

**FOOTBALL ONTARIO**  
**SAFE SPORT POLICIES**  
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# SAFE SPORT POLICY

## Definitions

1. The following terms have these meanings in this Policy:
  - a) **Participant** – Refers to all categories of individual members and/or registrants defined in the By-laws of Football Ontario and its League Members who are subject to the policies of Football Ontario and its League Members, as well as all people employed by, contracted by, or engaged in activities with, Football Ontario and its League Members including, but not limited to, employees, contractors, athletes, coaches, instructors, officials, volunteers, managers, administrators, parents or guardians, spectators, committee members, and Directors and Officers
  - b) **Person in Authority** – A Participant who holds a position of authority within Football Ontario and its League Members including, but not limited to, coaches, managers, support personnel, chaperones, and Directors

## Purpose

2. This Policy describes how Football Ontario and its League Members aims to provide a safe sport environment.

## Conduct Standards

3. Football Ontario will adopt a *Code of Conduct and Ethics* that describes standards of conduct and behaviour for all Participants. General standards of conduct will apply to all Participants and specific standards will be described for positions within the organization. The *Code of Conduct and Ethics* will have specific sections, including but not limited, to:
  - a) Athletes
  - b) Coaches
  - c) Officials
  - d) Directors and Committee Members
  - e) Parents and Spectators
4. The *Code of Conduct and Ethics* will contain detailed definitions of key terms, including:
  - a) Harassment
  - b) Abuse
  - c) Bullying
  - d) Hazing
5. The *Code of Conduct and Ethics* will include the following definition of Hazing:
  - a) Hazing is a form of conduct that exhibits a potentially humiliating, degrading, abusive, or dangerous activity expected of a junior-ranking individual by a more senior individual, which does not contribute to either individual's positive development, but is required to be accepted as part of a team or group, regardless of the junior-ranking individual's willingness to participate. This includes, but is not limited to, any activity, no matter how traditional or seemingly benign, that sets apart or alienates any teammate or group member based on class, number of years on the team or with the group, or ability

## Anti-Doping

6. The *Code of Conduct and Ethics* will indicate that Football Ontario and its League Members adopt and adhere to the Canadian Anti-Doping Program.

## Athlete Protection

### Screening

7. Football Ontario will adopt a comprehensive *Screening Policy* that requires some Participants to pass a screening process before being permitted to interact with athletes. The *Screening Policy* will:
  - a) Categorize positions in the organization as 'Low Risk', 'Medium Risk', and 'High Risk' and require

- progressive screening measures for individuals serving in each category of risk
  - b) Describe how frequently some Participants must obtain a police records check and which type of check(s) they must obtain
  - c) Describe how frequently some Participants must submit Screening Disclosure Forms and Screening Renewal Forms
  - d) Empower a Screening Committee to prohibit Participants who do not pass screening from participating in certain positions
  - e) Empower a Screening Committee to attach conditions to a Participant's participation in certain positions
8. Football Ontario will develop an *Athlete Protection Policy* containing guidelines that can be used by coaches, managers, medical personnel, and other persons in authority. Football Ontario and its League Members may provide training on the guidelines and take steps to ensure the guidelines in the Policy are being implemented. Football Ontario will conduct a regular review of the guidelines to add and/or modify new guidelines as appropriate.

#### *Resources*

9. Football Ontario and its League Members will regularly provide information to Participants about resources and training related to athlete protection. Resources and training opportunities can include:
- a) [NCCP modules](#)
  - b) [Respect in Sport](#)
  - c) [Commit to Kids](#)
  - d) [Red Cross – Respect Education Courses](#)

#### *Athlete Engagement*

10. Football Ontario will engage with athletes to determine the level of success of their athlete protection measures as well as to identify any gaps or athlete concerns. This engagement may take the form of:
- a) Anonymous athlete surveys
  - b) Athlete involvement in organizational decision-making
  - c) Independently-led athlete outreach consultations

#### **Dispute Resolution**

11. Football Ontario will have a comprehensive suite of dispute resolution policies that will include:
- a) *Discipline and Complaints Policy (with Investigations Procedure)*
  - b) *Appeal Policy*
  - c) *Alternative Dispute Resolution Policy*
  - d) *Event Discipline Procedure*
12. Taken together, the suite of dispute resolution policies will include the following features:
- a) An independent individual to whom complaints can be submitted
  - b) Sanctions for violations of conduct standards
  - c) Mechanism for suspension of individuals pending the conclusion of the process
  - d) Non-biased and experienced case managers, decision-makers and/or investigators
  - e) Protection from reprisal for submitting complaints
  - f) Anonymity for the complainant in cases of whistleblowers
  - g) Independency of appeal procedures (when appeals are permitted)
  - h) Opportunity for alternative dispute resolution
  - i) Investigations of certain complaints
  - j) In-event discipline procedures (when an event does not have its own disciplinary procedures)

#### *Reporting Obligations*

13. The policies of Football Ontario will include requirements that certain complaints must be reported to government entities, local police services, and/or child protection agencies.

### *Records*

14. Football Ontario will retain records of decisions that have been made pursuant to the organization's policies. These records may be shared with other individuals or organizations, including but not limited to, national sport organizations, provincial/territorial sport organizations, multi-sport organizations, and government entities.

### **Governance and Operations**

15. Football Ontario will pursue a governance structure that reflects the diversity of the athletes and stakeholders within the sport, that adheres to all applicable federal and/or provincial legislation, and that moves toward a national alignment strategy for the sport in Canada.
16. Football Ontario and its League Members will continually monitor and evaluate its policies, practices, and procedures.

# CODE OF CONDUCT AND ETHICS

*Football Ontario and its League Members recognizes the development of the Universal Code of Conduct to Prevent and Address Maltreatment in Sport (UCCMS). Although only federally-funded sport organizations are required to adapt the UCCMS, Football Ontario has attempted to align its standards for behaviour to the national conduct standard for prohibited behaviours.*

## UCCMS Prohibited Behaviours

1. The following prohibited behaviours are adapted from the UCCMS and described in **Appendix A**:
  - a) Psychological Maltreatment
  - b) Physical Maltreatment
  - c) Neglect
  - d) Sexual Maltreatment
  - e) Grooming
  - f) Boundary Transgressions
  - g) Discrimination
  - h) Subjecting a Participant to the Risk of Maltreatment
  - i) Aiding and Abetting
  - j) Failure to Report
  - k) Intentionally Reporting a False Allegation
  - l) Interference with or Manipulation of Process
  - m) Retaliation

## Definitions

2. Terms in this Code are defined as follows:
  - a) **Abuse** – Includes Psychological Maltreatment, Physical Maltreatment, Neglect, and/or Grooming of Vulnerable Participants by Persons in Authority and which can have the following warning signs:
    - i. Recurrent unexplained injuries
    - ii. Alert behaviour; individual seems to always be expecting something bad to happen
    - iii. Often wears clothing that covers up their skin, even in warm weather
    - iv. Individual startles easily, shies away from touch or shows other skittish behaviour
    - v. Constantly seems fearful or anxious about doing something wrong
    - vi. Withdrawn from peers and adults
    - vii. Behaviour fluctuates between extremes (e.g., extremely cooperative or extremely demanding)
    - viii. Acting inappropriately younger than their age (like an infant; throwing tantrums)
    - ix. Acting out in an inappropriate sexual way with toys or objects
    - x. Self-harm (e.g., cutting, burning or other harmful activities)
    - xi. Not wanting to be alone with a particular individual
  - b) **Athlete** – An individual who is an Athlete participant within Football Ontario who is subject to the policies of Football Ontario and to this Code.
  - c) **Bullying** - is offensive behaviour and/or abusive treatment of a Participant that typically, but not always, involves an abuse of power. Examples of behaviour that may constitute Bullying include, but are not limited to:
    - i. Spreading malicious rumours, gossip or innuendos with the intent of causing harm or suffering to a Participant;
    - ii. Excluding or isolating a Participant socially with the intent of causing them harm or suffering;
    - iii. Making offensive jokes or derogatory comments to a Participant or to others;
    - iv. Yelling, verbally berating or using profanity;
    - v. Assigning unreasonable duties or workload which are unfavourable to a Participant; or
    - vi. Any form of cyber bullying which can include:

- a. Sending mean or threatening emails or text/instant messages
  - b. Posting embarrassing photos of someone online
  - c. Creating a website or post on any form of social media to make fun of others
  - d. Pretending to be someone else
  - e. Tricking someone into sending pictures or videos or revealing personal information
  - f. Sending personal information (including pictures and videos) about someone else to a third-party
- d) **Harassment** – A course of vexatious comment or conduct against a Participant or group, which is known or ought reasonably to be known to be unwelcome. Types of behaviour that constitute Harassment include, but are not limited to:
- i. Written, physical or verbal abuse, threats, or outbursts;
  - ii. Persistent unwelcome remarks, jokes, comments, innuendo, or taunts;
  - iii. Racial harassment, which is racial slurs, jokes, name calling, or insulting behaviour or terminology that reinforces stereotypes or discounts abilities because of racial or ethnic origin;
  - iv. Leering or other suggestive or obscene gestures;
  - v. Condescending or patronizing behaviour which is intended to undermine self-esteem, diminish performance or adversely affect working conditions;
  - vi. Practical jokes which endanger a person’s safety, or may negatively affect performance;
  - vii. **Hazing** – which is any form of conduct which exhibits any potentially humiliating, degrading, abusive, or dangerous activity expected of a junior-ranking individual by a more senior individual, which does not contribute to either individual’s positive development, but is required to be accepted as part of a team or group, regardless of the junior-ranking individual’s willingness to participate. This includes, but is not limited to, any activity, no matter how traditional or seemingly benign, that sets apart or alienates any teammate or group member based on class, number of years on the team or with the group, or ability;
  - viii. Unwanted physical contact including, but not limited to, touching, petting, pinching, or kissing;
  - ix. Deliberately excluding or socially isolating a person from a group or team;
  - x. Persistent sexual flirtations, advances, requests, or invitations;
  - xi. Physical or sexual assault;
  - xii. Contributing to a *poisoned sport environment*, which can include:
    - a. Locations where material that is discriminatory is displayed (e.g., sexually explicit posters and racial/racist cartoons)
    - b. Groups where harassing behaviour is part of the normal course of activities
    - c. Behaviour that causes embarrassment, awkwardness, endangers a person’s safety or negatively affects performance.
  - xiii. Behaviours such as those described above that are not directed towards a specific person or group but have the same effect of creating a negative or hostile environment; and
  - xiv. Retaliation or threats of retaliation against a person who reports harassment to Football Ontario and its League Members.
- e) **Participant** – Refers to all categories of individual members and/or registrants defined in the By-laws of Football Ontario and its League Members who are subject to the policies of Football Ontario and its League Members, as well as all people employed by, contracted by, or engaged in activities with, Football Ontario and its League Members including, but not limited to, employees, contractors, athletes, coaches, instructors, officials, volunteers, managers, administrators, parents or guardians, spectators, committee members, and Directors and Officers.
- f) **Person in Authority** – Any Participant who holds a position of authority within Football Ontario and its League Members including, but not limited to, coaches, instructors, officials, managers, support personnel, chaperones, committee members, and Directors and Officers.
- g) **Power Imbalance** – A Power Imbalance is presumed to exist where a Participant has authority or control over another person, is in a position to confer, grant or deny a benefit or advancement to the person, or is responsible for the physical or psychological well-being of the person. Whether an actual Power Imbalance

exists will be determined based on the totality of the circumstances, including the subjective view of the subordinate Participant.

### **Purpose**

3. The purpose of this Code is to ensure a safe and positive environment within the programs, activities, and events of Football Ontario and its League Members by making Participants aware that there is an expectation, at all times, of appropriate behaviour. Football Ontario and its League Members prohibit discriminatory practices and are committed to providing an environment in which all individuals can safely participate in sport and are treated with respect and fairness.

### **Application of this Code**

4. This Code applies to any Participant's conduct during the business, activities, and events of Football Ontario and its League Members including, but not limited to competitions, training sessions, evaluations, treatment or consultations (i.e., massage therapy), training camps, travel associated with organizational activities, the office environment, and any meetings.
5. This Code also applies to Participants' conduct outside of the business, activities, and events of Football Ontario and its League Members when such conduct adversely affects Football Ontario and its League Members' relationships (and the work and sport environment) or is detrimental to the image and reputation of Football Ontario and its League Members. Such applicability will be determined by Football Ontario and its League Members at its sole discretion.
6. This Code applies to Participants active in the sport or who have retired from the sport where any claim regarding a potential breach of this Code occurred when the Participant was active in the sport.
7. In addition, breaches of this Code may occur when the Participants involved interacted due to their mutual involvement in the sport or, if the breach occurred outside of the sport environment, if the breach has a serious and detrimental impact on the Participant(s).
8. Any Participant who violates this Code may be subject to sanctions pursuant to the *Discipline and Complaints Policy*. In addition to facing possible sanctions pursuant to the *Discipline and Complaints Policy*, a Participant who violates this Code during a competition may be removed from the competition or training area, and the Participant may be subject to further sanctions.

### **Persons in Authority and Maltreatment**

9. When they are a Person in Authority, Participants are responsible for knowing what constitutes Maltreatment. The categories of Maltreatment are not mutually exclusive, nor are the examples provided in each category an exhaustive list. Rather, what matters for the assessment of the Maltreatment is whether the conduct falls into one or more of the categories, not into which category it falls. Abuse, assault, Harassment, bullying, and hazing can be experienced in more than one category of Maltreatment.
10. Maltreatment can be any of the prohibited behaviours and conduct, provided the Maltreatment occurs in any one or a combination of the following situations (The physical location(s) where the alleged Maltreatment occurred is not determinative):
  - a) Within a sport environment;
  - b) When the Participant alleged to have committed Maltreatment was engaging in sport activities;
  - c) When the Participants involved interacted due to their mutual involvement in sport; or
  - d) Outside of the sport environment where the Maltreatment has a serious and detrimental impact on another Participant.
11. It is a violation of the Code for sport administrators or other Persons in Authority to place Participants in situations that make them vulnerable to Maltreatment. This includes, but is not limited to, instructing an Athlete and coach to

share a hotel room when traveling or hiring a coach, team staff member, or Director who has a past history of Maltreatment to be in a position of authority.

## **Responsibilities**

12. All Participants have a responsibility to:

- a) Refrain from any behaviour that constitutes Maltreatment, Discrimination, Abuse, or Harassment, and any other Prohibited Behaviour (see **Appendix A**) that is described in the UCCMS.
- b) Maintain and enhance the dignity and self-esteem of other Participants by:
  - i. Treating each other with the highest standards of respect and integrity;
  - ii. Focusing comments or criticism appropriately and avoiding public criticism of Athletes, coaches, officials, organizers, volunteers, employees, or other Participants;
  - iii. Consistently demonstrating the spirit of sportsmanship, sport leadership, and ethical conduct;
  - iv. Acting, when appropriate, to correct or prevent practices that are unjustly discriminatory;
  - v. Consistently treating individuals fairly and reasonably; and
  - vi. Ensuring adherence to the rules of the sport and the spirit of those rules.
- c) Refrain from the use of power or authority in an attempt to coerce another person to engage in inappropriate activities.
- d) Refrain from the use of power or authority in an attempt to coerce another person to engage in inappropriate activities.
- e) Refrain from consuming tobacco products, cannabis, or recreational drugs while participating in the programs, activities, competitions, or events of Football Ontario and its League Members.
- f) In the case of minors, not consume alcohol, tobacco, or cannabis at any competition or event.
- g) In the case of adults, not consume cannabis in the workplace or in any situation associated with the events of Football Ontario and its League Members (subject to any requirements for accommodation), not consume alcohol during training, competitions, or in situations where minors are present, and take reasonable steps to manage the responsible consumption of alcohol and cannabis in adult-oriented social situations.
- h) When driving a vehicle:
  - i. Have a valid driver's license;
  - ii. Not be under the influence of alcohol or illegal drugs or substances;
  - iii. Have valid car insurance; and
  - iv. Refrain from holding a mobile device.
- i) Respect the property of others and not wilfully cause damage.
- j) Promote sport in the most constructive and positive manner possible.
- k) Refrain from engaging in deliberate cheating which is intended to manipulate the outcome of a para-classification, competition and/or not offer or receive any bribe which is intended to manipulate the outcome of a competition.
- l) Adhere to all applicable federal, provincial/territorial, municipal and host country laws.
- m) Comply, at all times, with the By-laws, policies, procedures, and rules and regulations of Football Ontario and its League Members, as applicable and as adopted and amended from time to time.
- n) Report any ongoing criminal or anti-doping investigation, conviction, or existing bail conditions involving a Participant to Football Ontario and its League Members, including, but not limited to, those for violence, child pornography, or possession, use, or sale of any illegal or prohibited substance or method.

## **Directors, Committee Members, and Staff**

13. In addition to section 12 (above), Directors, Committee Members, and staff of Football Ontario and its League Members will have additional responsibilities to:

- a) Function primarily as a Director, committee member or staff member of Football Ontario and its League Members (as applicable) and ensure to prioritize their loyalty to Football Ontario or a League Member, as applicable (and not to any other organization or group) while acting in this role.
- b) Ensure that financial affairs are conducted in a responsible and transparent manner with due regard for all fiduciary responsibilities.
- c) Comply with the *Screening Policy*, when applicable.

- d) Conduct themselves openly, professionally, lawfully and in good faith.
- e) Be independent, mature and impartial and not be influenced by self-interest, outside pressure, expectation of reward, or fear of criticism.
- f) Exercise the degree of care, diligence, and skill required in the performance of their duties pursuant to applicable laws.
- g) Maintain confidentiality of private organizational information.
- h) When acting as a Director or Committee Member, respect the decisions of the majority (the Board or a Committee, as applicable) and resign if unable to do so.
- i) Have a thorough knowledge and understanding of all governance documents.

#### **Coaches, Instructors, Trainers, and Athlete Support Personnel**

14. In addition to section 12 (above), coaches, instructors, trainers and athlete support personnel have many additional responsibilities. The Coach-Athlete relationship is a privileged one and plays a critical role in the personal, sport, and athletic development of the Athlete. Coaches must understand and respect the inherent Power Imbalance that exists in this relationship and must be extremely careful not to abuse it, either consciously or unconsciously. Coaches, instructors, trainers, and athlete support personnel will:

- a) Avoid any behaviour that abuses the Power Imbalance inherent in the coaching position to (i) establish or maintain a sexual relationship with an Athlete that they are coaching, or (ii) encourage inappropriate physical or emotional intimacy with an Athlete, regardless of the Athlete's age.
- b) Ensure a safe environment by selecting activities and establishing controls that are suitable for the age, experience, ability, and fitness level of the Athletes.
- c) Prepare Athletes systematically and progressively, using appropriate time frames and monitoring physical and psychological adjustments while refraining from using training methods or techniques that may harm Athletes.
- d) Where possible, avoid compromising the present and future health of Athletes by communicating and cooperating with sport medicine professionals in the diagnosis, treatment, and management of Athletes' medical and psychological treatments.
- e) Where possible, support the coaching staff of a training camp, provincial team, or national team, should an Athlete qualify for participation with one of these programs.
- f) Accept and promote Athletes' personal goals and refer Athletes to other coaches and sport specialists as appropriate.
- g) Provide Athletes (and the parents/guardians of minor Athletes) with the information necessary to be involved in the decisions that affect the Athlete.
- h) Act in the best interest of the Athlete's development as a whole person.
- i) Comply with the *Screening Policy*, when applicable.
- j) Report any ongoing criminal or anti-doping investigation, conviction, or existing bail conditions to Football Ontario and its League Members, including those for violence, child pornography, or possession, use, or sale of any illegal or prohibited substance or method.
- k) Not coach, train, or otherwise support athletes if they use methods or substances prohibited by the Canadian Anti-Doping Program without valid and acceptable justification.
- l) Under no circumstances provide, promote, or condone the use of drugs (other than properly prescribed medications) or prohibited substances or prohibited methods and, in the case of minors, alcohol, cannabis, and/or tobacco.
- m) Respect Athletes competing for other jurisdictions and, in dealings with them, not encroach upon topics or actions which are deemed to be within the realm of 'coaching', unless after first receiving approval from the coaches who are responsible for the Athletes.
- n) Not engage in a sexual or intimate relationship with a minor when the coach is in a position of trust or authority.
- o) Recognize the power inherent in the position of coach and respect and promote the rights of all participants in sport. This is accomplished by establishing and following procedures for confidentiality (right to privacy), informed participation, and fair and reasonable treatment. Coaches have a special responsibility to respect and promote the rights of participants who are in a vulnerable or dependent position and less able to protect their own rights
- p) Dress appropriately and use appropriate language.

## **Athletes**

15. In addition to section 12 (above), Athletes will have additional responsibilities to:

- a) Adhere to their Athlete Agreement (if applicable).
- b) Report any medical problems in a timely fashion, when such problems may limit their ability to travel, train, or compete.
- c) Participate and appear on-time and prepared to participate to their best abilities in all competitions, training sessions, and evaluations.
- d) Properly represent themselves and not attempt to participate in a competition for which they are not eligible by reason of age, classification, or other reason.
- e) Adhere to any rules and requirements regarding clothing and equipment.
- f) Dress appropriately to represent the sport and themselves.
- g) Act in accordance with applicable policies and procedures and, when applicable, additional rules as outlined by coaches or managers.

## **Officials**

16. In addition to section 12 (above), officials will have additional responsibilities to:

- a) Maintain and update their knowledge of the rules and rules changes.
- b) Not publicly criticize other officials.
- c) Work within the boundaries of their position's description while supporting the work of other officials.
- d) Act as an ambassador of the sport by agreeing to enforce and abide by national and provincial/territorial rules and regulations.
- e) Take ownership of actions and decisions made while officiating.
- f) Respect the rights, dignity, and worth of all Participants.
- g) Act openly, impartially, professionally, lawfully, and in good faith.
- h) Be fair, equitable, considerate, independent, honest, and impartial in all dealings with others.
- i) Respect the confidentiality required by issues of a sensitive nature, which may include discipline processes, appeals, and specific information or data about Participants.
- j) Comply with the *Screening Policy*.
- k) Honour all assignments unless unable to do so by virtue of illness or personal emergency, and in these cases inform a supervisor or Football Ontario and its League Members at the earliest possible time.
- l) When writing reports, set out the actual facts to the best of their knowledge and recollection.
- m) Dress in proper attire for officiating.

## **Parents/Guardians and Spectators**

17. In addition to section 12 (above), parents/guardians and spectators at events will:

- a) Encourage Athletes to compete within the rules and to resolve conflicts without resorting to hostility or violence.
- b) Condemn the use of violence in any form.
- c) Never ridicule a participant for making a mistake during a competition or training session.
- d) Respect the decisions and judgments of officials and coaches, and encourage Athletes to do the same.
- e) Support all efforts to remove verbal and physical abuse, coercion, intimidation, and sarcasm.
- f) Respect and show appreciation to all competitors, and to coaches, officials and other volunteers.
- g) Never harass competitors, coaches, officials, parents/guardians, Directors, volunteers, team staff or other spectators.

## **Anti-Doping<sup>1</sup>**

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<sup>1</sup> Any capitalized terms used in this Anti-Doping section shall, unless the context requires otherwise, have the meanings ascribed to them in the Definitions section of the Canadian Anti-Doping Program.

18. Football Ontario and its League Members adopts and adheres to the Canadian Anti-Doping Program. Football Ontario and its League Members will respect any sanction imposed on a Participant as a result of a breach of the [Canadian Anti-Doping Program](#) or any other applicable Anti-Doping Rules.
19. All Participants shall:
- a) Abstain from the non-medical use of medications or drugs or the use of Prohibited Substances or Prohibited Methods as listed on the version of the World Anti-Doping Agency's Prohibited List currently in force.
  - b) Refrain from associating with any person for the purpose of coaching, training, competition, instruction, administration, management, athletic development, or supervision, who has been found to have committed an anti-doping rule violation and is serving a period of ineligibility imposed pursuant to the Canadian Anti-Doping Program or any other applicable anti-doping rules.
  - c) Cooperate with any Anti-Doping Organization that is conducting an investigation into any anti-doping rule violation(s).
  - d) Refrain from any offensive conduct toward a Doping Control official or other individual involved in Doping Control, whether or not such conduct constitutes Tampering as defined in the Canadian Anti-Doping Program.
20. All Athlete Support Personnel or other Persons who are Using a Prohibited Substance or Prohibited Method without a valid and acceptable justification shall refrain from providing support to Athletes that fall under Football Ontario and its League Members' jurisdiction.

#### **Retaliation, Retribution or Reprisal**

21. It is a breach of this *Code of Conduct and Ethics* for any Participant to engage in any act that threatens or seeks to intimidate another individual with the intent of discouraging that individual from filing, in good faith, a report pursuant to any policy of Football Ontario and its League Members. It is also a breach of this *Code of Conduct and Ethics* for an individual to file a report for the purpose of retaliation, retribution or reprisal against any other individual. Any individual found to be in breach of this section shall be liable for the costs related to the disciplinary process required to establish such a breach.

#### **Privacy**

22. The collection, use and disclosure of any personal information pursuant to this Policy is subject to the *Privacy Policy*.

## **Appendix A – UCCMS Prohibited Behaviours**

*The Prohibited Behaviours listed below have been adapted from Version 6.0 of the Universal Code of Conduct to Prevent and Address Maltreatment in Sport.*

### **5 PROHIBITED BEHAVIOURS**

#### **5.1 Violations of the UCCMS**

It is a violation of the UCCMS for a Participant to engage in the behaviours described in this Section. It may be that conduct constituting Prohibited Behaviour falls into more than one of the categories of this Section. It is the assessment of the conduct itself that is important, not into which category or categories it falls.

#### **5.2 Psychological Maltreatment**

5.2.1 Psychological Maltreatment includes, without limitation, verbal conduct, non-assaultive physical conduct, conduct that denies attention or support, and/or a person in authority's pattern of deliberate non-contact behaviours that have the potential to cause harm.

- a) Verbal Conduct: without limitation, verbally assaulting or attacking someone, including in online forms; unwarranted personal criticisms; implied or expressed body shaming; derogatory comments related to one's identity (e.g. race, gender identity or expression, ethnicity, Indigeneity, disability); comments that are demeaning, humiliating, belittling, intimidating, insulting or threatening; the use of rumours or false statements about someone to diminish that person's reputation; using confidential sport and non-sport information inappropriately.
- b) Non-assaultive physical conduct: physical behaviour, or the encouragement of physical behaviour, that has the potential to be harmful or instil fear, including, without limitation:
  - i. body-shaming, such as, without limitation, repeated and unnecessary weigh-ins, setting unreasonable weigh-in goals, inappropriately taking food away from athletes, prescribing inappropriately restrictive diets, inappropriately focusing on the physical appearance of a person's body, unnecessary or inappropriate emphasis on biometric data; and
  - ii. forms of physically aggressive behaviours such as, without limitation, throwing objects at or in the presence of others without striking another; damaging another's personal belongings; hitting, striking or punching objects in the presence of others.
- c) Conduct that causes denial of attention or support: without limitation, forms of lack of support or isolation such as ignoring psychological needs or socially isolating a person repeatedly or for an extended period of time; abandonment of an athlete as punishment for poor performance; arbitrarily or unreasonably denying feedback, training opportunities, support or attention for extended periods of time and/or asking others to do the same.
- d) A person in authority's pattern of deliberate non-contact behaviours that has the objective potential to be harmful.

5.2.2 Psychological Maltreatment is determined by the behaviour viewed objectively, not whether harm is intended or results from the behaviour.

#### **5.3 Physical Maltreatment**

5.3.1 Physical Maltreatment includes contact or non-contact infliction of physical harm.

- a) Contact behaviours: without limitation, deliberately punching, kicking, beating, biting, striking, strangling or slapping another; deliberately hitting another with objects; providing a massage or other purported therapeutic or medical interventions with no specific training or expertise.
- b) Non-contact behaviours: without limitation, isolating a person in a confined space; forcing a person to assume a painful stance or position for no athletic purpose (e.g., requiring an athlete to kneel on a hard surface); the use of exercise for the purposes of punishment; withholding, recommending against, or denying adequate hydration, nutrition, medical attention or sleep; denying access to a toilet; providing alcohol to a Participant who is under the legal drinking age; providing illegal drugs or non-prescribed medications to a Participant;

encouraging or permitting an athlete under their authority to return to play following any injury, including after a concussion, when they knew or ought to have known that the return is premature, or without the clearance of a medical professional where reasonably required; encouraging an athlete to perform a potentially dangerous skill for which the Participant knows or ought to know that the athlete is not developmentally ready.

5.3.2 Physical Maltreatment is determined by the behaviour viewed objectively, not whether harm is intended or results from the behaviour.

#### **5.4 Neglect**

5.4.1 Neglect refers to the omission of adequate care and attention and is evaluated with consideration given to the Participant's needs and requirements. Examples of Neglect include without limitation: not allowing an athlete adequate recovery time and/or treatment for a sport injury; disregarding and/or not considering a person's physical or intellectual disability; not ensuring appropriate supervision of an athlete during travel, training or competition; not considering the welfare of the athlete when prescribing dieting or other weight control methods (e.g., weigh-ins, caliper tests); disregarding the use of performance-enhancing drugs by an athlete; failure to ensure safety of equipment or environment; allowing an athlete to disregard sport's rules, regulations, and standards.

5.4.2 Neglect is determined by the behaviour viewed objectively, not whether harm is intended or results from the behaviour.

#### **5.5 Sexual Maltreatment**

5.5.1 Sexual Maltreatment includes, but is not limited to,

- a) any non-Consensual touching of a sexual nature and/or the Criminal Code offence of sexual assault;
- b) forcing or coercing a person into sexual acts;
- c) participating in or performing acts on a person that violate their sexual integrity;
- d) Criminal Code offences that do not involve actual physical contact or that can occur through electronic means such as indecent exposure, voyeurism, non-Consensual distribution of sexual/intimate images, luring and agreement or arrangement to commit a sexual offence;
- e) Sexual harassment, which is defined as any series of or serious comment(s) or conduct of a sexual nature that is unwelcome and that would be objectively perceived to be unwelcome, and which broadly includes jokes, remarks or gestures of a sexual or degrading nature, or distributing, displaying or promoting images or other material of a sexual or degrading nature, or any act targeting a person's sexuality, gender identity or expression. It can also include stalking or harassment in person or by electronic means where the stalking or harassment is of a sexual nature.

5.5.2 Sexual Maltreatment can take place through any form or means of communication (e.g. online, social media, verbal, written, visual, hazing, or through a third party).

5.5.3 Sexual Maltreatment of a minor is any Sexual Maltreatment against a minor. It includes the items described in 5.5.1 above and also includes, but is not limited to, the Criminal Code offences that are specific to individuals who are not adults or to individuals under a particular age, such as sexual exploitation, sexual interference, and any offence related to exploitation of a minor through prostitution. Sexual Maltreatment of a minor is not limited to acts that involve physical contact but can include acts that can occur in person or via electronic means such as, but not limited to, invitation to sexual touching, making sexually explicit material available to a minor, and acts that occur only online such as luring or agreement or arrangement to commit a sexual offence against a minor. It also includes any offence related to child pornography as that term is defined in the law in Canada. For the sake of clarity, it shall not constitute a violation in and of itself for a minor Participant to create, possess, make available or distribute images of themselves.

5.5.4 A Participant is presumed to know that a person is a minor.

5.5.5 It is prohibited for a Participant to create, possess, make available or distribute images that sexualize or contain nudity of another person in the absence of Consent.

5.5.6 Where there is a Power Imbalance, sexual acts or communications (electronic or otherwise) between any Participant and another Participant are prohibited.

5.5.7 Examples of Sexual Maltreatment include, without limitation:

- a) Reprisal or a threat of reprisal for the rejection of a sexual solicitation or advance, where the reprisal is made or threatened by a Participant who has more power in the context of a relationship that involves a Power Imbalance, or if the person to whom the solicitation or advance is made is a minor;
- b) Pressuring a person to engage in sexual activity, including by making repeated advances that are known or ought to be known to be unwelcome;
- c) Questions asked of a person about their sexual preferences, sexual history, sexual organs or sexual experiences, particularly when such questions are asked by a Participant who has more power in the context of a relationship that involves a Power Imbalance, or asked of a minor or Vulnerable Participant;
- d) Sexual attention when the person giving the attention reasonably knows or ought to know that the attention is unwanted or unwelcome or where the object of the attention is a minor. Sexual attention includes but is not limited to comments about a person's appearance, body or clothing that could be objectively perceived by another person as being sexual in nature, practical jokes based on sex, intimidating sexual remarks, propositions, invitations or familiarity.
- e) Unwelcome remarks based on gender which are not of a sexual nature but which are demeaning such as derogatory gender-based jokes or comments.

## **5.6 Grooming**

5.6.1 Grooming is conduct that may precede other behaviours defined as Sexual Maltreatment, or is carried out in conjunction with other forms of Sexual Maltreatment. Repeated Boundary Transgressions by a Participant toward a minor or Vulnerable Participant may also be deemed to be Grooming, even in the absence of deliberate intention to facilitate a sexual relationship.

5.6.2 In assessing whether Grooming has occurred, the existence of a Power Imbalance should be taken into account.

5.6.3 The Grooming process is often gradual and involves building trust and comfort with a person, and sometimes also with the protective adults and peers around the person. It may begin with subtle behaviours that may not appear to be inappropriate but that can serve to sexualize a relationship, reduce sexual inhibitions, or normalize inappropriate behaviour. It may include the testing of boundaries (e.g., seemingly accidental touching) that gradually escalates to Sexual Maltreatment (e.g. sexualized touching). It is acknowledged that many victims/survivors of sexual abuse do not recognize the Grooming process as it is happening, nor do they recognize that this process of manipulation is part of the overall abuse process.

## **5.7 Boundary Transgressions**

5.7.1 Identifying a Boundary Transgression is dependent on context, including the age of the persons involved and the existence of a Power Imbalance. It may be the case that a particular act or communication does not meet the threshold of any of the types of Maltreatment, but is an act or communication that is nonetheless viewed as inappropriate in the circumstances. The assessment of the behaviour should consider whether the behaviour would raise concern in the mind of a reasonable observer, what objective appears to be guiding the interaction, and whose needs are being met. Even if the act in question does not, on its own, objectively cause harm to another person, a Boundary Transgression is nonetheless an act that should be corrected in order to ensure the safety and security of all members involved in sport, recognizing that Boundary Transgressions are often part of the Grooming process.

5.7.2 Recognizing that there may be a need to be flexible in the way in which such Boundary Transgressions are addressed, a Boundary Transgression may trigger review of the circumstances and potentially be resolved informally, or a formal conduct review may be initiated.

5.7.3 Consequences can range from formal disciplinary action to simply recording the circumstances and its resolution and retaining it in the record of the Participant in the event future Boundary Transgressions occur. A repeated Boundary Transgression after a consequence should be treated seriously.

5.7.4 The concept of Boundary Transgressions is intended to be broad in scope. By way of example and not limitation, a Boundary Transgression may be a circumstance where:

- a) one person uses contact information available to the person for the purpose of sport, to make contact with a person for a purpose that is not related to sport;
- b) a Participant uses or attempts to use a line of communication with another person that is not within the typical communication channels;
- c) communicating privately with a minor through social media or text;
- d) a Participant inappropriately shares personal photographs;
- e) a Participant arranges for or engages in inappropriate sharing of locker rooms;
- f) one-on-one meetings that are not held in an open and observable environment;
- g) there is inappropriate private travel or transportation; and
- h) providing personal gifts.

## **5.8 Discrimination**

5.8.1 Discrimination can include overt or subtle forms of harm that uniquely define the adverse or inequitable experiences of marginalized persons.

5.8.2 The following are examples of Discrimination if they are based on one or more of the grounds of Discrimination within the definition:

- a) Denying someone access to services, benefits, or opportunities;
- b) Treating a person unfairly;
- c) Communicating hate messages or unwelcome remarks or jokes;
- d) The perpetuation of misogynistic, racist, ableist, homophobic, or transphobic attitudes and stereotypes.

5.8.3 Discrimination does not require an intention to cause harm.

## **5.9 Subjecting a Participant to the Risk of Maltreatment**

5.9.1 Sport administrators or other sport decision-makers in positions of authority who place Participants in situations that they know or ought to have known make the Participant vulnerable to Maltreatment are subjecting a Participant to the risk of Maltreatment.

5.9.2 Subjecting a Participant to the risk of Maltreatment includes, without limitation: instructing an athlete and coach to share a hotel room when traveling, knowingly hiring a Participant who has a past history of Prohibited Behaviour and who is under a sanction of temporary or permanent ineligibility pursuant to a UCCMS enforcement process, assigning guides and other support staff to a para-athlete when the guide or support staff has a past history of Prohibited Behaviour and is under a sanction of temporary or permanent ineligibility pursuant to a UCCMS enforcement process, or assigning a guide or support staff to a para-athlete in the absence of consultation with the para-athlete.

## **5.10 Aiding and Abetting**

5.10.1 Aiding and Abetting is any act or communication taken with the purpose of directly assisting, furthering, facilitating, promoting, or encouraging the commission of Maltreatment or other Prohibited Behaviour by or against a Participant.

5.10.2 Aiding and Abetting also includes, without limitation: knowingly allowing any person who is suspended or is otherwise ineligible to participate in the organization's activities; providing any coaching-related advice or service to an athlete who is suspended or is otherwise ineligible; and allowing any person to violate the terms of their suspension or any other sanctions imposed.

## **5.11 Failure to Report**

5.11.1 Failure to Report possible Maltreatment or other Prohibited Behaviour:

- a) It is a violation for any adult Participant who knew or ought to have known of a Participant's Prohibited Behaviour toward another person to fail to Report such conduct. For clarity, a Participant Report Prohibited Behaviour is not obligated to an instance of to which they were personally subject.
- b) Where information regarding a Participant's Prohibited Behaviour toward another adult is made known to an adult Participant through an explicitly confidential Disclosure, the adult Participant shall not be required to Report the information obtained through that Disclosure. Nevertheless, if an adult Participant knew or ought to have known of the Participant's Prohibited Behaviour for reasons other than the explicitly confidential , it remains a violation for them to fail to Report such conduct.
- c) The person making the Report does not need to determine whether a violation took place: instead, the responsibility lies in Reporting the objective behaviour. Early intervention is required to prevent escalation, hence the obligation on all adult Participants to Report.
- d) The Reporting Obligation is ongoing and is not satisfied simply by making an initial Report. The Reporting Obligation includes Reporting, on a timely basis, any and all relevant information of which an adult Participant becomes aware.
- e) It is a violation for any adult Participant to fail to fulfill any applicable legal Duty to Report.

## **5.12 Intentionally Reporting a False Allegation**

5.12.1 It is a violation to Report a knowingly false allegation, or influence another to Report a knowingly false allegation, that a Participant engaged in Prohibited Behaviour. An allegation is false if the events Reported did not occur, and the person making the Report knows at the time of Reporting that the events did not occur.

5.12.2 A false allegation is different from an unsubstantiated allegation; an unsubstantiated allegation means there is insufficient supporting evidence to determine whether an allegation is true or false. Absent demonstrable bad faith, an unsubstantiated allegation alone is not a violation of the UCCMS.

## **5.13 Interference with or Manipulation of Process**

5.13.1 It is a violation of the UCCMS for a Participant to directly or indirectly interfere with or manipulate an investigation or disciplinary review process by:

- a) knowingly destroying, falsifying, distorting, concealing, or misrepresenting information, with the intent to interfere with or influence the resolution process or the implementation of an outcome;
- b) attempting to discourage or prevent a person's proper participation in or use of the processes;
- c) harassing or intimidating any person involved in the processes before, during, and/or following any proceedings;
- d) failing to comply with any temporary or provisional measure or final sanction;
- e) influencing or attempting to influence another person to interfere with or manipulate the process; or
- f) distributing or otherwise publicizing materials a Participant gains access to during a UCCMS investigation or hearing, except as required by law or as expressly permitted.

5.13.2 All Participants are expected to act in good faith throughout any investigation or disciplinary review process, and the sole purpose of Section 5.13 is to provide a means to discipline those who do not. In recognition that a victim/survivor, of sexual abuse in particular, may conceal information out of embarrassment, shame or to protect the perpetrator, absent demonstrable bad faith, minimizing or concealing in such circumstances is not a UCCMS violation.

## **5.14 Retaliation**

5.14.1 It is considered retaliation for a Participant to take an adverse action against any person for making a good faith Report of possible Prohibited Behaviour or for participating in any UCCMS enforcement process.

5.14.2 Retaliation includes threatening, intimidating, harassing, coercing, negatively interfering with sport participation, or any other conduct that would discourage a reasonable person from engaging or participating in an investigation or disciplinary review process related to behaviour prohibited by the UCCMS. Retaliation after the conclusion of these processes is also prohibited, even where there is a finding that no Prohibited Behaviour occurred. Retaliation does not include good-faith actions lawfully pursued in response to a Report of possible Prohibited Behaviour.

# DISCIPLINE AND COMPLAINTS POLICY

## Definitions

1. The following terms have these meanings in this Policy:
  - a) **Case Manager** – An individual appointed by the Discipline Chair to administer certain complaints under this *Discipline and Complaints Policy*. The Case Manager does not need to be a member of, or affiliated with, Football Ontario and its League Members
  - b) **Complainant** – The Party making a complaint
  - c) **Days** – Days including weekends and holidays
  - d) **Discipline Chair** – An individual or individuals appointed by the Board to be the first point-of-contact for all discipline and complaint matters reported to Football Ontario and its League Members
  - e) **Participants** – Refers to all categories of individual members and/or registrants defined in the By-laws of Football Ontario and its League Members who are subject to the policies of Football Ontario and its League Members, as well as all people employed by, contracted by, or engaged in activities with, Football Ontario and its League Members including, but not limited to, employees, contractors, athletes, coaches, instructors, officials, volunteers, managers, administrators, parents or guardians, spectators, committee members, and Directors and Officers.
  - f) **Respondent** – The Party responding to the complaint

## Purpose

2. Participants are expected to fulfill certain responsibilities and obligations including, but not limited to, complying with Football Ontario and its League Members' policies, Bylaws, rules and regulations, and the *Code of Conduct and Ethics*. Non-compliance may result in sanctions pursuant to this Policy.

## Discipline Chair

3. The Discipline Chair will be a Director of the Board, or an individual appointed by the Board to handle the duties of the Discipline Chair. The Board may choose to appoint three (3) individuals to serve as Discipline Chair and, in this case, decisions of the Discipline Chair will be by majority vote.
4. The Discipline Chair appointed to handle a complaint or incident must be unbiased and not in a conflict of interest situation.

## Application of this Policy

5. This Policy applies to all Participants.
6. This Policy applies to matters that may arise during Football Ontario and its League Members' business, activities, and events including, but not limited to, competitions, practices, tryouts, training camps, travel associated with Football Ontario and its League Members' activities, and any meetings.
7. This Policy also applies to Participants' conduct outside of Football Ontario and its League Members' business, activities, and events when such conduct adversely affects relationships within Football Ontario and its League Members (and its work and sport environment), is detrimental to the image and reputation of Football Ontario and its League Members, or upon the acceptance of Football Ontario and its League Members. Applicability will be determined by Football Ontario and its League Members at its sole discretion.
8. This Policy does not prevent immediate discipline or sanction from being applied as reasonably required. Further discipline may be applied according to this Policy. Any infractions or complaints occurring within 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.

9. An employee of Football Ontario and its League Members who is a Respondent will be subject to appropriate disciplinary action per Football Ontario and its League Members' policies for human resources as well as the employee's Employment Agreement, if applicable. Violations may result in a warning, reprimand, restrictions, suspension, or other disciplinary actions up to and including termination of employment.

#### **Adult Representative**

10. Complaints may be brought for or against a Participant who is a minor. Minors must have a parent/guardian or other adult serve as their representative during this process.
11. Communication from the Discipline Chair or Case Manager, as applicable, must be directed to the minor's representative.
12. A minor is not required to attend an oral hearing, if held.

#### **Reporting a Complaint**

13. Any Participant may report an incident or complaint to the Discipline Chair in writing.
14. At Football Ontario or a League Member's discretion, Football Ontario or a League Member may act as the Complainant and initiate the complaint process under the terms of this Policy. In such cases, Football Ontario or the League Member will identify an individual to represent Football Ontario or the League Member.

#### **Investigation – Abuse and Harassment Complaints**

15. Upon receipt of a complaint, the Discipline Chair has a responsibility to:
  - a) Determine whether the complaint is frivolous and/or within the jurisdiction of this Policy; or
  - b) Optionally, propose the use of the *Alternative Dispute Resolution Policy*; or
  - c) Determine whether the incident should be investigated, per the *Investigation Procedure (Appendix A)*; and
  - d) Choose which process should be followed, and may use the following examples as a general guideline:
    - a) Process #1 - the Complaint alleges the following incidents:
      - i. Disrespectful conduct
      - ii. Minor incidents of violence
      - iii. Conduct contrary to the values of Football Ontario or a League Member
      - iv. Non-compliance with the policies, procedures, rules, or regulations of Football Ontario or a League Member
      - v. Minor violations of the *Code of Conduct and Ethics*
    - b) Process #2 - the Complaint alleges the following incidents:
      - i. Repeated minor incidents
      - ii. Disrespectful, abusive, racist, or sexist comments or behaviour
      - iii. Any incident of hazing
      - iv. Behaviour that constitutes harassment, sexual harassment, or sexual misconduct
      - v. Major incidents of violence
      - 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 Football Ontario or a League Members
      - ix. Consistent disregard for the Bylaws, policies, rules, and regulations of Football Ontario or a League Member
      - x. Major or repeated violations of the *Code of Conduct and Ethics*

- xi. Intentionally damaging property or improperly handling monies of Football Ontario or a League Member
- xii. Abusive use of alcohol, any use or possession of alcohol by minors, or use or possession of illicit drugs and narcotics
- xiii. A conviction for any *Criminal Code* offense
- xiv. Any possession or use of banned performance enhancing drugs or methods

16. If the Discipline Chair determines the complaint is frivolous or outside the jurisdiction of this Policy, the complaint will be dismissed immediately

17. The Discipline Chair's decision to accept or dismiss the complaint, and the Discipline Chair's decision whether to use Process #1 or Process #2, may not be appealed.

**Process #1: Handled by Discipline Chair**

Sanctions

18. Following the determination that the complaint or incident should be handled under Process #1, the Discipline Chair will review the submissions related to the complaint or incident and determine one or more of the following sanctions:

- a) Verbal or written reprimand
- b) Verbal or written apology
- c) Service or other contribution to Football Ontario or a League Member
- d) Removal of certain privileges
- e) Suspension from certain teams, events, and/or activities
- f) Suspension from the activities of Football Ontario or a League Member for a designated period
- g) Any other sanction considered appropriate for the offense

19. The Discipline Chair will inform the Respondent of the sanction, which will take effect immediately.

20. Records of all sanctions will be maintained by Football Ontario.

Request for Reconsideration

21. The sanction may not be appealed until the completion of a request for reconsideration. However, the Complainant or the Respondent may contest the sanction by submitting a Request for Reconsideration within four (4) days of receiving the sanction. In the Request for Reconsideration, the Complainant or the Respondent must indicate:

- a) Why the sanction is inappropriate;
- b) Summary of evidence to support their position; and
- c) What penalty or sanction (if any) would be appropriate

22. Upon receiving a Request for Reconsideration, the Discipline Chair may decide to accept or reject the request.

23. Should the Discipline Chair accept the request for an appropriate sanction, that sanction will take effect immediately.

24. Should the Discipline Chair not accept the request for an appropriate sanction, the initial complaint or incident will be handled under Process #2 of this Policy.

**Process #2: Handled by Case Manager**

Case Manager

25. Following the determination that the complaint or incident should be handled under Process #2, Football Ontario will appoint a Case Manager to oversee management and administration of the complaint or incident. The Case Manager should not be in a conflict of interest and should have expertise in dispute resolution matters. Such appointment is not appealable.

26. The Case Manager has a responsibility to:
- a) Optionally, propose the use of the *Alternative Dispute Resolution Policy*
  - b) Appoint the Discipline Panel, if necessary
  - c) Coordinate all administrative aspects and set timelines
  - d) Provide administrative assistance and logistical support to the Discipline Panel as required
  - e) Provide any other service or support that may be necessary to ensure a fair and timely proceeding

#### Procedures

27. The Case Manager will establish and adhere to timelines that ensure procedural fairness and that the matter is heard in a timely fashion.
28. The Case Manager may propose using the *Alternative Dispute Resolution Policy* with the objective of resolving the dispute. If applicable, and if the dispute is not resolved, or if the parties refuse to use the *Alternative Dispute Resolution Policy*, the Case Manager will appoint a Discipline Panel, which shall consist of a single Arbitrator, to hear the complaint. In extraordinary circumstances, and at the discretion of the Case Manager, a Discipline Panel of three persons may be appointed to hear the complaint. In this event, the Case Manager will appoint one of the Discipline Panel's members to serve as the Chair.
29. The Case Manager, in cooperation with the Discipline Panel, will then decide the format under which the complaint will be heard. This decision may not be appealed. 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 Case Manager and the Discipline Panel 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 Discipline Panel consider will be provided to all Parties, through the Case Manager, in advance of the hearing
  - c) The Parties may engage a representative, advisor, or legal counsel at their own expense
  - d) The Discipline Panel may request that any other individual participate and give evidence at the hearing
  - e) The Discipline Panel 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 shall place such weight on the evidence as it deems appropriate
  - f) The decision will be by a majority vote of the Discipline Panel
30. If the Respondent acknowledges the facts of the incident, the Respondent may waive the hearing, in which case the Discipline Panel will determine the appropriate sanction. The Discipline Panel may still hold a hearing for the purpose of determining an appropriate sanction.
31. The hearing will proceed in any event, even if a Party chooses not to participate in the hearing.
32. If a decision may affect another party to the extent that the other party would have recourse to a complaint or an appeal in their own right, that party will become a Party to the current complaint and will be bound by the decision.
33. In fulfilling its duties, the Discipline Panel may obtain independent advice.

#### Decision

34. After hearing and/or reviewing the matter, the Discipline Panel will determine whether an infraction has occurred and, if so, the sanctions to be imposed. Within fourteen (14) days of the hearing's conclusion, the Discipline Panel's written decision, with reasons, will be distributed to all Parties, the Case Manager, and Football Ontario and the applicable League Member. In extraordinary circumstances, the Discipline Panel 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 fourteen

(14) day period. The decision will be considered a matter of public record unless decided otherwise by the Discipline Panel.

### Sanctions

35. The Discipline Panel may apply the following disciplinary sanctions, singularly or in combination:

- a) Verbal or written reprimand
- b) Verbal or written apology
- c) Service or other contribution to Football Ontario or a League Member
- d) Removal of certain privileges
- e) Suspension from certain teams, events, and/or activities
- f) Suspension from the activities of Football Ontario or a League Member for a designated period
- g) Payment of the cost of repairs for property damage
- h) Suspension of funding from Football Ontario or a League Member or from other sources
- i) Expulsion from Football Ontario
- j) Any other sanction considered appropriate for the offense

36. Unless the Discipline Panel decides otherwise, any disciplinary sanctions will begin immediately, notwithstanding an appeal. Failure to comply with a sanction as determined by the Discipline Panel will result in an automatic suspension until such time as compliance occurs.

37. Records of all decisions will be maintained by Football Ontario.

### Appeals

38. The decision of the Discipline Panel may be appealed in accordance with the *Appeal Policy*.

### **Suspension Pending a Hearing**

39. Football Ontario may determine that an alleged incident is of such seriousness as to warrant suspension of a Participant pending completion of a criminal process, the hearing, or a decision of the Discipline Panel.

### **Criminal Convictions**

40. A Participant's conviction for a *Criminal Code* offense, as determined by Football Ontario, will be deemed an infraction under this Policy and will result in a presumptive sanction of expulsion from Football Ontario. *Criminal Code* offences may include, but are not limited to:

- a) Any child pornography offences
- b) Any sexual offences
- c) Any offence of physical violence
- d) Any offence of assault
- e) Any offence involving trafficking of illegal drugs

### **Confidentiality**

41. The discipline and complaints process is confidential and involves (as applicable) only the Parties, the Discipline Chair, the Case Manager, the Discipline Panel, and any independent advisors to the Discipline Panel. 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.

### **Timelines**

42. If the circumstances of the complaint are such that adhering to the timelines outlined by this Policy will not allow a timely resolution to the complaint, the Discipline Chair or Case Manager (as applicable) may direct that these timelines be revised.

### **Records and Distribution of Decisions**

43. Other individuals or organizations, including but not limited to, national sport organizations, provincial sport organizations, sport clubs, etc., may be advised of any decisions rendered in accordance with this Policy.

## **Appendix A – Investigation Procedure**

### **Determination**

1. When a complaint is submitted pursuant to the *Discipline and Complaints Policy* and handled by Process #2, the Case Manager will determine if the incident should be investigated.

### **Investigation**

2. The Case Manager will appoint an Investigator. The Investigator must be an independent third-party skilled in investigating. The Investigator must not be in a conflict of interest situation and should have no connection to either party.
3. Federal and/or Provincial legislation related to workplace harassment may apply to the investigation if Harassment was directed toward a worker in a workplace. The Investigator should review workplace safety legislation, the organization's policies for human resources, and/or consult independent experts to determine whether legislation applies to the complaint.
4. The investigation may take any form as decided by the Investigator, guided by any applicable Federal and/or Provincial legislation. The investigation may include:
  - a) Interviews with the Complainant
  - b) Witness interviews
  - c) Statement of facts (Complainant's perspective) prepared by Investigator, acknowledged by the Complainant and provided to the Respondent
  - d) Interviews with the Respondent
  - e) Statement of facts (Respondent's perspective) prepared by Investigator, acknowledged by the Respondent and provided to the Complainant

### **Investigator's Report**

5. Upon completion of their investigation, the Investigator shall prepare a report that should include a summary of evidence from the parties (including both statements of facts, if applicable) and recommendations from the Investigator of whether, on a balance of probabilities, a breach of the *Code of Conduct and Ethics* occurred.
6. The Investigator must be aware that sport-specific differences exist with respect to such aspects as acceptable levels of touch, physical contact, and aggression during training or competition and will consider such differences during the investigative process.
7. The Investigator's Report will be provided to the Case Manager who will disclose it, at their discretion, to Football Ontario and its League Members.
8. Should the Investigator find that there are possible instances of offence under the *Criminal Code*, particularly related to Criminal Harassment (or Stalking), Uttering Threats, Assault, Sexual Interference, or Sexual Exploitation, the Investigator shall advise the Complainant and Football Ontario to refer the matter to police.
9. The Investigator must also inform Football Ontario of any findings of criminal activity. Football Ontario may decide whether to report such findings to police but is required to inform police if there are findings related to the trafficking of prohibited substances or methods (as indicated in the version of the World Anti-Doping Agency's Prohibited List currently in force), any sexual crime involving minors, fraud against Football Ontario or a League Member, or other offences where the lack of reporting would bring Football Ontario and its League Members into disrepute.

### **Reprisal and Retaliation**

10. A Participant who submits a complaint to Football Ontario or who gives evidence in an investigation may not be subject to reprisal or retaliation from any individual or group. Any such conduct may constitute Maltreatment and will be subject to disciplinary proceedings pursuant to the *Discipline and Complaints Policy*.

**False Allegations**

11. A Participant who submits allegations that the Investigator determines to be malicious, false, or for the purpose of retribution, retaliation or vengeance (or that otherwise fall within the definition of Maltreatment) may be subject to a complaint under the terms of the *Discipline and Complaints Policy* and may be required to pay for the costs of any investigation that comes to this conclusion. Football Ontario, a League Member or the Participant against whom the allegations were submitted, may act as the Complainant.

**Confidentiality**

12. The Investigator will make reasonable efforts to preserve the anonymity of the complainant, respondent, and any other party. However, Football Ontario recognizes that maintaining full anonymity during an investigation may not be feasible.

# APPEAL POLICY

## Definitions

1. Terms in this Policy are defined as follows:
  - a) **Affected Party** – Any individual or entity, as determined by the Appeal Manager, who may be affected by a decision rendered under the *Appeal Policy* and who may have recourse to an appeal in their own right
  - b) **Appeal Manager** – An individual, who may be any staff member, Committee Member, volunteer, Director, or an independent third party, who is appointed to oversee the *Appeal Policy*. The Appeal Manager will have responsibilities that include using decision making authority empowered by the *Appeal Policy*
  - c) **Appellant** – The Party appealing a decision
  - d) **Board** – The Board of Directors of Football Ontario
  - e) **Days** – Days including weekends and holidays
  - f) **Director** – An individual appointed or elected to the Board of Directors of Football Ontario
  - g) **Participant** – Refers to all categories of individual members and/or registrants defined in the By-laws of Football Ontario and its League Members who are subject to the policies of Football Ontario and its League Members, as well as all people employed by, contracted by, or engaged in activities with, Football Ontario and its League Members including, but not limited to, employees, contractors, athletes, coaches, instructors, officials, volunteers, managers, administrators, parents or guardians, spectators, committee members, and Directors and Officers.
  - h) **Parties** – the Appellant, Respondent, and any Affected Party
  - i) **Respondent** – the body whose decision is being appealed or, in the case of an appeal of a decision by a Discipline Panel, the other party to the dispute

## Purpose

2. This *Appeal Policy* provides Participants with a fair and expedient appeal process.

## Scope and Application of this Policy

3. This Policy applies to all Participants.
4. Any Participant who is directly affected by a decision made by Football Ontario or a League Member shall have the right to appeal that decision provided that there are sufficient grounds for the appeal under the **Grounds for Appeal** section of this Policy.
5. This Policy **will apply** to decisions relating to:
  - a) Eligibility
  - b) Selection
  - c) Conflict of Interest
  - d) Discipline
  - e) Membership
6. This Policy **will not apply** to decisions relating to:
  - a) Employment
  - b) Infractions for doping offenses
  - c) The rules of the sport
  - d) Selection criteria, quotas, policies, and procedures established by entities other than Football Ontario and its League Members
  - e) Substance, content and establishment of team selection or carding criteria
  - f) Volunteer/coach appointments and the withdrawal or termination of those appointments
  - g) Budgeting and budget implementation
  - h) The organization's operational structure and committee appointments

- i) Decisions or discipline arising within the business, activities, or events organized by entities other than Football Ontario and its League Members (appeals of these decisions shall be dealt with pursuant to the policies of those other entities unless requested and accepted by the organization at its sole discretion)
- j) Commercial matters for which another appeals process exists under a contract or applicable law
- k) Decisions made under this Policy

### **Timing of Appeal**

7. Participants who wish to appeal a decision have seven (7) days from the date on which they received notice of the decision to submit the following:
  - a) Notice of the intention to appeal
  - b) Their contact information
  - c) Name and contact information of the Respondent and any Affected Parties, when known to the Appellant
  - d) Date the Appellant was advised of the decision being appealed
  - e) A copy of the decision being appealed, or description of decision if written document is not available
  - f) Grounds for the appeal
  - g) Detailed reasons for the appeal
  - h) All evidence that supports these grounds
  - i) Requested remedy or remedies
  - j) An administration fee of two hundred dollars (\$200), which will be refunded if the appeal is upheld
8. A Participant who wishes to initiate an appeal beyond the seven (7) day period must provide a written request stating the reasons for an exemption. The decision to allow, or not allow, an appeal outside of the seven (7) day period will be at the sole discretion of the Appeal Manager and may not be appealed.

### **Submitting an Appeal**

9. Appeals of decisions made by Football Ontario or a League Member or by a Discipline Panel can be submitted to Football Ontario to be heard pursuant to this Policy.
10. Football Ontario shall appoint an Appeal Manager and shall follow the process outlined in this *Appeal Policy*.
11. At its discretion, Football Ontario may request that Football Canada administer an appeal of a Football Ontario or Discipline Panel decision either per Football Ontario's policies or per Football Canada's policies.

### **Grounds for Appeal**

12. A decision cannot be appealed on its merits alone. An appeal may only be heard if there are sufficient grounds for appeal. Sufficient grounds include:
  - a) The Respondent made a decision that it did not have the authority or jurisdiction (as set out in the Respondent's governing documents) to make
  - b) The Respondent failed to follow its own procedures (as set out in the Respondent's governing documents)
  - c) The Respondent made a decision that was influenced by bias (where bias is defined as a lack of neutrality to such an extent that the decision-maker appears not to have considered other views)
  - d) The Respondent made a decision that was patently unreasonable
  - e) The Respondent, when the Respondent is a Discipline Panel, made a decision that included excessive sanctions

### **Screening of Appeal**

13. The parties may first attempt to resolve the appeal through the *Alternative Dispute Resolution Policy*.
14. Appeals resolved under the *Alternative Dispute Resolution Policy* will result in the administration fee being refunded to the Appellant.

15. Should the appeal not be resolved by using the *Alternative Dispute Resolution Policy*, Football Ontario will appoint an independent Appeal Manager (who must not be in a conflict of interest or have any direct relationship with the parties) who has the following responsibilities:
  - a) To determine if the appeal falls under the scope of this Policy
  - b) To determine if the appeal was submitted in a timely manner
  - c) To decide whether there are sufficient grounds for the appeal
16. If the Appeal Manager denies the appeal on the basis of insufficient grounds, because it was not submitted in a timely manner, or because it did not fall under the scope of this Policy, the Appellant will be notified, in writing, of the reasons for this decision. This decision may not be appealed.
17. If the Appeal Manager is satisfied there are sufficient grounds for an appeal, the Appeal Manager will appoint an Appeal Panel which shall consist of a single Arbitrator, to hear the appeal. In extraordinary circumstances, and at the discretion of the Appeal Manager, an Appeal Panel composed of three persons may be appointed to hear the appeal. In this event, the Appeal Manager will appoint one of the Panel's members to serve as the Chair.

#### **Determination of Affected Parties**

16. In order to confirm the identification of any Affected Parties, the Appeal Manager will engage with Football Ontario. The Appeal Manager may determine whether a party is an Affected Party in their sole discretion.

#### **Procedure for Appeal Hearing**

18. The Appeal Manager shall notify the Parties that the appeal will be heard. The Appeal Manager shall then decide the format under which the appeal will be heard. This decision is at the sole discretion of the Appeal Manager and may not be appealed.
19. If a party chooses not to participate in the hearing, the hearing will proceed in any event.
20. The format of the hearing may involve an oral in-person hearing, an oral hearing by telephone or other electronic means, 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 Appeal Manager and the Panel deem appropriate in the circumstances. The following guidelines will apply to the hearing:
  - a) The hearing will be held within a timeline determined by the Appeal Manager
  - b) The Parties will be given reasonable notice of the day, time and place of an oral in-person hearing or oral hearing by telephone or electronic communications.
  - c) Copies of any written documents which any of the Parties wishes to have the Panel consider will be provided to all Parties in advance of the hearing
  - d) The Parties may be accompanied by a representative, advisor, or legal counsel at their own expense
  - e) The Panel may request that any other individual participate and give evidence at an oral in-person hearing or oral hearing by telephone or electronic communications.
  - f) The Panel may allow as evidence at the hearing any oral evidence and document or thing relevant to the subject matter of the appeal, but may exclude such evidence that is unduly repetitious and shall place such weight on the evidence as it deems appropriate
  - g) If a decision in the appeal may affect another party to the extent that the other party would have recourse to an appeal in their own right under this Policy, that party will become an Affected Party to the appeal in question and will be bound by its outcome
  - h) The decision to uphold or reject the appeal will be by a majority vote of Panel members
21. In fulfilling its duties, the Panel may obtain independent advice.

#### **Appeal Decision**

22. The Appellant must demonstrate, on a balance of probabilities, that the Respondent has made a procedural error as described in the **Grounds for Appeal** section of this Policy and that this error had, or may reasonably have had, a material effect on the decision or decision-maker.
23. The Panel shall issue its decision, in writing and with reasons, within seven (7) days after the hearing's conclusion. In making its decision, the Panel will have no greater authority than that of the original decision-maker. The Panel may decide to:
  - a) Reject the appeal and confirm the decision being appealed;
  - b) Uphold the appeal and refer the matter back to the initial decision-maker for a new decision; or
  - c) Uphold the appeal and vary the decision.
24. The Panel will also determine whether costs of the appeal, excluding legal fees and legal disbursements of any parties, will be assessed against any party. In assessing costs, the Panel will take into account the outcome of the appeal, the conduct of the parties, and the parties' respective financial resources.
25. The Panel's written decision, with reasons, will be distributed to all parties, the Appeal Manager, and Football Ontario and its League Members. In extraordinary circumstances, the Panel may first issue a verbal or summary decision soon after the hearing's conclusion, with the full written decision to be issued thereafter. The decision will be considered a matter of public record unless decided otherwise by the Panel.

#### **Timelines**

26. If the circumstances of the appeal are such that adhering to the timelines outlined by this Policy will not allow a timely resolution to the appeal, the Appeal Manager and/or Panel may direct that these timelines be revised.

#### **Confidentiality**

27. The appeals process is confidential and involves only the parties, the Appeal Manager, the Panel, and any independent advisors to the Panel. Once initiated and until a decision is released, none of the Parties will disclose confidential information to any person not involved in the proceedings.

#### **Final and Binding**

28. No action or legal proceeding will be commenced against Football Ontario and its League Members or Participants in respect of a dispute, unless Football Ontario has refused or failed to provide or abide by the dispute resolution process and/or appeal process as set out in governing documents.

# ALTERNATIVE DISPUTE RESOLUTION POLICY

## Definitions

1. Terms in this Policy are defined as follows:
  - a) **Participants** – Refers to all categories of individual members and/or registrants defined in the By-laws of Football Ontario and its League Members who are subject to the policies of Football Ontario and its League Members, as well as all people employed by, contracted by, or engaged in activities with, Football Ontario and its League Members including, but not limited to, employees, contractors, athletes, coaches, instructors, officials, volunteers, managers, administrators, parents or guardians, spectators, committee members, and Directors and Officers.

## Purpose

2. Football Ontario and its League Members support the principles of Alternative Dispute Resolution (ADR) and are committed to the techniques of negotiation, facilitation, and mediation as effective ways to resolve disputes. ADR also avoids the uncertainty, costs, and other negative effects associated with lengthy appeals or complaints, or with litigation.
3. Football Ontario and its League Members encourage all Participants to communicate openly, and to collaborate and use problem-solving and negotiation techniques to resolve their differences. Football Ontario and its League Members believe that negotiated settlements are most often preferable to arbitrated outcomes. Negotiated resolutions to disputes with and among Participants are strongly encouraged.

## Application of this Policy

4. This Policy applies to all Participants.
5. Opportunities for ADR may be pursued at any point in a dispute when all parties to the dispute agree that such a course of action would be mutually beneficial.

## Facilitation and Mediation

6. If all parties to a dispute agree to ADR, a mediator or facilitator, acceptable to all parties, shall be appointed to mediate or facilitate the dispute.
7. The mediator or facilitator shall decide the format under which the dispute shall be mediated or facilitated and may, if they consider it appropriate, specify a deadline before which the parties must reach a negotiated decision.
8. Should a negotiated settlement be reached, the written settlement shall be reported to, and approved by, Football Ontario for approval. Any actions that are to take place as a result of the decision shall be enacted on the timelines specified by the negotiated decision, pending approval.
9. Should a negotiated settlement not be reached by the deadline specified by the mediator or facilitator at the start of the process (if set), or if the parties to the dispute do not agree to ADR, the dispute shall be considered under the appropriate section of the *Discipline and Complaints Policy* or *Appeal Policy*, as applicable.

## Final and Binding

10. Any negotiated settlement will be binding on the parties. Negotiated settlements may not be appealed.

# SCREENING POLICY

## Definitions

1. The following defined terms have these meanings in this Policy:
  - a) **Criminal Record Check (CRC)** – A search of the RCMP Canadian Police Information Centre (CPIC) system for adult convictions
  - b) **Enhanced Police Information Check (E-PIC)** – a Criminal Record Check plus a search of Local Police Information, available from Sterling Backcheck
  - c) **Local Police Information (LPI)** – Additional conviction and selected non-conviction information in national and local police data sources which may be relevant to the position sought
  - d) **Vulnerable Participant** - Includes minors and vulnerable adults (people who, because of age, disability or other circumstance, are in a position of dependence on others or are otherwise at a greater risk than the general population of being harmed by people in positions of trust or authority)
  - e) **Vulnerable Sector Check (VSC)** – A detailed check that includes a search of the RCMP Canadian Police Information Centre (CPIC) system, Local Police Information, and the Pardoned Sex Offender database

## Preamble

2. Football Ontario and its League Members understand that screening personnel and volunteers is a vital part of providing a safe sporting environment and has become a common practice among sport organizations that provide programs and services to the sport community.

## Application of this Policy

3. This Policy applies to all individuals whose position with Football Ontario or a League Member is one of trust or authority which may relate to, at a minimum, finances, supervision, or Vulnerable Participants.
4. Not all individuals associated with Football Ontario and its League Members will be required to obtain a criminal record check or submit screening documents because not all positions pose a risk of harm to Football Ontario and its League Members, or Participants. Football Ontario will determine which individuals will be subject to screening using the following guidelines (Football Ontario may vary the guidelines at its discretion):

Level 1 – Low Risk - Participants involved in low risk assignments who are not in a supervisory role, not directing others, not involved with finances, and/or do not have unsupervised access to Vulnerable Participants. Examples:

- a) Parents, youth, or volunteers who are helping out on a non-regular or informal basis

Level 2 – Medium Risk – Participants involved in medium risk assignments who may be in a supervisory role, may direct others, may be involved with finances, and/or who may have limited access to Vulnerable Participants. Examples:

- a) Athlete support personnel
- b) Non-coach employees or managers
- c) Directors
- d) Coaches who are typically under the supervision of another coach
- e) Officials

Level 3 – High Risk – Participants involved in high risk assignments who occupy positions of trust and/or authority, have a supervisory role, direct others, are involved with finances, and who have frequent or unsupervised access to Vulnerable Participants. Examples:

- a) Full time coaches
- b) Coaches who travel with Athletes
- c) Coaches who could be alone with Athletes

### **Screening Committee**

5. The implementation of this policy is the responsibility of the Screening Committee which is a committee composed of either one (1) or three (3) members. Football Ontario will ensure that the members appointed to the Screening Committee possess the requisite skills, knowledge and abilities to accurately screen documents and render decisions under this Policy.
6. The Screening Committee is responsible for reviewing all documents submitted and, based on the review, making decisions regarding the appropriateness of individuals filling positions within Football Ontario and its League Members. In carrying out its duties, the Screening Committee may consult with independent experts including lawyers, police, risk management consultants, volunteer screening specialists, or any other person.
7. Nothing in this Policy restricts or limits the Screening Committee from requesting that the individual attend an interview with the Screening Committee if the Screening Committee considers that an interview is appropriate and necessary to screen the individual's application.
8. Nothing in this Policy restricts or limits the Screening Committee from requesting the individual's authorization to contact any professional, sporting or other organization in order to assess the individual's suitability for the position that they are seeking.
9. Nothing in this Policy restricts or limits the Screening Committee from requesting further information from the individual on more than one occasion, subject to the individual's right to insist that the Screening Committee make a decision on the basis of the information before it.
10. The Screening Committee may, where appropriate, draw an adverse inference from an individual's failure to provide information or answer queries.
11. When assessing an individual's screening application, the Screening Committee shall determine whether there is reason to believe that the individual may pose a risk to Football Ontario and its League Members, or to another individual.
12. An individual having been previously penalized for a prior offence shall not prevent the Screening Committee from considering that offence as part of the individual's screening application.
13. If the Screening Committee determines on the basis of the individual's screening application, in addition to any further material received by it, that the individual does not pose a risk to the Participants of Football Ontario and its League Members, the Screening Committee shall approve the individual's application, subject to the Screening Committee's right to impose conditions.
14. In the case of a decision denying an application or approving an application with conditions, a copy of the decision shall be provided to the applicant and to the Board of Directors which may disseminate the decision as they see fit in order to best fulfil the mandate of Football Ontario.
15. A Participant whose screening application has been denied or revoked may not re-apply to participate in the programs or activities of Football Ontario and its League Members for two (2) years from the date the rejected application was made.

### **Screening Requirements**

16. A Screening Requirements Matrix is provided as **Appendix A**.
17. It is the policy of Football Ontario and its League Members that when an individual is first engaged by the

organization:

- a) Level 1 individuals will:
  - i. Complete an Application Form (**Appendix B**)
  - ii. Complete a Screening Disclosure Form (**Appendix C**)
  - iii. Participate in training, orientation, and monitoring as described in the Screening Requirements Matrix (**Appendix A**)
  
- b) Level 2 individuals will:
  - i. Complete an Application Form
  - ii. Complete a Screening Disclosure Form
  - iii. Complete and provide an E-PIC
  - iv. Provide one letter of reference related to the position
  - v. Participate in training, orientation, and monitoring as described in the Screening Requirements Matrix (**Appendix A**)
  - vi. Provide a driver's abstract, if requested
  
- c) Level 3 individuals will:
  - i. Complete an Application Form
  - ii. Complete a Screening Disclosure Form
  - iii. Complete and provide an E-PIC and a VSC
  - iv. Provide one letter of reference related to the position
  - v. Participate in training, orientation, and monitoring as described in the Screening Requirements Matrix (**Appendix A**)
  - vi. Provide a driver's abstract, if requested
  
- d) If an individual subsequently receives a charge, conviction for, or is found guilty of, an offense they will report this circumstance immediately to Football Ontario. Additionally, the individual will inform the organization of any changes in their circumstance that would alter their original responses in their Screening Disclosure Form.
  
- e) If Football Ontario learns that an individual has provided false, inaccurate, or misleading information, the individual will immediately be removed from their position and may be subject to further discipline in accordance with the *Discipline and Complaints Policy*.

### **Young People**

18. For the purposes of this Policy, Football Ontario and its League Members defines a young person as someone who is younger than 18 years old. When screening young people, Football Ontario and its League Members will:
  - a) Not require the young person to obtain a VSC or E-PIC; and
  - b) In lieu of obtaining a VSC or E-PIC, require the young person to submit up to two (2) additional letters of reference.
  
19. Notwithstanding the above, Football Ontario and its League Members may ask a young person to obtain a VSC or E-PIC if the organization suspects the young person has an adult conviction and therefore has a criminal record. In these circumstances, the organization will be clear in its request that it is not asking for the young person's *youth record*. Football Ontario and its League Members understand that they may not request to see a young person's youth record.

### **Renewal**

20. Unless the Screening Committee determines, on a case-by-case basis, to modify the submission requirements, individuals who are required to submit an E-PIC, Screening Disclosure Form, or Screening Renewal Form, are required to submit the documents as follows:

- a) An E-PIC every three years
  - b) A Screening Disclosure Form every three years
  - c) A Screening Renewal Form (**Appendix D**) every year
  - d) A Vulnerable Sector Check once
21. At any time, including after either the submission of an individual's application or its approval (with or without conditions), the Screening Committee may re-open an individual's file for additional screening if it is advised of new information that, in the discretion of Football Ontario and its League Members, could affect the assessment of the individual's suitability for participation in the programs or activities of Football Ontario and its League Members, or the individual's interactions with other individuals involved with Football Ontario and its League Members.

### **Orientation, Training, and Monitoring**

22. The type and amount of orientation, training, and monitoring will be based on the individual's level of risk, at the discretion of Football Ontario and its League Members.
23. Orientation may include, but is not limited to: introductory presentations, facility tours, equipment demonstrations, parent/Athlete meetings, meetings with colleagues and supervisors, orientation manuals, orientation sessions, and increased supervision during initial tasks or initial period of engagement.
24. Training may include, but is not limited to: certification courses, online learning, mentoring, workshop sessions, webinars, on-site demonstrations, and peer feedback.
25. At the conclusion of orientation and training, the individual will be required to acknowledge, in written form, that they have received and completed the orientation and training (**Appendix E**).
26. Monitoring may include but is not limited to: written or oral reports, observations, tracking, electronic surveillance (e.g., facility security cameras), and site visits.

### **How to Obtain an E-PIC or VSC**

27. An E-PIC may be obtained online via <http://www.backcheck.net/e-pic.htm>
28. It is understood that the *Police Record Checks Reform Act, 2015* requires the individual to consent in writing before requesting a criminal record check (such as an E-PIC). The Act also requires the individual to consent in writing for any disclosure of the results to the requesting organization.
29. Participants may only obtain a VSC by visiting an RCMP office or police station, submitting two pieces of government-issued identification (one of which must have a photo), and completing any required paperwork. Fees may also be required.
30. Fingerprinting may be required if there is a positive match with the individual's gender and birth date.
31. Football Ontario and its League Members understand that they may be required to assist an individual with obtaining a VSC. A Request for VSC (**Appendix F**) may need to be submitted or other documentation may need to be completed that describes the nature of the organization and the individual's role with Vulnerable Participants.

### **Procedure**

32. Screening documents must be submitted to the Screening Committee.
33. An individual who refuses or fails to provide the necessary screening documents will be ineligible to volunteer or apply for the position sought. The individual will be informed that their application and/or position will not proceed until such time as the screening documents are submitted.

34. Football Ontario and its League Members understand that there may be delays in receiving the results of an E-PIC or a VSC. At the discretion of Football Ontario or a League Member, an individual may be permitted to participate in the role during the delay. This permission may be withdrawn at any time and for any reason.
35. Football Ontario and its League Members recognize that different information will be available depending on the type of screening document that the individual has submitted. For example, an E-PIC may show details of a specific offense, or not, and/or a VSC may be returned with specific information or simply a notification indicating 'cleared' or 'not cleared'. The Screening Committee will use its expertise and discretion when making decisions based on the screening documents that have been submitted.
36. Following the review of the screening documents, the Screening Committee will decide:
  - a) The individual has passed screening and may participate in the desired position;
  - b) The individual has passed screening and may participate in the desired position with conditions;
  - c) The individual has not passed screening and may not participate in the desired position; or
  - d) More information is required from the individual.
37. In making its decision, the Screening Committee will consider the type of offense, date of offense, and relevance of the offense to the position sought.
38. The Screening Committee may decide that an individual has not passed screening if the screening documentation reveals any of the following:
  - a) If imposed in the last three years:
    - i. Any offense involving the use of a motor vehicle, including but not limited to impaired driving
    - ii. Any offense of assault, physical or psychological violence
    - iii. Any offense involving trafficking or possession of illegal drugs
    - iv. Any offense involving conduct against public morals
    - v. Any offense involving theft or fraud
  - b) If imposed at any time:
    - i. Any offense involving a minor or minors
    - ii. Any offense involving the possession, distribution, or sale of any child-related pornography
    - iii. Any sexual offense

### **Conditions and Monitoring**

39. If the screening documentation reveals an offense that does not automatically cause the individual to not pass screening (described in the above subsection), the Screening Committee may determine that incidents revealed on an individual's screening documents may allow the individual to pass the screening process and participate in a desired position with *conditions* imposed. The Screening Committee shall have the sole and unfettered discretion to apply and remove conditions, determine the length of time for the imposition of conditions, and determine the means by which adherence to conditions may be monitored.

### **Records**

40. All records will be maintained in a confidential manner and will not be disclosed to others except as required by law, for use in legal, quasi-legal, or disciplinary proceedings.
41. The records kept as part of the screening process include but are not limited to:
  - a) An individual's Vulnerable Sector Check
  - b) An individual's E-PIC (for a period of three years)
  - c) An individual's Screening Disclosure Form (for a period of three years)
  - d) An individual's Screening Renewal Form (for a period of one year)
  - e) Records of any conditions attached to an individual's registration by the Screening Committee

- f) Records of any discipline applied to any individual by Football Ontario and its League Members, or by another sport organization

## Appendix A – Screening Requirements Matrix

Risk Level	Roles (Note Young People Exception Below)	Training Recommended/Required	Screening
Level 1 Low Risk	a) Parents, youth or volunteers acting in non-regular or informal basis	Recommended: <ul style="list-style-type: none"> <li>• Respect in Sport for Activity Leaders</li> <li>• <a href="#">CAC Safe Sport Training</a></li> </ul>	<ul style="list-style-type: none"> <li>• Complete an Application Form (<b>Appendix B</b>)</li> <li>• Complete a Screening Disclosure Form (<b>Appendix C</b>)</li> <li>• Participate in training, orientation, and monitoring as determined by the organization</li> </ul>
Level 2 Medium Risk	a) Athlete support personnel b) Non-coach employees or managers c) Directors d) Coaches who are typically under supervision of another coach. e) Officials	Recommended based on role: <ul style="list-style-type: none"> <li>• Respect in Sport for Activity Leaders</li> <li>• Commit to Kids</li> </ul> Required: <ul style="list-style-type: none"> <li>• Respect in Sport Activity Leaders (National Officials)</li> <li>• MED Certified (Coaches)</li> <li>• <a href="#">CAC Safe Sport Training</a></li> </ul>	<ul style="list-style-type: none"> <li>• Level 1 Requirements</li> <li>• Complete and provide an E-PIC</li> <li>• Provide one letter of reference related to the position</li> <li>• Provide a driver's abstract, if requested</li> </ul>
Level 3 High Risk	a) Full Time Coaches b) Coaches who travel with Athletes c) Coaches who could be alone with Athletes	Recommended based on role: <ul style="list-style-type: none"> <li>• Respect in Sport for Activity Leaders</li> <li>• Commit to Kids</li> </ul> Required: <ul style="list-style-type: none"> <li>• MED Certified</li> <li>• <a href="#">CAC Safe Sport Training</a></li> </ul>	<ul style="list-style-type: none"> <li>• Level 2 Requirements</li> <li>• Provide a VSC</li> <li>• A second letter of reference from a sport organization</li> </ul>

### Young People

For the purposes of this Policy, Football Ontario and its League Members define a young person as someone who is younger than 18 years old. When screening young people, Football Ontario and its League Members will:

- a) Not require the young person to obtain a VSC or E-PIC; and
- b) In lieu of obtaining a VSC or E-PIC, require the young person to submit up to two (2) additional letters of reference.



**Appendix C – Screening Disclosure Form**

**NAME:** \_\_\_\_\_  
First Middle Last

**OTHER NAMES YOU HAVE USED:** \_\_\_\_\_

**CURRENT PERMANENT ADDRESS:**

\_\_\_\_\_  
Street City Province Postal

**DATE OF BIRTH:** \_\_\_\_\_ **GENDER IDENTITY:** \_\_\_\_\_  
Month/Day/Year

**CLUB (if applicable):** \_\_\_\_\_ **EMAIL:** \_\_\_\_\_

*Note: Failure to disclose truthful information below may be considered an intentional omission and the loss of volunteer responsibilities or other privileges*

**1. Have you been convicted of a crime? If so, please complete the following information for each conviction. Attach additional pages as necessary.**

Name or Type of Offense: \_\_\_\_\_

Name and Jurisdiction of Court/Tribunal: \_\_\_\_\_

Year Convicted: \_\_\_\_\_

Penalty or Punishment Imposed: \_\_\_\_\_

Further Explanation: \_\_\_\_\_

**2. Have you ever been disciplined or sanctioned by a sport governing body or by an independent body (e.g., private tribunal, government agency, etc.) or dismissed from a coaching or volunteer position? If so, please complete the following information for each disciplinary action or sanction. Attach additional pages as necessary.**

Name of disciplining or sanctioning body: \_\_\_\_\_

Date of discipline, sanction or dismissal: \_\_\_\_\_

Reasons for discipline, sanction or dismissal: \_\_\_\_\_

Penalty or Punishment Imposed: \_\_\_\_\_

Further Explanation: \_\_\_\_\_

**3. Are criminal charges or any other sanctions, including those from a sport body, private tribunal or government agency, currently pending or threatened against you? If so, please complete the following information for each pending charge or sanction. Attach additional pages as necessary.**

Name or Type of Offense: \_\_\_\_\_

Name and Jurisdiction of Court/Tribunal: \_\_\_\_\_

Name of disciplining or sanctioning body: \_\_\_\_\_

Further Explanation: \_\_\_\_\_

**PRIVACY STATEMENT**

By completing and submitting this Screening Disclosure Form, I consent and authorize Football Ontario and its League Members to collect, use and disclose my personal information, including all information provided on the Screening Disclosure Form as well as my Enhanced Police Information Check and/or Vulnerable Sector Check (when permitted by law) for the purposes of screening, implementation of the *Screening Policy*, administering membership services, and communicating with National Sport Organizations, Provincial/Territorial Sport Organizations, Clubs, and other organizations involved in the governance of sport. Football Ontario and its League Members not distribute personal information for commercial purposes.

**CERTIFICATION**

I hereby certify that the information contained in this Screening Disclosure Form is accurate, correct, truthful and complete.

I further certify that I will immediately inform Football Ontario and its League Members of any changes in circumstances that would alter my original responses to this Screening Disclosure Form. Failure to do so may result in the withdrawal of volunteer responsibilities or other privileges and/or disciplinary action.

**NAME (print):** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**SIGNATURE:** \_\_\_\_\_



**Appendix E – Volunteer Orientation and Training Acknowledgement Form**

1. I have the following role(s) with Football Ontario and its League Members (circle as many as apply):

Parent / Guardian

Coach

Director / Volunteer

Athlete

Official

Committee Member

2. As an individual affiliated with Football Ontario and its League Members, I acknowledge I have received completed the following orientation and training:

Name of Training or Orientation: \_\_\_\_\_

Instructor: \_\_\_\_\_ Date Completed: \_\_\_\_\_

Name of Training or Orientation: \_\_\_\_\_

Instructor: \_\_\_\_\_ Date Completed: \_\_\_\_\_

Name of Training or Orientation: \_\_\_\_\_

Instructor: \_\_\_\_\_ Date Completed: \_\_\_\_\_

\_\_\_\_\_  
Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## **Appendix F – Request For Vulnerable Sector Check**

**Note: Football Ontario and its League Members must modify this letter to adhere to any requirements from the VSC provider**

### **INTRODUCTION**

[insert organization] is requesting a Vulnerable Sector Check for \_\_\_\_\_ [insert individual's full name] who identifies as a \_\_\_\_\_ [insert gender identity] and who was born on \_\_\_\_\_ [insert birthdate].

### **DESCRIPTION OF ORGANIZATION**

[Insert description]

### **DESCRIPTION OF ROLE**

\_\_\_\_\_ [insert individual's name] will be acting as a \_\_\_\_\_ [insert individual's role]. In this role, the individual will have access to vulnerable individuals.

[Insert additional information re: type and number of vulnerable individuals, frequency of access, etc.]

### **CONTACT INFORMATION**

If more information is required from [insert organization], please contact the Screening Committee Chair:

[Insert information for Screening Committee Chair]

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

# ATHLETE PROTECTION POLICY

## Definitions

1. Terms in this Policy are defined as follows:
  - a) **Athlete** – An individual who is an Athlete participant in the activities of Football Ontario or a League Member who is subject to the policies of Football Ontario and its League Members and to the *Code of Conduct and Ethics*.
  - b) **Minor** – Any Participant who is under the age of 18 years old at the time and in the jurisdiction where the alleged Maltreatment has occurred. Adults are responsible for knowing the age of a Minor.
  - c) **Participants** – Refers to all categories of individual members and/or registrants defined in the By-laws of Football Ontario and its League Members who are subject to the policies of Football Ontario and its League Members, as well as all people employed by, contracted by, or engaged in activities with, Football Ontario and its League Members including, but not limited to, employees, contractors, athletes, coaches, instructors, officials, volunteers, managers, administrators, parents or guardians, spectators, committee members, and Directors and Officers.
  - d) **Person in Authority** – Any Participant who holds a position of authority within Football Ontario and its League Members including, but not limited to, coaches, instructors, officials, managers, support personnel, chaperones, committee members, and Directors and Officers.
  - e) **Vulnerable Participants** – Includes Minors and vulnerable adults (people who, because of age, disability or other circumstance, are in a position of dependence on others or are otherwise at a greater risk than the general population of being harmed by Persons in Authority).

## Purpose

2. This *Athlete Protection Policy* describes how Persons in Authority shall maintain a safe sport environment for all Athletes.

## Interactions between Persons in Authority and Athletes – the ‘Rule of Two’

3. Football Ontario and its League Members requires that the ‘Rule of Two’ be followed for all Persons in Authority who interact with Athletes, to the maximum extent feasible. The ‘Rule of Two’ is a directive that says that an Athlete must never be alone one-on-one with an unrelated Person in Authority.
4. Football Ontario and its League Members recognize that fully implementing the ‘Rule of Two’ may not always be possible in some instances. Consequently, at a minimum, interactions between Persons in Authority and Athletes must respect the following:
  - a) To the maximum extent possible, the training environment should be visible and accessible so that all interactions between Persons in Authority and Athletes are observable.
  - b) Private and one-on-one situations that are not observable by another adult or Athlete should be avoided to the maximum extent possible.
  - c) A Vulnerable Participant may not be alone under the supervision of a Person in Authority unless prior written permission is obtained from the Vulnerable Participant’s parent or guardian.
  - d) Persons in Authority may not invite or host Vulnerable Participants in their home without the written permission from parents or guardians or without parents or guardians having contemporaneous knowledge of the visit.

## Competitions and Training Sessions

5. For competitions and training sessions, Football Ontario and its League Members recommend:
  - a) A Person in Authority should never be alone with a Vulnerable Participant prior to or following a competition or training session unless the Person in Authority is the Vulnerable Participant’s parent or guardian.

- b) If the Vulnerable Participant is the first Athlete to arrive, the Athlete's parent should remain until another Athlete or Person in Authority arrives.
- c) If a Vulnerable Participant would potentially be alone with a Person in Authority following a competition or training session, the Person in Authority should ask another Person in Authority (or a parent or guardian of another Athlete) to stay until all of the Athletes have been picked up. If an adult is unavailable, another Athlete, who is preferably not a Vulnerable Participant, should be present in order to avoid the Person in Authority being alone with a Vulnerable Participant.
- d) Persons in Authority giving instructions, demonstrating skills, or facilitating drills or lessons to an individual Athlete should always do so within earshot and eyesight of another Person in Authority.
- e) Persons in Authority and Athletes should take steps to achieve transparency and accountability in their interactions. For example, a Person in Authority and an Athlete who know they will be away from other Participants for a lengthy period of time must inform another Person in Authority where they are going and when they are expected to return. Persons in Authority should always be reachable by phone or text message.

### **Communications**

6. For communication between Persons in Authority and Athletes, Football Ontario and its League Members recommend:
- a) Persons in Authority may only send texts, direct messages on social media or emails to individual Athletes when necessary and only for communicating information related to team issues and activities (e.g., non-personal information). Any such texts, messages or emails shall be professional in tone.
  - b) Electronic communication between Persons in Authority and Athletes that is personal in nature should be avoided. If such personal communication is unavoidable, it must be recorded and available for review by another Person in Authority and/or by the Athlete's parent/guardian (when the Athlete is a Vulnerable Participant).
  - c) Parents/guardians may request that their child not be contacted by a Person in Authority using any form of electronic communication and/or may request that certain information about their child not be distributed in any form of electronic communication.
  - d) All communication between a Person in Authority and Athletes must be between the hours of 6:00am and midnight unless extenuating circumstances justify otherwise.
  - e) Communication concerning drugs or alcohol use (unless regarding its prohibition) is not permitted.
  - f) No sexually explicit language or imagery or sexually oriented conversation may be communicated in any medium.
  - g) Persons in Authority are not permitted to ask Athletes to keep a personal secret for them.

### **Travel**

7. For travel involving Persons in Authority and Athletes, Football Ontario and its League Members recommend:
- a) Teams or groups of Athletes shall always have at least two Persons in Authority with them.
  - b) If two Persons in Authority cannot be present, reasonable efforts should be made to supplement supervision with screened parents or other volunteers.
  - c) To the maximum extent possible, no Person in Authority may drive a vehicle alone with an Athlete unless the Person in Authority is the Athlete's parent or guardian.
  - d) A Person in Authority may not share a hotel room or be alone with an Athlete unless the Person in Authority is the Athlete's parent/guardian or spouse.
  - e) Room or bed checks during overnight stays must be done by two Persons in Authority.
  - f) For overnight travel when Athletes must share a hotel room, roommates must be age-appropriate and of the same gender identity.

### **Locker Rooms / Changing Areas**

8. For locker rooms, changing areas and other closed meeting spaces, Football Ontario and its League Members recommend:

- a) Interactions between Persons in Authority and Athletes should not occur in any area where there is a reasonable expectation of privacy such as a locker room, washroom or changing area. A second adult should be present for any necessary interaction between an adult and an Athlete in any such area.
- b) Parents/guardians are not permitted in the locker rooms / changing areas beyond the U10 division.
- c) If Persons in Authority are not present in the locker room or changing area, or if they are not permitted to be present, they should still be available outside the locker room or changing area and be able to enter the room or area if required, for reasons including but not limited to team communications and/or emergencies.

### **Photography / Video**

9. For all photography and video of an Athlete, Football Ontario and its League Members recommend:
  - a) Photographs and video should only be taken in public view. Content must observe generally accepted standards of decency, and be both appropriate for and in the best interest of the Athlete.
  - b) The use of recording devices in areas where there is a reasonable expectation of privacy is strictly prohibited.
  - c) Examples of photos that shall be edited or deleted include:
    - i. Images with misplaced apparel or where undergarments are showing
    - ii. Suggestive or provocative poses
    - iii. Embarrassing images

### **Physical Contact**

10. Some physical contact between Persons in Authority and Athletes may be necessary for various reasons including, but not limited to, teaching or assisting a skill or tending to an injury. For physical contact, Football Ontario and its League Members recommend:
  - a) A Person in Authority must always request permission to make physical contact from the Athlete in advance and clearly explain where and why the physical contact will occur. The Person in Authority must make clear that they are requesting to touch the Athlete and not requiring physical contact.
  - b) Infrequent, incidental physical contact during a training session is not considered a violation of policy.
  - c) Non-essential physical contact may not be initiated by the Person of Authority. It is recognized that some Athletes may initiate non-essential physical contact such as hugging or other physical contact with a Person in Authority for various reasons (e.g., such as celebrating or crying after a poor performance). This physical contact should always occur in an open and observable environment.

### **Enforcement**

11. Any alleged violations of this *Athlete Protection Policy* may be addressed pursuant to the *Discipline and Complaints Policy*.

# EVENT DISCIPLINE PROCEDURE

**\*\* This Event Discipline Procedure does not supersede or replace the Discipline and Complaints Policy \*\***

## Definitions

1. The following terms have these meanings in this Policy:
  - a) **Event** – An event sanctioned by Football Ontario or a League Member, which may include a social event
  - b) **Participant** – Refers to all categories of individual members and/or registrants defined in the By-laws of Football Ontario and its League Members who are subject to the policies of Football Ontario and its League Members, as well as all people employed by, contracted by, or engaged in activities with, Football Ontario and its League Members including, but not limited to, employees, contractors, athletes, coaches, instructors, officials, volunteers, managers, administrators, parents or guardians, spectators, committee members, and Directors and Officers.

## Purpose

2. Football Ontario and its League Members are committed to providing a competition environment in which all Participants are treated with respect. This Procedure outlines how alleged misconduct during an Event will be handled.

## Scope and Application of this Policy

3. This Procedure will be applied to all Football Ontario and its League Members-sanctioned Events unless the Event host states any modifications to this Procedure (and the reasons for those modifications) in the Event's registration or invitation package. Changes to this Procedure must also be outlined in the event host's sanctioning request, when applicable.
4. If the Event is being sanctioned by a National Sport Organization (such as in the case of a National Championships), a national or regional Games federation, or an international federation, the Event Discipline Procedure of the sanctioning organization will replace this procedure. Incidents involving Participants connected with Football Ontario and its League Members (such as athletes, coaches, members, and Directors and Officers) must still be reported to Football Ontario and its League Members to be addressed under the *Discipline and Complaints Policy*, if necessary.
5. This Procedure does not replace or supersede the *Discipline and Complaints Policy*. Instead, this Procedure works in concert with the *Discipline and Complaints Policy* by outlining, for a designated person with authority at an event sanctioned by Football Ontario and its League Members, the procedure for taking immediate, informal, or corrective action in the event of a possible violation of the *Code of Conduct and Ethics*.

## Misconduct During Events

6. Incidents that violate or potentially violate the *Code of Conduct and Ethics*, which can occur during a competition, away from the area of competition, or between parties connected to the Event, shall be reported to a designated person (usually the head official or on-site convenor) responsible at the Event.
7. The designated person at the Event shall use the following procedure to address the incident that violated or potentially violated the *Code of Conduct and Ethics*:
  - a) Notify the involved parties that there has been an incident that violated or potentially violated the *Code of Conduct and Ethics*
  - b) Convene a jury of either one person or three people (one of whom shall be designated the Chairperson), who shall not be in a conflict of interest or involved in the original incident, to determine whether the *Code of Conduct and Ethics* has been violated. The designated person at the Event may serve on the jury
  - c) The jury will interview and secure statements from any witnesses to the alleged violation
  - d) If the violation occurred during a competition, interviews will be held with the officials who officiated or observed the competition and with the coaches and captains of each team when necessary and appropriate

- e) The jury will secure a statement from the person(s) accused of the violation
  - f) The jury will render a decision and determine a possible penalty
  - g) The Chairperson of the jury will inform all parties of the jury's decision
8. The penalty determined by the jury may include any of the following, singularly or in combination:
- a) Oral or written warning
  - b) Oral or written reprimand
  - c) Suspension from future competitions at the Event
  - d) Ejection from the Event
  - e) Other appropriate penalty as determined by the jury
9. The jury does not have the authority to determine a penalty that exceeds the duration of the Event. A full written report of the incident and the jury's decision shall be submitted to Football Ontario or the applicable League Member following the conclusion of the Event. Further discipline may then be applied per the *Discipline and Complaints Policy* if necessary.
10. Decisions made in the scope of this Procedure may not be appealed.
11. This Procedure does not prohibit other Participants from reporting the same incident to Football Ontario and its League Members to be addressed as a formal complaint under the *Discipline and Complaints Policy*.
12. Football Ontario and its League Members shall record and track all reported incidents.

# ABUSE POLICY

## Definitions

1. The following terms have these meanings in this Policy:
  - a) **Abuse** – Child/Youth Abuse or Vulnerable Adult Abuse as described in this Policy.
  - b) **Participant** – Refers to all categories of individual members and/or registrants defined in the By-laws of Football Ontario and its League Members who are subject to the policies of Football Ontario and its League Members, as well as all people employed by, contracted by, or engaged in activities with, Football Ontario and its League Members including, but not limited to, employees, contractors, athletes, coaches, instructors, officials, volunteers, managers, administrators, parents or guardians, spectators, committee members, and Directors and Officers
  - c) **Vulnerable Individuals** – Includes Children / Youth (minors) and Vulnerable Adults (people who, because of age, disability or other circumstance, are in a position of dependence on others or are otherwise at a greater risk than the general population of being harmed by people in positions of trust or authority);

## Purpose

2. Football Ontario and its League Members are committed to a sport environment free from abuse. The purpose of this Policy is to stress the importance of that commitment by educating Individuals about abuse, outlining how Football Ontario and its League Members will work to prevent abuse, and how abuse or suspected abuse can be reported to and addressed by Football Ontario and its League Members.

## Zero Tolerance Statement

3. Football Ontario and its League Members have zero tolerance for any type of abuse. Individuals are required to report instances of abuse or suspected abuse to Football Ontario and its League Members to be immediately addressed under the terms of the applicable policy.

## Education – What is Abuse

4. Vulnerable Individuals can be abused in different forms.
5. The following description of Child / Youth Abuse has been modified and adapted from Ecclesiastical's *Guidelines for Developing a Safety & Protection Policy for Children / Youth / Vulnerable Adults* [1]:

### *Child / Youth Abuse*

6. "Child abuse" refers to the violence, mistreatment or neglect that a child or adolescent may experience while in the care of someone they depend on or trust. There are many different forms of abuse and a child may be subjected to more than one form:
  - a) **Physical abuse** involves single or repeated instances of deliberately using force against a child in such a way that the child is either injured or is at risk of being injured. Physical abuse includes beating, hitting, shaking, pushing, choking, biting, burning, kicking or assaulting a child with a weapon. It also includes holding a child under water, or any other dangerous or harmful use of force or restraint.
  - b) **Sexual abuse** and exploitation involve using a child for sexual purposes. Examples of child sexual abuse include fondling, inviting a child to touch or be touched sexually, intercourse, rape, incest, sodomy, exhibitionism, or involving a child in prostitution or pornography.
  - c) **Neglect** is often chronic, and it usually involves repeated incidents. It involves failing to provide what a child needs for his or her physical, psychological or emotional development and well being. For example, neglect includes failing to provide a dependent child with food, clothing, shelter, cleanliness, medical care, or protection from harm.
  - d) **Emotional abuse** involves harming a child's sense of self-worth. It includes acts (or omissions) that result in, or place a child at risk of, serious behavioural, cognitive, emotional, or mental health problems. For

example, emotional abuse may include aggressive verbal threats, social isolation, intimidation, exploitation, or routinely making unreasonable demands. It also includes exposing the child to violence.

7. An abuser may use a number of different tactics to gain access to children, exert power and control over them, and prevent them from telling anyone about the abuse or seeking support. The abuse may happen once, or it may occur in a repeated and escalating pattern over a period of months or years. The abuse may change form over time.

8. Abuse of children or youth in sport can include emotional maltreatment, neglect, and physical maltreatment.

a) **Emotional Maltreatment** – A coach’s failure to provide a developmentally-appropriate and supportive environment. Emotional abuse is at the foundation of all other forms of maltreatment (sexual, physical and neglect). In sports, this conduct has the potential to cause emotional or psychological harm to an athlete when it is persistent, pervasive or patterned acts (i.e., yelling at an athlete once does not constitute maltreatment). Examples of emotional maltreatment include:

- i. Refusal to recognize an athlete’s worth or the legitimacy of an athlete’s needs (including complaints of injury/pain, thirst or feeling unwell)
- ii. Creating a culture of fear, or threatening, bullying or frightening an athlete
- iii. Frequent name-calling or sarcasm that continually “beats down” an athlete’s self-esteem
- iv. Embarrassing or humiliating an athlete in front of peers
- v. Excluding or isolating an athlete from the group
- vi. Intentionally withholding attention
- vii. Encouraging an athlete to engage in destructive and antisocial behaviour, reinforcing deviance, or impairing an athlete’s ability to behave in socially appropriate ways
- viii. Over-pressuring; whereby the coach imposes extreme pressure upon the athlete to behave and achieve in ways that are far beyond the athlete’s capabilities
- ix. Verbally attacking an athlete personally (e.g., belittling them or calling them worthless, lazy, useless, fat or disgusting).
- x. Routinely or arbitrarily excluding athletes from practice
- xi. Using conditioning as punishment
- xii. Throwing sports equipment, water bottles or chairs at, or in the presence of, athletes
- xiii. Body shaming – making disrespectful, hurtful or embarrassing comments about an athlete’s physique

b) **Neglect** - acts of omission (i.e., the coach should act to protect the health/well-being of an athlete but does not). Examples of neglect include:

- i. Isolating an athlete in a confined space or stranded on equipment, with no supervision, for an extended period
- ii. Withholding, recommending against, or denying adequate hydration, nutrition, medical attention or sleep
- iii. Ignoring an injury
- iv. Knowing about abuse of an athlete but failing to report it

c) **Physical Maltreatment** - involves contact or non-contact behaviour that can cause physical harm to an athlete. It also includes any act or conduct described as physical abuse or misconduct (e.g., child abuse, child neglect and assault). Almost all sport involves strenuous physical activity. Athletes regularly push themselves to the point of exhaustion. However, any activity that physically harms an athlete—such as extreme disciplinary actions or punishment—is unacceptable. Physical maltreatment can extend to seemingly unrelated areas including inadequate recovery times for injuries and restricted diet. Examples of physical maltreatment include:

- i. Punching, beating, biting, striking, choking or slapping an athlete
- ii. Intentionally hitting an athlete with objects or sporting equipment
- iii. Providing alcohol to an athlete under the legal drinking age
- iv. Providing illegal drugs or non-prescribed medications to any athlete

- v. Encouraging or permitting an athlete to return to play prematurely or without the clearance of a medical professional, following a serious injury (e.g., a concussion)
  - vi. Prescribed dieting or other weight-control methods without regard for the nutritional well-being and health of an athlete
  - vii. Forcing an athlete to assume a painful stance or position for no athletic purpose, or excessive repetition of a skill to the point of injury
  - viii. Using excessive exercise as punishment (e.g., stretching to the point of causing the athlete to cry, endurance conditioning until the athlete vomits)
- d) **Grooming** - a slow gradual and escalating process of building comfort and trust with an athlete and/or their parents/guardian that is often very difficult to recognize. The process allows for inappropriate conduct to become normalized. It is often preceded by building confidence and comfort that an individual can be trusted with the care of the athlete. Examples of grooming include:
- i. Nudity or exposure of genitals in the presence of an athlete;
  - ii. Sexually oriented conversation or discussions about personal sexual activities;
  - iii. Excessive discussions about a coach's personal life outside of coaching (i.e., family, work, medical challenges)
  - iv. Spending time with an individual athlete and/or their family outside of team activities;
  - v. Excessive gift-giving to an individual athlete;
  - vi. Socially isolating an athlete;
  - vii. Restricting an athlete's privacy;
  - viii. Providing drugs, alcohol or tobacco to an athlete;
  - ix. Becoming overly-involved in an athlete's personal life;
  - x. Making sexual or discriminatory jokes or comments to an athlete;
  - xi. Displaying material of a sexual nature in the presence of an athlete;
  - xii. Mocking or threatening an athlete
  - xiii. Putting coach's needs above needs of athlete and/or going to athlete to have coach's needs met

9. Importantly, emotional and physical maltreatment does not include professionally-accepted coaching methods (per the NCCP) of skill enhancement, physical conditioning, team building, discipline, or improving athletic performance.

10. Potential warning signs of abuse of children or youth can include[2][3]:

- i. Recurrent unexplained injuries
- ii. Alert behaviour; child seems to always be expecting something bad to happen
- iii. Often wears clothing that covers up their skin, even in warm weather
- iv. Child startles easily, shies away from touch or shows other skittish behaviour
- v. Constantly seems fearful or anxious about doing something wrong
- vi. Withdrawn from peers and adults
- vii. Behavior fluctuates between extremes (e.g., extremely cooperative or extremely demanding)
- viii. Acting either inappropriately beyond their age (like an adult; taking care of other children) or inappropriately younger than their age (like an infant; throwing tantrums)
- ix. Acting out in an inappropriate sexual way with toys or objects
- x. New adult words for body parts and no obvious source
- xi. Self-harm (e.g., cutting, burning or other harmful activities)
- xii. Not wanting to be alone with a particular child or young person

#### *Vulnerable Adult Abuse*

11. Although individuals may be abused at virtually any life stage – childhood, adolescence, young adulthood, middle age, or old age – the nature and consequences of abuse may differ depending on an individual's situation, disability, or circumstance.

12. The following description of Vulnerable Adult Abuse has been modified and adapted from Ecclesiastical's *Guidelines for Developing a Safety & Protection Policy for Children / Youth / Vulnerable Adults* [1].
13. Abuse of vulnerable adults is often described as a misuse of power and a violation of trust. Abusers may use a number of different tactics to exert power and control over their victims. Abuse may happen once, or it may occur in a repeated and escalating pattern over months or years. The abuse may take many different forms, which may change over time:
- a) **Psychological abuse** includes attempts to dehumanize or intimidate vulnerable adults. Any verbal or non-verbal act that reduces their sense of self-worth or dignity and threatens their psychological and emotional integrity is abuse. This type of abuse may include, for example
    - i. Threatening to use violence
    - ii. Threatening to abandon them
    - iii. Intentionally frightening them
    - iv. Making them fear that they will not receive the food or care they need
    - v. Lying to them
    - vi. Failing to check allegations of abuse against them
  - b) **Financial abuse** encompasses financial manipulation or exploitation, including theft, fraud, forgery, or extortion. It includes using a vulnerable adult's money or property in a dishonest manner or failing to use a vulnerable adult's assets for their welfare. Abuse occurs any time someone acts without consent in a way that financially or personally benefits one person at the expense of another. This type of abuse against a vulnerable adult may include, for example:
    - i. Stealing their money, disability cheques, or other possessions
    - ii. Wrongfully using a Power of Attorney
    - iii. Failing to pay back borrowed money when asked
  - c) **Physical abuse** includes any act of violence – whether or not it results in physical injury. Intentionally inflicting pain or injury that results in either bodily harm or mental distress is abuse. Physical abuse may include, for example:
    - i. Beating
    - ii. Burning or scalding
    - iii. Pushing or shoving
    - iv. Hitting or slapping
    - v. Rough handling
    - vi. Tripping
    - vii. Spitting
  - d) All forms of sexual abuse are also applicable to vulnerable adults
14. Potential warning signs of abuse of vulnerable adults can include:
- a) Depression, fear, anxiety, passivity
  - b) Unexplained physical injuries
  - c) Dehydration, malnutrition, or lack of food
  - d) Poor hygiene, rashes, pressure sores
  - e) Over-sedation

### **Preventing Abuse**

15. Football Ontario and its League Members will enact measures aimed at preventing abuse. These measures include screening, orientation, training, practice, and monitoring.

### *Screening*

16. Individuals who coach, volunteer, officiate, deliver developmental programs, are affiliated with provincial teams, accompany a team to an event or competition, are paid staff, or otherwise engage with Vulnerable Individuals involved with Football Ontario and its League Members will be screened according to the organization's *Screening Policy*.
17. Football Ontario and its League Members will use the *Screening Policy* to determine the level of trust, authority, and access that each Individual has with Vulnerable Individuals. Each level of risk will be accompanied by increased screening procedures which may include the following, singularly or in combination:
  - a) Completing an Application Form for the position sought (which includes alerting Individuals that they must agree to adhere with the organization's policies and procedures (including this *Abuse Policy*))
  - b) Completing a Screening Declaration Form
  - c) Providing letters of reference
  - d) Providing a Criminal Record Check ("CRC") and/or Vulnerable Sector Check ("VSC")
  - e) Providing a driver's abstract (for Individuals who transport Vulnerable Individuals)
  - f) Other screening procedures, as required
18. An Individual's failure to participate in the screening process or pass the screening requirements as determined by a Screening Committee, will result in the Individual's ineligibility for the position sought.

### *Orientation and Training*

19. Football Ontario and its League Members will deliver orientation and training to those Individuals who have access to, or interact with, Vulnerable Individuals. The orientation and training, and their frequency, will be based on the level of risk, as described in the *Screening Policy*.
20. Orientation may include, but is not limited to: introductory presentations, facility tours, equipment demonstrations, parent/athlete meetings, meetings with colleagues and supervisors, orientation manuals, orientation sessions, and increased supervision during initial tasks or period of engagement.
21. Training may include, but is not limited to: certification courses, online learning, mentoring, workshop sessions, webinars, on-site demonstrations, and peer feedback.
22. At the conclusion of the orientation and training, Individuals will be required to acknowledge, in written form, that they have received and completed the training.

### *Practice*

23. When Participants interact with Vulnerable Individuals, they are required to enact certain practical approaches to these interactions. These include, but are not limited to:
  - a) Limiting physical interactions to non-threatening or non-sexual touching (e.g., high-fives, pats on the back or shoulder, handshakes, specific skill instruction, etc.)
  - b) Ensuring that Vulnerable Individuals are always supervised by more than one adult
  - c) Ensuring that more than one person is involved with team selection (thereby limiting the consolidation of power onto one Individual)
  - d) Including parents/guardians in all communication (e.g., electronic, telephonic) with Vulnerable Individuals
  - e) Ensuring that parents/guardians are aware that some non-personal communication between Individuals and Vulnerable Individuals (e.g., coaches and athletes) may take place electronically (e.g., by texting) and that this type of communication is now considered to be commonplace, especially with older Vulnerable Individuals (e.g., teenagers). Individuals are aware that such communication is subject to the *Code of Conduct and Ethics*

- f) When traveling with Vulnerable Individuals, the Individual will not transport Vulnerable Individuals without another adult present and will not stay in the same overnight accommodation location without additional adult supervision.

#### *Monitoring*

24. Football Ontario and its League Members will regularly monitor those Individuals who have access to, or interact with, Vulnerable Individuals. The monitoring will be based on the level of risk, as described in the *Screening Policy*.
25. Monitoring may include, but is not limited to: regular status reports, logs, supervisor meetings, supervisor on-site check-ins, feedback provided directly to the organization (from peers and parents/athletes), and regular evaluations.

#### **Reporting Abuse**

26. Reports of abuse that are shared confidentially with an Individual by a Vulnerable Individual may require the Individual to report the incident to parents/guardians, Football Ontario and its League Members or police. Individuals must respond to such reports in a non-judgemental, supportive and comforting manner but must also explain that the report may need to be escalated to the proper authority or to the Vulnerable Individual's parent/guardian.
27. Complaints or reports that describe an element of **abuse** will be addressed by the process(es) described in the *Discipline and Complaints Policy*.

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[1] Retrieved from: [https://www.ecclesiastical.ca/guidelines\\_developsafetyprotectionpolicy\\_children-youths-vulnerableadults\\_faith/](https://www.ecclesiastical.ca/guidelines_developsafetyprotectionpolicy_children-youths-vulnerableadults_faith/)

[2] Adapted from: <https://www.all4kids.org/2014/03/04/warning-signs-child-abuse-neglect/>

[3] Adapted from: [https://www.parentsprotect.co.uk/warning\\_signs.htm](https://www.parentsprotect.co.uk/warning_signs.htm)