

Independent Safe Sport Complaint Process & Independent Third Party

As of October 1, 2022, there has been a new “Independent Safe Sport Complaint Process” implemented. An Independent Third Party (ITP), Safe Sport for Hockey Canada is now responsible for administering the policy. The ITP is free of conflict and bias. The purpose of the ITP and the policy is to review complaints for the purpose of determining discipline and sanctions of individuals who violate Hockey Canada and Member associations codes of conducts, bylaws and other expected codes of behavior. The ITP retains sole discretion in deciding whether to assume jurisdiction over a complaint and when to exercise this discretion. The ITP has also been authorized by Hockey Canada as the final and binding authority of hockey in Canada, to assume jurisdiction over certain complaints which would otherwise fall under the jurisdiction of a member. The ITP shall assume jurisdiction over a complaint when there are allegations of Serious Misconduct (hockey related maltreatment, sexual abuse and sexual violence, hazing, harassment, abuse, repeat acts of discrimination by someone affiliated with Hockey Canada. The ITP shall also assume jurisdiction over a complaint where a real or perceived conflict of interest might exist if the Member handles complaint.

ITP will keep the identity of complaints confidential from Hockey Canada and Member associations.

The ITP role is not to process appeals for matters that take place in other jurisdictions, receive complaints related to personality conflicts and differing opinions that do not constitute maltreatment, receive complaints relating to matters such as transfers requests or appeals, or receive complaints about operational matters or policy.

The ITP does not deal with on ice incidents. These will continue to be handled by the on ice officials.

To file a complaint with the Independent Third Party, submit an email to the following address:

complaints@sportcomplaints.ca <complaints@sportcomplaints.ca>;

Please link to the Safe Sport Icon on our website to read the details of the new process or go to this website at (<https://www.omha.net/safesport>)

If the ITP does not accept the complaint and returns it to the Member (Ontario Minor Hockey), it may be assigned to a Fact Finder with the Ontario Minor Hockey Association or returned to the Orillia Minor Hockey Association for investigation.

Incident Resolution Process

For those complaints that are not handled by the Independent Third Party, the following process is in place:

When an Incident Form is received by the Orillia Minor Hockey Association or an infraction occurred to the knowledge of the Orillia Minor Hockey Association, the Association must follow the process outlined below. To all Orillia Minor Hockey Members

Below please find the link to submit an Incident Form which will go directly to our Incident Resolution Committee (IRC) for review. Within 72 hours a member of the IRC will be in contact with you directly. ***If there are any additional issues you want the IRC to be aware of prior to the commencement of the investigation, please advise the Chair of the committee when you are contacted.*** If you have no access to an online form, a printed form will be made available for you to pick up at the hockey office located inside Rotary Place.

The IRC is represented by the President of Orillia Minor Hockey, the Director of the applicable division (House league or Rep) and one Board member appointed by the Board. There may be occasions where the make-up of the committee cannot be represented by the positions noted above due to conflict or availability. If this occurs a replacement (s) will be selected by the President of Orillia Minor Hockey.

The Incident Resolution Process is available to all members which includes players (as represented by their parent or guardian if under the age of 18), parents, team officials, Board Members, referees & Timekeepers and Volunteers.

Complaints against referees or timekeepers will be accepted by the IRC and directed to the appropriate Director or to the Ontario Minor Hockey Association.

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. Along with allowing for the 24 hour cool down rule, the IRC **recommends the following steps be followed** prior to submitting this form:

- Discussion with your Parent Liaison or Manager who will inform the Head Coach
- Discussion with the Coach Convenor for the appropriate division
- Discussion with the Director of the applicable division
- If the situation cannot be resolved or if your complaint is against a Head Coach or Team Official then submit the Incident Form

**There may be occasions where either the Director of Rep or Director of House League, or Board designate can be present during the first meeting. This decision will be made by the appropriate Director.

Process

It is important to note that not every issue that is investigated will end with a disciplinary action – some cases will be found to be without merit, while others may be resolved via informal discussions or mediation. However, substantiated complaints will be addressed according to their severity having regard primarily to the safety of all participants.

In addition to investigating complaints that have been made by members, the IRC also has the power to initiate investigations of its own accord when it has been made aware of circumstances that may constitute a breach of Orillia Minor Hockey's Code/Ontario Minor Hockey Code of Conduct or policies.

Initial Investigation upon Receipt of Incident Form

Once the incident has been submitted online the IRC will review the Incident Form. If the IRC reasonably believes that the alleged behavior constitutes a safety risk, or otherwise reasonably believes that immediate intervention is required, they may suspend the Respondent pending the completion of the process.

Please Note: Be aware that once the Incident Resolution Form is completed it may be disclosed to the Respondent in its entirety. The decision will be made by the Incident Resolution Committee as to the information provided to the Respondent.

Complainant: The person who is reporting the incident

Respondent: The person whom the complaint is being directed against

The IRC will make a determination as to whether the Incident has merit or whether it can be resolved to the satisfaction of all parties through a formal resolution. The IRC may contact you for further information in order to determine acceptance. If the IRC determines the incident is without merit or that an informal meeting is unnecessary, the committee will prepare a written report or response containing its findings which will be kept on file and copies distributed to the Complainant/Respondent. All documentation regarding the complaint will remain locked in the Orillia Minor Hockey Office. When the IRC determines the incident is without merit a copy of the form will be kept on file and no notification will be made to the respondent.

Formal Investigation

The IRC will notify the respondent (or where the Respondent is under 18 years of age, his or her parent or guardian) and complainant in writing (which includes email), of the commencement of the investigation, the identity of the IRC members and a tentative time frame for the completion of the investigation. This will be done in a timely manner.

The nature and extent of the investigation will depend primarily on the nature and severity of the Incident, and may include any or all of the following:

1. Interviews with any and all parties, witnesses and other interested members,
2. Solicitation of written statements from any and all parties, witnesses and interested members
3. Such other methods of investigation, the IRC may reasonably deem appropriate.
4. Upon conclusion of the investigation, the IRC will prepare a formal investigative report containing its findings which will be kept on file and then an information report with the overall findings will be sent to the Complainant/Respondent.
5. The decisions made by the IRC will be by majority.

The IRC may impose one or more of the following sanctions:

1. No further action
2. Warning/reprimand sent to the individual
3. Verbal or written apology by the individual
4. Required re-education/training (e.g., Speak out), and Impact Awareness
5. Termination of team service or other voluntary contribution to the team, the minor hockey organization or to the OMHA
6. Suspension from the current competition and/or for a specified number of games
7. Or other sanctions deemed appropriate in the circumstances

All decisions made by the IRC are binding at the Orillia Minor Hockey Level, and any further recourse must be sought through the Orillia Appeals Committee Process.

Reviewed and updated: February ??????