



ALBERTA ORIENTEERING ASSOCIATION COMPLAINTS, DISPUTE AND APPEAL POLICY

Approval Date: 2025-12-22 by the AOA Board of Directors

1. PURPOSE AND SCOPE

1.1 Purpose

This Policy outlines the Alberta Orienteering Association's ("AOA") internal process for managing complaints, disputes and appeals that fall outside the scope of the Alberta Safe Sport Complaint Mechanism (ABSSCM), which is governed by the Alberta Universal Code of Conduct (AB UCC).

The AB UCC is the province-wide standard of conduct for organizations participating in the ABSSCM. It defines prohibited behaviours and establishes consistent sanctioning principles to promote a safe, respectful, and inclusive sport environment across Alberta.

The AOA Code of Conduct supplements the AB UCC by addressing ethical, governance, operational, and sport-specific responsibilities consistent with the values of fairness, integrity, open communication, and mutual respect. These provisions are based on the Orienteering Canada (OC) Code of Conduct and Ethics.

Conduct that violates these provisions may be subject to sanctions pursuant to this Policy.

1.2 Scope

This Policy applies to:

- (a) **All AOA members and participants.** Participants could include, without limitation, athletes, coaches, officials, volunteers, administrators, directors, employees, trainers, parents/guardians.
- (b) Complaints, disputes, and appeals related to:
 - i) Operational matters and organizational decisions (including but not limited to administration, governance, AOA bylaw, policies and regulations).
 - ii) Membership issues.
 - iii) Competition-related disputes (excluding doping matters); e.g. mapping-related complaints, officiating, and events' jury decisions.
 - iv) Selection and eligibility decisions.
 - v) Disciplinary matters not involving violations of the Alberta Universal Code of Conduct (AB UCC); for example, minor infractions or single instances of disrespectful or unsporting behaviour.
 - vi) Other matters referred to the AOA by the ABSSCM, Independent Third-Party Reporting Mechanism.

This Policy does not apply to:

- (c) Matters falling under the AB UCC or ABSSCM, including but not limited to maltreatment, harassment, abuse, discrimination, or violations of safe-sport principles.
- (d) Doping violations, which are governed by the Canadian Anti-Doping Program.
- (e) Criminal matters which must be reported to the appropriate law enforcement authorities.

2. DEFINITIONS

- AB UCC: The Alberta Universal Code of Conduct.
- ABSSCM: The Alberta Safe Sport Complaint Mechanism, as administered and delivered by ASLA.
- ALIAS: Alias Solutions, a company that is handling the independent third-party reporting mechanism in AB.
- ASLA: Alberta Sport Leadership Association.
- CCES: The Canadian Centre for Ethics in Sport.
- CSSP: The Canadian Safe Sport Program, administered by CCES.
- ITPM: Independent Third Party Mechanism.

- NSO: National Sport Organization (e.g. Orienteering Canada).
- PSO: Provincial Sport Organization (e.g. AOA).
- "Appeal" means a request to review a decision made by AOA or its authorized representatives.
- "Appellant" means a participant who files an appeal under this Policy.
- "Board" means the board of directors of the Alberta Orienteering Association.
- "Complaint" means a formal written submission alleging a violation of AOA policies, procedures, rules, or regulations, or alleging unfair treatment.
- "Complainant" means a participant who files a complaint under this Policy.
- "Decision" means a determination, ruling, or resolution made by the AOA or its authorized representatives that affects a participant's rights, privileges, or interests.
- "Dispute" means a disagreement between two or more participants regarding the interpretation or application of AOA policies, procedures, rules, or regulations.
- "Maltreatment" is defined in the AB UCC. In simple terms, maltreatment covers, but is not limited to, serious misconduct that materially harms people or puts them at risk, such as physical or psychological abuse, sexual misconduct or grooming, harassment, discrimination, or neglect.
- "Member" means all categories of membership and registrants defined in the AOA Bylaws, including, but not limited to, member clubs and individuals affiliated with a member club or the AOA.
- "Natural Justice" means the right to be heard, the right to an impartial decision-maker, and the right to receive reasons for a decision.
- "Participant" means any individual who is subject to this policy. Participants could include, without limitation, athletes, coaches, officials, volunteers, administrators, directors, employees, trainers, parents/guardians.
- "Respondent" means a participant against whom a complaint or appeal has been filed.

3. GUIDING PRINCIPLES

All participants and individuals involved in proceedings under this Policy shall:

- (a) Act in good faith and with integrity;
- (b) Treat all participants fairly, equitably, and with respect;
- (c) Cooperate fully and provide complete and truthful information;
- (d) Refrain from retaliation against any participant who files or participates in a complaint, dispute, or appeal.
- (e) Ensure procedural fairness and Natural Justice in all proceedings;
- (f) Strive to resolve matters at the lowest appropriate level;
- (g) Maintain confidentiality to the extent possible, while ensuring procedural fairness.

4. INFORMAL RESOLUTION

Before filing a formal complaint or dispute, or initiating an appeal, participants are encouraged to resolve matters informally through direct communication with the other party or parties involved. Informal resolution is voluntary and may be pursued at any stage of the formal process by mutual agreement of the parties. Participants may seek assistance from an AOA board member, coach, or other appropriate individuals to facilitate informal resolution. Nothing in this section prevents a participant from filing a formal complaint if informal resolution is unsuccessful or inappropriate, given the nature of the matter.

Informal resolution may include:

- (a) Direct dialogue between the parties;
- (b) Facilitated discussion with a neutral third party;
- (c) Mediation (as described in Section 7).

5. COMPLAINTS or DISPUTES

5.1 Filing a Complaint or Dispute

All maltreatment complaints related to potential violations of the AB UCC must be reported through the independent third-party Alberta Safe Sport Complaint Mechanism (ABSSCM), managed by ALIAS Solutions. Reports can be submitted confidentially online or by phone (visit the ALIAS reporting platform as provided on the AOA website. Link). If a report is submitted to the AOA and it is deemed to fall under the ABSSCM, the AOA will refer the case to ALIAS Solutions for an independent third-party review.

Non-maltreatment complaints that do not fall under the AB UCC can also be reported through the ABSSCM platform. The complaint will be assessed by ALIAS Solutions; if it is outside their scope, it will be referred back to the AOA for handling under this Policy.

Concerns, non-formal complaints or disputes referring to AOA members and participants can be reported directly to the AOA Executive Director via email [info@orienteeringalberta.ca].

(a) A complaint or dispute must be submitted in writing to the AOA Executive Director within thirty (30) days of the incident or decision giving rise to the complaint, or within thirty (30) days of when the complainant reasonably should have become aware of the incident or decision.

(b) A complaint or dispute must include:

- i) The name and contact information of the complainant;
- ii) The name(s) of the respondent(s), if any;
- iii) A detailed description of the facts and circumstances giving rise to the complaint or dispute;
- iv) The specific AOA policy, procedure, rule, or regulation alleged to have been violated;
- v) The remedy or resolution sought;
- vi) Any supporting documentation or evidence;
- vii) Confirmation that informal resolution was attempted or an explanation of why informal resolution was not appropriate.

5.2 Preliminary Review

(a) Upon receipt of a complaint or dispute, the AOA board shall appoint an individual (who may or may not be an AOA member) having no conflict of interest with the participants involved. The appointed individual shall conduct a preliminary review within seven (7) days to determine:

- i) Whether the complaint or dispute falls within the scope of this Policy
- ii) Whether the complaint or dispute was filed within the required timeframe;
- iii) Whether the complaint is frivolous, vexatious, or made in bad faith;
- iv) Whether the matter should be referred to ABSSCM (Alias-Solutions) or another appropriate body (e.g. OC or CCES).

(b) If the appointed individual determines that the complaint or dispute does not meet the requirements of this Policy, the complainant shall be notified in writing with reasons, and the complaint shall be dismissed.

(c) If the appointed individual determines that the complaint should proceed, the respondent shall be notified of the details of the complaint and be given fourteen (14) days to submit a written response.

(d) Criminal conduct and mandated reporting: if the appointed individual becomes aware of credible evidence suggesting potential criminal conduct and/or an offence under the Criminal Code of Canada, the reviewer shall immediately report the case to Alias Solutions (independent third-party) and report promptly to applicable law enforcement, child protection agencies, or other mandated authorities, where required by Applicable Law.

5.3 Complaint Review or Dispute Resolution Committee

(a) For complaints and disputes that proceed beyond preliminary review, the Board shall appoint a Complaint Review or Dispute Resolution Committee consisting of three (3) individuals who:

- i) May be AOA members in good standing, or external individuals with relevant expertise;
- ii) Have no conflict of interest with respect to the case;
- iii) Have not been previously involved in the matter.

(b) The Complaint Review or Dispute Resolution Committee shall:

- i) Review all written submissions and evidence;
- ii) Suggest facilitated discussion or mediation (as described in Section 6)
- iii) Conduct interviews as necessary;

- iv) Provide a written decision with reasons within thirty (30) days of being appointed.

5.4 Decision and Remedies

- (a) The Complaint Review or Dispute Resolution Committee may:
- i) Apply Criminal Conduct and Mandated Reporting where required by Applicable Law;
 - ii) Dismiss the complaint or dispute;
 - iii) Uphold the complaint or dispute in whole or in part;
 - iv) Impose sanctions or remedies, including but not limited to:
 - Warnings or reprimands;
 - Mandatory education or training;
 - Suspension of membership or privileges;
 - Removal from a position or role;
 - Other remedies deemed appropriate.
- (b) The decision of the Complaint Review or Dispute Resolution Committee shall be provided in writing to all parties and shall include:
- i) Findings of fact;
 - ii) Analysis and reasons for the decision;
 - iii) Any sanctions or remedies imposed;
 - iv) Information regarding the right to appeal.
- (c) The Decision of the Complaint Review or Dispute Resolution Committee shall be final, subject to the right of appeal (Section 6).

6. APPEALS

6.1 Right of Appeal

- (a) A participant directly affected by a decision made under this Policy may file an appeal.
- (b) Decisions that may be appealed include:
- i) Decisions of a Complaint Review Committee;
 - ii) Decisions of a Dispute Resolution Committee;
 - iii) Disciplinary decisions made by the AOA;
 - iv) Selection or eligibility decisions (limited to AOA scope e.g. provincial selections);
 - v) Other significant decisions made by the AOA affecting a participant's rights or privileges.

6.2 Grounds for Appeal

An appeal may be filed on one or more of the following grounds:

- (a) The decision-maker lacked jurisdiction or authority to make the decision;
- (b) There was a denial of procedural fairness;
- (c) There was bias or a perceived conflict of interest on the part of the decision-maker;
- (d) The decision was unreasonable or not supported by the evidence;
- (e) New evidence has become available that could not have been discovered with reasonable diligence prior to the decision and that would have affected the outcome.

6.3 Filing an Appeal

- (a) An appeal must be submitted in writing to the Executive Director via email [info@orienteeringalberta.ca] within fourteen (14) days of the appellant receiving the decision being appealed.
- (b) The appeal must include:
- i) The name and contact information of the appellant;
 - ii) A copy of the decision being appealed;
 - iii) The specific ground(s) for appeal as set out in Section 6.2;

- iv) A detailed explanation of why the appeal should be granted;
- v) The remedy sought;
- vi) Any supporting documentation or evidence;
- vii) An appeal fee of \$200 (refundable if the appeal is successful).

6.4 Preliminary Review of Appeal

- (a) Upon receipt of an appeal, the AOA Board shall appoint an AOA board member with no conflict of interest (If such a board member is not found, an AOA member in good standing or an external individual with relevant expertise may be appointed). The appointed individual will conduct a preliminary review within seven (7) days to determine:
 - i) Whether the appeal was filed within the required timeframe;
 - ii) Whether the appeal is based on one or more of the grounds set out in Section 6.2;
 - iii) Whether the appeal has a reasonable prospect of success.
- (b) If the appointed individual determines that the appeal does not meet the requirements of this Policy, the appellant shall be notified in writing with reasons, and the appeal shall be dismissed.
- (c) If the appointed individual determines that the appeal should proceed, the respondent and any other affected parties shall be provided with the details of the appeal and given fourteen (14) days to submit a written response.

6.5 Appeal Panel

For appeals that proceed beyond preliminary review, the AOA board shall appoint an Appeal Panel consisting of three (3) individuals who may:

- (a) Determine whether an oral hearing is necessary or whether the appeal can be decided based on written submissions.
- (b) Dismiss the appeal;
- (c) Uphold the appeal and vary, rescind, or substitute the original decision;
- (d) Refer the matter back to the original decision-maker with directions;
- (e) Make any other order deemed appropriate, such as but not limited to, pursuing arbitration through the Sport Dispute Resolution Centre of Canada (SDRCC).

6.6 Appeal Decision

- (a) The Appeal Panel shall provide a written decision, with reasons, within thirty (30) days of the conclusion of the hearing or receipt of final written submissions.
- (b) The decision of the Appeal Panel shall be final and binding, subject to further external appeal rights as set out in Section 8.
- (c) The decision shall be provided to all parties and shall include:
 - i) Findings of fact;
 - ii) Any sanctions, remedies, or directions;
 - iii) Information regarding further appeal rights.

7. MEDIATION

- (a) At any stage of a complaint, dispute, or appeal, the parties may agree to participate in mediation.
- (b) Mediation is a voluntary, confidential process in which a neutral third party (the mediator) assists the parties in reaching a mutually acceptable resolution. The mediator shall have no conflict of interest and shall not have been previously involved in the matter.
- (c) If mediation is successful, the parties shall document the terms of the resolution in a written agreement signed by all parties.
- (d) If mediation is unsuccessful, the parties may continue with the formal complaint, dispute, or appeal process.
- (e) Communications made during mediation are confidential and without prejudice and may not be used in subsequent proceedings.

8. PROCEDURAL MATTERS

8.1 Timelines

- (a) All timelines in this Policy are calculated in calendar days.
- (b) Timelines may be extended by mutual agreement of the parties or by the decision-maker for good cause.
- (c) Failure to meet a timeline does not automatically invalidate a complaint, dispute, or appeal, but may be considered by the decision-maker.

8.2 Interim Measures

- (a) At any stage of proceedings under this Policy, the Board or a decision-making body may impose interim measures, including but not limited to:
 - i) Suspension of membership or privileges;
 - ii) Restrictions on participation in activities or events;

Interim measures shall remain in effect until the conclusion of the proceedings or until otherwise determined by the decision-maker.

8.3 Representation

- (a) Parties may be accompanied by a representative or advisor at any stage of proceedings under this Policy.
- (b) Representatives may include legal counsel, family members, friends, or other support persons.
- (c) Parties may call witnesses to provide evidence.
- (d) Parties shall have an opportunity to respond to evidence presented against them.
- (e) Parties are responsible for any costs associated with their representation.

8.4 Confidentiality

- (a) All proceedings under this Policy shall be conducted in confidence to the extent possible while ensuring procedural fairness.
- (b) Information may be disclosed as necessary to conduct a fair process or as required by law or to implement and enforce decisions.
- (c) Parties and decision-makers shall not disclose information about proceedings except as permitted by this Policy.

8.5 Records

- (a) The AOA shall maintain records of all complaints, disputes, and appeals for a period of seven (7) years.
- (b) Records shall be stored securely and in accordance with applicable privacy legislation.

9. CONFLICTS OF INTEREST

Any participant appointed to a decision-making body under this Policy who has a conflict of interest or a reasonable apprehension of bias must immediately disclose the conflict and recuse themselves from the proceedings. If a party believes that a decision-maker has a conflict of interest, they may file a written objection with the Board, which shall then determine whether the decision-maker should be removed and replaced.

A conflict of interest includes, but is not limited to:

- (a) A personal, familial, or financial relationship with a party;
- (b) A direct interest in the outcome of the proceedings;
- (c) Previous involvement in the matter;
- (d) Any other circumstance that could reasonably be perceived as affecting impartiality.

10. RETALIATION

Retaliation against any participant who files or participates in a complaint, dispute, or appeal in good faith is strictly prohibited. Any participant who engages in retaliation may be subject to disciplinary action, including suspension or termination of membership.

Retaliation includes, but is not limited to:

- (a) Threats, intimidation, harassment or discrimination;

- (b) Exclusion from activities or opportunities;
- (c) Any other conduct intended to discourage or punish participation in proceedings under this Policy.

11. FRIVOLOUS OR VEXATIOUS COMPLAINTS

A complaint, dispute, or appeal that is determined to be frivolous, vexatious, or made in bad faith may be dismissed at any stage of the proceedings. A participant who files a frivolous, vexatious, or bad faith complaint, dispute, or appeal may be subject to:

- (a) Forfeiture of any fees paid;
- (b) Costs awarded against them;
- (c) Disciplinary action, including suspension or termination of membership.

12. COSTS

Each party shall bear their own costs associated with proceedings under this Policy, including legal fees, travel expenses, or other related costs.

In exceptional circumstances, a decision-maker may award costs against a party who has acted in bad faith or in a manner that has unnecessarily prolonged or complicated the proceedings.

13. INTERPRETATION AND APPLICATION

In the event of any conflict or inconsistency between this Policy and the AB UCC or ABSSCM policies, the AB UCC and ABSSCM policies shall prevail.

The Board has the authority to interpret this Policy and make determinations regarding its application.

For questions about this Policy or to file an informal complaint, dispute, or appeal, please contact the Alberta Orienteering Association at: info@orienteeringalberta.ca.

14. ACKNOWLEDGMENT

This Policy acknowledges and incorporates principles from:

- AB UCC: The Alberta Universal Code of Conduct
- ABSSCM: The Alberta Safe Sport Complaint Mechanism
- CCES: The Canadian Centre for Ethics in Sport.
- CSSP: The Canadian Safe Sport Program
- Orienteering Canada policies