

# CODE OF CONDUCT AND ETHICS

“Organization” refers to: MORNING GLORY CYCLING CLUB

## Definitions

1. The following terms have these meanings in this Code:
  - a) “*Individuals*” – Individuals employed by, or engaged in activities with, the Organization including, but not limited to, athletes, coaches, convenors, referees, officials, volunteers, managers, administrators, committee members, parents or guardians, and Directors and Officers of the Organization
  - b) “*Workplace*” - Any place where business or work-related activities are conducted. Workplaces include but are not limited to, the Organization’s office, work-related social functions, work assignments outside the Organization’s offices, work-related travel, and work-related conferences or training sessions

## Purpose

2. The purpose of this Code is to ensure a safe and positive environment by making Individuals aware that there is an expectation, at all times, of appropriate behaviour consistent with the Organization’s core values. The Organization supports equal opportunity, prohibits discriminatory practices, and is committed to providing an environment in which all individuals are treated with respect and fairness.

## Application of this Code

3. This Code applies to Individuals’ conduct during the Organization’s business, activities, and events including, but not limited to, races, training, competitions, practices, tryouts, training camps, travel associated with the Organization’s activities, the Organization’s office environment, and any meetings.
4. An Individual who violates this Code may be subject to sanctions pursuant to the Organization’s *Discipline and Complaints Policy*. In addition to facing possible sanction pursuant to the Organization’s *Discipline and Complaints Policy*, an Individual who violates this Code during a competition may be ejected from the competition or the playing area, the official may delay the competition until the Individual complies with the ejection, and the Individual may be subject to any additional discipline associated with the particular competition.
5. An employee of the Organization found to have engaged in acts of violence or harassment against any other employee, worker, contractor, member, customer, supplier, client or other third party during business hours, or at any Organization event, will be subject to appropriate disciplinary action subject to the terms of the Organization’s *policies for human resources* well as the employee’s Employment Agreement (if applicable).
6. This Code also applies to Individuals’ conduct outside of the Organization’s business, activities, and events when such conduct adversely affects relationships within the Organization (and its work and sport environment) and is detrimental to the image and reputation of the Organization. Such applicability will be determined by the Organization at its sole discretion.

## Responsibilities

7. Individuals have a responsibility to:
  - a) Maintain and enhance the dignity and self-esteem of the Organization members and other individuals by:
    - i. Demonstrating respect to individuals regardless of body type, physical characteristics, athletic ability, age, ancestry, colour, race, citizenship, ethnic origin, place of origin, creed, disability, family status, marital status, gender identity, gender expression, sex, and sexual orientation
    - ii. Focusing comments or criticism appropriately and avoiding public criticism of athletes, coaches, officials, organizers, volunteers, employees, or members
    - iii. Consistently demonstrating the spirit of sportsmanship, sport leadership, and ethical conduct
    - iv. Acting, when appropriate, to correct or prevent practices that are unjustly discriminatory
    - v. Consistently treating individuals fairly and reasonably
    - vi. Ensuring adherence to the rules of the sport and the spirit of those rules
  - b) Refrain from any behaviour that constitutes **harassment**, where harassment is defined as comment or conduct directed towards an individual or group, which is offensive, abusive, racist, sexist, degrading, or malicious. 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
    - iii. Leering or other suggestive or obscene gestures
    - iv. Condescending or patronizing behaviour which is intended to undermine self-esteem, diminish performance or adversely affect working conditions
    - v. Practical jokes which endanger a person’s safety, or negatively affect performance

- vi. Any form of hazing where hazing is defined as *"Any potentially humiliating, degrading, abusive, or dangerous activity expected of a junior-ranking athlete by a more senior teammate, which does not contribute to either athlete's positive development, but is required to be accepted as part of a team, regardless of the junior-ranking athlete'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 based on class, number of years on the team, or athletic ability."*
  - vii. Unwanted physical contact including, but not limited to, touching, petting, pinching, or kissing
  - viii. Unwelcome sexual flirtations, advances, requests, or invitations
  - ix. Physical or sexual assault
  - x. Behaviours such as those described above that are not directed towards a specific individual or group but have the same effect of creating a negative or hostile environment
  - xi. Retaliation or threats of retaliation against an individual who reports harassment to the Organization
- c) Refrain from any behaviour that constitutes **workplace harassment**, where workplace harassment is defined as vexatious comment or conduct against a worker in a workplace – a comment or conduct 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 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. Repeated offensive or intimidating phone calls or emails
  - iii. Inappropriate sexual touching, advances, suggestions or requests
  - iv. Displaying or circulating offensive pictures, photographs or materials in printed or electronic form
  - v. Psychological abuse
  - vi. Personal harassment
  - vii. Discrimination
  - viii. Intimidating words or conduct (offensive jokes or innuendos)
  - ix. Words or actions which are known or should reasonably be known to be offensive, embarrassing, humiliating, or demeaning
- d) Refrain from any behaviour that constitutes **workplace violence**, where workplace violence is defined as the exercise 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 harassment include, but are not limited to:
- i. Verbal threats to attack a worker
  - ii. Sending to or leaving threatening notes or emails for a worker
  - iii. Making threatening physical gestures to a worker
  - iv. Wielding a weapon in a workplace
  - v. Hitting, pinching or unwanted touching of a worker which is not accidental
  - vi. Throwing an object at a worker
  - vii. Blocking normal movement or physical interference of a worker, with or without the use of equipment
  - viii. Sexual violence against a worker
  - ix. Any attempt to engage in the type of conduct outlined above
- e) Refrain from any behaviour that constitutes **sexual harassment**, where sexual harassment is defined as unwelcome sexual comments and sexual advances, requests for sexual favours, or conduct of a sexual nature. Types of behaviour that constitute sexual harassment include, but are not limited to:
- i. Sexist jokes
  - ii. Display of sexually offensive material
  - iii. Sexually degrading words used to describe a person
  - iv. Inquiries or comments about a person's sex life
  - v. Unwelcome sexual flirtations, advances, or propositions
  - vi. Persistent unwanted contact
- f) Abstain from the non-medical use of drugs or the use of performance-enhancing drugs or methods. More specifically, the Organization adopts and adheres to the Canadian Anti-Doping Program. Any infraction under this Program shall be considered an infraction of this Code and may be subject to further disciplinary action, and possible sanction, pursuant to the Organization's *Discipline and Complaints Policy*. The Organization will respect any penalty enacted pursuant to a breach of the Canadian Anti-Doping Program, whether imposed by the Organization or any other sport organization
- g) Refrain from associating with any person for the purpose of coaching, training, competition, instruction, administration, management, athletic development, or supervision of the sport, who has incurred an anti-doping rule violation and is serving

a sanction involving a period of ineligibility imposed pursuant to the Canadian Anti-Doping Program and/or the World Anti-Doping Code and recognized by the Canadian Centre for Ethics in Sport (CCES)

- h) Refrain from the use of power or authority in an attempt to coerce another person to engage in inappropriate activities
- i) Refrain from consuming tobacco products, or recreational drugs while participating in the Organization's programs, activities, competitions, or events
- j) In the case of adults, avoid consuming alcohol in competitions and situations where minors are present and take reasonable steps to manage the responsible consumption of alcohol in adult-oriented social situations associated with the Organization's events
- k) Respect the property of others and not wilfully cause damage
- l) Promote the sport in the most constructive and positive manner possible
- m) When driving a vehicle with an Individual:
  - i. Not have his or her license suspended;
  - ii. Not be under the influence of alcohol or illegal drugs or substances; and
  - iii. Have valid car insurance
- n) Adhere to all federal, provincial, municipal and host country laws
- o) Refrain from engaging in deliberate cheating which is intended to manipulate the outcome of a competition and/or not offer or receive any bribe which is intended to manipulate the outcome of a competition
- p) Comply, at all times, with the Organization's bylaws, policies, procedures, and rules and regulations, as adopted and amended from time to time

#### **Directors, Committee Members, and Staff**

8. In addition to section 7 (above), the Organization's Directors, Committee Members, and Staff will have additional responsibilities to:
- a) Function primarily as a Director or Committee Member of the Organization; not as a member of any other particular member or constituency
  - b) Act with honesty and integrity and conduct themselves in a manner consistent with the nature and responsibilities of the Organization's business and the maintenance of Individuals' confidence
  - c) Ensure that the Organization's financial affairs are conducted in a responsible and transparent manner with due regard for all fiduciary responsibilities
  - d) Conduct themselves openly, professionally, lawfully and in good faith in the best interests of the Organization
  - e) Be independent and impartial and not be influenced by self-interest, outside pressure, expectation of reward, or fear of criticism
  - f) Behave with decorum appropriate to both circumstance and position
  - g) Keep informed about the Organization's activities, the local sport community, and general trends in the sectors in which they operate
  - h) Exercise the degree of care, diligence, and skill required in the performance of their duties pursuant to the laws under which the Organization is incorporated
  - i) Respect the confidentiality appropriate to issues of a sensitive nature
  - j) Respect the decisions of the majority and resign if unable to do so
  - k) Commit the time to attend meetings and be diligent in preparation for, and participation in, discussions at such meetings
  - l) Have a thorough knowledge and understanding of all the Organization governance documents
  - m) Conform to the bylaws and policies approved by the Organization

#### **Coaches**

9. In addition to section 7 (above), coaches 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, consciously or unconsciously. Coaches 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 involved 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 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 sports 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 Organization's *Screening Policy*, if applicable

- i) Report to the Organization any ongoing criminal investigation, conviction, or existing bail conditions, including those for violence, child pornography, or possession, use, or sale of any illegal substance
- j) Under no circumstances provide, promote, or condone the use of drugs (other than properly prescribed medications) or performance-enhancing substances and, in the case of minors, alcohol and/or tobacco
- k) Respect athletes playing with other teams and, in dealings with them, not encroach upon 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
- l) Not engage in a sexual relationship with an athlete under 18 years old, or an intimate or sexual relationship with an athlete over the age of 18 if the coach is in a position of power, trust, or authority over the athlete
- m) 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
- n) Dress professionally, neatly, and inoffensively
- o) Use inoffensive language, taking into account the audience being addressed

### **Athletes**

10. In addition to section 7 (above), athletes will have additional responsibilities to:

- a) Report any medical problems in a timely fashion, when such problems may limit their ability to travel, practice, or compete; or in the case of carded athletes, interfere with the athlete's ability to fulfill requirements under the Athlete Assistance Program
- b) Participate and appear on-time and prepared to participate to their best abilities in all competitions, practices, training sessions, tryouts, tournaments, and events
- c) 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
- d) Adhere to the Organization's rules and requirements regarding clothing and equipment
- e) Act in a sportsmanlike manner and not display appearances of violence, foul language, or gestures to other athletes, officials, coaches, or spectators
- f) Dress to represent the sport and themselves well and with professionalism
- g) Act in accordance with the Organization's 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) Work within the boundaries of their position's description while supporting the work of other officials
- c) Act as an ambassador of the Organization by agreeing to enforce and abide by national and provincial rules and regulations
- d) Take ownership of actions and decisions made while officiating
- e) Respect the rights, dignity, and worth of all individuals
- f) Not publicly criticize other officials or any club or association
- 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 ejections, defaults, forfeits, discipline processes, appeals, and specific information or data about Individuals
- j) Honour all assignments unless unable to do so by virtue of illness or personal emergency, and in these cases inform the assignor or association at the earliest possible time
- k) When writing reports, set out the true facts
- l) Dress in proper attire 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 for making a mistake during a performance or practice
- d) Provide positive comments that motivate and encourage participants' continued effort
- e) Respect the decisions and judgments of officials, and encourage athletes to do the same
- f) Never question an official's or staff member's judgment or honesty
- g) Support all efforts to remove verbal and physical abuse, coercion, intimidation, and sarcasm
- h) Respect and show appreciation to all competitors, and to the coaches, officials and other volunteers
- i) Not harass competitors, coaches, officials, parents/guardians, or other spectators

# Discipline and Complaints Policy

"Organization" refers to: MORNING GLORY CYCLING CLUB

## Definitions

1. The following terms have these meanings in this Policy:
  - a) "*Complainant*" – The Party alleging an infraction
  - b) "*Days*" – Days including weekends and holidays
  - c) "*Discipline Chair(s)*" – An individual or individuals appointed by the Board to be the first point-of-contact for all discipline and complaint matters reported to the Organization
  - d) "*Individuals*" – All categories of membership defined in the Organization's Bylaws, as well as all individuals employed by, or engaged in activities with, the Organization including, but not limited to, athletes, coaches, convenors, officials, umpires, volunteers, managers, administrators, committee members, Directors and Officers of the Organization, spectators, and parents/guardians of athletes
  - e) "*Respondent*" – The alleged infracting Party

## Purpose

2. Individuals are expected to fulfill certain responsibilities and obligations including, but not limited to, complying with the Organization's policies, Bylaws, rules and regulations, and *Code of Conduct and Ethics*. Non-compliance may result in sanctions pursuant to this Policy.

## Discipline Chair

3. The Discipline Chair will be a Director of the Board, or an individual appointed by the Board to handle the duties of the Discipline Chair. The Board may choose to appoint three (3) individuals to serve as Discipline Chairs and, in this case, decisions of the Discipline Chairs will be by majority vote.
4. The Discipline Chair(s) appointed to handle a complaint or incident must be unbiased and not in a conflict of interest situation.

## Application of this Policy

5. This Policy applies to all Individuals.
6. This Policy applies to matters that may arise during the course of the Organization's business, activities, and events including, but not limited to, competitions, practices, tryouts, training camps, travel associated with Organization activities, and any meetings.
7. This Policy also applies to Individuals' conduct outside of the Organization's business, activities, and events when such conduct adversely affects relationships within the Organization (and its work and sport environment), is detrimental to the image and reputation of the Organization, or upon the acceptance of the Organization. Applicability will be determined by the Organization at its sole discretion.
8. This Policy does not prevent immediate discipline or sanction from being applied as reasonably required. Further discipline may be applied according to this Policy. Any infractions or complaints occurring within competition will be dealt with by the procedures specific to the competition, if applicable. In such situations, disciplinary sanctions will be for the duration of the competition, training, activity, or event only.
9. An employee of the Organization who is a Respondent will be subject to appropriate disciplinary action per the Organization's policies for human resources as well as the employee's Employment Agreement, if applicable. Violations may result in a warning, reprimand, restrictions, suspension, or other disciplinary actions up to and including termination of employment.

## Process

10. Any Individual may report an incident or complaint to the Discipline Chair in writing, within fourteen (14) days of the alleged incident, although this timeline can be waived or extended at the Discipline Chair's discretion. At the Organization's discretion, the Organization may act as the Complainant and initiate the complaint process under the terms of this Policy. In such cases, the Organization will identify an individual to represent the Organization.
11. Upon receipt of a complaint, the Discipline Chair has discretion to choose which process should be followed, and may use the following examples as a general guideline:
  - a) Process #1 - the Complaint alleges the following incidents:
    - i. Disrespectful, abusive, racist, or sexist comments or behaviour

- ii. Disrespectful conduct
  - iii. Minor incidents of violence (e.g., tripping, pushing, elbowing)
  - iv. Conduct contrary to the values of the Organization
  - v. Non-compliance with the Organization's policies, procedures, rules, or regulations
  - vi. Minor violations of the Organization's *Code of Conduct and Ethics*
- b) Process #2 - the Complaint alleges the following incidents:
- i. Repeated minor incidents
  - ii. Any incident of hazing
  - iii. Behaviour that constitutes harassment, sexual harassment, or sexual misconduct
  - iv. Major incidents of violence (e.g., fighting, attacking, sucker punching)
  - v. Pranks, jokes, or other activities that endanger the safety of others
  - vi. Conduct that intentionally interferes with a competition or with any athlete's preparation for a competition
  - vii. Conduct that intentionally damages the Organization's image, credibility, or reputation
  - viii. Consistent disregard for the Organization's bylaws, policies, rules, and regulations
  - ix. Major or repeated violations of the Organization's *Code of Conduct and Ethics*
  - x. Intentionally damaging Organization property or improperly handling the Organization monies
  - xi. Abusive use of alcohol, any use or possession of alcohol by minors, or use or possession of illicit drugs and narcotics
  - xii. A conviction for any *Criminal Code* offense
  - xiii. Any possession or use of banned performance enhancing drugs or methods

**Process #1:       Handled by Discipline Chair**

Sanctions

12. Following the determination that the complaint or incident should be handled under Process #1, the Discipline Chair will review the submissions related to the complaint or incident and determine one or more of the following sanctions:
- a) Verbal or written reprimand
  - b) Verbal or written apology
  - c) Service or other contribution to the Organization
  - d) Removal of certain privileges
  - e) Suspension from certain teams, events, and/or activities
  - f) Suspension from all Organization activities for a designated period of time
  - g) Any other sanction considered appropriate for the offense
13. The Discipline Chair will inform the Respondent of the sanction, which will take effect immediately.
14. Records of all sanctions will be maintained by the Organization.

Request for Reconsideration

15. The sanction may not be appealed until the completion of a request for reconsideration. However, the Respondent may contest the sanction by submitting a Request for Reconsideration within two (2) days of receiving the sanction. In the Request for Reconsideration, the Respondent must indicate:
- a) Why the sanction is inappropriate;
  - b) All evidence to support the Respondent's position; and
  - c) What penalty or sanction (if any) would be appropriate
16. Upon receiving a Request for Reconsideration, the Discipline Chair may decide to accept or reject the Respondent's suggestion for an appropriate sanction.
17. Should the Discipline Chair accept the Respondent's suggestion for an appropriate sanction, that sanction will take effect immediately.
18. Should the Discipline Chair not accept the Respondent's suggestion for an appropriate sanction, the initial complaint or incident will be handled under Process #2 of this Policy.

**Process #2:       Handled by Case Manager**

Case Manager

19. Following the determination that the complaint or incident should be handled under Process #2, the Organization will appoint a Case Manager to oversee management and administration of the complaint or incident. Such appointment is not appealable.
20. The Case Manager has a responsibility to:

- a) Determine whether the complaint is frivolous and/or within the jurisdiction of this Policy
- 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

21. If the Case Manager determines the complaint is:
  - a) Frivolous or outside the jurisdiction of this Policy, the complaint will be dismissed immediately
  - b) Not frivolous and within the jurisdiction of this Policy, the Case Manager will notify the Parties that the complaint is accepted and of the applicable next steps
22. The Case Manager's decision to accept or dismiss the complaint may not be appealed.
23. The Case Manager will establish and adhere to timelines that ensure procedural fairness and that the matter is heard in a timely fashion.
24. After notifying the Parties that the complaint has been accepted, the Case Manager will appoint a Discipline Panel, which shall consist of a single Adjudicator, to hear the 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.
25. 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. 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 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
  - b) 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
  - c) The Parties may engage a representative, advisor, or legal counsel at their own expense
  - d) The Discipline Panel may request that any other individual participate and give evidence at the hearing
  - e) The Discipline Panel may allow as evidence at the hearing any oral evidence and document or thing relevant to the subject matter of the complaint, but may exclude such evidence that is unduly repetitious, and shall place such weight on the evidence as it deems appropriate
  - f) The decision will be by a majority vote of the Discipline Panel
26. 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.
27. The hearing will proceed in any event, even if a Party chooses not to participate in the hearing.
28. 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 current complaint and will be bound by the decision.
29. In fulfilling its duties, the Discipline Panel may obtain independent advice.

### Decision

30. 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. 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, and the Organization. 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. The decision will be considered a matter of public record unless decided otherwise by the Discipline Panel.

### Sanctions

31. 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 the Organization
  - d) Removal of certain privileges
  - e) Suspension from certain teams, events, and/or activities
  - f) Suspension from all Organization activities for a designated period of time
  - g) Payment of the cost of repairs for property damage
  - h) Suspension of funding from the Organization or from other sources
  - i) Expulsion from the Organization
  - j) Any other sanction considered appropriate for the offense
32. 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 until such time as compliance occurs.
33. Records of all decisions will be maintained by the Organization.

#### *Appeals*

34. The decision of the Discipline Panel may be appealed in accordance with the Ontario Cycling Association's *Appeal Policy*.

#### **Suspension Pending a Hearing**

35. The Organization may determine that an alleged incident is of such seriousness as to warrant suspension of an Individual pending completion of a criminal process, the hearing, or a decision of the Discipline Panel.

#### **Criminal Convictions**

36. An Individual's conviction for a *Criminal Code* offense, as determined by the Organization, will be deemed an infraction under this Policy and will result in expulsion from the Organization. *Criminal Code* offences may include, but are not limited to:
- a) Any child pornography offences
  - b) Any sexual offences
  - c) Any offence of physical violence
  - d) Any offence of assault
  - e) Any offence involving trafficking of illegal drugs

#### **Confidentiality**

37. The discipline and complaints process is confidential and involves only the Parties, the Case Manager, the Discipline Panel, and any independent advisors to the Discipline Panel. Once initiated and until a decision is released, none of the Parties will disclose confidential information relating to the discipline or complaint to any person not involved in the proceedings.

#### **Timelines**

38. 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**

39. Other individuals or organizations, including but not limited to, national sport organizations, provincial sport organizations, sport clubs, etc., may be advised of any decisions rendered in accordance with this Policy.



# Concussion Guidelines and Return to Compete Policy

“Organization” refers to: MORNING GLORY CYCLING CLUB

## Definitions

1. The following terms have these meanings in this Policy:
  - a) “Participant” – Coaches, athletes, volunteers, officials and other Members

## Purpose

2. The Organization is committed to ensuring the safety of those participating in the sport of cycling. The Organization recognizes the increased awareness of concussions and their long-term effects and believes that prevention of concussions is paramount to protecting the health and safety of Participants.
3. This Policy provides guidance in identifying common signs and symptoms of concussion, protocol to be followed in the event of a possible concussion, and return to play guidelines should a concussion be diagnosed. Awareness of the signs and symptoms of concussion and knowledge of how to properly manage a concussion is critical to recovery and helping to ensure the individual is not returning to physical activities too soon, risking further complication.
4. A concussion is a clinical diagnosis that can only be made by a physician.

## Procedure

5. During all events, competitions, and practices, Participants will use their best efforts to:
  - a) Be aware of incidents that may cause a concussion, such as:
    - i. Falls
    - ii. Accidents
    - iii. Collisions
    - iv. Head trauma – (blow to the head, face or neck, or a blow to the body that transmits a force to the head)
  - b) Recognize and understand the symptoms that may result from a concussion. These may appear immediately after the injury or within hours or days of the injury and may be different for everyone. Some common signs and symptoms include, but are not limited to:
    - i. Nausea
    - ii. Poor concentration
    - iii. Amnesia
    - iv. Fatigue
    - v. Sensitivity to light or noise
    - vi. Irritability
    - vii. Poor appetite
    - viii. Decreased memory
    - ix. Poor balance
    - x. Slowed reaction time
  - c) Identify injured Participants or other individuals who have been involved in any of the above incidents and/or exhibit any of the above symptoms.

## Coach / Administrator / Supervisor Responsibilities

6. If a Participant has been identified as having a suspected concussion, the coach, administrator and/or supervisor of that activity will notify all affected parties of the suspected concussion, including the Participant, a parent/guardian (if applicable), and other coaches, administrators and/or supervisors.
7. If the Participant is unconscious – initiate emergency action plan, call 911, and then:
  - a) If applicable, contact the Participant’s parent/guardian to inform them of the injury and that the Participant will be attended to by Emergency Medical Services and possibly transported to a hospital
  - b) Stay with the Participant until Emergency Medical Services arrives
  - c) Monitor and document any physical, emotional and/or cognitive changes
8. If the Participant is conscious – remove the Participant from the activity immediately and then:
  - a) Notify the Participant’s parent/guardian (if applicable)
  - b) Arrange a ride home for the Participant

- c) Isolate the Participant in a dark room or area
- d) Reduce external stimulus (noise, other people, etc.)
- e) Remain with the Participant until he or she can be taken home
- f) Monitor and document any physical, emotional and/or cognitive changes
- g) Encourage the Participant to consult a physician

#### Return to Compete

9. A Participant with a suspected concussion, even if the Participant was not unconscious, will not be permitted to return to competition until the Participant has consulted a physician.
10. The Participant and the Participant's parent/guardian (if applicable) should be directed to the following guidelines established:
  - a) If no concussion is diagnosed by a physician: the Participant may return to physical activities
  - b) If a concussion is diagnosed by a physician: the Participant should only return to physical activities after following the steps outlined below and/or as directed by a physician:

**STEP 1: Complete cognitive and physical rest.** Limit school, work, and tasks requiring concentration. Refrain from physical activity until symptoms are gone. Once all symptoms are gone, rest for at least another 24-48 hours and re-consult a physician, preferably one with experience managing concussions.

**In order to proceed to Step 2,** medical clearance from a physician is required.

**STEP 2: Light aerobic exercise** to reintroduce physical activity: 10-15 minutes of low intensity activity like walking or stationary cycling.

**In order to proceed to Step 3,** the Participant or parent/guardian (if applicable) must report back to his/her coach, administrator and/or supervisor that he/she is symptom free.

**STEP 3: Sport-specific exercise:** 15 minutes of low intensity participation. The environment should be managed so as to ensure the Participant is at minimum risk of falling or colliding with other Participants. The Participant may also attempt basic balance drills.

**In order to proceed to Step 4,** the Participant or parent/guardian (if applicable) must report back to his/her coach, administrator and/or supervisor that he/she is symptom free.

**STEP 4: Activity with no body contact:** non-contact practice and non-contact sport specific drills – no activity that involves head impact or other jarring motions.

**In order to proceed to Step 5,** medical clearance from a physician, indicating that the Participant is symptom free and able to return to full participation in physical activity, is required

**STEP 5: Full participation**

- c) Each step must take a minimum of 24 hours and the length of time needed to complete each step will vary based on the severity of the concussion.
- d) The Participant should be monitored regularly for the return of any signs and/or symptoms of concussion. If signs and/or symptoms return, the Participant must consult with a physician

#### Medical Clearance

11. This Policy requires the Participant to consult with a physician throughout the return to play process and provide proof of medical clearance before being eligible for progression to Step 2 and to Step 5. The Organization will comply with all directions provided by the physician that may supersede this Policy.
12. If a Participant is showing signs of concussion and/or has been clinically diagnosed as concussed, the coach, administrator and/or supervisor of that Participant will prevent the Participant from participating until the required medical clearance has been provided.
13. Once the Participant has provided medical clearance, the coach, administrator and/or supervisor will be required to forward a copy of the medical clearance letter to the Organization for retention.

**Non-Compliance**

14. Failure to abide by any of the guidelines and/or protocols contained within this policy may result in disciplinary action in accordance with the Organization's *Discipline and Complaints Policy*.

# Privacy Policy

"Organization" refers to: MORNING GLORY CYCLING CLUB

## Background

1. Different privacy legislation applies to the public sector and to the private sector. Not-for-profit sport organizations in Canada are considered to be part of the private sector. The *Personal Information Protection and Electronic Documents Act* (PIPEDA) is the federal privacy legislation that applies to all not-for-profit sport organizations in Canada.
2. PIPEDA applies to the Organization's use of Personal Information for Commercial Activity.
3. This Privacy Policy is based on the standards required by PIPEDA as interpreted by the Organization.

## Definitions

4. The following terms have these meanings in this Policy:
  - a) "*Commercial Activity*" – any particular transaction, act or conduct that is of a commercial character.
  - b) "*Personal Information*" – any information about an individual that relates to the person's personal characteristics including, but not limited to: gender, age, income, home address, home phone number, ethnic background, family status, health history, and health conditions
  - c) "*Stakeholder*" – Individuals employed by, or engaged in activities on behalf of, the Organization including: coaches, staff members, contract personnel, volunteers, managers, administrators, committee members, and Directors and Officers of the Organization
  - d) "*Individual*" - All categories of membership defined in the Organization's Bylaws as well as all individuals employed by, or engaged in activities with, the Organization including, but not limited to, athletes, coaches, convenors, officials, volunteers, managers, administrators, committee members, and Directors and Officers of the Organization

## Purpose

5. The Organization recognizes Individuals' right to privacy with respect to their Personal Information. This Policy describes the way that the Organization collects, uses, safeguards, discloses, and disposes of Personal Information.

## Application of this Policy

6. This Policy applies to all Stakeholders and Individuals in connection with personal information that is collected, used or disclosed during the Organization's Commercial Activity and Non-Commercial activity.
7. Except as provided in PIPEDA, the Organization's Board will have the authority to interpret any provision of this Policy that is contradictory, ambiguous, or unclear.

## Obligations

8. The Organization is obligated to:
  - a) Follow and abide by PIPEDA in all matters involving the collection, use, and disclosure of Personal Information during the Organization's Commercial Activity; and
  - b) Always disclose what Personal Information is being collected from Individuals and for what purpose the Personal Information is being collected. The Organization will not require the collection of any Personal Information if the purpose for its collection is not identified.
9. In addition to fulfilling the legal obligations required by PIPEDA, the Organization's Stakeholders will not:
  - a) Publish, communicate, divulge, or disclose to any unauthorized person, firm, corporation, or third party any Personal Information without the express written consent of the Individual
  - b) Knowingly place themselves in a position where they are under obligation to any organization to disclose Personal Information
  - c) In the performance of their official duties, disclose Personal Information to family members, friends, colleagues, or organizations in which their family members, friends, or colleagues have an interest
  - d) Derive personal benefit from Personal Information that they have acquired during the course of fulfilling their duties with the Organization
  - e) Accept any gift or favour that could be construed as being given in anticipation of, or in recognition for, the disclosure of Personal Information

## Accountability

10. The Organization's Privacy Officer is responsible for the implementation of this policy and monitoring information collection and data security, and ensuring that all staff receives appropriate training on privacy issues and their responsibilities. The Organization's Privacy Officer also handles personal information access requests and complaints. The Organization's Privacy Officer may be contacted at the following address:

MORNING GLORY CYCLING CLUB  
110 LEACREST ROAD  
TORONTO, ONTARIO  
M4G 1E8

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11. Duties - The Privacy Officer will:

- a) Implement procedures to protect personal information
- b) Establish procedures to receive and respond to complaints and inquiries
- c) Record all persons having access to personal information
- d) Ensure any third party providers abide by this Policy
- e) Train and communicate to staff information about the Organization's privacy policies and practices.

### **Information Collection Purposes**

12. The Organization may collect Personal Information from Individuals and prospective Individuals for purposes that may include any of the following:

#### Non-Commercial Activity

##### *Communications*

- a) Sending communications in the form of e-news or a newsletter with content related to the Organization's programs, events, fundraising, activities, discipline, appeals, and other pertinent information
- b) Publishing articles, media relations and postings on the Organization's website, displays or posters
- c) Award nominations, biographies, and media relations
- d) Communication within and between Stakeholders and Individuals
- e) Discipline results and long term suspension list
- f) Checking residency status

##### *Identification*

- a) Informing governing bodies (e.g., Provincial Sport Organizations (PSOs), National Sport Organizations (NSOs)) of Individuals' registration and/or participation with the Organization
- b) Informing government funders the number and demographic profile of registered Individuals

##### *Registration, Database Entry and Monitoring*

- a) Registration of programs, events and activities
- b) Database entry at the Coaching Association of Canada and to determine level of coaching certification, coaching qualifications, and coach selection.
- c) Database entry to determine level of officiating certification and qualifications
- d) Determination of eligibility, age group and appropriate level of play/competition
- e) Athlete Registration, outfitting uniforms, and various components of athlete and team selection
- f) Technical monitoring, officials training, educational purposes, sport promotion, and media publications

##### *General*

- a) Travel arrangement and administration
- b) Implementation of the Organization's screening program
- c) Medical emergency, emergency contacts or reports relating to medical or emergency issues
- d) Determination of membership demographics and program wants and needs
- e) Managing insurance claims and insurance investigations
- f) Video recording and photography for personal use, and not commercial gain, by spectators, parents and friends
- g) Payroll, honorariums, company insurance and health plans
- h) Any and all complaints and inquiries

#### Commercial Activity

##### *Sales, Promotions and Merchandising*

- a) Purchasing equipment, coaching manuals, resources and other products
- b) Promotion and sale of merchandise

- c) Video recording and photography for promotional use, marketing and advertising by the Organization

13. The Organization's Stakeholders may collect Personal Information from Individuals and prospective Individuals for other purposes, provided that documented consent specifying the use of the Personal Information is obtained from the Individuals or prospective Individuals.

#### Consent

14. By providing Personal Information to the Organization, Individuals are implying their consent to the use of that Personal Information for the purposes identified in the **Information Collection Purposes** section of this Policy.
15. At the time of the collection of Personal Information and prior to the use or disclosure of the Personal Information, the Organization will obtain consent from Individuals by lawful means, in a manner similar to the form in **Appendix A**. The Organization may collect Personal Information without consent when it is reasonable to do so and permitted by law.
16. In determining whether to obtain written or implied consent, the Organization will take into account the sensitivity of the Personal Information, as well the Individuals' reasonable expectations. Individuals may consent to the collection and specified use of Personal Information in the following ways:
- a) Completing and/or signing an application or registration form (see **Appendix A**)
  - b) Checking a check box, or selecting an option (such as 'Yes' or 'I agree')
  - c) Providing written consent either physically or electronically
  - d) Consenting orally in person
  - e) Consenting orally over the phone
17. The Organization will not, as a condition of providing a product or service, require Individuals to consent to the use, collection, or disclosure of Personal Information beyond what is required to fulfill the specified purpose of the product or service.
18. An Individual may withdraw consent orally or in writing, at any time, subject to legal or contractual restrictions. The Organization will inform the Individual of the implications of withdrawing consent.
19. The Organization will not obtain consent from Individuals who are minors, seriously ill, or mentally incapacitated. Consent from these individuals will be obtained from a parent, legal guardian, or a person having power of attorney.
20. The Organization is not required to obtain consent for the collection of Personal Information, and may use Personal Information without the Individual's knowledge or consent, only if:
- a) It is clearly in the Individual's interests and the opportunity for obtaining consent is not available in a timely way
  - b) Knowledge and consent would compromise the availability or accuracy of the Personal Information and collection is required to investigate a breach of an agreement or a contravention of a federal or provincial law
  - c) An emergency threatens a Individual's life, health, or security
  - d) The information is publicly available as specified in PIPEDA
21. The Organization is also not required to obtain consent for the collection of Personal Information if the information is for journalistic, artistic, or literary purposes.
22. The Organization may disclose Personal Information without the Individual's knowledge or consent only:
- a) To a lawyer representing the Organization
  - b) To collect a debt that the Individual owes to the Organization
  - c) To comply legal proceedings of any sort
  - d) To comply with government regulations
  - e) To an investigative body for purposes related to the investigation of a breach of an agreement or a contravention of a federal or provincial law
  - f) In an emergency threatening an Individual's life, health, or security (the Organization will inform the Individual of the disclosure)
  - g) To an archival institution
  - h) 20 years after the individual's death or 100 years after the record was created
  - i) If it is publicly available as specified in PIPEDA

#### Accuracy, Retention, and Openness

23. To minimize the possibility that inappropriate Personal Information may be used to make a decision about a Member, Personal Information will be accurate, complete, and as up-to-date as is necessary for the purposes for which it will be used.

24. Personal Information will be retained as long as reasonably necessary to enable participation in the Organization programs, events, and activities, and in order to maintain historical records as may be required by law or by governing organizations.
25. Personal Information will be protected against loss or theft, unauthorized access, disclosure, copying, use, or modification by security safeguards appropriate to the sensitivity of the Personal Information.
26. The Organization will make the following information available to Individuals:
  - a) This *Privacy Policy*
  - b) Any additional documentation that further explains the Organization's *Privacy Policy*
  - c) The name or title, and the address, of the person who is accountable for the Organization's *Privacy Policy*
  - d) The means of gaining access to Personal Information held by the Organization
  - e) A description of the type of Personal Information held by the Organization, including a general account of its use
  - f) Identification of any third parties to which Personal Information is made available

#### **Access**

27. Upon written request, and with assistance from the Organization after confirming the Individual's identity, Individuals may be informed of the existence, use, and disclosure of their Personal Information and will be given access to that Personal Information. Individuals are also entitled to be informed of the source of the Personal Information, and provided with an account of third parties to which the Personal Information has been disclosed.
28. Unless there are reasonable grounds to extend the time limit, requested Personal Information will be disclosed to the Individual, at no cost to the Individual, within thirty (30) days of receipt of the written request.
29. Individuals may be denied access to their Personal Information if the information:
  - a) Is prohibitively costly to provide
  - b) Contains references to other individuals
  - c) Cannot be disclosed for legal, security, or commercial proprietary purposes
  - d) Is subject to solicitor-client privilege or litigation privilege
30. If the Organization refuses a request for Personal Information, it shall inform the Individual the reasons for the refusal.

#### **Compliance Challenges**

31. Individuals are able to challenge the Organization for its compliance with this Policy.
32. Upon receipt of a complaint, the Organization will:
  - a) Record the date the complaint is received
  - b) Notify the Privacy Officer who will serve in a neutral, unbiased capacity to resolve the complaint;
  - c) Acknowledge receipt of the complaint by way of telephone conversation and clarify the nature of the complaint within seven (7) days of receipt of the complaint
  - d) Appoint an investigator using the Organization's personnel or an independent investigator, who will have the skills necessary to conduct a fair and impartial investigation and will have unfettered access to all file and personnel
  - e) Upon completion of the investigation and within thirty (30) days of receipt of the complaint, the investigator will submit a written report to the Organization
  - f) Notify the complainant the outcome of the investigation and any relevant steps taken to rectify the complaint, including any amendments to policies and procedures
33. The Organization will not dismiss, suspend, demote, discipline, harass, or otherwise disadvantage any Organization Individual or Stakeholder who:
  - a) Challenges the Organization for its compliance with this Policy
  - b) Refuses to contravene this Policy or PIPEDA
  - c) Takes precautions not to contravene this Policy or PIPEDA; even though said precautions may be in opposition to the regular duties performed by the Individual

## Appendix A – Consent

The Organization will include the following paragraph (or a variation) whenever Personal Information is being collected from Individuals:

1. I authorize the Organization to collect and use personal information about me for the purposes described in the Organization's *Privacy Policy*.
2. In addition to the purposes described in the Organization's *Privacy Policy*, I authorize the Organization to:
  - a) Distribute my information to the Ontario Cycling Association
  - b) Photograph and/or record my image and/or voice on still or motion picture film and/or audio tape, and to use this material to promote the sport through the media of newsletters, websites, television, film, radio, print and/or display form. I understand that I waive any claim to remuneration for use of audio/visual materials used for these purposes
  - c) *(the Organization may add other specific purposes)*
3. I understand that I may withdraw such consent at any time by contacting the Organization's Privacy Officer. The Privacy Officer will advise the implications of such withdrawal.



# MEMBERSHIP POLICY

“Organization” refers to: MORNING GLORY CYCLING CLUB

## Purpose

1. The purpose of this Policy is to describe the application, rights, conditions and obligations for membership within the Organization.

## Scope and Application

2. This policy applies to all Members as defined in the Organization's Bylaws.

## Membership Year and Dues

3. Membership within the Organization is granted upon an annual basis and will terminate on December 31st of each year, subject to re-registration in accordance with this Policy and the Organization's Bylaws. Membership dues are established annually at the discretion of the Organization's Board of Directors.

## Renewal of Membership

4. No Member will be accepted or renewed as a Member, unless:
  - a) The potential Member has made an application for membership in a manner prescribed by the Organization
  - b) The potential Member has agreed to comply with, and meets the requirements of, the Organization's Bylaws, policies, procedures, rules and regulations
  - c) The potential Member has paid membership dues owing from any previous membership period
  - d) If, at the time of applying for membership the potential Member is a Member in Good Standing as defined in this Policy, unless approved otherwise by the Board.
  - e) The potential Member meets the requirements listed in the Organization's Bylaws and in this Policy.

## Minimum Requirements for Renewal

5. Potential Members must comply with the following minimum requirements to maintain and renew membership with the Organization:
  - a) Submit the following applicable information:
    - i. Designation (player, coach, official, or other designation)
    - ii. Name
    - iii. Address
    - iv. Telephone number
    - v. Email address
    - vi. Date of Birth
    - vii. Gender identity

## Good Standing

6. A Member of the Organization will be in good standing provided that the Member:
  - a) Has not ceased to be a Member;
  - b) Has not been suspended or expelled, or had other restrictions or sanctions imposed;
  - c) Has completed and remitted all documents, fees and payments as required by the Organization;
  - d) Has complied with the Bylaws, policies, procedures, rules and regulations of the Organization;
  - e) Is not subject to a disciplinary investigation or action by the Organization, or if subject to disciplinary action previously, has fulfilled all terms and conditions of such disciplinary action to the satisfaction of the Board; and
  - f) Has paid all required membership dues or debts to the Organization, if any.
7. Members who cease to be in good standing may have privileges suspended and will not be entitled to vote at meetings of Members or be entitled to the benefits and privileges of membership until such time as the Board is satisfied that the Member has met the definition of good standing as set out above.

## Membership Rights and Privileges

8. Members in good standing are entitled to:
  - a) Receive communications and up to date financial reports from the Organization
  - b) Attend the Organization's Annual and Special Meetings
  - c) Nominate and vote for the Organization's Directors in accordance with the Organization's Bylaws
  - d) Call a Special Meeting at any time, upon the written requisition of Members holding not less than ten percent of the total Members' votes

- e) Remove a Director by ordinary resolution, provided that the Director has been given proper notice and the opportunity to respond at a meeting duly called for that purpose
- f) Amend the Bylaws in accordance with applicable legislation
- g) Submit a proposal for consideration at a meeting of the Members in accordance with applicable legislation
- h) Examination of the following documents during the Organization's usual business hours and make copies free of charge:
  - i. The report of the public accountant, if any
  - ii. Prescribed comparative financial statements that conform to the requirements of applicable legislation
  - iii. Any further information respecting the financial position of the Organization
- i) A copy or summary of the documents described in subsection (h) twenty-one (21) days prior to the Annual Meeting
- j) Examination, on payment of any reasonable fee, the following Organization documents:
  - i. The Articles and Bylaws
  - ii. Minutes of Meetings of Members and any committee of Members
  - iii. The Resolutions of Members and any committee of Members
  - iv. Any debt obligation issued by the Organization
  - v. A register of Directors
  - vi. A register of Officers
  - vii. A register of Members, requested in accordance with applicable legislation

#### **Withdrawal and Termination of Membership**

9. Membership in the Organization will terminate immediately upon:
- a) The expiration of the Member's membership, unless renewed in accordance with this Policy
  - b) Resignation by giving written notice to the Organization in which case the resignation becomes effective on the date specified in the notice. Resignation as a Member does not relieve the Member of its obligation to pay any outstanding dues or fees
  - c) Liquidation or Dissolution of the Organization
  - d) The Member no longer meets the definition of Member as defined in the Organization's Bylaws
  - e) The Member ceases to be in good standing by virtue of
    - i) Failing to pay membership dues, fees or other monies owing to the Organization by the prescribed deadline dates, or
    - ii) Having had disciplinary sanctions imposed in accordance with the Organization's Bylaws and/or policies relating to the discipline of Members
  - f) By Ordinary Resolution of the Board or of the Members at a duly called meeting, provided fifteen (15) days' notice is given and the Member is provided with reasons and the opportunity to be heard. Notice will set out the reasons for termination of membership and the member receiving the notice will be entitled to submit a written submission opposing the termination
  - g) The Member's death

#### **Interpretation**

10. In the event that this Policy conflicts or contradicts the Organization's Bylaws, the Bylaws shall take precedence.

# Screening Policy

"Organization" refers to: MORNING GLORY CYCLING CLUB

## Definitions

1. The following terms have these meanings in this Policy:
  - a) "*Criminal Record Check (CRC)*" – A search of the RCMP National Repository of Criminal Records to determine whether the individual has a criminal record
  - b) "*Vulnerable Sector Verification (VSV)*" – a detailed check that includes a search of the RCMP National Repository of Criminal Records, local police information, and the Pardoned Sex Offender database

## Preamble

2. The Organization understands that screening personnel and volunteers is a vital part of providing a safe sporting environment and has become a common practice among sport organizations that provide programs and services to the community.

## Application of this Policy

3. This Policy applies to all individuals whose position with the Organization is one of trust or authority which may relate to, at a minimum, finances, supervision, young people, or people with a disability.
4. Not all individuals associated with the Organization will be required to obtain a CRC or submit a Screening Disclosure Form because not all positions pose a risk of harm to the Organization or to its participants. The Organization will determine which individuals will be subject to screening using the following guidelines (variations from the guidelines are at the sole discretion of the Organization):

Level 1 – Low Risk - Individuals involved in low risk assignments who are not in a supervisory role, not directing others, not involved with financial/cash management, and/or do not have access to minors or people with a disability. Examples:

- a) Parents, youth, or volunteers who are helping out on a non-regular informal basis

Level 2 – Medium Risk – Individuals involved in medium risk assignments who may be in a supervisory role, may direct others, may be involved with financial/cash management, and/or who may have limited access to minors or people with a disability. Examples:

- a) Assistant coaches or volunteer head coaches of a club
- b) Athlete support personnel
- c) Coaches who are typically under the supervision of another coach

Level 3 – High Risk – Individuals involved in high risk assignments who occupy positions of trust and/or authority, have a supervisory role, direct others, are involved with financial/cash management, and who have access to minors or people with a disability. Examples:

- a) Full time coaches
- b) Coaches who travel with athletes
- c) Coaches who could be alone with athletes

## Policy

5. It is the Organization's policy that:
  - a) Level 1 individuals will:
    - i. Complete a Screening Disclosure Form
    - ii. Complete an Application Form indicating that the individual has read and understands the Organization's policies and procedures
    - iii. Participate in orientation as determined by the Organization
  - b) Level 2 individuals will:
    - i. Complete and provide a CRC
    - ii. Complete a Screening Disclosure Form
    - iii. Complete an Application Form indicating that the individual has read and understands the Organization's policies and procedures
    - iv. Provide one letter of reference related to the position sought
    - v. Participate in orientation as determined by the Organization
    - vi. Provide a driver's abstract, if requested
  - c) Level 3 individuals will:
    - i. Complete and provide a CRC and VSV

- ii. Complete a Screening Disclosure Form
  - iii. Complete an Application Form indicating that the individual has read and understands the Organization's policies and procedures
  - iv. Provide one letter of reference related to the position sought
  - v. Participate in orientation as determined by the Organization
  - vi. Provide a driver's abstract, if requested
- d) Failure to participate in the screening process as outlined in this policy will result in the individual's ineligibility for the position sought.
  - e) If an individual subsequently receives a conviction for, or is found guilty of, an offense they will report this circumstance immediately to the Organization.
  - f) If an individual provides falsified or misleading information, the individual will immediately be removed from their position and may be subject to further discipline in accordance with the Organization's *Discipline and Complaints Policy*.

**Screening Committee**

- 6. The implementation of this policy is the responsibility of the Organization's Screening Committee which is a committee of three (3) members appointed by the Organization. The Organization will ensure that the members appointed to the Screening Committee possess the requisite skills, knowledge and abilities to accurately assess CRCs, VSVs, and Screening Disclosure Forms, and render decisions under this Policy. Quorum for the Screening Committee will be three members.
- 7. The Screening Committee will carry out its duties, in accordance with the terms of this policy, independent of the Board.
- 8. The Screening Committee is responsible for reviewing all CRCs, VSVs, and Screening Disclosure Forms and, based on such reviews, making decisions regarding the appropriateness of individuals filling positions within the Organization. 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.

**How to Obtain a Criminal Record Check or Vulnerable Sector Verification**

- 9. Although a CRC may be obtained online from a third-party provider, individuals may only obtain a VSV by visiting an RCMP office or police station, submitting two pieces of government-issued identification (one of which must have a photo), and completing any required paperwork. Fees may also be required and may be reimbursed by the Organization upon the submission of a legitimate receipt and volunteer expense form.
- 10. Fingerprinting may be required if there is a positive match with the individual's gender and birth date.

**Procedure**

- 11. Unless the Screening Committee determines, on a case-by-case basis, to modify the submission requirements, individuals are required to submit:
  - a) A Criminal Record Check every three years
  - b) A Screening Disclosure Form every three years
  - c) A Vulnerable Sector Verification once
- 12. The Screening Committee may request that an individual provide a CRC or a Screening Disclosure Form for review and consideration at any time. Such request will be in writing and reasons will be provided for such a request.
- 13. The Screening requirements defined in this policy will be submitted to the Organization in an envelope marked "Confidential":

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

- 14. Individuals who do not undertake the screening requirements required by this policy will receive a notice to that effect and will be informed that their application and/or position will not proceed until such time as the screening requirements are followed.
- 15. Following the review of documents for offenses, the Screening Committee will decide:
  - 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.

### Conditions and Monitoring

16. The Screening Committee may determine that incidents revealed on an individual's screening documents (not including incidents defined as 'Criminal Convictions' or 'Offenses', below) 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.

### Offenses

17. Provided a pardon has not been granted, the following examples are considered to be offenses:

- a) If imposed in the last five years:
  - i. Any offense involving the use of a motor vehicle, including but not limited to impaired 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
- c) If imposed at any time:
  - i. Any offense described in the 'Criminal Convictions' section of this Policy

### Records

18. 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.

19. The records kept by the Organization as part of the screening process include but are not limited to:

- a) An individual's Vulnerable Sector Verification
- b) An individual's Criminal Record Check (for a period of three years)
- c) An individual's Screening Disclosure Form (for a period of three years)
- d) Records of any conditions attached to an individual's registration by the Screening Committee
- e) Records of any discipline applied to any individual by the Organization or by the Ontario Cycling Association

### Criminal Convictions

20. An individual's conviction for any of the following *Criminal Code* offenses may result in expulsion from the Organization and/or removal from designated positions, competitions, programs, activities and events upon the sole discretion of the Organization:

- 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
- f) Any offense involving theft or fraud

# 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: \_\_\_\_\_ EMAIL: \_\_\_\_\_

Note: Failure to disclose a conviction/sanction may be considered an intentional omission and subject to failure of screening requirements as required by the Organization's *Screening Policy*.

1. **Have you ever been convicted of a crime?**

Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, please describe below for each conviction:

Name or Type of Offense: \_\_\_\_\_

Name and Jurisdiction of Court/Tribunal: \_\_\_\_\_

Year Convicted: \_\_\_\_\_

Penalty or Punishment Imposed: \_\_\_\_\_

Further Explanation: \_\_\_\_\_

\_\_\_\_\_

2. **Are criminal charges or any other sanctions, including those from a sport body, private tribunal or government agency, currently pending or threatened against you?** Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, please explain for each pending charge:

Name or Type of Offense: \_\_\_\_\_

Name and Jurisdiction of Court/Tribunal: \_\_\_\_\_

Further Explanation: \_\_\_\_\_

\_\_\_\_\_

3. **Have you ever been subject to a lawsuit relevant to coaching or to sports in general?** Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, please describe each finding, judgment or ruling below:

Court Finding: \_\_\_\_\_ Out of Court Settlement: \_\_\_\_\_

Type of Offense or Finding: \_\_\_\_\_

Year of Offense or Settlement: \_\_\_\_\_

Further Explanation: \_\_\_\_\_

\_\_\_\_\_

4. **Have you ever been subject to a settlement agreement, plea bargain, charges stayed, etc relevant to coaching or to sports in general?** Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, please describe below:

Court Finding: \_\_\_\_\_ Out of Court Settlement: \_\_\_\_\_

Type of Offense or Finding: \_\_\_\_\_

Year of Offense or Settlement: \_\_\_\_\_

Further Explanation: \_\_\_\_\_

\_\_\_\_\_

5. **Have you ever been dismissed from a coaching position?**

Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, please describe below:

Name of applicable Organization: \_\_\_\_\_

Date of Dismissal: \_\_\_\_\_

Reason for Dismissal: \_\_\_\_\_

\_\_\_\_\_

6. **Have you ever been disciplined or sanctioned by an international sport body, by a National sport governing body outside Canada, or by any other body within Canada that governs any sport?**

Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, please describe below and provide a copy of the decision:

Name of applicable Organization: \_\_\_\_\_

Date of Discipline or Sanction: \_\_\_\_\_

Reason for Discipline or Sanction: \_\_\_\_\_

\_\_\_\_\_

7. **Have you ever been disciplined or sanctioned by an independent body (sport body, private tribunal, government agency, etc.)?**

Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, please describe below:

Name or Type of Offense: \_\_\_\_\_

Name and Independent Body: \_\_\_\_\_

Year Convicted: \_\_\_\_\_

Penalty or Punishment Imposed: \_\_\_\_\_

Further Explanation: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

For more than one conviction please attach additional page(s) as necessary.

#### **Certification**

I hereby certify that the information contained in this application is accurate, correct, truthful and complete.

I further certify that I will immediately inform the Organization of any changes in circumstances that would alter my original responses to this Screening Disclosure Form. Failure to do so may result in termination of membership and/or further discipline.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

#### PRIVACY STATEMENT

*By completing and submitting this Screening Disclosure Form, you consent and authorize the Organization to collect, use and disclose your personal information, including all information provided on the Screening Disclosure Form, Criminal Record Check and/or Vulnerable Sector Verification for the purposes of screening, implementation of the Organization's Screening Policy, administering membership services and communicating with National Sport Organizations, Provincial Sport Organizations, Sport Clubs, and other organizations involved in the governance of the sport. The Organization does not distribute personal information for commercial purposes*



