

## **Discipline and Complaints Policy – London Ultimate Club**

“Organization” refers to: London Ultimate Club (LUC)

### **Definitions**

1. The following terms have these meanings in this Policy:
  - a) “Complainant” – The Party alleging an infraction
  - b) “Respondent” – The alleged infracting Party
  - c) “Parties” – The Complainant, Respondent, and any other Individuals, persons, Teams, or organizations affected by the complaint
  - d) “Days” – Days irrespective of weekend and holidays
  - e) “Individuals” – All categories of membership defined in the Organization’s Bylaws, as well as all individuals employed by, contracted by, or engaged in activities with the Organization including, but not limited to, athletes, coaches, instructors, convenors, officials, volunteers, administrators, staff, committee members, and directors and officers of the Organization, spectators at events, and parents/guardians of participants
  - f) “Teams” – All teams for leagues, tournaments, pickup or other activities that are organized or sanctioned by the Organization. Teams are comprised of Individuals.

### **Purpose**

2. The Organization is committed to providing an environment in which all Individuals involved with the Organization are treated with respect. Membership in the Organization, as well as participation in its activities, brings many benefits and privileges. At the same time, Individuals, Teams and participants are expected to fulfill certain responsibilities and obligations including, but not limited to, complying with the Organization’s policies, bylaws, rules, guidelines and regulations, and Code of Conduct and Ethics. Non-compliance by Individuals and Teams can result in severe damage to the integrity of the Organization and may be subject to sanctions pursuant to this Policy. Since discipline may be applied, the Organization provides Individuals and Teams with the mechanism outlined in this Policy so that complaints are handled fairly, expeditiously, and affordably.
3. As it relates to disputes between Individuals, the Organization encourages all Individuals and Teams to communicate openly, collaborate, and use problem-solving and negotiation techniques to resolve their differences. Opportunities for dispute resolution may be pursued at any point in a dispute within the Organization when all parties to the dispute agree that such a course of action would be mutually beneficial. The Organization believes that negotiated settlements are usually preferable to outcomes resolved through other dispute resolution techniques. Negotiated resolutions to disputes with and among Individuals are strongly encouraged.

### **Application of this Policy**

4. This Policy applies to all Individuals and Teams.
5. This Policy applies to discipline matters that may arise during the Organization’s business, programs and activities including, but not limited to, leagues, competitions, practices, tryouts, pickup games, clinics, training camps, travel associated with the Organization’s business, programs and activities, the Organization’s general environment, and any meetings.

6. Any infractions or complaints occurring within competition will be dealt with by the procedures specific to the competition, if applicable. In such situations, disciplinary sanctions will be for the duration of the competition, training, activity or event only. Further sanctions may be applied but only after review of the matter in accordance with the procedures set out in this Policy.
7. Discipline matters and complaints arising within the business, activities, or events organized by entities other than the Organization will be dealt with pursuant to the policies of these other entities unless requested and accepted by the Organization at its sole discretion.

### **Reporting a Complaint**

8. Any Individual or Team may report any complaint to the Organization. Such a complaint must be in writing and must be filed within fourteen (14) days of the alleged incident. Anonymous complaints may be accepted at the sole discretion of the Organization.
9. A Complainant wishing to file a complaint outside of the fourteen (14) day period must provide a written statement giving reasons for an exemption to this limitation. The decision to accept, or not accept, the complaint outside of the fourteen (14) day period will be at the sole discretion of the Organization. This decision may not be appealed.
10. At the Organization's discretion, the Organization may act as the Complainant and initiate the complaint process under the terms of this Policy. In such cases, the Organization will identify an individual to represent the Organization.

### **League Incident Review – Minor Infractions**

11. League incident complaints/reports should be forwarded to the League Director responsible for the game where the incident occurred, as soon as possible. If there is no League Director appointed by the Board or should the incident not be related to a scheduled league game, the incident report shall be forwarded directly to the Executive Director or the President (hereafter Designate) for Organizational Review (Section #21).
12. Before any league related complaint proceeds to the formal stage, the dispute will first be reviewed by the League Director or Designate, with the objective of resolving the dispute.
13. The League Director or Designate will solicit reports from the parties directly involved with the incident, the captains of the teams involved with the incident, and any relevant witnesses to the incident. The identities of all of these individuals must be made available to the Organization upon request. Failure to do so may result in further disciplinary action.
14. Upon reviewing the reports, the Designate shall make a 'tentative ruling' for league infractions that are considered to be a minor infraction, according to the penalties for minor infractions outlined below. The original incident report and the League Director's tentative ruling shall be filed with the Designate. The Designate must approve the ruling on any minor infraction before the League Director issues any penalty, and may determine that a harsher or lighter penalty is imposed, consistent with this policy.
15. Should the League Director be unable to suggest a tentative ruling on the matter, either due to the fact that it is a major infraction or for any other reason, or should the parties involved not be satisfied with the ruling, the matter may be referred to the Designate or Board of Directors for further review or appeal.

16. The Designate will review all reports forwarded by the League Director and/or may solicit reports from the parties directly involved with the incident, the captains of the teams involved with the incident, and any relevant witnesses to the incident.
17. Upon reviewing the reports, the Designate shall make a final ruling consistent with the penalties for minor infractions outlined below.

#### **League Incident Review – Major Infractions**

18. All incident complaints/reports that are considered to be a major infraction shall be forwarded directly to the LUC Designate and the Board of Directors. The Designate will review and resolve the incident, with assistance from the League Director. The Board of Directors must approve the ruling on any major infraction before the Designate issues any penalty and may determine that a harsher or lighter penalty is imposed, consistent with this policy.
19. The Designate, with assistance from the League Director, will solicit reports from the parties directly involved with the incident, the captains of the teams involved with the incident, and any relevant witnesses to the incident. The identities of all of these individuals must be made available to the Organization upon request. Failure to do so may result in further disciplinary action.
20. Major league infractions shall be further reviewed and considered per Organizational Review (Section #21) below.

#### **Organization Review**

21. The Organization's Executive Director or President (or Designate) shall be the first representative to review and resolve all disputes that are non-league related, or that are considered to be a major league infraction. Should the review by the Executive Director (or designate) not resolve the dispute, the Board of Directors will oversee the management and administration of complaints submitted in accordance with this Policy and such appointment is not appealable. The Organization has an overall responsibility to ensure procedural fairness is respected at all times in this Policy, and to implement this Policy in a timely manner. More specifically, the Organization has a responsibility to:
  - a) Determine whether the complaint is frivolous or vexatious and within the jurisdiction of this Policy. If the Executive Director (or Designate) or Board of Directors determine the complaint is frivolous or vexatious or outside the jurisdiction of this Policy, the complaint will be dismissed immediately. The Organization's decision to accept or dismiss the complaint may not be appealed
  - b) Determine if the complaint is a minor or major infraction
  - c) Coordinate all administrative aspects of the complaint
  - d) Provide any other service or support that may be necessary to ensure a fair and timely proceeding
22. The Organization will inform the Parties if the incident is to be dealt with as a minor infraction or major infraction and the matter will be dealt with according to the applicable section relating to the minor or major infraction.
23. In the event that the Organization does not resolve the dispute, or requires additional support in doing so, the Organization reserves the right, at its discretion, to engage the services of any independent party(s) to acquire advice, assign a Discipline Panel, or perform case management.

In such instances, additional procedures may be implemented to ensure additional procedural fairness and investigation of the infraction.

## **Minor Infractions**

24. Minor infractions are single incidents of failing to achieve expected standards of conduct that generally do not result in harm to others, the Organization, or the sport. Examples of minor infractions can include, but are not limited to, a single incident of:
  - a) Disrespectful, offensive, abusive, racist, or sexist comments or behaviour
  - b) Disrespectful conduct such as outbursts of anger or argument, and poor spirit
  - c) Reckless Play (e.g. intimidation, overt aggression, repeated fouls, playing while seriously injured, playing with an exposed and bleeding wound, and dangerous play as described by the most up to date USAU Official Rules of Ultimate)
  - d) Playing on unauthorized fields, causing damage to playing fields, or using fields in a manner that violates the agreements of its permits
  - e) Defaulting games without providing sufficient notice to the opposing team
  - f) Non-compliance with the Organization's policies, procedures, rules, guidelines, or regulations
  - g) Minor violations of the Organization's Code of Conduct and Ethics
  - h) Tampering
25. All disciplinary situations involving minor infractions will be coordinated by the League Director (for League matters) or the Organization's Executive Director (or designate).
26. Provided that the Respondent being disciplined is told the nature of the infraction and has an opportunity to provide information concerning the incident, procedures for dealing with minor infractions will be informal (compared to the procedures for major infractions) and will be determined at the discretion of the person(s) responsible for discipline of such infractions (as noted above).
27. Penalties for minor infractions, which may be applied singularly or in combination, either by Individual or by Team, include the following:
  - a) Verbal or written reprimand from the Organization to one of the Parties
  - b) Verbal or written apology from one Party to the other Party
  - c) Service or other contribution to the Organization
  - d) Removal of certain privileges of membership for a designated period of time
  - e) Suspension from the current league, competition, activity, or event
  - f) Fines
  - g) Any other sanction considered appropriate for the offense
  - h) Discipline specific to the league, event or activity, if applicable
28. Minor infractions that result in discipline by the League Coordinator or the Executive Director (or designate) will be recorded by the Organization and reported to the Board of Directors. Repeat minor infractions may result in further such incidents being considered a major infraction.

## **Major Infractions**

29. Major infractions are instances of failing to achieve the expected standards of conduct that result, or have the potential to result, in harm to other persons, to the Organization, or to the sport. Examples of major infractions include, but are not limited to:
  - a) Repeated minor infractions

- b) Any incident of hazing
- c) Incidents of physical abuse
- d) Behaviour that constitutes harassment, sexual harassment, or sexual misconduct
- e) Reckless play or other activities that endangers the safety of others (e.g. extreme intimidation and aggression, charging into stationary players, intentionally fouling, fighting)
- f) Conduct that intentionally damages the Organization's image, credibility, or reputation
- g) Consistent disregard for the Organization's bylaws, policies, rules, guidelines, and regulations
- h) Major or repeated violations of the Organization's Code of Conduct and Ethics
- i) Intentionally damaging the Organization's property or improperly handling the Organization monies
- j) Consumption of alcohol or recreational drugs on permitted fields, whether before, during or after a game
- k) Unreasonable use of alcohol, any use or possession of alcohol by minors, or use or possession of illicit drugs and narcotics
- l) Any possession or use of banned performance enhancing drugs or methods

30. Major infractions occurring may be dealt with immediately, if necessary, by the Designate or another person having authority. In such situations, disciplinary sanctions will be for the duration of the league, competition, training, activity, or event only. If applicable, discipline specific to the particular event or competition shall be applied. Further sanctions may be applied but only after review of the matter in accordance with the procedures set out in this Policy. This review does not replace the appeal provisions of this Policy.

31. All disciplinary situations involving major infractions will be dealt with by the Organization and any independent party (optional) assigned by the Board of Directors. If applicable, discipline specific to the particular league, event or activity shall be applied.

32. After hearing on the matter, the Organization will determine whether an infraction has occurred and, if so, the sanctions to be imposed. Within fourteen (14) days of concluding its review, the Organization's written decision, with reasons, will be distributed to all Parties. In extraordinary circumstances, the Organization may first issue a verbal or summary decision soon after the review, with the full written decision to be issued before the end of the fourteen (14) day period. The decision will be considered a matter of public record unless decided otherwise by the Board of Directors.

### **Sanctions**

33. The Organization may apply the following disciplinary sanctions, singularly or in combination, either by Individual or by Team, for major infractions:

- a) Verbal or written reprimand from the Organization to one of the Parties
- b) Verbal or written apology from one Party to the other Party
- c) Service or other voluntary contribution to the Organization
- d) Expulsion from the Organization
- e) Removal of certain membership privileges
- f) Suspension from certain teams, leagues, events, and/or activities
- g) Suspension from all the Organization's activities for a designated period of time
- h) Withholding of prize money or awards
- i) Payment of the cost of repairs for property damage
- j) Suspension of funding from the Organization or from other sources

- k) Any other sanction considered appropriate for the offense
- 34. Unless the Organization decides otherwise, any disciplinary sanctions will begin immediately. Failure to comply with a sanction as determined by the Organization will result in automatic suspension until such time as compliance occurs.
- 35. Major infractions that result in discipline will be recorded and records will be maintained by the Organization.

### **Criminal Convictions**

- 36. An Individual's conviction for any of the following Criminal Code offenses will be deemed a major infraction under this Policy and will result in expulsion from the Organization and/or removal from the Organization's programs, activities and events upon the sole discretion of the Organization:
  - a) Any child pornography offences
  - b) Any sexual offences
  - c) Any offence of physical or psychological violence
  - d) Any offence of assault
  - e) Any offence involving trafficking of illegal drugs

### **Confidentiality**

- 37. The discipline and complaints process is confidential and involves only the Parties, Board of Directors, LUC Staff, applicable League Coordinators/Convenors and Team Captains, and any independent advisors to the Organization. Once initiated and until a decision is released, none of the Parties will disclose confidential information relating to the discipline or complaint to any person not involved in the proceedings.

### **Timelines**

- 38. If the circumstances of the complaint are such that adhering to the timelines outlined by this Policy will not allow a timely resolution to the complaint, the Organization may direct that these timelines be revised.

### **Result of Decisions**

- 39. Decisions made by the Organization are considered final and may not be appealed.
- 40. Decisions are matters of public interest and shall be publicly available with the names of the individuals redacted where appropriate. Names of persons and teams disciplined may be disclosed to the extent necessary to give effect to any sanction imposed (i.e. league sanction). Pursuant to the Organization's Confidentiality Policy, the Board may determine that disclosing the person's identity would unduly violate the person's privacy and may decide that the decision, or part of the decision, shall be kept confidential.