



Discipline and Complaints Policy

Purpose

1. Organizational Participants are expected to fulfill certain responsibilities and obligations including, but not limited to, complying with all policies, by-laws, rules, and regulations of Ringette Ontario “RO” (the “Organization”), as updated, and amended from time to time.
2. Non-compliance with any of the RO’s policies, bylaws, rules, or regulations, as applicable, may result in the imposition of sanctions pursuant to this policy and/or the bylaws of RO or, as applicable, those of its Members.

APPLICATION

Application - General

3. This policy applies to all Organizational Participants and to any alleged breaches of RO’s policies, by-laws, rules or regulations that relate to Safe Sport, and/or abuse or maltreatment in sport.
4. In addition to being subject to disciplinary action pursuant to this policy, an employee of RO who is a Respondent to a complaint may also be subject to consequences in accordance with the employee’s employment agreement or RO ’s human resources policies, if applicable.
5. Independent Third Party is made available, by RO, primarily for complaints relating to abuse and maltreatment.

REPORTING

Reporting of a Complaint to the Independent Third Party

6. Complaints of alleged breaches of the RO governing documents and/or UCCMS will be made to the Independent Third Party by accessing the portal through the RO website or on the website of the RO Club Association.
7. For Code of Conduct matters that are normally dealt with through Club Association complaint processes, or complaint processes of other jurisdictions such as Leagues, other provinces, etc., the complaint should be made to the appropriate jurisdiction, rather than the Independent Third-Party service. Further guidance on matters typically dealt with through Club Associations or the Leagues is provided in Appendix C. These matters should only be escalated and reported through the Independent Third Party if it cannot be managed within the organization.

8. For administrative matters normally dealt with through policies of the Organization or its Club Associations or the Leagues (examples in Appendix C), concerns or questions should be directed to the appropriate jurisdiction rather than through the Independent Third Party.
9. Complaints should be brought as soon as possible and no later than 14 Days from the occurrence of the incident. This timeline can be waived at the sole discretion of the Independent Third Party or RO. Any such decision is not subject to appeal.
10. Notwithstanding any provision in this Policy, RO may, at its discretion, or upon request by the Independent Third Party, act as the Complainant and initiate the complaint process under the terms of this Policy. In such cases, RO will identify an individual to represent RO.
11. An Organizational Participant who fears reprisal or who otherwise has sufficient reason to wish to keep their identity confidential may file a complaint with the Independent Third Party and request that their identity be kept confidential. The Independent Third Party may, where it considers appropriate, ask that the Organization act as the Complainant. Organizational Participants making the complaint may nevertheless be required to participate to some extent in the process; for example, providing evidence during the disciplinary process. Their identity will be kept in the strictest confidence, to the greatest extent possible but complete anonymity may not be possible. The confidentiality of the Complainant's identity may not be guaranteed and may not be maintained for the entirety of the complaint process. Anonymous complaint submissions are not accepted.
12. It is expected that all parties involved report events and issues honestly and authentically. False allegations are discussed further in Appendix A.

MINORS

13. Complaints may be brought by or against an Organizational Participant who is a Minor. Minors must have a parent/guardian or other adult serve as their representative during this process.
14. Communication from the Independent Third Party must be directed to the Minor's representative.
15. If the Minor's representative is not their parent/guardian, the representative must have written permission to act in such a capacity from the Minor's parent/guardian.
16. A Minor is not required to attend or participate in an oral hearing, if held, or participate in an investigation if conducted. In such circumstances, no adverse inference can be drawn against the Minor.

INDEPENDENT THIRD-PARTY RESPONSIBILITIES

17. Upon receipt of a complaint, the Independent Third Party will determine whether the complaint falls within the jurisdiction of this Policy by considering, at minimum, the following:
- a) whether the incident occurred within the business, activities, or Events of RO, or one of its Members or affiliated organizations;
 - b) whether the alleged incident(s) qualifies as an infraction under RO documents (including the Code of Conduct) and/or the UCCMS;
 - c) Whether the complaint has been submitted within the required timeframe;
 - d) Whether the complaint already has a finding and/or resolution from another resolution process (including those from civil or criminal law). In such cases, the complaint will be deemed inadmissible except in situations of severe maltreatment under Process 2 if the Independent Third Party determines that the sanctions and disciplinary findings from the other resolution process did not adequately consider the severity of the maltreatment and/or the potential for further maltreatment to occur.
 - e) Whether the complaint is currently being reviewed through another process (for example, through a Member organization or other process)
 - f) Whether the matter is typically managed and/or can be effectively addressed by the Club Association or other jurisdiction. (Further guidance on matters typically dealt with through Club Associations is provided in Appendix C.)
 - g) Determine whether the complaint is frivolous, vexatious or if it has been made in bad faith. As indicated in the Sport Dispute Resolution Centre of Canada's Investigation Guidelines, a reported complaint shall not be characterized as vexatious if the evidence demonstrates that there was a reasonable basis for filing and pursuing it. For a complaint to be considered to have been made in bad faith, the Independent Third Party must consider that it was filed consciously for a dishonest purpose or due to the moral underhandedness of the Complainant and that there was an intention to mislead.
18. If a complaint is deemed to be inadmissible under this policy, then the Independent Third Party must provide reasons to the complainant in writing.

Available Process

19. There are two different processes that may be used to hear and adjudicate complaints. The Independent Third Party decides which process will be followed at their discretion, and such decision is not appealable.

20. **Process #1** - the complaint contains allegations involving the following behaviours:

- a) disrespectful conduct or comments.
- b) minor acts of physical violence, unless the physical violence is between a Person in Authority and a Vulnerable Participant, in which case the matter will be addressed under Process #2.
- c) conduct contrary to the values of RO or those of one of its Members or affiliated organizations.
- d) non-compliance with the policies, procedures, rules, or regulations of RO or those of one of its members or affiliated organizations.
- e) minor violations of the policies or bylaws of RO or those of one of its members or affiliated organizations.

*** The behaviours identified above are examples only and are not a definitive list of behaviours that may be addressed through Process #1.

Options for Resolution

21. Following the determination that the complaint or incident should be handled under Process #1, the Independent Third Party may engage in Investigative Procedures outlined in Appendix A and will implement one or more of the following processes for resolution:

- i) If the matter is normally managed by the Club Association or other jurisdiction (for example, such as another provincial ringette association or the League), send that complaint to the appropriate jurisdiction to determine any subsequent discipline and/or education actions that need to be taken according to that jurisdiction's own discipline and complaints policy. The Parties do not have to agree to this process and the decision of the Independent Third Party to use this process is not appealable. When the Independent Third Party refers the matter to the Club Association or other jurisdiction, the Independent Third Party may, at their discretion, offer suggestions to the Club Association or other jurisdiction for possible educational and/or awareness building activities to be undertaken by one or both Parties. (Examples are listed in Appendix C)
- ii) The Independent Third Party may elect to have an awareness-raising conversation with the respondent. The Parties do not have to agree to this action by the Independent Third Party.

- iii) Refer the complaint to a formal Alternative Dispute Resolution process (e.g. Mediation, conflict resolution facilitators, etc) with the cost covered by the Member or the Party(ies) to the complaint. The Parties must agree to this resolution process.
- iv) Appoint an External Hearing Panel of one person to hear the facts of the case and make a decision. The Parties do not have to agree to this process and the decision of the Independent Third Party to use this process is not appealable.

22. At any point in a Process 1 resolution process, the Independent Third Party can move the matter into Process 2 options.

23. At any point in the resolution process, the Independent Third Party or the Organization can report the matter to other appropriate authorities such as the police, government Children's Services, etc.

Process #2

24. The complaint contains allegations involving any of the following behaviours:

- a. repeated incidents described in Process #1;
- b. hazing;
- c. abusive, racist, or sexist comments, conduct or behaviour;
- d. incidents that constitute Prohibited Behaviour under the *Code* or the UCCMS;
- e. major incidents of violence (e.g., fighting, attacking);
- f. pranks, jokes, or other activities that endanger the safety of others;
- g. conduct that intentionally interferes with a competition or with any Athlete's preparation for a competition;
- h. conduct that intentionally damages the image, credibility, or reputation of RO or that of one of its members or affiliated organizations;
- i. consistent disregard for the by-laws, policies, rules, or regulations of RO or those of one of its members or affiliated organizations;
- j. major or repeated violations of the *Code* or any other policies, by-laws, rules or regulations that designate this Discipline and Complaints Policy as applicable to address such alleged breaches;
- k. intentionally damaging the property of RO, one of its members or affiliated organizations, or improperly handling any of the aforementioned Organizations' monies;
- l. inappropriate or abusive use of alcohol, any use or possession of alcohol by Minors, or use or possession of illicit drugs and narcotics;
- m. a conviction for any *Criminal Code* offense.

The behaviours identified above are examples only and are not a definitive list of behaviours that may be addressed through Process #2.

Options for Resolution

Following the determination that the complaint or incident should be handled under Process #2, the Independent Third Party the Independent Third Party may engage in Investigative Procedures outlined in Appendix A and will implement one or more of the following processes for resolution:

- i. Refer the complaint to a Formal Alternative Dispute Resolution Process (e.g. Mediation, conflict resolution facilitators, etc.) with the cost covered by the Member or the Party(ies) to the complaint. The Parties must agree to this process.
- ii. Appoint an External Hearing Panel of one to three people to hear the facts of the case and make a decision. The Parties do not have to agree to this process and the decision of the Independent Third Party to use this process is not appealable.
- iii. Report the matter to other appropriate authorities such as the police, government Children's Services, etc.

PROVISIONAL MEASURES

25. If it is considered appropriate or necessary based on the circumstances, immediate discipline or the imposition of a Provisional Suspension or interim measures may be imposed against any Organizational Participant by the Board of Directors of the RO after which further discipline or sanctions may be applied according to this policy.

The Independent Third Party can determine if an interim suspension is warranted if the following criteria are met:

- The complaint involves abuse or harassment, as outlined in the UCCMS
- The complaint involves active programming and the safety of program participants, physical or psychological, is at risk

If the Independent Third Party determines an interim suspension is warranted, the following parties may be notified:

- The Respondent and the Complainant
- RO Staff
- The leadership of ringette programs or organizations the Respondent is affiliated with Individuals involved in the complaint, if not the same party or parties as the Complainant

26. The Independent Third Party may determine relevant parties in collaboration with the RO Executive Director.
27. If an infraction occurs at a competition, it will be dealt with by the procedures specific to the competition, if applicable. Provisional measures may be imposed for the

duration of a competition, training, activity, or Event only, or as otherwise determined appropriate by the Independent Third Party.

28. Notwithstanding the above section, RO may determine that an alleged incident at an Event is of such seriousness as to warrant the imposition of a Provisional Suspension of a Respondent pending completion of an investigation, criminal process, the hearing, or a decision of the External Hearing Panel. For the avoidance of doubt, the NSO and/or Independent Third Party shall have discretion to impose additional interim measures or a Provisional Suspension in addition to any measures imposed.
29. Any Respondent against whom a Provisional Suspension or interim measure is imposed may make a request to the Independent Third Party or External Discipline Panel (if appointed) to have the Provisional Suspension or interim measure lifted. In such circumstances, RO shall be provided with an opportunity to make submissions, orally or in writing, regarding the Respondent's request to have their Provisional Suspension lifted. Provisional Suspensions or interim measures shall only be lifted in circumstances where the Respondent establishes that it would be manifestly unfair to maintain the Provisional Suspension or interim measures against them.
30. All organizations are expected to follow the Ringette Canada Reciprocation Policy.
31. Any decision not to lift a Provisional Suspension or interim measure shall not be subject to appeal.

PROCEDURAL STEPS

32. Once the Independent Third Party determines whether the complaint will be resolved according to a Process 1 or a Process 2 resolution, then the Independent Third Party will determine which resolution option is most appropriate.

Depending on which resolution options is chosen, the Independent Third Party may ask the Complainant and the Respondent for written and/or oral submission regarding the complaint or incident. Both Parties have the right to submit any relevant evidence, including but not limited to witness statement, media sources such as recordings, photos, etc. Both Parties have the right to receive the other Party's submissions and evidence, including details of the Complainant's litigation.

Procedures for complaints referred to Club Association or League

33. If the Independent Third Party has assigned resolution of the complaint to a Club Association or League, then the Club Association or League will proceed according to their own policies and will provide written confirmation of their findings and discipline, if any, to both Parties in the complaint. The Club Association has the authority to request further information submissions beyond those gathered by the Independent Third Party.

Procedures for Alternative Dispute Resolution (ADR) expert if appointed by the Independent Third Party

34. Following the determination that the complaint or incident will be handled through Alternative Dispute Resolution, the Independent Third Party will appoint an expert in ADR to hear and facilitate the complaint. The following is only one example of what an ADR process may be:

- a) Ask the Complainant and the Respondent for either written or oral submissions regarding the complaint/incident. Both Parties shall also have the right to submit any relevant evidence, including, but not limited to witness statements, documentary evidence or evidence from other media (i.e., photos, screenshots, videos or other recordings). Each Party shall have the right to receive the other Party's submissions and evidence, including the Complainant's complaint. In the case of oral submissions, each Party shall be present when such submissions are made (unless waived by a Party); and/or,
- b) Following receipt of the Parties' submissions, the ADR expert may ask to convene the Parties to a meeting, either in person or by way of video or teleconference, to ask the Parties questions and possibly allow the Parties to ask questions of one another.

35. Following their review of the submissions and evidence related to the complaint, the ADR expert shall determine if the alleged breach has been substantiated and, if so, what appropriate sanction, if any, will be imposed (see the Sanctions section). If, after hearing the Parties and reviewing their submissions, the ADR expert considers that the alleged breach has not been substantiated, they shall dismiss the complaint.

36. The Independent Third Party will inform the Parties of the ADR expert's decision, which shall be in writing and include reasons. The ADR expert's decision will take effect immediately, unless specified otherwise. Should the circumstances require a decision to be rendered immediately or within a short timeline, the ADR expert may render a short decision, either orally or in writing, followed by a written reasoned decision.

37. Any decision rendered by the ADR expert shall be provided to and maintained in the records of RO, and any other organization with which the parties are affiliated with (i.e., Club Association or League).

Procedures for External Hearing Panel if appointed by the Independent Third Party

38. Following the determination that the complaint should be handled by an External Hearing Panel, the Independent Third Party shall have the following responsibilities:

- a) Coordinate all administrative aspects of the process and set reasonable timelines;
- b) Provide administrative assistance and logistical support to the External Hearing Panel as required, including providing the External Hearing Panel with any information related to previously imposed disciplinary sanctions against the Respondent(s) of the policies of the Organization, or any other member that had authority over the Respondent; and,
- c) Provide any other service or support that may be necessary to ensure a fair and timely proceeding.

39. The Independent Third Party will establish timelines and address the complaint in a timely fashion and in a manner that respects procedural fairness.

40. The Independent Third Party, in cooperation with the External Hearing Panel, will then decide the format under which the complaint will be heard. This decision may not be appealed. The format of the hearing may be an oral in-person hearing, an oral hearing by telephone, virtually, or other communication medium, a hearing based on a review of documentary evidence submitted in advance of the hearing, or a combination of these methods.

41. The hearing will be governed by the procedures that the Independent Third Party and the External Hearing Panel deem appropriate for the circumstances. The following procedural directions will apply:

- a) The determination of procedures and timelines, as well as the hearing duration, shall be as expedient and cost-efficient as possible to ensure reasonable resolution.
- b) The Parties will be given appropriate notice of the day, time, and place of the hearing.
- c) Copies of any written documents which any of the Parties wishes to have the External Hearing Panel consider will be provided to all Parties, through the Independent Third Party, in advance of the hearing and in accordance with the timelines set by the Independent Third Party.
- d) The Parties may engage a representative, advisor, translator, transcription services or legal counsel at their own expense.

- e) The External Hearing Panel may request that any other individual participate and give evidence at the hearing.
- f) If not a Party to the complaint, the Organization shall be allowed to attend the hearing as an observer and will be provided with access to any documents submitted. With the permission of the External Hearing Panel, the Organization and/or the relevant Member may make submissions at the hearing or may provide the External Hearing Panel with clarifying information that may be required for the External Hearing Panel to render its decision.
- g) The External Hearing Panel shall allow any evidence at the hearing filed by the Parties and may exclude any evidence that is unduly repetitious or otherwise an abuse of process. The External Hearing Panel shall otherwise apply relevant and applicable evidentiary rules in relation to the admissibility and weight given to evidence filed by the Parties.
- h) The decision will be by a majority vote of the External Hearing Panel when the Panel consists of more than one person.

42. If the Respondent admits to the alleged breach or acknowledges key facts as alleged, the Respondent may waive the hearing, in which case the External Hearing Panel will determine the appropriate sanction. The External Hearing Panel may still hold a hearing for the purpose of determining an appropriate sanction.

43. The process will still proceed even if a Party chooses not to participate in a hearing.

44. If a decision may affect another Party to the extent that the other Party would have recourse to a complaint or an appeal, that Party will become a Party to the complaint, shall be permitted to participate in the proceedings as determined by the External Hearing Panel, and will be bound by the decision.

45. In fulfilling its duties, the External Hearing Panel may obtain independent advice.

DECISION

46. The aforementioned processes will determine whether an infraction has occurred and, if so, the sanctions to be imposed. If the processes consider that an infraction has not occurred, the complaint will be dismissed.

47. Within fourteen (14) days of the conclusion of the process, a written decision, with reasons, will be distributed to all Parties by the Independent Third Party, including to RO and the relevant member(s) (i.e., Leagues, Club Associations). The Independent Third Party may consult with the Executive Director of RO to determine relevant members.

48. In extraordinary circumstances, the External Hearing Panel may first issue a verbal or summary decision soon after the conclusion of the hearing, with the full written decision to be issued before the end of the fourteen (14) day period.
49. The decision will come into effect as of the date that it is rendered, unless decided otherwise. The decision will apply automatically to RO and all its members and associated organizations, according to the terms of the *Reciprocation Policy*.
50. Decisions will be published by RO, as per the Publication Guidelines outlined in Appendix B.
51. If the complaint is dismissed, the information referred to above may only be published with the Respondent's consent. If the Respondent does not provide such consent, the information referred to above will be kept confidential by the Parties, the Independent Third Party, RO and the member (including the Respondent's club) and shall be retained and discarded in accordance with the relevant and applicable privacy legislation. Failure to respect this provision may result in disciplinary action being taken against the Party who breaches confidentiality pursuant to this policy.
52. Other relevant individuals or organizations, including but not limited to, Members, Provincial/Territorial sport organizations and Ringette Canada shall be advised of the outcome of any decisions rendered in accordance with this policy.
53. Records of all decisions will be maintained by RO in accordance with their Privacy Policy.
54. When a sanction has been imposed, the decision shall include, at a minimum, the following details:
 - a. jurisdiction;
 - b. summary of the facts and relevant evidence;
 - c. where applicable, the specific provision(s) of RO's policies, bylaws, rules or regulations that have been breached;
 - d. which Party or Organization is responsible for the costs of implementing any sanction;
 - e. which Organization is responsible for monitoring that the sanctioned individual respects the terms of the sanction;
 - f. any reinstatement conditions that the Respondent must satisfy (if any);
 - g. which Organization is responsible for ensuring that the conditions have been satisfied; and
 - h. any other guidance that will assist the Parties to implement the External Discipline Panel's decision.

If necessary, a Party – or the organization that is responsible for implementing or monitoring a sanction – may seek clarifications from the Independent Third Party regarding the order so that it can be implemented or monitored appropriately.

SANCTIONS

55. When determining the appropriate sanction, the External Discipline Panel, as applicable, will consider the following factors (where applicable):

- a) the nature and duration of the Respondent's relationship with the Complainant, including whether there is a Power Imbalance;
- b) the Respondent's prior history and any pattern of misconduct, Prohibited Behaviour or Maltreatment;
- c) the respective ages of the individuals involved;
- d) whether the Respondent poses an ongoing and/or potential threat to the safety of others;
- e) the Respondent's voluntary admission of the offense(s), acceptance of responsibility for the misconduct, Prohibited Behaviour or Maltreatment, and/or cooperation in the investigative and/or disciplinary process of RO;
- f) real or perceived impact of the incident on the Complainant, sport organization or the sporting community;
- g) circumstances specific to the Respondent being sanctioned (e.g., lack of appropriate knowledge or training regarding the requirements in the *Code*; addiction; disability; illness);
- h) whether, given the facts and circumstances that have been established, continued participation in the sport community is appropriate;
- i) a Respondent who is in a position of trust, intimate contact or high-impact decision-making may face more serious sanctions; and/or
- j) other mitigating or aggravating circumstances.

56. Any sanction imposed must be proportionate and reasonable. However, progressive discipline is not required, and a single incident of Prohibited Behaviour, Maltreatment or other misconduct may justify elevated or combined sanctions.

57. The Internal Discipline Chair or External Discipline Panel, as applicable, may apply the following disciplinary sanctions, singularly or in combination:

- a) **Verbal or Written Warning** - a verbal reprimand or an official written notice that an Organizational Participant(s) has violated the *Code* and that more severe

sanctions will result should the Organizational Participant(s) be involved in other violations

- b) **Education** - the requirement that an Organizational Participant(s) undertake specified educational or similar remedial measures to address the violation(s) of the *Code* or the UCCMS
 - c) **Probation** - a specified amount of time within which certain terms and conditions must be met by the Participant, such as remaining in good standing and remaining in compliance with the *Code* and UCCMS. Should any further violations of the *Code* or the UCCMS occur during the probationary period, this may result in additional disciplinary measures, including, without limitation, a period of suspension or permanent ineligibility. This sanction can also include loss of privileges or other conditions, restrictions, or requirements for a specified period.
 - d) **Suspension** - either for a set time or until further notice, from participation, in any capacity, in any program, activity, Event, or competition sponsored by, organized by, or under the auspices of RO. A suspended Organizational Participant(s) may be eligible to return to participation, but reinstatement may be subject to certain restrictions or contingent upon the Organizational Participant(s) satisfying specific conditions noted at the time of suspension.
 - e) **Eligibility Restrictions** - restrictions or prohibitions from some types of participation but allowing participation in other capacities under strict conditions.
 - f) **Permanent Ineligibility** - ineligibility to participate in any capacity in any program, activity, Event, or competition sponsored by, organized by, or under the auspices of RO.
 - g) **Other Discretionary Sanctions** - Other sanctions may be imposed, including, but not limited to, other loss of privileges, no contact directives, a fine or a monetary payment to compensate for direct losses, or other restrictions or conditions as deemed necessary or appropriate.
58. The External Hearing Panel, may apply the following presumptive sanctions which are presumed to be fair and appropriate for the listed Maltreatment:
- a) Sexual Maltreatment involving a Minor Complainant, or a Complainant who was a Minor at the time of the incidents complained of, shall carry a presumptive sanction of permanent ineligibility.
 - b) Sexual Maltreatment, Physical Maltreatment with contact, and Maltreatment related to interference or manipulation of process shall carry a presumptive sanction of either a period of suspension or eligibility restrictions.
 - c) While a Respondent has pending charges or allegations of a crime against a person, if justified by the seriousness of the offence, the presumptive sanction

shall be a period of suspension until a final determination is made by the applicable process.

59. An Organizational Participant(s)'s conviction for certain *Criminal Code* offenses involving harmful conduct shall carry a presumptive sanction of permanent ineligibility from participating with RO. Such *Criminal Code* offences may include, but are not limited to:
- a) any child pornography offences;
 - b) any sexual offences; and
 - c) any offence of physical violence.
60. Failure to comply with a sanction as determined by the External Discipline Panel will result in an automatic suspension until such time as compliance occurs.

INDEPENDENT THIRD-PARTY SANCTION

61. RO will ensure that any sanctions or measures imposed by the Independent Third Party, ADR or of an External Hearing Panel, through any of the above processes against an Organizational Participant will be implemented and respected within RO's jurisdiction once RO receives appropriate notice of any sanction or measure from the Independent Third Party.

APPEALS

62. The decision of an Independent Third Party, ADR or of an External Hearing Panel, as applicable, are not appealable.

CONFIDENTIALITY

63. The disciplinary process is confidential and involves only RO, the Member (where applicable) the Parties, the Independent Third Party, ADR experts, the External Hearing Panel (as appropriate), and any independent advisors to the External Hearing Panel.
64. None of the Parties (or their representatives or witnesses) or organizations involved with the application of this policy will disclose confidential information relating to the discipline or complaint to any person not involved in the proceedings, unless RO is required to notify an organization such as an international federation, Sport Canada or other sport organization (i.e., where a Provisional Suspension or interim measures have been imposed and communication is required to ensure that they may be enforced), or notification is otherwise required by law.
65. Any failure to respect the confidentiality requirement may result in further sanctions or discipline by the Independent Third Party or External Hearing Panel (as applicable).

TIMELINES

66. If the circumstances of the complaint are such that adhering to the timelines outlined by this policy will not allow a timely resolution to the complaint, the Independent Third Party may direct that these timelines be revised.

STATISTICAL REPORTING

67. RO may publish a general statistical report of the activity that has been conducted pursuant to this *Discipline and Complaints Policy*. This report shall not contain any information that is confidential under this policy, or that has been ordered to be kept confidential by a discipline, but may include the number of complaints reported to the Independent Third Party (for RO and members), and statistics regarding the number of cases that were resolved through alternate dispute resolution, and/or other data that can inform future RO initiatives to better support members.

PRIVACY

68. The collection, use and disclosure of any personal information pursuant to this policy is subject to RO's [*Privacy Policy*](#).
69. RO, its members, or any of their delegates pursuant to this policy (i.e., Independent Third Party, External Discipline Panel), shall comply with RO's *Privacy Policy* (or, in the case of a member, the member's *Privacy Policy*) in the performance of their services under this policy.

Appendix A – Investigation Procedure

Determination

1. When a complaint is submitted pursuant to the Policy and is accepted by the Independent Third Party, the Independent Third Party will determine if the incident(s) should be investigated.

Investigation

2. If the Independent Third Party considers that an investigation is necessary, they will appoint an investigator. The investigator must be independent of the Independent Third Party and RO with experience in investigating. The investigator must not be in a conflict-of-interest situation and should also have no connection to either Party.
3. Federal and/or Provincial legislation related to Workplace Harassment may apply to the investigation if Harassment was directed toward an employee in a Workplace. The investigator should review workplace safety legislation, the Organization's policies for human resources, and/or consult independent experts to determine whether legislation applies to the complaint.
4. The investigation may take any form as decided by the investigator, guided by any applicable provincial legislation. The investigation may include:
 - a) interviews with the Complainant;
 - b) witness interviews;
 - c) statement of facts (Complainant's perspective) prepared by the investigator, acknowledged by the Complainant and provided to the Respondent;
 - d) interviews with the Respondent; and
 - e) statement of facts (Respondent's perspective) prepared by investigator, acknowledged by the Respondent and provided to the Complainant.

Investigator's Report

5. Upon completion of their investigation, the investigator shall prepare a written report that shall include a summary of evidence from the Parties and any witnesses interviewed. The report shall also include a non-binding recommendation from the investigator regarding whether an allegation or, where there are several allegations, which allegations, should be heard by an External Discipline Panel pursuant to the *Discipline and Complaints Policy* because they constitute a likely breach of the *Code of Conduct and Ethics*, the UCCMS or any other relevant and applicable RO policy. The

investigator may also make non-binding recommendations regarding the appropriate next steps (i.e., mediation, disciplinary procedures, further review, or investigation).

6. The Investigator's Report will be provided to the Independent Third Party who will disclose it, at their discretion, all or part of the investigation report to RO and the relevant members (if applicable). The Independent Third Party may also disclose the Investigator's Report – or a redacted version to protect the identity of witnesses – to the Parties, at their discretion, with any necessary redactions. Alternatively, and only, if necessary, other relevant Organizational Participants may be provided with an executive summary of the investigator's findings by the Independent Third Party.
7. Should the investigator find that there are possible *Criminal Code* offences, the investigator shall advise the Parties, RO and, where applicable, the member, and the matter shall be referred by the Independent Third Party to the police.
8. The investigator must also inform RO or the Member (as applicable) of any findings of criminal activity. The RO or the member (as applicable) may decide whether to report such findings to police but is required to inform police if there are findings related to the trafficking of prohibited substances or methods (as indicated in the version of the World Anti-Doping Agency's Prohibited List currently in force), any crime involving Minors, fraud against the Organization or any member(s) (as applicable), or other offences where the lack of reporting would bring the Organization or the member (as applicable) into disrepute.

Reprisal and Retaliation

9. An [Organizational Participant/Individual/Registered Participant] who submits a complaint to the Independent Third Party or who gives evidence in an investigation may not be subject to reprisal or retaliation from any individual or group. Any such conduct may constitute Prohibited Behaviour be subject to disciplinary proceedings pursuant to the *Discipline and Complaints Policy* or, as applicable, the policies and procedures.

False Allegations

10. An Organizational Participant who submits allegations that the investigator determines to be malicious, false, or for the purpose of retribution, retaliation or vengeance may be subject to a complaint under the terms of the *Discipline and Complaints Policy* and may be required to pay for the costs of any investigation that comes to this conclusion. The investigator may recommend to RO or the member (as applicable) that the Organizational Participant be required to pay for the costs of any investigation that comes to this conclusion. Any Organizational Participant who is liable to pay for such costs shall be automatically deemed to be not in good standing until the costs are paid in full and shall be prohibited from participating in any member and RO Events, activities or business. RO or any member(s) (as applicable), or the

Organizational Participant against whom the allegations were submitted, may act as the Complainant with respect to making a complaint pursuant to this section.

Confidentiality

11. The investigator will make reasonable efforts to preserve the anonymity of the Respondent, and any other party. However, RO and its members recognize that maintaining full anonymity during an investigation may not be feasible. The investigator must inform any witness or participant in the investigation of this limitation.

Privacy

12. The collection, use and disclosure of any personal information pursuant to this policy is subject to RO's *Privacy Policy*.
13. RO, its members, or any of their delegates pursuant to this policy (i.e., Independent Third Party, ADR or of an External Hearing Panel), shall comply with RO's *Privacy Policy* (or, in the case if a member, the member's *Privacy Policy*) in the performance of their services under this policy.

Appendix B - Publication Guidelines

1. Subject to RO's Discipline and Complaints Policy, summaries of disciplinary decisions pertaining to a Process 1 and Process 2 matters, may be published, at the sole discretion of the Organization, in exceptional circumstances and/or if publication is necessary to ensuring the safety of the public, the protection of athletes or minors, and/or if publication will benefit the education of the broader ringette community, the whole subject to the restrictions set out herein.
2. Publication means the communication of information by making it known or accessible to the public through any means, including print, telecommunication or electronic means.
3. Notification means providing a written copy of any disciplinary decision to an organization as required by the *Reciprocation Policy*. Parties who receive a copy of a disciplinary decision may not publicly disclose this information, except as reasonably necessary to implement the terms of the decision and any sanction.
4. Publication of any decision will not take place until the disciplinary process undertaken by RO is complete. Decisions pertaining to provisional measures may be published under exceptional circumstances as determined by the Independent Third Party, External Hearing Panel and/or the Executive Director of RO.
5. Decisions will be posted in accordance with the following:
 - a) Where a sanction or discipline is imposed for a set period where an Organizational Participant is restricted in their involvement with the sanctioned activities of the RO, such as a suspension or a probationary period, the decision will be posted for the duration of the sanction. It will be removed at once the identified time has passed plus two years.
 - b) Where a sanction or discipline involves a verbal or written warning or other reprimand, the decision will be posted for two years.
 - c) If there a sanction or discipline involves a period of ineligibility, the decision will be posted for the period of ineligibility plus two years, except in the case of a sanction of permanent ineligibility. A sanction of permanent ineligibility will be posted indefinitely.
 - d) If a sanction or discipline is conditional on the completion of training, education or other conditions, the decision will be posted until the Organizational Participant has completed the required conditions to the satisfaction of RO, plus two years.

- e) All publications shall take place following the completion of the complaint process. In exceptional circumstances, publication will take place to protect the public and/or if the integrity of RO will be affected by not publishing the decision.
 - f) The publishing of interim suspensions and/or provisional measures will only take place in exceptional circumstances described above in subsection (e).
 - g) Publication bans are standard while a complaint is in progress with RO. All information, except for information already publicly available or released, is subject to a publication ban and must be kept confidential until the process is completed to protect the integrity of the process.
6. Prior to publishing the summary of the disciplinary decision, RO will make reasonable efforts to remove any confidential or sensitive material from the disciplinary decision, including any identifying information about Organizational Participants or other individuals named, unless these Organizational Participants are subject to a sanction and/or discipline in the disciplinary decision.
 7. The disciplinary decision summary will include the name of the Respondent(s), the nature of the breach or breaches, the policies, bylaws, rules, or regulations that have been breached, the outcome and any sanction imposed, as well as the date of decision.
 8. Matters which are resolved prior to a final decision of a panel being issued will not be subject to publication, though RO may notify any relevant organization of any settlement and resulting restrictions on the participation rights of an Organizational Participant within the sanctioned activities of RO.
 9. Identifying information regarding Minor or Vulnerable Organizational Participants will never be published by RO.
 10. Nothing in the above prohibits RO from notifying relevant sport organizations of any disciplinary decision imposing a sanction and/or discipline on an Organizational Participant, including Minor or Vulnerable Organizational Participant, as required by the *Reciprocation Policy*. If a Minor or Vulnerable Organizational Participant is sanctioned and/or disciplined under a disciplinary decision, any organization who receives notification of this disciplinary decision must keep the decision confidential, except as reasonably necessary to implement the terms of the disciplinary decision.
 11. Records of all decisions will be maintained by RO in accordance with the *Privacy Policy*.

Appendix C – Minor Issue or Administrative Jurisdiction

The Independent Third-Party service provided by RO is primarily for the use of complaints relating to abuse and maltreatment.

The following issues are typically managed by the Leagues or Club Associations and should not be submitted to the Independent Third Party as a complaint.

This is a non-inclusive list of examples related to Code of Conduct:

- Intraclub conflict between spectators or behavior by spectators towards team staff or officials
- Coach disagreements about team practices, game rosters, etc.
- Athlete comments or behavior about their own team play or one-time comments to other athletes that breach the UCCMS and/or are unsportsmanlike
- Accidental breaches of the Rule of Two
- Inappropriate or profane language by spectators or team staff or other Organizational Participants either in person, online, or on a live video feed

The following non-inclusive list of administrative issues are governed by the administrative and/or operational policies of RO, the Club Associations and/or the Leagues:

- Athlete registration
- Athlete evaluation or team selection
- Athlete placement on a team
- Practice time or game scheduling
- Assignment of Team staff
- Athlete residency and tiering
- Approval process for over or under-age athlete
- Team Staff Qualification requirements

Appendix D – Definitions

Terms in this Policy are defined as follows:

- a) Abuse – as defined in the [UCCMS](#)
- b) Athlete – An individual who is a participant with the Organization sanctioned events and activities as an athlete who is subject to the policies of the Organization including the Organization Code of Conduct and the [UCCMS](#).
- c) Athlete Support Personnel – An Organizational Participant who is any coach, trainer, manager, agent, team staff, official, medical, paramedical personnel, parent or any other person working with, treating or assisting an Athlete involved in the sport of Ringette.
- d) The Code - the Ringette Ontario [Code of Conduct and Ethical Behavior](#).
- e) Complainant – Anyone who makes a report of an incident, or a suspected incident, of alleged Maltreatment, Prohibited Behaviour or other misconduct that may be a violation of the [UCCMS](#), and/or Governing Documents of Ringette Ontario.
- f) Days – calendar days.
- g) External Hearing Panel – A Panel of one or three people, of which, who are appointed by the Independent Third Party to decide on complaints.
- h) Event – An event sanctioned by the Organization or its Member Association/Club.
- i) Governing Documents - All by-laws, governance requirements, policies, procedures, Code of Conduct and Ethical Behavior, rules, standards, and regulations of Ringette Ontario (the “Organization”).
- j) Harassment – as defined in the [UCCMS](#) and/or applicable provincial legislation.
- k) Independent Third Party – the company or person appointed by the Organization to receive reports and complaints, and to fulfill the responsibilities outlined in the Ringette Ontario Discipline and Complaints Policy and Appeal Policy, as applicable.
- l) Alternative Dispute Resolution expert – An individual appointed by the Independent Third Party or the Organization to facilitate a resolution process on complaints. The Alternative Dispute Resolution expert is not required to but may have legal or specialized sport expertise, or abuse expertise.
- m) Maltreatment – as defined in the [UCCMS](#).
- n) Member – As defined in Ringette Ontario Bylaws as Directors of Ringette Ontario Board of Directors or a Group Member which is any club, association, or community within the Province of Ontario that registers players with the Association or the Organization for the purpose of participating in ringette. For the readers’ clarity, the term “local Member Association” is sometimes used in this policy and refers to this definition of Member.
- o) Minor – as defined in the [UCCMS](#).
- p) Organization - Ringette Ontario
- q) Parties – the individuals involved in a complaint/reported incident, normally the complainant and respondent.
- r) Organizational Participants – Refers to all categories of Member defined in the By-laws and Policies of Ringette Ontario and all individuals who are subject to the Governing Documents and Policies of Ringette Ontario. This includes all people employed by,

contracted by, or engaged in activities sanctioned by Ringette Ontario and its Members including, but not limited to, employees, contractors, athletes, coaches, facilitators, evaluators, instructors, officials, volunteers, managers, administrators, committee members, parents or guardians, spectators, committee members, and Directors and Officers.

- s) Person in Authority – Any Organizational Participant who holds a position of authority including, but not limited to, coaches, instructors, officials, managers, support personnel, chaperones, committee members, or directors and officers.
- t) Power Imbalance – as defined in the [UCCMS](#).
- u) Provisional Suspension – means that the Organizational Participant is barred temporarily from participating in any capacity in any Event or activity of the Organization and its Members, or as otherwise decided pursuant to the Discipline and Complaint Policy, prior to the decision rendered pursuant to this Policy.
- v) Respondent – The Party who the complaint allegations are about and is expected to respond to the complaint.
- w) [UCCMS](#) - Universal Code of Conduct to Prevent and Address Maltreatment in Sport, as amended from time to time by the Sport Dispute Resolution Centre of Canada (“SDRCC”).
- x) Vulnerable Participant – as defined in the [UCCMS](#).