****

**Discipline and Code of Conduct Policy - Reporting and Dispute Resolution Process**

**Intent**

MLMHA abides by the principles of integrity, conduct, diversity, and ethics in hockey. We believe that the primary purpose is the enjoyment of the game by its participants, in a safe, healthy environment. It is apparent that participating in the game, whether as a player, Coach, Official, or spectator, is more enjoyable when participants act in the spirit of cooperation and with the best interest of the players at the forefront.

Appropriate attitudes and acceptable behaviors must be consistently demonstrated by adult and youth participants and those who deliver the program, keeping in mind that the foundation of hockey is based on teamwork and respect.

MLMHA holds the welfare of participants paramount. By providing a conduct management program, which aims for compliance with the applicable Codes of Conduct, MLMHA aims to ensure the development of a young person’s values, morals, social maturity, physical fitness, and mental health. This policy’s aim is to promote acceptable actions, specifically providing a framework as endorsed by MLMHA, which guides the conduct and behavior of volunteers, players, Coaches, Officials, and spectators including:

* Respect for all
* Protection from harm
* Development of ethical conduct towards others
* Notions of justice, fairness, equity
* Caring attitudes
* Freedom to enjoy and to flourish
* Respect for the game

It is a must that every participant abides by these principles not only while on the ice, but in the dressing room, in the arenas, and when in any way representing MLMHA. A *participant* is defined as a player, Coach, on-ice Official, off-ice volunteer, or spectator.

MLMHA will require participants at every level to uphold these values. In addition, if at any point, any of the Board Members or the Director of Policy and Procedures has reason to believe a crime has been committed, they will refer the matter to the RCMP.

**This Policy is not intended to address complaints about officiating or general hockey rules. It is not intended to circumvent Hockey Saskatchewan or Hockey Canada recommendations or standards, nor does it take precedence over disciplinary actions enforced by any league that MLMHA participates in.**

**Procedures**

MLMHA is committed to creating and maintaining an organizational environment characterized by constructive, productive and supportive relationships. These are ones that are open to contrasting styles of understanding and acting and different points of view. MLMHA recognizes that human interactions are complex, often difficult, and that we can contribute to their success and breakdown.

Efforts should be made to resolve issues at the lowest level; taking responsibility for one’s own actions is the first and most important step. This process shall not prevent a person in authority from taking immediate, informal, corrective, and appropriate disciplinary action in response to unacceptable behaviours. In those instances where behaviour cannot be dealt with between the parties affected, the order of reporting for conflict resolution is as follows:

1. Team Manager
2. Head Coach
3. Division Commissioner
4. Director of Policy and Procedures (in the form of Informal Incident Reports)
5. Dispute Resolution & Disciplinary Committee (DRDC) (in the form of Formal Incident Reports)
6. **Party Resolution**

Can the parties in conflict resolve the issue themselves?

Efforts should be made to resolve issues between the parties. Taking responsibility for one’s own actions is the first and most important step. If you need to apologize for your behavior, or if you need to ask for an apology, we strongly suggest you do so before you involve MLMHA. Furthermore, we ask that you abide by the **24-hour rule**:

***When an issue occurs and a party has a resulting complaint to make or issue to be resolved, they are asked to wait 24 hours, then put the issue in writing in order to clarify your thoughts. If you still think the issue warrants attention, at this point you can proceed.***

This process shall not prevent a person in authority (e.g., a Coach, or Commissioner) from taking immediate, informal, corrective and appropriate disciplinary action in response to unacceptable behaviors conducted in their presence.

Further, have you discussed this matter with your Manager, Coach, team representative, or Division Commissioner? Many minor matters can be dealt with at the team or Divisional level by simply having a dialogue with the appropriate person. In those instances where behavior cannot be resolved as between the parties affected, the complaining party may make an informal complaint, or a formal complaint.

1. **Informal Complaints**

*Prior to submitting an Incident Report, please read the following:*

* *Incident Report Forms are for the exclusive use of Meadow Lake Minor Hockey Association Members only. Membership includes players, parents/guardians, team Officials, Board Members, Referees and Timekeepers, and volunteers. If you have a complaint and you are not a member of our Association, please contact your centre delegate or the President/Vice-President of MLMHA via email.*
* *Complaints against Referees or Timekeepers will not be considered. If you feel you have a serious issue that involves Referees or Timekeepers please file a report with your team's Head Coach or to the president/Vice-President of MLMHA. This must be formally written, in proper presentation, and must include all contact information of the person filing the complaint. An email for this type of concern/complaint will be accepted as long as it clearly indicates that this is a “Complaint Regarding an Official”. The President/Vice-President will determine if the complaint should be filed with the RIC (Referee-in-Chief) for further review.*
* *The Dispute Resolution & Disciplinary Committee is in place to investigate serious issues/complaints/incidents. As you are aware, hockey is a very passionate sport that can often lead to emotional situations. Most issues can be resolved at the team level with communication, patience, and understanding of people’s positions. Along with allowing for the 24-hour cool down rule, the DRDC recommends the following steps be followed prior to submitting this form:*
	1. *Discussion with your Head Coach and/or Manager/Team Official. If the situation cannot be resolved or your complaint is against the Head Coach or Team Official, then proceed to the step below.*
	2. *Discussion with your Divisional Commissioner. If the situation cannot be resolved or your*

*complaint is not satisfactorily being heard or considered, then proceed to the step below: (Divisional Commissioners should keep a record of all reported incidents)*

*Please look to the MLMHA website for current MLMHA Board contact information.*

* 1. *Submission of Incident Report Form or written complaint.*

Informal complaints are intended to deal with minor infractions of the applicable Code of Conduct or minor breaches of league, Association, Hockey Saskatchewan, or Hockey Canada policies. Examples would include disrespectful conduct that does not reach the level of bullying, harassment, or abuse, but is still not aligned with MLMHA’s goals of respect, tolerance, fair play, equality, and diversity.

In the case of an informal complaint, the complainant will not be advised of the outcome. A letter will go to the person(s) complained of, outlining that:

* A complaint has been made
* Identifying the matter complained about
* Recommending steps to resolve the complaint

The letter will not require any party to comply with any directive, but will simply bring the matter to the party’s attention. **Note that with an informal complaint, the complainant will not be identified.** However, the complainant will be required to identify themselves to the Director of Policy and Procedures through the submission process. **MLMHA does not support, and will not act on, anonymous complaints**.

If a serious infraction of the Code of Conduct or Criminal Code is brought to MLMHA’s attention via the informal process, MLMHA has the right to investigate and determine the veracity of the complaint and take whatever steps necessary to ensure the safety of its participants.

* ***Informal Complaint Reporting Process***

The complainant is to fill out the Informal Incident Report form on MLMHA’s website. This will ask the Complainant to identify the conduct complained of, including the date, the time, the place, and any other information that would assist MLMHA in understanding the complaint. The Incident Report Form is reviewed by the Director of Policy and Procedures, who on his/her own or in consultation with any applicable Board Member, will address the matter in writing to the party complained about. The Complainant will not receive a copy of this letter; however, it will remain on the accused’s file.

1. **Formal Complaints**

Formal complaints are not anonymous. As the party who is being complained about could be faced with disciplinary actions as a consequence of an infraction of the applicable conduct policy, they must have the opportunity to know the specific conduct complained of, and have an opportunity to refute the allegations. Formal complaints can be about **minor infractions** or **major infractions**:

1. **Minor Infractions**

Minor infractions are breaches of the applicable Codes of Conduct or league, Association, Hockey Saskatchewan, or Hockey Canada policies and bylaws. This would include disrespectful conduct that does not reach the level of bullying, harassment, or abuse, but is still not in accordance with MLMHA Codes of Conduct.

1. **Major Infractions**

Major Infractions are breaches of the applicable Codes of Conduct or league, Association, Hockey Saskatchewan, or Hockey Canada policies and bylaws that are more serious. This would include, for example, hazing, bullying, multiple minor infractions, harassment, abuse, off ice fighting, racial, homophobic, or other discriminatory slurs, or conduct.

* ***Formal Complaint Reporting Process***

The Complainant is to fill out the Formal Incident Report Form on MLMHA’s website. The Complainant is to identify the conduct complained of, including the date, the time, the place, and any other information that would assist MLMHA in understanding the complaint. The Director of Policy and Procedures accepts the Incident Report Form and determines whether the matter is a **minor infraction** or a **major infraction** and follows the procedure in each case.

1. **Minor Infractions**

The Director of Policy and Procedures shall:

1. Review the Incident Report Form and determine the parties involved.
2. Request a response in writing from the other party or parties.
3. Determine if there are any facts in issue, or if the general understanding of the incident is in agreement with both parties.
4. Where there are no facts in issue, the Director of Policy and Procedures may make a determination, in consultation with the President, Vice President, and relevant Division Commissioner based on the written materials.
5. Where there are facts in issue, or where it appears to be warranted in the Director of Policy and Procedures discretion, the Director of Policy and Procedures will call a disciplinary hearing and convene a Dispute Resolution & Disciplinary Committee (DRDC).
6. The Director of Policy and Procedures has the authority to:
7. Provide a written reprimand which will remain on the person’s file for a maximum of 3 years.
8. Order the offending party to refrain from repeating the offending conduct.
9. Require the offending party to redo Respect in Sport or another educational course.
10. Require the offending party to apologize in writing to any affected party.
11. Make any other requirement that has as its goal re-education or dispute resolution.
12. **Major Infractions**

The Director of Policy and Procedures shall:

1. Review the Incident Report Form and determine the parties involved.
2. Request a response in writing from the other party or parties.
3. Determine if there are any facts in issue, or if the general understanding of the incident is in agreement with both parties.
4. The Director of Policy and Procedures will then call a discipline hearing and convene a Dispute Resolution & Disciplinary Committee (DRDC).
5. The Director of Policy and Procedures will mediate the hearing with the parties and the DRDC.
6. The DRDC has the power to order:
7. a written reprimand which will stay on the offending party’s file for a minimum of 3 years to a maximum of 5 years.
8. Order the offending party to refrain from repeating the offending conduct.
9. Require the offending party to redo Respect in Sport or another educational course.
10. Require the offending party to apologize in writing to any affected party.
11. Make any other requirement that has as its goal re-education or dispute resolution.
12. Suspend the offending party from participation in or at specific and defined Association activities, or a recommendation to the Board for a complete suspension from participation in or attendance at any or all Association activities.
13. a recommendation for an expulsion from the Association and/or a combination of two or more of the above.
14. A member of the DRDC will communicate the decision to the respective parties. The decision will include a link to the Appeals process.

**In instances where actions or communications are deemed to have crossed the line into criminal behaviour, MLMHA will offer its full cooperation with any investigation by local law enforcement by immediately and thoroughly turning over all pertaining and requested records of the actions or communications to Authorities.**

1. **MLMHA Dispute Resolution & Disciplinary Committee (DRDC)**

The goal of the Dispute Resolution Process – which involves a committee named the Dispute Resolution & Discipline Committee (DRDC) - is to design a process for resolving disputes that are straightforward and easy to follow. Under the Dispute Resolution Process all complaints are required to be handled in a timely and efficient manner. In more complex cases where additional time is required, the parties will be notified of the status of the matter, including the reasons for any delay. The DRDC is also able to capably issue corrective actions, sanctions, or disciplinary measures if or when required or in certain cases. The DRDC reports directly to the MLMHA Board and must provide formal documentation of their business.

These guiding principles will help to ensure that barriers to conflict resolution are eliminated.

There may be occasions where it may not be appropriate to follow the exact steps outlined in the Dispute Resolution Process due to extenuating circumstances. The President will make that determination on a case-by-case basis. The Director of Policy and Procedures is typically the presiding MLMHA representative in DRDC business which maintains the President having impartiality should it be required at a later date.

The Dispute Resolution & Discipline Committee shall consist of, as a minimum: the Director of Policy and Procedures, the Vice-President of the Association, and respective Division Commissioners, and may include additional members at the discretion of the Director of Policy and Procedures. The Director of Policy and Procedures or his/her delegate, will Chair the meetings and may cast the deciding vote. At least one other MLMHA Board member not affiliated in any way with the matter in front of the Committee should be included. The Director of Policy and Procedures may also at his/her discretion decide to bring in a non-MLMHA member to sit in on the proceedings, or a member very far removed from any actual or perceived attachment to the complaint or persons involved.

The Director of Policy and Procedures shall establish a Dispute Resolution & Disciplinary Committee from time to time for the purposes of determining disciplinary matters. The DRDC may suspend, expel, and/or impose sanctions and conditions of participation on any Association Member, player, or team official who fails to comply with the policies, bylaws, and/or regulations of the Association, league, Hockey Saskatchewan, or Hockey Canada or whose conduct shall be deemed to be improper or unbecoming of a Member, player, or team official of the Association.

1. The DRDC shall be made up of the Director of Policy and Procedures, the appropriate Division Commissioner, the Vice-President, and a fourth member from the MLMHA Board appointed by the Director of Policy and Procedures. Should there be a conflict of interest between any of these parties, the replacement for that party will be another member of the MLMHA Board.
2. The matter will be referred to the DRDC by the Director of Policy and Procedures, as well as the date and time of the hearing.
3. The DRDC will review the Incident Report Form and any other information provided by the Director of Policy and Procedures in advance of the hearing and will convene subsequent to the hearing to review all of the information and to make a decision on the respective discipline, if any, to be assessed to the Respondent.
4. A member of The DRDC will communicate this decision on behalf of MLMHA to the respective parties.

**Only disputes that follow the Dispute Resolution Process and are received on the appropriate form will be addressed by the DRDC. Complaints that are not received by the DRDC within ten (10) days of an unsatisfactory result at the lower levels in the Dispute Resolution Process will not be addressed.**

1. **Informal Determination**

If the four (4) members of the DRDC believe that the matter can be dealt with on an informal basis without the necessity of a hearing, such Committee may investigate the complaint, accept submissions in writing or verbally from the Complainant, the person being investigated, and such other persons as may be required to ensure a fair and reasonable decision is rendered. The DRDC shall provide a written notice of its decision to the Complainant and party being investigated. Should either the Complainant or party being investigated feel that the informal process has not satisfactorily resolved the issue, either may request in writing, that the DRDC undertake a formal hearing.

1. **Formal Hearing**

The Director of Policy and Procedures role will be to schedule and mediate the hearing. The Director of Policy and Procedures shall establish dates and times to interview all applicable parties to the matter, in person or virtually by video or teleconference, at the discretion of the DRDC as soon as practicable following receipt of the complaint. The Director of Policy and Procedures will act as the point of communication between the Complainant, the Respondent (accused party), and the DRDC. The Complainant and the Respondent shall receive confirmation as to the nature of the complaint and any information to be provided to the Director of Policy and Procedures and the DRDC at such time prior to their initial interview.

1. The Respondent and the Complainant shall provide the Director of Policy and Procedures with a list of any other parties that the DRDC should contact to discuss the matter.
2. The DRDC shall also discuss the matter with any other party that it deems necessary or as a result of any interview.
3. If either the Complainant or the Respondent shall fail to appear at the hearing, the hearing shall be conducted with the available witnesses and information available to the DRDC.
4. Following the DRDC interviewing the applicable parties, it shall render its decision in writing within 5 business days to the Complainant, the Respondent, and MLMHA’s President. The decision will include a link to the Appeals Process.
5. **Team Level Discipline**

The Head Coach always acts as the first responder, as they bear the responsibility for all matters pertaining to their team. The Head Coach is circumvented only if and when it is perceived that there may be a conflict of interest or the Coach is involved in the incident.

Coaches in the Association shall be entitled to suspend summarily any player on their respective team for individual discipline problems. In the event that a Coach wishes to suspend a player for one full game, one full practice, or more, the Coach must first obtain the approval of the appropriate Division Commissioner. Any suspension by a Coach may be appealed to the Director of Policy and Procedures and/or the DRDC and then to the Appeal Committee as set forth below.

1. **Immediate Discipline by President and Division Commissioner**

In addition to, or in lieu of, suspensions which occur, or may be imposed automatically in accordance with a league, Hockey Saskatchewan, and/or Hockey Canada or in accordance with the rules and regulations of the Association, the President, upon consultation with the appropriate Division Commissioner, shall have the capacity to suspend summarily for a term not exceeding three (3) games, practices, or combination of games and practices, any player, Coach, Manager, team Official, or Member for any breach of the bylaws or regulations of the Association or for any conduct determined to be improper or unbecoming by the President or Division Commissioner.

1. **On-Ice Officials Discipline**

All disciplinary matters relating to activities of on-ice game Officials acting in their capacity as on-ice game Officials shall be administered by the DRDC in consultation with the Referee-in-Chief, league representatives, and/or Hockey Saskatchewan. This includes any applicable appeals.

1. **Appeals**

If either party is not satisfied with the DRDC decision, they have a right to appeal, as set out below. The Appeal must be based on an error of interpretation or application of the applicable Code of Conduct, policy, or bylaw, or of a palpable and overriding error of fact.

* **Appeal Process**
1. The Appeals Committee will be formed at the behest of a participant by filing the Notice of Appeal form.
2. Appeals are to be received by the secretary by filling out the Notice of Appeal Form on the MLMHA website within five (5) business days of notice of the decision by the DRDC.
3. Appeals will be accompanied by a non-refundable fee in the amount of $100. Regardless of the outcome of the appeal, this amount will be held by MLMHA in trust for possible litigation expenses so they are not borne by the General Membership.
4. Members of the Appeals Committee shall be the President of MLMHA, and three (3) additional MLMHA Board Members who have yet to be involved, to be determined by the President, or any other Member to be determined by the President.
5. Any appeal by a player younger than sixteen (16) years of age may only be made by that player’s parent or legal guardian on behalf of the suspended player.
6. The Appeals Committee will meet as soon as possible, ideally within five (5) days of receipt of a written request by any suspended person.
7. The appeal is a written application and will not have an in person or virtual hearing. The process is as follows:
8. The Plaintiff submits the Notice of Appeal Form, along with any supporting documentation and their written argument. Upon receipt of payment, the Appeals Committee will be formed and will communicate with the Director of Policy and Procedures for all applicable information regarding the decision.
9. Notice of the Appeal will be provided to the Respondent, who shall have two (2) days to provide a response argument, which will be provided to the Appeals Committee and the Plaintiff.
10. The Plaintiff shall have two (2) days to provide a reply to the Appeals Committee.
11. The Appeals Committee shall make its determination within five (5) business days of the submission of any reply, or the expiration of the time for the reply submission.
12. The determination will be provided to the parties in writing by the President of MLMHA.
13. The Appeals Committee has the authority to:
14. Quash the decision and send the matter back to the DRDC for a re-hearing;
15. Quash the decision and provide its own determination;
16. Uphold the decision; or
17. Quash the discipline and provide its own determination.
18. **No appeal operates as a stay of any suspension.** **The filing of an appeal does not lift or postpone a suspension; suspensions must continue to be served while an appeal is being considered.**
19. For discipline administered as per the following sections:
	1. Section 7 – Team Level Discipline
	2. Section 8 – Immediate Discipline by President and Division Commissioner;

The appeal process begins via a notification to the individual that administered the discipline as well as to the Director of Policy and Procedures. The Director of Policy and Procedures will review the administered discipline, and may do so in consultation with the President, appropriate Division Commissioner, or any other party that he/she deems appropriate, to determine if the appeal shall be handled as per the Association’s conduct review, reporting and resolution process, or in a discretionary manner.

**The MLMHA Board will review this policy and procedure document on an ongoing basis, at minimum, at a monthly Board meeting after each year’s AGM and prior to September, which is considered the season’s start up.**