

SILVER SPOKES CYCLING CLUB	Revision 1
COMPLAINT REVIEW AND RESOLUTION POLICY	April 2024

1. Definitions

“SSCC” – The Silver Spokes Cycling Club

“Member” – An individual who has chosen to join the SSCC and has fully paid the annual fee

“Directors” – Those Members who have been elected or appointed to the Board of Directors for the current calendar year in accordance with the relevant By-Law provisions.

“Complainant” – The Party alleging the infraction

“Respondent” – The alleged infracting Party

“Sanction” – Disciplinary action imposed on a Member in response to a complaint that has been found to be valid

2. Purpose

SSCC Members are expected to fulfill certain responsibilities and obligations including, but not limited to, complying with the SSCC’s governance which includes its By-Law, policies, procedures, rules and regulations, and safety practices as adopted and amended from time to time. This policy outlines how SSCC will respond to any alleged infraction of its governance by a Member.

3. Application of This Policy

- a) This policy applies to all Members.
- b) This policy applies to matters that may arise during the course of SSCC activities including, but not limited to SSCC rides, instructional sessions, social events and any meetings.
- c) This policy also applies to Members’ conduct outside of the SSCC activities when such conduct adversely affects relationships within the SSCC, or is detrimental to the image and reputation of the SSCC.
- d) This policy does not prevent immediate discipline or sanctions from being applied as reasonably required *where a Member’s actions may put the physical safety of others at risk*. Further discipline may be applied according to this Policy.
- e) Should there be any conflict between this Policy and the Ontario Not-for-Profit Corporations Act (2010), the provisions of the Act shall apply.

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4. General Principles

- a) SSCC will take all complaints submitted under this policy seriously and will treat all parties involved respectfully and without bias.
- b) SSCC will attempt to ascertain the facts pertaining to any complaint regarding an alleged infraction and will provide an opportunity for Complainants and Respondents to submit any relevant evidence in support of the complaint or response. Where necessary, best efforts will be made to obtain any other information pertinent to the alleged infraction.
- c) All SSCC Members are expected to cooperate during any investigation of a complaint.
- d) Where a complaint is upheld, any discipline or other sanctions will be proportional to the seriousness of the complaint.

5. Process

- a) Any Individual may report an incident or complaint to the SSCC President in writing (including via email), within fourteen days of the alleged incident, although this timeline can be waived or extended at the President's discretion. At the SSCC's discretion, SSCC may act as the Complainant and initiate the complaint process under the terms of this Policy¹. In such cases, SSCC will identify a Member to be its representative.
- b) Upon receipt of the complaint the President will appoint a Complaint Review Panel ("Panel") of up to three Members to hear the complaint. The President shall designate one Member as the Chair of the Panel.
- c) If the complaint is of a relatively minor nature, the Panel will first attempt to have it resolved in an informal manner through discussions with the parties involved. In this case, where there is a successful resolution, no formal sanctions or discipline will be applied. Should the Complainant find this unsatisfactory, or where the Panel deems the complaint to be sufficiently serious, the following steps will be followed:
- d) The Chair of the Panel will, within fourteen days of the appointment of the Panel, convene a meeting to review the information related to the complaint and provide a recommendation to the SSCC Board of Directors as to the validity of the complaint and any sanctions to be applied.

¹ This may apply, for example, in cases where an incident or complaint arises from non-SSCC cycling events in which SSCC Members participate.

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- e) The Complainant and the Respondent will be invited to attend the meeting to provide evidence regarding the complaint. In lieu of attendance in person, either Party may provide a written submission to the Panel. The Complainant or Respondent may also designate other individuals to represent them at the meeting.
- f) The Panel may also invite witnesses or others who may have information pertinent to the complaint to attend the meeting or provide written submissions to the Panel.
- g) Following consideration of all the evidence the Panel shall make a determination as to whether or not the complaint is valid, and if so, recommend the sanctions to be applied to the Respondent.
- h) If the Respondent acknowledges the facts of the incident the Respondent may waive participation in the meeting in which case the Panel will determine an appropriate sanction for recommendation to the Board of Directors.
- i) Sanctions may include:
 - I. Verbal or written reprimand
 - II. Verbal or written apology to the Complainant or others
 - III. Payment of the cost of repairs for property damage
 - IV. Suspension from, or removal of certain privileges with respect to, SSCC activities and events for up to 30 days
 - V. Termination of membership of SSCC
 - VI. Any other sanction considered appropriate for the offense
- j) The Panel will inform the SSCC Board of Directors, the Complainant and the Respondent of its decision and recommendations within one day.

6. Board of Directors Review

Following a determination that a complaint is valid, the Board of Directors will schedule a special Disciplinary Meeting to review the recommendations of the Panel and ratify or modify the sanctions to be applied. The Board of Directors shall provide 15 days written notice of the meeting to the Respondent, advising that a resolution authorizing sanctions may be passed at the meeting. The notice shall set out the reasons for the sanctions or termination of Membership.

The Member receiving the notice shall be entitled to give the Board a written submission opposing the sanctions or termination of Membership not less than 5 days before the end of the 15-day period. The Board shall consider the written submission of the Member before making a final decision regarding sanctions or termination of Membership.

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Following the Board’s decision, any sanctions will take effect immediately.

7. Meetings

Any meetings of the Complaint Review Panel, or the Board of Directors, including any meetings involving participation by the Complainant or Respondent, may, with the agreement of all parties be held partly or entirely by electronic means (telephone or video conference) provided all parties can communicate adequately with each other during the meeting.

8. Records

The Complaint Review Panel shall prepare minutes of any meetings held. These minutes shall include a written summary of the complaint, evidence provided by the Complainant, Respondent or others, the sanctions recommended, if any, and reasons for the Panel’s decision. Records of the Complaint Review Panel, notification to the Respondent as required under the relevant By-Law, and any final submission to the Board regarding the sanctions from the Respondent shall be forwarded to the SSCC Secretary for retention for a period of three years.

The Secretary shall prepare minutes of any special Disciplinary Meeting of the Board and such minutes shall be retained for a period of three years.

9. Confidentiality

The complaints process is confidential and involves only the Parties, their representatives if any, the Complaint Review Panel, and the SSCC Board of Directors. Once initiated and until a decision is released, none of the Parties will disclose confidential information relating to the complaint to any person not involved in the proceedings.