



Safe Sport Policy Package Overview of Package in Support of all Member Organizations

Overview and History

Safe Sport is an all-encompassing term representing a commitment to providing everyone involved in sport with a safe and positive experience. It specifically is aimed at preventing and addressing maltreatment in sport, ensuring that all sport environments are free from abuse and harassment. All of Ontario Sailing's Member Organizations play a role in ensuring sailing follows this commitment.

In 2018, the Government of Canada committed to addressing the issue of harassment, abuse, and discrimination in Canadian sport. Federally funded National Sport Organizations (NSOs) were required to provide access to an Independent Third Party to address cases related to maltreatment; adopt the Universal Code of Conduct to Prevent and Address Maltreatment in Sport (UCCMS); and provide mandatory training on abuse and harassment to key stakeholders. In 2022, Sport Canada created an independent body that all NSOs must partner with that will oversee all aspects of managing allegations of breaches of the UCCMS with any individual identified by an NSO who signs a UCCMS Consent. That entity is called the Office of Sport Integrity Commissioner (OSIC).

Sail Canada's work around Safe Sport has evolved in the last year to reflect both the changes with government requirements but to also reflect best practices and to provide the structure required to ensure Safe Sport practices and tools are embodied across the sport at all levels and locations. Sail Canada with the Provincial Sailing Associations (PSAs) have created a Safe Sport Policy Package that will be harmonized across all levels of sailing. Some policies are preventative based, outlining expectations to create the best environment, and others address the processes to be followed should a complaint come forward. Sail Canada, in partnership with 55 other NSO's and all the PSA's, has invested human and financial resources to create this package in support of all sailing Member Organizations and to promote a safe inclusive environment for all sailors in Canada.

The Policy Package

There are several sections to the Policy Package. Each section is integral to the overall package, and they work together to make up the complete package.

Definitions

This section, in partnership with the UCCMS itself, defines critical terms that are used throughout all the policies. The policy package follows standard legal practice of capitalizing terms that are defined specifically for the policies. Where a term is capitalized in the policy, please refer to the definitions for clarity. There are terms within this package that hold a specific meaning that are addressed in definitions.

Code of Conduct

This document has expectations for behaviour to promote a positive sailing experience with items for all Individuals as well as items specific to the various roles people will take on during their interactions in sailing. Individuals should sign off annually on agreeing to follow the Sailing Code of Conduct.

The UCCMS is a stand-alone document and is part of this Code of Conduct and will be reinforced for UCCMS Participants through OSIC. (See below)

Protection Policy

This policy describes how Individuals shall maintain a safe sport environment in all interactions, mostly addressing situations where a Power Imbalance may occur. Persons in Authority and Athletes must understand the expectations in different situations that must be adhered to for everyone's protection.

Screening Policy

Screening is not limited to simply criminal record checks; they are simply one tool in the screening process. This policy lays out a comprehensive screening package that must be followed for the ongoing screening of all Persons in Authority (including Board, volunteers etc.). In this policy screening is an ongoing, broad process.

Social Media Policy

This policy lays out more specific details of expectations of all Individuals while engaging in any Social Media platform in any role. It reflects that the Code of Conduct applies to online situations.

Whistle Blower Policy

This policy makes it clear to all parties that reporting concerns is encouraged and in no way will any individual suffer consequences of any kind for bringing forward a legitimate concern.

Discipline and Complaints Policy

This is a detailed policy that lays out the processes that will be followed in cases of an alleged breach of any of the three different categories of types of complaints:

Process 1 – a minor misconduct type of breach will be handled by an Internal Discipline Chair

Process 2 – a more serious breach to be handled by an External Discipline Panel or OSIC.

If the person who will be responding to the complaint is a UCCMS Participant, and the alleged breach is related to UCCMS as determined by OSIC, the process will be managed by OSIC.

Who is a UCCMS Participant? Individuals who have been identified by Sail Canada and have signed a UCCMS Consent Form. This includes all registered coaches and officials in addition to Sail Canada's staff, Board, volunteers, and athletes directly working with Sail Canada. (Athletes invited to Sail Canada time specific training events will be asked to sign for that specific time period).

Appeals Policy

This is a detailed process for appealing certain decisions, note what is included and what the grounds for appeal are within the policy.

Dispute Resolution Policy

In support of alternate resolution methods, this policy provides guidance to resolving disputes through negotiation, facilitation, and mediation.

SAFE SPORT FAQ's

General Questions

Q: What will this cost us?

A: Member organizations will not incur any new costs with having these policies in place. If a situation arises that involves a serious breach (Section 17, Process #2, in the Discipline & Complaints Policy), the organization will be billed for costs involving investigations or legal fees. These costs do not apply for any registered officials, coaches, or instructors. Currently the organization would be completely responsible for all aspects of managing and paying for any situation that arose for all individuals with no mechanism for the PSA to support you.

Q: We are a cruising club (or a social club, or don't offer any learn to sail or racing type programs) do we need to do this?

A: Yes. All organizations need to adopt the policy package as it stands. The expectations for behaviour apply to all interactions at the club including between members and volunteers such as Directors regardless of the programming. While the Protection Policy may seem to have less relevance, we ask that you pass the entire package to be prepared in case of special events or a change in programming. It is better to have a policy in place before you need it.

Q: What if we don't have the resources to pass this?

A: Having solid policies in place is a fundamental part of having an organization with different people involved. Putting resources towards this now in a preventative way will save countless hours and dollars should anything occur in the future.

Q: We all get along so why do we need these policies?

A: They set consistent expectations for all sailors across the country to ensure everyone continues to get along in every organization. Setting clear expectations helps everyone continue to get along and the policies can support if ever a time occurs when there is an issue. If something happens it is too late to then put the policies in place. (Remember, almost 50% of marriages end in divorce and they got along at one point).

Q: We want to make changes to some of the policies. We don't agree with parts, and/or we want to make it simpler to read.

A: The policy package must be adopted as is with no changes. We will continue to review and evolve the policy package as we learn more, and as best practices change, but all changes to the policy package must be done at all levels and for all organizations in sailing to remain harmonious so that the provincial and national organizations can support you moving forward. The policies have been created in partnership with a group of lawyers who specialize in this area. The policies represent the best practices in sport in Canada and were carefully written to protect the organizations. Any changes weaken the policies and create risks for the organization; having weak policies is the cause of costs to organizations both financially and with human resources.

Q: There is a lot here do you expect every member to read it all?

A: Most organizations should have over a dozen policies; this package is large but does include 8 policies that for many organizations will replace core policies. People participating in organizations

do not typically read every policy the Board passes. People need to know they exist and where to find them. You will be provided with text for your website to help with this communication. The Code of Conduct would be the exception as individuals should sign off in agreement with their annual membership renewal documentation (this can be done electronically).

Q: We don't have an Annual Meeting until the fall so we cannot get our Members to pass this by the due date.

A: Policies are a Board responsibility not a Member responsibility. The Board should be passing all policies, they should not be going to members for approval. As a Director of the organization, you have legal requirements and responsibilities that fall to you, the members do not have those legal responsibilities and therefore cannot be given the responsibilities to pass policies. The Board of Directors is the group legally responsible to pass the Safe Sport Policy Package (and all other policies).

Q: What are the key pieces we actually need to do when we pass the policies?

A: There are some pieces associated in general with passing new policies and some specific to implementing the policies.

- Inform Ontario Sailing's Safe Sport Lead that you have adopted the policies.
- Tell your members/participants that you have the new policies in place and what to do if they have a complaint.
- Post the new policies and the reporting information on your website, so they are publicly visible. (Remembering to archive any relevant previous policies and remove them from the website).
- Participants should sign off their agreement to the Code of Conduct.
- Over the next six months you need to implement the procedures for the screening policy for all the leaders, staff, and volunteers at your organization, assessing who falls into what category.
- Review the Protection Policy for your programs/activities and assess that your current procedures cover it and address any gaps.

Specific Policy/Content Questions

Q: Why is 19 the age for Minors?

A: We have agreed to follow the UCCMS which applies to all of Canada. UCCMS designates 19 as the age selected for the country to designate minors. To allow for all coaches and instructors to be UCCMS participants and have UCCMS alleged breaches managed by OSIC we need to abide by their definitions.

Q: We are small and cannot afford to always have 2 staff here so how do we make Rule of Two work?

Q: I am a cruising instructor by myself, how do I make Rule of Two work?

A: We recognize we cannot always have the Gold Standard of the Rule of Two with 2 certified and screened Persons in Authority. The key fundamental aspect is to ensure that one Person in Authority is not alone with one participant, have participants wait outside or in a very visible and public area until everyone is there. Any one-on-one situations need to take place where anyone could easily walk by or see the interaction, not in a closed room. Preferably outside at a picnic table or in a well trafficked area.