



OTTAWA GYMNASTICS CENTRE COMPLAINTS, DISCIPLINE AND APPEAL POLICY

Definitions

1. The following terms have these meanings in this Policy:
 - a. “Complainant” – The party making the complaint.
 - b. “Days” – Days irrespective of weekends and holidays.
 - c. “Member”- Includes competitive/recreational athletes and their parents/guardians, Board Members and OGC volunteers. Members do not include employees of the OGC, such as coaches, staff or independent contractors.
 - d. “Respondent” – The party making an answer to the complaint.
 - e. “Parties” – The Complainant and Respondent for a given complaint.

Purpose

2. The purpose of this Policy is to provide Ottawa Gymnastics Centre (OGC) Members with a formal process for complaints. This Policy sets out the process for submitting formal complaints, OGC’s process for review of complaints, potential disciplinary actions resulting from complaints, and the appeal process.

Application of this Policy

3. This Policy DOES apply to:
 - i. all Members.
 - ii. complaints resulting from the course of OGC business, activities, and events, including but not limited to: competitions, practices, training camps, travel associated with OGC activities, and any meetings.
 - iii. complaints regarding alleged infractions committed by Members against other Members, including but not limited to: bullying, acts that are contrary to the principles of True Sport (<https://truesportpur.ca/true-sport-principles>), disrespectful comments or behaviours, intentionally damaging OGC property, and pranks, jokes, or other activities that endanger the safety of others, including hazing.
4. This Policy DOES NOT apply to:
 - i. potential criminal code offences. The OGC will abide by its duty to report under the applicable provincial legislation.
 - ii. complaints pertaining to OGC employees. Complaints brought forward in regards to an OGC employee(s) will be reviewed in accordance with procedures outlined in the HR Policy Manual.

Reporting a Complaint

5. A Member may lodge a formal complaint to the OGC’s Board of Directors, attention to the Vice-President/Head of Governance Committee, regarding an alleged infraction, only after the informal process (athlete’s Coach □ Program Manager □ Assistant/Executive Director) has been completed. All complaints must be made in writing and signed by the Complainant, either by e-mail to boardofdirectors@ottawagymnasticscentre.ca or through a hard copy provided to the OGC Head Office.

Case Manager

6. The OGC's Vice-President/Head of Governance Committee will act as Case Manager for any complaints raised in accordance with this Policy. The Case Manager is required to follow the rules of procedural fairness¹ throughout any complaint and appeal process. More specifically, the Case Manager has a responsibility to:
 - i. review the complaint or appeal to determine if it falls within the parameters of this policy. This decision will be made within fourteen (14) days of receipt of the complaint;
 - ii. appoint the Panel, if necessary, in accordance with this Policy;
 - iii. determine the format of the hearing;
 - iv. coordinate all administrative aspects of the complaint or appeal;
 - v. provide administrative assistance and logistical support to the Panel as required; and
 - vi. provide any other service or support that may be necessary to ensure a fair and timely proceeding.
7. The Case Manager will inform the Parties if the complaint meets the criteria in section 6.i. and will be referred to the Panel, or if further details are required.
8. This Policy does not prevent an appropriate person having due authority from taking immediate informal or corrective action in response to behavior that constitutes an infraction. Further sanctions may be applied in accordance with the procedures set out in this Policy.

Procedure for Panel Hearing

9. The Case Manager will inform the OGC's Board of Directors of a formal complaint and will delegate the Panel consisting of three (3) impartial Directors from the Board to hear the complaint. This Panel will not include the Vice-President of the Board of Directors as they are the Case Manager, nor the President of the Board of Directors as they must be available to review any appeal of decision as outlined in Section 18.
10. The Case Manager will make the final determination regarding the hearing format, which may include: an in-person hearing; a hearing by video conference/telephone; written submissions; or a combination of any of these methods, based on input from the Panel and the Parties. The hearing will be governed by the procedures that the Case Manager deems appropriate in the circumstances, but specifically:
 - i. the hearing will be held within fourteen (14) days of the notification to the Parties as outlined in Section 7;
 - ii. the Parties will be given notice of the day, time, and place of the hearing;
 - iii. the Parties will be provided, in advance of the hearing, copies of any written documents which the parties wish to have the Panel consider;
 - iv. the Panel may request that any other individual participate and give evidence at the hearing;
 - v. decisions will be determined by majority vote of the Panel.

Decision

11. After hearing the matter, the Panel will determine whether an infraction has occurred. If the Panel determines that there has been an infraction, they will consider whether a sanction(s) will be imposed. Any sanction(s) must be proportionate with the infraction and if so, what appropriate sanction will be imposed. The Panel's written decision, with reasons, will be provided to the Case Manager within fourteen (14) days of the conclusion of the hearing. The Case Manager will distribute the Panel's written decision with the Parties and the OGC's Board of Directors.

¹ *Procedural fairness can include, but is not limited to: processing the complaint without undue delay; access to fair and impartial decision-making; providing an opportunity for both the applicant and respondent to be heard; and the provision of reasons along with the final decision.*

12. Where the Respondent acknowledges the facts of the incident, he or she may waive the hearing, in which case the Panel will determine the appropriate disciplinary sanction. The Panel may hold a hearing for the purpose of determining an appropriate sanction.
13. If the Respondent chooses not to participate in the hearing, the hearing will proceed in their absence.

Sanctions

14. The Panel may apply the following disciplinary sanctions, singularly or in combination:
 - i. a warning - verbal or written;
 - ii. an apology - verbal or written;
 - iii. a service or other voluntary contribution to the OGC;
 - iv. removal of certain membership privileges;
 - v. suspension from certain OGC teams, competitions, events, and/or activities;
 - vi. suspension from all OGC activities for a designated period of time;
 - vii. expulsion from the OGC; and
 - viii. other sanctions which may be considered appropriate for a given infraction.
15. The Respondent will have seventy-two (72) hours to lodge an appeal in writing to the Case Manager. Any disciplinary sanctions will commence once the appeal period has lapsed. Failure to comply with a sanction as determined by the Panel will result in automatic suspension of participation in all OGC activities until such time as compliance occurs.
16. A written record will be maintained at the OGC office for any infractions that result in a sanction.

Appeals Procedure

17. If either of the Parties wish to appeal a decision of the Panel, they will have seventy-two (72) hours from the date on which they received notice of the Panel's decision, to submit a request for an appeal to the Case Manager. All requests for appeals must be in writing and include the grounds for the appeal.
18. Appeals will be reviewed by the President of the Board of Directors for final decision. The President may contact the Parties as part of their review in order to make a determination. The President may also call an Appeal hearing following the same methodology outlined in Section 10, if required.

Appeal Decision

19. Within fourteen (14) days of concluding the appeal, the President of the Board of Directors will issue their written decision, with reasons. The President will decide whether to Deny the appeal or Grant the appeal.

Confidentiality

20. All information stemming from the complaints or appeal process must be kept confidential by all persons involved in the proceedings.