



Burlington Girls Hockey Club

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BGHC MISCONDUCT and DISCIPLINE STATEMENT

OWHA Policy

The BGHC, as a member of the Ontario Women's Hockey Association ("OWHA") supports and adheres to the Policy Statements, definitions and all other aspects of the OWHA Harassment, Abuse, Bullying and Misconduct Policy as amended July 2014 and available on the BGHC website in the About Us section under the Policies sidebar. BGHC participants are responsible for reviewing and understanding both the aforementioned OWHA policy as well as the BGHC specific policy set out below.

General Rules

- A. Any complaint must meet four basic criteria. The party receiving a complaint will ensure it meets these 4 criteria prior to proceeding. If any of these are not met, the matter will be dismissed and the complaining party advised.
 - i) It must be submitted at least 24 hours AFTER the alleged incident.
 - ii) It must originate from an eligible party as described below.
 - iii) It must relate to an eligible matter as described below.
 - iv) It must be within the stipulated timeframe as described below.
- B. Complaints must be submitted in writing, via email to the appropriate individual, that being
 - i) The Parent Rep(s) on the team involved if the matter relates to a specific team.
 - ii) The Director of Competitive teams or Director of House League as appropriate if the matter is being referred on to the Board by the Parent Rep(s) of a team.
 - iii) The President if the matter relates to inappropriate conduct of a Board member.
 - iv) The VP Hockey if the matter relates to inappropriate conduct of the President.
- C. The complaint must
 - i) clearly state the basis for the complaint eg. violation of a BGHC policy, violation of a BGHC code of conduct, harassment or bullying;
 - ii) be specific as to where the incident took place so that it can be determined whether it is a complaint within the jurisdiction of the BGHC, and
 - iii) be specific as to the requested outcome.

The plaintiff acknowledges that once the complaint is received, it will be likely be shared with other interested parties, including anyone named in the complaint and eventually, potentially, the BGHC Board of Directors.

- D. All complaints should be handled within a reasonable period of time by the party responsible for handling the complaint.
- E. A complaint directed to the Board of Directors of the BGHC (“the Board”) by an individual member, if it involves a specific team or personnel on a specific team, will be forwarded to the Parent Rep(s) of the appropriate team for follow up at the team level.
- F. A complaint regarding a member of the Board will be managed by a committee of Board, and non-Board members with all due attention to removing any conflict of interest.
- G. A complaint will be handled informally where possible or formally where warranted, at the discretion of the parties involved.

Eligibility To File a Complaint

Complaints will be accepted from the following persons:

- i) any member in good standing with the BGHC who is 18 years of age or older at the time,
- ii) a parent or legal guardian of an individual described in i) above if the individual is 17 or under at the time or
- iii) a rostered staff member of a BGHC team that does not otherwise meet (i) or (ii) above.

For greater certainty, the term “member” is as defined in the BGHC Constitution and includes players, Head Coaches, Managers and members of the Board. Complaints will not be heard from former members, members that have been released, members that are not in good standing due to arrears with respect to membership fees, members that are under suspension by any hockey governing authority including the BGHC or members who have had their membership privileges revoked for any reason. Any exclusion of a member by this paragraph also excludes the parent or legal guardian of the member.

Basis for Complaints

Complaints of bullying, harassment, abuse or misconduct may be accepted. Misconduct will be considered as the basis for a complaint if that misconduct relates to a behaviour set out in any of the following.

- i) BGHC written policy.
- ii) OWHA or Hockey Canada written policy.
- iii) A BGHC Parent, Player or Coach Code of Conduct.

The complaint must be based on conduct that took place in the context of a BGHC activity that was an OWHA sanctioned event. If there is any doubt as to whether the complaint meets this criteria, the individual receiving the complaint should check with the BGHC President.

A complaint **will not be** addressed by a team or the BGHC if the complaint is:

- i) regarding a matter of “abuse” as set out in the Child Protection Act and is regarding a child member (minor under the age of 16). In this case, the complaint must be referred to the BGHC President immediately and will in turn be referred to the Police or appropriate child protection agency;

- ii) for ANY team, regarding a matter of opinion vis-à-vis a coaching decision, including but not limited to practice format, playing position or line mates;
- iii) for ANY team regarding a matter of opinion vis-à-vis a Board decision or a decision that falls within the role of a specific Board member, including but not limited to player movement, team balancing, number of teams and scheduling of teams;
- iv) for Rep teams ONLY, regarding a matter of opinion vis-à-vis a coaching decision, including but not limited to playing time (within the BGHC fair play policy) or player discipline. Player discipline includes missed shifts or missed periods during a game, missed games or dismissal from a game or practice. These matters are all at the discretion of coaching staff unless the conduct of the coach is proven to be bullying, harassment, abuse or misconduct as those terms are defined by the OWHA;
- v) not within the appropriate timeframe as set out below under “Time Frame for Complaints”;
- vi) in regard to an issue addressed specifically by BGHC policy and can easily be dispensed with by reference to the policy or
- vii) frivolous, vexatious or made in bad faith.

Complaints will not be entertained related to the Tryout process or player selection to teams during the tryout process.

Time Frame for Complaints

1. No complaint will be heard related to any incident that is more than six months old.
2. Complaints related to a season that has ended will not be heard once the following season has begun. Note that the BGHC season end date is April 30th and the new season begins May 1st.
3. A complaint must be filed within a reasonable period of time of the actual incident. Complaints should generally be filed within a few days of any incident that is the basis for the complaint.

The 24-hour rule MUST be observed. Any complaint filed by a BGHC member that is not at least 24 hours after the occurrence will be sent back to the plaintiff. The plaintiff will then be asked to resubmit the complaint after a further seven (7) days. This is done strictly to urge members to observe the 24 hour rule.

Order of Handling Team Specific Complaints

Complaints related to an occurrence on a specific team will follow the order set out below. The complaint must be first directed to the Parent Reps for the team.

1. Team level. Most matters should be resolved at this level. Once resolved, an issue will not be considered a second time by either the team or any other member, by a Director or by the Board. A matter is considered resolved if no party to the matter disputes or requests further action for one week after receiving a resolution or notice of an agreement.
2. If the matter is not resolved at the team level, the Director of House League or Director of Competitive Teams can assist the team, as appropriate, generally through the hosting

- of a meeting of the parties involved. Depending on the nature of the issue, an OWHA consultant may also be asked to attend this meeting as a BGHC resource.
3. If the matter is not resolved through a meeting with the appropriate Director, the matter can be referred to the VP Hockey. The VP Hockey would address most issues informally by consulting with the appropriate Director of Competitive teams or Director of House League and determining how to assist the team. Depending on the nature of the issue, an OWHA consultant may also be asked to assist as a BGHC resource.
 4. If the VP Hockey feels that the issue is serious enough in nature as to potentially warrant suspension of a member or suspension or release of a player, a disciplinary committee must be formed to consider this decision.
 5. Any decision of the disciplinary committee as per #4 will be communicated to the entire Board.
 6. Members can appeal a decision of the disciplinary committee to the BGHC Board of Directors. The appeal will be heard by the full Board and a decision rendered using normal voting rules and without any Board members that may have a conflict of interest in the matter at hand. A decision of the Board is final and cannot be appealed.

Order of Handling General Complaints

If the complaint is regarding an issue that is not specific to an existing team or if the team is no longer in existence, the complaint should be addressed to the Director of Rep if it is a matter regarding the Rep program or to the Director of House League, if it is a matter regarding the House League or DS program.

Steps 3 through 6 above will apply once the complaint is received.

Decisions To Be Rendered

One of the following decisions is to be rendered by the party handling the complaint.

1. The complaint is with merit;
2. The complaint is without merit;
3. There is insufficient evidence to come to a conclusion or
4. There is insufficient agreement regarding the resolution and the matter is to be referred to the BGHC Board of Directors.

If the complaint is with merit, then a resolution should be proposed that is agreeable to all parties and a very brief summary of the issue and resolution should be communicated in writing and distributed to all parties, with copy to the Director of House League or Director of Competitive Teams as applicable.

Disciplinary Committee

The Disciplinary Committee shall have the authority to suspend or discipline any coach, manager, player or other team official and parents for conduct prejudicial to the aims of the BGHC.

The Disciplinary committee shall be comprised of:

- 1) The President or his/her designate and will be the Chair.
- 2) Two coaches, assistant coaches or managers of BGHC teams.
- 3) Two members who are eligible to vote at the Annual General Meeting and who have no other capacity in the BGHC.

The members in (1) through (3) shall serve, provided they have no interest in the issue at hand.