



PREVENTION OF ABUSE, HARASSMENT AND BULLYING POLICY AND PROCEDURE

Policy title	Prevention of Abuse, Harassment and Bullying Policy and Procedure
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Replaces and/or amends	RCA Discipline Policy (11/16/2014), RCA Code of Conduct (11/16/2014)
Approved by and date	RCA Board, April 27, 2019
Appendix(-ces) to this Policy	Appendix A - Abuse, Harassment, Bullying and Misconduct Report Form

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Purpose

1. This Policy and associated procedures defines behaviour that constitutes Abuse, Harassment and Bullying, explains procedures for Rowing Canada Aviron (RCA) Members and Participants and other individuals who are not RCA Members or Participants to report incidents of Abuse, Harassment and Bullying, and explains procedures that RCA will follow in responding to reports of Abuse, Harassment and Bullying that fall within its jurisdiction to administer.
2. Throughout this Policy, where pronouns are used, the non-gendered, plural third-person pronoun, 'they' or 'them', will be used.
3. This Policy is available in English and French.

Application

4. This Policy applies to all RCA Members and Participants, as defined in the by-laws, including but not limited to coaches, officials, umpires, athletes (including athletes training at a National Team training camp/centre and those selected to the National Team), team managers and team staff, regatta organizers, administrators, volunteers, staff and contractors of RCA.
5. This Policy applies to the conduct of Members and Participants at any activities, programs and events that are under the direct control or management of RCA, as well as any other conduct that would bring our sport, our national association or our Country into disrepute.
6. It is incumbent on RCA Members (Provincial, Club and Special Associations) to establish their own regulations and procedures for discipline for code of conduct violations within their own jurisdiction which will apply to those activities, programs and events under the control of their respective organizations. However, RCA reserves the right to take disciplinary action against any Member or Participant whose conduct brings the National Association into disrepute.
7. This Policy should be read in conjunction with any contract or agreement entered into between RCA and Members of RCA.

Policy Statement

8. RCA has a zero-tolerance policy for Abuse, Harassment, and Bullying ("A.H.B."), as defined in this policy. A.H.B. can also be an offense under Canada's Criminal Code.
9. When a report of A.H.B. by a Member or Participant is made to RCA that involves harm or risk of harm to a minor child(ren) (under 18 under the Criminal Code of Canada, under 16 depending on respective provincial child welfare legislation), RCA shall advise the individual making the report to contact the appropriate police, RCMP and/or child protection agency.

Additional resources are available to individuals through the Canadian Sport Helpline (<http://abuse-free-sport.ca/en/> and <http://sport-sans-abus.ca/fr/> Toll-free at 1-888-837-7678).

10. A Member or Participant may also submit a report of A.H.B. directly to the designated Independent Third Party who will then initiate the intake process.
11. If a report of A.H.B. is made by a Member or Participant to RCA, RCA will refer the report of A.H.B. to its designated Independent Third Party for intake.
12. Reports of A.H.B. by Members or Participants that are investigated and validated by the Independent Third Party will be considered for sanctions as major infractions, as provided in the RCA Discipline Policy.
13. RCA recognizes the sensitive and serious nature of A.H.B. and will strive to keep all matters relating to a report of A.H.B. confidential. However, if required by law to disclose information, RCA will do so.

Definitions

14. **Abuse** is defined as any form of physical, emotional and/or sexual mistreatment or lack of care which causes physical injury or emotional damage to a Child. A common characteristic of all forms of abuse against children and youth is an abuse of power or authority and/or breach of trust.

Abuse is an issue of Child protection. Protection refers to provincial, territorial or First Nation-band appointed child protective services. A child may be in need of protection from harm if abuse or neglect is suspected.

Emotional Abuse

Emotional abuse may include a chronic attack on a Child's self-esteem. It is psychologically destructive behavior by a person in a position of power, authority or trust. It can take the form of name-calling, threatening, ridiculing, berating, intimidating, isolating, hazing or ignoring the child's needs.

Physical Abuse

Physical abuse includes when a person in a position of power or trust purposefully injures or threatens to injure a Child. This may include but is not limited to slapping, hitting, shaking, kicking, pulling hair or ears, throwing, shoving, grabbing, hazing or excessive exercise as a form of punishment.

Neglect

Neglect is the chronic inattention to the basic necessities of life for a Child such as clothing, shelter, nutritious diets, education, good hygiene, supervision, medical and dental care, adequate rest, safe environment, moral guidance and discipline, exercise and fresh air. Some examples of neglect occurring in a sport environment are:

- Inadequate shelter/unsafe environments such as: Lack of maintaining equipment or facility.

- Forcing athletes to participate without proper protective equipment.
- Inadequate clothing such as: Preventing athletes from dressing adequately for weather conditions or making them stay in wet clothes as punishment following training or a competition.
- Inadequate supervision such as: Leaving young athletes unsupervised in a facility or on a team trip.
- Lack of medical/dental care such as: Ignoring or minimizing injuries; ignoring medical advice; not seeking medical or dental attention when warranted.
- Inadequate education such as: Encouraging athletes to not do homework, to not attend school, or to drop out.
- Inadequate rest such as: Overdoing or increasing workouts as punishment; prohibiting adequate sleeping or resting time.
- Inadequate moral guidance and Discipline such as: Not providing adequate supervision during team functions; hiring strippers or prostitutes; offering pornography to young athletes.

Sexual Abuse

Sexual abuse may include a Child or youth being used by an individual with more power for their own sexual stimulation or gratification. There are two categories of sexual abuse: contact and non-contact.

15. **Harassment** is defined as a course of comment or conduct that is known or ought reasonably to be known to be unwelcome or Sexual Harassment. Harassment occurs between adults, defined as individuals over the age of 18. While it is usually based on a course or pattern of behaviour, a single incident can be serious enough to constitute harassment.

Types of behavior which constitute harassment include, but are not limited to:

- Unwelcome jokes, innuendo or teasing about a person's body or appearance
- Condescending, patronizing, threatening or punishing actions which undermine self-esteem or diminish performance
- Practical jokes which cause awkwardness or embarrassment, endanger a person's safety or negatively affect performance
- Unwanted or unnecessary physical contact including touching, patting or pinching
- Any form of hazing
- Any form of physical assault or abuse
- Any sexual offence
- Behaviours such as those described above which are not directed towards individuals or groups, but which have the effect of creating a negative or hostile environment
- Unwelcomed behaviour of one individual towards another which the individual ought to have known would be unwanted.

The prohibited behaviour does not have to be made with the intent to harass to be in violation of this policy.

16. **Sexual harassment** is defined as deliberate or repeated, unsolicited sexually-oriented comments, anecdotes, gestures or conduct that i) are offensive and unwelcome, or ii) create an offensive, hostile or intimidating environment, or iii) can reasonably be expected to be harmful to participants in the sport environment.

Further, for the purposes of this Policy, sexual harassment is the use of power or authority in an attempt to coerce another person to engage in or tolerate sexual activity. Such abuses of power and authority include, but are not limited to, explicit or implicit threats of reprisals for non-compliance or promises of reward for compliance.

17. **Bullying** is defined as conduct occurring between individuals that is hurtful interpersonal mistreatment of a person and is an act of hurting someone in order to insult, humiliate, degrade or exclude them. Bullying occurs between individuals of any age. For this reason, it is differentiated from harassment. It is “mean” behavior. Bullying may also take the form of cyber bullying which involves bullying over the internet.

Bullying can be:

- Hurting behaviour based on oppression and “meanness”
- Based on power differences
- Intentional or non-intentional, but can be interpreted to be intentional
- Intense and repeated over time (generally, but not necessarily)
- Oppressive, leading to isolation of victims

Hurtful actions may be, but are not limited to:

- Physical: hitting, kicking, grabbing, shoving, spitting on, beating up others, damaging or stealing another person’s property
- Verbal: name-calling, humiliating, degrading behavior, hurtful teasing, threatening someone (this may happen in notes or in person, over the phone, through text messages or the internet)
- Relational: making others look foolish, excluding peers, spreading gossip or rumours (this may happen in person, over the phone, through text messages or the internet)
- Reactive: engaging in bullying as well as provoking bullies to attack by taunting them (this may happen in person, over the phone, through text messages or the internet)
- Cyber: occurring over the internet, including through social media.

18. **Child** is defined as a person under the age of 18.
19. **Independent Third Party (ITP)** is defined as an external party who has demonstrated competence in conducting neutral, independent investigations into reports of abuse, harassment and bullying. The ITP will not be an employee of RCA or member of the RCA Board of Directors. The selection of an ITP will be made for a maximum of a one-year term and the candidacy of

the ITP will be reviewed and approved by the RCA Board of Directors on an annual basis.

20. **Misconduct** is defined as behaviour or a pattern of behaviour that is found by a formal (for example an independent investigation) or informal process (for example an internal fact-finding review or investigation) to be contrary to the RCA Code of Conduct and that is not abuse, harassment, or bullying. A finding of Misconduct may constitute a minor or major infraction as defined by the RCA Discipline Policy.

Responsibilities

21. The cooperation and support by all RCA Members and Participants, as defined in the by-laws, including but not limited to coaches, officials, umpires, athletes (including athletes training at a National Team training camp/centre and those selected to the National Team), team managers and team staff, regatta organizers, administrators, volunteers, staff and contractors of RCA is required for this policy to be effective.
22. Because of their training and roles, coaches certified by the Coaches Association of Canada have special responsibilities to ensure that this policy and its procedures are upheld.
23. Failure to comply with this policy by employees or contractors of RCA could result in disciplinary measures up to and including termination of employment or the contract relationship.

References

24. This policy and procedure will be read in conjunction with the RCA Discipline Policy (11/16/2014) and the RCA Code of Conduct (11/16/2014).

Questions

25. Questions about this policy and procedure can be directed to the Chief Executive Officer of RCA.

Procedures

Places to Report A.H.B. Involving Children

26. When any person in authority, including but not limited to a parent, coach, team manager, teacher, or employer, has a reasonable belief that the possibility exists that a Child is being harassed, bullied, abused or neglected by an RCA Member or Participant, that person shall report to the local child protection authorities, police or RCMP and shall advise the RCA of having made this report. If a report of A.H.B. involving a Child is first made to RCA, RCA shall direct the person reporting to make the report to the local child protection authorities, police or RCMP.

27. If a Child seeks to report A.H.B. affecting themselves or another Child, RCA encourages that Child to report to a trusted person in authority, The Kids Help Phone (<https://kidshelpphone.ca/>, <https://jeunessejecoute.ca/>, 1-800-668-6868), the local child protection authorities, RCMP, or police at 9-1-1.

Anonymous Reporting

28. Individuals seeking to make an anonymous report may contact the Canadian Sport Helpline (<http://abuse-free-sport.ca/en/> and <http://sport-sans-abus.ca/fr/> Toll-free at 1-888-837-7678). Anonymous reports made to RCA will be referred to the ITP who will determine next steps for processing the report.

Step 1: Self-Help

29. An individual who is not a Child who experiences A.H.B. by a Member or Participant of RCA, any person who witnesses A.H.B., or any person who believes that A.H.B. has occurred is encouraged to make it known to the harasser or bully that the behaviour is unwelcome, offensive and contrary to the values of RCA and this Policy and procedures.

Step 2: Where to Report an Incident Involving an RCA Member or Participant

30. If an individual is not comfortable to confront a harasser or bully or has confronted a harasser or bully and the behaviour did not stop, the individual may report the A.H.B. to their local club, provincial rowing association or RCA. Reports of Misconduct must first be made to the local club or provincial rowing association.
31. If the individual seeks to report A.H.B. to RCA, that individual must do so by completing a Report Form, as provided in Appendix A.

Step 3: Intake Process

32. Reports of Abuse or Harassment against the Chief Executive Officer of RCA will be submitted to the President of the Board of Directors for RCA. All other reports of A.H.B. will be submitted to the Chief Executive Officer of RCA. RCA shall refer reports of A.H.B. to the ITP who will determine next steps for processing the report.
33. Where the ITP determines that a report of A.H.B. does not fall within the jurisdiction of RCA, the ITP will provide a written decision on jurisdiction with reasons to RCA. The RCA will forward the written decision to the individual who filed the report of A.H.B. and to the responding party(-ies), collectively, 'the parties'.

Step 4: Investigation by the ITP

34. Where the ITP determines that a report of A.H.B. falls within the jurisdiction of RCA, the ITP will contact the parties to initiate the investigation process in accordance with the contract of services/retainer agreement between the ITP and RCA.

Step 5: ITP Report to RCA

35. At the conclusion of the investigation, the ITP will provide a written report to RCA with findings of fact and a determination of whether the alleged behaviour described in the report amounted to A.H.B. or Misconduct. A finding by the ITP that a report of A.H.B. or Misconduct was filed in a frivolous, vexatious or bad-faith manner will constitute a major infraction under the RCA Discipline Policy. The ITP will prepare summary reports for distribution to the parties. The summary reports will provide limited information to protect confidentiality of the investigation process and the identity of witnesses.

Step 6: RCA Discipline Process

36. If the ITP's investigation validates the report of A.H.B. or Misconduct or finds that a report of A.H.B. was made in a frivolous, vexatious or bad-faith manner, RCA will follow the procedures for minor and major infractions identified in the RCA Discipline Policy.
37. There is no appeal of the ITP's findings.

Appendix A – Abuse, Harassment, Bullying and Misconduct Report Form

RCA ABUSE, HARASSMENT, BULLYING AND MISCONDUCT REPORT FORM

Please note the following:

- Reports of abuse, harassment, or bullying are serious matters. Reports of abuse, harassment or bullying that are determined to be submitted in a frivolous, vexatious or bad-faith manner will be treated as major infractions under the RCA Discipline Policy.
- Definitions of abuse, harassment, bullying and misconduct are provided at the end of this form.
- Substantiated allegations of abuse, harassment or bullying will be considered for sanctions as major infractions, as provided in the RCA Discipline Policy.
- RCA cannot guarantee complete confidentiality. The contents of this document may be shared in an effort to resolve this report. By completing the form, you agree that RCA may contact you for further information and/or share some or all of this information in the process of resolving the report.
- Reports will be addressed in accordance with the RCA Prevention of Abuse, Harassment and Bullying Policy and Procedures.
- Email completed form to tdillon@rowingcanada.org

Please complete the following:

Person making the complaint: Athlete Parent Volunteer Official
Employee Other

First Name	Last Name
Address	
City/Town	Province Postal Code
Telephone Number	Fax Number/Email

Person on whose behalf the complaint is made:

(to be completed if different from above)

First Name	Last Name	Birth Date (day/month/year)
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Name of person(s) against whom you are complaining:

First Name	Last Name
Title/Role	Name of Club, Provincial Rowing Association
First Name	Last Name
Title/Role	Name of Club, Provincial Rowing Association

Particulars: Provide a summary of the incidents you are reporting. Your summary must answer the following questions. The statement of particulars is to be no longer than 2 pages. You may attach any additional documents as necessary.

1. Date incident(s) happened
2. Where did the incident(s) happen?
3. Who was involved (name and title/role)? What are their age(s)?
4. What happened?
5. How were you treated differently from others (if at all)?
6. Remedy/resolutions you are seeking

Day/Month/Year

Signature of Complainant

DEFINITIONS

The following are definitions that will be used to determine the grounds on which the report is made and the process to address it.

Child

A child is a person under the age of 18.

Abuse is defined as any form of physical, emotional and/or sexual mistreatment or lack of care which causes physical injury or emotional damage to a Child. A common characteristic of all forms of abuse against children and youth is an abuse of power or authority and/or breach of trust.

Abuse is an issue of Child protection. Protection refers to provincial, territorial or First Nation-band appointed child protective services. A child may be in need of protection from harm if abuse or neglect is suspected.

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RCA Member or Participant

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