



DISCIPLINE AND COMPLAINTS POLICY

Definitions

1. The following terms have these meanings in this policy:
 - a) *"Abuse"* – Maltreatment as defined below;
 - b) *"Adjudicator"* – the person appointed by the Independent Third Party to decide the Complaint;
 - c) *"Board"* – The Board of Directors of Volleyball Canada and/or a Provincial/Territorial Association, as applicable;
 - d) *"Affected Third Party"*– any person or entity, as determined by the Independent Third Party, who may be affected by a decision rendered under this policy;
 - e) *"Boundary Transgressions"* – as defined in the UCCMS, namely interactions or communications that breach objectively reasonable boundaries of an individual and are inconsistent with duties/responsibilities of the Participant (s. 5.7);
 - f) *"Canadian Safe Sport Program" or "CSSP"*– is the replacement program to the Abuse-Free Sport Program and all federally funded national level sport organisations are required to adopt the CSSP as a valid policy document to be incorporated into the organisation's rules;
 - g) *"Complaint"* - a written statement in which a person alleges that another person has acted in breach of the UCCMS or a VC policy;
 - h) *"Complainant"* – the party making a Complaint;
 - i) *"Days"* – Days refers to working days, not including weekends and holidays;
 - j) *"Discipline Chair"* - will be a Director of the Board of Volleyball Canada or a Provincial/Territorial Association, as applicable, or a person appointed to handle the duties of the Discipline Chair described in this policy;
 - k) *"Independent Third Party" or "ITP"*– an entity retained by VC or a PTA to assist in the administration and enforcement of certain VC or PTA policies (including the UCCMS where applicable), including triaging, administering and adjudicating Complaints;
 - l) *"Individual"* – refers to all categories of members and/or registrants defined in the Bylaws of Volleyball Canada and in the Bylaws of a Provincial/Territorial Association, as applicable, (Participants as defined in the UCCMS), as well as all people employed by, contracted by, or engaged in activities with or on behalf of, Volleyball Canada or a Provincial/Territorial Association including, but not limited to, employees, contractors, athletes, volleyball clubs, coaches, mission staff, referees, volunteers, managers, administrators, committee members, parents or guardians, spectators, and directors and officers;
 - m) *"Maltreatment"* - as defined in the UCCMS, namely a volitional act or omission described in sections 5.2-5.6 of the UCCMS that results in harm or has the potential for physical or psychological harm and includes Psychological Maltreatment (s. 5.2), Physical Maltreatment (s. 5.3), Neglect (s. 5.4), Sexual Maltreatment (s. 5.5), and Grooming (s. 5.6);
 - n) *"Minor"* as defined in the UCCMS, namely an individual under the age of 19;
 - o) *"Party" or "Parties"*- the Complainant, the Respondent, and/or an Affected Party;
 - p) *"Prohibited Behaviour"* as defined in the UCCMS, namely any conduct described in section 5 of the UCCMS, including Maltreatment (ss. 5.2-5.6), Boundary Transgressions (s. 5.7), Discrimination (s. 5.8) and Retaliation (s. 5.14);
 - q) *"Provincial/Territorial Association" or "PTA"* – the provincial/territorial member governing body for volleyball in each province/territory;

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- r) "Respondent" – the Party responding to a Complaint;
- s) "UCCMS" – refers to revision 7.0 of the Universal Code of Conduct to Prevent and Address Maltreatment in Sport, as published on April 1, 2025 by the Canadian Centre for Ethics in Sport and adopted by Volleyball Canada, or to any later approved revision adopted by Volleyball Canada; and
- t) "Volleyball Canada" or "VC" – the governing body for volleyball in Canada at the national level.

Purpose

- 2. Individuals are expected to fulfill certain responsibilities and obligations including, but not limited to, complying with all policies, bylaws, rules, and regulations, including the UCCMS, *the Abuse Policy*, and the *Code of Conduct and Ethics*. Non-compliance may result in sanctions pursuant to this policy.
- 3. Section 2 of the Pan-Canadian Code of Conduct and Ethics policy states that its purpose is to ensure a safe and positive environment within the programs, activities and events of Volleyball Canada and the Provincial/Territorial Associations. In furtherance of that purpose, Volleyball Canada and the Provincial/Territorial Associations may take whatever actions they deem necessary, including actions available under this policy, the Screening policy or any other Pan-Canadian policy.

Adoption and Administration of the CSSP and the UCCMS

- 4. The Canadian Centre for Ethics in Sport (CCES) administers the CSSP through the CSSP Rules, version 2.0, effective April 1, 2025, which have been adopted by Volleyball Canada.
- 5. The CSSP incorporates the UCCMS, which is the core document that sets out harmonized rules to be adopted by sport organizations to advance a respectful sport culture that delivers quality, inclusive, accessible, welcoming, and safe, sport experiences.
- 6. Volleyball Canada has adopted the UCCMS as a policy of Volleyball Canada. The definitions in the UCCMS (Appendix 1 Definitions) apply to this and all other Volleyball Canada policies as applicable.
- 7. The CCES has been designated as the entity to administer and enforce the UCCMS for all National Sport Organizations in Canada and thus it will administer and enforce the UCCMS for Volleyball Canada.
- 8. The majority of PTAs have adopted the UCCMS. In addition, those PTAs have chosen an Independent Third Party to enforce the UCCMS for them.
- 9. If there is a conflict between a provision of the UCCMS and a provision of any other VC Policy, the UCCMS prevails to the extent of the conflict.

Application of this Policy

- 10. This policy applies to all Individuals.

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11. This policy applies to matters that may arise during the business, activities, and sanctioned events of Volleyball Canada and the Provincial/Territorial Associations, as applicable, including, but not limited to, competitions, practices, tryouts, training camps, travel associated with organizational activities, and any meetings.
12. This policy also applies to Individuals' conduct outside of the business, activities, and sanctioned events of Volleyball Canada and the Provincial/Territorial Associations when such conduct adversely affects the relationships or is detrimental, or has the potential to be detrimental, to the image and reputation, of Volleyball Canada or a Provincial/Territorial Association. Such applicability will be determined by Volleyball Canada or a Provincial/Territorial Association, as applicable, at its sole discretion.
13. This policy does not prevent immediate discipline or sanction from being applied as reasonably required. Any infractions or Complaints occurring within a sanctioned competition will be dealt with by the procedures specific to the competition, if applicable. In such situations, disciplinary sanctions will be for the duration of the competition, training, activity, or event only. Discipline decisions for VC competitions may be reviewed by the Discipline Chair to determine if further discipline is required. Further discipline may be applied in accordance with this policy.
14. An employee of Volleyball Canada or a Provincial/Territorial Association who is a Respondent may also be subject to appropriate disciplinary action per the applicable *Human Resources Policy*, as well as the employee's employment agreement, if applicable.

Alignment

15. Volleyball Canada and the Provincial/Territorial Associations recognize that Individuals may also be registered with both Volleyball Canada and a Provincial/Territorial Association. Volleyball Canada and the Provincial/Territorial Associations are required, pursuant to the *Reciprocation Policy*, to submit discipline decisions involving Individuals to the other organization with which the Individual may be registered, which may take further action at its discretion.
16. Volleyball Canada and/or a Provincial/Territorial Association may decide to take further action upon becoming aware of an Individual who has been disciplined by Volleyball Canada or a Provincial/Territorial Association, and if so, the Individual will be the Respondent to a Complaint initiated under the terms of this policy. Volleyball Canada or a Provincial/Territorial Association may act as the Complainant if the original Complainant is unwilling or unavailable to participate in this process.
17. The Discipline Chair or Independent Third Party, as applicable, will review and consider the decision by the Provincial/Territorial Association when deciding on the Complaint per the terms of this policy.

Minor's Representative

18. Complaints may be brought for or against an Individual who is a Minor. Minors must have a parent/guardian or other adult serve as their representative during this process.

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19. All communications, as applicable, must be directed to the Minor's representative.
20. A Minor is not required to attend an oral hearing, if held.

Reporting a Complaint

21. Any Individual may report a Complaint as follows:
 - a) a Complaint within the scope of the UCCMS (e.g., matters concerning Prohibited Behaviours, including Abuse/Maltreatment) must be directed to the CCES or to the relevant Independent Third Party.;
 - b) a Complaint outside the scope of the UCCMS must be directed to the applicable Discipline Chair or Independent Third Party.
22. Any Individual may contact the Canadian Sports Helpline for advice, guidance, and resources on how to proceed/intervene appropriately in the circumstances.
Report online: <https://cces.ca/report-safe-sport>
Report by phone: 1-833-858-CSSP (2777)
Get help and information by contacting the CSSP team with questions or for support here:
<https://cces.ca/contactCSSP>.
23. If the CCES or relevant Independent Third Party refers a Complaint made pursuant to section 21(a) to Volleyball Canada or a Provincial/Territorial Association, as the case may be, the Discipline Chair or Independent Third Party, as applicable, will deal with that Complaint in accordance with this policy.
24. The Discipline Chair or Independent Third Party, as applicable, will determine the jurisdiction under which the Complaint (other than UCCMS Complaints reported pursuant to section 21(a)) will be addressed and will notify the Complainant and Volleyball Canada or the Provincial/Territorial Association, as applicable.
25. Volleyball Canada's and/or a Provincial/Territorial Association's Discipline Chair or CCES or the relevant Independent Third Party, as applicable, may accept any Complaint at their sole discretion, as applicable.
26. Volleyball Canada and/or a Provincial/Territorial Association, as applicable, at its sole discretion, may act as the Complainant and initiate the Complaint process under the terms of this policy.

Complaint Process

27. Upon receipt of a non UCCMS Complaint, the Discipline Chair or Independent Third Party, as applicable, will:
 - a) determine whether the Complaint is frivolous and/or within the jurisdiction of this policy;
 - b) propose the use of alternative dispute resolution techniques, if appropriate; and
 - c) choose which process should be followed, and may use the following examples as a general guideline:

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- c.1) Process #1 - the Complaint alleges the following incidents:
 - i. disrespectful comments or behaviour of a minor nature,
 - ii. disrespectful conduct,
 - iii. minor incidents of physical contact (e.g. tripping, pushing, elbowing),
 - iv. non-compliance with Volleyball Canada's and/or a Provincial/Territorial Association Bylaws, policies, procedures, rules, or regulations, or
 - v. minor violations of the *Code of Conduct and Ethics*;

- c.2) Process #2 - the Complaint alleges the following incidents:
 - i. disrespectful behaviour or comments of a serious nature including, abusive, racist, or sexist comments,
 - ii. repeated minor incidents referred to in Process 1,
 - iii. any incident of hazing,
 - iv. major incidents of physical contact (e.g., fighting, attacking, sucker punching),
 - v. any conduct included in the definition of Prohibited Behaviour,
 - vi. pranks, jokes, or other activities that endanger the safety of others,
 - vii. conduct that intentionally interferes with a competition or with any athlete's preparation for a competition,
 - viii. conduct that intentionally damages the image, credibility, or reputation of Volleyball Canada and/or a Provincial/Territorial Association,
 - ix. Consistent disregard for, non-compliance with, or major violations of, Volleyball Canada or Provincial/Territorial Association bylaws, policies, rules, and regulations, including the *Code of Conduct and Ethics*,
 - x. intentionally damaging the property or improperly handling monies of Volleyball Canada and/or a Provincial/Territorial Association,
 - xi. abusive use of alcohol or cannabis, any use or possession of alcohol or cannabis by minors, or use or possession of illicit drugs,
 - xii. any possession or use of banned performance enhancing drugs or methods, or
 - xiii. a conviction for any *Criminal Code* offense.

28. If the Discipline Chair or Independent Third Party determines the Complaint is frivolous or outside the jurisdiction of this policy, the Discipline Chair or Independent Third Party will dismiss the Complaint.

29. The decision of the Discipline Chair or the Independent Third Party to accept or dismiss the Complaint may not be appealed under the applicable Appeal Policy.

30. In carrying out their duties, the Discipline Chair or Independent Third Party may obtain advice and/or assistance from staff or other persons.

31. For non_UCCMS matters (involving Volleyball Canada) that concern whether a Complaint is frivolous or outside the jurisdiction of this policy or the jurisdiction of Volleyball Canada, the Independent Third Party will discuss the matter with the Discipline Chair or their designate before making a decision.

Process #1: Handled by Discipline Chair

32. The Discipline Chair may:

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- a) ask the Complainant and the Respondent for either written or oral submissions regarding the Complaint or incident;
 - b) convene the parties to a meeting, either in person or by way of video or teleconference in order to ask the parties questions;
 - c) carry out further assessments or evaluations as necessary; or
 - d) move a matter to Process #2 if circumstances warrant.
33. If the Respondent acknowledges the allegations in the Complaint, or does not provide a response to the allegations, the Discipline Chair will make the determinations pursuant to section 35.
34. Thereafter, the Discipline Chair will determine if a breach occurred, and, if so, if may apply one or more of the following sanctions:
- a) verbal or written reprimand;
 - b) verbal or written apology;
 - c) service or other contribution to the Volleyball Canada or to a Provincial/Territorial Association;
 - d) removal of certain privileges;
 - e) suspension from certain teams, events, and/or activities;
 - f) suspension from all the activities of Volleyball Canada or a Provincial/Territorial Association for a designated period; or
 - g) any other sanction considered appropriate for the offense.
35. The Discipline Chair will inform the parties of the decision, which will take effect immediately.

Process #2: Handled by Independent Third Party

36. If the Independent Third Party or Discipline Chair determines that that the Complaint should be dealt with under Process #2, the Independent Third Party will:
- a) propose the use of alternative dispute resolution techniques, if appropriate;
 - b) appoint the Adjudicator, if necessary;
 - c) coordinate all administrative aspects and set timelines;
 - d) carry out further investigations as necessary;
 - e) provide administrative assistance and logistical support to the Adjudicator as required;
 - f) provide any other service or support that may be necessary to ensure a fair and timely proceeding; and
 - g) engage with Volleyball Canada or a Provincial/Territorial Association, as applicable, to determine, in their sole discretion if a person or entity is an Affected Party.
37. The Independent Third Party will establish timelines that ensure procedural fairness and that the matter is heard. The Independent Third Party may agree to an extension with notice and reasoning to both the Complainant and Respondent.
38. If the Independent Third Party proposes alternative dispute resolutions to the Parties, and if the dispute is not resolved, the Independent Third Party will appoint an Adjudicator to hear the Complaint.

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39. The Independent Third Party, in consultation with the Adjudicator, will then decide the format under which the Complaint will be heard. This decision may not be appealed.
40. The format of the hearing may be an oral in-person hearing, an oral hearing by telephone or other communication medium, a hearing based on a review of documentary evidence submitted in advance of the hearing, or a combination of these methods. The hearing will be governed by the procedures that the Independent Third Party and the Adjudicator deem appropriate in the circumstances, provided that:
 - a) the Parties will be given appropriate notice of the day, time, and place of the hearing, in the case of an oral in-person hearing or an oral hearing by telephone or other communication medium;
 - b) copies of any written documents which the parties wish to have the Adjudicator consider will be provided to all Parties, through the Independent Third Party, in advance of the hearing;
 - c) the Parties may engage a representative, advisor, or legal counsel at their own expense;
 - d) the Adjudicator may request that any other individual participate and give evidence at the hearing; and
 - e) the Adjudicator may allow as evidence at the hearing any oral evidence and document or thing relevant to the subject matter of the Complaint, but may exclude such evidence that is unduly repetitious, and will place such weight on the evidence as it deems appropriate.
41. If the Respondent acknowledges the facts of the incident, the Respondent may waive the hearing, in which case the Adjudicator will determine the appropriate sanction. The Adjudicator may still hold a hearing for the purpose of determining an appropriate sanction.
42. If a Party chooses not to participate in the hearing, the hearing will proceed in any event. In fulfilling their duties, the Adjudicator may obtain independent advice.

Decision

43. After hearing and/or reviewing the matter, the Adjudicator will determine whether an infraction has occurred and, if so, the sanctions to be imposed. Within 14 days of the hearing's conclusion, the Adjudicator's written decision, with reasons, will be distributed to all Parties, the Independent Third Party, and to Volleyball Canada and the Provincial/Territorial Association, as applicable. In extraordinary circumstances, the Adjudicator may first issue a verbal or summary decision soon after the hearing's conclusion, with the full written decision to be issued before the end of the 14-day period. The Adjudicator and Independent Third Party may agree to an extension with notice to the Complainant and Respondent.
44. A summary of the decision will be considered a matter of public record for the period of any sanction unless decided otherwise by the Adjudicator.

Sanctions

45. The Adjudicator may apply the following disciplinary sanctions, singularly or in combination:
 - a) verbal or written reprimand;
 - b) verbal or written apology;

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- c) service or other contribution to Volleyball Canada or a Provincial/Territorial Association;
- d) removal of privileges;
- e) suspension from teams, events, and/or activities;
- f) suspension from activities for a designated period;
- g) payment of the cost of repairs for property damage;
- h) suspension of funding and/or programs;
- i) expulsion from Volleyball Canada and/or a Provincial/Territorial Association; or
- j) any other sanction considered appropriate for the offense.

46. Unless the Adjudicator decides otherwise, any disciplinary sanctions will begin immediately, notwithstanding an appeal. If the Respondent fails to comply with a sanction as determined by the Adjudicator, the Respondent will be automatically suspended until such time as compliance occurs.

Record of Decisions

47. Records of all decisions will be maintained by Volleyball Canada and applicable Provincial/Territorial Associations. Provincial/Territorial Associations will submit all records to Volleyball Canada, which will maintain a national record of all decisions made. All records will be maintained in accordance with Volleyball Canada's and/or a Provincial/Territorial Associations' Privacy Policy.

Appeals

48. The Appellant or the Respondent may appeal a decision of the Discipline Chair under Process #1 in accordance with the relevant Appeal Policy.

49. The Appellant or Respondent may appeal the decision of the Adjudicator in accordance with the relevant Appeal Policy.

Interim Measures Pending a Hearing or Decision

50. Volleyball Canada or a Provincial/Territorial Association, as applicable, may determine that a Complaint is of such seriousness as to warrant interim measures, including an interim suspension, pending completion of an investigation, criminal process, the hearing, or a decision of the Adjudicator, the Independent Third Party, or the CCES, as applicable.

51. Nothing in section 50 prevents the CCES from issuing interim measures.

52. The Independent Third Party or the Adjudicator may determine that the Complaint is of such a serious nature as to warrant interim measures, including interim suspension, pending the completion of an investigation, criminal process, the hearing or the decision of the Adjudicator or Independent Third Party.

Criminal Convictions

53. An Individual's conviction for a Criminal Code offence, as determined by Volleyball Canada or a Provincial/Territorial Association (as applicable), will be deemed an infraction under this policy and

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will result in expulsion from Volleyball Canada or a Provincial/Territorial Association (as applicable). Criminal Code offences may include, but are not limited to:

- a) any child pornography offences;
- b) any sexual offences;
- c) any offence of assault; or
- a) any offence involving trafficking of illegal drugs and/or performance enhancing drugs.

Confidentiality

- 54. The discipline and complaints process set out in this policy is confidential and involves only Volleyball Canada or a Provincial/Territorial Association, as applicable, the parties, the Independent Third Party, the Adjudicator, and any independent advisors to the Adjudicator. Once initiated and until a decision is released, none of the parties will disclose confidential information relating to the discipline or Complaint to any person not involved in the proceedings.

Communication

- 55. Volleyball Canada and the Provincial/Territorial Associations will identify those persons within their respective organizations who will be responsible for implementing this policy.

Review

- 56. Each of Volleyball Canada and any Provincial/Territorial Association that has adopted this policy will review this policy on a regular basis (at least every three/four years)

Amendment

- 57. As a Volleyball Canada policy, any amendment requires approval of the Board of Directors of Volleyball Canada.
- 58. If a PTA has adopted this policy as a policy of the PTA, any amendment requires approval of the Board of Directors of that PTA.

Approval

- 59. This policy was approved by Volleyball Canada and its Board of Directors on April 7, 2025.
- 60. This policy was approved by Volleyball Alberta and its Board of Directors on April 9, 2025.