



## **Appeal and Dispute Resolution Policy**

(As outlined in Article XII of the club by-laws)

### **ARTICLE XII DISCIPLINE AND APPEALS**

**12.1 Discipline Director** - The Board will appoint a Discipline Director or other committee to whom all complaints by Members, parents of Members (if the Member is younger than 18 years old), or by Directors, about Members, parents of Members (if the Member is younger than 18 years old), or Directors, may be directed. If this individual or committee is a conflict of interest for a particular complaint, another individual or committee will be appointed to handle that particular complaint.

**12.2 Complaint Format** - Complaints must be submitted in writing and within thirty (30) days of the alleged incident occurring. Complaints submitted outside of the timeline may be permitted at the Discipline Director's discretion.

**12.3 Complaint Nature** - Complaints may be submitted about the violation of any of the Society's rules, regulations, standards of conduct, or of these By-laws.

**12.4 Complaint Management** - Provided that the Discipline Director follows the rules of natural justice and procedural fairness, and acts in an unbiased and non-conflicted manner, the Discipline Director may decide the format for hearing the complaint, collect evidence (if applicable), accept submissions from interested and affected parties, and render a decision.

**12.5 Complaint Decision** - Provided the individual or group against whom the complaint has been filed has been made aware of the nature of the complaint and identity of the complainant and has been given the opportunity to be heard and respond to the complaint, the Discipline Director may render a decision. A member may be fined, placed on probation or performance bond, censured, suspended or expelled from membership for cause after lodgement of a formal complaint that is substantiated at a hearing held in accordance with the Respective Governing Body and in the case that the rules of the Respective Governing Body are silent, BC Soccer's published rules.

**12.6 Appeal** - Decisions by the Discipline Director may be appealed.

**12.7 Alternate Process** - At the discretion of the Discipline Director and with approval from the Board, the complaint process outlined in these By-laws may be substituted by an alternate process approved by the parties to the complaint. The Board may suspend a member without a formal complaint and hearing in

extraordinary circumstances, as determined by the Board. The Board shall provide reasons for the proposed suspension and request submissions be provided by the member at issue in writing or verbally within seven days from the date of the notice. Such submissions, if any, shall be considered and a final decision made by the Board.

**12.8 Rights** – A member that is suspended loses all rights of membership until the suspension has been completed.

### **Appeals**

**12.9 Appeal Panel** – The Board will appoint a three-person Appeal Panel to whom all appeals by Members or by Directors, about the decisions of Directors or the Society, may be directed. If an individual on this Panel is a conflict of interest for a particular appeal, or was involved in the original decision, another individual will be appointed to be a part of the Appeal Panel for that particular appeal.

**12.10 Appeal Format** – Appeals must be submitted in writing and within seven (7) days of the decision. Appeals submitted outside of the timeline may be permitted at the Appeal Panel's discretion.

**12.11 Appeal Nature** – Not all decisions by the Directors or by the Society may be appealed. Some decisions that may not be appealed include but are not limited to: employment, the rules of the sport, volunteer/coach appointments, budgeting and budget implementation, the Society's structure and committee appointments, and decisions made by the Appeal Panel.

**12.12 Appeal Management** – Provided that the Appeal Panel follows the rules of natural justice and procedural fairness, and acts in an unbiased and non-conflicted manner, the Appeal Panel may decide the format for hearing the complaint, collect evidence (if applicable), accept submissions from interested and affected parties, and render a decision.

**12.13 Appeal Decision** – Provided the individual or group against whose decision the appeal has been filed has been made aware of the nature of the appeal and the identity of the appellant, and has been given the opportunity to be heard and respond to the appeal, the Appeal Panel may decide to accept the appeal and issue a new decision, accept the appeal and refer the decision back to the original decision-maker with new instructions or information to consider while making a new decision, or deny the appeal.

**12.14 Alternate Process** – At the discretion of the Appeal Panel, and with approval from the Board, the appeal process outlined in these By-laws may be substituted by an alternate process approved by the parties to the appeal.