

Kingston Triathlon Club **Abuse & Harassment Policy & Procedures**

1. Policy Statement

The Executive of Kingston Triathlon Club (KTC) is committed to providing a safe and respectful environment that is free from abuse and harassment, where all persons are treated with respect and fairness. This includes the Executive, coaches, volunteers, KTC members, trial participants and all others associated with any KTC event, whether training, coaching or member's presence at a race activity.

2. Abuse Policy

The KTC Executive and members expect that everyone associated with a KTC activity, whether member of the Executive, member of KTC, coach or volunteer associated with KTC to take all reasonable steps to safeguard the welfare of all KTC members and participants and to protect them from any form of maltreatment. Therefore, there shall be no abuse or harassment, whether physical, emotional or sexual of any person.

a. Definitions of Abuse

Abuse is any form of physical, emotional or sexual mistreatment or lack of care that causes physical injury or emotional damage to anyone.

Emotional Abuse is an attack on an individual's self-esteem. It can take form of excessive teasing, name-calling, threatening, ridiculing, berating, intimidating, isolating or hazing.

Physical Abuse is when a person purposefully injures or threatens to injure someone. This may take the form of slapping, hitting, shaking, kicking, pulling hair or ears, throwing, shoving grabbing, hazing or excessive exercise as a form of punishment.

Sexual Abuse is when anyone takes advantage of a person for his or her own sexual stimulation or gratification.

Abuse of Power or Authority and Breach of Trust are the commission of a form of abuse against an individual who is in a subservient or dependent position to the abuser and is a common characteristic of all forms of abuse.

b. Duty to Report

Anyone having reason to believe that abuse of a child (someone under the age of 18 years) has occurred must report the matter to a Child Protection Authority or the police.

The person making the report of child abuse is not required to determine if the abuse is caused by the child's parent or by another person. However, the person making the report will be required to give all available information to the Child Protection Authority or to the police to assist with any investigation.

3. Harassment Policy

The KTC Executive and members expect that everyone associated with a KTC activity, whether member of the Executive, member of KTC, coach or volunteer associated with KTC not to harass or allow the harassment of any KTC members or participants, and to protect them from any form of maltreatment. Therefore, there shall be no harassment, whether physical, emotional or sexual of any person. KTC is expected to be an environment and culture that does not tolerate harassment of any kind, including of a sexual nature.

a. Definition of Harassment

Harassment is a form of conduct that is cruel, intimidating, humiliating, offensive, belittling or physically harmful. Types of behaviour that constitute harassment could include, but are not limited to:

- (1) hostile verbal and non-verbal communications;
- (2) condescending, patronizing, threatening or punishing actions that undermine self-esteem or diminish performance;
- (3) unwelcome remarks or jokes, innuendo or teasing about a person's looks, body, attire, age, ethnic or national origin, religion, sex or sexual orientation;
- (4) leering or other suggestive or obscene gestures;
- (5) practical jokes that cause awkwardness or embarrassment, or endanger a person's safety;
- (6) any form of hazing;
- (7) any form of physical assault;
- (8) sexual harassment, as defined in this policy; or
- (9) retaliation or threats of retaliation against an individual who reports harassment.

Sexual Harassment is unwelcome sexual remarks or advances, requests for sexual favours or other verbal or physical conduct of a sexual nature when:

- (1) submitting to or rejecting this conduct is used as the basis for making decisions that affect the individual; or
- (2) such conduct has the purpose or effect of interfering with an individual's performance; or
- (3) such conduct creates an intimidating, hostile or offensive environment.

4. Procedures for Receiving and Responding to a Complaint of Abuse or Harassment

a. Definitions

Complainant: An individual who has been identified by himself or herself, or by a third party, as the possible victim of abuse or harassment.

Respondent: An individual who has been identified as using behaviour or words that may ultimately be viewed as abuse or harassment.

Intervenor: The Intervenor is an adult appointed by the Executive to oversee the investigation of a complaint. Intervenor's have a responsibility to remain neutral throughout their involvement with a complaint.

b. Complaints

Any person who thinks that he or she has been subjected to conduct that constitutes abuse or harassment under this policy, or any person who believes that he or she has witnessed abuse or harassment, is encouraged to make it known to the other person responsible for the conduct that the behaviour is unwelcome, offensive and contrary to this policy.

If confronting the person is not possible, or if after confronting the person the behaviour continues, the person who has experienced the abuse or harassment, who has witnessed the abuse or harassment, or who believes that harassment has occurred should report the matter a member of the Executive or the KTC Intervenor.

Once an incident is reported, the role of Intervenor is to serve in neutral, unbiased capacity in receiving the report of the incident and assisting in an informal resolution of the complaint, where this is appropriate.

c. Investigation and Formal Resolution

When it is determined that the complaint cannot be resolved through informal means, a formal written complaint will be required from the Complainant.

The Intervenor will review and clarify the written complaint with both the Complainant and the Respondent and ensure both parties have been provided with copies of this Policy.

The Respondent will be asked to provide written response to the complaint within seven (7) calendar days of receiving the written complaint. The Complainant will be provided with a copy of this response immediately.

The Intervenor will then conduct any further investigation required and provide a written report to the KTC Executive.

d. Interim Measures

KTC may impose interim measures pending the investigation and dispositions of a complaint. The interim measures are not sanctions, and they may take many forms, including but not limited to:

- (1) limitations on the continued involvement of the Respondent in KTC's activities;
- (2) suspension of the Respondent from KTC activities; or
- (3) other measures as appropriate.

e. Reluctant Complainant

At any point the Complainant may become reluctant to continue with these procedures and decide to withdraw the complaint. Should this happen:

- (1) It will be at the sole discretion of KTC to continue the review of the complaint in accordance to this policy.
- (2) If the KTC Executive believes that abuse or harassment has occurred or is occurring, then they must continue the process, even if the complaint has been withdrawn.

f. Decision

After reviewing and deciding any matter, the KTC Executive will present its finding to the Complainant and the Respondent. This report will contain:

- (1) a summary of the relevant facts;
- (2) a determination as to whether the complaint constitutes abuse or harassment as defined in this policy;
- (3) action to be taken against the Respondent, if the act or acts constituted abuse or harassment; and
- (4) measures to remedy or mitigate the harm or loss suffered by the Complainant, if the acts constitute abuse or harassment.

If the Organization determines that the allegations of harassment are false, vexatious, retaliatory or frivolous, its report may direct that there be appropriate action against the Complainant.

g. Discipline

In directing disciplinary action, the KTC Executive may consider the following options, singly or in combination, depending on the nature and severity of the abuse or harassment and other aggravating and mitigating circumstances:

- (1) written apology;
- (2) letter of reprimand;
- (3) referral to counselling;
- (4) temporary suspension from KTC or from a KTC coaching contract;
- (5) termination of KTC membership or of a KTC coaching contract; and
- (6) any other sanction that the Organization considers appropriate in the circumstances.

5. Confidentiality

The organization recognizes the sensitive and serious nature of abuse and harassment and will strive to keep all matters relating to a complaint confidential. However, if required by law to disclose information, the Executive will do so. Any allegation of emotional, physical or sexual abuse or neglect involving a child will be reported to the Child Protection Authority or the police.