



Caledon Minor Hockey Association

Incident Resolution Policy and Process

Any member of the CMHA may raise an issue when they feel the CMHA Code of Conduct has been violated. A member is **defined to include Executive Members, Bench Staff, Parents, Players and any individuals who are associated with CMHA (i.e. outside volunteers, family members etc.)**. The CMHA Code of Conduct can be found on the CMHA website within the policies section. The CMHA Code of Conduct is also referred to in the bylaws of the CMHA, and closely mirrors the Codes of Conduct of Hockey Canada, the OHF and the OMHA – all of which will also be utilized in determining standards for CMHA members.

If the issue is regarding a CMHA player, parent, coach, bench staff or team volunteer, then the process identified below is to be followed:

STEP 1

Observe the **24-hour Rule**. The 24-Hour Rule is simply explained as when problems arise it is a benefit for all concerned to wait for a day before you report an issue to not let the emotion of a situation get in the way of the facts. The only time this rule may be bypassed is due to behavior that possess' safety risk.

STEP 2

Attempt to resolve the issue at the team level when possible (where the incident occurred). The CMHA executive may be able to assist in conflict resolution at this level when requested. If the issue cannot be resolved, escalate the issue to the next level. Unless the issue is of an urgent nature.

STEP 3

The Caledon Minor Hockey Association – **Incident Resolution Process** and Incident Resolution Committee (IRC) is in place to investigate serious issues/complaints/incidents, that could not be resolved at earlier stages. As you are aware, hockey is a very passionate sport that can often lead to emotional situations.

Most issues can be resolved at the team level (STEP 2) with communication and appropriate team level conflict resolution practices/principles. Along with allowing for the 24-hour cool down rule (STEP 1), the CMHA IRC recommends the following steps be followed prior to submitting the Incident Resolution form:

- Discussion with your Head Coach, Parent Liaison, or Team Manager
- If the situation cannot be resolved, or if your complaint is against a Head Coach or Team Official, then submit the CMHA Incident Form

**There may be occasions where either the Director of Rep or Director of House League, or Board designate will be present during the first meeting at STEP 2. This decision will be made by the appropriate Director.



If the issue could not be resolved during STEP 2, the issue should be brought to the attention of the CMHA Incident Resolution Committee (IRC). Please refer to the following link: [https://caledonminorhockey.ca/Pages/12670/Incident_Resolution_Form_Submission_to_IRC\(Incident_Resolution_Committee\)/](https://caledonminorhockey.ca/Pages/12670/Incident_Resolution_Form_Submission_to_IRC(Incident_Resolution_Committee)) also found on the CMHA website, to submit an **Incident Resolution Form**, which will go directly to one of our Incident Resolution Committee (IRC) Members for review. Within 72 hours, a member of the CMHA IRC will be in contact with you directly to begin the investigation process. If there are any additional issues you want the IRC to be aware of prior to the commencement of the investigation, please advise the VP of Risk when you are contacted. If you have no access to an online form, a printed form will be made available for you to pick up at the CMHA office located inside the Caledon East Community Complex.

The IRC is represented by the President of Caledon Minor Hockey, the executive member of the applicable division (House league or Rep), the VP of Risk and a convenor if required/appropriate. One additional Board member may be appointed by the Board and there may be occasions where the make-up of the committee cannot be represented by the positions noted above due to conflict of interest or availability. If this occurs a replacement(s) will be selected by the President of Caledon Minor Hockey and VP Risk.

The Incident Resolution Process is available to all members which may include players (as represented by their parent or guardian if under the age of 18), parents, team officials, Board Members, referees, timekeepers and volunteers.

In addition to investigating complaints that have been made by members and brought to the attention of the CMHA executive, the CMHA IRC can initiate investigations of its own accord, when it has been made aware of circumstances that may constitute a breach of Caledon Minor Hockey's Code of Conduct or policies.

Complaints against referees or timekeepers will be accepted by the CMHA IRC and directed to the appropriate Director and/or to the Ontario Minor Hockey Association.

If an issue arises regarding any CMHA executive member, including conveners, then the process begins at Step 3, except in the case where the issue involves the CMHA VP of Risk, then the incident report is sent directly to the CMHA President.

The VP of Risk is responsible for investigating all issues brought to the attention of the CMHA. Not every issue that is investigated will end with a disciplinary action, there will be issues found to be without merit, others may be resolved via mediation, etc.

Incident Reporting

When an Incident Resolution Form is received by the Caledon Minor Hockey Association, or when an incident has occurred to the knowledge of the Caledon Minor Hockey Association, the CMHA IRC must determine if the incident ought to be considered minor or major. If the incident is a minor infraction, it is dealt with at the Caledon Minor Hockey Association level, unless the CMHA refers the incident to the Ontario Minor Hockey Association (OMHA), and the Ontario Minor Hockey Association agrees to the referral.

When the CMHA determines that the incident is a major infraction, the incident must be referred to the Ontario Minor Hockey Association (OMHA). If a CMHA member determines the incident is a major infraction, they must submit the complaint directly to the Ontario Minor Hockey Association (OMHA).



Please complete their incident reporting form and follow the OMHA instructions for reporting incidents.

The Ontario Minor Hockey Association has the authority to send any major Infractions back to the Caledon Minor Hockey Association to investigate. The forms are located at www.omha.net (Under Administration/Risk Management).

What incidents are typically considered minor?

Incidents involving minor infractions may include, but are not limited to the following:

- A single incident of disrespectful, offensive, abusive, racist or sexist comments or behavior directed towards others, including but not limited to, peers, opponents, players, parents, coaches, officials, managers, trainers, administrators, spectators and sponsors
- Unsportsmanlike conduct such as angry outbursts or arguing
- A single incident of being late for or absent from Caledon Minor Hockey or OMHA events and activities at which attendance is required
- Non-compliance with the rules and regulations under which events are carried out
- Any complaint or infraction considered minor in nature

What incidents are typically considered major?

Incidents involving major infractions may include, but are not limited to the following:

- Repeated incidents of disrespectful, offensive, abusive, racist or sexist comments or behavior directed towards others, including but not limited to peers, opponents, players, parents, coaches, officials, managers, trainers, administrators, spectators and sponsors
- Repeated unsportsmanlike conduct such as angry outbursts or arguing
- Activities or behavior which interferes with the organization of a competition or with any player's or team's preparation for a competition
- Pranks, jokes or other activities which endanger the safety of others
- Deliberate disregard for the rules and regulations under which Caledon Minor Hockey or OMHA events are conducted
- 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
- Any use of alcohol by minors
- Use of illicit drugs and narcotics
- Use of, or condoning the use of, banned performance enhancing drugs or methods
- Any Harassment, Abuse or Bullying complaint
- Lack of reporting, activity or action of a local executive or association
- Any other complaint or infraction which is considered serious

Harassment/Bullying, Discrimination, and Abuse are all considered Major incidents and is not tolerated by the Caledon Minor Hockey Association.



Harassment is defined as any unwanted/unwelcome actions, comments, or behaviors that make someone feel uncomfortable, scared, and/or threatened. This can include verbal, physical, and/or psychological actions, as well as conduct that may be written, physically in-person, digital or online behavior.

Harassment can occur through bullying, which is a pattern of persistent and/or repeated behaviour but can occur as a result of a single incident of sufficient severity, and is focussed to demean, belittle, intimidate, threaten, humiliate, embarrass individual(s), or any vexatious comment which is known or reasonably ought to be known to be unwelcome. It can be intentional or non-intentional, may or may not include the factor of power deferential, and may cause isolation of the victim.

Types of behavior which may constitute harassment/bullying include, but are not limited to:

- Unwelcomed jokes, innuendo, name calling and/or hurtful teasing directed at an individual
- Condescending, patronizing, threatening or punishing word and/or actions which undermine self-esteem or diminish performance
- Practical jokes which cause awkwardness and/or embarrassment, endanger a person's safety or negatively affect performance and/or mental health
- Unwanted or unnecessary physical contact including touching, patting, pinching, kicking, hitting, shoving, spitting, etc.
- Damaging/stealing another individuals and/or organizations property
- Any form of hazing
- Any form of physical assault or abuse
- Any sexually related offence
- Behaviors (such as those described above) which are not directed towards individuals or groups but which have the effect of creating a negative, toxic or hostile environment

Discrimination is defined as actions and/or decision that treat an individual or group differently based on reasons such as their race, age, gender, disability, religion, etc. (this is not an exhaustive list)

Types of behavior which may constitute discrimination include, but are not limited to:

- Racial slurs, taunts, insults, intimidation and comments/statements
- Unequal treatment
- Exclusion and isolation
- Discriminatory gestures

Abuse is defined as any form of physical, emotional and/or sexual mistreatment and/or lack of care which causes physical injury and/or emotional damage to a child. A common characteristic of all forms of abuse against children and youth are an abuse of power and/or authority and/or breach of trust. Abuse is an issue of child protection. Protection refers to provincial, territorial and/or Aboriginal band appointed child protective services. A child may need protection from harm if abuse and/or neglect is suspected. Information about one's legal duty to report, and circumstances under which reporting must occur according to child protection legislation, is available at www.hockeycanada.ca.

Incident Investigation Process



It is important to note that not every incident that is investigated will end with a disciplinary action, some cases will be found to be without merit and/or without requiring corrective action, while other incidents may be resolved via informal discussions and/or mediation.

Substantiated incidents will be addressed by the CMHA IRC according to their severity and/or egregiousness, having regard primarily to the health, safety and wellbeing of all CMHA participants.

Incidents being investigated can involve many parties, such as:

Reporting Party: The person(s) who are reporting an incident (but whom may not be involved)

Complainant: The person(s) primarily impacted by the incident

Respondent: The person(s) whom the complaint alleges are responsible for an incident

Witnesses: The person(s) who have knowledge and/or information related to the incident

Investigator: The CMHA IRC member who will be investigating the complaint received

Complaint Submission Phase

Once the Incident Resolution Form has been submitted online, the CMHA IRC will review the form. If the CMHA IRC reasonably believes that the alleged behavior constitutes a health, safety & wellbeing risk, and/or otherwise reasonably believes that immediate intervention is required, the CMHA IRC may suspend the Respondent pending the completion of the investigation process.

Please Note: Be aware that once the Incident Resolution Form is completed, the information contained within the form may be disclosed to the respondent. A decision will be made by the CMHA IRC as to the information that will be provided to the respondent. In some circumstances, and in fairness to both parties involved within an investigation, information may need to be revealed in order to allow the parties to answer questions truthfully, to the best of their knowledge and be given an opportunity to defend themselves.

Initial Research Phase

The CMHA IRC will decide whether the incident being submitted has merit and/or whether it can be resolved to the satisfaction of all parties through an informal resolution process. The CMHA IRC (VP of Risk) may contact a complainant or reporting party for further information, in order to collect additional information that will help determine the best course of action related to the incident.

If the CMHA IRC determines the incident is without merit, the committee will prepare a written response to the reporting party or complainant, containing its position, which will be kept on file along with the original Incident Resolution Form, with the CMHA. No notification will be made by the CMHA IRC to the respondent.

Formal Investigation Phase

When an Incident Resolution Form is received by the CMHA IRC, and it is determined that an investigation is required, the CMHA IRC will notify the complainant and respondent (or where the Respondent is under 18 years of age, their parent or guardian) in writing via email. Both parties will be informed of the identity of the CMHA IRC members, and a tentative timeframe for the completion of the investigation, requests for additional information, etc. The CMHA IRC investigator will attempt to



complete investigations in a timely manner. The length of an investigation is dependent on several factors, including but not limited to severity, number of individuals involved, information to review, availability of involved parties, etc.

Investigation notification being sent to the respondent may not occur at the beginning of an investigation but may occur at another appropriate time within the investigation process, based on the nature of the incident and in an effort to follow a structured process that protects the integrity of the investigation.

The activities of a CMHA investigation may include, but are not limited to, the following:

1. Solicitation of written statements from the complainant, respondent, reporting party, witnesses and any other required individual.
2. Interviews with the complainant, respondent, reporting party, witnesses and any other required individual.
3. Solicitation and review of information, video, etc. provided by the complainant, respondent, reporting party, witnesses and any other required individual.
4. Such other methods of investigation, the CMHA IRC may reasonably deem appropriate.
5. Upon conclusion of the investigation, the CMHA IRC will prepare a formal investigative report containing its findings, which will be kept on file within the CMHA IRC and locked in the Caledon Minor Hockey Association office. Additional information may be saved electronically by CMHA IRC members. This formal report is for internal CMHA IRC purposes only and will not be provided to any party involved within a CMHA investigation. The report may be provided to the Ontario Minor Hockey Association and/or the OHF, at the request of either organization.
6. The complainant and respondent will be debriefed of the investigation findings by the CMHA IRC, with an investigation closure email with a brief explanation of the findings and disciplinary/corrective action outcome listed. The disciplinary/corrective action outcome decisions will be made by the CMHA IRC based on majority.
7. The CMHA IRC may impose one or more of the following disciplinary/corrective actions based on the results of an incident and/or findings of a formal CMHA IRC investigation:
 - a) No further action
 - b) Warning/reprimand sent to the individual
 - c) Verbal and/or written apology by the individual
 - d) Required re-education/training (e.g. Speak out, Impact Awareness, etc.)
 - e) Termination of CMHA team service and/or other CMHA voluntary contribution roles to the team, the minor hockey for the organization and/or to the OMHA
 - f) Suspension from the current competition and/or for a specified number of games
 - g) Other sanctions deemed appropriate under the incident circumstances



h) The CMHA IRC reserves the right to progressively increase disciplinary/corrective actions, in an effort to encourage improved behaviour, however this is not required by the CMHA IRC, and disciplinary/corrective actions can move directly to higher level consequences.

All decisions made by the IRC are binding at the Caledon Minor Hockey Level, and any further recourse must be sought through the OMHA.

DOCUMENT HISTORY

Reviewed, revised and updated: August 2024 (VP of Risk, Sarah Shaw & CMHA Executive)