



Guideline for handling discrimination complaints or allegations

The objective of complaint resolution is to ensure that complaints of discrimination are brought to the attention of the organization and are appropriately dealt with. The approach for handling complaints must be unbiased, objective, consistent and fair to help govern an accurate understanding of the situation or complaint.

The following guidelines are advisable when handling a complaint for discrimination.

Keep an open mind

Your organization is on notice of a discrimination complaint related to Rule 11 as soon as it is reported or perceived, or someone from the organization becomes aware of an issue. Any complaint, regardless of how it may come to light, must be treated seriously, and trigger a thorough investigation.

When someone comes forward with a concern or allegation of discrimination, respond to and treat the complainant with respect and compassion. It is important to keep an open mind so as not to draw any premature conclusions before the investigation is completed. Members may need to use discretion as there may be situations which call for interim measures (i.e., suspensions) during an investigation.

Follow established procedures

All documented policies relating to complaints of discrimination should be properly followed. Take personal initiative to educate yourself on the laws of discrimination, specifically understanding how it is defined by the Human Rights Code, how it is proven in court and what your responsibilities are as outlined by Hockey Canada. Ensure that you obtain accurate information from official provincial government websites. Each province will outline its own Human Rights Code and Acts.

To enhance your understanding and appreciation for the Human Rights Code in your province, please refer to the following government sites:

[Canadian Human Rights Act](#)

[Quebec - Charter of Human Rights and Freedoms](#)

[BC Human Rights Code](#)

[New Brunswick Human Rights Act](#)

[Alberta Human Rights Code](#)

[Nova Scotia - Human Rights](#)

[Saskatchewan Human Rights Code](#)

[Prince Edward Island Human Rights Act](#)

[Manitoba Human Rights Code](#)

[Newfoundland & Labrador - Human Rights Act](#)

[Ontario Human Rights Code](#)

[Nunavut Human Rights Act](#)

[Yukon Human Rights](#)

[Northwest Territories Human Rights Act](#)





Confidentiality

While confidentiality needs to be upheld throughout the entire process of receiving the complaint, through the investigation until a finding of fact has been delivered, complete confidentiality may not be possible. At times disclosure may be necessary for the purposes of the investigation, or for protection of an individual as required by law.

Interview those that are involved

It is advisable to start with the individual(s) who have brought forward a complaint.

1. **Understand** the exact nature of the allegation(s).
2. **Gather** details of what was said or done, when and where, other(s) who witnessed the incident.
3. **Meet and interview** those who were accused of discrimination.
4. **Interview** any witnesses who may have observed or heard firsthand of any problematic conduct.
5. **Follow-up** with any further witnesses provided by the accused.
6. **Gather** relevant documentation to fully comprehend and assess the allegation(s).

For more information on this process see *"Discrimination Investigation Reference Guide"*.

Safeguard Interview Notes

All notes regarding interviews conducted must remain objective. In addition, ensure relevant steps taken to get to the truth are preserved in your notes. More information on note taking when investigating a complaint will be reviewed in *"Discrimination Investigation Reference Guide"* as well as the *"Investigative Interviews Video Module"*.

Avoid Retaliation

It is important that all participants in an investigation clearly understand that there will be no retaliation against them for their participation, nor will it be tolerated under any circumstances. Retaliation in any form should be reported immediately. Reiterate at the onset and close of each interview for peace of mind.

Take appropriate remedial action

If at the conclusion of the investigation it has been confirmed there was some form of misconduct, the Hearing Committee will determine the appropriate discipline action with respect to the individual(s). Once the appropriate action is determined, the outcome should be documented, and the parties should be notified in a timely fashion.

Follow-up

When an investigation is complete, the complainant should be notified of the investigative result. The steps taken should be discussed to ensure that there will be no further discrimination or potential retaliation going forward. The individual(s) should also be reminded of the direct line of communication in which to come forward in the event of any further complaint(s) of discrimination, or retaliation.





Conducting a follow-up with the complainant after the investigation is necessary and key to ensuring their well-being, and no concerns or issues regarding their environment.

Remember:

- ✓ Complaints must be taken seriously.
- ✓ Demonstrate empathy and compassion.
- ✓ Prompt and timely action is key.
- ✓ Leverage appropriate resources to resolve complaints.
- ✓ A defined complaint process in place and communicated organizationally is key.
- ✓ Complaint procedures must ensure a healthy environment is created and sustained for all involved.
- ✓ Discipline decisions and actions taken by the organization must be communicated to the parties.

