

NEW WEST SC



New Westminster Soccer Club CONDUCT POLICY MANUAL

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CODE OF CONDUCT AND ETHICS

The New Westminster Soccer Club's (NWSC) Code of Conduct and Ethics aligns with that of its affiliate District Associations, Leagues as well as the BC Soccer Association ensuring that all participants can strive to similar high standards of conduct.

APPLICATION

This policy applies to all *individuals* registered with and/or affiliated with NWSC including, but not limited to:

- a) NWSC executive members, directors, officers, committee members and volunteers;
- b) NWSC employees and persons under contract with NWSC;
- c) all athletes registered with and forming teams with NWSC;
- d) all persons working with those teams or athletes, including coaches, assistant coaches, managers, administrators, medical and paramedical personnel and other support persons;
- e) all officials – referees and assistant referees – registered with NWSC and assigned to games by the NWSC Head Referee or Referee Assigner;
- f) all spectators, including parents, in attendance at a NWSC activity.

This policy applies at all times, wherever a NWSC activity takes place, which includes the NWSC offices as well as external locations in BC, Canada and abroad and includes all activities over which NWSC has jurisdiction. NWSC activities include, but are not limited to:

- a) meetings of the NWSC Executive, Board of Directors and all NWSC committee or coach meetings;
- b) NWSC Annual Meetings, Special Meetings or NWSC hosted conferences or clinics;
- c) participation in district, league, provincial, national or international competitions including related training and organized group travel;
- d) all NWSC events;
- e) all NWSC hosted selection and assessment processes and regular training or practice time, regardless of location; and
- f) all NWSC Academy events and activities.

VIOLATIONS OF THIS POLICY

Any violation of this Conduct Policy may result in sanctions under the NWSC Discipline and Complaints Policy.

In addition to possible sanctions under the NWSC Discipline and Complaints Policy, all individuals are subject to sanctions by NSWC's governing and affiliated organizations, including but not limited to the District Association, Leagues and/or BC Soccer Association.

POLICY AND PURPOSE

Individuals are expected to conduct themselves in all matters involving or impacting NWSC and where they may be seen to be representing NWSC with integrity and in a manner that is consistent with NWSC values and the highest standards of behaviour. To this end, individuals will:

- a) acquaint themselves with the NWSC's mission, vision, values and policies and behave accordingly;
- b) not participate in, condone, or engage in dishonesty, fraud, deceit, misrepresentation or illegal activities;
- c) adhere to all federal, provincial, municipal and host country laws;
- d) act, when appropriate, to correct or prevent practices that are unjust, discriminatory or otherwise in contravention of this Policy;
- e) cooperate with internal or external investigations of concerns of possible misconduct by providing honest, accurate, complete and timely information;
- f) act in a responsible manner in relation to the media and content of personal websites and information posted on social media sites including, but not limited to, Facebook, Twitter, Instagram, Snapchat and YouTube;
- g) provide a safe environment for all individuals;
- h) adhere to NWSC's policies for screening;
- i) complete the Respect in Sport Training Program if required by NWSC, the District, affiliate leagues and/or BC Soccer Association; and
- j) comply with the applicable club, district, league and provincial policies and rules.

The purpose of this *Conduct Policy* is to foster a positive, safe and respectful work and sport environment where:

- a) NWSC values and expected standards of behaviour are understood, communicated and lived by all individuals;
- b) there is adherence to all applicable laws, regardless of where the NWSC activity takes place; and
- c) the conduct of individuals is ethical, transparent and fosters confidence in the integrity of NWSC.

The purpose of this Policy is also:

- a) to define certain behaviour that is not permitted so that it is known to individuals and avoided;
- b) to ensure the decisions and actions of individuals are consistent with NWSC's vision and values.

NWSC'S COMMITMENT TO NON-RETALIATION

Individuals are expected to raise any concerns about behaviour, to report any misconduct and to work together to ensure a positive, safe and respectful work and sport environment. There will be no retaliation for speaking up and making a truthful report of actual or possible misconduct, for participating in an investigation, or for exercising an individual's legal rights.

It is a violation of this Policy if an individual knows of misconduct but takes no action to intervene on behalf of the athlete, employee, volunteer or other individual. Failure to report such misconduct may result in disciplinary action.

BEHAVIOUR EXPECTATIONS AND STANDARDS

1. Confidentiality

During the course of working or volunteering with NWSC, individuals will have access to Confidential Information. Confidential Information includes:

- a) personal information about individuals as defined in the BC Personal Information Protection Act (PIPA);

- b) information that is not known or available to the individual on a non-confidential basis prior to its disclosure to the individual including financial information, strategic plans, intellectual property, and information related to the programs, business or affairs of NWSC or any individual; and
- c) information that is not known or available to the general public other than as a result of disclosure by the individual.

Every individual has a duty to take reasonable steps to secure confidential information and to not disclose such Confidential Information, including once the individual ceases to work, provide services, or volunteer for NWSC. An individual must not use information that is gained due to his or her relationship with NWSC for personal profit, or in order to further any personal, private or public interest.

Any intentional or negligent disclosure of confidential information to persons who the individual knew, or ought to have known, should not have not received the confidential information, or misuse, may result in sanctions under NWSC's *Discipline and Complaints Policy*.

2. Conflict of Interest

All individuals are obligated to act in the best interests of NWSC and to avoid conflicts of interest. Individuals must avoid situations where their personal interests or the personal interests of their Related Parties could interfere or may conflict, directly or indirectly, with their obligations to NWSC.

Even if an individual does not have an actual conflict of interest, if other people perceive one, they may still be concerned that the individual cannot act properly. For this reason, it is important to avoid the appearance of a conflict, as well as an actual one. Being seen or thought to be in a conflict of interest can damage the reputation of the individual, and the reputation of NWSC.

Conflicts of interest may arise in situations involving:

- a) an interest, either real or perceived, that benefits the individual or a Related Party including where:
 - a pecuniary interest is derived;
 - preferential treatment is given;
 - there is interference in the decision-making process; or
 - personal advantage of any kind may be derived;
- b) outside organizations with which the individual has an official governing responsibility, or which employ the individual or a Related Party;
- c) the individual has a financial interest in another organization doing business with NWSC; or
- d) real or perceived potential to compromise the best interests of NWSC.

Managing Conflicts of Interest

This Policy does not identify or prohibit conflicts of interest but provides a basis to manage such situations as they arise. Conflicts of interest cannot always be avoided.

If an individual finds himself or herself in a conflict of interest or a situation where he or she believes that others may perceive them to be in a position of conflict, the individual must declare the conflict immediately so that action can be taken to resolve the situation. This is the best way for interested individuals to protect themselves and their reputation for honesty, fairness and objectivity.

Declaring a Conflict of Interest

Individuals can take one of these steps to declare a conflict of interest:

- a) verbally report the conflict of interest to the committee members at a board of directors or committee meeting; or
- b) disclose the conflict of interest in writing to the Executive Director or President; or
- c) in the case of officials, disclose the conflict of interest in writing to the Head Referee or providing the relevant information at the request of the Head Referee.

Managing Conflicts in Decision-making

Decisions or transactions that involve a real or perceived conflict of interest that have been disclosed by the interested individual may be considered and decided upon provided that:

the nature and extent of the conflict of interest has been disclosed fully to the body that is considering or making the decision, and this disclosure and how it was managed is documented;
the interested individual is not included in the determination of quorum for the proposed decision or transaction; and
the interested individual abstains from voting on the proposed decision or transaction.

More serious conflicts will require the interested individual to temporarily recuse him or herself from meetings and to not participate in any formal discussion on the matter giving rise to the conflict of interest. The interested individual must not attempt to learn about, provide information or otherwise influence the discussion or voting on a decision or transaction, either formally at a board or committee meeting or informally through private contact, communication or discussion, except as provided below;

on the unanimous request of the body that is considering or making the decision, the interested individual may present information or respond to questions relating to the decision or transaction.

To avoid the appearance that NWSC is giving interested individuals an advantage, the body that is considering or making the decision must:

if applicable, ensure that alternate bids or estimates have been obtained; and
determine by a majority vote that the transaction is fair and reasonable and in NWSC's best interest.

In situations where an individual's objectivity and ability to carry out his or her duties and responsibilities with NWSC are hindered by ongoing conflicts of interest, the individual should offer to resign from their position.

Recognizing When Others are in Conflict

When an individual believes that another individual has an actual or perceived conflict of interest that has not been declared, he or she has a responsibility to inform in writing to the Club Manager and the President as appropriate, of the potential conflict of interest.

Benefits, Entertainment and Gifts

Individuals must not solicit or accept benefits, entertainment or gifts (collectively "Gifts") in exchange for or as a condition of the exercise of their duties, or as an inducement for performing an act associated with their duties or responsibilities with NWSC. Similarly, individuals must not give away Gifts on behalf of NWSC in exchange for, or as a condition of, any benefit for NWSC or the individual.

It is the responsibility of the individual to ensure that a gift, whether received or to be given, is proper. If in doubt, the individual should consult with a Person in Leadership.

Outside Business Activity

A NWSC employee or person under contract with NWSC may undertake an outside business activity if there is no conflict of interest and if the satisfactory performance of the employee or contractor's job functions with NWSC is not prejudiced in any way. Such activities include an outside business interest, directorship or outside employment. In addition, the following rules apply:

The NWSC employee or contractor should not engage in any activity likely to compromise NWSC's reputation; The NWSC employee or contractor should not conduct outside business on NWSC time or use NWSC information, equipment or facilities to conduct an outside business interest. This includes soliciting other individuals to participate in an outside business activity; and

Before taking on or continuing an outside business interest or committing to a job outside NWSC, this should be discussed with the President or Executive Director to be sure these activities do not create a conflict or the appearance of a conflict.

Officials

Officials shall not be assigned to events or competitions where they have a conflict of interest. Conflict of interest shall be determined in accordance with FIFA, CSA and BC Soccer Association standards.

Board and Committee Members

NWSC board and committee members must not allow their loyalty to NWSC to be compromised by their relationship to or involvement in another organization.

NWSC board and committee members must acquaint themselves with the NWSC By-laws and sign any related certification. Pursuant to the Constitution and By-laws, voting NWSC board and committee members may not be remunerated for their services or obtain loans from NWSC.

Preferential Treatment

Individuals must not act in their official roles with NWSC to assist organizations or persons in their dealings with NWSC, if this may result in, or potentially appear to result in, preferential treatment to that organization or person.

3. Equity and Inclusion

NWSC is committed to equity, diversity and inclusion in all of its activities. All individuals share a responsibility to provide a sport and work environment that fosters these values and will ensure that they are key considerations when setting policies and developing, updating or delivering their programs.

4. Discrimination, Harassment and Violence

All individuals are expected to support a work and sport environment that fosters respect and promotes everyone's dignity and self-esteem. NWSC recognizes that discrimination, harassment, bullying and violence can poison the work and sport environment, not only for the group targeted, but for many other individuals. All individuals must recognize that it is the impact of the behaviour on a recipient that is paramount, not the intent of the individual who engages in the perceived offending behaviour. NWSC is committed to creating and maintaining a work and sport environment that is free from discrimination, harassment, sexual harassment, bullying and violence, and in which all persons are treated fairly and with respect.

a. Discrimination

Discrimination means any action, behaviour or attitude that negatively affects the employment, performance or volunteer activities of an individual, where such actions, behaviour or attitude is based on a prohibited ground of discrimination under applicable human rights law, including race, colour, religion,

sexual orientation, disability or age. Discrimination can take place without any intent to do harm and can be based on a person's real or perceived characteristics.

This policy also applies to any other ground of discrimination prohibited by applicable law. Examples of discrimination include:

- a) making stereotypical assumptions including making someone more or less worthy as a person on the basis of race, colour, religion, sexual orientation, gender expression, gender identity, disability, age, or other characteristic described in applicable human rights legislation; or
- b) imposing burdens or withholding or limiting access to opportunities, benefits and advantages available to others, in a way that cannot be justified.

b. Harassment

Harassment is a form of discrimination, and refers to conduct, comment or display that is known, or ought reasonably to be known, to be unwelcome and where the wrongful conduct may be linked to things like the person's race, colour, religion, sexual orientation, disability, age or body type. Harassment includes bullying and can take many forms but often involves conduct, comment or display that is insulting, intimidating, humiliating, hurtful, demeaning, belittling, malicious, degrading, or otherwise causes offence, discomfort, or personal humiliation or embarrassment to a person or group of persons. One incident could be enough to constitute harassment.

Harassment does not include:

- a) interpersonal conflict or disagreement; or
- b) the proper exercise of performance evaluation, appropriate managerial direction, delegation, performance management or attendance management.

Specific categories of Harassment include personal harassment, bullying and sexual harassment.

Personal Harassment

Personal harassment is wrongful conduct directed toward an individual that the perpetrator knew, or ought reasonably to have known, would be unwelcome. This behaviour is not necessarily linked to the prohibited grounds of discrimination.

Examples of personal harassment include:

- a) belittling jokes, insults, name-calling, inappropriate teasing, taunting or condescension that undermines self-esteem, diminishes performance or creates a hostile sport or work environment;
- b) written or verbal abuse, threats or outbursts;
- c) practical jokes that cause awkwardness or embarrassment, endanger a person's safety or negatively affect performance;
- d) ignoring someone for extended periods of time or routinely or arbitrarily excluding them from practice;
- e) any form of hazing; and
- f) the display or distribution of visual or audio material that is offensive, or that one ought to know is offensive in the circumstances.

Bullying

Bullying is unwanted verbal, physical or social behaviour directed to harming, intimidating, humiliating or controlling inappropriately another person. Bullying usually involves repeated incidents or a pattern of behaviour and a real or perceived power imbalance.

Examples of bullying include:

- a) name-calling, inappropriate teasing, or spreading rumours, gossip or innuendo;
- b) excluding or isolating someone socially, or embarrassing someone in public;
- c) intimidating a person or physically abusing or threatening abuse;
- d) withholding necessary information or purposefully giving the wrong information;
- e) damaging, destroying or stealing personal belongings; and
- f) using the internet, social media or text messaging to intimidate, put-down, spread rumours or make fun of someone.

Sexual Harassment

Sexual harassment is engaging in comments or behaviour of a sexual nature such as unwelcome sexual invitations or requests, unwanted physical contact such as touching or kissing, or innuendo or taunting about a person's body type, physical appearance or sexual orientation, gender identity or gender expression. Sexual harassment is also making sexual invitations or requests where the person making the invitation or request is in a position to confer, grant or deny a benefit or advancement and the person knows or ought reasonably to know that the invitation or request is unwelcome.

c. Violence

Violence is any actual, attempted or threatened conduct of a person that causes or is likely to cause physical or psychological harm, injury or illness or that gives a person reason to believe that he or she or another person is at risk of physical or psychological harm, injury or illness. NWSC is committed to the prevention of violence and to providing a safe and respectful work and sport environment. NWSC will not tolerate any type of violent behaviour within NWSC offices or at NWSC activities.

5. Drugs, Alcohol and Tobacco

Individuals must never provide, promote, condone or ignore substance abuse, the non-medical use of drugs or the use of performance enhancing drugs or methods and, in the case of minors, alcohol or tobacco.

6. Intimate or Sexual Relationships

Individuals must not engage in an inappropriate, intimate or sexual relationship with an individual when in a position of power, trust or authority over the individual, even if all parties are consenting adults.

7. Specific Behaviour Expectations and Standards

In addition to the previous sections of this *Conduct Policy*, there are certain behaviour expectations and standards that apply to specific categories of individuals, as follows:

A. COACHES:

The athlete/coach relationship is a privileged one. Coaches play a critical role in the personal as well as athletic development of their athletes. The executive members of the New Westminster Soccer Club (NWSC) have developed this Code of Conduct to clarify and distinguish approved, accepted, and ethical behaviour from that which is detrimental to the development of the sport of soccer and the players. The term Coach shall include, but is not limited to Head Coach and Assistant Coach.

The NWSC expects all coaches to conform to the following :

- I will conduct myself in the best interests of the NWSC, putting NWSC's and players' interests ahead of any personal or team interests.
- I will set clear expectations for players, parents and team officials prior to the start of the season.
- I will obtain proper training and continue to develop and upgrade my coaching skills.
- I will follow the NWSC policies; in the event a policy is unclear, I will contact the Vice President of Girls/Boys or the Head Coach of the NWSC to clarify the issue. I will do my utmost to learn the NWSC policies.
- I will be reasonable in my demands on the players' time. I will be aware that they have other interests and obligations, including school, and will conduct and organize training sessions in a manner that ensures academic success.
- I will never place the value of winning over the safety and welfare of players.
- I will teach my players that the rules of the game are mutual agreements, which no one should evade or break.
- I will never engage in harassment or physical abuse of team members, game officials, or opposition, and support all efforts to remove such abuse from sporting activities. (Harassment takes many forms but can generally be defined as behaviour, including comments and/or conduct which is insulting, ridiculing, intimidating, humiliating, creates fear, is malicious, degrading or otherwise offensive to an individual, or group of individuals, or which creates an uncomfortable environment).
- I will develop team respect for the ability of opponents as well as for the judgment of officials and opposing coaches and players.
- I will remember that athletes need a coach they can respect. I will be generous with praise, lead by example, and provide all feedback in a constructive, positive manner.
- I will remember that players play to have fun and must be encouraged to have confidence in themselves.
- I will conduct a reasonable inspection of the playing field and of the equipment before each game or practice.
- I will not knowingly let an injured player take part in a game or practice session without being advised that the player's parent has approved that player's participation on the advice of relevant medical professionals.
- In age-appropriate circumstances, following practices and/or games, I will release players only to parents, adult family members, or other responsible persons.
- I will at no time become intimately and/or sexually involved with any player registered on a NWSC team. This includes requests for sexual favours or threat of reprisals for the rejection of such requests made to players or their parents.
- I will not engage in personal communications with a player on non-soccer related issues in written, verbal, or electronic manner.
- I will follow the Fair Play Philosophy as stated in the NWSC coaches handout regarding fair playing time.
- I will not discriminate on grounds of race, gender, or sexual preference.

I further understand that I not only represent my players and team, but also the NWSC in games and tournaments, and will conduct myself accordingly. I understand that I will be held accountable to the executive of the NWSC for my actions and behaviours throughout the season. I further understand that the NWSC will monitor my behaviour and will take appropriate action to uphold this Code of Conduct. I understand that violating this Code of Conduct may result in disciplinary action on the part of the NWSC. I also understand that I may also be subject to the disciplinary rules of BC Soccer and its affiliated District Association and leagues

I AGREE TO THE FOLLOWING TERMS:

- A) I acknowledge that the NWSC may take disciplinary action against me if I breach the Code of Conduct.

- B) I acknowledge that disciplinary action against me may include suspension or termination of coaching privileges and de-registration from the NWSC.
- C) I acknowledge that violation of NWSC policies may result in the loss of access to both field time and officials.

B. PARENTS

- I will not force my child to play soccer.
- I will promote the emotional and physical well-being of the players ahead of any personal desire I may have for my child to win.
- I will inform the coach of any physical disability, injury, or illness that may affect the safety of my child or the safety of others
- I (and my guests) will not engage in any kind of unsportsmanlike conduct with any official, coach, player, or parent such as booing and taunting, or using profane language or gestures.
- I will encourage my child to play by the rules and to resolve conflicts without resorting to hostility or violence.
- I will encourage my child to treat other players, coaches, officials and spectators with respect regardless of race, creed, colour, sex, or ability.
- I will respect the officials and their authority during games and will never question, discuss, or confront coaches at the field, and will take time to speak with coaches at an agreed upon time and place.
- I will encourage a safe sports environment for my child that is free from drugs, tobacco, and alcohol.
- I will not coach my child or other players during games and practices, unless I am one of the official coaches for the New Westminster Soccer Club (NWSC) team in question.
- If I fail to abide by the above, I will be subject to disciplinary action that could include, but is not limited to the following:
 - a) verbal warning
 - b) parental game/practice suspension
 - c) parental season dismissal.

C. PLAYERS/OFFICIALS/COACHES/EXECUTIVE/DIRECTORS

- I will play by the rules and in the spirit of the game.
- I will use good sportsmanship and treat with respect team mates, opponents, coaches, officials, parents, and other attendees at every game and practice no matter their colour, race, gender, sexuality, or religion.
- I will not engage in the use of profanity, verbal or physical threats, or any abuse aimed at players, coaches, parents, attendees, league members, and officials.
- I will remember that winning isn't everything – that having fun, improving skills, making friends and doing my best, are important parts of the game.
- I will acknowledge all good plays/performances – those of my team and my opponents.
- I will remember that coaches and officials are there to help me. I will accept their decisions and show them respect.
- I will listen to and learn from my coaches and other league members.
- I will not attend games or practices under the influence of drugs or alcohol.
- I will conduct myself with honour and dignity and be mindful of the fact that I represent the New Westminster Soccer Club (NWSC) whenever I am playing soccer for one of its teams.

If I fail to abide by the above Code of Conduct I am aware that I will be subject to disciplinary action that could include but is not limited to the following:

- a) verbal warning by coach, and/or member of the NWSC executive
- b) written warning
- c) player game/practice suspension
- d) player season suspension

I have read and understood the Code of Conduct, as written above, and will, to the best of my ability, adhere to these policies while attending any NWSC event.

DISCIPLINE AND COMPLAINTS POLICY

New Westminster Soccer Club members, team officials, executive, referees, parents, players, and spectators will, at all times, conduct themselves in a manner that reflects the highest standard of behaviour when conducting business, or participating in club activities or events. Individuals who fail to meet these standards will be subject to disciplinary sanctions in accordance with the following Policy.

Disciplinary procedures and sanctions shall align with the BC Soccer Association Discipline Sanction Policy.

Definitions

1. The following terms have these meanings in this Policy:
 - a) *"Discipline Panel"* – The individuals who implement certain procedures described in this *Discipline and Complaints Policy*. The Disciplinary Panel does not need to be members of, or affiliated with, NWSC.
 - b) *"Complainant"* – The Party alleging an infraction
 - c) *"Days"* – Days including weekends and holidays
 - d) *"Ombudsperson"* – An individual appointed by the President and/or Executive Director to be the first point-of-contact for all discipline and complaint matters reported to NWSC.
 - e) *"individuals"* – All categories of membership defined in NWSC's Bylaws, as well as all individuals employed by, or engaged in activities with, NWSC including, but not limited to, athletes, coaches, convenors, officials, umpires, volunteers, managers, administrators, committee members, Directors and Officers of NWSC, spectators, and parents/guardians of athletes
 - f) *"Respondent"* – The alleged infracting Party

Purpose

2. Individuals are expected to fulfill certain responsibilities and obligations including, but not limited to, complying with NWSC's policies, Bylaws, rules and regulations, and *Code of Conduct and Ethics*. Non-compliance may result in sanctions pursuant to this Policy.

Ombudsperson

3. The Discipline Chair will be a Director of the Board, or a volunteer associated with NWSC appointed by the Board of Directors to handle the duties of the Discipline Chair. The Board of Directors may choose to appoint three (3) individuals to serve as Discipline Chairs and, in this case, decisions of the Discipline Chairs will be by majority vote.
4. The Discipline Chair(s) appointed to handle a complaint or incident must be unbiased and not in a conflict of interest situation.

Application of this Policy

5. This Policy applies to all individuals.
6. This Policy applies to matters that may arise during the course of NWSC's business, activities, and events including, but not limited to, competitions, practices, tryouts, training camps, travel associated with NWSC activities, and any meetings.
7. This Policy does not prevent immediate discipline or sanction from being applied as reasonably required. Further discipline may be applied according to this Policy. 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.

8. An employee of NWSC who is a Respondent will be subject to appropriate disciplinary action the employee's Employment Agreement, if applicable. Violations may result in a warning, reprimand, restrictions, suspension, or other disciplinary actions up to and including termination of employment.

Alignment

9. NWSC recognizes that its members are subject to disciplinary action and sanctions by its affiliated district, leagues and the BC Soccer Association. Upon receipt of notice of disciplinary action by an affiliate organization, NWSC, at its discretion, may take further action.
10. If NWSC decides to take further action upon becoming aware of an individual who has been disciplined by an affiliated organization, the individual will be the Respondent to a complaint initiated under the terms of this Policy. NWSC may act as the Complainant if the original Complainant is unwilling or unavailable to participate in this process.
11. The Ombudsperson or Discipline Panel, as applicable, will review and consider the decision by the affiliate organization, as/if appropriate, when making a decision on the complaint per the terms of this Policy.

Adult Representative

12. Complaints may be brought for or against an individual who is a minor (younger than 19 years old). Minors must have a parent/guardian or other adult serve as their representative during this process.
13. Communication from the Ombudsperson, as applicable, must be directed to the minor's representative.
14. A minor is not required to attend an oral hearing, if held.

Reporting a Complaint

15. Any individual may report an incident or complaint to the Ombudsperson, in writing, within fourteen (14) days of the alleged incident, although this timeline can be waived or extended at the Ombudsperson's discretion. At a minimum, the complaint should include:
 - a) the names of the parties involved,
 - b) any witnesses to the incident(s),
 - c) the location, date, and time of the incident(s),
 - d) details about the incident(s) (behaviour and/or words used).
16. Officials are required to submit the appropriate reports/complaints in accordance with District, league and BC Soccer Association rules.
17. The Ombudsperson may determine that the alleged incident may contain an element of discrimination, harassment, workplace harassment, workplace violence, sexual harassment, or abuse. In this case, the Ombudsperson will appoint a Discipline Panel to conduct a thorough review of the complaint/incident. The Discipline Panel will recommend an appropriate course of action for dealing with complaints of this nature.
18. At NWSC's discretion, NWSC may act as the Complainant and initiate the complaint process under the terms of this Policy. In such cases, NWSC will identify an individual to represent NWSC.

19. Upon receipt of a complaint, the Ombudsperson has discretion to choose which process should be followed, and may use the following examples as a general guideline:

- a) **Process #1** - the Complaint alleges the following incidents:
 - i. Disrespectful, abusive, racist, or sexist comments or behaviour
 - ii. Disrespectful conduct
 - iii. Minor incidents of physical aggression (e.g., tripping, pushing, elbowing)
 - iv. Conduct contrary to the values of NWSC
 - v. Non-compliance with NWSC's policies, procedures, rules, or regulations
 - vi. Minor violations of NWSC's *Code of Conduct and Ethics*

- b) **Process #2** - the Complaint alleges the following incidents:
 - i. Repeated minor incidents
 - ii. Any incident of hazing
 - iii. Behaviour that constitutes harassment, sexual harassment, or sexual misconduct
 - iv. Major incidents of violence (e.g., fighting, attacking, sucker punching)
 - v. Pranks, jokes, or other activities that endanger the safety of others
 - vi. Conduct that intentionally interferes with a competition or with any athlete's preparation for a competition
 - vii. Conduct that intentionally damages NWSC's image, credibility, or reputation
 - viii. Consistent disregard for NWSC's bylaws, policies, rules, and regulations
 - ix. Major or repeated violations of NWSC's *Code of Conduct and Ethics*
 - x. Intentionally damaging Organization property or improperly handling NWSC monies
 - xi. Abusive use of alcohol, any use or possession of alcohol by minors, or use or possession of illicit drugs and narcotics
 - xii. A conviction for any *Criminal Code* offense
 - xiii. Any possession or use of banned performance enhancing drugs or methods

Process #1: Handled by Discipline Panel

Sanctions

20. Following the determination that the complaint or incident should be handled under Process #1, the Discipline Panel will review the submissions related to the complaint or incident and determine one or more of the following sanctions:

- a) Verbal or written reprimand
- b) Verbal or written apology
- c) Service or other contribution to NWSC
- d) Removal of certain privileges
- e) Suspension from certain teams, events, and/or activities
- f) Suspension from all NWSC activities for a designated period of time
- g) Any other sanction considered appropriate for the offense

21. The Discipline Panel will decide who will inform the Respondent of the sanction, which will take effect immediately.

22. Records of all sanctions will be maintained by NWSC.

Request for Reconsideration

23. The sanction may not be appealed until the completion of a Request for Reconsideration.

24. The Respondent may contest the sanction by submitting a Request for Reconsideration within two (2) days of receiving the sanction. In the Request for Reconsideration, the Respondent must indicate:
 - a) Why the sanction is inappropriate;
 - b) All evidence to support the Respondent's position; and
 - c) What penalty or sanction (if any) would be appropriate
25. Upon receiving a Request for Reconsideration, the Discipline Panel may decide to accept or reject the Respondent's suggestion for an appropriate sanction.
26. Should the Discipline Panel accept the Respondent's suggestion for an appropriate sanction, that sanction will take effect immediately.
27. Should the Discipline Panel not accept the Respondent's suggestion for an appropriate sanction, the initial complaint or incident will be handled under Process #2 of this Policy.

Process #2: Handled by Discipline Panel

Case Manager

28. Following the determination that the complaint or incident should be handled under Process #2, NWSC will appoint a Discipline Panel to oversee management and administration of the complaint or incident. The Discipline Panel should not be in a conflict of interest and should have experience in dispute resolution matters. Such appointment is not appealable.
29. The Discipline Panel has a responsibility to:
 - a) Determine whether the complaint is frivolous and/or within the jurisdiction of this Policy
 - b) Propose the use of NWSC's *Dispute Resolution Policy*
 - c) Coordinate all administrative aspects and set timelines
 - d) Provide administrative assistance and logistical support to the Discipline Panel as required
 - e) Provide any other service or support that may be necessary to ensure a fair and timely proceeding

Procedures

30. If the Discipline Panel determines the complaint is:
 - a) Frivolous or outside the jurisdiction of this Policy, the complaint will be dismissed immediately
 - b) Not frivolous and within the jurisdiction of this Policy, the Discipline Panel will notify the Parties that the complaint is accepted and of the applicable next steps
31. The Discipline Panel's decision to accept or dismiss the complaint may not be appealed.
32. The Discipline Panel will establish and adhere to timelines that ensure procedural fairness and that the matter is heard in a timely fashion.
33. After notifying the Parties that the complaint has been accepted, the Discipline Panel may propose using NWSC's *Dispute Resolution Policy* with the objective of resolving the dispute. If applicable, and if the dispute is not resolved, or if the parties refuse to use the *Dispute Resolution Policy*, the Ombudsperson will appoint a Discipline Panel, which shall consist of three persons may be appointed to hear the complaint. In this event, the Ombudsperson will appoint one of the Discipline Panel's members to serve as the Chair.
34. The Ombudsperson, in cooperation with the Discipline Panel, will then decide the format under which the complaint will be heard. This decision may not be appealed. The format of the hearing may be an oral in-person hearing, an oral hearing by telephone or other communication medium, a hearing based on a

review of documentary evidence submitted in advance of the hearing, or a combination of these methods. The hearing will be governed by the procedures that the Ombudsperson and the Discipline Panel deem appropriate in the circumstances, provided that:

- a) The Parties will be given appropriate notice of the day, time, and place of the hearing, in the case of an oral in-person hearing or an oral hearing by telephone or other communication medium
- b) Copies of any written documents which the parties wish to have the Discipline Panel consider will be provided to all Parties, through the Ombudsperson, in advance of the hearing
- c) The Parties may engage a representative, advisor, or legal counsel at their own expense
- d) The Discipline Panel may request that any other individual participate and give evidence at the hearing
- e) The Discipline Panel may allow as evidence at the hearing any oral evidence and document or thing relevant to the subject matter of the complaint, but may exclude such evidence that is unduly repetitious, and shall place such weight on the evidence as it deems appropriate
- f) The decision will be by a majority vote of the Discipline Panel

35. If the Respondent acknowledges the facts of the incident, the Respondent may waive the hearing, in which case the Discipline Panel will determine the appropriate sanction. The Discipline Panel may still hold a hearing for the purpose of determining an appropriate sanction.

36. The hearing will proceed in any event, even if a Party chooses not to participate in the hearing.

37. If a decision may affect another party to the extent that the other party would have recourse to a complaint or an appeal in their own right, that party will become a Party to the current complaint and will be bound by the decision.

38. In fulfilling its duties, the Discipline Panel may obtain independent advice.

Decision

39. After hearing and/or reviewing the matter, the Discipline Panel will determine whether an infraction has occurred and, if so, the sanctions to be imposed. Within fourteen (14) days of the hearing's conclusion, the Discipline Panel's written decision, with reasons, will be distributed to all Parties, the Case Manager, and the board. In extraordinary circumstances, the Discipline Panel may first issue a verbal or summary decision soon after the hearing's conclusion, 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 Discipline Panel.

Sanctions

40. The Discipline Panel may apply the following disciplinary sanctions, singularly or in combination:

- a) Verbal or written reprimand
- b) Verbal or written apology
- c) Removal of certain privileges
- d) Suspension from certain teams, events, and/or activities
- e) Suspension from all NWSC activities for a designated period of time
- f) Payment of the cost of repairs for property damage
- g) Suspension of funding from NWSC or from other sources
- h) Expulsion from NWSC
- i) Any other sanction considered appropriate for the offense

41. Unless the Discipline Panel decides otherwise, any disciplinary sanctions will begin immediately, notwithstanding an appeal. Failure to comply with a sanction as determined by the Discipline Panel will result in an automatic suspension until such time as compliance occurs.

42. Records of all decisions will be maintained by NWSC.

Appeals

43. The decision of the Discipline Panel may be appealed in accordance with NWSC's *Appeal Policy*.

Suspension Pending a Hearing

44. NWSC may determine that an alleged incident is of such seriousness as to warrant suspension of an individual pending completion of a criminal process, the hearing, or a decision of the Discipline Panel.

Criminal Convictions

45. An individual's conviction for a *Criminal Code* offense, as determined by NWSC, will be deemed an infraction under this Policy and will result in expulsion from NWSC. *Criminal Code* offences may include, but are not limited to:

- a) Any child pornography offences
- b) Any sexual offences
- c) Any offence of physical violence
- d) Any offence of assault
- e) Any offence involving trafficking of illegal drugs

Confidentiality

46. The discipline and complaints process is confidential and involves only the Parties, the Case Manager, the Discipline Panel, and any independent advisors to the Discipline Panel. 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.

Retaliation

47. No person may engage in retaliation, intimidation or any other form of punishment against individuals who raise good faith concerns about an offence or who assist in an investigation. Retaliation may be grounds for a complaint under this Policy.

Timelines

48. 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 Discipline Panel may direct that these timelines be revised.

Records and Distribution of Decisions

49. Other individuals or organizations, including but not limited to, national sport organizations, provincial sport organizations, sport clubs, etc., may be advised of any decisions rendered in accordance with this Policy.

APPEAL POLICY

Definitions

1. The following terms have these meanings in this Policy:
 - a) “*Appellant*” – The Party appealing a decision
 - b) “*Discipline Panel*” – The individual who implements procedures described in this *Appeal Policy*. The Discipline Panel does not need to be a member of, or affiliated with, NWSC.
 - c) “*Respondent*” – The body whose decision is being appealed
 - d) “*Parties*” – The Appellant, Respondent, and any other individuals affected by the appeal
 - e) “*Days*” – Days including weekends and holidays
 - f) “*individuals*” – All categories of membership defined in NWSC’s Bylaws, as well as all individuals employed by, or engaged in activities with, NWSC including, but not limited to, athletes, coaches, convenors, referees, officials, volunteers, managers, administrators, committee members, Directors and Officers of NWSC, spectators at events, and parents/guardians of athletes

Purpose

2. NWSC is committed to providing an environment in which all individuals involved with NWSC are treated with respect and fairness. NWSC provides individuals with this *Appeal Policy* to enable fair, affordable, and expedient appeals of certain decisions made by NWSC. Further, some decisions made by the process outlined in NWSC’s *Discipline and Complaints Policy* may be appealed under this Policy.

Adult Representative

3. Appeals may be filed by an individual who is a minor (younger than 19 years old). Minors must have a parent/guardian or other adult serve as their representative during this process.
4. Communication from the Ombudsperson must be directed to the minor’s representative.
5. A minor is not required to attend an oral hearing, if held.

Scope and Application of this Policy

6. This Policy applies to all individuals. Any individual who is directly affected by a NWSC decision shall have the right to appeal that decision provided there are sufficient grounds for the appeal under the ‘Grounds for Appeal’ section of this Policy.
7. This Policy **will apply** to decisions relating to:
 - a) Eligibility
 - b) Selection
 - c) Conflict of Interest
 - d) Discipline
 - e) Membership
8. This Policy **will not apply** to decisions relating to:
 - a) Employment
 - b) The rules of the sport
 - c) Selection criteria, quotas, policies, and procedures established by entities other than NWSC
 - d) Substance, content and establishment of team selection criteria
 - e) Volunteer/coach appointments and the withdrawal or termination of those appointments

- f) Budgeting and budget implementation
- g) NWSC's operational structure and committee appointments
- h) Decisions or discipline arising within the business, activities, or events organized by entities other than NWSC (appeals of these decisions shall be dealt with pursuant to the policies of those other entities unless requested and accepted by NWSC at its sole discretion)
- i) Commercial matters for which another appeals process exists under a contract or applicable law
- j) Decisions made under this Policy

Timing of Appeal

9. individuals who wish to appeal a decision have ten (10) days from the date on which they received notice of the decision to submit, in writing to the Ombudsperson, the following:
- a) Notice of the intention to appeal
 - b) Contact information of the appellant
 - c) Name of the respondent and any affected parties, when known to the Appellant
 - d) Date the appellant was advised of the decision being appealed
 - e) A copy of the decision being appealed, or description of decision if written document is not available
 - f) Grounds for the appeal
 - g) Detailed reasons for the appeal
 - h) All evidence that supports these grounds
 - i) Requested remedy or remedies
10. An individual who wishes to initiate an appeal beyond the ten (10) day period must provide a written request stating the reasons for an exemption. The decision to allow, or not allow, an appeal outside of the ten (10) day period will be at the sole discretion of the Discipline Panel and may not be appealed.

Grounds for Appeal

11. A decision cannot be appealed on its merits alone. An appeal may only be heard if there are sufficient grounds for appeal. Sufficient grounds include the Respondent:
- a) Made a decision that it did not have the authority or jurisdiction (as set out in the Respondent's governing documents) to make
 - b) Failed to follow its own procedures (as set out in the Respondent's governing documents)
 - c) Made a decision that was influenced by bias (where bias is defined as a lack of neutrality to such an extent that the decision-maker appears not to have considered other views)
 - d) Made a decision that was patently unreasonable
12. The Appellant must demonstrate, on a balance of probabilities, that the Respondent has made a procedural error as described in the 'Grounds for Appeal' section of this Policy and that this error had, or may reasonably have had, a material effect on the decision or decision-maker.

Screening of Appeal

13. Upon receiving the notice of the appeal, the fee, and all other information (outlined in the 'Timing of Appeal' section of this Policy), NWSC and the Appellant may first determine the appeal to be heard under NWSC's *Dispute Resolution Policy*.
14. The Discipline Panel has the following responsibilities:
- a) Determine if the appeal falls under the scope of this Policy
 - b) Determine if the appeal was submitted in a timely manner
 - c) Decide whether there are sufficient grounds for the appeal

15. If the appeal is denied on the basis of insufficient grounds, because it was not submitted in a timely manner, or because it did not fall under the scope of this Policy, the Appellant will be notified, in writing, of the reasons for this decision. This decision may not be appealed.

Procedure for Appeal Hearing

16. The Discipline Panel shall notify the Parties that the appeal will be heard. The Discipline Panel shall then decide the format under which the appeal will be heard. This decision is at the sole discretion of the Discipline Panel and may not be appealed.

17. If a Party chooses not to participate in the hearing, the hearing will proceed in any event.

18. The format of the hearing may involve an oral in-person hearing, an oral hearing by telephone or other electronic means, a hearing based on a review of documentary evidence submitted in advance of the hearing, or a combination of these methods. The hearing will be governed by the procedures that the Discipline Panel and the Panel deem appropriate in the circumstances, provided that:

- a) The hearing will be held within a timeline determined by the Discipline Panel
- b) The Parties will be given reasonable notice of the day, time and place of the hearing
- c) Copies of any written documents which the parties wish to have the Panel consider will be provided to all Parties in advance of the hearing
- d) The Parties may be accompanied by a representative, advisor, or legal counsel at their own expense
- e) The Panel may request that any other individual participate and give evidence at the hearing
- f) The Panel may allow as evidence at the hearing any oral evidence and document or thing relevant to the subject matter of the appeal, but may exclude such evidence that is unduly repetitious and shall place such weight on the evidence as it deems appropriate
- g) If a decision in the appeal may affect another party to the extent that the other party would have recourse to an appeal in their own right under this Policy, that party will become a party to the appeal in question and will be bound by its outcome
- h) The decision to uphold or reject the appeal will be by a majority vote of Panel members

19. In fulfilling its duties, the Panel may obtain independent advice.

Appeal Decision

20. The Panel shall issue its decision, in writing and with reasons, within fourteen (14) days after the hearing's conclusion. In making its decision, the Panel will have no greater authority than that of the original decision-maker. The Panel may decide to:

- a) Dismiss the appeal and confirm the decision being appealed
- b) Allow the appeal and refer the matter back to the initial decision-maker for a new decision
- c) Allow the appeal and vary the decision

21. The Panel's written decision, with reasons, will be distributed to all Parties, the Ombudsperson, and the board. In extraordinary circumstances, the Panel may first issue a verbal or summary decision soon after the hearing's conclusion, with the full written decision to be issued thereafter. The decision will be considered a matter of public record unless decided otherwise by the Panel.

Retaliation

22. No person may engage in retaliation, intimidation or any other form of punishment against an individual who files an appeal. Retaliation may be grounds for a complaint under the *Discipline and Complaints Policy*.

Timelines

23. If the circumstances of the appeal are such that adhering to the timelines outlined by this Policy will not allow a timely resolution to the appeal, the Ombudsperson and/or Panel may direct that these timelines be revised.

Confidentiality

24. The appeals process is confidential and involves only the Parties, the Ombudsperson, the Panel, and any independent advisors to the Panel. Once initiated and until a decision is released, none of the Parties will disclose confidential information to any person not involved in the proceedings.

Records and Distribution of Decisions

25. Other individuals or organizations, including but not limited to, national sport organizations, provincial sport organizations, sport clubs, etc., may be advised of any decisions rendered in accordance with this Policy.

Final and Binding

26. No action or legal proceeding will be commenced against NWSC or individuals in respect of a dispute, unless NWSC has refused or failed to provide or abide by the dispute resolution process and/or appeal process as set out in NWSC's governing documents.

DISPUTE RESOLUTION POLICY

Definitions

1. The following term has this meaning in this Policy:
 - a) *“Individuals”* – All categories of membership defined in NWSC’s Bylaws, as well as all individuals employed by, or engaged in activities with, NWSC including, but not limited to, athletes, coaches, convenors, referees, officials, volunteers, managers, administrators, committee members, and Directors and Officers of NWSC, spectators, and parents/guardians of athletes

Purpose

2. NWSC supports the principles of Alternate Dispute Resolution (ADR) and is committed to the techniques of negotiation, facilitation, and mediation as effective ways to resolve disputes. Alternate Dispute Resolution also avoids the uncertainty, costs, and other negative effects associated with lengthy appeals or complaints, or with litigation.
3. NWSC encourages all individuals to communicate openly, collaborate, and use problem-solving and negotiation techniques to resolve their differences. NWSC 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.
5. Opportunities for Alternate Dispute Resolution may be pursued at any point in a dispute, per the *Discipline and Complaints Policy* or the *Appeal Policy*, when all parties to the dispute agree that such a course of action would be mutually beneficial.

Facilitation and Mediation

6. The dispute will first be referred to the Ombudsperson for review, with the objective of resolving the dispute via Alternate Dispute Resolution and/or mediation.
7. If all parties to a dispute agree to Alternate Dispute Resolution, a mediator or facilitator, acceptable to all parties, shall be appointed to mediate or facilitate the dispute.
8. The mediator or facilitator shall decide the format under which the dispute shall be mediated or facilitated, and shall specify a deadline before which the parties must reach a negotiated decision.
9. Should a negotiated decision be reached, the decision shall be reported to the Ombudsperson, and approved by the President. Any actions that are to take place as a result of the decision shall be enacted on the timelines specified by the negotiated decision, pending the President’s approval.
10. Should a negotiated decision not be reached by the deadline specified by the mediator or facilitator at the start of the process, or if the parties to the dispute do not agree to Alternate Dispute Resolution, the dispute shall be considered under the appropriate section of the *Appeal Policy* or *Discipline and Complaints Policy*, as applicable.

Final and Binding

11. Any negotiated decision will be binding on the parties. Negotiated decisions may not be appealed.