



# **SOUTH BURNABY**

## **METRO CLUB**

## **Dispute Resolution and Appeal Policy**

### **OBJECTIVE**

- To clearly communicate protocols for dispute resolution and appeal procedures

### **GUIDELINES**

As a member association of the BC Soccer Association, and Canada Soccer, SBMC is required to comply with the bylaws, rules, regulations, and formal directives of those organizations.

As it relates to Judicial matters (discipline, appeals and protests), SBMC will appoint an independent Discipline Chair, Appeals Chair, as well as, when required, independent judicial and appeal panel members to form the various judicial and appeal panels. This also means that all club Board and Staff Members, including our Chairman and Vice-Chairmen, are not involved or have any influence on judicial/discipline decision-making. SBMC will use this structure to handle all matters that relate to club members which include players, parents, coaches, and assistant coaches (both paid and volunteer), except for those matters which must be administered by the BC Soccer Association directly or are referred to the BC Soccer Association for any number of reasons (at the discretion of the club).

Complaints may be submitted about the violation of any of the club's rules, regulations, or bylaws. Complaints must be submitted to the Discipline Chair in writing within 30 days of the alleged incident occurring. Complaints received after this time may be considered at the discretion of the Discipline Chair.

The following will be the Complaint Review Process:

1. Complaint/report of misconduct is received.
2. The Discipline Chair reviews complaint/report.
3. A determination is made by the Discipline Chair as to whether or not there has been or may have been a clear breach of rules and:
  - a. If a clear breach (or potential clear breach) of the rules is defined by the complaint or report, a disciplinary hearing before a judicial panel is held.
  - b. If a clear breach of the rules is NOT defined by the complaint or report, the Discipline Chair will make a determination as to whether the report requires further investigation/review conducted by a committee or a judicial panel.
4. Following a discipline hearing a decision is rendered.



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5. If the judicial panel determines that there is no evidence of a clear breach of rules, the complaint/report is closed.
6. The Complaint Review Process will permit the individual or group against whom the complaint has been filed to be made aware of the nature of the complaint and the identity of the complainant.
7. Through the course of the discipline investigation, the complainant and any person(s) identified in the complaint, will be given the opportunity to be heard and to respond to the complaint.
8. If the judicial panel determines that there is evidence of a clear breach of rules, then the discipline imposed may include as warnings, fines, probation or performance bond, suspension, removal from programming, and expulsion from membership.
9. Members that are suspended lose all rights of membership until the suspension has been completed. In addition, any fines that are issued, must be paid in full before they can resume rights of membership

The following will be the Appeal Process:

1. Decisions by the Discipline Chair may be appealed. In this case, the person appealing must submit their appeal request in writing within 7 days of the decision appealed from. Appeals received after this time may be considered at the Appeal Panel's discretion.
2. Not all decisions can 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 Club's structure and committee appointments, and decisions made by the Appeal panel.
3. The Board will appoint a three-person Appeal Panel to review all appeals made contesting a disciplinary decision. If an individual on this panel is in a position of conflict, or was involved in the original decision, another individual will be appointed for that appeal.
4. The Appeal Panel will follow the rules of natural justice and fairness and will act in an unbiased and nonconflicted manner to decide the format for hearing the complaint, in the collection of evidence if required, to accept submissions from interested and affected parties, and render a decision.
5. The Appeal Panel may decide to accept the appeal and issue a new decision if 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 person appealing, and has been given the opportunity to respond and be heard. The Appeal Panel will then either uphold the original decision, issue new instructions, or deny the appeal.
6. The Appeal Panel has the discretion with approval from the Board, to replace this process with an alternate process only if all parties to the appeal approve.