

# RISK MANAGEMENT | CODE OF CONDUCT



# INCIDENTS IN LAST 5 MONTHS

- CHILD PORNOGRAPHY PHOTOS SHOWN IN BANTAM DRESSING ROOM.
- LIVE CHAT ORIGINATING IN DRESSING ROOM OF PEEWEE TEAM STREAMED TO PLAYER'S GIRLFRIEND SHOWING PLAYER COMING OUT OF SHOWER.
- BANTAM PLAYER BULLYING ANOTHER TEAMMATE WHILE OTHER TEAMMATES LOOK ON AND PLAYER DRY HUMPS THE PLAYER FROM BEHIND AND THEN STANDS OVER WHILE NAKED.
- PEEWEE PLAYER SEXUALLY ASSAULTING A TEAMMATE IN THE DRESSING ROOM. NOTHING IS DONE BECAUSE PLAYER DID NOT REPORT INCIDENT TO TEAM CAPTAIN WHICH IS TEAM POLICY.
- COACH PULLS DOWN PANTS IN DRESSING ROOM IN FRONT OF HIS NOVICE PLAYERS AFTER OTHER TEAM OFFICIALS AND PLAYERS ACCUSE HIM OF FLATULANCE ON THE BENCH DURING THE GAME.
- PLAYERS TALKING ABOUT GETTING ANOTHER PLAYER AT THEIR NEXT GAME AND DURING FIRST SHIFT TWO PLAYERS ON THE TEAM BODYCHECK THE PLAYER ON OPPOSING TEAM RESULTING IN CONCUSSION.
- PLAYER ACCIDENTLY SHOT BY PELLET GUN LAST SUMMER TOLD BY OPPOSING PLAYER TOO BAD THE BULLET DID NOT GO FURTHER.
- REFEREE COMPLAINTS WITH ALLEGATIONS OF MANHANDLING PLAYERS.



# INCIDENTS IN LAST 5 MONTHS

- COACH TELLS PLAYER HE IS RETARDED AND WHEN CONFRONTED BY GRANDPARENT AFTER THE GAME TELLS HER SHE IS RETARDED IN FRONT OF PARENTS AND CHILDREN IN ARENA FOYER.
- MANY APPEALS WERE HEARD AT THE OMHA AND OHF LEVEL.
- TWO CASES ARE BEFORE THE HUMAN RIGHTS COMMISSION WHICH COULD HAVE IMPACT ON SUSPENDING OR RELEASING PLAYERS.
- AGM MEETINGS HELD AND BY-LAWS TOTALLY DISREGARDED AND MOTIONS MOVED AND VOTED ON WHICH WERE NULL AND VOID.
- COACHES WIFE ASSAULTED WHILE SHE VIDEOTAPED ARGUMENT BETWEEN COACH AND PARENT.
- TWO MEMBERS OF FAMILY ASSAULT COACH IN BAR TWO WEEKS AFTER INCIDENT AT ARENA.
- ASSOCIATION HIRES PHOTOGRAPHER TO TAKE TEAM PICTURES AND THEN FINDS OUT PHOTOGRAPHER'S ASSISTANT RECENTLY CHARGED WITH SEXUAL INTERFERENCE OF TEN YEAR OLD ALONG WITH FRIEND WHO WAS IN POSSESSION OF CHILD PORNOGRAPHY.

NOW YOU KNOW WHY WE HAVE THE OPP SEXUAL EXPLOITATION UNIT HERE TODAY FOR A SESSION FOLLOWING THIS SEMINAR.



# OMHA CODE OF CONDUCT

This Code of Conduct identifies the standard of behaviour which is expected of all Ontario Minor Hockey Association (“OMHA”) members and participants, including but not limited to all players, guardians, parents, coaches, officials, volunteers, directors, officers, committee members, convenors, team managers, trainers and administrators involved in OMHA activities and events.

The OMHA is committed to providing an environment in which all individuals are treated with respect. Members and participants of the OMHA shall conduct themselves at all times in a manner consistent with the values of the OMHA which include fairness, integrity and mutual respect.

During the course of all OMHA activities and events, members shall avoid behavior which brings the OMHA or the sport of hockey into disrepute, including but not limited to abusive use of alcohol, use of non-medical drugs and use of alcohol by minors.

OMHA members and participants shall at all times adhere to the OMHA operational policies and procedures, to rules and regulations governing OMHA events and activities, and to rules and regulations governing any competitions in which the member participates on behalf of the OMHA.



# OMHA CODE OF CONDUCT

Members and participants of the OMHA shall not engage in any activity or behaviour which interferes with a competition or with any player or team's preparation for a competition, or which endangers the safety of others.

Members of the OMHA shall refrain from comments or behaviours, which are disrespectful, offensive, abusive, racist or sexist. In particular, behaviour, which constitutes harassment, abuse or bullying, will not be tolerated.

Failure to comply with this Code of Conduct may result in disciplinary action, including but not limited to, the loss or suspension of certain or all privileges connected with the respective Member Association in the OMHA including the opportunity to participate in the OMHA and its' Member Association activities and events, both present and future.



# OMHA CODE OF CONDUCT

## INTRODUCTION

- Membership in the OMHA, as well as participation in the activities of the OMHA, brings with it many benefits and privileges. At the same time members and participants are expected to fulfill certain responsibilities and obligations, including but not limited to complying with the Code of Conduct, Regulations and Policies of the OMHA.
- The OMHA Code of Conduct generally identifies the standard of conduct which is expected of members, and other persons involved in OMHA activities and events. Individuals who fail to meet this standard may be subject to the disciplinary sanctions identified within these Policies and Procedures.



# OMHA CODE OF CONDUCT

## INTRODUCTION

- The OMHA is committed to providing a sport and work environment which promotes equal opportunities and prohibits discriminatory practices.
- Harassment, Abuse and Bullying (H.A.B.) is prohibited by human rights legislation. H.A.B. can also be an offense under Canada's Criminal Code. The OMHA has a zero tolerance policy in regard to H.A.B.



# OMHA CODE OF CONDUCT

## APPLICATION

- These Policies and Procedures are intended to deal with all matters relating to discipline for breaches or violations of the OMHA Code of Conduct and/or its Policies and Procedures. They are not intended to address matters related to the Rules of Competition as set out in the OMHA Regulations and Policies.
- These Policies and Procedures apply to all categories of members and participants of the OMHA.



# OMHA CODE OF CONDUCT

## APPLICATION

- These Policies and Procedures outline discipline for breach of the Code of Conduct including harassment, abuse and bullying matters which may arise during the course of all OMHA activities and events, including but not limited to competitions (including exhibition games), practices, training camps, meetings and travel associated with these activities. Depending on the offence, and the Policies and Procedures set out herein, discipline shall be dealt with by the local Association or the OMHA.
- Within these Policies and Procedures, the words harassment and harass shall include bullying and bully and abuse and abusing.



# OMHA CODE OF CONDUCT

## GENERAL PROCEDURE

- When a written complaint is received by the local Association, or an infraction occurred to the knowledge of the local Association, the said Association must determine if the complaint or infraction ought to be considered minor or major. If the matter is a minor infraction the matter is dealt with at the local Association level, unless the Association refers the matter to the OMHA and the OMHA agrees to the referral.
- When the local Association determines that the matter is a major infraction the matter must be referred to the OMHA. The President or his designate shall then determine the appropriate course of action, which may include one or more of the following: referring the matter back to the Association, imposing interim sanction(s), requesting an investigation and/or a Hearing, or such other action(s) as the President or his designate deems necessary.



# OMHA CODE OF CONDUCT

## GENERAL PROCEDURE

- If the matter is heard at the local Association level, the decision may be appealed to the OMHA Code of Conduct Appeal Panel after which time it may be appealed to the OHF.
- When a complaint involving a minor or major infraction is received by the OMHA directly from the complainant, or the infraction occurred to the knowledge of the OMHA, the President or his designate may refer the matter to the local Association, or deal with the matter at the OMHA level in accordance with the Policies and Procedures set out herein.
- These Policies and Procedures use the term "Complainant" to primarily refer to the person who makes the complaint including but not limited to a victim of an infraction or their parent or guardian, or any other association member. The term "Respondent" refers to the person against whom a complaint is made.



# MAJOR INFRACTIONS

## REPORTING HARRASMENT, ABUSE AND BULLYING (H.A.B.)

- When any person in authority has a reasonable belief that the possibility exists that a minor is being harassed, bullied, abused or neglected, he or she shall report this to Ontario child protection authorities or Police and shall advise the OMHA of having made this report.
- The President or his designate, upon becoming aware of a H.A.B infraction shall take such action as deemed necessary in the circumstances, including but not limited to one or more of the following: conducting an investigation, a hearing, imposing interim sanction(s), suspending the person from participating in any activities of the OMHA and/or any other further disciplinary action.
- The matter shall then be dealt with as a disciplinary matter and a major infraction. Any report of investigation carried out by authorities may be used as evidence under these Policies and Procedures.



# MAJOR INFRACTIONS

## H.A.B COMPLAINT

- A person who experiences H.A.B., any person who witnesses H.A.B., or any person who believes that H.A.B. has occurred should make it known to the harasser that the behavior is unwelcome, offensive and contrary to the values of the OMHA and these Policies and Procedures.
- If confronting the harasser is not possible, or if after confronting the harasser the H.A.B. continues, the matter should be reported to an official of the OMHA. For the purposes of these Policies and Procedures, an "official" may be a member of the OMHA Board, a Convenor, the Executive Director, or the Chairperson of any OMHA Standing Committee.



# MAJOR INFRACTIONS

## H.A.B COMPLAINT

- An official who either becomes aware of an incident of H.A.B. or receives a complaint, written or otherwise, shall thereby advise the OMHA using the OMHA Complaint Form available from the OMHA office and/or website.
- Any member of an Association may make a complaint directly to its Association or directly to the OMHA. If the complaint received at the Association level is a Code of Conduct major infraction or a harassment, abuse or bullying infraction, it shall be forwarded to the OMHA.



# MAJOR INFRACTIONS

## CONFIDENTIALITY

- The OMHA recognizes the sensitive and serious nature of H.A.B. and will strive to keep all matters relating to a complaint of H.A.B. confidential. However, if required by law to disclose information, the OMHA will do so.



# MAJOR INFRACTIONS

## HANDLING OF MAJOR INFRACTIONS INCLUDING H.A.B.

- Any member or representative of the OMHA must report a major infraction to the OMHA using the OMHA Complaint Form available from the OMHA Office and/or website.
- The OMHA is not required to deal with all complaints. The OMHA may decide not to deal with the complaint if it is of the opinion that:
  - 1. Could be more appropriately dealt with under another policy, rule or regulation within the OMHA or local Association;
  - 2. Is frivolous, vexatious or made in bad faith;
  - 3. Is not within the governing body's jurisdiction, i.e. player selection; or
  - 4. Is based on occurrences that are more than six months old.
- If the decision is made not to investigate the complaint, the Complainant will be advised accordingly.



# MAJOR INFRACTIONS

## HANDLING OF MAJOR INFRACTIONS INCLUDING H.A.B.

- When a major code of conduct or HAB complaint is to be investigated by the OMHA, the President or his designate may determine the complaint ought to be dealt with at the local Association named in the complaint. The Complainant, Respondent and President of the Association named in the complaint will be advised that the complaint is being sent to the local Association. The local Association shall provide the OMHA with their Investigative report as well as subsequent updates of the handling of the complaint including any sanctions imposed.
- If the President or his designate decides that the complaint will be dealt with by the OMHA the Complaint, Respondent and President of the Association named in the complaint will be advised that the complaint is being investigated by the OMHA and of any procedure or interim sanction(s) including but not limited to a fact finding investigation and/or hearing no later than 5 business days from the date of the receipt of the complaint.



# OMHA FACT FINDING INVESTIGATION

- An OMHA representative in a position of authority who receives a major complaint written or otherwise shall advise the OMHA office immediately. The OMHA President or his designate shall request that the OMHA Risk Management Officer conduct an investigation. The OMHA Risk Management Officer will assign one of the OMHA fact finding Investigators to conduct an investigation.
- The OMHA Investigator shall carry out the investigation within 10 business days (or such other reasonable time as the President or his designate shall allow) and at the conclusion of the investigation shall submit a written report to the Risk Management Officer.



# OMHA FACT FINDING INVESTIGATION

- The Risk Management Officer within 7 business days (or such reasonable time as the President or his designate shall allow) of receiving the report shall submit his report to the President or designate for review and a decision on the appropriate course of action which may include, but is not limited to, immediate action, interim sanctions if not already invoked, or calling for a Code of Conduct Hearing.
- The following decisions resulting from an investigation may be made:
  - 1. The complaint is with merit;
  - 2. The complaint is without merit;
  - 3. There is insufficient information to enable a conclusive decision to be made; or
  - 4. The complaint is outside of the jurisdiction of the investigating body.



# OMHA FACT FINDING INVESTIGATION

- Any player, team official, on ice official, parent, director, officer, volunteer, employee or chaperone within the OMHA and/or any of the OHF Member Partners who knowingly brings false complaint against any OMHA Member may be disciplined up to and including dismissal and/or revocation of membership in accordance with the OMHA By-Laws and Regulations.



# INCIDENTS REQUIRING IMMEDIATE RESPONSE

- These Policies and Procedures shall not prevent an OMHA representative in a position of authority from taking immediate action at an OMHA activity or event in response to behavior that, in his view, constitutes a contravention of the OMHA Code of Conduct where such action is deemed necessary. The OMHA representative must remove the alleged offender(s) from the OMHA activity and immediately report the incident to the OMHA office. An OMHA complaint form shall be filled out by the Complainant or the OMHA representative and sent to the OMHA office forthwith.



# CODE OF CONDUCT HEARING

- On receipt of a complaint written or otherwise or incident being investigated, and upon completion of the RMO's report and deciding a hearing is warranted, the President or his designate will appoint three individuals to serve as the Code of Conduct Hearing Panel and shall appoint one of these persons to serve as the Chairperson of the Panel.
- The Code of Conduct Hearing Panel shall hold the hearing within 14 business days from receipt of the RMO's report or Complaint (written or otherwise) being received by the President or his designate, unless otherwise determined by the President or his designate acting reasonably in the circumstances.
- The Code of Conduct Hearing Panel has the power to impose sanctions as set out herein.



# CODE OF CONDUCT HEARING

- The Code of Conduct Hearing Panel shall govern the hearing as it sees fit, provided that:
  - The individual being disciplined or the Complainant and Respondent shall be given 7 business days written notice (by email, courier, registered mail or fax) of the day, time and place of the hearing. The Panel may decide to conduct the hearing in person or by telephone or video conference.
  - All parties shall receive a copy of the complaint, and any other relevant documentation unless otherwise determined by the President.
  - A quorum shall be all 3 Panel members and decisions shall be by majority vote where the Chair carries a vote.
  - Both the Complainant and Respondent shall be present at the hearing, and may have legal representation. The Panel or the OMHA may also require its own representative/counsel.
  - The individual being disciplined shall have a reasonable opportunity to present evidence and argument.
  - The hearing shall be held in public except for those matters dealing with HAB matters which ought to be held in private, or where the President or his designate determines the matter ought to proceed by way of a private hearing.



# CODE OF CONDUCT HEARING

- The Code of Conduct Hearing Panel shall govern the hearing as it sees fit, provided that:
  - The Panel may request that witnesses to the incident be present or submit written evidence which is certified by a Notary Public.
  - If at any point in the proceedings, the Complainant becomes reluctant to continue, it shall be at the sole discretion of the Panel to continue the review of the complaint in accordance with the Policies and Procedures set out herein.
  - Once appointed, the Panel shall have the authority to abridge or extend timelines associated with all aspects of the hearing.
  - The parties will exchange and or provide disclosure of any and all documents or evidence intended to be relied upon 3 business days prior to the hearing.



# CODE OF CONDUCT HEARING

- The Code of Conduct Hearing Panel shall render its decision within 14 business days of the hearing and submit a written report to the President or his designate. A copy of this decision shall be provided to all of the parties to the hearing.
- This report shall contain but shall not be limited to the following:
  - a summary of the relevant facts
  - a determination as to whether the acts complained of constitute an infraction
  - disciplinary action to be taken; and
  - measures to remedy or mitigate the harm or loss suffered by the Complainant.
- Where the facts of the incident can be agreed upon, the Respondent may waive the hearing, in which case the Panel shall be authorized to render the appropriate sanction(s) and may hold a hearing for the purpose of determining an appropriate sanction(s).

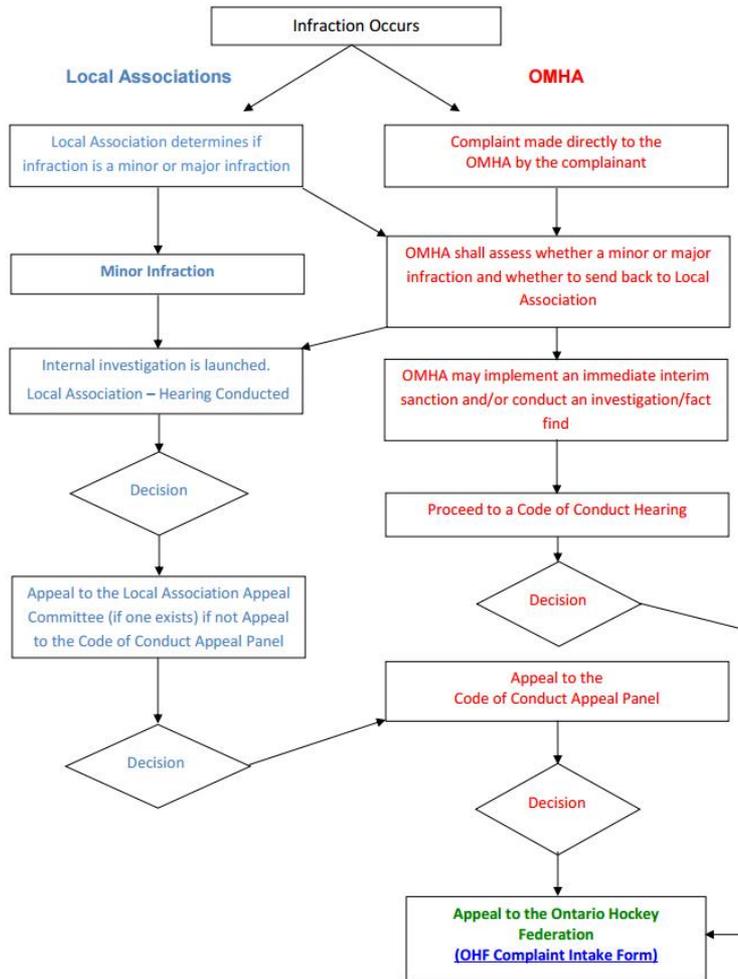


# CODE OF CONDUCT HEARING

- If the Respondent chooses not to participate in the hearing, the hearing may be held in his absence.
- The decision of the Code of Conduct Hearing Panel may be Appealed to the OHF.



## OMHA DISPUTE RESOLUTION PROCESS



# DRESSING ROOM POLICY

## OHF POLICY ON SUPERVISION

To provide a safe and comfortable dressing room environment with proper supervision for the player and team officials.

- It will be the Policy of the Ontario Hockey Federation that, when any player under the age of 18 is in the team dressing room(s) before, during and after a game or practice, a minimum of two of the following shall be present in the dressing room(s) or immediately outside the dressing room(s) with the door ajar: two team or club/association officials, properly screened or one such official and an adult person associated with the team.
- In the situation of Juvenile or U21 hockey the coach may use an adult player over the age of 19 to be the second adult associated with the team.



# DRESSING ROOM POLICY

## OHF POLICY ON SUPERVISION

### Sanctions

- Any person found to be in violation of this policy will receive a warning for a first offence, a two week suspension for a second offence, and a one year suspension for a third offence.



# DRESSING ROOM POLICY

## PHONES, CAMERAS AND ELECTRONICS

Technology advancements have allowed cell phones to carry new functions - such as cameras that allow users to secretly photograph objects in front of them while appearing to dial a number.

The ability to snap photos without others knowing has raised significant concern. The potential exists for deviant behaviour of camera-phone users photographing other patrons undressing or showering in locker rooms.

The Ontario Recreation Facilities Association (O.R.F.A.) has issued a Facility Alert.

O.R.F.A. President, Dan McArthur recommends that signage be posted immediately that "Prohibits the use of cell phones, and personal digital assistants in all recreation facility change rooms".

The OMHA acknowledges the recommendation of O.R.F.A. and directs all members to govern themselves accordingly.

