

SPORT FOR LIFE Procedures

TITLE: COMPLAINTS & DISPUTE RESOLUTION	
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[SPORT FOR LIFE SOCIETY DISPUTE RESOLUTION PROCESS:](#)

1. PURPOSE

The Sport for Life Society (the “Society”) is committed to creating an environment free from all forms of maltreatment and to treating all people with dignity and respect.

2. DEFINITIONS

- 2.1. **Representatives** - Any individual elected, acclaimed or appointed by Sport for Life Society (the “Society”), or engaged under an executed written agreement with the Society as an employee, volunteer, or independent contractor to provide services on behalf of Sport for Life.
- 2.2. **Participant(s)** - an individual who takes part in an event, program, or activity hosted by the Society, whether in person or online.
- 2.3. **CSSP** - the Canadian Safe Sport Program.
- 2.4. **Designated Authority** - The Independent Third-Party (ITP) case administrator appointed to receive complaints and reports.

- 2.5. **Incident** – an occurrence, condition, or situation, or series thereof that may affect Social-Emotional Safety, Psychological Safety, Physical Safety, and Cultural Safety. Defined as follows:
- 2.5.1. **Social-Emotional Safety:** Social-emotional safety stresses creating an environment where participants feel secure and supported in expressing their emotions, thoughts, and concerns without fear of judgment, prejudice, ridicule, or retribution. Feeling secure and trusting those around you enough to be vulnerable, courageous and authentic. This promotes their overall well-being and mental health.
 - 2.5.2. **Psychological Safety:** Psychological safety focuses on cultivating an atmosphere where participants, coaches, leaders, community members, families, officials, and others feel comfortable and empowered to take risks, share their ideas, ask questions, and engage in open and honest communication without the fear of negative consequences or retaliation.
 - 2.5.3. **Physical Safety:** Physical safety refers to reducing the risk of injuries, concussion management, appropriate and progressive return to activity after injury, proper access to and use of equipment, etc. Creating physical environments that are designed for all types of participants is also a consideration for physical safety. Protecting participants from any form of physical harm, injury, violence, or abuse is central to physical safety.
 - 2.5.4. **Cultural Safety:** Cultural safety emphasizes creating an inclusive and respectful environment that recognizes and embraces the diversity of participants, considering their cultural backgrounds, values, and beliefs, and actively working to prevent any form of discrimination, prejudice, or bias based on cultural differences.

3. APPLICATION

- 3.1. **This Procedure applies only where the Society's Safety in Sport Policy does not apply.** Pursuant to the Safety in Sport Policy, the [Canadian Safe Sport Program](#) (CSSP) has been adopted. Under the CSSP, Sport Integrity Canada must determine its jurisdiction, under the CSSP Rule 5, over an allegation made under Rule 6 of the CSSP Rules regarding prohibited behaviour, as defined in the CSSP Rules. If Sport Integrity Canada declines jurisdiction, this Procedure may apply. Accordingly, subject to the Interim measures section, no action may be taken on a complaint under this Procedure until Sport Integrity Canada has rendered a decision to decline jurisdiction.
 - 3.1.1. [CSSP Rules](#)
- 3.2. Where this Procedure applies, it may relate to any Incidents, including breaches of the Code of Conduct & Ethics, involving Participants and Representatives:
 - 3.2.1. That may arise during the Society's business, activities, programs, and events;
 - 3.2.2. That may arise outside of the business, activities, and events of the Society when such conduct adversely affects the relationships (or the work

environment) of the Society, or is detrimental to the image and reputation of the Society, as may be reasonably determined by the Society; or

- 3.2.3. Those who are no longer involved with the Society, in which any incident occurred while the Representative was involved with the Society.

- 3.3. In addition to being subject to disciplinary action pursuant to these Complaints and Dispute Resolution procedures, an employee of the Society who is a Respondent to a complaint may also be subject to consequences in accordance with the employee's Employment Agreement or human resources policies, as applicable.

4. DUTY TO REPORT

- 4.1. The Society requires the reporting of Incidents.
- 4.2. The Society is fully committed to safeguarding the welfare of all children, young people, and vulnerable adults in its care. It recognizes its responsibility to promote safe practices and to protect children, young people and vulnerable adults from maltreatment. People working with children are responsible for reporting suspicions of child abuse, not for proving whether child abuse has occurred. It is the responsibility of a child protection agency to investigate, with the assistance of the police, where necessary, and determine the best course of action for the child.

5. LEVELS OF SEVERITY and INCIDENT REPORTING

5.1. **Level 1 > Complaints of unsafe conduct or Incidents**

Complaints of unsafe conduct, including Incidents, are considered valid but not related to the safety and well-being of Participants or Representatives. Level 1 Incidents may include, but are not limited to, facility cleanliness, service complaints, equipment, financial disputes, selection for awards, human resources concerns, or breach of any other Society policy or procedure.

At the Society's discretion, any Level 1 complaints made to the Society can also be forwarded to the Designated Authority for review and processing. Level 1 complaints or incidents can be verbally addressed and directed to the relevant staff member(s) within the Society. The staff member must document and submit verbal complaints received. All submitted complaints will be reported to the Director of People and Operations and the CEO, then delegated to the appropriate point person for management.

Report to the Society for the following:

- Level 1 complaints made by Participants
- Level 1 complaints made by Representatives

5.2. **Level 2 > Incidents of a non-sexual nature creating an unsafe environment**

Level 2 Incidents concern the safety and well-being of Participants or Representatives and are not of a sexual nature. A Level 2 Incident could include, but is not limited to, emotional

misconduct, bullying, hazing, harassment, physical aggression or misconduct, abuse of process, substance use, and discrimination.

Reporting via the Designated Authority may be done anonymously.

Report to our Designated Authority for the following:

- Level 2 or Level 3 Incidents by Participants or Representatives
- Whistleblower complaints
- Any complaint concerning the CEO or other senior-level staff
- Any level 2 or 3 complaints made by Participants
- Or if you are unsure where to direct your complaint

English Link: <https://wkf.ms/3XHfP2l>

French Link: <https://wkf.ms/4iUoZ4c>

The Society has instructed the Designated Authority to consult with Sport Integrity Canada, where appropriate, to determine whether Sport Integrity Canada has jurisdiction under the CSSP to address any complaint made under this Procedure.

5.3. **Level 3 > Incidents of a sexual nature creating an unsafe environment**

Level 3 Incidents are of a sexual nature that concern the safety and well-being of Participants or Representatives. A Level 3 Incident could include, but is not limited to, sexual harassment, sexual misconduct, grooming, as well as aiding and abetting, abuse of process or retaliation relating to a sexual Incident.

A report of a Level 3 Incident may be made anonymously; however, if the complainant's name is included, the CSSP provides that Sport Integrity Canada will not share it with the sport organization unless it is necessary to keep the complainant or someone else safe, and will make every effort to get appropriate consents beforehand.

Report to Sport Integrity Canada under the CSSP for the following Level 3 Incidents/Prohibited behaviour:

- Psychological maltreatment
- Physical maltreatment
- Neglect
- Sexual maltreatment
- Grooming
- Boundary transgressions
- Discrimination
- Subjecting a Participant to the risk of maltreatment
- Aiding and abetting
- Failing to report possible maltreatment
- Intentionally reporting a false allegation
- Interference with or manipulation of a process
- Retaliation
- Any other conduct defined as "maltreatment" in the CSSP

Report by phone: 1-866-971-2777 (CSSP)

Report online: <https://sportintegrity.ca/report-safe-sport>

Reports can also be made through the link on the Sport for Life website [Safe Sport](#)

5.4. Level 4 > Incidents Requiring Law Enforcement or Other Appropriate Authorities

Level 4 Incidents are those that require the immediate engagement of law enforcement or other appropriate governmental authorities, e.g., Child Protective Services, when there is suspicion of child abuse (physical, sexual or otherwise), human trafficking, or other criminal activity.

5.4.1. If immediate action is needed due to imminent danger, fire, or if immediate Child Protective Services or an ambulance is required, call 9-1-1 or the appropriate local authority to report.

5.4.2. After calling 9-1-1 or the appropriate local authority, a report may still be submitted under this Procedure

5.5. What to include in an Incident report?

The CSSP has information on how to make a report to Sport Integrity Canada (**Report online: <https://sportintegrity.ca/report-safe-sport>**). For a report submitted to the Society or the Designated Authority under this Procedure, the required information will vary depending on the type of report and the applicable intake processes. Reporting may include, but is not limited to:

- The type of incident that took place
- Where the incident happened, or at what event the incident took place
- The date, day and time of the incident
- Name of the person reporting
- Name(s) of the people involved and contact information, if possible
- Type of Injuries that were sustained, if any, including body part, severity of injury, etc.
- First Aid or Medical treatment, if required
- The equipment that was involved
- Was there any evidence – physical materials or take photos
- The sequence of events before, during and after
- Causes if known
- Eyewitnesses who can provide more information – include name and contact information if possible
- Corrective action/Response – immediate actions taken, preventative measures

6. CONFIDENTIALITY

6.1. The complaint management process is confidential and involves only the necessary parties. Once initiated and until a decision is released, none of the parties shall disclose confidential information relating to the discipline or complaint to any person not involved in the proceedings.

6.2. Failure to respect the aforementioned confidentiality requirement may result in sanctions or disciplinary action.

6.3. At its discretion, the Society may act as the complainant and initiate the complaint process on behalf of any third party under the terms of this Procedure. In such cases, the CEO will identify an individual to represent the Society.

7. INTERIM MEASURES

- 7.1. The Society may determine that an alleged incident is of such seriousness as to warrant interim measures against a Representative pending the completion of an investigation, criminal process, hearing, or decision. At the Society's discretion, interim measures may take many forms.
- 7.2. Interim measures may include the imposition of conditions upon the continued participation of the Representative or Participant in the activities, events or work of the Society, such as:
 - 7.2.1. Limitations on work activities
 - 7.2.2. work with different clients
 - 7.2.3. perform duties under direct supervision at all times
 - 7.2.4. Suspension of the Representative or Participant from participation in the activities, events or work of the Society, with or without pay, or under such other terms as are deemed to be appropriate by the Society.
 - 7.2.5. Security arrangements
- 7.3. The Society may apply other interim measures depending on the circumstances.

8. WHISTLEBLOWER PROCEDURES

- 8.1. In addition, Whistleblower procedures are outlined to provide Representatives with a discreet and safe process for disclosing workplace wrongdoing without fear of unfair treatment or reprisal. Matters reported under the terms of the Whistleblower Procedure are to be submitted to the Independent Third-Party Designated Authority. Upon any report received by the Designated Authority, the Designated Authority shall review the report to determine if the Whistleblower procedure is applicable. [Sport for Life Policies](#)

9. DESIGNATED AUTHORITY

- 9.1. A Designated Authority has been appointed to receive reports made under this Procedure. Their involvement is limited to administering an independent process for complaints or incident reporting, as well as investigations and disciplinary proceedings.
- 9.2. The Designated Authority's contact Information is as follows:
 - Jahmiah Ferdinand-Hodkin
 - Sport Dispute Management PC
 - 65 Geneva Street, Ottawa, ON K1Y 3N6
 - Telephone: 613-298-5425
 - www.sportdispute.com
 - Email: jferdinand@sportdispute.com
- 9.3. The Designated Authority will review any report submitted and determine whether it fits within the Society's scope or within the jurisdiction of the CSSP or any National Sport Organization (NSO)/Provincial/Territorial Sport Organization (PTSO). It is often difficult for people to know whether the person they are submitting a complaint about is an

Abuse Free Sport participant, and therefore, the Designated Authority can assist them in submitting their report to the correct organization.

- 9.4. The Society has instructed the Designated Authority to consult with Sport Integrity Canada, where appropriate, to determine whether Sport Integrity Canada has jurisdiction under the CSSP to address any complaint made under this Procedure. If Sport Integrity Canada declines jurisdiction, Sport Integrity Canada may direct the report back to the Designated Authority.
- 9.5. A report may also be made directly to the Designated Authority through the complaint form found on the Society's website: [Safe Sport](#)

DESIGNATED AUTHORITY DISPUTE RESOLUTION PROCESS:

10. INTAKE PROCESS

- 10.1. After receiving the report, the Designated Authority has the responsibility to:
 - 10.1.1. Connect the Representative to an alternative independent third party if the individual feels that they cannot act in an unbiased or discrete manner due to the individual's role with the organization, the content of the report, or their level of experience.
 - 10.1.2. Determine whether the complaint should be properly within the jurisdiction of Sport Integrity Canada under the CSSP or any National Sport Organization (NSO) or Provincial/Territorial Sport Organization (PTSO).
 - 10.1.3. Review the complaint against the Society's policies and procedures to determine whether it fits within the scope of those policies and procedures
 - 10.1.4. Determine if the Whistleblower Procedure applies in addition to the Complaints and Dispute Resolution Procedure.
 - 10.1.5. Determine if the report is frivolous, vexatious, or not submitted in good faith (e.g., the submission of the report is motivated by personal interests and/or the content of the report is obviously false or malicious) and, if so, inform the Representative that no action will be taken on the report and the reasons why the report has been considered frivolous, vexatious, or not in good faith.
 - 10.1.6. Determine whether to contact local authorities/police services.
 - 10.1.7. Determine which alternative dispute resolution process may be used to resolve the issue.
 - 10.1.8. Determine if the Board of Directors Chairperson and/or Chief Executive Officer should or can be notified of the report.
 - 10.1.9. Begin the alternative dispute resolution process.

11. ALTERNATIVE DISPUTE RESOLUTION

- 11.1. The Society supports the principles and use of Alternative Dispute Resolution (ADR). ADR is an approach to resolving disputes outside the complaint process,

investigation/adjudication, or litigation in the courts. It can involve negotiation, facilitated conversations, mediation and arbitration.

- 11.2. Some complaints are well-suited to the ADR process, whereas others may not be. A key component of ADR is that all parties must be interested in and comfortable with the process and agree to adopt it. After accepting a complaint, the Designated Authority will always ask the parties if they are interested in attempting ADR. Moreover, at any stage in the process, the parties are welcome to transition from the investigation/adjudication process over to the ADR process, provided all parties are in favour.
- 11.3. ADR can be significantly faster than the investigation/adjudication process. It also affords all parties the opportunity to reach a resolution of their choosing. In a mediated resolution, the parties must agree on the terms of settlement for a resolution to occur. This means the mediator cannot impose or force a decision on the parties. If they ultimately do not agree on the terms, a settlement will not be reached, and the parties will return to the investigation/adjudication process.
- 11.4. If the ADR process is utilized to address a complaint, the Designated Authority will appoint a qualified mediator or arbitrator experienced in issues relevant to the specific complaint.
- 11.5. There are different types of ADR techniques:
 - 11.5.1. Negotiation: The parties work together to reach a mutually acceptable agreement. This can be done through meetings or the exchange of written information. The key to a negotiated resolution is that it is done without the assistance of a neutral third party, such as a mediator.
 - 11.5.2. Mediation: A mediation is led by a neutral third party who facilitates discussion or the exchange of information between parties. Mediators do not make or propose decisions for the parties but will facilitate communication to help the parties reach mutually agreed-upon solutions. If the parties cannot reach an agreement, the mediation will end, and the parties will resume the regular complaint process. In some instances, mediation can be used to narrow issues or resolve certain aspects of a complaint or concern, leaving the more contentious issues to be addressed through adjudication or arbitration. If a mediation is successful, in whole or in part, the parties will sign a settlement agreement detailing the terms of the settlement they have reached. Once signed, the terms of settlement are final and binding.
 - 11.5.3. Conciliation: Conciliation is led by a neutral third party and is a less formal process than mediation. A Conciliator may take a more active role in helping the parties reach a resolution - proposing solutions and advising on settlements - as opposed to mediators who guide parties on thinking of the issues they need to consider to reach their own decisions. Similar to mediation, resolution is entirely voluntary. No decision will be imposed on the parties; they must agree on all or part of the negotiated outcome for a settlement to be reached. If a settlement is achieved, the parties sign a settlement agreement detailing the terms they have reached, and those terms become final and binding.

- 11.5.4. Facilitation: Facilitation is led by a third party; however, the facilitator's role is to help the parties communicate effectively. The focus is not as much on the settlement of a dispute inasmuch as creating a space for open and respectful communication. Facilitation is most productive in situations where parties are working together to achieve a goal, such as policy development.
- 11.5.5. Restorative Justice: Restorative justice can take many forms, with a focus on repairing harm rather than punishing behaviour. It is characterized by a system that promotes victim, offender and community involvement.
- 11.5.6. Arbitration: Arbitration is a process where an impartial third party is selected to hear both sides of a dispute. At the conclusion of the presentation of the evidence - whether oral or documentary - the arbitrator issues a binding decision.
- 11.5.7. More information can be found at www.sportdispute.com
- 11.5.8. Application of the Alternative Dispute Resolution (ADR) Procedure
- 11.6. The ADR Procedure applies to all complaints made under this Procedure.
- 11.7. Final and Binding
 - 11.7.1. Any settlement will be binding on the parties in accordance with its terms and may require the Society's approval. If a binding negotiated settlement is reached, no further steps under this Procedure or the CSSP may be taken.

12. RANGE OF POSSIBLE DISCIPLINE OR CORRECTIVE ACTION

12.1. Types of Discipline or Corrective Action

Different complaints or incidents that constitute a violation may arise from markedly different circumstances. If prohibited behaviour is confirmed, one or more of the following actions may be imposed:

- 12.2. Verbal or Written Apology - The requirement that a Representative or Participant issue a verbal, written or online apology to acknowledge the prohibited behaviour and its impact on others.
- 12.3. Verbal or Written Warning - A verbal reprimand or official, written notice and formal admonition that a Representative or Participant has committed a violation and that more severe sanctions will result should the Representative or Participant be involved in other violations.
- 12.4. Restorative Justice Actions - may include verbal or written apologies, community service, restitution, education, public acknowledgement of harm, resulting behaviour change, and follow-up dialogues.
- 12.5. Education - The requirement that a Representative or Participant undertake specified supplemental educational or similar remedial measures to address the Prohibited Behaviour.
- 12.6. Probation - A probationary period may include a loss of privileges or other conditions, restrictions, or requirements for a specified period of time. Any further violation during the probationary period will result in additional disciplinary measures, likely including a period of suspension or permanent ineligibility.

- 12.7. Suspension - Suspension, either for a set time or until further notice, from participation, in any capacity, in any program, practice, activity, event, or competition organized by the Society. A suspended Representative or Participant may be eligible to return, but reinstatement may be subject to certain restrictions or contingent upon the Representative or Participant satisfying specific conditions noted at the time of suspension.
- 12.8. Eligibility Restrictions - Restrictions or prohibitions on certain types of participation, but allowing participation in other capacities under strict conditions.
- 12.9. Permanent Ineligibility - Permanent ineligibility to participate, in any capacity, in any program, activity, event, or competition organized by the Society.
- 12.10. Other discretionary actions - Other actions for Prohibited Behaviour may be imposed, including, but not limited to, other loss of privileges, loss of the right to attend or spectate events, no-contact directives, a fine or monetary payment to compensate for direct losses, or other restrictions or conditions as deemed necessary or appropriate.
- 12.11. Any action imposed against a Representative or Participant must be proportionate and reasonable, relative to the prohibited behaviour that has occurred.

13. APPEAL PROCEDURE

- 13.1. The appeals procedure is outlined on the Society's website and can be found here: [Sport for Life Policies](#)

14. RECORDS AND DISTRIBUTION OF DECISIONS

- 14.1. The Society may advise individuals or organizations, including but not limited to national sport organizations, Provincial/Territorial sport organizations, and sport clubs, of any decisions rendered under this Procedure, on such basis or conditions as it may reasonably determine.
- 14.2. Under the CSSP, Sport Integrity Canada maintains a publicly available searchable database or registry of Respondents who have been sanctioned or whose eligibility to participate in sport has been restricted.
- 14.3. The Society will maintain internal records of all complaints received and actions taken, in accordance with this Procedure. Any Level 2, 3 or 4 complaints will be recorded and reported to the Board via the Risk Register report.

SPORT FOR LIFE SOCIETY DISPUTE RESOLUTION PROCESS:

- 15. All complaints or incidents submitted will be reported to the Director of People and Operations and the CEO, and delegated to the appropriate point person to manage the complaint.
- 16. Any Complaints made to Sport for Life can also be forwarded to Sport Dispute Management PC for review and processing at the Society's discretion.
- 17. The human resources manual, policies, and/or the Representative's Employment Agreement or Contractor Agreement will also apply as applicable.