



TITLE: CONDUCT MANAGEMENT

POLICY # TBA

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1	May 28, 2023	

1. The Purpose of this policy is to:

FSMH ascribes to the principles of integrity, conduct, diversity, and ethics in hockey. We believe that the primary purpose of the enjoyment of the game by its participants, in a safe, healthy environment. It is apparent that participating in the game, whether as a player, coach, official or spectator, is more enjoyable when participants act in the spirit of cooperation and with the best interest of the players at the forefront.

Appropriate attitudes and acceptable behaviours must be consistently demonstrated by adult and youth participants and those who deliver the program, keeping in mind that the foundation of hockey is based on teamwork and respect.

2. Scope:

It is a must that every participant abides by these principles not only while on the ice, but in the dressing room, in the arenas, and when in any way representing FSMH.

A participant is defined as a player, coach, on-ice official, off-ice volunteer, or spectator.

The Policy is not intended to address complaints about officiating or general hockey rules. It is not intended to circumvent Hockey Alberta or Hockey Canada recommendations or standards, nor does it take precedence over disciplinary actions enforced by any league that FSMH participates in.

FSMH will require participants at every level to uphold these values. In addition, if at any point, any of the Board Members or the General Manager has reason to believe a crime has been committed, they will refer the matter to the RCMP.



3. Policy

CONDUCT MANAGEMENT

FSMH holds the welfare of participants paramount. By providing a conduct management program, which aims for compliance with the applicable codes of conduct, FSMH aims to ensure the development of a young person's values, morals, social maturity, physical fitness and mental health on and off-ice. FSMH's policy aims to promote acceptable actions, specifically providing a framework as endorsed by FSMH, which guides the conduct and behaviour of volunteers, players, coaches, officials, and spectators including:

1. Shared respect for all participants
2. Maintain a healthy and safe environment for all participants
3. Promote positive development for all players and coaches
4. Ensure an environment allowing all participants to have fun
5. All participants to represent FSMH in a positive way

3.1. PARTY/TEAM RESOLUTION

Can the parties in conflict resolve the issue themselves?

Efforts should be made to resolve issues between the parties. Taking responsibility for one's own actions is the first and most important step. If you need to apologize for your behavior, or if you need to ask for an apology, we strongly suggest you do so before you involve FSMH. Furthermore, we ask that you abide by the 24-hour rule:

When an issue occurs and a party has a resulting report to make or an issue to be resolved, they are asked to wait 24 hours, then put the issue in writing. The Parent Liaison should be involved in all conversations to document, mediate between parties and help with a resolution. If conflict arises during a conversation in which the parent liaison is not present discontinue and arrange for a future meeting where the parent liaison can be present.

Many minor matters can be dealt with at the team or division level by simply having a dialogue with the appropriate person.

This process shall not prevent a person in authority (e.g., a coach, or Director) from taking immediate, informal, corrective and appropriate disciplinary action in response to unacceptable behaviours conducted in their presence.



In those instances where issues cannot be resolved between the parties affected, the reporting party may submit a minor or major infraction report through the FSMH website. Please see 3.2.a and 3.2.b for Minor and Major infraction definitions.

3.2. FORMAL COMPLAINTS

Formal complaints are not anonymous. As the party who is being complained about could have discipline meted out as a consequence of an infraction of the applicable conduct policy, they must have the opportunity to know the specific conduct complained of and have an opportunity to refute the allegations.

Formal Complaints can be about Minor or Major Infractions:

3.2.a. MINOR INFRACTIONS

Minor infractions are breaches of the applicable codes of conduct. This would include disrespectful conduct that does not reach the level of bullying, harassment or abuse, but is still not in accordance with FSMH Codes of Conduct.

Examples of situations involving Minor Infractions could include:

- Disrespectful conduct that does not reach the level of bullying or abuse but is still not conduct that accords with the FSMH Code of Conduct.
- unsportsmanlike conduct such as angry outbursts or arguing
- non-compliance of FSMH Policy & Procedures
- any complaint or incident considered minor in nature.

3.2.b. MAJOR INFRACTIONS

Major infractions are breaches of the applicable code that are more serious. They would include, for example, hazing, bullying, multiple minor infractions, harassment, abuse, off-ice fighting, racial, homophobic or other discriminatory slurs or conduct.

For major infractions reported that are related to maltreatment, sexual violence, harassment, abuse or discrimination the complainant is to file the infraction with [Hockey Canada through the ITP \(Independent Third Party Complaint Process\) – SAFE SPORT](#). If any major infraction reported to the ITP is returned to the jurisdiction of FSMH the Major Infractions policy and process will be followed for resolution.



3.3. INCIDENT REPORTING

The complainant is to fill out the minor Incident Report form on FSMH's website. This will ask the Complainant to identify if the complaint is minor or major, and the conduct complained of, including the date, the time, the place and any other information that would assist in understanding the complaint. The Incident Report Form is reviewed by the GM (General Manager) who will determine if the complaint is a minor or a major infraction and follows the procedure in each case.

3.3.a. MINOR INFRACTIONS – REPORTING PROCESS

1. The reporter is to fill out the Incident Report on FSMH's website.
2. The submitted form will be reviewed by the FSMH GM and forwarded to the corresponding Level Director.
3. The Level Director will determine if there are any facts in issue, or if the general understanding of the incident accords with both parties.
4. Where there are no facts in issue, Level Director can make a determination based on written materials.
5. The Level Director has the authority to:
 - a. Provide a written reprimand which will remain on the person's file for a maximum of 3 years.
 - b. Order the offending party to refrain from repeating the offending conduct.
 - c. Require the offending party to redo Respect in Sport or another education course.
 - d. Require the offending party to apologize in writing to the affected party.
 - e. Make any other requirements that have as its goal re-education or dispute resolution.
6. Where there are facts in issue, or where it appears to be warranted in the Level Director's discretion, the Level Director will call a discipline hearing and the GM will convene a MAC.

3.3.b. MAJOR INFRACTIONS – REPORTING PROCESS

1. The reporter is to fill out the Incident Report on the FSMH's website



2. The report is reviewed by the GM and a response is requested in writing from the other party or parties involved.
3. The GM will determine if there are any facts in issue, or if the general understanding of the incident accords with both parties.
4. The GM will then call a discipline hearing and convene a MAC (Member Advocacy Committee)
5. The GM will mediate the hearing with the parties and the MAC
6. The MAC has the power to order:
 - a. A written reprimand which will stay on the offending party's file for a minimum of 3 years to a maximum of 5 years.
 - b. Order the offending party to redo Respect in Sport or another educational course.
 - c. Require the offending party to apologize in writing to any affected party.
 - d. Make any other requirement that has a goal of re-education or dispute resolution.
 - e. Suspend the offending party of participation in or at specific Association activities or a recommendation to the board for a complete suspension from participation in or attendance at any or all Association activities.
 - f. A recommendation for expulsion from the Association and/or a combination of two or more of the above.
7. The MAC will communicate the decision to the GM, who will in turn communicate the decision to the respective parties. The decision will include the link to the appeals process.

3.4. THE FSMH MEMBER ADVOCACY COMMITTEE (MAC)

1. The MAC shall be made up of the appropriate Division Director, the Vice President, and a third member of the FSMH Board appointed by the GM. Should there be a conflict of interest between any of these parties, the GM will select a replacement.
2. The matter will be referred to the MAC by the GM, as well as the date and time of the hearing.
3. The MAC will review the Incident Report form and any other information provided by the GM in advance of the hearing and will convene after the hearing to review all of the information and to make a decision on the respective discipline, if any.



4. The MAC will communicate this decision to the GM, who will in turn communicate the decision to the respective parties.

3.5. INFORMAL DETERMINATION

If the three members of the MAC believe that the matter can be dealt with on an informal basis without the necessity of a hearing, such committee may investigate the complaint, accept submissions in writing or verbally from the complainant, the person being investigated, and such other person as may be required to ensure a fair and reasonable decision is rendered. The MAC shall provide written notice of its decision to the complainant and party being investigated. Should either the complainant or the party being investigated feel that the informal process has not satisfactorily resolved the issue, either may request in writing, that the MAC undertake a formal hearing. This notice must be received by the GM within 7 days of the informal determination.

3.6. FORMAL HEARING

The GM's role will be to schedule and mediate the hearing. The GM will establish dates and times to interview all applicable parties to the matter, in person or virtually by video or telephone at the discretion of the MAC as soon as practicable following receipt of the complaint.

The GM will act as the point of communication between the complainant, the respondent (accused party) and the MAC. The complainant and the respondent shall receive confirmation as to the nature of the complaint and any information to be provided to the GM and the MAC at such time prior to their initial interview.

1. The Respondent and the complainant shall provide the GM with a list of other parties that the MAC should contact to discuss the matter. The MAC will only contact the contacts that are relevant to the investigation.
2. The MAC shall also discuss the matter with any other party that deems it necessary or as a result of the interview.
3. If either the Complainant or the Respondent shall fail to appear at the hearing, the hearing shall be conducted with the available witnesses and information available to the MAC.
4. Following the MAC interviewing the applicable parties, it shall render its decision in writing within 5 business days to the GM, who will in turn provide a copy to the



complainant, the respondent, and the FSMH President. The decision will also include a link to the Appeals Process.

3.7. APPEALS

If either party is not satisfied with the MAC decision, they have the right to an appeal, as set out below. The appeal must be based on an error of interpretation or application of the applicable Code of Conduct, or of a palpable and overriding error of fact.

3.7.a. APPEALS PROCESS

1. The Appeals Committee will be formed at the behest of a participant by filing the Notice of Appeal form.
2. Appeals are to be received by the FSMH GM in writing within 5 business days of the notice of the decision by the MAC.
3. Appeals will be accompanied by a non-refundable fee in the amount of \$300.00
4. Members of the Appeals Committee shall be the FSMH President, a Level Director that has yet to be involved and one other member to be determined by the FSMH President.
5. Any appeals by a player younger than sixteen years of age may only be made by that player's parent or legal guardian on behalf of the player.
6. The appeal is a written application and will not have an in person or virtual hearing. The process is as follows:
 - a. The appellant submits the Notice of Appeal form, along with any supporting documentation and their written argument. Upon receipt of payment, the Appeals Committee will be formed and communicate with the GM for all applicable information regarding the decision.
 - b. Notice of the Appeal will be provided to the Respondent, who shall have 2 days to provide a response argument, which will be provided to the Appeals Committee and the Appellant.
 - c. The Appellant shall have 2 days to provide a reply to the Appeals Committee.
 - d. The Appeals Committee shall make its determination within 5 business days of the submission of any reply, or the expiration of the time for the reply submission.
 - e. The determination will be provided to the parties in writing by the President of FSMH.
 - f. The Appeals Committee has the authority to:



- i. Quash the decision and send the matter back to the MAC for a re-hearing;
 - ii. Quash the decision and provide its own determination;
 - iii. Uphold the decision; or
 - iv. Quash the discipline and provide its own determination.
7. The filing of an appeal does not lift or postpone the suspension; suspension must continue to be served while an appeal is being considered.
8. The decision by the Appeals Committee is final.