiction over discipline during a Sanctioned Tournament as outlined in the Tournament Sanctioning Application
 - c) Club/Zones may have jurisdiction over Individual Members and Teams
 - d) Referee Associations may have jurisdiction over their Individual Members, except as noted in 1.4.1
 - e) Teams may have jurisdiction over their Individual Members
 - f) Academies may have jurisdiction over their Individual Members
- 1.4.4 Complaints arising within the business, activities or events organized by entities other than the Association will be dealt with pursuant to the policies of those other entities unless requested and accepted by the Association at its sole discretion.

1.5 Application of this Policy

- 1.5.1 This Policy applies to all Members and Entities of the Association.
- 1.5.2 The Policies of Governing Bodies apply equally to all games (completed or abandoned) and other sanctioned soccer activities on and off the field.
- 1.5.3 This Policy does not prevent discipline from being applied, during a game or event, according to the Association's *Tournament Discipline Procedure*. Further sanctions may be applied according to this Policy.
- 1.5.4 As per CSA requirements and FIFA Statutes, the Association formal complaints process operates independently of the Board and its Directors.

1.6 Reporting a Complaint

- 1.6.1 Except as outlined in the *Tournament Discipline Procedure*, any Member may report any complaint to the Association. Such a complaint must be in writing and signed, and must be filed within fourteen (14) days of the alleged incident, with the exception of ongoing/accumulated harassment. *Anonymous complaints may be accepted at the sole discretion of the Association*. The Complaint should include:
 - a) The complete report(s) which identifies the Respondent,
 - b) The Incident Report (including date, time, location and any other relevant information)
 - c) The Game Official's Report, if any or applicable
 - d) Any other report or evidence to support the complaint
- 1.6.2 *A Complainant wishing to file a complaint outside of the fourteen (14) day period must provide a written statement giving reasons for an exemption to this limitation. The decision to accept, or not accept, the complaint outside of the fourteen (14) day period will be at the sole discretion of the Association. This decision may not be appealed.*
- 1.6.3 At the Association's discretion, the Association may act as the Complainant and initiate the complaint process under the terms of this Policy. In such cases, the Association will identify an individual to represent the Association.
- 1.6.4 In all cases of mistaken identity of an accused individual as a result of a team list error or other irregularities, it is the responsibility of the Club and/or Entity to properly identify the offending party.

1.7 Reporting Assault of a Game Official

- 1.7.1 Assault of a Game Official will be defined at a minimum as physical contact or attempted physical contact, violent contact or attempted violent conduct (e.g. striking, striking with a ball or object, kicking, spitting, etc.), verbal abuse (e.g. issuing threats, personally insulting remarks etc.) or threatening action or behaviour.
- 1.7.2 All incidents involving alleged assault of a Game Official, the following information must be submitted to the Association within 3 days of the incident, unless such timeline is extended by the Association at its sole discretion:
 - a) Game Official's Report
 - b) Any other report(s) filed either directly with the Association or with a Governing Body holding jurisdiction over the event at which the incident took place.

- 1.7.3 The Association will forward all information received to the Saskatchewan Soccer Association as per their *Discipline Policy*.

1.8 Suspension Pending a Hearing

- 1.8.1 The Board of Directors (or their Designate) may determine that an alleged incident is of such seriousness as to warrant suspension of an individual pending a hearing and the decision of the Adjudicator/Panel.

1.9 Criminal Convictions

- 1.9.1 An individual's conviction for any of the following *Criminal Code* offenses will be deemed a major infraction under this Policy without a hearing or decision of an Adjudicator/Panel and will result in expulsion from the Association and/or removal from the Association's competitions, programs, activities and events upon the sole discretion of the Association:
- a) Any child pornography offences
 - b) Any sexual offences
 - c) Any offence of physical or psychological violence
 - d) Any offence of assault
 - e) Any offence involving trafficking of illegal drugs
- 1.9.2 The Association will immediately forward any names subject to Section 1.9.1 to Saskatchewan Soccer Association.

1.10 Case Manager

- 1.10.1 The Association will appoint a Case Manager to oversee management and administration of complaints submitted in accordance with this Policy and such appointment is not appealable.
- 1.10.2 The Case Manager is not required to be a member of the Association. 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:
- a) 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
 - b) Determine the appropriate procedure
 - c) Appoint the Adjudicator/Panel, if necessary
 - d) Coordinate all administrative aspects of the complaint
 - e) Provide administrative assistance and logistical support to the Adjudicator/Panel as required
 - f) Provide any other service or support that may be necessary to ensure a fair and timely proceeding
- 1.10.3 The Case Manager will inform the Parties of the procedure to be utilized.
- 1.10.4 Any infractions or complaints occurring within competition will be dealt with according to the Association's *Tournament Discipline Procedure*, except Referee Assault or Referee Misconduct. In such situations, sanctions will be for the duration of the competition, training, activity or event only. Further sanctions may be applied but only after review of the matter in accordance with the procedures set out in this Policy.

1.11 Minors

- 1.11.1 In the event that a Party is less than 18 years of age, he/she must be accompanied by a parent or legal guardian or their authorized representative. The parent or legal guardian or authorized representative of the parent or legal guardian may speak on behalf of the Party during a hearing.

1.12 Confidentiality

- 1.12.1 The complaints and resolution process is confidential and involves only the Parties, the Case Manager, the Adjudicator/Panel, and any independent advisors to the Adjudicator/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.

1.13 Records and Distribution of Decisions

- 1.13.1 Minor and major infractions that result in discipline, as well as decisions of any appeals, shall be recorded and maintained by the Association.
- 1.13.2 Other organizations may be advised of any decisions and, if there was an appeal, the appeal decision.
- 1.13.3 Decisions and appeals are matters of public interest and shall be publicly available with the names of the Members redacted. Names of persons disciplined may be disclosed to the extent necessary to give effect to any sanction imposed. The Adjudicator/Panel may determine that disclosing the person's identity would unduly violate the person's privacy and may decide that the decision, or part of the decision, shall be kept confidential.

1.14 Appeals Procedure

- 1.14.1 Decisions reached in accordance to the *Discipline Policy* may be appealed in accordance with the Association's *Appeal Policy*.
- 1.14.2 Any negotiated decision reached in accordance to the *Dispute Resolution Policy* will be binding on the parties. Negotiated decisions may not be appealed.

1.15 Legal Action

- 1.15.1 As stated in the Association [Bylaws](#) no action or legal proceeding will be commenced against the Association or its Members, unless the Association has refused or failed to provide or abide by its formal complaints processes and only after all rights of appeal and all rights and remedies have been exhausted.