

North York Aquatic Club Procedure for Complaints and Appeals

Responsibility: President and Dispute Resolution Committee (DRC)

Authorized by: Board of Directors June 2017

1. By-law

In accordance with NYAC Bylaw Section 12, NYAC will utilize the following Complaint and Appeal Procedure in dealing with any matters of discipline, complaint, appeal and dispute with staff, directors and members or those persons working on behalf of NYAC at club-related events.

2. Dispute Resolution Committee (DRC)

The DRC is a committee of three (3) directors that is elected annually by the Board of Directors at the first scheduled meeting of the Board after the Annual General Meeting. At least one member of the Policy and Legal Committee must sit on the DRC.

3. The Complaint and Appeal Procedure

A formal written complaint will only be accepted once a verbal complaint has been made that has not been resolved satisfactorily. We ask that complainants abide by a 24-hour cooling-off period before bringing a verbal complaint.

The formal complaint and appeal procedure will be put in place once the following has occurred:

- i) Coaching Complaint
Only after the Assistant Head Coach, Head Coach and Executive Committee have reviewed and worked to resolve the complaint, without success.
- ii) Staff Complaint
Only after the Executive Committee has reviewed and worked to resolve the complaint, without success.
- iii) Board Complaint
Only after the Executive Committee has reviewed and worked to resolve the complaint, without success.

4. Dispute Resolution, Discipline and Appeal Policy

- i) Who can make a complaint?
A registered NYAC member or staff can make a complaint.
- ii) On whose behalf can a complaint be made?
A member may not complain on another member's behalf. A coaching or

placement complaint by a member shall be sent to the Assistant Head Coach or Head Coach. All other complaints shall be sent to the President.

- iii) Can a group complaint be made?
No. One member cannot gather a list of members and complaints. Only individual complaints will be accepted.
- iv) What if a non-member is the only one who views the incident and reports it?
A member of the NYAC staff or Board can initiate the complaint with documentation from the non-member.
- v) Who can a complaint be made against?
A complaint can be made against a registered member of NYAC, coach, staff, contractor or someone in the NYAC community that has a strong connection to or relationship with NYAC.

5. Components of a Formal Complaint

- i) The formal complaint must be in writing and include any documentation upon which the complainant relies.
- ii) The complaint must be signed by the complainant and cannot be anonymous.
- iii) The complaint must be received within 60 days of the complaint incident or within 60 days of first becoming aware of the incident. The DRC will have the authority to extend the time for making/receiving a complaint where circumstances warrant.
- iv) The time period for additional information to be provided in writing from the complainant to the DRC is 14 days from the original date of the complaint. The DRC may extend this deadline at its discretion. The DRC may also request additional information from the complainant. After which point, no additional information will be accepted.

6. Resolution

The DRC will respond in writing to the complainant with a final determination within 21 days of receiving the last information from the complainant. Possible actions by the DRC include but are not limited to dismissing the complaint, issuing a letter of reprimand, probation, suspension, termination or a fine.

If all parties accept the recommended resolution, the resolution will have immediate effect. This resolution will be recognized as closed by an acceptance signature on the resolution by the complainant, the DRC and the Club President.

If any party is dissatisfied with the recommendation from the DRC they may appeal the decision through NYAC's sport governing body, Swim Ontario.

7. **Reporting**

The DRC must report at every board meeting about the number of complaints received, the nature of each complaint and where they are in the process of resolution. This is only for purposes of full disclosure and not for board discussion.