

## **Incident Resolution Process**

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 determine if the incident or infraction ought to be considered minor or major. If the matter is a minor infraction it is dealt with at the Orillia Minor Hockey Association level, unless the Association refers the matter to the Ontario Minor Hockey Association and the Ontario Minor Hockey Association agrees to the referral. When the local Association determines that the matter is a major infraction the matter must be referred to the Ontario Minor Hockey Association. If the member determines the matter is a major infraction they must submit the complaint directly to the Ontario Minor Hockey Association. Please complete their Form and follow the instructions. The Ontario Minor Hockey Association has the authority to send any Major Infractions back to the Orillia Minor Hockey Association to investigate. The forms are located at [www.omha.net](http://www.omha.net) (Under Administration/Risk Management)

### **Situations involving minor infractions may include, but are not limited to the following:**

- A single incident of disrespectful, offensive, abusive, racist or sexist comments or behavior directed towards others, including but not limited to, peers, opponents, players, parents, coaches, officials, managers, trainers, administrators, spectators and sponsors
- Unsportsmanlike conduct such as angry outbursts or arguing
- A single incident of being late for or absent from Orillia Minor Hockey or OMHA events and activities at which attendance is required
- Non-compliance with the rules and regulations under which events are carried out
- Any complaint or infraction considered minor in nature

### **Situations involving major infractions may include, but are not limited to the following:**

- Repeated incidents of disrespectful, offensive, abusive, racist or sexist comments or behavior directed towards others, including but not limited to peers, opponents, players, parents, coaches, officials, managers, trainers, administrators, spectators and sponsors
- Repeated unsportsmanlike conduct such as angry outbursts or arguing
- Activities or behavior which interferes with the organization of a competition or with any player's or team's preparation for a competition
- Pranks, jokes or other activities which endanger the safety of others
- Deliberate disregard for the rules and regulations under which Orillia Minor Hockey or OMHA events are conducted
- Abusive use of alcohol where abuse means a level of consumption which impairs the individual's ability to speak, walk or drive; causes the individual to behave in a disruptive manner; or interferes with the individual's ability to perform effectively and safely
- Any use of alcohol by minors
- Use of illicit drugs and narcotics
- Use of, or condoning the use of, banned performance enhancing drugs or methods
- Any Harassment, Abuse or Bullying complaint

- Lack of reporting, activity or action of a local executive or association
- Any other complaint or infraction which is considered serious

**Harassment, Abuse and Bullying (H.A.B) are all Major Infractions.**

Harassment is defined as conduct which is insulting, intimidating, humiliating, offensive or physically harmful. Types of behavior which constitute harassment include, but are not limited to:

- Unwelcomed jokes, innuendo or teasing about a person's looks, body, attire, age, race, religion, sex or sexual orientation
- Condescending, patronizing, threatening or punishing actions which undermine self-esteem or diminish performance
- Practical jokes which cause awkwardness or embarrassment, endanger a person's safety or negatively affect performance
- Unwanted or unnecessary physical contact including touching, patting or pinching
- Any form of hazing
- Any form of physical assault or abuse
- Any sexual offence
- Behaviors such as those described above which are not directed towards individuals or groups but which have the effect of creating a negative or hostile environment
- Unwelcomed behavior of one individual towards another which the individual ought to have known would be unwanted

**Abuse**

Child abuse is any form of physical, emotional and/or sexual mistreatment or lack of care which causes physical injury or emotional damage to a child. A common characteristic of all forms of abuse against children and youth is an abuse of power or authority and/or breach of trust.

Abuse is an issue of child protection. Protection refers to provincial, territorial or Aboriginal band appointed child protective services. A child may be in need of protection from harm if abuse or neglect is suspected. Information about one's legal duty to report and circumstances under which reporting must occur according to child protection legislation is available at [www.hockeycanada.ca](http://www.hockeycanada.ca).

**Bullying**

Bullying is defined as hurtful interpersonal mistreatment of a person and is an act of hurting someone in order to insult, humiliate, degrade or exclude him or her. Basically it is "mean" behavior. Bullying may also take the form of cyber bullying which involves bullying over the internet. Bullying can be:

- Hurting behavior based on oppression and "meanness"
- Based on power differential
- Intentionally or non-intentional, but can be interpreted to be intentional
- Intense repeated over time (generally, but not necessarily)

- Oppressive – isolates victims vi. caused by many factors and behavioral challenges

#### **Hurtful actions may be:**

- Physical – i.e.: hitting, kicking, grabbing, shoving, spitting on, beating others up, damaging or stealing another person's property
- Verbal – i.e.: name-calling, humiliating, degrading behavior, hurtful teasing, threatening someone (this may happen in notes or in person, over the phone, through text messages or the internet)
- Relational – i.e.: making others look foolish, excluding peers, spreading gossip or rumors (this may happen in person, over the phone, through text messages or the internet)
- Reactive – i.e.: engage in bullying as well as provoke bullies to attack by taunting them (this may happen in person, over the phone, through text messages or the internet)

#### **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.

The IRC is in place to investigate serious issues/complaints/incidents. 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 Head Coach or Parent Liaison or Manager
- 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 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 Appeals Committee Process.