



NIAGARA FALLS MINOR HOCKEY ASSOCIATION COMPLAINT POLICY

The Niagara Falls Minor Hockey Association (the “NFMHA”) is a member of the Ontario Minor Hockey Association (the “OMHA”). The OMHA Code of Conduct Policies and Procedures provide, among other things, as follows:

- “1.2 The OMHA is committed to providing an environment in which all individuals are treated with respect. Members and participants of the OMHA shall conduct themselves at all times in a manner consistent with the values of the OMHA which includes fairness, integrity and mutual respect.

- 1.5 The OMHA is committed to providing an environment that is safe, accessible, and inclusive in which all individuals are treated with respect and in an environment free from maltreatment, harassment, bullying and misconduct.

- 1.6 Failure to comply with this Code of Conduct may result in disciplinary action, including but not limited to, the loss or suspension of certain or all privileges connected with the respective Member Association in the OMHA including the opportunity to participate in the OMHA and its Member Association activities and events, both present and future.”

In keeping with the above, the NFMHA has developed a policy for accepting, screening and determining the procedure that will be followed with respect to any complaint received.

1. First, the complainant will observe the 24 hour rule. They will take a step back, in other words, and process the emotions and situation over a 24 hour period, instead of reacting in the moment.

2. If, after complying with section 1 above, the complainant still has concerns, they will contact the individual (or a parent or guardian of the individual, in the case of a minor) with whose behaviour they

take issue, in a calm and rational manner, and request a meeting, in a non-confrontational setting, to discuss their concerns in person. The complainant will allow a reasonable amount of time for the individual to respond and the meeting to be arranged and take place. The complainant will observe the 24 hour rule again, after the meeting.

3. If the complainant wishes a representative of the NFMHA to attend the meeting, they will make a written request to the NFMHA office, including the date, time and location of the meeting. The President of the NFMHA will determine, in an absolute discretion, whether to send a representative to the meeting, but it will not be the responsibility of the NFMHA, in any case, to arrange or facilitate the meeting. The complainant will bear that sole responsibility. The decision of the President of the NFMHA under this section will be final and binding and not subject to appeal.

4. If, after complying with sections 1, 2 and 3 above, the complainant still has concerns, they will file a written complaint with the NFMHA, including the complainant's name, street address, email address, telephone number and sufficient details to allow the complaint to be screened.

5. The NFMHA Risk Management Officer will screen the complaint and determine, based on the OMHA Code of Conduct Policies and Procedures, the procedure to be followed. In particular, the NFMHA Risk Management Officer may, with or without notice to the complainant:

(a) report the complaint to the Hockey Canada Safe Sport/Independent Third Party ("ITP"), if the NFMHA Risk Management Officer determines, in an absolute discretion, that it alleges an incident or series of incidents of "Serious Misconduct", such as maltreatment, harassment and/or bullying;

(b) also report the complaint to the Ontario child protection authorities and/or the police, in the case of section 5(a) above, if the NFMHA Risk Management Officer determines, in an absolute discretion, that a minor is or may be suffering or may have suffered from any form of child abuse;

(c) report the complaint to the OMHA, if the NFMHA Risk Management Officer determines, in an absolute discretion, that it alleges a "Major Infraction", such as repeated unsportsmanlike conduct or endangering the safety of others; or

(d) deal with the complaint at the NFMHA level, if the NFMHA Risk Management Officer determines, in an absolute discretion, that it alleges a "Minor Infraction" or is otherwise minor in nature.

The NFMHA Risk Management Officer or a designate will contact the complainant, within five (5) business days of receiving a complaint under section 4 above, to confirm that sections 1, 2 and 3 above have been complied with, obtain further details and/or notify the complainant of the procedure that will be followed under section 5 above.

The NFMHA Risk Management Officer will also consider whether, in an absolute discretion, interim sanctions, such as a suspension pending investigation, are warranted, in the circumstances. If an interim sanction is imposed, the NFMHA Risk Management Officer will immediately notify the President of the NFMHA, the complainant and the individual with whose behaviour the complainant takes issue and report it to the OMHA Risk Management Officer, for direction.

6. The NFMHA Risk Management Officer may refuse to investigate a complaint dealt with at the NFMHA level under section 5(d) above, if the NFMHA Risk Management Officer decides that it is:

- (a) frivolous, vexatious or made in bad faith;
- (b) sufficiently addressed by another policy or procedure of the NFMHA (e.g. apparel, ice time, etc.);
- (c) obviously false or without merit; or
- (d) based on occurrences that are more than six (6) months old.

The NFMHA Risk Management Officer will submit a written decision to the President of the NFMHA and the complainant, in that case, dismissing the complaint without investigation.

7. Otherwise, the NFMHA Risk Management Officer will conduct a thorough investigation of the complaint, including communicating with the complainant and the individual with whose behaviour the complainant takes issue, in such manner as the NFMHA Risk Management Officer determines, in an absolute discretion. At the conclusion of the investigation, the NFMHA Risk Management Officer will submit a written decision to the NFMHA President, the complainant and the individual with whose behaviour the complainant takes issue, either dismissing the complaint or imposing the following disciplinary sanctions:

- (a) verbal reprimand;
- (b) written reprimand;
- (c) requiring a verbal or written apology;
- (d) removal from any position held at the team or NFMHA level;
- (e) suspension for a specified number of games or period of time; or
- (f) any other sanction(s) as the NFMHA Risk Management Officer may deem appropriate, in the circumstances.

8. Any decision of the NFMHA Risk Management Officer under sections 6 or 7 above will be final and binding, subject to appeal to the OMHA by way of an OMHA Code of Conduct Minor Infraction Appeal.