

General Dispute Reporting and Resolution Policy

Policy Statement

Skate Ontario places the highest priority on ensuring there is a safe, professional, inclusive and respectful environment for all participants and the General Dispute Reporting and Resolution Policy (“Policy”) has been established to ensure such an environment. This Policy promotes awareness, fairness, equity, transparency, prevention and the appropriate timely response and resolution of reported violations to this Policy.

Critical to creating and maintaining a safe environment includes the establishment of preventative measures; as well as accessible reporting and resolution mechanisms to ensure fair and equitable treatment of all participants.

This Policy encourages the fair and impartial management of general disputes and is intended to encourage and enable all individuals to whom this Policy applies to submit and respond to concerns classified as a general dispute in nature. General disputes include matters such as breach of contracts and of Skate Ontario/Skate Canada rules, regulations and/or policies.

Background / Rationale

This Policy is designed as a control to help safeguard the environment, welfare and rights of everyone involved in skating in Ontario. The focus of this Policy is on the collective roles, responsibilities and practices of everyone involved in any skating activities in the Province of Ontario. This includes the critical role of clubs, skating schools, Skate Ontario and Skate Canada, to work together in partnership to ensure an optimal operating environment where the safety of all participants is a priority at all times. Specifically, it is imperative that each respective organization in the skating community work to ensure that there is a timely and appropriate response to general disputes. It is in the interest of all individuals that such concerns be reported in good faith so that they can be properly addressed and corrected if required.

Policy Scope/Applicability

This Policy applies to all individuals, including reports and responses from individuals as defined within this Policy.

This Policy applies to general disputes between or amongst individuals, as defined within this Policy, in accordance with Skate Ontario’s [General Dispute Reporting and Resolution Procedure \(“Procedure”\)](#), after every effort has been made to resolve the general dispute at the club/skating school level through the club/skating school’s general disputes policies and procedures. Each club and skating school is expected to establish its own general dispute policy and corresponding procedure.

This Policy also applies to reports/claims from or between individuals to whom this Policy applies.

This Policy applies to matters that may arise during the course of the club’s/skating school’s or Skate Ontario’s business, activities, and events including without limitation competitions, practices, travel associated with club/skating school/Skate Ontario activities, and any meetings.

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This Policy may also apply to an individual's conduct outside of Skate Ontario's business, activities and events when such conduct:

- a) adversely affects relationships within Skate Ontario/Skate Canada (and its work and sport environment)
- b) is detrimental to the image and reputation of Skate Ontario/Skate Canada; and/or
- c) is sufficiently serious and significant as to be of general importance to skating and/or of general importance to the overall ability of Skate Ontario to discharge its objectives.

Note: The applicability of the individual's conduct outside of Skate Ontario business, activities, and events will be determined by Skate Ontario at its sole discretion on a case-by-case basis.

Violations of any Skate Ontario policies may result in a warning, reprimand, restrictions, suspension, or other disciplinary actions up to and including expulsion, as applicable and appropriate, and/or as permitted by the Bylaws of Skate Ontario and/or Skate Canada. For coaches, a violation may also result in a status change to 'not in good standing' or such other status as may be in place from time to time.

This Policy establishes the Procedure and is designed to ensure an appropriate and timely resolution of reports of general disputes.

This Policy does not apply to matters where there are other Skate Ontario policies in place, including but not limited to the policy on anti-doping, and appeals related to the team selection and carding processes.

Guiding Principles

The guiding principles set out below provide the framework for this Policy.

- Promoting a Safe Sport environment and culture, including the security, safe practices and treatment of individuals with respect, dignity, fairness, and inclusion, in support of our core values,
- Protecting the safety and welfare of all participants through preventative measures, including comprehensive policies and protocols, risk identification and management, education, training, resources and communication and awareness,
- Ensuring and supporting an accessible reporting and resolution process that is confidential, compassionate, fair, comprehensive, transparent and independent; ensures timely resolution; and is without reprisal for general disputes.

Definitions

Certain terms used herein may not be capitalized; however, for the purposes of this Policy, the following terms herein have the ascribed meanings as set forth below. In addition, all references to the singular include the plural and vice versa.

Board, pursuant to the Bylaws, means the board of directors of Skate Ontario.

Bylaws, mean the [Bylaws of Skate Ontario](#) that govern the organization outlining the rights, roles and responsibilities of the Board and members.

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Case Manager, means a senior member of the Skate Ontario staff responsible for managing each complaint filed with Skate Ontario through the General Disputes Reporting and Resolution Procedure.

Club means a not-for-profit organization that is operating for the general purpose of providing Skate Canada and Skate Ontario programs and is managed by a volunteer board of directors.

coach means a skating expert with the required National Coaching Certification Program qualifications to provide services at Skate Ontario sanctioned clubs and skating schools, both on and off-ice. These individuals shall have registered, provided full payment and have met all professional coach registration requirements as set annually by Skate Canada.

decision means the conclusions and actions to be taken as determined by the Case Manager at the end of the resolution process.

general dispute means a disagreement between parties to whom this Policy applies: in respect of a matter of governance or contract which has a material adverse effect on the figure skating environment in which Skate Ontario/Skate Canada programs are delivered, and/or where an individual has committed a serious breach of the membership rules, regulations and/or policies of Skate Ontario/ Skate Canada.

individual, means a person, and includes registrants, volunteers, parents/guardians of skaters (including minor skaters), as well as persons engaged in activities, events/competitions and programs with and/or hosted by Skate Ontario, including, but not limited to, directors of the Board, members of the standing committees of the Board, members of the operating committees of Skate Ontario and officers of Skate Ontario.

internal Investigator, means Skate Ontario staff person who will assist the Case Manager with collecting all relevant information from all parties concerned with a complaint and providing an analysis of all information collected.

Law, means any applicable legislation, statutes, regulations, policies, rules and codes of conduct established by government, legal or regulatory authority, or by any self- regulated industry association by which Skate Ontario is or has agreed to be bound.

member, pursuant to the Bylaws, means each club or skating school that meets the requirements of the Bylaws and that has been duly admitted as a member of Skate Ontario.

Misconduct, means acts, conduct and/or behaviours that result in or have the potential to result in physical or psychological harm, which for the purposes of Policy includes: maltreatment, behaviours, acts and/or conduct of abuse including physical, psychological, and sexual; neglect; grooming; and interference or manipulation with the processes related to the implementation of this Policy, including retaliation, aiding and abetting, failure to report maltreatment of a minor, failure to report inappropriate conduct, and intentionally filing a false allegation, abuse of authority, bullying, harassment, and discrimination.

minor, means a child under the age of majority and as defined in the province of Ontario, as may be amended from time to time. It is the responsibility of all to know the age of a minor.

Notice of Appeal, means a formal notice served by the individual informing Skate Ontario of their intention to request review of a decision.

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Safe Sport, means a program designed to protect the safety and welfare of all participants through prevention, comprehensive policies and protocols, risk identification and management, education, training, resources and communication.

skater, means (i) a person who is registered at a club or skating school with Skate Canada and Skate Ontario and who is subject to all applicable rules, regulations and policies of Skate Canada and Skate Ontario but who is not a member; and (ii) a person who is engaged in any activity provided, sponsored, supported, sanctioned or recognized by Skate Ontario and registered directly with Skate Canada and Skate Ontario but who is not a member.

skating school, pursuant to the Bylaws, means an organization other than a club that is operating for the general purpose of providing Skate Canada skating programs.

Reporting Process

For general disputes, Skate Ontario supports an effective resolution process, and is committed to achieving this through various resolution mechanisms.

General Disputes may be reported through one of two methods to Skate Ontario:

1. Via email to complaints@skateontario.org
2. An issue/complaint may be reported to Skate Canada by email to safesport@skatecanada.ca or by telephone to 1-888-747-2372. If Skate Canada determines the complaint to be a general dispute, it may be referred to Skate Ontario for further investigation and resolution.

If the complaint contains any allegations of misconduct, the complaint will be automatically redirected to the Skate Canada external independent third-party Case Manager process by way of the following channels:

Online: www.skate-safe.ca

Telephone: +1-833-723-3758

If the general dispute names Skate Ontario as the party against which the complaint is being filed, the general dispute is to be reported directly to Skate Canada for resolution in cases where there is not a resolution after appropriate discussions with Skate Ontario.

No Retaliation for good faith reports

Retaliation against an individual who has reported an incident in good faith will not be tolerated and one who retaliates is subject to disciplinary action, up to and including expulsion from membership in Skate Ontario and/or Skate Canada.

Acting in good faith

Anyone reporting a concern must be acting in good faith and have reasonable grounds for believing the information being reported is true and accurate. Any allegations that prove not to be substantiated and prove to have been

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malicious or intentionally false will be viewed as a serious offence, subject to disciplinary action up to and including expulsion from membership in Skate Ontario and/or Skate Canada.

Review and Investigation

Upon receipt of a complaint, the complaint will be reviewed by the Skate Ontario Investigator and Case Manager to determine the merits of the complaint and next steps in accordance with the Procedure.

Decisions / Sanctions

After reviewing the matter pursuant to the Procedure, a determination will be made by the Case Manager regarding whether a violation of this Policy and/or related Skate Ontario or Skate Canada policies and procedures has occurred.

The Case Manager will determine what actions, if any, must be taken by one or more of the involved parties. In most cases, measures will be limited to corrective actions to be taken to prevent future instances of similar violations.

If it is determined that sanctions should be imposed, sanctions imposed will be proportionate to, and reflective of, the nature and severity of the violation, and may involve one or more of a series of disciplinary measures, including suspension or expulsion from membership in Skate Ontario and Skate Canada.

Sanctions more severe than a reprimand will be first recommended to the Skate Ontario Executive Director who will approve any such sanctions.

In any instance where it is recommended that the sanction should include temporary suspension of membership or termination of membership, this recommendation must be presented to the Skate Ontario Board of Directors for a final decision.

In instances where there are multiple or repeat complaints of a similar nature against a specific party, sanctions imposed by Skate Ontario will be more severe if Skate Ontario finds a party has not/will not take the appropriate/required corrective action as communicated in the decision of the original complaint.

Appeal Process

The decision of Skate Ontario related to this Policy may be appealed, only in accordance with this Policy and the Procedure, if and as applicable.

Not all decisions may be appealed. Decisions may only be appealed on procedural grounds where it has been demonstrated that:

- a decision was made outside of the Skate Ontario's authority or jurisdiction, as set out in Skate Ontario's governing documents;
- procedures were not followed as laid out in the Bylaws or approved policies of Skate Ontario;
- a decision was influenced by bias, where bias is defined as a lack of neutrality to such an extent that the decision-maker is unable to consider other views, or that the decision was influenced by factors unrelated to the substance or merits of the decision;

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- discretion was exercised for an improper purpose.

An appeal of any decision and/or sanction imposed by the Case Manager may be appealed to the Executive Director.

Any decision of the Executive Director may be appealed to the Skate Ontario Board of Directors.

Decisions of the Board may be appealed to Skate Canada in accordance with the applicable Skate Canada policy.

Confidentiality

Once a general dispute has been reported and until a decision is released, to protect the interests of all parties, no individual is permitted to disclose either the existence of a complaint or confidential information or records that form part of the investigation of the complaint to any individual outside of the complaint except as strictly required for the purposes of investigating, taking corrective action with respect to the complaint or as otherwise compelled by law. Skate Ontario, as applicable, shall be required to maintain the confidentiality of the general dispute, inquiry or record thereof, including contents of meetings, interviews, results of investigations, the discipline and other information only to the extent practical and appropriate. There may be cases that confidentiality is not feasible, including but not limited to, where an immediate temporary suspension of membership or registration is required pending the outcome of the investigation and disciplinary process and/or final decision on the outcome of the investigation.

In certain circumstances, Skate Ontario is obligated by law or by order of a tribunal of competent jurisdiction to disclose confidential information regardless of whether consent is provided.

Any breach of the confidentiality requirements as outlined herein will be treated as a serious offence. The individual who breached the confidentiality requirements may be subject to disciplinary action, at the sole discretion of Skate Ontario, up to and including expulsion from membership in Skate Ontario and/or Skate Canada.

Timelines

If the circumstances are such that a timely resolution is not possible, Skate Ontario (depending on the nature of the report) may direct that the timelines as outlined in the Procedure be revised.

Records and Distribution of Decisions

Records of all decisions, including all supporting documentation (investigation reports, any corrective action taken, notes, etc.), will be maintained by Skate Ontario, in a secure location in accordance with the Skate Ontario Record Retention Policy.

Roles and Accountabilities

To achieve and support a Safe Sport environment, all individuals are required to understand and comply with this Policy.

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Skate Ontario

Skate Ontario will take all reasonable steps to implement the necessary preventative measures and respond to any reported general dispute.

Skate Ontario will collaborate with the provincial government, Skate Canada, as well as applicable partners to support and advance Safe Sport programs.

Board

The Board has overall accountability for the approval and oversight of this Policy to ensure that the Policy is consistent with the strategic direction, objectives and strategic plans of Skate Ontario.

Executive Director

The Board has assigned the responsibility for the implementation of this Policy and the Procedure to the Executive Director (the “ED”), including ensuring the organization has the appropriate resources to develop ongoing prevention measures, operational procedures and practices for Safe Sport, the development of an evaluation system that regularly monitors the effectiveness of initiatives in Safe Sport and an ongoing and ever evolving communication and partnership strategy within the skating community to ensure a Safe Sport environment for all of our participants.

Director, Finance and Business Operations (reporting to the ED)

The Director, Finance and Business Operations, has responsibility of the Operations department of Skate Ontario. This responsibility includes the oversight of Safe Sport. The Director is also responsible for the implementation and ongoing evolution (subject to Board approval), application and maintenance of this Policy and the Procedure to meet the Policy goals as outlined under “Guiding Principles” within the Scope/Applicability section of this policy.

Individuals

All individuals are responsible to:

- be familiar with and understand the provisions of this Policy, the supporting Procedure, the Skate Ontario Codes of Conduct, as well as other applicable Skate Ontario policies and protocols, including those specifically identified in this Policy;
- treat everyone with professionalism, respect, inclusiveness, dignity, and fairness in alignment with our core values;
- support Skate Ontario’s vision of providing the safest possible environment for all of our participants in the skating community;
- report any wrongdoing or concerns as outlined in this Policy;
- protect all individuals who report general disputes from retaliation or reprisal; and
- take all applicable education and training, as prescribed from time to time.

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Controls and Monitoring

The primary controls and monitoring mechanisms for this Policy are as follows:

- i. Establishment, oversight and continuous updating of policies, procedures and guidelines for best practices related to Safe Sport, as applicable.
- ii. Assessment of the effectiveness of the evaluation system that regularly monitors the effectiveness of initiatives in Safe Sport.
- iii. Quarterly reports to the Board on the number of reports received and trends regarding general disputes.
- iv. Education and training requirements, as prescribed from time to time.
- v. Attestation process to the compliance of all policies every three (3) years by the ED, in accordance with the Policy Management Policy, including this Policy.

Exceptions

There are no exceptions to this Policy.

Governance / Oversight

This Policy is reviewed and approved at a minimum every three (3) years, or sooner if there are legislative or regulatory changes, as part of policy review and validation in accordance with the Policy Management Policy.

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