



CONFLICT RESOLUTION POLICY

The Club acknowledges that disputes among the game's participants can occur. In keeping with the principles of promoting the game of soccer and encouraging among its members, and all citizens in general, sportsmanship as well as good citizenship, a fundamental dispute resolution mechanism and process is essential. These mechanisms or processes are designed to enable:

- appropriate and relevant discussion;
- clearly articulated responsibilities of the individuals and club;
- recognition of responsibility and authority;
- an appeal process.

The Conflict Resolution Policy attempts to be fair in respecting individual members as well as the Club. It is the policy of the Club that Discipline matters and/or disputes should be resolved at the lowest possible level of intervention, mediation or sanction in a fair and as possible, impartial way.

This Conflict Resolution Policy is referenced to in Section 9 of the PASC Policy and Guidelines document.

COMPLAINT AND APPEAL PROCEDURE

1. It shall be known to all concerned parties (parents, coaches, players, club officials, etc.) that the Club shall deal with all matters of business of the Club as a whole, including the function of all duties related to discipline and dispute resolution.
2. The Club (as represented by their directors and executive) is empowered to enquire into the conduct of any Member in the Member's capacity as a player, coach, manager and/or team official and may take disciplinary action where it is determined necessary.
3. The Club may summon before it any coach, manager, player, official, or other party in order to inquire into any alleged offence.
4. The Club shall have the authority to remove any coach or team official given sufficient grounds.
5. The Club may review and suspend or expel, or impose other punishment, in addition to punishment imposed by the District Soccer Association, the British Columbia Soccer Association, or the Canadian Soccer Association for each member, player, coach, team or club official, sent from field of play during any game or who brings the game into disrepute or is offensive by their action or conduct.
6. The Club may appoint a specific director or committee to deal with discipline or dispute within the Club
7. Complaint process levels and responsibilities as follows:

Level 1. The Complainant (parent, member, player, official, etc.) must discuss the incident (real or perceived) in an attempt to identify and resolve the issue. This discussion must include communication(s) with:

- i) the official;
- ii) the person whom has immediate authority over the situation (i.e. coach, manager, team official);
- iii) the person whom has caused or been involved in the incident or dispute in question.

If the matter can be resolved informally the complaint process does not need to be continued. If the matter cannot be resolved informally move to Level 2

Level 2. The Complainant must discuss with the Coach who has immediate authority over the situation (real or perceived) the conduct or dispute in question in an attempt to identify and resolve the issue. [If the coach is the same as Level 1, move to Level 3.] If the matter can be resolved informally the complaint process does not need to be continued. If the matter cannot be resolved informally move to Level 3.

Level 3. The Complainant must discuss with the Club Age group coordinator and whomever else may have authority over the situation (real or perceived) the conduct or dispute in question in an attempt to identify and resolve the issue. [If the coordinator is the same as Level 1. move to Level 4.] If the matter can be resolved informally the complaint process does not need to be continued. If the matter cannot be resolved formally move to level 4. Proceeding to Level 4, the Age Group Coordinator *must* advise the Risk Manager of the complaint (resolved or otherwise) *in writing*.

Level 4. The Complainant must prepare a written complaint to Risk Manager outlining the facts/action in dispute. The facts are to include but are not limited to:

- a) Date, time, place, of incident in dispute
- b) Names of relevant parties (as known) and part they had in dispute. This can include, but is not limited to: potential offender, witnesses, club officials
- c) Contact information of parties and complainant (as known)
- d) The grounds upon which the Complainant relies in making the appeal
- e) The decision or action being appealed
- f) The decision maker who made the decision or took the action at issue
- g) The relief/remedy being sought
- h) The Complainant shall have the burden of establishing, on a balance of probabilities, that the Alleged Offender was guilty of the alleged action, misconduct and/or that the Decision Maker's decision was improperly or wrongly made, or that any penalty imposed on a Complainant is unduly harsh in consideration of all the circumstances.

The Club or its directors will receive the complaint and consider the matter by:

1. Risk Manager will review the written material provided and render a decision and sanction or, if appropriate, at any stage, hear oral presentation, investigate further, or mediate a solution.

alternatively

2. The Risk Manager or President will engage the Conflict Resolution Committee (a committee consisting the Risk Manager and two Directors.) The members of the committee are to be independent of the issue in dispute. Specific objections to committee members by aggrieved parties must be heard prior the committee convening. Committee members will review the written material provided and render a decision, or if appropriate, hear oral presentation(s), investigate further and render a decision and sanction accordingly. If the complainant disagrees with the decision or the sanction of the committee, the complainant may apply in writing to the President for review.

Level 5. The President of the Club may upon written application from the aggrieved party and review of all materials overturn a decision or sanction. The review may be based on the same considerations applicable to the Risk Manager or Conflict Resolution Committee or based on a new application where new written information or evidence is provided and that was not previously available to the committee. If the President sets aside a decision or sanction imposed at Level 4, the President must present the information or evidence to the Executive outlining the rationale to set aside the decision or sanction. The Executive will vote on decision or sanction with the majority decision being final. In the event of a tie, the President will cast the deciding vote.

Sanctions: An Alleged Offender or Decision Maker who fails to comply with any decision of an Adjudicator or Appeals Committee shall be suspended indefinitely from his or her position in the Society and, in the case of a parent, the Executive shall be entitled to suspend a child or children of such parent from participation in the Club's programs until the parent has so complied.

The Club or Directors are entitled to grant the following relief or impose penalties, including but not limited to:

- reprimand and/or a warning;
- demand that the offender apologize to the Complainant or the victim of the Objectionable Conduct;
- a suspension;
- demand that the Alleged Offender make restitution for any damage or costs caused by the Alleged Offender on such terms as determined by the Risk Manager;
- a recommendation to the Executive that the Alleged Offender be expelled from the Club;
- the placement of the Alleged Offender on probation for a specified period of time with or without conditions;
- a requirement that the Offender take remedial courses;
- Dismissal of the Alleged Offender from his or her position; a combination of any of the above; or such other remedy considered appropriate in the circumstances.

General

- Nothing herein shall be construed to suggest that any policy or procedure of the Club can be challenged or changed by using this Complaint and Appeals Procedure.
- Nothing herein is intended to conflict with or supersede the disciplinary proceedings of the governing District Association, BC Soccer Association, or Canadian Soccer Association or such other association of which the Society is a member or with which it is affiliated, it being further understood that the procedures herein are intended to be supplementary to such proceedings.
- The Complainant shall have the burden of establishing, on a balance of probabilities, that the Alleged Offender was guilty of the alleged misconduct and/or that the Decision Maker's Decision was improperly or wrongly made or that any penalty imposed on a Complainant is unduly harsh in all the circumstances.
- The Adjudicator or the chair of the Conflict Resolution Committee shall be entitled, in appropriate circumstances, to extend or abridge the time periods provided in this procedure for doing any particular act so long as such extension or abridgement of time does not unduly prejudice the rights of any party.
- The decision of the Conflict Resolution Committee shall be final unless an appeal of such decision is allowed by the Constitution, By-Laws, and Regulations of an affiliated body by which the Society has agreed to be bound.
- All records of the complaint and findings of the board will be kept by the club. Confidential material with respect to dispute resolution will be for club use only unless required by law.
- The Club may, from time to time, frame temporary rules or regulations covering specific cases not contained within this policy but which may be necessary for the carrying out of the objectives of the Club.

Adopted November 7, 2005