

**Football New Brunswick [the “Organization”]
SAFE SPORT POLICY MANUAL**

INTRODUCTION

The Organization and its Members have a fundamental responsibility and legal and ethical obligation to protect the health, safety and physical and mental well-being of every individual that is involved in the sport of football within the Province of New Brunswick.

The Organization and its Members takes any situation involving misconduct or maltreatment very seriously. For this reason, the Organization and its Members are committed to enacting and enforcing strong, clear, and effective policies and processes for preventing and addressing all forms of misconduct or maltreatment.

The policies are intended to promote a Safe Sport environment in a manner that allows for consistent, immediate, appropriate and meaningful action should any issues arise, but also to prevent issues from arising in the first place by communicating expected standards of behaviour.

Should any individuals involved with the Organization and its Members, including, but not limited to, athletes, coaches, officials, volunteers, and parents of athletes, wish to report any instance of misconduct or maltreatment, they must do so directly to the Organization, which will then determine the appropriate forum and manner to address the complaint.

The Organization also recognizes the recent development of the Universal Code of Conduct to Prevent and Address Maltreatment in Sport (UCCMS) in 2019. Since the UCCMS may continue to evolve in the foreseeable future, this *Safe Sport Policy Manual* incorporates the key elements of the current version of the UCCMS.

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DEFINITIONS

The terms defined below shall apply to all policies included in this Safe Sport Manual.

1. *“Affected Party”* – Any individual or entity, as determined by the Appeal Manager, who may be affected by a decision rendered under the *Appeal Policy* and who may have recourse to an appeal in their own right
2. *“Appellant”* – The Party appealing a decision
3. *“Appeal Manager”* – An individual, who may be any staff member, committee member, volunteer, Director, or an independent third party, who is appointed to oversee the *Appeal Policy*. The Appeal Manager will have responsibilities that include using decision making authority empowered by the *Appeal Policy*
4. *“Athlete”* – Includes any individual who is a registered to compete for the Organization or a Member
5. *“Board”* – The Board of Directors of the Organization or a Member (as applicable)
6. *“Case Manager”* – An independent individual (or individuals) appointed by the Organization to receive and administer complaints under the *Discipline and Complaints Policy*
7. *“Committee Member”* – an individual elected or appointed to a committee as a member of a committee of the Organization or a Member (as applicable)
8. *“Complainant”* – the Party making a complaint
9. *“Criminal Record Check (CRC)”* – A search of the RCMP Canadian Police Information Centre (CPIC) system for adult convictions
10. *“Days”* – Days including weekends and holidays
11. *“Director”* – an individual elected or appointed to act as a Director of the Organization or a Member (as applicable)
12. *“Discipline Chair”* – an individual appointed to handle the duties of the Discipline Chair as described in the *Discipline and Complaints Policy*
13. *“Discrimination”* – Differential treatment of an individual based on one or more prohibited grounds which include race, citizenship, national or ethnic origin, colour, religion, age, sex, sexual orientation, gender identity or expression, marital status, family status, genetic characteristics, or disability
14. *“Enhanced Police Information Check (E-PIC)”* – a Criminal Record Check plus a search of Local Police Information, available from Sterling Backcheck
15. *“Event”* – An event sanctioned by the Organization or by a Member
16. *“Gender Equity”* – the fair allocation of resources, programs, and decision-making to all individuals without discrimination on the basis of gender identity. Gender Equity also involves addressing any imbalances in the benefits available to individuals of different gender identities. For the purposes of this policy, when we consider gender equity issues, we are referring to the experiences of all Individuals who identify as girls or women.
17. *“Harassment”* – A course of vexatious comment or conduct against an Individual or group, which is known or ought to reasonably be known to be unwelcome. Types of behaviour that constitute Harassment include, but are not limited to:
 - a) Written or verbal abuse, threats, or outbursts;
 - b) Persistent unwelcome remarks, jokes, comments, innuendo, or taunts;
 - c) Racial harassment, which is racial slurs, jokes, name calling, or insulting behaviour or terminology that reinforces stereotypes or discounts abilities because of racial or ethnic origin;
 - d) Leering or other suggestive or obscene gestures;

- e) Condescending or patronizing behaviour which is intended to undermine self-esteem, diminish performance or adversely affect working conditions;
 - f) Practical jokes which endanger a person's safety, or may negatively affect performance;
 - g) Hazing, which is any form of conduct which exhibits any potentially humiliating, degrading, abusive, or dangerous activity expected of a junior-ranking individual by a more senior individual, which does not contribute to either individual's positive development, but is required to be accepted as part of a team or group, regardless of the junior-ranking individual's willingness to participate. This includes, but is not limited to, any activity, no matter how traditional or seemingly benign, that sets apart or alienates any teammate or group member based on class, number of years on the team or with the group, or ability;
 - h) Unwanted physical contact including, but not limited to, touching, petting, pinching, or kissing;
 - i) Deliberately excluding or socially isolating a person from a group or team;
 - j) Persistent sexual flirtations, advances, requests, or invitations;
 - k) Physical or sexual assault;
 - l) Contributing to a poisoned sport environment, which can include:
 - i. Locations where material that is discriminatory is displayed (e.g., sexually explicit posters and racial/racist cartoons)
 - ii. Groups where harassing behaviour is part of the normal course of activities
 - iii. Behaviour that causes embarrassment, awkwardness, endangers a person's safety or negatively affects performance.
 - m) Behaviours such as those described above that are not directed towards a specific person or group but have the same effect of creating a negative or hostile environment; and
 - n) Retaliation or threats of retaliation against a person who reports harassment to the Organization or to a Member.
18. *"Individuals"* – Refers to all categories of members and/or registrants defined in the Bylaws of the Organization and in the Bylaws of a Member, as well as all people employed by, contracted by, or engaged in activities with, the Organization or a Member including, but not limited to, employees, contractors, Athletes, coaches, instructors, officials, volunteers, managers, administrators, committee members, parents or guardians, spectators, committee members, and Directors and Officers
19. *"Local Police Information (LPI)"* – Additional conviction and selected non-conviction information in national and local police data sources which may be relevant to the position sought
20. *"Maltreatment"* – A volitional act by an Individual that results in harm or the potential for physical or psychological harm to another Individual, and includes any of the following behaviours or conduct:
- a) Psychological Maltreatment: any pattern or single serious incident of deliberate conduct that has the potential to be harmful to the psychological well-being of an Individual. Psychological Maltreatment is determined by the objective behaviour, and not whether harm is intended or results from the behaviour. It includes:
 - i. Verbal Acts: verbally assaulting or attacking an Individual, including, but not limited to, unwarranted personal criticisms; body shaming; derogatory comments related to an Individual's identity (e.g., race, gender identity or expression, ethnicity, Indigenous status, ability/disability); comments that are demeaning, humiliating, belittling, intimidating, insulting or threatening; the use of rumours or false statements about an Individual to diminish their reputation; using confidential sport and non-sport information inappropriately. Verbal Maltreatment may also occur in online forms.
 - ii. Non-Assaultive Physical Acts (no physical contact): physically aggressive behaviours, including, but not limited to, throwing objects at or in the presence of others without striking another; hitting, striking or punching objects in the presence of others.
 - iii. Acts that Deny Attention or Support: acts of commission that deny attention, lack of support or isolation including, but not limited to, ignoring psychological needs or socially

isolating an Individual repeatedly or for an extended period of time; abandonment of an Athlete as punishment for poor performance; arbitrarily or unreasonably denying feedback, training opportunities, support or attention for extended periods of time and/or asking others to do the same.

- b) Physical Maltreatment: any pattern or single serious incident of deliberate conduct that has the potential to be harmful to the physical well-being of an Individual. Physical Maltreatment is determined by the objective behaviour, and not whether harm is intended or results from the behaviour. It includes, without limitation:
- i. Contact behaviours: including, but not limited to, deliberately punching, kicking, beating, biting, striking, strangling or slapping another; deliberately hitting another with an object.
 - ii. Non-contact behaviours: including, but not limited to, isolating an Individual in a confined space; forcing an Individual to assume a painful stance or position for no athletic purpose (e.g., requiring an Athlete to kneel on a hard surface); the use of exercise for the purposes of punishment; withholding, recommending against, or denying adequate hydration, nutrition, medical attention or sleep; denying access to a toilet; providing alcohol to an Individual under the legal drinking age; providing illegal drugs or non-prescribed medications to an Individual; encouraging or knowingly permitting an Athlete to return to play prematurely following any injury or after a concussion and without the clearance of a medical professional; encouraging an Athlete to perform a skill for which they are known to not be developmentally ready.
- c) Sexual Maltreatment, including, but not limited to, any act targeting an Individual's sexuality, gender identity or expression, that is committed, threatened or attempted against that person, and includes, but is not limited to, the Criminal Code offences of sexual assault, sexual exploitation, sexual interference, invitation to sexual touching, indecent exposure, voyeurism and non-consensual distribution of sexual/intimate images. Sexual Maltreatment also includes sexual harassment and stalking, cyber harassment, and cyber stalking of a sexual nature. Examples of Sexual Maltreatment include, but are not limited to:
1. Any penetration of any part of a person's body, however slight, with any object or body part by a person upon another person, including, but not limited to:
 1. vaginal penetration by a penis, object, tongue, or finger; and
 2. anal penetration by a penis, object, tongue, or finger.
 2. Any intentional touching of a sexual nature of any part of a person's body, however slight, with any object or body part by a person upon another person, including, but not limited to:
 1. kissing;
 2. intentional touching of the breasts, buttocks, groin or genitals, whether clothed or unclothed, or intentionally touching of another with any of these body parts;
 3. any contact, no matter how slight, between the mouth of one person and the genitalia of another person;
 4. making a person touch themselves or someone else with or on any of the body parts listed in 2); and
 5. any intentional touching in a sexualized manner.
- d) Neglect: any pattern or a single serious incident of lack of reasonable care, inattention to an Individual's needs, nurturing or well-being, or omissions in care. Neglect is determined by the objective behaviour but the behaviour must be evaluated with consideration given to the Individual's needs and requirements, not whether harm is intended or results from the behaviour. Neglect, or acts of omission, include without limitation, not providing an Athlete

- recovery time and/or treatment for a sport injury; not being aware of and not considering an Individual's physical or intellectual disability; not considering supervision of an Athlete during travel, training or competition; not considering the welfare of the Athlete when prescribing dieting or other weight control methods; disregarding the use of prohibited substances by an Athlete; failure to ensure safety of equipment or environment; allowing an Athlete to disregard sport rules, regulations, and standards, or subjecting Individuals to the risk of Maltreatment.
- e) Grooming: includes, without limitation, deliberate conduct by an Individual to sexualize a relationship with a Minor, and which includes making inappropriate behaviour seem normal and gradually engaging in 'boundary violations' which have been professionally identified to Canadian standards (e.g., a degrading remark, a sexual joke, sexualized physical contact; adult participants sharing rooms with a Minor who is not an immediate family member; providing a massage or other purported therapeutic interventions with no specific training or expertise; private social media and text communications; sharing personal photographs; shared use of locker rooms; private meetings; private travel; and providing gifts).
- f) Interference with or manipulation of process:
- i. An adult Individual violates the *Code of Conduct and Ethics* by directly or indirectly interfering with a process instituted pursuant to this Code or any other policy found in the *Safe Sport Policy Manual* by:
 1. falsifying, distorting, or misrepresenting information, the resolution process, or an outcome;
 2. destroying or concealing information;
 3. attempting to discourage an Individual's proper participation in or use of the Organization's or a Member's processes;
 4. harassing or intimidating (verbally or physically) any person involved in the Organization's or a Member's processes before, during, and/or following any proceedings;
 5. publicly disclosing an Individual's identifying information, without the Individual's agreement;
 6. failing to comply with any temporary or provisional measure or other final sanction;
 7. distributing or otherwise publicizing materials an Individual gains access to during any investigation or hearing, except as required by law or as expressly permitted; or
 8. influencing or attempting to influence another Individual to interfere with or manipulate the process.
- g) Retaliation: An Individual shall not take an adverse action against any other Individual for making a good faith report of possible Maltreatment or for participating in any process found in a policy included in the *Safe Sport Policy Manual*. Retaliation includes threatening, intimidating, harassing, coercing or any other conduct that would discourage a reasonable person from engaging or participating in the Organization's or a Member's processes. Retaliation after the conclusion of investigation and sanction processes is also prohibited. Retaliation may be present even where there is a finding that no Maltreatment occurred. Retaliation does not include good-faith actions lawfully pursued in response to a report of possible Maltreatment.
- h) Aiding and abetting:
- i. Any act taken with the purpose of facilitating, promoting, or encouraging the commission of Maltreatment by an Individual. Aiding and abetting also includes, without limitation, knowingly:
 1. allowing any person who has been suspended or is otherwise ineligible to be in any way associated with sport or to coach or instruct Individuals;

2. providing any coaching-related advice or service to an Athlete who has been suspended or is otherwise ineligible; and
 3. allowing any Individual to violate the terms of their suspension or any other sanctions imposed.
- i) Failure by an adult Individual to report actual or suspected Maltreatment of a Minor: This obligation is ongoing and is not satisfied by making an initial report; instead, this obligation includes reporting to the Organization or a Member, on a timely basis, all relevant information that the adult Individual is or becomes aware of, and requires making a direct report to the Organization or a Member. Any report shall include the personally identifying information of the potential Minor complainant (to the extent known), and any such information learned at a later date.
 - j) Failure to report inappropriate conduct: Any Individual who suspects or becomes aware of another Individual's inappropriate conduct, even if it is not defined as Maltreatment, has a duty to report such inappropriate conduct to the Organization or a Member. Individuals in positions of trust and authority who become aware of another Individual's inappropriate conduct have a responsibility for reporting the concern within their organization's policies and procedures.
 - k) Intentionally filing a false allegation: An allegation is false if the events or conduct reported did not occur and the Individual making the report knows that the events or conduct did not occur. An Individual shall not be considered to have filed a false allegation in cases where the allegation cannot be substantiated by supporting evidence but was nevertheless filed in good faith.
21. "*Members*" – Includes the Organizations, leagues, and clubs
 22. "*Minor*" – Any Individual who is under the age of majority at the time and in the jurisdiction where the alleged Maltreatment has occurred. Adults are responsible for knowing the age of majority. For the purpose of protection in each Canadian province and territory, the age of majority is defined as follows:
 - a) 18 years old: Alberta, Manitoba, Ontario, Prince Edward Island, Quebec, Saskatchewan
 - b) 19 years old: British Columbia, Newfoundland, Northwest Territories, Nova Scotia, Nunavut, Yukon
 23. "*Organization*" – Football New Brunswick
 24. "*Parties*" – the groups involved with the particular dispute. In the *Discipline and Complaints Policy*, the Parties are the Complainant and Respondent. In the *Appeal Policy*, the Parties are the Appellant, Respondent, and any Affected Party
 25. "*Person in Authority*" – Any Individual who holds a position of authority within the Organization or a Member including, but not limited to, coaches, instructors, officials, managers, support personnel, chaperones, committee members, and Directors and Officers
 26. "*Respondent*" – The party responding to a complaint or, in the case of an appeal, the body whose decision is being appealed
 27. "*Sexual Harassment*" – A course of vexatious comment or conduct against an Individual because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome; or making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advance to the Individual and the person knows or ought reasonably to know that the solicitation or advance is unwelcome. Types of behaviour that constitute Sexual Harassment include, but are not limited to:
 - a) Sexist jokes;
 - b) Threats, punishment, or denial of a benefit for refusing a sexual advance;
 - c) Offering a benefit in exchange for a sexual favour;
 - d) Demanding hugs;
 - e) Bragging about sexual ability;

- f) Leering (persistent sexual staring);
 - g) Sexual assault;
 - h) Display of sexually offensive material;
 - i) Distributing sexually explicit messages or attachments such as pictures or video files;
 - j) Sexually degrading words used to describe an Individual;
 - k) Unwelcome inquiries into or comments about an Individual's gender identity or physical appearance;
 - l) Inquiries or comments about an Individual's sex life;
 - m) Persistent, unwanted attention after a consensual relationship ends;
 - n) Persistent unwelcome sexual flirtations, advances, comments or propositions; and
 - o) Persistent unwanted contact.
28. *"Social media"* – The catch-all term that is applied broadly to new computer-mediated communication media such as blogs, YouTube, Facebook, Instagram, Tumblr, TikTok, Snapchat, and Twitter.
29. *"Vulnerable Individuals"* – Includes Minors and adults (people who, because of age, disability or other circumstance, are in a position of dependence on others or are otherwise at a greater risk than the general population of being harmed by people in positions of trust or authority);
30. *"Vulnerable Sector Check (VSC)"* – A detailed check that includes a search of the RCMP Canadian Police Information Centre (CPIC) system, Local Police Information, and the Pardoned Sex Offender database
31. *"Worker"* – Any person who performs work for the Organization or a Member including employees, managers, supervisors, temporary workers, volunteers, student volunteers, part-time workers, the Board of Directors, and independent contractors.
32. *"Workplace"* – Any place where business or work-related activities are conducted. Workplaces include, but are not limited to, the office of the Organization or a Member, work-related social functions, work assignments outside offices, work-related travel, the training and competition environment, and work-related conferences or training sessions
33. *"Workplace Harassment"* – Vexatious comment or conduct against a Worker in a Workplace that is known or ought reasonably to be known to be unwelcome. Workplace Harassment should not be confused with legitimate, reasonable management actions that are part of the normal work/training function, including measures to correct performance deficiencies, such as placing someone on a performance improvement plan, or imposing discipline for workplace infractions. Types of behaviour that constitute Workplace Harassment include, but are not limited to:
- a) Bullying;
 - b) Workplace pranks, vandalism, bullying or hazing;
 - c) Repeated offensive or intimidating phone calls or emails;
 - d) Inappropriate sexual touching, advances, suggestions or requests;
 - e) Displaying or circulating offensive pictures, photographs or materials in printed or electronic form;
 - f) Psychological abuse;
 - g) Excluding or ignoring someone, including persistent exclusion of a person from work-related social gatherings;
 - h) Deliberately withholding information that would enable a person to do his or her job, perform or train;
 - i) Sabotaging someone else's work or performance;
 - j) Gossiping or spreading malicious rumours;
 - k) Intimidating words or conduct (offensive jokes or innuendos); and
 - l) Words or actions which are known or should reasonably be known to be offensive, embarrassing, humiliating, or demeaning.
34. *"Workplace Violence"* – The use of or threat of physical force by a person against a worker in a Workplace that causes or could cause physical injury to the worker; an attempt to exercise physical force against a

worker in a Workplace that could cause physical injury to the worker; or a statement or behaviour that it is reasonable for a worker to interpret as a threat to exercise physical force against the worker in a Workplace that could cause physical injury to the worker. Types of behaviour that constitute Workplace Violence include, but are not limited to:

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

SAFE SPORT POLICY

Purpose

1. This Policy describes how the Organization and its Members aims to provide a safe sport environment.

Commitment to True Sport Principles

2. The Organization and its Members commits to the True Sport Principles which are:
 - a) **Go for It** – Rise to the challenge – always strive for excellence. Discover how good you can be.
 - b) **Play Fair** – Play honestly – obey both the letter and spirit of the rules. Winning is only meaningful when competition is fair.
 - c) **Respect Others** – Show respect for everyone involved in creating your sporting experience, both on and off the field. Win with dignity and lose with grace.
 - d) **Keep it Fun** – Find the joy of sport. Keep a positive attitude both on and off the field.
 - e) **Stay Healthy** – Place physical and mental health above all other considerations – avoid unsafe activities. Respect your body and keep in shape.
 - f) **Include Everyone** – Share sport with others. Ensure everyone has a place to play.
 - g) **Give Back** – Find ways to show your appreciation for the community that supports your sport and helps make it possible.

Pledge

3. The stakeholders, members, and leaders of the Organization and its Members are expected to live the True Sport Principles and the Organization and its Members pledges to embed the True Sport Principles in its governance and operations in the following ways:
 - a) **Conduct Standards** – the Organization and its Members will adopt comprehensive conduct standards that are expected to be followed by Individuals
 - b) **Athlete Protection** – the Organization and its Members will provide coaches and other stakeholders with general and sport-specific athlete protection guidelines
 - c) **Dispute Resolution and Investigations** – the Organization and its Members will have dispute resolution processes that are confidential and procedurally fair and that require independent investigation for certain alleged violates of the conduct standards
 - d) **Strategy** – the Organization and its Members will have strategic plans that reflects the organization’s mission, vision, and values
 - e) **Governance** – the Organization and its Members will have a diverse blend of sport leaders and will adhere to principles of good governance
 - f) **Risk Management** – the Organization and its Members will intentionally manage risks to its operations and events through the use of risk management plans and/or risk registries

Conduct Standards

4. the Organization and its Members will adopt a *Code of Conduct and Ethics* that describes standards of conduct and behaviour for all Individuals. General standards of conduct will apply to all Individuals and specific standards will be described for positions within the organization. The *Code of Conduct and Ethics* will have specific sections, including but not limited, to:
 - a) Athletes
 - b) Coaches
 - c) Officials
 - d) Volunteers

- e) Directors and Committee Members
 - f) Parents and Spectators
5. The *Code of Conduct and Ethics* will contain detailed definitions of key terms, including:
- a) Harassment
 - b) Sexual Harassment
 - c) Workplace Harassment
 - d) Workplace Violence
 - e) Discrimination
 - f) Hazing
6. The Organization and its Members will adopt an *Abuse Policy* that will define “vulnerable individuals” and describe the types of abuse (e.g., Physical Abuse, Sexual Abuse, Emotional Abuse, and Neglect) that vulnerable individuals may be subjected to.

Anti-Doping

7. The *Code of Conduct and Ethics* will indicate that the Organization and its Members adopt and adhere to the Canadian Anti-Doping Program.

Social Media

8. the Organization and its Members will adopt a *Social Media Policy* that describes standards of conduct that are expected on social media by Individuals. The *Social Media Policy* will indicate specific conduct standards and risks that are common and/or exclusive to social media.
9. The *Social Media Policy* will highlight the importance of responsible coach-athlete interaction on social media and will provide examples of violations of conduct standards.

Athlete Protection

Screening

10. The Organization and its Members will adopt a comprehensive *Screening Policy* that requires some Individuals to pass a screening process before being permitted to interact with athletes. The *Screening Policy* will:
- a) Categorize positions in the organization as ‘Low Risk’, ‘Medium Risk’, and ‘High Risk’ and require progressive measures for individuals serving in each category of risk
 - b) Describe how frequently some Individuals must obtain a police records check and which type of check(s) they must obtain
 - c) Describe how frequently some Individuals must submit Screening Disclosure Forms and Screening Renewal Forms
11. The Organization and its Members will develop general and sport-specific *Athlete Protection Guidelines* that can be used by coaches, managers, medical personnel, and other persons in authority. The Organization and its Members may provide training on the guidelines and take steps to ensure the guidelines are being implemented. The Organization and its Members will conduct a regular review of the guidelines to add and/or modify new guidelines as appropriate.

Resources

12. The Organization and its Members will regularly provide information to Individuals about resources and training related to athlete protection. Resources and training opportunities can include:
- a) [NCCP modules](#)

- b) [Respect in Sport](#)
- c) [Commit to Kids](#)
- d) [Red Cross – Respect Education Courses](#)

Athlete Engagement

13. The Organization and its Members will engage with athletes to determine the level of success of their athlete protection measures as well as to identify any gaps or athlete concerns. This engagement may take the form of:
- a) Anonymous athlete surveys
 - b) Athlete involvement in organizational decision-making
 - c) Independently-led athlete outreach consultations

Dispute Resolution

14. The Organization and its Members will have a comprehensive suite of dispute resolution policies that will include:
- a) *Discipline and Complaints Policy*
 - b) *Appeal Policy*
 - c) *Dispute Resolution Policy*
 - d) *Investigations Policy*
 - e) *Event Discipline Procedure*
 - f) *Whistleblower Policy*
15. Taken together, the suite of dispute resolution policies will include the following features:
- a) An independent individual to whom complaints can be submitted
 - b) Sanctions for violations of conduct standards
 - c) Mechanism for suspension of individuals pending the conclusion of the process
 - d) Non-biased and experienced case managers, decision-makers and/or investigators
 - e) Protection from reprisal for submitting complaints
 - f) Anonymity for the complainant in cases of whistleblowers
 - g) Independency of appeal procedures (when appeals are permitted)
 - h) Opportunity for alternate dispute resolution
 - i) Investigations of certain complaints (e.g., when required by law and/or when the complaint involves harassment, abuse, or discrimination)
 - j) In-event discipline procedures (when an event does not have its own disciplinary procedures)

Alignment

16. The Organization and its Members recognizes the importance of safe sport for athletes and participants across the country. The Organization and its Members will adopt a *Reciprocation Policy* that will require:
- a) Members to report discipline decisions to the Organization
 - b) The distribution of discipline decisions to all applicable Members
 - c) The Organization and its Member to recognize and enforce sanctions imposed by the Organization or a Member

Obligations – Reporting and Third-Party Case Management

17. The policies of the Organization and its Members will include requirements that certain complaints must be reported to government entities, local police forces, and/or child protection agencies.
18. The policies of the Organization and its Members will include requirements that certain complaints (e.g., those related to harassment, discrimination, and abuse) must be handled by third party that has no conflict

of interest or bias.

Records

19. The Organization and its Members will retain records of decisions that have been made pursuant to the organization’s policies. These records may be shared with other individuals or organizations, including but not limited to, national sport organizations, provincial sport organizations, multi-sport organizations, and government entities.

Governance and Operations

20. The Organization and its Members will have a comprehensive plan in which athlete protection and safe sport are top priorities for the organization.

21. The Organization and its Members will adopt a *Risk Management Policy* that will describe how the organization will address risks ranging from ‘Unlikely’ to ‘Almost Certain’ and from ‘Minor’ to ‘Catastrophic’. The Organization and its Members will contemplate risk management strategies that retain, reduce, transfer, and/or avoid the risk. Risks can occur in the following areas:

- a) Operational/Program
- b) Compliance
- c) Communication
- d) External
- e) Governance
- f) Financial
- g) Health and Safety

22. The Organization and its Members will pursue a governance structure and organizational culture that reflects the diversity of the athletes and stakeholders within the sport, that adheres to all applicable federal and/or provincial/territorial legislation, and that moves toward a national alignment strategy for the sport in Canada.

23. The Organization and its Members will continually monitor and evaluate its policies, practices, and procedures.

Policy History	
Approved	
Next Review Date	
Revision Approval Dates	

ATHLETE PROTECTION POLICY

Purpose

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

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

2. The Organization and its Members strongly recommend the ‘Rule of Two’ for all Persons in Authority who interact with Athletes. The Coaching Association of Canada describes the intention of the ‘Rule of Two’ as follows:

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

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

Practices and Competitions

4. As it relates to practices and/or competitions, the following shall be respected:
 - a) A Person in Authority should never be alone with a Vulnerable Individual prior to or following a competition or practice unless the Person in Authority is the Athlete’s parent or guardian
 - b) If the Vulnerable Individual is the first Athlete to arrive, the Athlete’s parent should remain until another Athlete or Person in Authority arrives
 - c) If a Vulnerable Individual would potentially be alone with a Person in Authority following a competition or practice, the Person in Authority should ask another Person in Authority (or a parent or guardian of another Athlete) to stay until all of the Athletes have been picked up. If an adult is unavailable, another Athlete, who is preferably not a Vulnerable Individual, should be present in order to avoid the Person in Authority being alone with a Vulnerable Individual
 - d) Persons in Authority giving instructions, demonstrating skills, or facilitating drills or lessons to an individual Athlete should always do so within earshot and eyesight of another Person in Authority

- e) When observing the Rule of Two is not possible due to training or competition circumstances, Persons in Authority and Athletes should take additional steps to achieve transparency and accountability in their interactions. For example, a Person in Authority and an Athlete who know they will be away from other Individuals for a lengthy period of time must inform another Person in Authority where they are going and when they are expected to return. Persons in Authority should always be reachable by phone or text message

Communications

5. Communications between Persons in Authority and Athletes should respect the following:
 - a) Group messages, group emails or team pages are to be used as the regular method of communication between Persons in Authority and Athletes
 - b) Persons in Authority may only send texts, direct messages on social media or emails to individual Athletes when necessary and only for communicating information related to team issues and activities (e.g., non-personal information). Any such texts, messages or emails shall be professional in tone
 - c) Electronic communication between Persons in Authority and Athletes that is personal in nature should be avoided. If such communication occurs, it must be recorded and available for review by another Person in Authority and/or by the Athlete's parent/guardian
 - d) Parents and guardians may request that their child not be contacted by a Person in Authority using any form of electronic communication and/or to request that certain information about their child may not be distributed in any form of electronic communications
 - e) All communication between a Person in Authority and Athletes must be between the hours of 6:00 a.m. and midnight unless extenuating circumstances justify otherwise
 - f) Communications concerning drugs or alcohol use (unless regarding its prohibition) is not permitted
 - g) No sexually explicit language or imagery or sexually oriented conversation may be communicated in any medium
 - h) Persons in Authority are not permitted to ask Athletes to keep a secret for them

Travel

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

Locker Room/Changing Areas

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

- b) If Persons in Authority are not present in the locker room or changing area, or if they are not permitted to be present, they should still be available outside the locker room or changing area and be able to enter the room or area if required, for reasons including, but not limited to, team communications and/or emergencies

Photography/Video

- 8. Any photograph or video involving an Athlete shall respect the following:
 - a) Photographs and video may only be taken in public view, must observe generally accepted standards of decency, and be both appropriate for and in the best interest of the Athlete
 - b) The use of recording devices of any kind in rooms where there is a reasonable expectation of privacy is strictly prohibited
 - c) Examples of photos that shall be edited or deleted include:
 - i. Images with nudity or where undergarments are showing
 - ii. Suggestive or provocative poses
 - iii. Embarrassing images
 - d) If any photographs or videos will be used on any form of public media, an Image Consent Form (**Appendix A**) must be completed before any images are taken and used

Physical Contact

- 9. It is recognized that some physical contact between Persons in Authority and Athletes may be necessary for various reasons including, but not limited to, teaching a skill or tending to an injury. Any physical contact shall respect the following:
 - a) Unless it is otherwise impossible because of serious injury or other justifiable circumstance, a Person in Authority must always clarify with an Athlete where and why any physical contact will occur prior to the contact occurring. The Person in Authority must make clear that he or she is requesting to touch the Athlete and not requiring physical contact
 - b) Infrequent, non-intentional physical contact during a training session is permitted
 - c) Hugs lasting longer than five seconds, cuddling, physical horseplay, and physical contact initiated by the Person in Authority is not permitted. It is recognized that some Athletes may initiate hugging or other physical contact with a Person in Authority for various reasons (e.g., such as celebrating or crying after a poor performance), but this physical contact should always be limited to circumstances where the Person in Authority believes it is in the best interest of the Athlete and when it occurs in an open and observable environment.

Enforcement

- 10. Any alleged violations of this *Athlete Protection Policy* shall be addressed pursuant to the Organization’s *Discipline and Complaints Policy*.

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Approved	
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Appendix A – Image Consent Form

Name of Participant (print): _____

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

Signature of Participant: _____

OR, if the Participant is younger than the age of 19

Signature of Parent/Guardian: _____

Date: _____

CODE OF CONDUCT AND ETHICS

Purpose

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

Application of this Code

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

Responsibilities

7. Individuals have a responsibility to:
 - a) Conduct themselves in a manner consistent with the True Sport principles
 - b) Maintain and enhance the dignity and self-esteem of members and other individuals by:
 - i. Treating each other with the highest standards of respect and integrity;
 - ii. Focusing comments or criticism appropriately and avoiding public criticism of Athletes, coaches, officials, organizers, volunteers, employees, or other participants;
 - iii. Consistently demonstrating the spirit of sportsmanship, sport leadership, and ethical conduct;
 - iv. Acting, when appropriate, to correct or prevent practices that are unjustly discriminatory;
 - v. Consistently treating individuals fairly and reasonably; and
 - vi. Ensuring adherence to the rules of the sport and the spirit of those rules.
 - c) Refrain from any behaviour that constitutes Harassment, Workplace Harassment, Sexual Harassment, Workplace Violence, Discrimination, or any form of Maltreatment

- d) Abstain from the non-medical use of medications or drugs or the use of Prohibited Substances or Prohibited Methods as listed on the version of the World Anti-Doping Agency's Prohibited List currently in force. More specifically, the Organization and its Members adopt and adhere to the Canadian Anti-Doping Program. The Organization and its Members will respect any sanction imposed on an Individual as a result of a breach of the Canadian Anti-Doping Program or any other applicable Anti-Doping Rules
- e) Refrain from associating with any person for the purpose of coaching, training, competition, instruction, administration, management, athletic development, or supervision, who has been found to have committed an anti-doping rule violation and is serving a period of ineligibility imposed pursuant to the Canadian Anti-Doping Program or any other applicable Anti-Doping Rules
- f) Refrain from the use of power or authority in an attempt to coerce another person to engage in inappropriate activities
- g) Refrain from consuming tobacco products, cannabis, or recreational drugs while participating in the programs, activities, competitions, or events of the Organization or a Member;
- h) In the case of minors, not consume alcohol, tobacco, or cannabis at any competition or event;
- i) In the case of adults, not consume cannabis in the Workplace or in any situation associated with the events of the Organization or a Member (subject to any requirements for accommodation), not consume alcohol during competitions and in situations where minors are present, and take reasonable steps to manage the responsible consumption of alcohol in adult-oriented social situations
- j) When driving a vehicle:
 - i. Not have his or her license suspended;
 - ii. Not be under the influence of alcohol, cannabis, or illegal drugs or substances;
 - iii. Have valid car insurance; and
 - iv. Refrain from using a mobile device.
- k) Respect the property of others and not wilfully cause damage
- l) Promote sport in the most constructive and positive manner possible
- m) Refrain from engaging in deliberate cheating which is intended to manipulate the outcome of a para-classification, competition and/or not offer or receive any bribe which is intended to manipulate the outcome of a competition
- n) Adhere to all federal, provincial, territorial, municipal and host country laws
- o) Comply, at all times, with the bylaws, policies, procedures, and rules and regulations of the Organization and its Members (as applicable) and as adopted and amended from time to time
- p) Report any ongoing criminal or anti-doping investigation, conviction, or existing bail conditions involving an Individual to the Organization or to a Member, including, but not limited to, those for violence, child pornography, or possession, use, or sale of any illegal or prohibited substance or method

Directors, Committee Members, and Staff

- 8. In addition to section 7 (above), Directors, Committee Members, and Staff of the Organization and its Members will have additional responsibilities to:
 - a) Function primarily as a Director or Committee Member or Staff of the Organization or a Member (as applicable) and not as a member of any other member or constituency
 - b) Ensure their loyalty prioritizes the interests of the Organization or the Member (as applicable)
 - c) Act with honesty and integrity and conduct themselves in a manner consistent with the True Sport principles
 - d) Ensure that financial affairs are conducted in a responsible and transparent manner with due regard for all fiduciary responsibilities
 - e) Comply with the *Screening Policy*
 - f) Conduct themselves openly, professionally, lawfully and in good faith
 - g) Be independent and impartial and not be influenced by self-interest, outside pressure, expectation of reward, or fear of criticism

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

Coaches and Instructors

9. In addition to section 7 (above), coaches and instructors have many additional responsibilities. The coach-Athlete relationship is a privileged one and plays a critical role in the personal, sport, and athletic development of the Athlete. Coaches must understand and respect the inherent power imbalance that exists in this relationship and must be extremely careful not to abuse it, either consciously or unconsciously. Coaches and instructors will:
- a) Ensure a safe environment by selecting activities and establishing controls that are suitable for the age, experience, ability, and fitness level of the Athletes
 - b) Prepare Athletes systematically and progressively, using appropriate time frames and monitoring physical and psychological adjustments while refraining from using training methods or techniques that may harm Athletes
 - c) Avoid compromising the present and future health of Athletes by communicating and cooperating with sport medicine professionals in the diagnosis, treatment, and management of Athletes' medical and psychological treatments
 - d) Support the coaching staff of a training camp, territorial team, or national team, should an Athlete qualify for participation with one of these programs
 - e) Accept and promote Athletes' personal goals and refer Athletes to other coaches and sport specialists as appropriate
 - f) Provide Athletes (and the parents/guardians of minor Athletes) with the information necessary to be involved in the decisions that affect the Athlete
 - g) Act in the best interest of the Athlete's development as a whole person
 - h) Comply with the *Screening Policy*
 - i) Report any ongoing criminal or anti-doping investigation, conviction, or existing bail conditions to the Organization or a Member (as applicable), including those for violence, child pornography, or possession, use, or sale of any illegal or prohibited substance or method
 - j) Under no circumstances provide, promote, or condone the use of drugs (other than properly prescribed medications) or prohibited substances or prohibited methods and, in the case of Minors, alcohol, cannabis, and/or tobacco
 - k) Respect Athletes competing for other jurisdictions 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 or intimate relationship with an Athlete of any age in which the coach is in a position of trust or authority
 - 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
 - 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) Adhere to their Athlete Agreement (if applicable)
 - b) Report any medical problems in a timely fashion to the Organization or a Member, when such problems may limit their ability to travel, practice, or compete
 - c) Participate and appear on time and prepared to participate to their best abilities in all competitions, practices, training sessions, and evaluations
 - d) Properly represent themselves and not attempt to participate in a competition for which they are not eligible by reason of age, classification, or other reason
 - e) Adhere to any rules and requirements regarding clothing and equipment
 - f) Dress to represent the sport and themselves with professionalism
 - g) Act in accordance with applicable policies and procedures and, when applicable, additional rules as outlined by coaches or managers

Officials

11. In addition to section 7 (above), officials will have additional responsibilities to:
- a) Maintain and update their knowledge of the rules and rule changes
 - b) Not publicly criticize other officials
 - c) Work within the boundaries of their position's description while supporting the work of other officials
 - d) Act as an ambassador of the sport by agreeing to enforce and abide by national and territorial rules and regulations
 - e) Take ownership of actions and decisions made while officiating
 - f) Respect the rights, dignity, and worth of all Individuals
 - g) Act openly, impartially, professionally, lawfully, and in good faith
 - h) Be fair, equitable, considerate, independent, honest, and impartial in all dealings with others
 - i) Respect the confidentiality required by issues of a sensitive nature, which may include discipline processes, appeals, and specific information or data about Individuals
 - j) Comply with the *Screening Policy*
 - k) Honour all assignments unless unable to do so by virtue of illness or personal emergency, and in these cases inform a supervisor or the Organization or the Member at the earliest possible time
 - l) When writing reports, set out the actual facts to the best of their knowledge and recollection
 - m) Dress 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 competition or practice
 - d) Respect the decisions and judgments of officials, and encourage Athletes to do the same
 - e) Support all efforts to remove verbal and physical abuse, coercion, intimidation, and sarcasm
 - f) Respect and show appreciation to all competitors, and to coaches, officials and other volunteers
 - g) Never harass competitors, coaches, officials, parents/guardians, or other spectators

Clubs

13. Clubs will:
- a) Adhere to all of the Organization's governing documents and, where necessary, amend their own rules to comply or align with those of the Organization

- b) Recognize that their websites, blogs and social media accounts may be seen as extensions of the Organization and must reflect the Organization’s mission, vision and values
- c) Ensure that all Athletes and coaches participating in sanctioned competitions and events of the Organization are registered and in good standing
- d) Have well-defined hiring practices and standards in place including interviews, reference checks, and screening procedures to ensure Athletes have a healthy and safe sport environment
- e) Ensure that any possible or actual misconduct is investigated promptly and thoroughly
- f) Impose appropriate disciplinary or corrective measures when misconduct has been substantiated, regardless of the position or authority of the offender
- g) Advise the Organization immediately of any situation where a complainant has publicized a complaint in the media
- h) Provide the Organization with a copy of all decisions rendered pursuant to the organization’s policies for complaints and appeals

Subjecting an Individual to Maltreatment

14. It is a violation of this Code for any Person in Authority to place an Individual in a situation that makes them vulnerable to Maltreatment. This includes, but is not limited to, instructing an Athlete and a coach to share a hotel room when traveling, hiring a coach who has a past history of Athlete Maltreatment, assigning guides and other support staff to an Athlete when the guide or support staff has a reputation for Athlete Maltreatment, or assigning such a guide or support staff to an Athlete in the absence of consultation with the Athlete.

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ABUSE POLICY

Purpose

1. The Organization and its Members is committed to a sport environment free from abuse. The purpose of this Policy is to stress the importance of that commitment by educating Individuals about abuse, outlining how the Organization and its Members will work to prevent abuse, and how abuse or suspected abuse can be reported to and addressed by the Organization and its Members.

Zero Tolerance Statement

2. The Organization and its Members has zero tolerance for any type of abuse. Individuals are required to report instances of abuse or suspected abuse to the Organization or a Member to be immediately addressed under the terms of the applicable policy.

Education – What is Abuse

3. Individuals can be abused in different forms.
4. An abuser may use a number of different tactics to gain access to children, exert power and control over them, and prevent them from telling anyone about the abuse or seeking support. The abuse may happen once, or it may occur in a repeated and escalating pattern over a period of months or years. The abuse may change form over time.
5. Abuse of children or youth in sport can include emotional maltreatment, neglect, and physical maltreatment.
6. Importantly, emotional and physical maltreatment does not include professionally-accepted coaching methods (per the NCCP) of skill enhancement, physical conditioning, team building, discipline, or improving athletic performance.
7. Potential warning signs of abuse of children or youth can include:
 - a) Recurrent unexplained injuries
 - b) Alert behaviour; child seems to always be expecting something bad to happen
 - c) Often wears clothing that covers up their skin, even in warm weather
 - d) Child startles easily, shies away from touch or shows other skittish behaviour
 - e) Constantly seems fearful or anxious about doing something wrong
 - f) Withdrawn from peers and adults
 - g) Behavior fluctuates between extremes (e.g., extremely cooperative or extremely demanding)
 - h) Acting either inappropriately beyond their age (like an adult; taking care of other children) or inappropriately younger than their age (like an infant; throwing tantrums)
 - i) Acting out in an inappropriate sexual way with toys or objects
 - j) New adult words for body parts and no obvious source
 - k) Self-harm (e.g., cutting, burning or other harmful activities)
 - l) Not wanting to be alone with a particular child or young person

Vulnerable Adult Abuse

8. Although individuals may be abused at virtually any life stage – childhood, adolescence, young adulthood, middle age, or old age – the nature and consequences of abuse may differ depending on an individual’s situation, disability, or circumstance.
9. Abuse of vulnerable adults is often described as a misuse of power and a violation of trust. Abusers may use a number of different tactics to exert power and control over their victims. Abuse may happen once, or it may occur in a repeated and escalating pattern over months or years. The abuse may take many different forms, which may change over time.
10. Potential warning signs of abuse of vulnerable adults can include:
 - a) Depression, fear, anxiety, passivity
 - b) Unexplained physical injuries
 - c) Dehydration, malnutrition, or lack of food
 - d) Poor hygiene, rashes, pressure sores
 - e) Over-sedation

Preventing Abuse

11. The Organization and its Members will enact measures aimed at preventing all types of abuse. These measures include screening, orientation, training, practice, and monitoring.

Screening

12. Individuals who coach, volunteer, officiate, deliver developmental programs, accompany a team to an event or competition, are paid staff, or otherwise engage with Vulnerable Individuals involved with the Organization and its Members will be screened according to the organization’s *Screening Policy*.
13. the Organization and its Members will use the *Screening Policy* to determine the level of trust, authority, and access that each Individual has with Vulnerable Individuals. Each level of risk will be accompanied by increased screening procedures which may include the following, singularly or in combination:
 - a) Completing an Application Form for the position sought (which includes alerting Individuals that they must agree to adhere with the organization’s policies and procedures (including this *Abuse Policy*))
 - b) Completing a Screening Declaration Form
 - c) Providing letters of reference
 - d) Providing a Criminal Record Check (“CRC”) and/or Vulnerable Sector Check (“VSC”)
 - e) Providing a driver’s abstract
 - f) Other screening procedures, as required
14. An Individual’s failure to participate in the screening process or pass the screening requirements, will result in the Individual’s ineligibility for the position sought.

Orientation and Training

15. The Organization and its Members may deliver orientation and training to those Individuals who have access to, or interact with, Vulnerable Individuals. The orientation and training, and their frequency, will be based on the level of risk, as described in the *Screening Policy*.
16. Orientation may include, but is not limited to: introductory presentations, facility tours, equipment demonstrations, parent/athlete meetings, meetings with colleagues and supervisors, orientation manuals, orientation sessions, and increased supervision during initial tasks or period of engagement.

17. Training may include, but is not limited to: certification courses, online learning, mentoring, workshop sessions, webinars, on-site demonstrations, and peer feedback.
18. At the conclusion of the orientation and training, Individuals may be required to acknowledge, in written form, that they have received and completed the training.

Practice

19. When Individuals interact with Vulnerable Individuals, they may be required to enact certain practical approaches to these interactions. These include, but are not limited to:
 - a) Limiting physical interactions to non-threatening or non-sexual touching (e.g., high-fives, pats on the back or shoulder, handshakes, specific skill instruction, etc.)
 - b) Ensuring that Vulnerable Individuals are always supervised by more than one adult
 - c) Ensuring that more than one person is involved with team selection (thereby limiting the consolidation of power onto one Individual)
 - d) Including parents/guardians in all communication (e.g., electronic, telephonic) with Vulnerable Individuals
 - e) Ensuring that parents/guardians are aware that some non-personal communication between Individuals and Vulnerable Individuals (e.g., coaches and athletes) may take place electronically (e.g., by texting) and that this type of communication is now considered to be commonplace, especially with older Vulnerable Individuals (e.g., teenagers). Individuals are aware that such communication is subject to The Organization and its Members *Code of Conduct and Ethics* and *Social Media Policy*.
 - f) When traveling with Vulnerable Individuals, the Individual will not transport Vulnerable Individuals without another adult present and will not stay in the same overnight accommodation location without another adult present.

Monitoring

20. The Organization and its Members will regularly monitor those Individuals who have access to, or interact with, Vulnerable Individuals. The monitoring will be based on the level of risk, as described in the *Screening Policy*.
21. Monitoring may include, but is not limited to: regular status reports, logs, supervisor meetings, supervisor on-site check-ins, feedback provided directly to the organization (from peers and parents/athletes), and regular evaluations.

Reporting Abuse

22. Reports of abuse that are shared confidentially with an Individual by a Vulnerable Individual may require the Individual to report the incident to parents/guardians, the Organization and its Members or police. Individuals must respond to such reports in a non-judgemental, supportive and comforting manner but must also explain that the report may need to be escalated to the proper authority or to the Vulnerable Individual’s parent/guardian.
23. Complaints or reports that describe an element of **abuse** will be addressed by the process(es) described in the Organization and its Members *Discipline and Complaints Policy* and the *Investigations Policy - Discrimination, Harassment and Abuse*.

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DISCIPLINE AND COMPLAINTS POLICY

Purpose

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

Application of this Policy

2. This Policy applies to all Individuals.
3. This Policy applies to matters that may arise during the business, activities, and events of the Organization and its Members (as applicable) including, but not limited to, competitions, practices and training, treatment or consultations (e.g., massage therapy), camps and clinics, travel associated with the activities of the Organization or a Member, and any meetings.
4. This Policy also applies to Individuals' conduct outside of the business, activities, and events of the Organization and its Members (as applicable) when such conduct adversely affects the Organization's and/or a Member's relationships (and the work and sport environment) or is detrimental to the image and reputation of the Organization or a Member. Accordingly, applicability of this Policy will be determined by the Organization or a Member upon its sole discretion.
5. This Policy applies to alleged breaches of the *Code of Conduct and Ethics* by Individuals who have retired from the sport where any claim regarding a potential breach of the *Code of Conduct and Ethics* occurred when the Individual was active in the sport. In addition, this Policy will apply to breaches of the *Code of Conduct and Ethics* that occurred when the Individuals involved interacted due to their mutual involvement in the sport or, if the breach occurred outside of the sport environment, if the breach has a serious and detrimental impact on the Individual(s).
6. Applicability of this Policy will be determined by the Organization or a Member at its sole discretion and shall not be subject to appeal.
7. In the event that it is considered appropriate or necessary on the basis of the circumstances, immediate discipline or the imposition of a sanction may be applied, after which further discipline or sanctions 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 may be for the duration of the competition, training, activity, or event only.
8. In addition to being subject to disciplinary action pursuant to this *Discipline and Complaints Policy*, an employee of the Organization or a Member who is a Respondent to a complaint may also be subject to consequences in accordance with the employee's Employment Agreement or policies for human resources, if applicable.

Minors

9. Complaints may be brought for or against an Individual who is a Minor. Minors must have a parent/guardian or other adult serve as their representative during this process.

10. Communication from the Case Manager, Discipline Chair or Discipline Panel (as applicable), must be directed to the Minor's representative.
11. A Minor is not required to attend an oral hearing, if held.

Reporting a Complaint

12. Any person may report a complaint to the Organization or a Member or to the Organization's Case Manager:

Football New Brunswick, President

13. At the discretion of the Organization or a Member (as applicable), the Organization or a Member 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 or a Member.
14. Complaints or incident reports should be made in writing and the person making the complaint may contact the Organization's or Member's (as applicable) Case Manager for direction. The Case Manager may accept any report, in writing or not, at their sole discretion.

Case Manager Responsibilities

15. Upon receipt of a complaint from an Individual (or Individuals), the Case Manager shall determine whether the complaint should be handled by the relevant Club or by the Organization.
16. The Case Manager shall make this determination by taking into consideration whether the incident has occurred within the Club or the Organization's business, activities or events. If the incident has occurred outside of the business, activities or events of any of these organizations, the Case Manager will determine which organization's relationships are adversely affected or which organization's image or reputation will be detrimentally affected by the incident.
17. The Case Manager may direct a complaint to be managed by the Organization if the Club is otherwise unable to manage the complaint for valid and justifiable reasons, such as a conflict of interest or due to a lack of capacity.
18. If the Organization's Case Manager determines that the complaint or incident should be handled by the relevant Club, that Club shall appoint its own Case Manager to fulfil the responsibilities listed below. In such instance, any reference to Case Manager below shall be understood as a reference to the Club's Case Manager.
19. The Case Manager may determine that the alleged incident may contain an element of discrimination, harassment, workplace harassment, workplace violence, sexual harassment, or abuse. In this case, the Case Manager may appoint an Investigator who will investigate the complaint.
20. Upon receipt of a complaint, the Case Manager has a responsibility to:
 - a) Determine whether the complaint is frivolous and/or within the jurisdiction of this Policy;
 - b) Determine the appropriate jurisdiction to manage the complaint;
 - c) Propose the use of alternate dispute resolution techniques;
 - d) Determine that the alleged incident may contain an element of discrimination, harassment, workplace harassment, workplace violence, sexual harassment, or abuse. The Case Manager may also appoint an Investigator to investigate the complaint; and/or
 - e) Choose which process should be followed, and may use the following examples as a general guideline:

Process #1 - the Complaint alleges the following incidents:

- a) Disrespectful, abusive, racist, or sexist comments or behaviour
- b) Disrespectful conduct
- c) Minor incidents of violence (e.g., tripping, pushing, elbowing)
- d) Conduct contrary to the values of Football Canada or to a Provincial/Territorial Association
- e) Non-compliance with the organization's policies, procedures, rules, or regulations
- f) Minor violations of the *Code of Conduct and Ethics*

Process #2 - the Complaint alleges the following incidents:

- a) Repeated minor incidents
- b) Any incident of hazing
- c) Behaviour that constitutes harassment, sexual harassment, or sexual misconduct
- d) Major incidents of violence (e.g., fighting, attacking, sucker punching)
- e) Pranks, jokes, or other activities that endanger the safety of others
- f) Conduct that intentionally interferes with a competition or with any athlete's preparation for a competition
- g) Conduct that intentionally damages the organization's image, credibility, or reputation
- h) Consistent disregard for the bylaws, policies, rules, and regulations
- i) Major or repeated violations of the *Code of Conduct and Ethics*
- j) Intentionally damaging the organization's property or improperly handling the organization's monies
- k) Abusive use of alcohol, any use or possession of alcohol by minors, or use or possession of illicit drugs and narcotics
- l) A conviction for any *Criminal Code* offense
- m) Any possession or use of banned performance enhancing drugs or methods

21. If the Case Manager determines the complaint is frivolous or outside the jurisdiction of this Policy, the complaint will be dismissed immediately.

22. The Case Manager's decision to accept or dismiss the complaint may not be appealed.

Process #1: Handled by Discipline Chair

Discipline Chair

23. Following the determination that the complaint or incident should be handled under Process #1, the Case Manager will appoint a Discipline Chair who may:

- a) Ask the Complainant and the Respondent for either written or oral submissions regarding the complaint or incident; or
- b) Convene the parties to a meeting, either in person or by way of video or teleconference in order to ask the parties questions.

24. Thereafter, the Discipline Chair shall determine if a breach occurred, if so, if one or more of the following sanctions should be applied:

- a) Verbal or written reprimand
- b) Verbal or written apology
- c) Service or other contribution to the Organization or Member
- d) Removal of certain privileges
- e) Suspension from certain teams, events, and/or activities for a designated period
- f) Any other sanction considered appropriate for the offense

25. The Discipline Chair will inform the Parties of the decision, which will take effect immediately.
26. Records of all sanctions will be maintained by the Organization and the Member. The Member will disclose all decisions to the Organization, which may disclose such decisions at its discretion.

Request for Reconsideration

27. If there is no sanction, the Complainant may contest the non-sanction by informing the Discipline Chair, within five (5) days of receiving the decision, that the Complainant is not satisfied with the decision. The initial complaint or incident will then be handled under Process #2 of this Policy.
28. If there is a sanction, 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 five (5) 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.
29. Upon receiving a Request for Reconsideration, the Discipline Chair may decide to accept or reject the Respondent's suggestion for an appropriate sanction.
30. Should the Discipline Chair accept the Respondent's suggestion for an appropriate sanction, that sanction will take effect immediately.
31. 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

32. Following the determination that the complaint or incident should be handled under Process #2, the Case Manager has a responsibility to:
 - a. Propose the use of alternate dispute resolution techniques
 - 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
33. The Case Manager will establish and adhere to timelines that ensure procedural fairness and that the matter is heard in a timely fashion.
34. The Case Manager may propose using alternate dispute resolution with the objective of resolving the dispute. If applicable, and if the dispute is not resolved, or if the parties refuse to attempt alternate dispute resolution (such as mediation or a negotiated settlement) the Case Manager will appoint a Discipline Panel, which shall consist of a single Arbitrator, to hear the complaint. 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.
35. 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

36. 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.

37. The hearing will proceed in any event, even if a Party chooses not to participate in the hearing.

38. 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.

39. In fulfilling its duties, the Discipline Panel may obtain independent advice.

Decision

40. After hearing 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, to the Organization and the Member. 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

41. 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 or a Member
- d) Removal of certain privileges
- e) Suspension from certain teams, events, and/or activities
- f) Suspension from certain activities for a designated period
- 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

42. 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.
43. Records of all decisions will be maintained by the Organization and the Member (as applicable). Members will submit all records to the Organization.

Appeals

44. The decision of the Discipline Panel may be appealed in accordance with the *Appeal Policy*.

Suspension Pending a Hearing

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

Criminal Convictions

46. The Organization or the Member (as applicable) may determine in its sole discretion that an Individual's conviction for a *Criminal Code* offense will be deemed an infraction under this Policy and will result in expulsion from the Organization or the Member (as applicable). *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

47. The discipline and complaints process is confidential and involves only the Organization, the applicable Member(s), the parties, the Case Manager, the Discipline Chair, the Discipline Panel, and any independent advisors to the Discipline Panel. Once initiated and until a decision is released, none of the parties will disclose confidential information relating to the discipline or complaint to any person not involved in the proceedings.
48. Any failure to respect the aforementioned confidentiality requirement may result in further sanctions or discipline by the Discipline Chair or Discipline Panel (as applicable).

Timelines

49. 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 Case Manager may direct that these timelines be revised.

Records and Distribution of Decisions

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

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RECIPROCATION POLICY

Purpose

1. The purpose of this Policy is to ensure enforcement and recognition of all disciplinary sanctions applied by the Organization and its Members.
2. The Organization and its Members a recognizes the importance of safe sport for all participants.

Application

3. This Policy applies to the Organization and its Members.

Responsibilities

4. The Organization and its Members will:
 - a) Provide copies of discipline and appeal decisions involving Individuals to the Organization and its Members with which the Individual was affiliated, unless determined otherwise by the decision-making panel.
 - b) For discipline decisions provided to the Organization and its Members, determine per the *Discipline and Complaints Policy* whether to initiate further action against the Individual(s) named in the decision
 - c) Recognize and enforce the disciplinary sanctions imposed by the Organization and its Members

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INVESTIGATIONS POLICY

Purpose

1. The Organization and its Members are committed to eliminating all instances of Discrimination, Harassment, Workplace Harassment, Workplace Violence, Sexual Harassment, and Maltreatment within their operations and activities. This Policy describes how Individuals can report instances of Discrimination, Harassment, Workplace Harassment, Workplace Violence, Sexual Harassment, and Maltreatment and how the Organization will lead the investigation of those reports.

Determination and Disclosure

2. When a complaint is submitted pursuant to the *Discipline and Complaints Policy*, the Case Manager will determine if such complaint is related to an instance of Discrimination, Harassment, Workplace Harassment, Workplace Violence, Sexual Harassment, or Maltreatment, or any other matter requiring investigation.
3. The Organization and its Members will adhere to all disclosure and reporting responsibilities required by any government entity, local police force, or child protection agency.

Investigation

4. Complaints that are determined to contain an element of Discrimination, Harassment, Workplace Harassment, Workplace Violence, Sexual Harassment, and Maltreatment, or any other matter deemed relevant by the Case Manager will continue to be addressed by the process(es) described in the *Discipline and Complaints Policy*. However, the Case Manager may also appoint an Investigator to investigate the allegations.
5. The Investigator must be an independent third-party skilled in investigating. The Investigator must not be in a conflict of interest situation and should have no connection to either party.
6. Federal and/or Territorial legislation related to Workplace Harassment may apply to the investigation if Harassment was directed toward a worker in a Workplace. The Investigator should review workplace safety legislation, the organization's policies for human resources, and/or consult independent experts to determine whether legislation applies to the complaint.
7. The investigation may take any form as decided by the Investigator, guided by any applicable Federal and/or Territorial legislation. The investigation may include:
 - a) Interviews with the Complainant
 - b) Witness interviews
 - c) Statement of facts (Complainant's perspective) prepared by Investigator, acknowledged by the Complainant and provided to the Respondent
 - d) Interviews with the Respondent
 - e) Statement of facts (Respondent's perspective) prepared by Investigator, acknowledged by the Respondent and provided to the Complainant

Investigator's Report

8. Upon completion of their investigation, the Investigator shall prepare a report that should include a summary of evidence from the parties (including both statements of facts, if applicable) and recommendations from the Investigator of whether, on a balance of probabilities, an incident occurred that

could be considered Discrimination, Harassment, Workplace Harassment, Workplace Violence, Sexual Harassment, or Maltreatment, or breach of a governing document, including, but not limited to the *Code of Conduct and Ethics*.

9. The Investigator’s report will be provided to the Case Manager who will disclose it, at their discretion, to the Organization or the Member (as applicable) and others.
10. Should the Investigator find that there are possible instances of offence under the *Criminal Code*, particularly related to Criminal Harassment (or Stalking), Uttering Threats, Assault, Sexual Interference, or Sexual Exploitation, the Investigator shall advise the Complainant and the Organization or the Member to refer the matter to police.
11. The Investigator must also inform the Organization or the Member (as applicable) of any findings of criminal activity. The Organization or the Member (as applicable) may decide whether to report such findings to police but is required to inform police if there are findings related to the trafficking of prohibited substances or methods (as indicated in the version of the World Anti-Doping Agency’s Prohibited List currently in force), any sexual crime involving Minors, fraud against the Organization or any Member(s) (as applicable), or other offences where the lack of reporting would bring the Organization or the Member (as applicable) into disrepute.

Reprisal and Retaliation

12. An Individual who submits a complaint to the Organization or who gives evidence in an investigation may not be subject to reprisal or retaliation from any individual or group. Any such conduct may constitute Maltreatment and will be subject to disciplinary proceedings pursuant to the *Discipline and Complaints Policy*.

False Allegations

13. An Individual who submits allegations that the Investigator determines to be malicious, false or for the purpose of retribution, retaliation or vengeance (or that otherwise fall within the definition of Maltreatment) may be subject to a complaint under the terms of the *Discipline and Complaints Policy* and may be required to pay for the costs of any investigation that comes to this conclusion. Any Individual who is liable to pay for such costs shall be automatically deemed to be not in good standing until the costs are paid in full. The Organization or any Member(s) (as applicable), or the Individual against whom the allegations were submitted, may act as the Complainant.

Confidentiality

14. The Investigator will make every effort to preserve the confidentiality of the complainant, respondent, and any other party. However, the Organization and its Members recognize that maintaining anonymity of any party may be difficult for the Investigator during the investigation.

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DISPUTE RESOLUTION POLICY

Purpose

1. The Organization and its Members support the principles of Alternate Dispute Resolution (ADR) and **are** committed to the techniques of negotiation, facilitation, and mediation as effective ways to resolve disputes. ADR also avoids the uncertainty, costs, and other negative effects associated with lengthy appeals or complaints, or with litigation.
2. The Organization and its Members encourage all Individuals to communicate openly, and to collaborate and use problem-solving and negotiation techniques to resolve their differences. The Organization and its Members believe that negotiated settlements are most often preferable to arbitrated outcomes. Negotiated resolutions to disputes with and among Individuals are strongly encouraged.

Application of this Policy

3. This Policy applies to all Individuals.
4. Opportunities for ADR may be pursued at any point in a dispute when all parties to the dispute agree that such a course of action would be mutually beneficial.

Facilitation and Mediation

5. If all parties to a dispute agree to ADR, a mediator or facilitator, acceptable to all parties, shall be appointed to mediate or facilitate the dispute.
6. The mediator or facilitator shall decide the format under which the dispute shall be mediated or facilitated and may, if they consider it appropriate, specify a deadline before which the parties must reach a negotiated decision.
7. Should a negotiated settlement be reached, the settlement shall be reported to the Organization or the Member (as applicable). Any actions that are to take place as a result of the decision shall be enacted on the timelines specified by the negotiated decision, pending approval of the Organization or the Member (as applicable).
8. Should a negotiated settlement not be reached by the deadline specified by the mediator or facilitator at the start of the process (if set), or if the parties to the dispute do not agree to ADR, the dispute shall be considered under the appropriate section of the *Discipline and Complaints Policy* or *Appeal Policy*, as applicable.

Final and Binding

9. Any negotiated settlement will be binding on the parties. Negotiated settlements may not be appealed.

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APPEAL POLICY

Purpose

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

Scope and Application of this Policy

2. This Policy applies to all Individuals.
3. Any Individual who is directly affected by a decision made by the Organization or a Member shall have the right to appeal that decision provided that there are sufficient grounds for the appeal under the **Grounds for Appeal** section of this Policy.
4. This Policy **will apply** to decisions relating to:
 - a) Eligibility
 - b) Selection
 - c) Conflict of Interest
 - d) Discipline
 - e) Membership
5. This Policy **will not apply** to decisions relating to:
 - a) Employment
 - b) Infractions for doping offenses
 - c) The rules of the sport
 - d) Selection criteria, quotas, policies, and procedures established by entities other than the Organization or a Member (as applicable)
 - e) Substance, content and establishment of team selection or carding criteria
 - f) Volunteer/coach appointments and the withdrawal or termination of those appointments
 - g) Budgeting and budget implementation
 - h) The organization's operational structure and committee appointments
 - i) Decisions or discipline arising within the business, activities, or events organized by entities other than the Organization or its Members (appeals of these decisions shall be dealt with pursuant to the policies of those other entities unless requested and accepted by the organization at its sole discretion)
 - j) Commercial matters for which another appeals process exists under a contract or applicable law
 - k) Decisions made under this Policy

Timing of Appeal

6. Individuals who wish to appeal a decision have seven (7) days from the date on which they received notice of the decision to submit the following:
 - a) Notice of the intention to appeal
 - b) Their contact information
 - c) Name and contact information of the Respondent and any Affected Parties, when known to the Appellant
 - d) Date the Appellant was advised of the decision being appealed
 - e) A copy of the decision being appealed, or description of decision if written document is not available
 - f) Grounds for the appeal
 - g) Detailed reasons for the appeal

- h) All evidence that supports these grounds
 - i) Requested remedy or remedies
 - j) An administration fee of two hundred dollars (\$200), which will be refunded if the appeal is upheld
7. An Individual who wishes to initiate an appeal beyond the seven (7) day period must provide a written request stating the reasons for an exemption. The decision to allow, or not allow, an appeal outside of the seven (7) day period will be at the sole discretion of the Appeal Manager and may not be appealed.

Grounds for Appeal

8. A decision cannot be appealed on its merits alone. An appeal may only be heard if there are sufficient grounds for appeal. Sufficient grounds include the Respondent:
- a) Made a decision that it did not have the authority or jurisdiction (as set out in the Respondent's governing documents) to make
 - b) Failed to follow its own procedures (as set out in the Respondent's governing documents)
 - c) Made a decision that was influenced by bias (where bias is defined as a lack of neutrality to such an extent that the decision-maker appears not to have considered other views)
 - d) Made a decision that was patently unreasonable

Screening of Appeal

9. The parties may first attempt to resolve the appeal through the *Dispute Resolution Policy*.
10. Appeals resolved under the *Dispute Resolution Policy* will result in the administration fee being refunded to the Appellant.
11. Should the appeal not be resolved by using the *Dispute Resolution Policy*, the Organization or the Territorial Sport Organization will appoint an independent Appeal Manager (who must not be in a conflict of interest or have any direct relationship with the parties) who has the following responsibilities:
- a) To determine if the appeal falls under the scope of this Policy
 - b) To determine if the appeal was submitted in a timely manner
 - c) To decide whether there are sufficient grounds for the appeal
12. If the Appeal Manager denies the appeal on the basis of insufficient grounds, because it was not submitted in a timely manner, or because it did not fall under the scope of this Policy, the Appellant will be notified, in writing, of the reasons for this decision. This decision may not be appealed.
13. If the Appeal Manager is satisfied there are sufficient grounds for an appeal, the Appeal Manager will appoint an Appeal Panel which shall consist of a single Arbitrator, to hear the appeal. In extraordinary circumstances, and at the discretion of the Appeal Manager, an Appeal Panel composed of three persons may be appointed to hear the appeal. In this event, the Appeal Manager will appoint one of the Panel's members to serve as the Chair.

Determination of Affected Parties

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

Procedure for Appeal Hearing

14. The Appeal Manager shall notify the Parties that the appeal will be heard. The Appeal Manager shall then decide the format under which the appeal will be heard. This decision is at the sole discretion of the Appeal Manager and may not be appealed.
15. If a party chooses not to participate in the hearing, the hearing will proceed in any event.
16. The format of the hearing may involve an oral in-person hearing, an oral hearing by telephone or other electronic means, a hearing based on a review of documentary evidence submitted in advance of the hearing, or a combination of these methods. The hearing will be governed by the procedures that the Appeal Manager and the Panel deem appropriate in the circumstances, provided that:
 - a) The hearing will be held within a timeline determined by the Appeal Manager
 - b) The Parties will be given reasonable notice of the day, time and place of an oral in-person hearing or oral hearing by telephone or electronic communications.
 - c) Copies of any written documents which the parties wish to have the Panel consider will be provided to all Parties in advance of the hearing
 - d) The Parties may be accompanied by a representative, advisor, or legal counsel at their own expense
 - e) The Panel may request that any other individual participate and give evidence at an oral in-person hearing or oral hearing by telephone or electronic communications.
 - f) The Panel may allow as evidence at the hearing any oral evidence and document or thing relevant to the subject matter of the appeal, but may exclude such evidence that is unduly repetitious and shall place such weight on the evidence as it deems appropriate
 - g) If a decision in the appeal may affect another party to the extent that the other party would have recourse to an appeal in their own right under this Policy, that party will become an Affected Party to the appeal in question and will be bound by its outcome
 - h) The decision to uphold or reject the appeal will be by a majority vote of Panel members
17. In fulfilling its duties, the Panel may obtain independent advice.

Appeal Decision

18. The Appellant must demonstrate, on a balance of probabilities, that the Respondent has made a procedural error as described in the **Grounds for Appeal** section of this Policy and that this error had, or may reasonably have had, a material effect on the decision or decision-maker.
19. The Panel shall issue its decision, in writing and with reasons, within seven (7) days after the hearing's conclusion. In making its decision, the Panel will have no greater authority than that of the original decision-maker. The Panel may decide to:
 - a) Reject the appeal and confirm the decision being appealed;
 - b) Uphold the appeal and refer the matter back to the initial decision-maker for a new decision; or
 - c) Uphold the appeal and vary the decision.
20. The Panel will also determine whether costs of the appeal, excluding legal fees and legal disbursements of any parties, will be assessed against any party. In assessing costs, the Panel will take into account the outcome of the appeal, the conduct of the parties, and the parties' respective financial resources
21. The Panel's written decision, with reasons, will be distributed to all parties, the Appeal Manager, and the Organization or the Member (as applicable). In extraordinary circumstances, the Panel may first issue a verbal or summary decision soon after the hearing's conclusion, with the full written decision to be issued thereafter. The decision will be considered a matter of public record unless decided otherwise by the Panel.

Timelines

22. If the circumstances of the appeal are such that adhering to the timelines outlined by this Policy will not allow a timely resolution to the appeal, the Appeal Manager and/or Panel may direct that these timelines be revised.

Confidentiality

23. The appeals process is confidential and involves only the parties, the Appeal Manager, the Panel, and any independent advisors to the Panel. Once initiated and until a decision is released, none of the Parties will disclose confidential information to any person not involved in the proceedings.

24. Any failure to respect the aforementioned confidentiality requirement may result in further sanctions or discipline by the Discipline Chair or Discipline Panel (as applicable).

Final and Binding

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

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WHISTLEBLOWER POLICY

Purpose

1. The purpose of this Policy is to allow people to have a discrete and safe procedure by which they can disclose incidents of wrongdoing without fear of unfair treatment or reprisal.

Application

2. This Policy only applies to people who observe or experience incidents of wrongdoing committed by other individuals associated with the Organization or its Members.
3. Incidents of wrongdoing or misconduct observed or experienced by participants, volunteers, spectators, parents of participants, or other individuals can also be reported under the terms of the Organization or its Member's *Discipline and Complaints Policy*.

Wrongdoing

4. Wrongdoing can be defined as:
 - a) Violating the law;
 - b) Intentionally or seriously breaching of the Organization or its Member's *Code of Conduct and Ethics*;
 - c) Intentionally or seriously breaching the Organization or its Member's policies for workplace violence and harassment;
 - d) Committing or ignoring risks to the life, health, or safety of a participant, volunteer, or other individual;
 - e) Directing an individual to commit a crime, serious breach of a policy of the Organization or its Members, or other wrongful act; or
 - f) Fraud.

Pledge

5. The Organization and its Members pledges not to dismiss, penalize, discipline, or retaliate or discriminate against any person who discloses information or submits, in good faith, a report against a person under the terms of this Policy.
6. Any individual affiliated with the Organization or its Members who breaks this Pledge will be subject to disciplinary action.

Reporting Wrongdoing

7. A person who believes that a person has committed an incident of wrongdoing should prepare a report that includes the following:
 - a) Written description of the act or actions that comprise the alleged wrongdoing, including the date and time of the action(s);
 - b) Identities and roles of other individuals who may be aware of, affected by, or complicit in, the wrongdoing;
 - c) Why the act or action should be considered to be wrongdoing; and
 - d) How the wrongdoing affects the individual submitting the report (if applicable).

Authority

8. The Organization and its Members has appointed the following Compliance Officer to receive reports made under this Policy:

Football New Brunswick President

9. After receiving the report, the Compliance Officer has the responsibility to:
- a) Assure the individual of the Organization and its Member's Pledge
 - b) Connect the individual to the Alternate Liaison if the individual feels that he or she cannot act in an unbiased or discrete manner due to the individual's role with the Organization or its Members and/or the content of the report
 - c) Determine if the report is frivolous, vexatious, or not submitted in good faith (e.g., the submission of the report is motivated by personal interests and/or the content of the report is obviously false or malicious)
 - d) Determine if the Organization or its Member's *Whistleblower Policy* applies or if the matter should be handled under the Organization or its Member's *Discipline and Complaints Policy*
 - e) Determine if the local police service be contacted
 - f) Determine if mediation or alternate dispute resolution can be used to resolve the issue
 - g) Determine if the Organization or its Member should or can be notified of the report
 - h) Begin an investigation

Alternate Liaison

10. If the person reporting feels that the Compliance Officer is unable to act in an unbiased or discrete manner due to the individual's role with the Organization or its Member and/or the content of the report, this person should contact the following individual who will act as an independent liaison between the person reporting and the Compliance Officer:

Football New Brunswick Executive Director

11. The Alternate Liaison will not disclose the person reporting's identity to the Compliance Officer or to anyone affiliated with the Organization or its Member without the person reporting's consent.
12. A person who is unsure if he or she should submit a report, or who does not want to have his or her identity known, may contact the Alternate Liaison for informal advice about the process.

Investigation

13. If the Compliance Officer determines that an investigation should be launched, the Compliance Officer may decide to contract an external investigator. In such cases, the Organization or its Member may be notified that an investigation conducted by an external investigator is necessary without the nature of the investigation, content of the report, or identity of the person who submitted the report being disclosed. The Organization or its Member may not unreasonably refuse the decision to contract an external investigator
14. An investigation launched by the Compliance Officer or by an external investigator should generally take the following form:
- a) Follow-up interview with the person reporting who submitted the report
 - b) Identification of participants, volunteers or other individuals that may have been affected by the wrongdoing
 - c) Interviews with such-affected individuals
 - d) Interview with the Director(s) or person(s) against whom the report was submitted

- e) Interview with the supervisor(s) of the person(s) against whom the report was submitted, if applicable

- 15. In all stages of the investigation, the investigator will take every precaution to protect the identity of the person who submitted the report and/or the specific nature of the report itself. However, the Organization and its Member recognizes that there are some instances where the nature of the report and/or the identity of the person who submitted the report will or may be inadvertently deduced by individuals participating in the investigation.
- 16. The investigator will prepare an Investigator’s Report – omitting names whenever possible and striving to ensure confidentiality – that will be submitted to the Organization or its Member for review and action.

Decision

- 17. Within fourteen (14) days after receiving the Investigator’s Report, the Organization or its Member will take corrective action, as required. Corrective action may include, but is not limited to including:
 - a) Enacting and/or enforcing policies and procedures aimed at eliminating the wrongdoing or further opportunities for wrongdoing;
 - b) Revision of job descriptions; or
 - c) Discipline, suspension, termination, or other action as permitted by the Organization or its Member’s Bylaws, provincial employment legislation, *Human Resources Policy*, and/or the person’s Employment Agreement or Contractor Agreement.
- 18. The corrective action, if any, will be communicated to the investigator who will then inform the person who submitted the report.
- 19. Decisions made under the terms of this Policy may be appealed under the terms of the Organization or its Member’s *Appeal Policy* provided that:
 - a) If the person who submitted the initial report is appealing the decision, the person who submitted understands that his or her identity must be revealed if he or she submits an appeal, and
 - b) If the person against whom the initial report was submitted is appealing the decision, the person appealing understands that the identity of the person who submitted the report will not be revealed and that the Organization or its Member will act as the Respondent

Confidentiality

- 20. Confidentiality at all stages of the procedures outlined in this Policy – from the initial report to the final decision – is assured for all individuals. An individual who intentionally breaches the confidentiality clause of this Policy will be subject to disciplinary action.

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SOCIAL MEDIA POLICY

Preamble

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

Application of this Policy

2. This Policy applies to all Individuals.

Conduct and Behaviour

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

Individuals' Responsibilities

5. Individuals acknowledge that their social media activity may be viewed by anyone, including the Organization, Members or other Individuals.
6. If the Organization or a Member unofficially engages with an Individual in social media (such as by retweeting a tweet or sharing a photo on Facebook) the Individual may, at any time, ask the Organization or the Member to cease this engagement.
7. When using social media, an Individual must model appropriate behaviour befitting the Individual's role and status in connection with the Organization or the Member.

8. Removing content from social media after it has been posted (either publicly or privately) does not excuse the Individual from being subject to the *Discipline and Complaints Policy*.
9. An Individual who believes that another Individual's social media activity is inappropriate or may violate the policies and procedures of the Organization or a Member should report the matter in the manner outlined by the *Discipline and Complaints Policy*.

Policy History	
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