

SPORT FOR LIFE SOCIETY CODE

TITLE: CODE OF CONDUCT AND ETHICS	
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*Note: In the following information asterisks * indicate a definition or section adapted from the UCCMS*

Definitions

1. The following definitions have these meanings in this Code:
 - a) **Abuse** – Includes Psychological Maltreatment, Physical Maltreatment, Neglect, and/or Grooming of vulnerable individuals by Persons in Authority
 - b) **Clients** – Users of the Sport for Life Society’s services, including NSOs, PSOs, MSOs, and any person or entity retaining Sport for Life Society expertise
 - c) ***Consent** – *Consent* is defined in Canada’s *Criminal Code* as the voluntary agreement to engage in the sexual activity in question. The law focuses on what the person was actually thinking and feeling at the time of the sexual activity. Sexual touching is only lawful if the person affirmatively communicated their consent, whether through words or conduct. Silence or passivity does not equal consent. Sexual activity is only legal when both parties consent. The *Criminal Code* also says there is no consent when: Someone says or does something that shows they are not consenting to an activity; Someone says or does something to show they are not agreeing to continue an activity that has already started; Someone is incapable of consenting to the activity, because, for example, they are unconscious; The consent is a result of a someone abusing a position of trust, power or authority or someone consents on someone else’s behalf. A person cannot say they mistakenly believed a person was consenting if: that belief is based on their own intoxication; they were reckless about whether the person was consenting; they chose to ignore things that would tell them there was a lack of consent; or they didn’t take proper steps to check if there was consent.
 - d) ***Disclosure** - The sharing of information by a Representative regarding an incident or a pattern of Maltreatment experienced by that Representative. Disclosure does not constitute a formal report that initiates a process of investigation to address the Maltreatment
 - e) **Discrimination** – Differential treatment of an individual based on one or more prohibited grounds which include race, citizenship, national or ethnic origin, colour, religion, age, sex, sexual orientation, gender identity or expression, marital status, family status, genetic characteristics, or disability
 - f) **Duty to Report**
 - a) **Concerns Under Child Protection Legislation:** A legal duty to report is mandated by law, and the requirement varies by province depending on provincial legislation. Everyone has a duty to report child abuse and neglect under Canadian child welfare laws. Professionals who work with children and youth have an added responsibility to report. Adults are obliged to report child Maltreatment if there is knowledge or suspicion that it is occurring. This is called the “duty to report.” Every person in Canada has the duty to report known or suspected child Maltreatment by law. Known or suspected abuse or Neglect of a child must be reported to: local child welfare services (e.g., children’s aid society or child and family services agency), or provincial/territorial social service ministries or departments, or local police

- b) **Concerns Outside of Child Protection Legislation:** Representatives have a duty to report concerns of inappropriate conduct of other Participants to uphold the ethical standards and values of Canadian sport. Reporting inappropriate conduct is important to ensure proper action is taken and expectations are re-established. By addressing inappropriate conduct, a collective responsibility to protect Participants from Maltreatment is enacted
- g) ***Grooming** – Deliberate conduct by a Representative to sexualize a relationship with a minor that involves the gradual blurring of boundaries and normalization of inappropriate and sexually abusive behaviour. During the grooming process, the Representative will gain the trust of the minor and protective adults and peers around the minor often under the guise of an existing relationship. Manipulation tactics are then used to blur perceptions and gain further access to and private time with the minor in order to abuse or exploit the minor. Grooming can occur whether or not harm is intended or results from the behaviour. (Grooming is also a prohibited behaviour listed under the definition of Maltreatment)
- h) **Harassment** – A course of vexatious comment or conduct against a Representative 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:
 - a) Written or verbal abuse, threats, or outbursts;
 - b) Persistent unwelcome remarks, jokes, comments, innuendo, or taunts;
 - c) 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;
 - d) Leering or other suggestive or obscene gestures;
 - e) Condescending or patronizing behaviour which is intended to undermine self-esteem, diminish performance or adversely affect working conditions;
 - f) Practical jokes which endanger a person's safety, or may negatively affect performance;
 - g) **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;
 - h) Unwanted physical contact including, but not limited to, touching, petting, pinching, or kissing;
 - i) Deliberately excluding or socially isolating a person from a group or team;
 - j) Persistent sexual flirtations, advances, requests, or invitations;
 - k) Physical or sexual assault;
 - l) Contributing to a *poisoned work 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.
 - m) 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
 - n) Retaliation or threats of retaliation against a person who reports harassment to the Sport for Life Society

- i) ***Maltreatment** – Includes Maltreatment related to:
- a) *Psychological Maltreatment* – which includes, without limitation, verbal acts, non-assaultive physical acts and acts that deny attention or support
 - a. Verbal Acts - Verbally assaulting or attacking someone, including but not limited to: unwarranted personal criticisms; body shaming; derogatory comments related to one's identity (e.g. race, gender identity or expression, ethnicity, Indigenous status, ability/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. Verbal Maltreatment may also occur in online forms.
 - b. Non-assaultive Physical Acts (no physical contact) - Physically aggressive behaviors, including but not limited to: throwing objects at or in the presence of others without striking another; hitting, striking or punching objects in the presence of others
 - c. Acts that Deny Attention or Support - Acts of commission that deny attention, lack of support or isolation including but not limited to: ignoring psychological needs or socially isolating a person repeatedly or for an extended period of time; arbitrarily or unreasonably denying feedback, training opportunities, support or attention for extended periods of time and/or asking others to do the same
 - b) *Physical Maltreatment* – includes, without limitation, contact or non-contact behaviours that have the potential to cause physical harm
 - a. Contact behaviours - Including but not limited to: deliberately punching, kicking, beating, biting, striking, strangling or slapping another; deliberately hitting another with objects
 - b. Non-contact behaviours - Including but not limited to: isolating a person in a confined space; providing illegal drugs or non-prescribed medications to a Representative;
 - c) *Sexual Maltreatment* – includes, without limitation, any act targeting a person's sexuality, gender identity or expression, that is committed, threatened or attempted against a person, and includes but is not limited to the Criminal Code Offences of sexual assault, sexual exploitation, sexual interference, invitation to sexual touching, indecent exposure, voyeurism and non-consensual distribution of sexual/intimate images. Sexual Maltreatment also includes sexual harassment and stalking, cyber harassment, and cyber stalking of a sexual nature. Examples include:
 - a. Any penetration of any part of a person's body, however slight, with any object or body part by a person upon another person, including but not limited to:
 - i. vaginal penetration by a penis, object, tongue, or finger; and
 - ii. anal penetration by a penis, object, tongue, or finger
 - b. Any intentional touching of a sexual nature of any part of a person's body, however slight, with any object or body part by a person upon another person, including but not limited to:
 - i. kissing;
 - ii. intentional touching of the breasts, buttocks, groin or genitals, whether clothed or unclothed, or intentionally touching of another with any of these body parts;
 - iii. any contact, no matter how slight, between the mouth of one person and the

- genitalia of another person, and
 - iv. making another touch themselves, the Representative, or someone else with or on any of the body parts listed in ii).
 - v. any intentional touching in a sexualized manner of the relationship, context or situation
- d) *Neglect* – or acts of omission, includes without limitation: not being aware of and not considering an individual’s physical or intellectual disability; subjecting Representatives to the risk of Maltreatment
- e) *Interference with or Manipulation of Process* – it is considered maltreatment if a Representative directly or indirectly interferes with a process by:
 - a. falsifying, distorting, or misrepresenting information, the resolution process, or an outcome;
 - b. destroying or concealing information;
 - c. attempting to discourage an individual’s proper participation in or use of the processes of the Sport for Life Society;
 - d. harassing or intimidating (verbally or physically) any person involved in the processes before, during, and/or following any proceedings of the Sport for Life Society;
 - e. publicly disclosing a Representative’s identifying information, without the Representative’s agreement;
 - f. failing to comply with any temporary or provisional measure or other final sanction;
 - g. distributing or otherwise publicizing materials a Representative gains access to during an investigation or hearing, except as required by law or as expressly permitted; or
 - h. influencing or attempting to influence another person to interfere with or manipulate the process
- f) *Retaliation* – which means that a Representative shall not take an adverse action against any person for making a good faith report of possible Maltreatment or for participating in any process related to alleged conduct violations. Retaliation includes threatening, intimidating, harassing, coercing or any other conduct that would discourage a reasonable person from engaging or participating in the processes of the Sport for Life Society. Retaliation after the conclusion of investigation and sanction processes is also prohibited. Retaliation may be present even where there is a finding that no Maltreatment occurred. Retaliation does not include good-faith actions lawfully pursued in response to a Report of possible Maltreatment
- g) *Aiding and Abetting* – which is any act taken with the purpose of facilitating, promoting, or encouraging the commission of Maltreatment by a Representative. Aiding and Abetting also includes, without limitation, knowingly:
 - i. allowing any person to violate the terms of their suspension or any other sanctions imposed
- j) ***Neglect** – Any pattern or a single serious incident of lack of reasonable care, inattention to a Representative’s needs, nurturing or well-being, or omissions in care. Neglect is determined by the objective behaviour but the behaviour must be evaluated with consideration given to the Representative’s needs and requirements, not whether harm is intended or results from the behaviour. (Neglect is also a prohibited behaviour listed under the definition of Maltreatment)
- k) **Person in Authority** – Any Representative who holds a position of authority within the Sport for Life Society including, but not limited to, senior employees, managers, committee members, and Directors and Officers

- l) ***Physical Maltreatment** – Any pattern or a single serious incident of deliberate conduct that has the potential to be harmful to the physical well-being of the Representative. Physical Maltreatment includes, without limitation, contact or non-contact infliction of physical harm. Physical Maltreatment is determined by the objective behaviour, not whether harm is intended or results from the behaviour. (Physical Maltreatment is also a prohibited behaviour listed under the definition of Maltreatment)
- m) ***Psychological Maltreatment** – Any pattern or a single serious incident of deliberate conduct that has the potential to be harmful to the psychological well-being of the Representative. Psychological Maltreatment includes, without limitation, verbal conduct, non-assaultive physical conduct, and conduct that denies attention or support. Psychological Maltreatment is determined by the objective behaviour, not whether harm is intended or results from the behaviour. (Psychological Maltreatment is also a prohibited behaviour listed under the definition of Maltreatment)
- n) ***Reporting (or Report)** – The provision of information in writing by any person or a Representative to a relevant independent authority (the independent person or position, such as a Case Manager, charged with receiving a report and determining next steps) regarding Maltreatment. Reporting may occur through either: (i) the Complainant (of any age) or the one who experienced the Maltreatment, or (ii) a witness – someone who witnessed the Maltreatment or otherwise knows or suspects Maltreatment. In either case, the intention of Reporting is to initiate an independent investigative process, which could result in disciplinary action being taken against the Respondent
- o) **Representative** – Any individual employed by, or engaged in activities on behalf of, the Sport for Life Society including: employees, contractors, consultants, Learning Facilitators, the Board of Directors, volunteers, researchers, and administrators
- p) ***Sexual Maltreatment**
 - a) **Involving a Child:** Any form of adult/child sexualized interaction constitutes child sexual abuse. Sexual abuse of a child may occur through behaviours that do or do not involve actual physical contact. (Sexual Maltreatment is also a prohibited behaviour listed under the definition of Maltreatment)
 - b) **Involving a person over the Age of Majority:** Any sexual act, whether physical or psychological in nature, that is committed, threatened, or attempted against a Representative without the Representative’s Consent. It includes any act targeting a Representative’s sexuality, gender identity or expression, that is committed, threatened or attempted against a Representative without that Representative’s Consent, and includes but is not limited to, the Criminal Code Offences of sexual assault, sexual exploitation, sexual interference, invitation to sexual touching, indecent exposure, voyeurism and non-consensual distribution of sexual/intimate images. Sexual Maltreatment also includes sexual harassment and stalking, cyber harassment, and cyber stalking of a sexual nature. 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). (Sexual Maltreatment is also a prohibited behaviour listed under the definition of Maltreatment)
- q) **Workplace** – Any place where business or work-related activities are conducted. Workplaces include but are not limited to, the registered office(s), work-related social functions, work assignments outside the registered office(s), work-related travel, and work-related conferences or training
- r) **Workplace Harassment** – Vexatious comment or conduct against a worker in a Workplace that is known or ought reasonably to be known to be unwelcome. Workplace Harassment should not be confused with legitimate, reasonable management actions that are part of the normal

work/training function, including measures to correct performance deficiencies, such as placing someone on a performance improvement plan, or imposing discipline for workplace infractions.

Types of behaviour that constitute Workplace Harassment include, but are not limited to:

- a) Bullying;
 - b) Workplace pranks, vandalism, bullying or hazing;
 - c) Repeated offensive or intimidating phone calls or emails;
 - d) Inappropriate sexual touching, advances, suggestions or requests;
 - e) Displaying or circulating offensive pictures, photographs or materials in printed or electronic form;
 - f) Psychological abuse;
 - g) Excluding or ignoring someone, including persistent exclusion of a person from work-related social gatherings;
 - h) Deliberately withholding information that would enable a person to do his or her job, perform or train;
 - i) Sabotaging someone else's work or performance;
 - j) Gossiping or spreading malicious rumours;
 - k) Intimidating words or conduct (offensive jokes or innuendos); and
 - l) Words or actions which are known, or ought reasonably to be known, as offensive, embarrassing, humiliating, or demeaning.
- s) **Workplace Violence** – The use of or threat of physical force by a person against a worker in a Workplace that causes or could cause physical injury to the worker; an attempt to exercise physical force against a worker in a Workplace that could cause physical injury to the worker; or a statement or behaviour that it is reasonable for a worker to interpret as a threat to exercise physical force against the worker in a Workplace that could cause physical injury to the worker.

Types of behaviour that constitute Workplace Violence include, but are not limited to:

- a) Verbal or written threats to attack;
- b) Sending to or leaving threatening notes or emails;
- c) Physically threatening behaviour such as shaking a fist at someone, finger pointing, destroying property, or throwing objects;
- d) Wielding a weapon in a Workplace;
- e) Hitting, pinching or unwanted touching which is not accidental;
- f) Dangerous or threatening horseplay;
- g) Physical restraint or confinement;
- h) Blatant or intentional disregard for the safety or well-being of others;
- i) Blocking normal movement or physical interference, with or without the use of equipment;
- j) Sexual assault; and
- k) Any attempt to engage in the type of conduct outlined above

Purpose

2. The purpose of this Code is to ensure a safe and positive environment within the programs, activities, and events of the Sport for Life Society by making Representatives aware that there is an expectation, at all times, of appropriate behaviour consistent with the organization's core values and policies. The Sport for Life Society supports equal opportunity, prohibits discriminatory practices, and is committed to providing an environment in which all individuals involvement with the organization are treated with respect and fairness.

Application of this Code

3. This Code applies to any Representative's conduct during the business, activities, and events of the Sport for Life Society.
4. This Code also applies to Representatives' conduct outside of the business, activities, and events of the Sport for Life Society when such conduct adversely affects the relationships (or the work environment) of the Sport for Life Society, is detrimental to the image and reputation of the Sport for Life Society, or upon the acceptance of the Sport for Life Society. Accordingly, applicability of this Code will be determined by the Sport for Life Society upon its sole discretion.
5. *This Code also applies to Representatives who are no longer involved with the organization where any claim regarding a potential breach of this Code occurred when the Representative was involved with the organization.
6. In addition, breaches of this Code may occur when the Representatives involved interacted due to their mutual involvement with the organization or, if the breach occurred outside of the work environment, if the breach has a serious and detrimental impact on the Representative(s).
7. Any Representative who violates this Code may be subject to sanctions pursuant to the *Discipline and Complaints Procedure*.

Maltreatment

8. *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.
9. *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 or work environment;
 - b) When the Representative alleged to have committed Maltreatment was engaging in sport activities;
 - c) When the Representatives involved interacted due to their mutual involvement in sport or the organization; or
 - d) Outside of the sport or work environment where the Maltreatment has a serious and detrimental impact on another Representative.
10. *It is a violation of the Code for sport administrators to place Representatives in situations that make them vulnerable to Maltreatment.

General Responsibilities

11. Representatives have a responsibility to:
 - a) *Refrain from any behaviour that constitutes Abuse, Maltreatment, Discrimination, Harassment, Workplace Harassment, or Workplace Violence
 - b) Maintain and enhance the dignity and self-esteem of Clients and other Representatives by:
 - i. Treating each other with the highest standards of respect and integrity;
 - ii. Focusing comments or criticism appropriately and avoiding public criticism of organizers,

- volunteers, employees, or other Representatives;
 - 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 consuming tobacco products, cannabis, or recreational drugs while participating in the programs, activities, or events of the Sport for Life Society;
 - e) Refrain from associating with any Client for the purpose of coaching, training, competition, instruction, administration, management, athletic development, or supervision, who has incurred an anti-doping rule violation and is serving a sanction involving a period of ineligibility imposed pursuant to the Canadian Anti-Doping Program and/or the World Anti-Doping Code and recognized by the Canadian Centre for Ethics in Sport (CCES)
 - f) Not consume cannabis in the Workplace or in any situation associated with the events of the Sport for Life Society (subject to any requirements for accommodation), not consume alcohol during events, competitions, or in situations where minors are present, and take reasonable steps to manage the responsible consumption of alcohol in adult-oriented social situations
 - g) 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.
 - h) Respect the property of others and not wilfully cause damage
 - i) Promote sport in the most constructive and positive manner possible
 - j) 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
 - k) Adhere to all federal, provincial/territorial, municipal and host country laws
 - l) Comply, at all times, with the by-laws, policies, procedures, and rules and regulations of the Sport for Life Society, as applicable and as adopted and amended from time to time
 - m) Report any ongoing criminal or anti-doping investigation, conviction, or existing bail conditions involving a Representative to the Sport for Life Society, 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

12. In addition to section 11 (above), Directors, Committee Members, and staff of the Sport for Life Society have additional responsibilities to:
- a) Function primarily as a Director or Committee Member or staff member of the Sport for Life Society and not as a member of any other organization or constituency
 - b) Ensure their loyalty prioritizes the interests of the Sport for Life Society
 - c) Ensure that financial affairs are conducted in a responsible and transparent manner with due regard for all fiduciary responsibilities
 - d) Conduct themselves openly, professionally, lawfully and in good faith
 - e) Be independent and impartial and not be influenced by self-interest, outside pressure, expectation of reward, or fear of criticism
 - f) Behave with decorum appropriate to both circumstance and position

- g) Exercise the degree of care, diligence, and skill required in the performance of their duties pursuant to applicable laws
- h) Respect the confidentiality appropriate to issues of a sensitive nature
- i) Respect the decisions of the majority and resign if unable to do so
- j) Commit the time to attend meetings and be diligent in preparation for, and participation in, discussions at such meetings
- k) Have a thorough knowledge and understanding of all governance documents