



ANTI-ABUSE, ANTI-HARASSMENT POLICY

Preamble:

The intent of the Alberta Anti-Abuse, Anti-Harassment Policy is to provide a process for ATAA members to bring an issue directly to the attention of the ATAA Board for resolution.

Alberta Target Archers Association (ATAA) is committed to creating a sport environment in which all members have the opportunity to participate and contribute to the sport of archery to their maximum potential. In an effort to provide a safe and harassment free environment within the ATAA programs and services and for its members, ATAA has set out the following policy on Anti-Abuse, Anti-Harassment.

The goals of the policy are to:

- resolve a situation fairly and in a timely manner
- prevent further harassment
- diminish any harm that the situation may bring to the complainant and liability to the ATAA, directors, volunteers or members.

Legal and Ethical Rights

- ATAA has a legal and moral responsibility to act in the best interest of its members.
- Any member or other individual has the right to intervene if they believe that the rights of an individual have been violated, or actions are contradictory to the ATAA Bylaws, rules, policies or code of conduct.
- ATAA has a responsibility to ensure that all members are aware of the policy to a reasonable extent, and this includes the policies and procedures and actions taken when a case of harassment has been recorded.

1. Policy Statement

ATAA will not tolerate any form of harassment and undertakes to protect all members, regardless of their race, ancestor, colour, ethnic background, creed, sex, sexual orientation, disability, age marital status, family status or record of offence, from harassment or abuse by other members of the association with whom they are in contact.

This policy statement is directed to and applies to the protection of members from harassment that may occur during the ATAA programs and events where there may be repercussions that negatively affect the relationship between ATAA and its members.

ATAA operates in accordance with The London Declaration (attached) and is committed to its 12 provisions.

2. Definitions and Types of Harassment

2.1. Harassment can generally be defined as behaviours including comments and/or conduct which is insulting, intimidating, humiliating, hurtful, malicious, degrading or otherwise offensive to an individual or group of individuals or which creates an uncomfortable environment. Harassment may include:

- A form of discrimination and is prohibited by legislation in the Province of Alberta.
- An offense under Canada's Criminal Code, or Human Rights Legislation.
- Comments on sexual orientation, racial or ethnic comments.

Harassment may occur between peers or someone in position of power and an adult in a subordinate position. This may include:

- athlete to athlete
- coach to coach
- parent to coach
- coach to athlete
- official to athlete/coach/parent

2.2. Sexual abuse in this context is defined as: unwelcome sexual advances, requests for sexual favours or other verbal or physical conduct of a sexual nature, when:

- submitting to or rejecting this conduct is used as a basis of making decisions related to the individual's performance or affecting the individual in other ways, and
- such conduct creates an intimidating, hostile or offensive environment.

2.3. Types of behaviour which constitutes harassment or abuse includes, but not limited to:

- written or verbal abuse or threats
- displaying sexually explicit, racist or other offensive or derogatory material
- unwelcome remarks, jokes, innuendoes or taunting about a person's body, sexual orientation, attire, age, marital status, ethnic or racial background
- hazing or initiation rights
- leering or other obscene or offensive, suggestive gestures

- unwelcome sexual remarks, invitations or requests whether indirect or explicit, or intimidation which affects performances or working conditions
- condescension, paternalism, or patronising behaviour which undermines self-respect or adversely affects performances or working conditions
- unwanted physical conduct such as touching, kissing, patting, pinching, etc.
- vandalism
- physical assault or sexual assault

3. Definition of Abuse

- 3.1. Sexual abuse is defined as a person being used by another individual for the sexual stimulation or gratifications of the other individual. It can take two forms, contact and non-contact.
- 3.2. Emotional abuse is an attack on an individual (child, youth or adult). It is behaviour by a person in authority that damages an individual psychologically, including but not limited to: name-calling, threatening, ridiculing, berating, intimidating, isolating, hazing or ignoring the individual's needs.
- 3.3. Physical abuse is when a person in authority injures or threatens to injure purposely. This behaviour may include; slapping, hitting, shaking, kicking, pulling hair or ears, throwing, and shoving, and grabbing, hazing or excessive exercise as a form of punishment.
- 3.4. Neglect is inattention to the needs of the athlete. This may occur when:
 - equipment is unsafe
 - no-one intervenes when an athlete is being harassed
 - injuries are not adequately treated
 - athletes are made to compete with injuries.
- 3.5. Child abuse is any form of physical, emotional or sexual misconduct or lack of care to a child or youth. Some behaviour that might be described as harassment when directed towards an adult may constitute child abuse when directed towards a child or youth by a person with power or authority over the person being harassed.

4. Reprisal

Reprisal may include situations involving co-members, when there is a continuation or escalation of harassment, obstruction or isolation of the member making the complaint. This would include any behaviour with the intent to intimidate, threaten, humiliate, hurt or adversely affect the performance or working conditions of the member.

5. Responsibility

- 5.1. ATAA Executive Board or committee members, affiliated club executives, staff, coaches, managers or judges are responsible for preventing and discouraging harassment by:
- undertaking and upholding the principles of this policy
 - not engaging in behaviour contrary to this policy and ensuring that all members are treated fairly and equitably
 - communicating the ATAA priority to create and maintain an abuse-free and harassment-free sport
 - not allowing or condoning behaviour contrary to this policy
 - taking all complaints of harassment seriously by investigating complaints in a thorough and sensitive manner and taking prompt action to resolve the situation in accordance with procedures outlined in this policy.
- 5.2. Any person who has authority to prevent or discourage harassment will be held responsible for failing to exercise this authority.
- 5.3. All members of ATAA have a responsibility not to harass any other member, athlete or official. Members, athletes or officials who experience harassment are encouraged to make it known to the harasser that the behaviour is offensive and/or to report the incident(s) according to the following complaint procedure.
- 5.4. Members, athletes and officials who experience harassment because of their sex, race, and religion, and ethnicity, place of origin, disability, age, sexual orientation or family status are specifically protected under the Human Rights Code and the right to file their complaint with the Alberta Human Right Commission. They also have the right to sue under the civil code.

6. Dispute Resolution Process

- 6.1. Scope and Application:** The process applies to complaints of harassment between ATAA and its members, or between members, relating to conduct or actions which are alleged to contravene ATAA bylaws, policies, rules, contracts and agreements. No final decision shall have been made with respect to the matters in dispute at the commencement of the process.
- 6.2. Reporting a Complaint:** Any individual who is a member of ATAA or engaged in ATAA activities may report a complaint to the ATAA President. The complaint must be submitted in writing together with a brief summary of the matters in dispute, immediately or within five (5) days of the said incident or awareness of the incident.

Any individual who is member of ATAA or engaged in ATAA activities is encouraged to report a complaint to the ATAA President. If this avenue is either unavailable or inappropriate complaints may be directed to, a member of the Executive Board, committee chair, coach or other official. The complaint must be documented and immediately forwarded to the President, who must inform the Executive Board of the complaint as soon as possible.

6.3. Screening the Complaint

6.3.1. Within 5 days of receiving the written notice of complaint the President must immediately appoint an individual to investigate the incident(s). All complaints of harassment must be investigated to determine the nature and circumstances of the incident(s) and to determine appropriate resolution. During the investigation of the complaint the Investigator shall:

- interview both the complainant and the alleged offender as soon as possible
- interview any witnesses
- document the situation accurately and completely
- state an opinion as to the validity of the complaint
- inform the ATAA President of the remedial action that is decided, if any
- conduct the investigation with the utmost confidentiality and sensitivity
- caution persons who are questioned not to discuss the case with members or others.

6.3.2. No later than ten (10) days after being appointed, the Investigator shall recommend to the President if a hearing is justified and if there is reasonable grounds for believing that the conduct complained of took place and was abuse and/or harassment.

6.4. Hearing Panel

6.4.1. If a further hearing is required the ATAA President shall immediately convene a three member Hearing Panel as soon as possible. The Hearing Panel must be independent and must have no association or connection whatsoever with the incident or the individuals involved.

6.4.2. Within ten (10) days of convening the Hearing Panel the complainant will provide written submission, through the President, at his or her own expense, setting out in detail the alleged harassment, the arguments establishing the harassment and all evidence in support of the complaint. Other evidence and documentation from other sources may submit the evidence in the form of sworn affidavit to the President. Copies of all materials submitted to the Hearing Panel must be provided to the alleged harasser.

6.4.3. Upon the conclusion of the ten (10) day submission period, the alleged harasser shall then have a further ten (10) days to submit to the Hearing Panel Chair, through the President, which may include evidence of the same type as permitted to the complainant.

6.4.4. No later than five (5) days after receiving all written documentation the Hearing Panel shall hear arguments from both the complainant and the alleged harasser, at their own expense. The individuals may appear in person or may be represented by legal counsel. In appropriate circumstances, telephone conference calls are an appropriate mechanism for conducting oral hearings.

6.4.5. Within five (5) days of the hearing the panel will deliberate and will submit their written decision, with reasons to the President. The President will then advise the complainant and the alleged harasser of the decision of the panel. Copies of the decision will be provided to all parties.

When determining appropriate disciplinary action, the Hearing Panel shall consider factors such as:

- the nature and severity of the harassment,
- whether the harassment involved any physical contact,
- whether the harassment was an isolated incident or part of an ongoing pattern,
- the nature of the relationship between the complainant and harasser,
- whether the harasser had been involved in previous harassment incidents and whether the harasser admitted responsibility and expressed a willingness to change,
- whether the harasser retaliated against the complainant.

The written decision shall contain:

- a summary of the relevant facts,
- a determination as to whether the acts complained of constitute harassment as defined in the policy disciplinary action against the respondent,
- measures if any to remedy or mitigate the harm or loss suffered by the complainant if the act constitutes harassment.

6.4.6. In the event the Hearing Panel finds that there was no harassment the matter will be at an end.

6.4.7. In the event the Hearing Panel finds in favour of the complainant the matter shall be promptly referred to the Executive Board Members for determination of appropriate sanctions to be imposed. In recommending disciplinary sanctions, the panel may consider the following options singly or in combination, depending on the nature and severity of the harassment:

- verbal apology
- written apology
- letter of reprimand from the organization
- a fine or levy
- referral to counselling
- removal of certain privileges of membership
- expulsion from membership

In the event that ATAA will have paid staff position, and the staff person is the accused harasser, the following sanctions may apply:

- removal of certain privileges of membership or employment
- demotion or a pay cut
- temporary suspension with or without pay
- termination of employment, contract or position if in a position of authority for a determined period of time.

6.5. Remedial Action

6.5.1. Remedial action shall be taken without delay. Sanctions imposed on the offender must be applied with an understanding of the seriousness of the misconduct and follow the general principles of corrective discipline.

6.5.2. It is the responsibility of the President to ensure that a complainant who lays a complaint in good faith is neither penalized nor suffers any prejudice as a result of making the complaint. Correspondence pertaining to the complaint shall not be placed in the complainant's personal file.

7. Appeals:

Both the complainant and respondent shall have the right to appeal the decision of the Hearing Panel. Either party, within thirty (30) days of being informed by the President the result of the Hearing Panel, may appeal the decision and/or the sanctions imposed. The full Executive Board will consider the appeal at its next normal meeting. The Board will obtain all the arguments and evidence presented to the Hearing Panel. The complainant and the alleged harasser have the right to make a further oral presentation to the Board. The Board has the right to substitute a new sanction, on appeal. The Board's decision shall be final.

8. Timelines:

If the circumstances of the complaint or if a dispute is such that the process will not allow for the designated timely resolution, as outlined in the policy, the President and the Hearing Panel may revise the timelines as required. However it is the intent of this policy to have all disputes resolved in a timely manner within forty (40) days from the time of submitting a complaint to the Board.

9. Confidentiality

As disputes can be highly sensitive, ATAA shall conduct all proceedings under this process in a confidential manner, except where disclosure is directed by the Panel as part of the remedy or resolution of the dispute, is required by law, the Canadian Anti-Doping Program¹ or is in the best interest of the public. This agreement of confidentiality applies to both ATAA Board and panel members and the complainant and others associated with the matter.

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Policy Number	Developed by: ATAA Planning Committee (2013)	Pages: 10
Approved by:	Date of Approval	
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¹ * Canadian Anti-Doping Program. The Canadian Centre for Ethics in Sport (CCES) manages the Canadian Anti-Doping Program (CADP), which is the set of rules that govern doping control in Canada. For details on the CADP, visit: www.cces.ca/en/antidoping/cadp

Expectations for Fairness in Sport

**A Declaration, enacted by the Federal/Provincial Territorial Sport Ministers
At their 2001 Conference, August 10, 2001, London Ontario**

The Federal and Provincial /Territorial Sport Ministers believe that Canadians share a vision that ethics and ethical behaviour are integral to sport. The Ministers endorse this vision, which requires that:

1. Principle There be a firm and public commitment to the principle that lasting and meaningful athletic performance can only be achieved through fair means.
2. Participants Participants in sport and physical activity will do so in a manner that adheres to the highest ethical principles.
3. Reciprocity Those who participant in sport will receive from their fellow athletes, coaches and officials, and parents/guardians and spectators, fairness and ethical treatment in a s safe and welcoming sport environment, free of harassment and abuse.
4. Barriers Their sport system will help to advance the widest array of athletic goals of all participants, with or without disability, without discrimination and in spite of barriers based on personal circumstances.
5. Spectators Spectators to sport events can witness the activities without being subjected to abuse, interference or violence from others.
6. Coaches Coaches will be appropriately valued by their athletes and their athletes' parents/guardians and supporters, that they will receive fair treatment and respect for their vulnerable contribution to sport, and that they will be free of harassment and threats of violence under any circumstance.
7. Officials Sport officials will not be interfered with in the execution of their duties and will be respected for their decisions by athletes, coaches, parents/guardians and spectators.
8. Volunteers Sport volunteers will be respected and recognized for their effort to make sport participation possible and rewarding for athletes of all ages.
9. Parents/
Guardians Parents / guardians are assured that their children participating in sport will receive fair treatment from coaches, volunteers and spectators.
10. Dispute
Resolution The sport system will provide just treatment in cases of dispute in sport and that there are proper and accessible mechanisms that are available in a timely manner to resolve dispute issues through due process.

11. Behaviour Athletes, coaches and team officials representing Canada in the international sport arena will conduct themselves, in both victory and defeat, in a manner that brings pride to all.
12. Transparency Sport organizations in receipt of public funding will be fully accountable for the use of such resources and will be transparent.

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