

CANOE KAYAK CANADA SAFE SPORT POLICY MANUAL

INTRODUCTION

Canoe Kayak Canada (CKC) and its Members have a fundamental obligation and responsibility to protect the health, safety and physical and mental well-being of every individual that is involved in the Canadian paddling community.

CKC and its Members¹ take any situation involving misconduct or Maltreatment very seriously; for this reason, CKC and its Members are collectively committed to enacting and enforcing strong, clear, and effective policies and processes for preventing and addressing all forms of misconduct or Maltreatment.

This CKC Safe Sport Manual contains policies for the entire paddling community, that are applicable from coast to coast to coast and from the national team to the club level. The policies are intended to promote a safe sport environment in a manner that allows for consistent, immediate, appropriate and meaningful action should any issues arise, but also to prevent issues from arising by communicating expected standards of behaviour to all participants.

This Safe Sport Manual has been prepared by Canoe Kayak Canada and is intended to be a set of pan-Canadian policies applicable to Canoe Kayak Canada and its Members, which Members should adopt through a Member Declaration, which will be provided by Canoe Kayak Canada. Subject to provincial or territorial legislation that may impact the application of any of the policies found in this Manual, all Canoe Kayak Canada Members are expected to apply the Policies as written. Members who need to apply any policy in a different manner due to provincial or territorial legislation must advise Canoe Kayak Canada.

Should any individuals involved with paddling programs, including Athletes, coaches, officials, volunteers, and parents/guardians of Athletes, wish to report any instance of misconduct or Maltreatment, it must do so directly to the Independent Third Party, who will then determine the appropriate forum and manner to address the complaint.

CKC also recognizes the recent development of the Universal Code of Conduct to Prevent and Address Maltreatment in Sport (UCCMS). Since the UCCMS may continue to evolve in the foreseeable future, this CKC Safe Sport Policy Manual incorporates the key elements of the current version of the UCCMS in order to ensure that any of the unacceptable behaviour described in the UCCMS is incorporated herein and is applicable to the entire Canadian paddling community. Going forward, this the CKC Safe Sport Policy Manual may be amended to ensure that any modifications made to the UCCMS are fully incorporated and can be implemented appropriately.

CKC will provide all Members with assistance, where necessary, in the implementation of this Safe Sport Policy Manual.

¹ Members are CKC's Divisions, Provincial/Territorial Sport Organizations, Discipline-Specific Provincial/Territorial Organizations and Clubs.

It should also be noted that certain policies found in this Safe Sport Manual also apply to matters beyond safe sport (i.e., the Appeal Policy). As such, these policies will also be published on CKC’s website so that they are accessible and applicable in all relevant areas.

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CANOE KAYAK CANADA

DEFINITIONS

The terms defined below shall apply to all CKC policies including those included in this CKC Safe Sport Manual, as well as any policies that are published outside the scope of this Manual .

1. *“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 under the *Appeal Policy*.
2. *“Appellant”* – The Party appealing a decision pursuant to the *Appeal Policy*.
3. *“Appeal Manager”* – An individual appointed by Canoe Kayak Canada or a Member who may be any staff member, committee member, volunteer, Director, or an independent third party, to oversee the administration of the *Appeal Policy*. The Appeal Manager’s responsibilities shall include those described in the *Appeal Policy*.
4. *“Athlete”* – includes any Individual who is registered with CKC or a Member for either recreational or competitive purposes.
5. *“Board”* – the Board of Directors of Canoe Kayak Canada or a Member, as applicable.
6. *“Case Manager”* – an independent individual (or individuals) appointed by Canoe Kayak Canada to fulfill the responsibilities described in the *Discipline and Complaints Policy*.
7. *“Complainant”* – the Party making a complaint pursuant to the *Discipline and Complaints Policy*, and as referred to in the *Investigations Policy*.
8. *“Criminal Record Check (CRC)”* – A search of the RCMP Canadian Police Information Centre (CPIC) system for adult convictions
9. *“Days”* – calendar days²
10. *“Discipline Chair”* - an individual appointed to handle the duties of the Discipline Chair described in the *Discipline and Complaints Policy*.
11. *“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.
12. *“Enhanced Police Information Check (E-PIC)”* – a Criminal Record Check plus a search of local police information, available from Sterling Backcheck
13. *“Event”* – An event sanctioned by Canoe Kayak Canada or a Member, and which shall include a social Event hosted by Canoe Kayak Canada or a Member
14. *“Harassment”* – A vexatious comment (or comments) or conduct against an Individual or group, irrespective of whether the comment or conduct occurs in person or via any other media, including social media, which is known or ought to reasonably be known to be unwelcome. Types of behaviour that constitute Harassment include, but are not limited to:
 - i. Written or verbal abuse, threats, or outbursts;
 - ii. Persistent unwelcome remarks, jokes, comments, innuendo, or taunts;

² For the purpose of calculating deadlines, the following shall apply: the day of the act is not included in the calculation (i.e., the date of receipt of a decision is not Day 1); instead, the deadline would start on the day following receipt of the decision and would expire at midnight (in the location of the individual seeking to file an appeal) on the last day of the period. If the end date is a Saturday, a Sunday or a legal holiday, the period runs until the next day that is not a Saturday, a Sunday or a legal holiday. For example, if an Individual receives a decision on Thursday December 17, 2020, the 14-day deadline to appeal this decision starts on Friday December 18, 2020 and would expire on Friday January 1, 2021. However, since January 1, 2021 is a legal holiday, January 2, 2021 is a Saturday, and January 3, 2021 is a Sunday, the deadline to appeal would expire at midnight (in the location of the individual seeking to file an appeal) on January 4, 2021.

- 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 which may negatively affect performance;
 - vii. Hazing, which is any form of conduct which exhibits any potentially humiliating, degrading, abusive, or dangerous activity, which does not contribute to any Individual's positive development, but is required to be accepted as part of a team or group, regardless of the 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. 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
 - xiii. Retaliation or threats of retaliation against a person who Reports harassment to Canoe Kayak Canada or to a Member.
15. *"Independent Third Party"* – the independent individual retained by Canoe Kayak Canada to receive complaints and to fulfill the responsibilities outlined in the *Discipline and Complaints Policy* and *Investigation Policy*, as applicable
16. *"Individuals"* – refers to all categories of members and/or registrants defined in the Bylaws of Canoe Kayak Canada or, as applicable, in the Bylaws of a Member, as well as all people employed by, contracted by, or engaged in activities with Canoe Kayak Canada and a Member including, but not limited to, employees, contractors, Athletes, coaches, instructors, officials, volunteers, managers, administrators, parents or guardians, spectators, Committee members or Directors or Officers
17. *"Maltreatment"* – any volitional act by an Individual that results in harm or the potential for physical or psychological harm to another Individual, and includes any of the following behaviours or conduct:
- i. Psychological Maltreatment: any pattern or single serious incident of deliberate conduct that has the potential to be harmful to the psychological well-being of an Individual. Psychological Maltreatment is determined by the objective behaviour, and not whether harm is intended or results from the behaviour. It includes:
 - a. Verbal Acts: verbally assaulting or attacking an Individual, including but not limited to unwarranted personal criticisms; body shaming; derogatory comments related to an Individual'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 an Individual to diminish their 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 behaviours, 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 that deny attention, lack of support or isolation including but not limited to ignoring psychological needs or socially isolating an Individual 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.
- ii. Physical Maltreatment: any pattern or single serious incident of deliberate conduct that has the potential to be harmful to the physical well-being of an Individual. Physical Maltreatment is determined by the objective behaviour, and not whether harm is intended or results from the behaviour. It includes, without limitation:
 - a. Contact behaviours: including but not limited to deliberately punching, kicking, beating, biting, striking, strangling or slapping another; and deliberately hitting another with objects;
 - b. Non-contact behaviours: including but not limited to isolating an Individual in a confined space; forcing an Individual 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 an Individual under the legal drinking age; providing illegal drugs or non-prescribed medications to an Individual; encouraging or knowingly permitting an Athlete to return to training or on the water prematurely following any injury or after a concussion and without the clearance of a medical professional; encouraging an Athlete to perform a skill for which they are known to not be developmentally ready.
- iii. Sexual Maltreatment, including, but not limited to, any act targeting an Individual's sexuality, gender identity or expression, that is committed, threatened or attempted against that 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.
 - a. Examples of Sexual Maltreatment include, but are not limited to:
 - i. 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:
 - 1. vaginal penetration by a penis, object, tongue, or finger; and
 - 2. anal penetration by a penis, object, tongue, or finger.
 - ii. 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:
 - 1. kissing;
 - 2. intentional touching of the breasts, buttocks, groin or genitals, whether clothed or unclothed, or intentionally touching of another with any of these body parts;
 - 3. any contact, no matter how slight, between the mouth of one person and the genitalia of another person, and
 - 4. making another touch themselves, the Individual, or someone else with or on any of the body parts listed in 2).
 - 5. any intentional touching in a sexualized manner of the relationship, context or situation.
- iv. Neglect: any pattern or a single serious incident of lack of reasonable care, inattention to an Individual'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 Individual's needs and requirements, not whether harm is intended or results from the behaviour.
- a. Neglect, or acts of omission, include without limitation, not providing an Athlete recovery time and/or treatment for a sport injury; not being aware of and not considering an Individual's physical or intellectual disability; not considering 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., caliper tests); disregarding the use of Prohibited Substances or Methods by an Athlete; failure to ensure safety of equipment or environment; allowing an Athlete to disregard sport rules, regulations, and standards, subjecting Individuals to the risk of Maltreatment.
 - v. Grooming: includes, without limitation, deliberate conduct by an Individual to sexualize a relationship with a Minor, and which includes making inappropriate behaviour seem normal and gradually engaging in 'boundary violations' which have been professionally-identified to Canadian standards (e.g., a degrading remark, a sexual joke, sexualized physical contact; adult participants sharing rooms with a Minor who is not an immediate family member; providing a massage or other purported therapeutic interventions with no specific training or expertise; private social media and text communications; sharing personal photographs; shared use of locker rooms; private meetings; private travel, and providing gifts).
 - vi. Interference with or Manipulation of Process
 - a. An adult Individual violates the *Code of Conduct and Ethics* by directly or indirectly interfering with a process instituted pursuant to the *Code* or any other CKC or Member, including the policies found in the CKC Safe Sport Policy Manual, by:
 - i. falsifying, distorting, or misrepresenting information, the resolution process, or an outcome;
 - ii. destroying or concealing information;
 - iii. attempting to discourage an Individual's proper participation in or use of CKC or a Member's processes;
 - iv. harassing or intimidating (verbally or physically) any person involved in CKC or a Member's processes before, during, and/or following any proceedings;
 - v. publicly disclosing an Individual's identifying information, without the Individual's agreement;
 - vi. failing to comply with any temporary or provisional measure or other final sanction;
 - vii. distributing or otherwise publicizing materials an Individual gains access to during any investigation or hearing, except as required by law or as expressly permitted; or
 - viii. influencing or attempting to influence another Individual to interfere with or manipulate the process.
 - vii. Retaliation: An Individual shall not take an adverse action against any other Individual for making a good faith Report of possible Maltreatment or for participating in any process found in CKC or a Member's policies, including those found in this CKC Safe Sport Policy Manual. Retaliation includes threatening, intimidating, harassing, coercing or any other conduct that would discourage a reasonable person from engaging or participating in CKC or a Member's processes. 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 and does not include good-faith actions lawfully pursued in response to a Report of possible Maltreatment.
 - viii. Aiding and abetting:

- a. any act taken with the purpose of facilitating, promoting, or encouraging the commission of Maltreatment by an Individual. Aiding and abetting also includes, without limitation, knowingly:
 - i. allowing any person who has been suspended or is otherwise ineligible to be in any way associated with sport or to coach or instruct Individuals;
 - ii. providing any coaching-related advice or service to an Athlete who has been suspended or is otherwise ineligible; and
 - iii. allowing any Individual to violate the terms of their suspension or any other sanctions imposed.
- ix. Failure by an adult Individual to Report actual or suspected Maltreatment of a Minor. This obligation is ongoing and is not satisfied by making an initial Report; instead, this obligation includes Reporting to the Independent Third Party, on a timely basis, all relevant information that the adult Individual is or becomes aware of, and requires making a direct Report to the Independent Third Party. Any Report shall include the personally identifying information of the potential Minor complainant (to the extent known), and any such information learned at a later date.
- x. Failure to Report inappropriate conduct: Any Individual who suspects or becomes aware of another Individual's inappropriate conduct, even if it is not defined as Maltreatment, has a duty to Report such inappropriate conduct to the Independent Third Party. Persons in Authority who become aware of another Individual's inappropriate conduct have a responsibility for Reporting the concern to the Independent Third Party.
- xi. Intentionally filing a false allegation. An allegation is false if the events or conduct reported did not occur and the Individual making the Report knows that the events or conduct did not occur. An individual shall not be considered to have filed a false allegation in cases where the allegation cannot be substantiated by supporting evidence but was nevertheless filed in good faith.

18. *"Members"* – Includes Divisions, Provincial/Territorial Organizations, Discipline-Specific Provincial Organizations, and Clubs

19. *"Minor"* – any Individual who is under the age of majority at the time and in the jurisdiction where the alleged breach of any CKC or Member policy has occurred. Adult Individuals are responsible for knowing the age of a Minor. For the purpose of protection in each Canadian province and territory, the age of a child is defined as follows:

- i. 16 years old: Newfoundland and Labrador; Saskatchewan; Northwest Territories; Nunavut
- ii. 18 years old: Prince Edward Island; Quebec; Ontario; Manitoba; Alberta;
- iii. 19 years old: Nova Scotia; New Brunswick; British Columbia; Yukon.

***** Please verify local jurisdictions for potential changes *****

20. *"Parties"* – in the context of a complaint under the Discipline and Complaints Policy, the Complainant(s) and Respondent(s); in the context of an appeal under the *Appeal Policy*, the Appellant, Respondent, Affected Party (or Parties).

21. *"Person in Authority"* – Any Individual who holds a position of authority within Canoe Kayak Canada or a Member, including, but not limited to, coaches, instructors, officials, managers, support personnel, chaperones, Committee members, and Directors and Officers. In addition to the responsibilities described for Individuals in the Code of Conduct and Ethics, a Person in Authority shall be responsible for knowing what constitutes Maltreatment.

22. *“Power Imbalance”* - A Power Imbalance may exist where, based on the totality of the circumstances, an Individual has supervisory, evaluative, a duty of care, or other authority over another Individual. A Power Imbalance may also exist between an Athlete and other adults involved in sport in positions such as high-performance directors, sport specific health-care providers, sport science support staff, care or support persons, guides or pilots. Maltreatment occurs when this power is misused. Once a coach-Athlete relationship is established, a Power Imbalance is presumed to exist throughout the coach-Athlete relationship, regardless of age, and is presumed to continue for Minor Athletes after the coach-Athlete relationship terminates or until the Athlete reaches 25 years of age. A Power Imbalance may exist, but is not presumed, where an intimate relationship existed before the sport relationship commenced (e.g., a relationship between two spouses or life partners, or a sexual relationship between consenting adults that preceded the sport relationship).
23. *“Reporting (or Report)”*: The provision of information in writing by any person or an Individual to a relevant independent authority (the Independent Third Party or position 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.
24. *“Respondent”* – the Party responding to a complaint or investigation; or, in the case of an appeal, the body or organization whose decision is being appealed, or the Individual who was the subject of a decision that is being appealed.
25. *“Sexual Harassment”* – A vexatious comment (or comments) or conduct against an Individual because of sex, sexual orientation, gender identify or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome; or making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advance to the Individual and the person knows or ought reasonably to know that the solicitation or advance is unwelcome. Types of behaviour that constitute Sexual Harassment include, but are not limited to:
- i. Sexist jokes;
 - ii. Threats, punishment, or denial of a benefit for refusing a sexual advance;
 - iii. Offering a benefit in exchange for a sexual favour;
 - iv. Demanding hugs;
 - v. Bragging about sexual ability;
 - vi. Leering (persistent sexual staring);
 - vii. Sexual assault;
 - viii. Display of sexually offensive material;
 - ix. Distributing sexually explicit messages or attachments such as pictures or video files;
 - x. Sexually degrading words used to describe an Individual;
 - xi. Unwelcome inquiries into or comments about an Individual’s gender identity or physical appearance;
 - xii. Inquiries or comments about an Individual’s sex life;
 - xiii. Persistent, unwanted attention after a consensual relationship ends;
 - xiv. Persistent unwelcome sexual flirtations, advances, comments or propositions; and
 - xv. Persistent unwanted contact.
26. *“Social media”* – The catch-all term that is applied broadly to computer-mediated communication media such as blogs, YouTube, Facebook, Instagram, Tumblr, Snapchat, Tik-Tok and Twitter.

27. *“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 a Person in Authority;
28. *“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
29. *“Workplace”* - Any place where Events, business or work-related activities are conducted. Workplaces include but are not limited to, the office or facilities of Canoe Kayak Canada or a Member, work-related social functions, work assignments outside offices, work-related travel, the training and competition environment (wherever located), and work-related conferences or training sessions
30. *“Workplace Harassment”* – Vexatious comment(s) 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:
 - i. Bullying;
 - ii. Workplace pranks, vandalism, bullying or hazing;
 - iii. Repeated offensive or intimidating phone calls, text messages or emails;
 - iv. Inappropriate sexual touching, advances, suggestions or requests;
 - v. Displaying or circulating offensive pictures, photographs or materials in printed or electronic form;
 - vi. Psychological abuse;
 - vii. Excluding or ignoring someone, including persistent exclusion of a person from work-related social gatherings;
 - viii. Deliberately withholding information that would enable a person to do his or her job, perform or train;
 - ix. Sabotaging someone else’s work or performance;
 - x. Gossiping or spreading malicious rumours;
 - xi. Intimidating words or conduct (offensive jokes or innuendos); and
 - xii. Words or actions which are known or should reasonably be known to be offensive, embarrassing, humiliating, or demeaning.
31. *“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:
 - i. Verbal or written threats to attack;
 - ii. Sending or leaving threatening notes, text messages or emails;
 - iii. Physically threatening behaviour such as shaking a fist at someone, finger pointing, destroying property, or throwing objects;
 - iv. Wielding a weapon in a Workplace;
 - v. Hitting, pinching or unwanted touching which is not accidental;
 - vi. Dangerous or threatening horseplay;
 - vii. Physical restraint or confinement;
 - viii. Blatant or intentional disregard for the safety or wellbeing of others;
 - ix. Blocking normal movement or physical interference, with or without the use of equipment;
 - x. Sexual violence; and

xi. Any attempt to engage in the type of conduct outlined above.

CANOE KAYAK CANADA
ATHLETE PROTECTION POLICY

This Policy has been prepared by Canoe Kayak Canada and is a Pan-Canadian Policy applicable to Canoe Kayak Canada and its Members. This document cannot be modified by a Member without consultation and approval from Canoe Kayak Canada.

Purpose

1. This Athlete Protection Policy describe how Persons in Authority shall maintain a safe sport environment for all Athletes.

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

2. Canoe Kayak Canada and its Members strongly recommend the ‘Rule of Two’ for all Persons in Authority who interact with Athletes, whether in person or remotely (i.e., in virtual settings). The Coaching Association of Canada describes the intention of the ‘Rule of Two’ as follows:

A coach must never be alone or out of sight with a minor athlete. Two NCCP trained or certified coaches should always be present with an athlete, especially a minor athlete, when in a potentially vulnerable situation such as in a locker room or meeting room. All one-on-one interactions between a coach and an athlete must take place within earshot and in view of a second coach except for medical emergencies. One of the coaches must also be of the same gender as the athlete. Should there be a circumstance where a second screened and NCCP trained or certified coach is not available, a screened volunteer, parent, or adult can be recruited.

3. Canoe Kayak Canada recognizes that fully implementing the ‘Rule of Two’, as described above (and modified accordingly for Persons in Authority), in all circumstances, may not always be possible. Consequently, at a minimum, interactions between Persons in Authority and Athletes must respect the following:
 - i. The training and competition environment should be open to observation so that all interactions between Persons in Authority and Athletes are observable.
 - ii. Private or one-on-one situations must be avoided unless they are open and observable by another adult or Athlete.
 - iii. Persons in Authority shall not invite or have a Vulnerable Individual (or Vulnerable Individuals) in their home without the written permission and contemporaneous knowledge of the Vulnerable Individual's parent or guardian.
 - iv. Vulnerable Individuals must not be in any situation where they are alone with a Person in Authority without another screened adult or Athlete present unless prior written permission is obtained from the Athlete’s parent or guardian.

Practices and Competitions

4. As it relates to practices and/or competitions, the following shall be respected:
 - a) A Person in Authority should never be alone with a Vulnerable Individual prior to or following a competition or practice unless the Person in Authority is the Athlete’s parent or guardian.
 - b) If the Vulnerable Individual is the first Athlete to arrive, the Athlete’s parent should remain until another Athlete or Person in Authority arrives.

- c) If a Vulnerable Individual would potentially be alone with a Person in Authority following a competition or practice, 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 Individual, should be present in order to avoid the Person in Authority being alone with a Vulnerable Individual.
- 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) If there is a concern that the Rule of Two cannot be observed due to long distance training of any nature (i.e., whether on or off water) or any other circumstances, Persons in Authority and Athletes should take additional 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 Individuals 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

- 5. Communications between Persons in Authority and Athletes shall respect the following:
 - a) Group messages, group emails or team pages are to be used as the regular method of communication between Persons in Authority and Athletes
 - b) Persons in Authority may only send personal 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 and must be copied to another adult when the Athlete is a Vulnerable Individual.
 - c) No personal texts between Vulnerable Individuals and Persons in Authority may be sent; however, if this is necessary under Section 5(b), it shall include one other adult person on the message (preferably the Vulnerable Person's parent(s)/guardian(s)).
 - d) Parents and guardians may request that their child not be contacted by a Person in Authority using any form of electronic communication and/or to request that certain information about their child may not be distributed in any form of electronic communications.
 - e) 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.g., cancelling an early morning practice).
 - f) Communications concerning drugs or alcohol use (unless regarding its prohibition) is not permitted
 - g) No sexually explicit language or imagery or sexually oriented conversation may be communicated by any medium
 - h) Persons in Authority and Athletes are not permitted to offer or ask one another to keep a secret for them.

Virtual settings

- 6. The Rule of Two shall apply to all Minors in a virtual environment. Specifically:
 - a) For Athletes under the age of 16, where possible, a parent/guardian should be present during any virtual session;
 - b) Two adult coaches should be present or one coach and one adult (parent, guardian, volunteer, club administrator). One-on-one virtual sessions are prohibited;
 - c) Coaches shall be informed by Canoe Kayak Canada and/or the Member, as applicable, of the expected standards of conduct during virtual sessions;
 - d) Parents/guardians of Minors shall be informed by Canoe Kayak Canada and/or the Member, as applicable, of the activities that will take place during the virtual session, as well as the process of the virtual session;

- e) Parents/guardians of Minors shall provide consent to the Minor participating in the virtual session, if irregularly scheduled, or prior to the first session if the sessions will take place on a regular basis;
- f) Communications during virtual sessions shall take place in an open and observable environment. Sessions must be initiated in appropriate locations (i.e., not in personal or inappropriate locations such as bedrooms);
- g) Virtual sessions should be recorded whenever allowed by the technology being used;
- h) Parents/guardians should debrief with Minors on a weekly basis regarding virtual sessions.

Travel

- 7. Any travel involving Persons in Authority and Athletes shall respect the following:
 - a) Teams or groups of Athlete shall always have at least two Persons in Authority with them
 - b) For mixed gender teams or groups of Athletes, there will be one Person in Authority from each gender
 - c) Screened parents or other volunteers will be available in situations when two Persons in Authority cannot be present
 - d) No Person in Authority may drive a vehicle with an Athlete alone unless the Person in Authority is the Athlete's parent or guardian
 - e) A Person in Authority may not share a room or be alone in a hotel room with an Athlete unless the Person in Authority is the Athlete's parent or guardian
 - f) Room or bed checks during overnight stays must be done by two Persons in Authority
 - g) For overnight travel when Athletes must share a hotel room, roommates will be age-appropriate (and, for Minors, shall be within two years of age of one another) and of the same gender identity

Locker Room / Changing Areas

- 8. The following shall apply to locker rooms, changing areas, and meeting rooms:
 - a) Interactions (i.e., conversation) between Persons in Authority and Athletes should not occur in any room where there is a reasonable expectation of privacy such as a locker room, restroom or changing area. A second adult should be present for any necessary interaction between an adult and an Athlete in any such room. The Rule of Two must be respected.
 - b) 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, including but not limited to team communications and/or emergency

Photography / Video

- 9. Any photograph or video involving Athletes shall respect the following:
 - a) Photographs and video may only be taken in public view, 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 of any kind in rooms 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
 - d) If any photographs or videos will be used on any form of public media, an Image Consent Form must be completed before any images are taken and used

Physical Contact

- 10. It is recognized that some physical contact between Persons in Authority and Athletes may be necessary for various reasons including, but not limited to, teaching a skill or tending to an injury. Any physical contact

shall respect the following:

- a) Unless it is otherwise impossible because of serious injury or other justifiable circumstance, a Person in Authority must always clarify with an Athlete where and why any physical contact will occur prior to the contact occurring. The Person in Authority must make clear that he or she is requesting to touch the Athlete and not requiring physical contact
- b) Infrequent, non-intentional physical contact during a training session is permitted
- c) Hugs lasting longer than five seconds, cuddling, physical horseplay, and physical contact initiated by the Person in Authority is not permitted. It is recognized that some Athletes may initiate hugging or other physical contact with a Person in Authority for various reasons (e.g., such as crying or celebrating after a performance), but this physical contact may only occur in an open and observable environment.

Enforcement

11. Any alleged violations of this *Athlete Protection Policy* shall be addressed pursuant to CKC's *Discipline and Complaints Policy*.

Policy History	
Approved	June 2019
Next Review Date	January 2022
Revision Approval Dates	June 17, 2021

Appendix A – Image Consent Form

1. I hereby grant to [Insert Name of Member organization(s)] and Canoe Kayak Canada and, as applicable, my Division, Club or Provincial or Territorial Sport Organization (collectively the “Organizations”) on a worldwide basis, the permission to photograph and/or record the Participant’s image and/or voice on still or motion picture film and/or audio tape (collectively the “Images”), and to use the Images to promote the sport and/or the Organizations through traditional media such as newsletters, websites, television, film, radio, print and/or display form, and through social media such as Instagram, Facebook, YouTube, and Twitter. I understand that I waive any claim to remuneration for use of audio/visual materials used for these purposes. This consent will remain in effect in perpetuity; however, consent may be withdrawn, on a case-by-case basis, pursuant to Section 6 of the *Social Media Policy*.
2. I hereby fully release, discharge, and agree to save harmless the Organizations, for any and all claims, demands, actions, damages, losses or costs that might arise out of the collection, use or disclosure of the Images or taking, publication, distortion of the Images, negatives, and masters or any other likeness or representation of the Participant that may occur or be produced in the taking of said Images or in any subsequent processing thereof, including without limitation any claims for libel, passing off, misappropriation of personality or invasion of privacy.
3. **I UNDERSTAND AND AGREE**, that I have read and understood the terms and conditions of this document. On behalf of me, my heirs and assigns, I agree that I am signing this document voluntarily and to abide by such terms and conditions.

Signed at this _____ day of _____, 20__.

Print Name of Participant: _____

Signature of Participant: _____

Signature of Parent/Guardian (if Participant is younger than the age of majority):

CANOE KAYAK CANADA
Code of Conduct and Ethics

This Policy has been prepared by Canoe Kayak Canada and is a Pan-Canadian Policy applicable to Canoe Kayak Canada and its Members. This document cannot be modified by a Member without consultation and approval from Canoe Kayak Canada.

Purpose

1. The purpose of this Code is to ensure a safe and positive environment within the programs, activities, and Events of Canoe Kayak Canada and its Members by making Individuals aware that there is an expectation, at all times, of appropriate behaviour consistent with the applicable organization's core values and policies. Canoe Kayak Canada and its Members support equal opportunity, prohibit discriminatory practices, and are committed to providing an environment in which all individuals can safely participate in our sport and are treated with respect and fairness.

Application of this Code

2. This Code applies to any Individual's conduct during the business, activities, and Events of Canoe Kayak Canada and its Members including, but not limited to, competitions, practices, evaluations (including time controls or any other form of testing), treatment or consultations (i.e., massage therapy), training camps, travel associated with organizational activities, the office environment, and any meetings or social Events.
3. This Code also applies to Individuals' conduct outside of the business, activities, and Events of Canoe Kayak Canada and its Members when such conduct adversely affects the organization's relationships (and the work and sport environment) or is detrimental to the image and reputation of Canoe Kayak Canada or a Member. Such applicability will be determined by Canoe Kayak Canada or a Member, as applicable, at its sole discretion.
4. This Code applies to Individuals active in the sport of canoe kayak or who have retired from the sport of canoe kayak where any claim regarding a potential breach of this Code occurred when the Individual was active in the sport.
5. In addition, breaches of this Code may occur when the Individuals involved interacted due to their mutual involvement in the sport of canoe kayak or, if the breach occurred outside of the sport environment, if the breach has a serious and detrimental impact on the Individual(s).
6. Any Individual 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*, an Individual who violates this Code during a competition may be removed from the competition or training area, and the Individual may be subject to further sanctions.

Responsibilities

7. Individuals have a responsibility to:
 - a) Conduct themselves in a manner consistent with the True Sport principles
 - b) Maintain and enhance the dignity and self-esteem of other Individuals 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 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 any behaviour that constitutes Harassment, Workplace Harassment, Sexual Harassment, Workplace Violence, Discrimination or any form of Maltreatment
- 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 Canoe Kayak Canada or a Member or while representing Canoe Kayak Canada or a Member at any such activities or Events;
- 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 Canoe Kayak Canada or a Member (subject to any requirements for accommodation), not consume alcohol during competitions and in situations where minors are present, and take reasonable steps to manage the responsible consumption of alcohol in adult-oriented social situations
- h) Respect the property of others and not wilfully cause damage
- i) Promote sport in the most constructive and positive manner possible
- j) When driving a vehicle or motor boat:
 - i. Not have his or her license suspended;
 - ii. Obey traffic laws at all times
 - iii. Not be under the influence of alcohol, cannabis or illegal drugs or intoxicating substances;
 - iv. Have valid insurance; and
 - v. Refrain from using a mobile device or engaging in any activity that would constitute distracted driving.
- k) Adhere to all federal, provincial, municipal and host country laws
- l) Refrain from engaging in deliberate cheating which is intended to manipulate the outcome of a competition, para-classification, and/or not offer or receive any bribe which is intended to manipulate the outcome of a competition
- m) Comply, at all times, with the bylaws, policies, procedures, and rules and regulations of Canoe Kayak Canada and its 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 an Individual to Canoe Kayak Canada or to a Member, including, but not limited to, those for violence, child pornography, or possession, use, or sale of any illegal or Prohibited Substance or Method
- o) As a Person in Authority, not place an Individual in a situation that makes them vulnerable to Maltreatment. This includes, but is not limited to, instructing an Athlete and a coach to share a hotel room when traveling, hiring a coach who has a past history of Athlete Maltreatment, assigning guides and other support staff to a para-Athlete when the guide or support staff has a reputation for Athlete Maltreatment or assigning such a guide or support staff to a para-Athlete in the absence of consultation with the para-Athlete.

Directors, Committee Members, and Staff

8. In addition to section 7 (above), directors, committee members, and staff of Canoe Kayak Canada and its Members will have additional responsibilities to:
 - a) When performing their role as a director or committee member or staff member of Canoe Kayak Canada or a Member (as applicable), ensure that they respect their duty of loyalty to Canoe Kayak Canada or the Member (as applicable) and refrain from engaging in any activity or behaviour that could constitute a conflict of interest
 - b) Ensure their loyalty prioritizes the interests of Canoe Kayak Canada or the Member (as applicable)

- c) Act with honesty and integrity and conduct themselves in a manner consistent with the True Sport principles and with the nature and responsibilities of the business and the maintenance of Individuals' confidence
- d) Ensure that financial affairs are conducted in a responsible and transparent manner with due regard for all fiduciary responsibilities
- e) Comply with the *Screening Policy*
- f) Conduct themselves openly, professionally, lawfully and in good faith
- g) Be independent and impartial and not be influenced by self-interest, outside pressure, expectation of reward, or fear of criticism
- h) Behave with decorum appropriate to both circumstance and position
- i) Exercise the degree of care, diligence, and skill required in the performance of their duties pursuant to applicable laws
- j) Respect the confidentiality appropriate to issues of a sensitive nature
- k) Respect the decisions of the majority and resign if unable to do so
- l) Commit the time to attend meetings and be diligent in preparation for, and participation in, discussions at such meetings
- m) Have knowledge and understand all relevant policies and procedures

Coaches and Instructors

9. In addition to section 7 (above), coaches and instructors 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 unintentionally. Coaches and instructors will:
- a) Ensure a safe environment by selecting activities and establishing controls that are suitable for the age, experience, ability, and fitness level of the Athletes
 - b) 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
 - c) Avoid compromising the present and future health of Athletes by communicating and cooperating with sport medicine professionals (where applicable) in the diagnosis, treatment, and management of Athletes' medical and psychological treatments
 - d) Support the coaching staff of a training camp, provincial team, or national team, should an Athlete qualify for participation with one of these programs
 - e) Accept and promote Athletes' personal goals and refer Athletes to other coaches and sport specialists as appropriate
 - f) Provide Athletes (and the parents/guardians of minor Athletes) with the information necessary to be involved in the decisions that affect the Athlete
 - g) Act in the best interest of the Athlete's development as a whole person
 - h) Comply with the *Screening Policy*
 - i) 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
 - j) Respect Athletes competing for other clubs, provinces or countries and, in dealings with them, not discuss 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
 - k) Not engage in a sexual or intimate relationship with an Athlete of any age in which the coach is in a position of trust or authority

- l) 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
- m) Dress appropriately
- n) Use inoffensive language and take the audience being addressed into account (e.g., the age/maturity of the participants)

Athletes

10. In addition to section 7 (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, practice, or compete
 - c) Participate and appear on-time and prepared to participate to their best abilities in all competitions, practices, training sessions, and evaluations (including time controls or any other form of testing)
 - 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 to represent the sport and themselves appropriately
 - g) Act in accordance with applicable policies and procedures and, when applicable, additional rules as outlined by coaches or managers

Officials

11. In addition to section 7 (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 of paddling by agreeing to enforce and abide by national and provincial rules and regulations
 - e) Take ownership of actions and decisions made while officiating
 - f) Respect the rights, dignity, and worth of all Individuals
 - 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 Individuals
 - 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 the Member at the earliest possible time
 - l) When writing reports, set out the actual facts to the best of their knowledge and recollection
 - m) Dress appropriately for officiating

Parents/Guardians and Spectators

12. In addition to section 7 (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 during a competition or practice
 - d) Respect the decisions and judgments of officials, and encourage Athletes to do the same

- e) Support all efforts to eliminate verbal and physical abuse, coercion, intimidation, and sarcasm
- f) Respect all competitors, coaches, officials and other volunteers
- g) Never harass competitors, coaches, officials, parents/guardians, or other spectators

Anti-Doping³

13. All Individuals 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. More specifically, Canoe Kayak Canada and its Members adopt and adhere to the Canadian Anti-Doping Program. Canoe Kayak Canada and its Members will respect any sanction imposed on an Individual as a result of a breach of the Canadian Anti-Doping Program or any other applicable Anti-Doping Rules
- 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

14. 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 Canoe Kayak Canada or a Member’s jurisdiction.

Retaliation, Retribution or Reprisal

15. It is a breach of this Code of Conduct and Ethics for any Individual 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 complaint pursuant to any Canoe Kayak Canada or Member policy. 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.

Policy History	
Approved	June 2019
Next Review Date	January 2022
Revision Approval Dates	June 17, 2021

³ 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.

CANOE KAYAK CANADA
DISCIPLINE AND COMPLAINTS POLICY

This Policy has been prepared by Canoe Kayak Canada and is a Pan-Canadian Policy applicable to Canoe Kayak Canada and its Members. This document cannot be modified by a Member without consultation and approval from Canoe Kayak Canada.

Purpose

1. Individuals are expected to fulfill certain responsibilities and obligations including, but not limited to, complying with the policies, Bylaws, rules and regulations of Canoe Kayak Canada and its Members, as applicable. Non-compliance may result in the imposition of sanctions pursuant to this Policy.

Application of this Policy

2. This Policy applies to all Individuals.
3. This Policy applies to matters that may arise during the business, activities, and Events of Canoe Kayak Canada and its Members (as applicable) including, but not limited to, competitions, on and off water training, evaluations (including time controls or any other form of testing), treatment or consultations (i.e., massage therapy), training camps, travel associated with Canoe Kayak Canada or Member activities, and any meetings.
4. This Policy also applies to Individuals' conduct outside of the business, activities, and Events of Canoe Kayak Canada and its Members (as applicable) when such conduct adversely affects CKC and/or the Member's relationships (and the work and sport environment) or is detrimental to the image and reputation of Canoe Kayak Canada or a Member, or upon the acceptance of Canoe Kayak Canada or a Member.
5. Without limiting the generality of the foregoing, this Policy applies to alleged breaches of the *Code of Conduct and Ethics* by Individuals who have retired from the sport of canoe kayak where any claim regarding a potential breach of the *Code of Conduct and Ethics* occurred when the Individual was active in the sport. In addition, this Policy will apply to breaches of the *Code of Conduct and Ethics* that occurred when the Individuals involved interacted due to their mutual involvement in the sport of canoe kayak or, if the breach occurred outside of the sport environment, if the breach has a serious and detrimental impact on the Individual(s).

If an Individual makes a complaint or Reports an incident that occurred at a time during which a different Canoe Kayak Canada or Member policy was in force (i.e., Code of Conduct and Ethics, Discipline and Complaints Policy), the matter will be governed by the substantive rules in the policy in force at the time that the incident occurred to determine whether an offense or breach of the policy has occurred, unless the panel hearing the matter determines that the principle of *lex mitior* applies to the circumstances of the case; however, for such cases, this Discipline and Complaints Policy will apply retroactively, prior to its approval date, as it relates to procedural matters.

Applicability of this Policy will be determined by the Independent Third Party at their sole discretion and shall not be subject to appeal.

6. In the event that it is considered appropriate or necessary on the basis of the circumstances, immediate discipline or the imposition of an interim suspension may be applied by CKC's CEO or the CEO (or equivalent position) of the Member, after which further discipline or sanctions may be applied according to this Policy. Any infractions occurring within competition will be dealt with by the procedures specific to the competition,

if applicable. In such situations, disciplinary sanctions may be for the duration of the competition, training, activity, or Event only.

7. In addition to being subject to disciplinary action pursuant to this Discipline and Complaints Policy, an employee of Canoe Kayak Canada or a Member who is a Respondent to a complaint may also be subject to consequences in accordance with the employee's Employment Agreement, if applicable, or any CKC Human Resources Policy or other applicable policies.
8. CKC and its Members will adhere to all disclosure and reporting responsibilities required by any government entity, local police force, or child protection agency.

Minors

9. Complaints may be brought for or against an Individual who is a Minor. Minors must have a parent/guardian or other adult serve as their representative during this process. If the Minor's adult representative is not their parent/guardian, the representative must have written permission to act in such a capacity from the Minor's parent/guardian. Any Individual who Reports or brings a complaint involving known or suspected abuse, neglect or Maltreatment of a Minor on behalf of the Minor must Report this to local child welfare services, the applicable provincial or territorial social service ministries or departments, or local police.
10. Communication from the Independent Third Party, Case Manager, Discipline Chair or discipline panel, as applicable, must be directed to the Minor's representative.
11. A Minor is not required to attend an oral hearing, if held.

Reporting a Complaint

12. All complaints must be Reported in writing by an Individual (or Individuals) to the Independent Third Party within fourteen (14) days of the occurrence of the incident. This timeline may be waived at the Independent Third Party's sole discretion if they consider that there were extenuating circumstances that prevented the Individual from Reporting their complaint within fourteen (14) days of the occurrence of the incident. Any such decision by the Independent Third Party is not subject to appeal.
13. A Complainant who fears retribution or reprisal or who otherwise considers that their identity must remain confidential may Report a complaint to the Independent Third Party and request that their identity be kept confidential. If the Independent Third Party considers that the Complainant's identity must remain confidential, the Independent Third Party may ask that Canoe Kayak Canada take carriage of the complaint and act as the Complainant pursuant to Section 22 below.
14. If the Independent Third Party considers that it is unnecessary to keep the Complainant's identity confidential, they shall inform the Complainant, who may decide whether to pursue the complaint. However, the Independent Third Party may not reveal the identity of the Complainant unless the Complainant expressly informs them of their desire to pursue the complaint and has indicated, in writing, their approval to have their identity divulged.

Independent Third Party Responsibilities

15. Upon receipt of a Reported complaint from an Individual (or Individuals), the Independent Third Party shall:
 - determine whether the complaint falls within the jurisdiction of this Policy;
 - if it can be accepted in accordance with Section 12 above; and

- whether it is either a frivolous or a vexatious complaint, or if it has been made in bad faith.⁴

If the complaint is not accepted by the Independent Third Party for any of the aforementioned reasons, the Independent Third Party shall inform the Complainant and provide the reasons for which the complaint was not accepted. If the Reported complaint is accepted by the Independent Third Party, the Independent Third Party shall proceed to make the determinations indicated in Sections 17-20 below.

16. In cases where the Independent Third Party receives a complaint or Report involving known or suspected abuse, neglect or Maltreatment of a Minor, they shall Report this to local child welfare services, the applicable provincial or territorial social service ministries or departments, or local police. The Independent Third Party shall not be responsible for fulfilling the aforementioned obligation if the Individual making the complaint or filing the Report confirms in writing that they have already Reported to any such authorities.
17. If a Reported complaint has been accepted by the Independent Third Party pursuant to Section 15 above, the Independent Third Party shall determine whether the Reported incident has occurred within the Club, the Provincial/Territorial Organization (or, where applicable, Division) or Canoe Kayak Canada's business, activities or events as described in Section 3 above. If the incident has occurred outside of the business, activities or events of any of these organizations, the Independent Third Party will determine which organization's relationships are adversely affected or which organization's image or reputation will be detrimentally affected by the incident as described in Section 4 above, or if the breach has had a serious and detrimental impact on the Individual(s) as described in Section 5 above.
18. Clubs will only handle Reported complaints in relation to incidents that fall within their business, activities or Events, or, if the incident has occurred outside of the business, activities or Events of the Club but will adversely affect its relationships or detrimentally affect its image or reputation, if the Reported complaint alleges any of the incidents listed in Section 19 below. Any complaints involving incidents that fall within the Club's business, activities or Events, or outside the Club's business, activities or Events but that adversely affect its relationships or detrimentally affect its image or reputation and that fall within Section 20 below will be handled by the Club's Provincial/Territorial Organization (or, where applicable, Division).
19. The Independent Third Party shall direct a complaint to be managed by the Discipline Chair of a Club, Provincial/Territorial Organization (or, where applicable, Division) or Canoe Kayak Canada (as applicable pursuant to Sections 17 and 18 above) if the Complainant alleges that any of the following incidents have occurred:
 - i. Disrespectful conduct or behaviour
 - ii. Minor acts of physical violence, unless the physical violence is between a Person in Authority and a Vulnerable Individual, in which case the matter will fall under Section 21 below
 - iii. Conduct contrary to the values of Canoe Kayak Canada or the Member
 - iv. Non-compliance with Canoe Kayak Canada or the Member's policies, procedures, rules, or regulations
 - v. Minor violations of the *Code of Conduct and Ethics, Social Media Policy, Athlete Protection Policy or Event Discipline Policy*
20. The Independent Third Party shall direct a complaint to be managed by the Case Manager appointed by the relevant Provincial/Territorial Organization (or, where applicable, Division) or Canoe Kayak Canada (as

⁴ As indicated in the Sport Dispute Resolution Centre of Canada's Investigation Guidelines, a Reported complaint shall not be characterized as vexatious if the evidence demonstrates that there was a reasonable basis for filing and pursuing it. For a complaint to be considered to have been made in bad faith, the Independent Third Party must consider that it was filed consciously for a dishonest purpose or due to the moral underhandedness of the Complainant and that there was an intention to mislead.

applicable pursuant to Sections 17 and 18 above) if the Complainant alleges that any of the following incidents have occurred:

- i. Repeated incidents under Section 19
- ii. Abusive, racist, or sexist comments, conduct or behaviour
- iii. Any incident of hazing
- iv. Behaviour that constitutes abuse, Maltreatment, Harassment, Sexual Harassment, or Sexual Misconduct
- v. Major incidents of physical violence (e.g., fighting, attacking)
- 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 Canoe Kayak Canada or the Member's image, credibility, or reputation
- ix. Consistent disregard for Canoe Kayak Canada or the Member's bylaws, policies, rules, and regulations
- x. Major or repeated violations of the *Code of Conduct and Ethics, Social Media Policy, Athlete Protection Policy* or *Event Discipline Policy*
- xi. Intentionally damaging Canoe Kayak Canada or the Member's property or improperly handling the organization's monies
- xii. Abusive use of alcohol or any other intoxicating substance, any use or possession of alcohol or any other intoxicating substance by Minors, or use or possession of illicit drugs and narcotics
- xiii. A conviction for any *Criminal Code* offense

21. In exceptional circumstances, the Independent Third Party may request that Canoe Kayak Canada manage a Reported complaint if a Club or Provincial/Territorial Organization (or, where applicable, Division) is otherwise unable to manage the complaint for valid and justifiable reasons, such as a conflict of interest or due to a lack of capacity. In such circumstances, Canoe Kayak Canada shall have the right to request that a cost-sharing agreement be entered into with the Club or Provincial/Territorial Organization (or Division, where applicable) as a pre-condition to Canoe Kayak Canada managing the complaint.

22. Canoe Kayak Canada or a Member may, at their discretion, or upon request by the Independent Third Party in accordance with Section 13 above, act as the Complainant and initiate the complaint process under the terms of this Policy. In such cases, Canoe Kayak Canada or the Member (as applicable) will identify an individual to represent the organization, unless Canoe Kayak Canada is acting as the Complainant pursuant to Section 13.

Investigations

23. In exceptional circumstances, and only when the Independent Third Party considers that the conditions indicated in this section have been satisfied, the Independent Third Party may determine that a Reported incident requires further investigation by an independent third-party investigator. The Independent Third Party will direct that an investigation be conducted:

- Only if the Reported incident falls within Section 20 above;
- In accordance with and by an independent investigator appointed pursuant to the *Investigations Policy – Discrimination, Harassment and Maltreatment*;
- Where the Independent Third Party considers that there is a need for an independent assessment to determine whether an allegation or, where there are several allegations, which allegations, should be

heard by a discipline panel pursuant to this Policy because they constitute a likely breach of the *Code of Conduct and Ethics*, the *Social Media Policy*, the *Athlete Protection Policy*, or any other relevant and applicable Canoe Kayak Canada or Member policy, or whether the allegations frivolous, vexatious or made in bad faith;⁵ and

- For the purpose of making non-binding recommendations to the Independent Third Party so that they may discharge their responsibilities pursuant to this Policy.

If the Independent Third Party considers that an independent investigation must be conducted for the reasons mentioned above, the investigation shall be conducted before any disciplinary procedures are commenced pursuant to this Policy; however, when an investigation is conducted and where it is necessary in the circumstances, interim measures may be imposed in accordance with Section 6 above.

Upon receipt of the investigator's report, the Independent Third Party shall determine whether the matter will proceed pursuant to Sections 37 and below and shall inform the Parties and Canoe Kayak Canada or the Member (as applicable).

If the Independent Third Party does not consider that an independent investigation is necessary and the Reported complaint has been accepted pursuant to Section 15, the matter shall proceed pursuant to Sections 37 and following below.

Complaint Handled by Discipline Chair

24. Following the Independent Third Party's determination that the complaint or incident shall be managed by a Discipline Chair pursuant to Section 19 above, the Club, Provincial/Territorial Organization (or, where applicable, Division) or Canoe Kayak Canada (as applicable) will appoint a Discipline Chair. The Discipline Chair appointed to handle a complaint or incident must be unbiased and not in a conflict of interest situation. The Club, Provincial/Territorial Organization (or, where applicable, Division) or Canoe Kayak Canada shall, as applicable, be responsible for any costs related to complaints handled by the Discipline Chair.
25. The Discipline Chair will ask the Complainant and the Respondent for either written or oral submissions regarding the complaint or incident. Both Parties shall also have the right to submit to the Discipline Chair any relevant evidence, including, but not limited to witness statements, documentary evidence or evidence from other media (i.e., photos, screenshots, videos or other recordings).
26. Each Party shall have the right to receive the other Party's submissions and evidence, including the Complainant's complaint. In the case of oral submissions, each Party shall be present when such submissions are made.
27. Following receipt of the Parties' submissions, the Discipline Chair may convene the Parties to a meeting, either in person or by way of video or teleconference in order to ask the Parties questions and to allow the Parties to ask questions of one another.
28. Following their review of the submissions and evidence related to the Reported complaint or incident, the Discipline Chair shall determine if any of the incidents listed in Section 19 above have occurred and, if so, if one or more of the following sanctions should be applied:
 - a) Verbal or written reprimand

⁵ Please see footnote 2, modified accordingly for the circumstances of an investigation.

- b) Verbal or written apology
- c) Service or other contribution to Canoe Kayak Canada or the Member (as applicable)
- d) Removal of certain privileges
- e) Suspension from certain teams, Events, and/or activities
- f) Suspension from certain activities for a designated period
- g) Any other sanction considered appropriate for the offense
- h) Education or training opportunities

If, after hearing the Parties and reviewing their submissions, the Discipline Chair considers that none of the incidents listed in Section 19 above have occurred, they shall dismiss the Reported complaint.

29. The Discipline Chair will inform the Parties of their decision, in writing and with reasons. Any sanction imposed shall take effect upon the Parties' receipt of the decision. Should the circumstances require a decision to be rendered immediately or within a short timeline, the Discipline Chair may render a short written decision, either orally or in writing, followed by a written reasoned decision.
30. Any decision rendered by the Discipline Chair shall be provided to and maintained in the records of the relevant Club, Provincial/Territorial Organization (or, where applicable, Division) and Canoe Kayak Canada. Decisions will be kept confidential by the Parties and the aforementioned organizations and shall be retained and discarded in accordance with the relevant and applicable privacy legislation.

Request for Reconsideration

31. If the Discipline Chair decides not to impose a sanction on the Respondent, the Complainant may request a reconsideration from the Discipline Chair by informing them in writing, within four days of receiving the decision, that they are not satisfied with the decision and explain why.
32. If the Discipline Chair imposes a sanction, the Respondent may request, in writing, a reconsideration from the Discipline Chair by informing them, within four days of receiving the decision, that they are not satisfied with the decision. In their request for reconsideration, the Respondent must indicate:
- a) Why the sanction is inappropriate;
 - b) Any evidence to support the Respondent's position; and
 - c) What penalty or sanction (if any) would be appropriate.
33. Upon receiving a request for reconsideration, the Discipline Chair shall render a decision within seven (7) days explaining whether they have accepted the request for reconsideration and, if so, their new decision.
34. The Discipline Chair's new decision may be appealed in accordance with the *Appeal Policy*; however, no party shall have a right to appeal unless they have exhausted their right to request a reconsideration pursuant to Sections 31 or 32 above.

Handled by Discipline Panel

Case Manager

35. If the Independent Third Party determines that the complaint or incident should be handled by the relevant Provincial/Territorial Organization (or, where applicable, Division) pursuant to Section 20 above, that Provincial/Territorial Organization (or Division, if applicable) shall appoint its own Case Manager to fulfil the responsibilities listed below. In such instance, any reference to Case Manager below shall be understood as a reference to the Provincial/Territorial Organization's Case Manager (or, if applicable, the Division's Case Manager). The Provincial/Territorial Organization (or, where applicable, Division) or Canoe Kayak Canada

shall, as applicable, be responsible for any costs related to complaints handled by a Discipline Panel, including the costs of the Case Manager.

36. If the Independent Third Party determines that the complaint or incident should be handled by Canoe Kayak Canada pursuant to Section 20 above, Canoe Kayak Canada shall appoint a Case Manager, who has not had any previous involvement in the matter, to fulfil the responsibilities listed in Sections 37 and following.
37. Following the Independent Third Party's determination that the complaint or incident should be handled by the relevant Provincial/Territorial Organization (or Division, if applicable) or Canoe Kayak Canada (as applicable) pursuant to Section 20 above, the appointed Case Manager will have the responsibility to:
 - a) Propose the use of the *Dispute Resolution Policy* (if considered appropriate in the circumstances)
 - 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

38. The Case Manager will establish and adhere to timelines that ensure procedural fairness and that the matter is heard in a timely fashion.
39. If appropriate in the circumstances, the Case Manager will propose that the Parties use the *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 *Dispute Resolution Policy*, the Case Manager will appoint a discipline panel, which shall consist of a single arbitrator, to hear the Reported 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.
40. 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.
41. 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 discipline panel determines procedures and timelines, as well as a hearing duration, that is as expedient and cost-efficient as possible in order to ensure that costs to the Parties and Canoe Kayak Canada and/or the Member are reasonable
 - b) 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
 - c) 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
 - d) The Parties may engage a representative, advisor, translator, transcription services or legal counsel at their own expense
 - e) If not a Party, Canoe Kayak Canada and/or the relevant Member shall be allowed to attend the hearing as an observer and will be provided with access to any documents submitted. With the permission of the discipline panel, Canoe Kayak Canada and/or the relevant Member may make submissions at the hearing or may provide the discipline panel with clarifying information that may be required for the panel to

render its decision⁶

- f) The discipline panel may request that any other individual participate and give evidence at the hearing
- g) The discipline panel may allow as evidence at the hearing any oral evidence and document or item relevant to the subject matter of the Reported complaint, but may exclude such evidence that is unduly repetitious, and shall place such weight on the evidence as it deems appropriate
- h) Where a discipline panel composed of three members is appointed, the decision will be by a majority vote of the discipline panel

42. 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.

43. The hearing may proceed even if a party chooses not to participate in the hearing.

44. 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 complaint and will be bound by the decision.

45. In fulfilling its duties, the discipline panel may obtain independent advice.

Decision

46. 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. If the discipline panel considers that an infraction has not occurred, the complaint will be dismissed.

47. 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, to Canoe Kayak Canada and the Member (including the Respondent's Club). 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.

48. Subject to Section 49 below, the discipline panel's decision will be considered a matter of public record unless decided otherwise by the discipline panel. However, the Parties may request that the discipline panel redact all or part of the decision. This decision shall be at the discipline panel's sole discretion and may not be appealed.

49. If the discipline panel dismisses the complaint, it may only be published with the Respondent's consent. If the Respondent does not provide such consent, the decision will be kept confidential by the parties, the Case Manager, Canoe Kayak Canada and the Member (including the Respondent's Club) and shall be retained and discarded in accordance with the relevant and applicable privacy legislation.

Sanctions

50. 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 Canoe Kayak Canada or a Member (as applicable)

⁶ The purpose of this provision is not to provide Canoe Kayak Canada or a Member with the possibility to try to influence whether a sanction is imposed and, if so, the duration or nature of the sanction. Instead, this provision is intended to provide Canoe Kayak Canada or a Member with the possibility to provide the discipline panel with clarifying information when the parties have sought a particular sanction against an Individual, but they have misunderstood or misrepresented fundamental elements of the programming or membership structure (or other similar issues) and, if left unaddressed, could result in the discipline panel imposing a sanction that is unenforceable.

- d) Removal of certain privileges
- e) Suspension from certain teams, Events, and/or activities
- f) Payment of the cost of repairs for property damage
- g) Suspension of funding from the organization or from other sources
- h) Expulsion from Canoe Kayak Canada or the Member (as applicable)
- i) Any other sanction considered appropriate for the offense

Where the discipline panel imposes a sanction, its order shall include, at a minimum, the following details:

- which Party is responsible for the costs of implementing any sanction;
- which organization is responsible for monitoring that the sanctioned Individual respects the terms of the sanction imposed against them;
- if applicable, any reinstatement conditions that the sanctioned Individual must satisfy and which organization is responsible for ensuring that the conditions have been satisfied; and
- any other guidance that will assist the Parties to implement the panel's decision.

If necessary, a Party – or the organization that is responsible for implementing or monitoring a sanction – may seek clarifications from the panel regarding the order so that it can be implemented or monitored appropriately.

51. The following sanctions are presumed to be fair and appropriate for the Maltreatment listed below, although the Respondent may rebut these presumptions:

- a) Sexual Maltreatment involving a Minor shall carry a presumptive sanction of a lifetime suspension;
- b) Sexual Maltreatment, Physical Maltreatment with contact and Maltreatment related to Process shall carry a presumptive sanction of either a suspension or eligibility restrictions;
- c) While a Respondent has pending charges or dispositions in violation of criminal law, the presumptive sanction shall be a period of suspension.

52. When determining an appropriate sanction in cases of Maltreatment, the discipline panel may consider the following factors:

- a) The nature and duration of the Respondent's relationship with the Complainant, including whether there is a Power Imbalance;
- b) The Respondent's prior history and any pattern of inappropriate behaviour or Maltreatment;
- c) The ages of the individuals involved;
- d) Whether the Respondent poses an ongoing and/or potential threat to the safety of others;
- e) The Respondent's voluntary admission of the offense(s), acceptance of responsibility for the Maltreatment and/or cooperation in the investigation and disciplinary process;
- f) Real or perceived impact of the incident on the Complainant, Canoe Kayak Canada or a Member or the paddling community;
- g) Circumstances specific to the Respondent being sanctioned (i.e., lack of appropriate knowledge or training regarding the requirements in Canoe Kayak Canada or a Member's policies, addiction, illness, disability);
- h) Whether, given the facts and circumstances that have been established, continued participation in the sport community is appropriate;
- i) A Respondent who is in a position of trust, intimate contact or high-impact decision-making may face more serious sanctions;
- j) Other mitigating or aggravating circumstances.

Any single factor, if severe enough, may be sufficient to justify the sanction(s) imposed. A combination of several factors may justify elevated or combined sanctions.

- 53. When imposing sanctions under this Policy, the discipline panel may take into account any previously established infractions committed by the Respondent(s) of the disciplinary policies of Canoe Kayak Canada, any Member or any other sport organization that had authority over the Respondent.
- 54. 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 from participation in the activities of Canoe Kayak Canada and its Members until such time as compliance occurs.
- 55. Records of all decisions will be maintained by Canoe Kayak Canada and the Member (as applicable). Members will submit all records to Canoe Kayak Canada. Such records shall be retained and discarded in accordance with the relevant and applicable privacy legislation.

Appeals

- 56. The decision of the discipline panel may be appealed in accordance with the *Appeal Policy*.

Suspension Pending a Hearing

- 57. Canoe Kayak Canada or the Member (as applicable) may determine that an alleged incident is of such seriousness as to warrant suspension of an Individual pending completion of an investigation, criminal process, the hearing, or a decision of the Discipline Panel.

Criminal Convictions

- 58. An Individual's conviction for a *Criminal Code* offense will be deemed an infraction under this Policy and may, if justified by the seriousness of the criminal conviction, result in expulsion from Canoe Kayak Canada or the Member (as applicable).

Confidentiality

- 59. The discipline and complaint process is confidential and involves only Canoe Kayak Canada, the applicable Member(s), the Parties, the Case Manager, the Discipline Chair, the discipline panel, and any independent advisors to the discipline panel. Once initiated and until a decision is rendered, none of the Parties will disclose confidential information relating to the discipline or complaint to any person not involved in the proceedings.
- 60. Any failure to respect the aforementioned confidentiality requirement may result in further sanctions or discipline by the Discipline Chair or discipline panel (as applicable).

Timelines

- 61. 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 panel may direct that these timelines be revised.

Records and Distribution of Decisions

- 62. Other individuals or organizations, including but not limited to, national sport organizations, Provincial/Territorial sport organizations, sport clubs, etc., may be advised by Canoe Kayak Canada or the Member (as applicable) of any decisions rendered in accordance with this Policy.

Policy History	
Approved	June 2019

Next Review Date	January 2022
Revision Approval Dates	June 17, 2021

CANOE KAYAK CANADA

INVESTIGATIONS POLICY – DISCRIMINATION, HARASSMENT, AND MALTREATMENT

This Policy has been prepared by Canoe Kayak Canada and is a Pan-Canadian Policy applicable to Canoe Kayak Canada and its Members. This document cannot be modified by a Member without consultation and approval from Canoe Kayak Canada.

Purpose

1. The purpose of this Policy is to address how investigations will be conducted when necessary and as determined by the Independent Third Party pursuant to the *Discipline and Complaints Policy*.
2. Investigations shall only be conducted when the Independent Third Party considers that there is a need for an independent assessment to determine whether an allegation (or, where there are several allegations), which allegations, should be heard by a discipline panel pursuant to the *Discipline and Complaints Policy* because they constitute a likely breach of the *Code of Conduct and Ethics*, the *Social Media Policy*, the *Athlete Protection Policy*, or any other relevant and applicable Canoe Kayak Canada or Member policy, or whether the allegations frivolous, vexatious or made in bad faith.

Investigation

3. The Independent Third Party shall appoint the investigator, taking into consideration the financial resources of Canoe Kayak Canada or the Member (as applicable).
4. The investigator must be an independent third-party with training or investigation experience. The investigator must not be in a conflict of interest situation and should have no connection to either Party.
5. Federal and/or Provincial legislation related to Workplace Harassment or Workplace Violence may apply to the investigation if Harassment/Violence 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 Reported complaint.
6. 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(s);
 - b) Witness interviews; and
 - c) Interviews with the Respondent(s).

Investigator's Report

7. Upon completion of their investigation, the investigator shall prepare a report that includes a summary of evidence from the Parties and any witnesses interviewed. The report shall include an executive summary, which Canoe Kayak Canada or the Member (as applicable) may share separately from the full report with the Parties.
8. The investigator's report shall contain a non-binding opinion regarding whether an allegation or, where there are several allegations, which allegations, should be heard by a discipline panel pursuant to the

Discipline and Complaints Policy because they constitute a likely breach of the *Code of Conduct and Ethics*, the *Social Media Policy*, the *Athlete Protection Policy*, or any other relevant and applicable Canoe Kayak Canada or Member policy, or whether the allegations frivolous, vexatious or made in bad faith.⁷ The investigator may also make non-binding recommendations regarding the appropriate next steps (i.e., mediation, disciplinary procedures, further review or investigation).

9. Where necessary to protect the identity of any person that participated in the investigation, the investigator may redact names and anonymize any witness testimony that may result in the identification of the individual.
10. The investigator's report will be provided to the Independent Third Party who will disclose it to Canoe Kayak Canada or the Member (as applicable), which may disclose, at its discretion, either the full report or only the executive summary to the Parties. If necessary, and at the discretion of the Independent Third Party, other relevant Parties may be provided with an executive summary of the investigator's findings. Canoe Kayak Canada will be provided with a copy of the investigator's full report if the investigation has been conducted under the authority of the Member; however, Canoe Kayak Canada shall not disclose the report to any third party without the Member's express written consent.
11. The investigator's report shall be used for the purposes described in this Policy and in Section 23 of the *Discipline and Complaints Policy*.
12. The investigation report and any executive summary shall remain confidential once disclosed to the Member, Canoe Kayak Canada, the Complainant and Respondent or any other relevant party. Any failure to respect this provision may be subject to a complaint and disciplinary measures being taken pursuant to the *Discipline and Complaints Policy*.
13. 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, Canoe Kayak Canada or the Member to refer the matter to police.
14. The investigator must also inform Canoe Kayak Canada and the Member of any findings of criminal activity. Canoe Kayak Canada and the Member may decide whether to report such findings to police but is required to inform the 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, or any suspected child Maltreatment, fraud against Canoe Kayak Canada or any Member(s) (as applicable), or other offences where the lack of reporting would bring Canoe Kayak Canada or the Member (as applicable) into disrepute.

Reprisal and Retaliation

15. An Individual who Reports a complaint to the Independent Third Party 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*.

⁷ As indicated in the Sport Dispute Resolution Centre of Canada's Investigation Guidelines, a Reported complaint shall not be characterized as vexatious if the evidence demonstrates that there was a reasonable basis for filing and pursuing it. For a complaint to be considered to have been made in bad faith, the investigator must consider that it was filed consciously for a dishonest purpose or due to the moral underhandedness of the Complainant and that there was an intention to mislead.

False Allegations

16. An Individual 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*. The investigator may recommend to Canoe Kayak Canada or the Member (as applicable) that the Individual be required to pay for the costs of any investigation that comes to this conclusion. Any Individual who is liable to pay for such costs shall be automatically deemed to be not in good standing until the costs are paid in full and shall be prohibited from participating in any Canoe Kayak Canada and Member Events, activities or business. Canoe Kayak Canada or any Member(s) (as applicable), or the Individual against whom the allegations were submitted, may act as the Complainant with respect to making a complaint pursuant to this Section 16.

Confidentiality

17. Confidentiality protection by the investigator is limited. The requirements of the investigation may result in the investigator sharing necessary information with an Individual to fulfill the investigation mandate. Further, the investigator may be required to disclose information gathered during the investigation in a further or following legal process to the investigation.

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Policy History	
Approved	June 2019
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CANOE KAYAK CANADA
DISPUTE RESOLUTION POLICY

This Policy has been prepared by Canoe Kayak Canada and is a Pan-Canadian Policy applicable to Canoe Kayak Canada and its Members. This document cannot be modified by a Member without consultation and approval from Canoe Kayak Canada.

Purpose

1. Canoe Kayak Canada and its Members support the principles of Alternate 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.
2. Canoe Kayak Canada and its Members encourage all Individuals to communicate openly, and to collaborate and use problem-solving and negotiation techniques to resolve their differences. Canoe Kayak Canada and its Members believe that negotiated settlements are most often preferable to arbitrated outcomes. Negotiated resolutions to disputes with and among Individuals are strongly encouraged.

Application of this Policy

3. This Policy applies to all Individuals.
4. 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

5. 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. The costs of the mediation or facilitation shall be borne by the Parties, unless agreed to otherwise with Canoe Kayak Canada or the relevant Member (as applicable).
6. Where Canoe Kayak Canada is involved in the matter, it may, upon agreement of the Parties, refer the matter for mediation using the mediation services of the Sport Dispute Resolution Centre of Canada (SDRCC).
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 settlement shall be reported to Canoe Kayak Canada or the Member (as applicable). Any actions that are to take place as a result of the decision shall be enacted on the timelines specified by the negotiated settlement.
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 and shall remain confidential, unless otherwise agreed to by the Parties. Negotiated settlements may not be appealed. No action or legal proceeding will be commenced against Canoe Kayak Canada or a Member in respect of a dispute, unless Canoe Kayak Canada or

the Member has refused or failed to provide or abide by the dispute resolution processes set out in its governing documents.

Policy History	
Approved	June 2019
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CANOE KAYAK CANADA

APPEAL POLICY

This Policy has been prepared by Canoe Kayak Canada and is a Pan-Canadian Policy applicable to Canoe Kayak Canada and its Members. This document cannot be modified by a Member without consultation and approval from Canoe Kayak Canada.

Purpose

1. This *Appeal Policy* provides Individuals with a fair, affordable, and expedient appeal process.

Scope and Application of this Policy

2. This Policy applies to all Individuals.
3. Any Individual who is directly affected by a decision made by Canoe Kayak Canada or a Member shall have the right to appeal that decision provided that it is a decision that is subject to appeal pursuant to Section 4 of this Policy, that the conditions indicated in Sections 6 or 7 of this Policy (as applicable) have been satisfied, and provided that there are sufficient grounds for the appeal under the 'Grounds for Appeal' section of this Policy.
4. This Policy **will apply** to decisions relating to:
 - a) Eligibility
 - b) Selection
 - c) Conflict of interest
 - d) Disciplinary decisions made pursuant to Canoe Kayak Canada or a Member's relevant and applicable policies
 - e) Membership
5. This Policy **will not apply** to the following decisions relating to:
 - a) Matters of general application such as amendments to Canoe Kayak Canada or a Member's Bylaws;
 - b) Employment matters or matters of operational structure or staffing or volunteer leadership opportunities
 - c) Infractions for doping offences, which are dealt with pursuant to the Canadian Anti-Doping Program by the Canadian Centre for Ethics in Sport, the International Canoe Federation or any other Anti-Doping Organization with authority to pursue a doping offence
 - d) The rules of the sport
 - e) Selection criteria, quotas, policies, and procedures established by entities other than Canoe Kayak Canada or a Member (as applicable)
 - f) Substance, content and establishment of team selection or carding criteria
 - g) Volunteer/coach appointments and the withdrawal or termination of those appointments
 - h) Budgeting and budget implementation
 - i) Canoe Kayak Canada or a Member's operational structure and committee appointments
 - j) Decisions made by organizations other than Canoe Kayak Canada, such as Canoe Kayak Canada's Members, the Canadian Olympic Committee (COC), the Canadian Paralympic Committee (CPC), U Sports, the International Olympic Committee (IOC), the International Paralympic Committee (IPC), the International Canoe Federation (ICF) or the Fédération Internationale du Sport Universitaire (FISU) or any other governing body
 - k) Commercial or contractual matters between Canoe Kayak Canada and its staff or Members for which another dispute resolution process exists under the provisions of the applicable contract
 - l) Decisions made under this Policy

- m) Settlements negotiated pursuant to the *Dispute Resolution Policy*

Timing of Appeal

6. Individuals who wish to appeal a decision have seven (7) days from the date on which they received notice of the decision⁸ to submit to Canoe Kayak Canada's CEO or the CEO (or equivalent position of a Member, where applicable) the following:
 - a) Notice of the intention to appeal
 - b) Their contact information
 - c) Name 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 the decision if a written document is not available
 - f) Grounds and detailed reasons for the appeal
 - g) All evidence that supports these grounds
 - h) Requested remedy or remedies
 - i) An administration fee of two hundred dollars (\$200), which will be refunded if the appeal is upheld
7. An Individual who wishes to initiate an appeal beyond the seven (7) day period may only do so if exceptional circumstances prevented them from filing their appeal within the deadline indicated in Section 6 above. Any such Individual must provide a written request stating the reasons for which they are seeking 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.

Grounds for Appeal

8. A decision cannot be appealed on its merits alone or because an Individual (or Individuals) do not like or agree with a decision. An appeal may only be heard if there are sufficient grounds for appeal. Sufficient grounds include the Respondent:
 - a) Made a decision that it did not have the authority or jurisdiction (as set out in the Respondent's governing documents) to make;
 - b) Failed to follow its own procedures (as set out in the Respondent's governing documents);
 - c) 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); or
 - d) Made a decision that was grossly unreasonable or unfair.
9. The Appellant must demonstrate, on a balance of probabilities, that the Respondent has made a procedural error as described in Section 8 of this Policy and that this error had, or may reasonably have had, a material effect on the decision or decision-maker.

Submitting an Appeal

Discipline Chair Decision – CLUBS

⁸ CKC (or its delegate) may notify decisions via the following means: email to the Individual's most recent email address that it has on file; publication on CKC's website, or other electronic means that permit direct communication with the Individual, such as WhatsApp. In such circumstances, notification shall be deemed to have been received on the date that CKC publishes notification of the decision on its website and/or, as applicable, the date on which the Individual is sent the decision via email or the other electronic means.

10. A decision made by a Club Discipline Chair following a request for reconsideration by one of the Parties pursuant to the *Discipline and Complaints Policy* may be appealed to the Club's Provincial/Territorial Organization (or, where applicable, Division) in accordance with this *Appeal Policy*, applied and modified according to the circumstances.
11. The Provincial/Territorial Organization (or Division, if applicable) shall appoint an Appeal Manager and shall follow the process outlined in Sections 25 and following of this *Appeal Policy*, applied modified according to the circumstances.
12. Notwithstanding the aforementioned or any provision that says otherwise in this *Appeal Policy*, the Appeal Manager may only appoint a single member as the Appeal Panel and, unless the Provincial/Territorial Organization (or Division, if applicable) agrees otherwise, any fees (for example, the mediator's fees) related to the use of the *Dispute Resolution Policy* shall be the responsibility of the Parties to the appeal and not the Club or the Provincial/Territorial Organization (or Division, if applicable).

Discipline Chair Decision – Division or Provincial/Territorial Organizations

13. A decision made by a Provincial/Territorial Organization (or, where applicable, Division)'s Discipline Chair following a request for reconsideration by one of the parties pursuant to the *Discipline and Complaints Policy* may be appealed before the Canoe Kayak Canada Appeal Panel in accordance with the terms of this *Appeal Policy*.
14. Canoe Kayak Canada shall appoint an Appeal Manager and shall follow the process outlined in Sections 25 and following of this *Appeal Policy*.

Discipline Panel Decision – Division or Provincial/Territorial Organizations

15. A decision made by a Provincial/Territorial Organization (or, where applicable, Division)'s Discipline Panel pursuant to the *Discipline and Complaints Policy* may be appealed before the Canoe Kayak Canada Appeal Panel in accordance with the terms of this *Appeal Policy*.
16. Canoe Kayak Canada shall appoint an Appeal Manager and shall follow the process outlined in Sections 24 and following of this *Appeal Policy*.
17. Any decision by the Canoe Kayak Canada Appeal Panel in relation to an appeal filed pursuant to Sections 11 and 13 above shall be final and shall not be subject to any further appeal before the Sport Dispute Resolution Centre of Canada (SDRCC), unless the original Parties to the appeal seize the SDRCC on a fee-for-service basis. If the Parties decide to seize the SDRCC on a fee-for-service basis, Canoe Kayak Canada shall be given notice of the appeal so that it may participate if it sees fit.

Discipline Chair Decision – Canoe Kayak Canada

18. A decision made by Canoe Kayak's Discipline Chair following a request for reconsideration by one of the Parties pursuant to the *Discipline and Complaints Policy* may be appealed to the Canoe Kayak Canada Appeal Panel in accordance with the terms of this *Appeal Policy*.
19. A decision made by Canoe Kayak Canada's Discipline Panel pursuant to the *Discipline and Complaints Policy* may be appealed to the Canoe Kayak Canada Appeal Panel in accordance with the terms of this *Appeal Policy*.

Other decisions

20. Any other decision relating to the matters indicated in Section 4 above may be appealed in accordance with Sections 25 and following of this Policy.
21. Notwithstanding any other provision in this *Appeal Policy*, by agreement between the parties, the internal appeal process **in relation to decisions made by Canoe Kayak Canada only** may be bypassed, and the appeal may be heard directly before the SDRCC.
22. Except where an appeal proceeds before the SDRCC, Canoe Kayak Canada shall appoint an Appeal Manager and shall follow the process outlined in Sections 25 and following of this *Appeal Policy*, modified and applied accordingly based on the circumstances.

Dispute Resolution

23. For appeals filed pursuant to Sections 18, 19 and 20, the Parties may first attempt to resolve the appeal through the *Dispute Resolution Policy* once the notice of the appeal, the fee, and the information required pursuant to Section 6 have been received.
24. Appeals resolved under the *Dispute Resolution Policy* will result in the administration fee being refunded to the Appellant.
25. Should the appeal not be resolved by using the *Dispute Resolution Policy* or otherwise, Canoe Kayak Canada or the Provincial/Territorial Organization (or, where applicable, Division) 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 (Sections 2-5)
 - b) To determine if the appeal was submitted in a timely manner (Sections 6 and 7)
 - c) To decide whether there are sufficient grounds for the appeal (Section 8)

Screening of Appeal

26. 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.
27. If the Appeal Manager accepts an appeal because it falls under the scope of this Policy, there are sufficient grounds and it was submitted in a timely manner, the Appeal Manager will notify the Parties of their decision in writing and will follow the steps described hereunder.

Appointment of Appeal Panel

28. If an appeal is accepted, the Appeal Manager will appoint an appeal panel which shall consist of a single member to hear the appeal. However, at the discretion of the Appeal Manager, an appeal panel composed of three members 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.
29. When appointing the appeal panel, the Appeal Manager must select individuals who are impartial, free from any real or perceived conflict of interest (and who shall remain so until a final decision has been rendered or the proceedings have otherwise finally terminated), and who do not have any direct relationship with any of

the Parties. Although not a strict requirement, the Appeal Manager should attempt to appoint individuals to the appeal panel who have a legal background and who understand the sport of canoe kayak (and, where relevant, the specific discipline). When justified by the circumstances, the Appeal Manager may appoint individuals to the appeal panel who have specific areas of expertise that would assist in resolving the matter.

Determination of Affected Parties

30. In order to confirm the identification of any Affected Parties, the Appeal Manager will engage Canoe Kayak Canada or the Member (as applicable). The Appeal Manager may determine whether a party is an Affected Party in their sole discretion.

Procedure for Appeal Hearing

31. The Appeal Manager shall notify the Parties that the appeal will be heard. The Appeal Manager, in collaboration with the appeal panel, 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.

32. If a Party chooses not to participate in the hearing, the hearing will proceed in any event.

33. 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, a hearing based on documentary submissions alone, or a combination of these methods. The hearing will be governed by the procedures that the Appeal Manager and the appeal panel deem appropriate in the circumstances, provided that:

- a) The hearing will be held in a timely manner and 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 the Parties wish to have the appeal 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 appeal 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 appeal 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) Any Affected Party shall be permitted to make submissions and file evidence before the appeal panel. The appeal panel's decision is binding on any Affected Party.
- h) The decision to uphold or reject the appeal will be by a majority vote of appeal panel members, except in cases where the panel consists of a single member

34. In fulfilling its duties, the appeal panel may obtain independent advice.

Appeal Decision

35. The appeal panel shall issue its decision, in writing and with reasons, within fourteen (14) days after the hearing's conclusion. In making its decision, the appeal panel will have no greater authority than that of the original decision-maker. The appeal panel may decide to:

- a) Reject the appeal and confirm the decision being appealed
- b) Uphold the appeal, in whole or in part, and refer the matter back to the initial decision-maker for a new decision
- c) Uphold the appeal, in whole or in part, and vary the decision

- d) Determine whether costs of the appeal, excluding legal fees and legal disbursements of any Parties, may be assessed against any Party. In assessing costs, the appeal panel will take into account the nature and amount of the costs, the outcome of the appeal, the conduct of the Parties, and the Parties' respective financial resources.

- 36. The appeal panel's written decision, with reasons, will be distributed to all Parties, the Appeal Manager, and Canoe Kayak Canada or the Member (as applicable). In extraordinary circumstances, the appeal 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 a Party otherwise makes a request to the appeal panel and the panel orders that the decision, in whole or in part, remain confidential.
- 37. The appeal panel's decision is final and binding on the Parties, subject to their right to appeal the decision before the SDRCC in accordance with the Canadian Sport Dispute Resolution Code.

Timelines

- 38. 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

- 39. 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.
- 40. Any failure to respect the aforementioned confidentiality requirement may result in disciplinary action being taken against the Individual(s) in accordance with Canoe Kayak Canada or the Member's relevant and applicable policies.

Final and Binding

- 41. No action or legal proceeding will be commenced against Canoe Kayak Canada, Members, or Individuals in respect of a dispute, unless Canoe Kayak Canada or the Member (as applicable) has refused or failed to provide or abide by the dispute resolution process and/or appeal process as set out in governing documents.

Policy History	
Approved	June 2019
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CANOE KAYAK CANADA
EVENT DISCIPLINE POLICY

This Policy has been prepared by Canoe Kayak Canada and is a Pan-Canadian Policy applicable to Canoe Kayak Canada and its Members. This document cannot be modified by a Member without consultation and approval from Canoe Kayak Canada.

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

Purpose

1. Canoe Kayak Canada and its Members are committed to providing a competition environment in which all Individuals are treated with respect. This Procedure outlines how alleged misconduct during an Event will be handled.

Scope and Application of this Policy

2. This Procedure will be applied to all Events sanctioned by Canoe Kayak Canada and its Members.
3. If the Event is being sanctioned by an organization other than Canoe Kayak Canada or a Member (i.e., the International Canoe Federation), the Event Discipline Procedure of the host organization will replace this procedure. Incidents involving Individuals connected with Canoe Kayak Canada and Members (such as Athletes, coaches, members, and Directors and Officers) must still be reported to Canoe Kayak Canada or the Member (as applicable) to be addressed under the *Discipline and Complaints Policy*, if necessary.
4. 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 Canoe Kayak Canada or a Member, the procedure for taking immediate, informal, or corrective action in the event of a possible violation of the *Code of Conduct and Ethics*.
5. If an individual Canoe Kayak Canada discipline has its own specific Event discipline rules, it may apply those rules to any disciplinary matters that arise during a particular Event; provided, however, that the discipline must ensure that procedural fairness is respected for all parties involved, as outlined in this *Event Discipline Policy*.

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 chief official) 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 Parties involved 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 Athletes involved 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 Canoe Kayak Canada or the Member (as applicable) following the conclusion of the Event. Further discipline may then be applied in accordance with the *Discipline and Complaints Policy*, if necessary.
10. Decisions made pursuant to this Policy may not be appealed.
11. This Policy does not prohibit other Individuals from reporting the same incident to Canoe Kayak Canada or a Member to be addressed as a formal complaint under the *Discipline and Complaints Policy*.
12. Canoe Kayak Canada and its Members shall record and maintain confidential records of all reported incidents.

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CANOE KAYAK CANADA
SOCIAL MEDIA POLICY

This Policy has been prepared by Canoe Kayak Canada and is a Pan-Canadian Policy applicable to Canoe Kayak Canada and its Members. This document cannot be modified by a Member without consultation and approval from Canoe Kayak Canada.

Preamble

1. Canoe Kayak Canada and its Members are aware that Individual interaction and communication occurs frequently on social media. Canoe Kayak Canada and its Members caution Individuals that any conduct falling short of the standard of behaviour required by this *Social Media Policy* and the *Code of Conduct and Ethics* may be subject to the disciplinary sanctions identified within the *Discipline and Complaints Policy*.

Application of this Policy

2. This Policy applies to all Individuals as defined in the Definitions.

Conduct and Behaviour

3. The following social media conduct may be subject to disciplinary action in accordance with the *Discipline and Complaints Policy*:
 - a) Posting a disrespectful, hateful, harmful, disparaging, insulting, or otherwise negative comment on a social medium that is directed at an Individual, at Canoe Kayak Canada, at a Member, or at other individuals connected with Canoe Kayak Canada or its Members
 - b) Posting a picture, altered picture, or video on a social medium that is harmful, disrespectful, insulting, or otherwise offensive, and that is directed at an Individual, at Canoe Kayak Canada, at a Member, or at other individuals connected with Canoe Kayak Canada or its Members
 - c) Creating or contributing to a Facebook group, webpage, Instagram account, Twitter feed, blog, or online forum devoted solely or in part to promoting negative or disparaging remarks or commentary about Canoe Kayak Canada or its Members, their stakeholders, or their reputation
 - d) Inappropriate personal or sexual relationships over a social medium between Individuals who have a Power Imbalance in their interactions, such as between Athletes and coaches, Directors and Officers, Committee members and staff, officials and Athletes, etc.
 - e) Any instance of cyber-bullying or cyber-harassment between one Individual and another Individual, where incidents of cyber-bullying and cyber-harassment can include but are not limited to the following conduct on any social medium, via text-message, or via email: regular insults, negative comments, vexatious or unwelcome behaviour, pranks or jokes, threats, posing as another person, spreading rumours or lies, or other harmful behaviour.
4. All conduct and behaviour occurring on social media may be Reported pursuant to the *Discipline and Complaints Policy*.

Individuals' Responsibilities

5. Individuals acknowledge that their social media activity may be viewed by anyone, including Canoe Kayak Canada, Members or other Individuals.
6. If Canoe Kayak Canada or a Member unofficially engages with an Individual in social media (such as by retweeting a tweet or sharing a photo on Facebook) the Individual may, at any time, ask Canoe Kayak Canada or the Member to cease this engagement.

7. When using social media, an Individual must model appropriate behaviour befitting the Individual's role and status in connection with Canoe Kayak Canada or the Member.
8. Removing content from social media after it has been posted (either publicly or privately) does not excuse the Individual from being subject to the *Discipline and Complaints Policy*.
9. An Individual who believes that another Individual's social media activity is inappropriate or may violate the policies and procedures of Canoe Kayak Canada or a Member should Report the matter in the manner outlined by the *Discipline and Complaints Policy*.

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CANOE KAYAK CANADA

SCREENING POLICY

This Policy has been prepared by Canoe Kayak Canada and is a Pan-Canadian Policy applicable to Canoe Kayak Canada and its Members. This document cannot be modified by a Member without consultation and approval from Canoe Kayak Canada.

Preamble

1. Canoe Kayak Canada and its Members understand that screening personnel and volunteers is a vital part of providing a safe sporting environment and has become a common practice amongst sport organizations that provide programs and services to the Canadian canoe and kayak community.

Application of this Policy

2. This Policy applies to all individuals whose position with Canoe Kayak Canada or a Member is one of trust or authority which may relate to, at a minimum, finances, supervision, or Vulnerable Individuals.
3. Not all individuals associated with Canoe Kayak Canada or a Member will be required to obtain a criminal record check or submit screening documents because not all positions pose a risk of harm to Canoe Kayak Canada, Members, or participants. Individuals will be subject to the screening requirements described in the Screening Requirements Matrix found in **Appendix A** of this Policy and shall comply with the screening application requirements as detailed therein.

Screening Committee

4. The implementation of this Policy is the responsibility of an independent third party appointed by Canoe Kayak Canada that will function as the Screening Committee for all screening applications received pursuant to this Policy. The independent third party (hereinafter referred to as the "Screening Committee") will possess the requisite skills, knowledge, and abilities to accurately assess screening documents and to render decisions under this Policy.
5. The Screening Committee will carry out its duties in accordance with the terms of this Policy.
6. The Screening Committee is responsible for reviewing all documents submitted with a screening application and, based on the review, making decisions regarding the related appropriateness of individuals filling positions within Canoe Kayak Canada or the Member, as applicable. 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.

Screening Requirements

7. A Screening Requirements Matrix is provided as **Appendix A**. All individuals must comply with the requirements detailed therein when first engaged by Canoe Kayak Canada or a Member and shall respect the renewal requirements indicated in Section 12 below.
8. If an individual subsequently receives a charge, conviction for, or is found guilty of, an offense they will report this circumstance immediately to Canoe Kayak Canada or the Member, as applicable. Additionally, the individual will inform the organization of any changes in their circumstance that would alter their original responses in their Screening Disclosure Form.

9. If Canoe Kayak Canada or the Member 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

10. Canoe Kayak Canada and its Members define a young person as someone who is younger than 18 years old. When screening young people, Canoe Kayak Canada and its 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.
11. Notwithstanding the above, Canoe Kayak Canada or a Member 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. Canoe Kayak Canada and its Members understand that they may not request to see a young person's youth record.

Renewal

12. 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, VSC, 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 VSC once
13. The Screening Committee may request that an individual provide any of the above documents at any time. Such request will be in writing and reasons will be provided for the request.

Orientation, Training, and Monitoring

14. The type and amount of orientation, training, and monitoring will be based on the individual's level of risk, at the discretion of Canoe Kayak Canada or the Member, as applicable.
15. 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.
16. Training may include, but is not limited to: certification courses, online learning, mentoring, workshop sessions, webinars, on-site demonstrations, and peer feedback.
17. 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.
18. 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

19. Canoe Kayak Canada has joined the Coaching Association of Canada's Responsible Coaching Movement and

therefore has access to the E-PIC at a discounted rate. Individuals can obtain an E-PIC via https://www.sterlingtalentsolutions.ca/landing-pages/c/cac_ace/

20. For Ontario-based organizations, Canoe Kayak Canada and its Members understand 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.
21. For BC-based organizations and/or individuals located in BC, Canoe Kayak Canada and its Members understand that the process for obtaining a Criminal Record Check is different than in other provinces and territories and that sections of this policy relating to obtaining a Criminal Record Check may not apply. In such cases, BC-based organizations and/or individuals located in BC should consult Canoe Kayak British Columbia at the following website: <https://www.canoekayakbc.ca/club-resources/safe-sport>
22. Individuals may only obtain a VSC through their local RCMP or police station. Some stations offer this service online. Individuals should visit their local RCMP or police station's website to find more information on obtaining a VSC. Individuals will be required to submit two pieces of government-issued identification (one of which must have a photo), and completing any required paperwork. Fees may also be required.
23. Fingerprinting may be required if there is a positive match with the individual's gender and birth date.
24. Canoe Kayak Canada and its Members understand that they may be required to assist an individual with obtaining a VSC. A Request for VSC (**Appendix E**) 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 individuals.

Procedure

25. A Screening form is available on ckcmember.ca where individuals must submit screening documents that will be reviewed by the Screening Committee. This is a secure online and confidential platform administered by Canoe Kayak Canada. To complete the Screening form and submit screening documents, individuals can follow this link: <https://ckcmember.ca/Registrations/Create?configId=852>. Alternately, paper copies are available in **Appendix B** and **C**.
26. An individual who refuses or fails to provide the necessary screening documents, or makes an incomplete application, will be ineligible for the position sought. The individual will be informed by the Screening Committee that their application and/or position will not proceed until such time as the screening documents are submitted.
27. Canoe Kayak Canada and its Members understand that there may be delays in receiving the results of an E-PIC or a VSC. At its discretion, and upon request by the individual, the Screening Committee may permit the individual to participate in the role during the delay, provided that the individual demonstrates that they have initiated the E-PIC or VSC application process. This permission may be withdrawn at any time and for any reason.
28. Canoe Kayak Canada and its 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.

29. The Screening Committee will review all Level 1 and Level 2 screening applications, including any supporting documents and shall make a decision as indicated in Section 15 below. For Level 3 screening applications, the Screening Committee will only review cases where the individual has made a declaration in their declaration form that may impact whether they can participate in the desired position.
30. Following the review of any Level 1 or Level 2 screening applications, the Screening Committee will decide whether:
- 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.
31. In making its decision, and where relevant, the Screening Committee will consider the type of offense, date of offense, and relevance of the offense to the position sought.
32. The Screening Committee must 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 speeding tickets for excessive speeding or impaired driving (unless the individual's role does not involve driving)
 - ii. Any offense for trafficking and/or possession of drugs and/or narcotics
 - iii. Any offense involving conduct against public morals
 - b) If imposed in the last ten years:
 - i. Any crime of violence including but not limited to, all forms of assault
 - ii. Any offense involving a minor or minors
 - iii. Any offense involving theft or fraud
 - c) If imposed at any time:
 - i. An individual's conviction for any of the following *Criminal Code* offenses:
 - a. Any offense of physical or psychological violence
 - b. Any crime of violence including but not limited to, all forms of assault
 - c. Any offense involving trafficking of illegal drugs
 - d. Any offense involving the possession, distribution, or sale of any child-related pornography
 - e. Any sexual offense

Conditions and Monitoring

33. Excluding the incidents above which, if revealed, would cause the individual to not pass screening, 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 may apply and remove conditions at its discretion and will determine the means by which adherence to conditions may be monitored.

Records

34. All records will be maintained in a confidential manner and will not be disclosed to others except as required by law, or for use in legal, quasi-legal, or disciplinary proceedings.
35. The records kept as part of the screening process include but are not limited to:
- a) An individual's VSC

- 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 Canoe Kayak Canada, by a Member, or by another sport organization

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Appendix A – Screening Requirements Matrix

Risk Level	Roles (Note Young People Exception and Specific Roles Classification Chart Below)	Screening	Training: Recommended Level 1 Required Level 2 & 3
N/A	Athletes, ages 15 and up, named to CKC Teams or taking part in CKC Training Camps.	None.	CAC Safe Sport Training (Athlete Stream)
Level 1 Low Risk	<ul style="list-style-type: none"> a) Volunteers acting in non-regular or informal basis. b) Volunteers who are not in a position of authority. 	<p>Complete an Application Form (Appendix B) and Screening Disclosure Form (Appendix C). Screening can also be done as per Section 25 of the Screening Policy through ckcmember.ca. Click here to complete.</p> <p>Participate in role specific training, orientation, and monitoring as considered necessary by the organization</p>	<ul style="list-style-type: none"> • CAC Safe Sport Training or • Respect in Sport for Activity Leaders • All Coaches Required: CAC Making Ethical Decisions Certified
Level 2 Medium Risk	<ul style="list-style-type: none"> a) Volunteers working in a regular capacity and who are in a position of authority. b) Non-Coach Employees c) Coaches who report to another Coach. d) Directors (all levels) e) Officials working in a position of authority f) Event organizing committee g) Learning Facilitators 	<p>Same as Level 1 plus:</p> <p>Provide an Enhanced Police Information Check (E-PIC).</p> <p>For new-hires and Minors, provide one letter of reference related to the position.</p> <p>Provide a driver’s abstract, if requested/required by virtue of the position.</p>	<ul style="list-style-type: none"> • CAC Safe Sport Training or • Respect in Sport for Activity Leaders • All Coaches Required: CAC Making Ethical Decisions Certified
Level 3 High Risk	<ul style="list-style-type: none"> a) Senior Coaches b) Any coach or employee who will travel with athletes for overnight trips. 	<p>Same as Level 2 but:</p> <p>Provide a Vulnerable Sector Check (which includes an E-PIC)</p> <p>For new-hires and Minors, a second letter of reference from a previous relevant sport related employer.</p>	<ul style="list-style-type: none"> • CAC Safe Sport Training or • Respect in Sport for Activity Leaders • All Coaches Required: CAC Making Ethical Decisions Certified

Young People

Canoe Kayak Canada and its Members define a young person as someone who is younger than 18 years old. When screening young people, Canoe Kayak Canada and its 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.

Specific Roles Classification Chart

Note: This Chart is not intended to be comprehensive; organizations should assess the level of risk of any role not specified below based on the position of authority that the role puts a person in, the participants over whom they will have authority and the behaviours expected in the role they will be put in.

Level 1 Low Risk	<p>Parents and other individuals acting as informal, non-regular volunteers who are not in a position of authority.</p> <p>Race or Event volunteers, for example timers, safety boat operators, registration coordinators.</p>
Level 2 Medium Risk	<p>Volunteers working in a regular capacity and who are in a position of authority (i.e. Volunteer program coordinators, volunteer directors or others in charge of competitions.</p> <p>All paid employees including Part-Time or Assistant Coaches (please refer to the Sections 10 and 11 on Young People above)</p> <p>Board of Directors at all organizations including Club, Provincial/Territorial Organizations and National Boards and Committees.</p> <p>Officials working in a position of authority including, all sprint accredited officials.</p> <p>Instructors</p> <p>Marathon: Chief of Race or Event Organizer, Chief of Course</p> <p>Safety Officers</p> <p>Event Organizing Committee</p> <p>Learning Facilitators</p>
Level 3 High Risk	<p>Full time coaches</p> <p>A Coaches or other employees who oversee other Coaches.</p> <p>Coaches who travel with athletes for overnight trips.</p>

Appendix B – Application Form

Note: Individuals who are applying to volunteer or work within certain positions with Canoe Kayak Canada or a Member must complete this Application Form. Individuals need to complete an Application Form once for the position sought. If the individual is applying for a new position within Canoe Kayak Canada or within a Member, a new Application Form must be submitted.

NAME: _____
First Middle Last

CURRENT PERMANENT ADDRESS:

Street City Province Postal

DATE OF BIRTH: _____ **GENDER IDENTITY:** _____
Month/Day/Year

EMAIL: _____ **PHONE:** _____

POSITION SOUGHT: _____

By signing this document below, I agree to adhere to the policies and procedures of Canoe Kayak Canada and/or the Member (as applicable), including but not limited to the *Code of Conduct and Ethics, Conflict of Interest Policy, Privacy Policy, and Screening Policy*. Policies are located at the following link:
<https://canoekayak.ca/policies/>

I recognize that I must pass certain screening requirements depending on the position sought, as outlined in the *Screening Policy*, and that the Screening Committee will determine my eligibility to volunteer or work in the position.

NAME (print): _____ **DATE:** _____

SIGNATURE: _____

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 Canoe Kayak Canada and/or the Member 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 Sport Organizations, Divisions, Discipline-Specific Provincial Sport Organizations, Clubs, and other organizations involved in the governance of sport. Canoe Kayak Canada and its Members do 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 Canoe Kayak Canada or the Member (as applicable) 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 D – Screening Renewal Form

NAME: _____
First Middle Last

CURRENT PERMANENT ADDRESS:

Street City Province Postal

DATE OF BIRTH: _____ **GENDER IDENTITY:** _____
Month/Day/Year

EMAIL: _____ **PHONE:** _____

By signing this document below, I certify that there have been no changes to my criminal record since I last submitted an Enhanced Police Information Check and/or Vulnerable Sector Check and/or Screening Disclosure Form to Canoe Kayak Canada or to the Member. I further certify that there are no outstanding charges and warrants, judicial orders, peace bonds, probation or prohibition orders, or applicable non-conviction information, and there have been no absolute and conditional discharges.

I agree that any Enhanced Police Information Check and/or Vulnerable Sector Check and/or Screening Disclosure Form that I would obtain or submit on the date indicated below would be no different than the last Enhanced Police Information Check and/or Vulnerable Sector Check and/or Screening Disclosure Form that I submitted to Canoe Kayak Canada or the Member. I understand that if there have been any changes, or if I suspect that there have been any changes, it is my responsibility to obtain and submit a new Enhanced Police Information Check and/or Vulnerable Sector Check and/or Screening Disclosure Form to the Screening Committee instead of this form.

I recognize that if there have been changes to the results available from the Enhanced Police Information Check and/or Vulnerable Sector Check and/or Screening Disclosure Form, and that if I submit this form improperly, then I am subject to disciplinary action and/or the removal of volunteer responsibilities or other privileges at the discretion of the Screening Committee.

NAME (print): _____ **DATE:** _____

SIGNATURE: _____

Appendix E – Request For Vulnerable Sector Check

Note: Canoe Kayak Canada and its Members will be required to 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 Organization] is a not-for-profit [national, provincial, local] organization for the sport of canoe kayak located in [location].

[Insert additional 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: _____