



# **North Mississauga Discipline & Appeals Procedure**

## **Preamble**

The North Mississauga Soccer Club will operate effectively and within the laws and spirit of the game. It should be noted that there are times where issues arise that have the potential to harm the reputation of a soccer club and its members. NMSC follows the OS guidelines which designed to assist the clubs deal with those incidents internally. The NMSC is aware that those guidelines are secondary to any CSA, OS or District Policies and Rules or Provincial/ Federal Law.

## **Terms & Definitions**

- 1) 'Panel' – A selected or appointed group of at least three individuals as a Discipline Panel which has no significant relationship with the complainant and respondent; has no involvement with the alleged infraction; and is free from any other bias or conflict of interest.
- 2) 'Days' – Consecutive days, regardless of weekends, holidays or time zone. Effective time zone is set as EST.
- 3) 'North Mississauga Soccer Club Stakeholders' - Parents, Guardians, Volunteers, Players, Coaches, Referees, Contracted Personnel as well as individuals employed or take part in activities with North Mississauga Soccer Club.
- 4) 'NMSC' – North Mississauga Soccer Club.

## **General Intent and Application of the Policy**

North Mississauga Soccer Club is committed to allowing its stakeholders participate in environment of respect and integrity. Irresponsible conduct can result in severe damage to the integrity of North Mississauga Soccer Club.

This policy is to serve as a mechanism to allow complaints and discipline to be processed in a fair and timely manner and apply respective discipline measures. North Mississauga Soccer Club is committed to foster environment of fairness, integrity, open communication and mutual respect. At the same token, stakeholders are expected to comply with the policies, procedures, rules and regulations and code of conduct and ethics.

This Policy applies to all Stakeholders indicated in the Terms & Definitions. This Policy only applies to discipline matters that may arise during the course of North Mississauga Soccer Club business, activities and events, including but not limited to; training activities, programming activities, events and gatherings.



## **Filing a Complaint**

Any individual may report a complaint following the correct procedure. The complaint or discipline report must be submitted in writing, must be signed and identified, and filed within thirty (30) days of the alleged incident or within the time frame allocated to specific OS guideline. Anonymous complaints or unsourced complaints will be subject to review at the sole discretion of North Mississauga Soccer Club Board of Directors. An individual wishing to file a complaint outside the thirty (30) days period will subject to review at sole discretion of the North Mississauga Soccer Club Board of Directors.

This decision is final and not appealable.

## **Discipline and Complaints Policy**

1. If a complaint is determined by the NMSC Panel, to be legitimate, the complaint will be categorized as a minor infraction or a major infraction and dealt with according to the appropriate sections of this Policy.

It will be at the sole discretion of the NMSC Panel, to determine whether a complaint is to be dealt with as a major or minor infraction. This decision final and not appealable.

2. If the filed incident deemed as a minor infraction, the NMSC, will inform the alleged offender, and the matter will be dealt with according to the section relating to minor infractions.
3. If the filed incident deemed as a major infraction and if the NMSC panel determines that a hearing is required, the alleged offender will be notified within timely manner and the matter will be dealt with according to the section relating to major infractions. Otherwise, all complaints are dealt via discipline by review process.
4. NMSC encourages, and does not prevent each appropriate person from taking immediate, informal or corrective action in response to behavior that constitutes either a minor or major infraction provided that the individual being disciplined is told the nature of the infraction and has an opportunity to provide information concerning the alleged incident. Further disciplinary measures may be applied in accordance with the procedures set out in this Policy.

### **Minor Infractions**

5. Minor infractions could be, but not limited to a single incident/count of:
  - a) Offensive, Insulting, abusive, Derogatory, racist or sexist comments or behavior directed towards others;
  - b) Behavior displaying angry outbursts or arguments; and



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- c) Non-compliance with the Policies and Procedures under which NMSC is governed. And operated
6. All disciplinary situations involving minor infractions will be dealt with by the North Mississauga Soccer Club.
7. Procedures for dealing with minor infractions will be informal (subject to OS discipline guidelines) and will be determined at the discretion of the NMSC Discipline Committee. It shall also be noted, that the Individual being disciplined is told the nature of the infraction and has an opportunity to provide information concerning the incident.
8. Disciplinary measures for minor infractions, which may be applied independently or in combination, include the following:
  - a) Verbal or written apology;
  - b) Verbal or written reprimand which may be placed in the individual's file;
  - c) Retraining, or re-certification
  - d) Suspension from the current position, training, activity or event; or any other disciplinary measure considered appropriate for the offense committed.
9. Minor infractions that result in discipline will be recorded and maintained by North Mississauga Soccer Club. Repeated minor infractions may result in further discipline or could be categorized as being a major infraction.

### **Major Infractions**

Major infractions are instances of misconduct that result, or have the potential to result, in harm to other stakeholders, persons or NMSC.

10. Examples of major infractions include, but are not limited to:
  - a) Repeated incidents of Offensive, Insulting, abusive, Derogatory, racist or sexist comments or behavior directed towards others
  - b) Repeated or ongoing behavior of displaying angry outbursts or arguments
  - c) Repeated or ongoing behavior of being late for or absent from NMSC programming where attendance was set mandatory
  - d) Behavior exhibiting physical or mental abuse;
  - e) Jokes, Stunts, Pranks or any other activities that endanger the safety of others;
  - f) Conduct which results in harm to the image, credibility or reputation of NMSC and/or its' sponsors;
  - g) Substance abuse that causes the individual to behave in a disruptive manner; or interferes with the individual's ability to perform effectively and safely within their roles or duties.
11. Major infractions may be dealt with immediately, if necessary, by NMSC board or staff, provided the individual being disciplined is informed of the nature of the infraction and has an opportunity to provide information concerning the incident. Immediate expulsion from game, program or event may be applied. Further disciplinary measures 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.



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12. Disciplinary measures for major infractions, which may be applied independently or in combination, include the following:
  - a) Written apology;
  - b) Written reprimand to be placed in the individual's file;
  - c) Removal of certain privileges;
  - d) Suspension from certain North Mississauga Soccer Club programs, events and/or activities;
  - e) Suspension from all North Mississauga Soccer Club activities for a designated period of time;
  - f) Expulsion from North Mississauga Soccer Club;
  - g) Publication of the Panel's decision;
  - h) Other measures may be considered appropriate for the offense.

### **Serious Infractions**

13. The North Mississauga Soccer Club, may determine that an alleged incident is of such seriousness as to warrant suspension of the individual pending a hearing and a decision of the Panel.
14. In cases where a NMSC Stakeholder has been charged with an offence under the Criminal Code, or has previously been convicted of a criminal offence which has been brought into club's attention, the North Mississauga Soccer Club, may suspend such individual pending further investigation, a hearing, or completion of the criminal proceedings.
15. Notwithstanding the procedures set out in this Policy, any NMSC Stakeholder who is convicted of a criminal offense involving sexual exploitation, invitation to sexual touching, sexual interference, sexual assault or aggravated assault or any criminal conviction or record under Vulnerable sector check, will face automatic suspension from participating in any activities of North Mississauga Soccer Club for a period of time corresponding to the length of the criminal sentence imposed by the court, and may face further disciplinary action by North Mississauga Soccer Club in accordance with this Policy.

### **Discipline Panel and Hearing**

16. Within twenty-one (21) days or earlier, of notifying the respondent of a complaint of a major infraction, NMSC will appoint a panel of three individuals as a Discipline Panel.
17. The Panel will conduct a hearing as soon as possible, but not longer than thirty (30) days after being appointed or tasked with the matter.
18. Having reviewed the discipline matter and the potential consequences of any applied disciplinary measures, the Panel will decide whether to conduct the hearing by way of review of documentary evidence or by way of oral hearing. If the Panel decides to conduct an oral hearing, it may decide to do so in-person or by means of technology options such as a telephone, WebEx, or VoIP conference.



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### Appeals

An Ontario Soccer Appeal Request Form will need to be filled out and sent via email to [appealcasemanager@ontariosoccer.net](mailto:appealcasemanager@ontariosoccer.net).

Please provide a list of all evidence that supports your application for leave to appeal. You will not be able to resubmit any new evidence or a submission after this application is submitted. Copies of your appeal and the Respondent's responses will be provided to both parties by Ontario Soccer. Additional pages may be attached.

#### Appeal Application Check List

1. Complete Ontario Soccer Appeal Request Form
2. Provide a copy of the decision being appealed or your (the Appellant's) understanding of the decision if the decision has not been received or provided.
3. Enclose a payment of seven hundred and fifty dollars (\$750) in the form of a certified cheque or postal money order. Your leave to appeal will be denied if payment is not received.
4. Attach submissions, evidence and attachments in their entirety.
5. Complete the OS witness list
6. Sign the application
7. Send via email to [appealcasemanager@ontariosoccer.net](mailto:appealcasemanager@ontariosoccer.net)