

## **DISCIPLINE POLICY**

### **1. PURPOSE**

1.1 To identify the disciplinary procedures and sanctions coaches, directors, staff, parents, players, and team staff affiliated with Chilliwack FC (the "Club") will be subject to when the Code of Ethics and Codes of Conduct of the Club are not followed.

### **2. SCOPE**

2.1 This policy applies to employees, contractors, directors, volunteers, coaches, athletes, officials, and members of Club while engaged in the activities and events of the Club.

### **3. DEFINITIONS**

3.1 Code of Conduct: Basic rules and regulations that reflect the standard of behaviour which is expected of all Club members.

3.2 Disciplinary Sanctions: Penalties or sanctions identified within this policy which are applied to Club members who do not meet the standard of behaviour contained within the applicable Codes of Conduct or fail to comply with the Policies of the Club.

### **4. PRINCIPLES**

4.1 The Club is committed to providing a sport environment, which is characterized by values of excellence, fairness, integrity, open communications and mutual respect.

4.2 The Club believes that these values and ideals should guide all our communications and actions, and that such conduct is in the best interest of all who participate in the sport of soccer.

4.3 The Club believes with membership come certain responsibilities and obligations, including but not limited to, complying with the Code of Conduct, policies, rules and regulations of Club.

4.4 The Club believes the expected standard of behaviour must be clearly communicated to all Club members and sanctions must fit the degree of inappropriate behaviour.

### **5. POLICY STATEMENT**

5.1 Club members will at all times conduct themselves in a manner that reflects the highest standard of behaviour arising within the business, activities or events of Club. Members who fail to meet these standards will be subject to disciplinary sanctions.

### **6. PROVISIONS**

#### **Disciplinary Procedures:**

#### **Minor Infractions (Misconduct)**

Adopted:

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6.1 Examples of minor infractions are shown in Appendix A. All disciplinary situations involving minor infractions occurring within the jurisdiction of Club will be dealt with by the appropriate person having authority over the situation (this may include, but is not restricted to, a director, a member, coach, team manager or age-group co-ordinator) and the individual involved. Sanctions shall be imposed as appropriate to the level of the infraction.

6.2 Procedures for dealing with minor infractions shall be informal as compared to those for major infractions and shall be determined at the discretion of the person responsible for discipline of such infractions, provided the individual being disciplined is told the nature of the infraction and has an opportunity to provide information concerning the incident.

6.3 The following disciplinary sanctions may be applied, singly or in combination, for minor infractions:

- a. verbal reprimand
- b. written reprimand to be placed in individual's file
- c. verbal apology
- d. hand delivered written apology
- e. team service or other voluntary contribution to the club
- f. suspension from attendance or coaching of games/practices
- g. other sanctions as may be considered appropriate for the offence

6.4 Minor infractions which result in discipline shall be recorded using the Incident Report form in Appendix B.

### **Major Infractions (Gross Misconduct)**

6.5 Examples of major infractions are shown in Appendix A. Any member of Club may report to a major infraction using the Incident Report form in Appendix B.

6.6 Upon receipt of an incident report, the Chair of the Discipline and Risk Management Committee ("Committee") or his/her designate shall determine if the incident is better dealt with as a minor infraction, or if a hearing is required to address the incident as a major infraction.

6.7 If the incident is to be dealt with as a minor infraction, the Committee Chair or his/her designate will inform the appropriate person in authority as described in Section 6.1 and the alleged offender, and the matter shall be dealt with according to Sections 6.2 through 6.4 of this policy.

6.8 If this incident is to be dealt with as a major infraction and a hearing is required, the alleged offender shall be notified as quickly as possible and in any event no later than 3 working days from date of receipt of the incident report, and shall be advised of the procedures outlined in this policy.

Adopted:

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### **Hearing**

6.9 The Committee Chair (the "Chair"), or his/her designate, shall convene the Panel (the "Panel").

- a. The Panel shall be made up of a minimum of three members, at least one of which shall be a member of the Committee and at least one of which shall be a member of the Executive;
- b. The Panel will consist of individuals who have no personal or professional involvement in the matter under review; and
- c. Where possible the composition of the Panel should respect the language of the parties involved.

6.10 The Panel shall hold the hearing as soon as possible, but not more than 21 days after the incident report is first received by the Chair.

6.11 The Panel shall govern the hearing as it sees fit, provided that:

- a. the individual being disciplined shall be given reasonable written notice (by courier, email or fax) of the day, time and place of the hearing. The Panel may decide to conduct the hearing in person or by telephone or video conference;
- b. the individual being disciplined shall receive a copy of the incident report or in the case of Harassment Complaints a copy of the Investigation Report;
- c. members of the Panel shall select from among themselves a Chair;
- d. a quorum shall be a majority of Panel members;
- e. decisions shall be by a majority vote; the Chair carries a vote;
- f. the individual being disciplined may be accompanied by a representative;
- g. the individual being disciplined shall have the right to present evidence and argument;
- h. the hearing shall be held in private;
- i. the Panel may request that witnesses to the incident be present or submit written evidence;
- j. once appointed, the Panel shall have the authority to abridge or extend time lines associated with all aspects of the hearing when it is reasonably required.

6.12 The preceding provisions may be modified, or added to, as required by the provisions of any other pertinent Club policy such as those dealing with harassment, doping, personnel, or event specific matters.

6.13 Where the alleged offender acknowledges the facts of the incident, he or she may waive the hearing, in which case the Panel shall determine the appropriate disciplinary sanction. The Panel may hold a hearing for the purpose of determining an appropriate sanction.

Adopted:

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6.14 If the individual being disciplined chooses not to participate in the hearing, the hearing shall proceed in any event.

6.15 After hearing the evidence presented the Panel shall determine:

- a. that the complaint is without merit;
- b. that the complaint was brought forward in a vexatious manner; or
- c. that the complaint is valid and apply appropriate disciplinary action.

### **SANCTIONS**

6.16 Actions:

- a. the complaint is without merit, no sanctions
- b. the complaint was brought forward in a vexatious manner; this is considered a major infraction and the individual bringing the complaint forward will be subject to the same sanctions had the complaint been found to be valid.
- c. the complaint is valid; the Panel may apply the following disciplinary sanctions singly or in combination, for major infractions:
  - i. written reprimand to be placed in individual's file;
  - ii. hand delivered written apology;
  - iii. suspension from certain Club events which may include suspension from attendance at games or practices, from coaching or from participation in future competitions;
  - iv. payment of a financial fine in an amount to be determined by the Panel;
  - v. suspension of all Club funding;
  - vi. suspension from certain Club activities (i.e. competing, coaching or officiating) for a designated period of time;
  - vii. suspension from all Club activities for a designated period of time;
  - viii. expulsion from Club;
  - ix. other sanctions as may be considered appropriate for the offence.

6.17 The preceding sanctions may be modified, or added to, as required by the provisions of any other pertinent Club policy, such as those dealing with harassment, doping, personnel or event-specific matters

6.18 In applying sanctions, the Panel may have regard to the following aggravating or mitigating circumstances:

- a. the nature and severity of the offence,
- b. whether the incident is a first offence or has occurred repeatedly,
- c. the individual's acknowledgement of responsibility,
- d. the individual's extent of remorse,
- e. the age, maturity or experience of the individual, and
- f. the individual's prospects for rehabilitation.

Adopted:

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6.19 Notwithstanding the procedures set out in this policy, any member of the Club who is convicted or charged with a criminal offence involving sexual exploitation, invitation to sexual touching, sexual interference, sexual assault, shall face automatic suspension from participating in any activities of 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 the Club in accordance with this policy.

### **DECISION**

6.20 The Panel should make and give its decision immediately to the affected parties. Any decision will be accompanied by reasons.

- a. Immediate, verbal decisions will be followed with a written statement of the decision and the reasons within one week;
- b. In complex cases requiring more time, the Panel will provide their decision and reasons no later than seven (7) days or as soon as practical after the hearing. Once a decision is reached it will be communicated verbally with a written statement of the decision and reasons within one week by mail; and
- c. The decision of the Panel must include reference to the next procedural step available to the affected party (e.g. Club's Appeal Policy) and the timeframe applicable to respond.

6.21 Unless the Panel decides otherwise, any discipline sanctions applied shall take effect immediately.

6.22 A copy of the report may be forwarded to BC Soccer and the Club Secretary who will keep a record of all Discipline decisions. After each discipline hearing, the Panel should provide any administrative and procedural recommendations it deems necessary to Club.

6.23 Recommendations made by the Panel to the Club shall be acknowledged, by the Chair to the Panel, as received within seven days.

6.24 The Chair would forward the recommendations to the appropriate body for consideration and action.

6.25 Within 30 days of receipt of the recommendations the appropriate body would respond to the Chair with their plan and timeline to deal with recommendations.

6.26 Except where otherwise provided, an appeal of any disciplinary matter will be done according to this Appeals section.

6.27 Sanctions imposed by the Panel will remain in effect until such times as set by the Committee

## **7. APPEAL PROCEDURES**

- a.1 A person (the "Appellant") who is dissatisfied with a decision rendered under this Policy may, not more than 14 days after the decision, serve the Chair in writing with a Notice to Appeal (Appendix "C").

Adopted:

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7.2 Grounds for which an Appeal can be made are:

- a. The Panel did not follow the procedures laid out in the policies, rules, regulations, and or criteria of the Club;
- b. There was an error in the information upon which the decision was made;
- c. Members of the decision-making group were influenced by bias; or
- d. The decision reached was grossly unfair or unreasonable.

7.3 The Notice of Appeal shall be in writing and shall set out the grounds for appeal. The policy, procedure, rules, regulation, and / or criteria on which the appeal is being made must be included.

7.4 Within 7 days of receiving the Appeal Notice, the Chair shall forward the Notice of Appeal to the President, who shall determine whether there is sufficient basis to support an appeal based on one or more of the grounds set out in Article 7.1.

7.5 If the appeal hearing is approved, the President will issue as soon as possible a Hearing Notice which shall be sent at least 21 days in advance of the scheduled hearing.

7.6 The Appeals Panel shall be comprised of members of the Club's Executive, chaired by the President, which shall govern the appeal by such procedures as it deems appropriate, provided that:

- a. The Appellant and affected parties shall be given 14 days written notice of the date, time and place of the appeal hearing;
- b. A quorum shall be a minimum of three (3) members of the Club Executive not affiliated with the Appellant or affected Parties, and shall include the Chair or (in his/her) absence, their designate;
- c. Decisions shall be by majority vote;
- d. Copies of written documents which any of the parties would like the Panel to consider should be provided to each member of the Panel, and all other parties at least 2 days in advance of the hearing;
- e. If the decision of the Panel may affect another party to the extent that the other party could have recourse to an appeal in their own right, that party shall have the right to become a party to the appeal in question;
- f. The Panel may direct any other individual to participate in the appeal;
- g. Unless otherwise agreed by the parties, there shall be no communication relating to the merits of the appeal between Panel members and the parties except in the presence of, or by copy to, the other parties.

7.7 The Appeal Panel should make and give its decision as soon as practicable after the hearing. In this regard:

- a. A verbal decision will be communicated immediately to the parties after the Appeal Panel has convened;
- b. Within 14 days of concluding the appeal, the Appeal Panel shall issue its written decision, with reasons; and
- c. A copy of the decision shall be provided to each of the parties.

7.8 Decisions of the Appeal Panel shall be final.

**REVIEW AND APPROVAL:** The Club's Board of Directors shall review this policy annually.

Adopted:

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### APPENDIX A

Examples of minor infractions include, but are not limited to:

- a. a single incident of disrespectful, offensive, abusive, racist or sexist comments or behaviour directed towards others, including but not limited to peers, opponents, athletes, coaches, officials, administrators, spectators and sponsors
- b. unsportsman-like conduct such as angry outbursts or arguing
- c. a single incident of being late or absent from Club events and activities at which attendance is expected or required
- d. non-compliance with the rules and regulations under which Club events are conducted, whether at local, provincial, national or international level

Examples of major infractions include, but are not limited to:

- a. repeated incidents of disrespectful, offensive, abusive, racist or sexist comments or behaviour directed towards others, including but not limited to peers, opponents, athletes, coaches, officials, administrators, spectators and sponsors
- b. repeated unsportsmanlike conduct such as angry outbursts or arguing
- c. repeated incidents of being late for or absent from Club events and activities at which attendance is expected or required
- d. activities or behaviour which interfere with a competition or with any athlete's preparation for a competition
- e. pranks, jokes or other activities which endanger the safety of others
- f. deliberate disregard for the rules and regulations under which Club events are conducted, whether at the local, provincial, national or international level
- g. abusive use of alcohol where abuse means a level of consumption which impairs the individual's ability to speak, walk or drive; causes the individual to behave in a disruptive manner; or interferes with the individual's ability to perform effectively and safely
- h. any use of alcohol by minors
- i. use of illicit drugs and narcotics
- j. use of banned performance enhancing drugs or methods

Adopted:

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### APPENDIX B

#### INCIDENT REPORT

Date and time of incident(s):

Name of writer:

Location of incident(s):

This incident is a minor infraction or major infraction (circle or highlight) Individual(s) involved in the incident:


Objective description of the incident (please be concise, accurate and non-judgmental):


Names of individuals who observed the incident:


Disciplinary action which was taken (if applicable):


Signature of writer:

Date:

Adopted:



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### Appendix "C"

#### NOTICE OF APPEAL

All Appellants to provide the following information:

1. Name
2. Address
3. Contact numbers
4. I am appealing the decision of:
5. The Decision is being appealed (describe in details) on the grounds that:
6. Date of decision:
7. Date I was informed of decision:
8. I was informed of the decision by:
9. The decision directly affects me because:

Notice Of Appeal to be sent to the Chairperson via:

email to \_\_\_\_\_

mail to \_\_\_\_\_

Adopted: