SOUTH PORT SAILING CLUB

RULES, REGULATIONS, POLICIES & CODE OF CONDUCT

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SPSC HARBOUR and DOCK RULES

All boats arriving by water or land to SPSC, must contact the Harbourmaster or the Commodore for permission to remain at SPSC facilities. Boats should obtain permission prior to arrival or at the first practical opportunity. This includes any type of vessel, trailer, or storage equipment (ie. cradle), accommodation (tents, motorhomes etc.)

1. All members should be able to moor their own boat. If improper member(s) will be instructed by Harbour Master.

2. Sound and adequate mooring lines properly attached to eyes and posts are mandatory. Minimum ½ inch dock line required.

3. Boats must be positioned in such a manner that no part of the vessel obstructs the dock or walkways. The docks must remain clear of hoses, mooring lines, power cords, and any overhanging pulpits and rigging.

4. All applicable regulations and restrictions regarding dumping of refuse and waste must be adhered to.

5. There shall be no running or horseplay on the docks at any time.

6. Children under the age of 10 should be accompanied by adults at all times. Children MUST wear a lifejacket while on the docks, boats, or near the water's edge.

7. No BBQs or fires are allowed on the docks or boats at any time.

8. Unattended boats shall not be connected to shore services (electricity and water) overnight, except under special circumstances approved by the Harbour Master.

9. Nothing may be fastened or attached to the wood deck of any dock. This includes storage boxes or bins, carpet or matting. Board aids only approved by Harbour Master.

10. Transom hung motors shall be left in the down position at all times, and shall not project into the channel.

11. Keelboats shall not enter or depart the harbour complex or Pike Creek under sail.

12. Boat operators must exercise, at all times, the necessary caution to have their boats under full control in the confined space of the harbour and observe the rules of courtesy for smooth and unobstructed operation of the facilities.

13. The dinghy ramp shall be used by dry sailing boats only. Sailing school takes priority. Other uses are at the risk of the user. Use of the ramp for members only at the discretion of the Harbour Master.

14. Members are requested to notify the Harbour Master when leaving on an extended cruise, or if their well is to be vacant for an extended period.

15. Wells temporarily vacated are to be used by the Harbour Master at his discretion.

16. Guest yachts will be docked by the Harbour Master in available space under the terms of first night free to affiliated yacht club members. Additional nights may be charged at the discretion of the Harbour Master. The overnight charge shall be determined and reviewed by the Board of Directors.

17. Members must take the wells "as is".

18. Members will not be permitted to dredge individual wells or install posts themselves. If a problem exists, notify the Harbour Master.

19. Masts stored over winter on club property MUST be taken down and have spreaders removed. These masts MUST be removed from the clubhouse area within thirty (30) days of launch day in spring. Fines will be levied for failure to comply.

20. Dry sail crane is only to be used by club members and crew after they successfully completed of South Port training course. There must be two (2) people in place with lifting a boat when using the crane.

21. Non-sailed boats on cradles or trailers MUST be removed from club property by June 1st each year unless special permission is obtained from the Board of Directors.

22. Halyards are to be tied back to prevent noise when boats are moored or on trailers.

23. Tenders are allowed on site three (3) days prior to departure and three (3) days after return of an extended cruise. All tenders must be kept clear of any thruways and cannot interfere with another vessels ability to navigate the channel or water between docks. Any changes will be at the discretion of the Harbour Master.

- *Position statement adopted by the South Port Sailing Club Executive – Revised October 2019. Revised March 2021. Revised September 2021.*

SPSC Well Allocation Policy

1. Definition of a well is the mooring of a wet well within the SPSC harbour including a well at F Dock on the creek and an area of where a boat is dry sailed stored. The creek wall is designated for transient or temporary dockage only and not considered a well.

2. Wells will be assigned to **sail boats** on an annual basis according to applications and fees received by **March 1st** for summer mooring and **October 1st** for winter storage.

3. Wells will be assigned first to members who have been members for two years, and were assigned a well in the previous year, and have applied for a well for the same or comparable boat as the previous year.

4. Wells not assigned by the Summer Dockage Release Form will be assigned on a point system, one point for each year of continuous dues paid membership. A well waiting list will be posted showing seniority of applicants.

5. A member must own a boat in order to be assigned a well. Proof of purchase will be acceptable on application, but the boat must occupy the well by June 1st.

6. A member does not "own" the well assigned. Well assignments may be changed from time to time, if necessary, by the Harbour Master.

7. No member shall have the use of more than one well without permission of the Board of Directors. Any second well assigned will be considered a temporary well.

8. If a boat is owned in partnership, both partners must be members. Only one membership shall be used in the well application, the name of the member with the least points.

9. A member purchasing a new boat must consult with the Harbour Master to determine if the boat is compatible with his/her assigned well, and if not, to determine if there is another well available to accommodate the new boat.

10. If a well becomes available after the initial assignment, a notice will be posted in the clubhouse for ten (10) days and the vacant well will be assigned according to the point system.

11. A well holder, selling his boat during the boating season, will retain the well in their name, but may sublet it for the balance of the season to a fellow member on a cost only basis, subject to approval by the Harbour Master.

12. Club wells, wet or dry, shall be allocated only to active members who are currently sailing. Members who cease sailing may not retain a well for the sole purpose of storing a boat that is for sale.

13. The sizes of the wells are frozen at their present allocated sizes as of 2014 Harbour Reconfiguration.

14. If a member's boat is sold to a non-member, the well must be vacated within two (2) weeks of the sale subject to the approval of the Harbour Master.

15. A probationary member may be assigned an available well if not requested by another full member.

- *Position statement adopted by the South Port Sailing Club Executive –Revised May 6, 2026.*

SPSC Haul Out and Storage Rules

1. Winter Storage, the Club will accommodate wet sail boats with a maximum displacement of 12,000 pounds and a nominal length of thirty-five (35) feet.

2. Dry sail boats must not exceed the crane capacity of 6,000 pounds. Length to be determined by the Harbour Master.

3. Use of the hoist and gin pole will be at the discretion of the Harbour Master.

4. Jack stands for support of stored boats are forbidden.

5. All cradles must be folding.

- *Position statement adopted by the South Port Sailing Club Executive – 1st October, 2019*
  Revised October 2023

SPSC Storage of Boats, Trailers and Cradles

1. All storage at the discretion of the Harbour Master and/or Executive.

2. Storage of cradles, trailers are only for boats that have paid SPSC dockage.

3. Non-folding cradles owners have one (1) year to make into folding or they must be stored off site.

4. All cradles must be labeled with the owners' name, bow point and stern point.

5. No boat will be stored with the mast on.

- *Position statement adopted by the South Port Sailing Club Executive – Revised March 2021.*

SPSC WATER DEPTH AND DREDGING

South Port Sailing Club has a continuing water depth problem. Pike Creek, the entrance to the creek in Lake St. Clair, and the South Port harbour are subject to silting. They are also subject to falling water levels. Through a season, there are normal changes of a foot or more in the surface level of the lake and creek. Long term levels have been high in the recent years, but they have been known to be five feel lower in the past. The Club must arrange for dredging from time to time if the Pike Creek harbour is to remain accessible to keel boats.

The Club is committed to do what it can, within the limits of its financial resources and influence, to provide reasonable water depths in its harbour and approaches to it. Members can expect that effort to be made. However, it is impossible for the Club to ensure that any particular minimum depth of water will be available in any given period.

While the Club has not limited the draught of keelboats, which members may sail from the club, it should be expected that dredging efforts would have the objective of accommodating only moderate keel depths. A popular notion of moderate is less than five (5) feet.

In any event, the Club does not guarantee that any keelboat will have sufficient depth of water for a safe approach, or at a dock, even if the owner/member has paid a fee for the berth. The member must hake his own evaluation of any risk involved. No fees will be returned for the reason of insufficient water depth.

The Executive recommends to all members that potential water depth be considered when choosing boats expected to be moored at the Club harbour.

- *Position statement adopted by the South Port Sailing Club Executive – 15th March, 1983.*

SPSC Guest Dockage / Reciprocal Arrangements

All visitors must register with the Harbour Master or a member of the current Executive.

Harbour Master – Phone number from Roster/Clubhouse or spsc.harbourmaster@gmail.com or a Commodore.

Guest docks are available on a "first come" basis. Some additional rafting is allowed.

CHARGES:

1. First 3 days are free to members of recognized clubs and $10.00 per day thereafter.

2. Recognized clubs are: LMYC, CIYC, & TRYC members as well as other accredited boat clubs participating in our Guest Dockage Reciprocal Agreement.

3. To receive reciprocal dockage at SPSC, visitors must present their club's current membership card.

4. All all-other visitors - $10.00 per day.

5. Boats visiting for a SPSC sponsored event may stay for 5 days free.

6. Any boat wishing to stay must comply with SPSC's By-laws unless otherwise arranged through the Executive.

SERVICES AVAILABLE:

- Electricity, water, washroom / shower
- Picnic area and gas bbq
- Convenience store, Deli, Coffee shop & Pizza - four blocks away

- *Position statement adopted by the South Port Sailing Club Executive – 4th April 2023.*

Work Hour Policy

Work hours will be accumulated between January and December.

1. Work hours are to be recorded using the slips provided in the foyer, with the exception of Clubhouse Duties that are recorded in the kitchen binder. Members are to fill out the nature of the work performed and check off the committee it is concerning.

2. All work hours must be recorded and submitted in the work hour box within 30 days of performing the task or risk forfeiting the hours worked.

3. No third party can work on behalf of a member and receive credit.

4. Hours can be worked in the areas of Harbour, Property, Sailing School, Social, Racing and Cruising as well as clubhouse repairs and cleaning.

5. Members shall consult with the various committee chairs for a list of eligible activities entitled for work hours outside of any sanctioned work parties scheduled for the year.

6. Members are responsible to check the schedule posted on the bulletin board or the website calendar for any clubhouse duties that may be assigned.

7. Cradle moving, Launch and Haul-out are not eligible for work hours for those launching a boat unless approved by the Harbourmaster. Any member that dry-sails or does not have a boat is encouraged to participate.

8. Where the membership category permits, any work performed in cooperation with your spouse will count twice (Clubhouse duties 2 people – total 2 hrs x 2 = 4)

9. The executive reserves the right to audit any hours submitted.

- *Position statement adopted by the South Port Sailing Club Executive – March 2018. Revised February 2023*.

SPSC MEMBERS USE OF CLUB PREMISES POLICY

Members may, subject to approval of South Port's Board of Directors, use the clubhouse and grounds for family occasions such as birthdays, anniversaries, showers and other events. Upon approval, the member will be subject to the follow terms and conditions:

A Member wishing to use the Club facilities should first check with the Social Chair to see if the date and times is available before completing and submitting an application in writing to the Social Chair.

Only Members will be allowed to book the clubhouse.

The member requesting the use of the club must be present at the affair to be held, and is responsible for ensuring that the Club's property is protected and cleaned up after the event.

A nominal fee will be charged and a security deposit will be required. The security deposit will be refunded provided there is no damage and the site is restored to a clean and tidy condition.

No fees may be charged to the guests for the event, and no beer, wine or liquor may be sold.

While the member will be allowed to use the facilities, other members not associated with the event may not be excluded from using the facilities as well. Other members will be encouraged to respect the event in progress and not infringe on their space.

The member using the Club should provide all necessary supplies for the event and remove any unused material and garbage. Kitchen equipment, dishes, glasses, cups, cutlery etc., may be used but must be washed and put away after the event.

If beer, wine or liquor is to be served, the member must make certain all liquor laws are adhered to.

A member wishing to use the Club facilities should check with the Secretary to see if the date and time is available before completing an application in writing to the Social Chair.

The member making application is solely responsible for the conduct of their guests and the well-being of the Club's facilities.

- *Position statement adopted by the South Port Sailing Club Executive – 10th April, 2006. Revised April 2018.*

SPSC Sailing School Fleet Policy

1. The Sailing School fleet exists to support the sailing education programs at the "Junior Sailing Club of Windsor and Essex County", hereafter referred to as the South Port Sailing School, or SPSS.

2. The SPSS fleet consists of sail boats, (including, but not limited to, C420 dinghies and Shark keelboats), and various motor-powered coaching boats.

3. The SPSS fleet boats may only be used when outfitted with all applicable/mandated safety equipment, and all users of SPSS motorized equipment are to have a Pleasure Craft Operator Card (PCOC).

4. It is the responsibility of all SPSS staff to report any issues with the fleet to the Program Manager and/or Head Instructor in a timely manner so that the issues can be corrected. Any significant equipment damage is to be reported in writing. It is also expected that any SPSC members noticing issues with SPSS equipment, will report the issues to the Program Manager and/or Head Instructor.

5. The SPSS fleets main use is by SPSS staff, and registered CANSail participants, during paid SPSS educational programs.

6. SPSS Committee members and other club members approved by the Chairman, are permitted use of the fleet equipment for maintenance purposes.

7. Use of fleet equipment by SPSS staff and/or students and/or SPSC members, for other non-SPSS events, (ex - weekly dinghy races, regattas or other reasons), is by express permission of the SPSS Chairman only.

8. All SPSS equipment is to be properly moored or hauled out, de-rigged and all equipment safely stored at the end of each working day.

9. All SPSS fleet craft are to be visually identified. (Ex "SAILING SCHOOL" or "SPSS".)

10. Alcohol is not permitted on any SPSS watercraft at any time.

NOTE: Any disputes with any of the above will be decided by the South Port Sailing Club Executive.

- *Position statement adopted by the South Port Sailing Club Executive – August 2017. –Revised April 2018 –*

SPSC Temporary Member Policy

Shall be a person admitted as such by the Board. The term shall be at the discretion of the board on a member-by-member basis. The fees shall be fixed from time to time by the Board.
Temporary member can have a well so long as there are wells available and Harbour Master has approved.

- *Position statement adopted by the South Port Sailing Club Executive – Revised June 2026*

SPSC Returning Member Policy

A returning member who previously had a Family Member status and paid full initiation fees. This being that the member left in good standing and their application meets the Board approval. This would apply to any Family member who had been discounted his/her fees and purchases a boat as long as they have Board approval. The reduced initiation fees by 10% per annum per year of membership up to a maximum of 50% for any returning member.

- *Position statement adopted by South Port Sailing Club Executive – November 25, 2014 AGM. Revised November 2021*

SPSC Social Member Policy (Grandfathered)

A Social Member was a person admitted as such by the Board and who has paid yearly membership fees fixed by the Board from time to time. A Social Member shall not be entitled to vote at any meeting of the Club. A Social member shall not be assigned a well or allowed to store/launch a boat or vessel at the Club. A Social member submitted application to be reviewed annually while a Social Member. A Social Member has access to the clubhouse and grounds.
Only those Social Members from the date of revisions of the Club By-Laws (November 23, 2021) be grandfathered.

Erin Bates & Marie Mann
David Marentette
Ryan & Jillian Masse

- *Position statement adopted by the South Port Sailing Club Executive- November 26, 2019 AGM. Revised November 2021*

SPSC Non-Resident Member Policy (Grandfathered)

A Non-resident Member was a person admitted as such by the Board, whose main residence is outside the radius of one hundred and fifty (150) kilometers from the Club and whose stay in the vicinity during the sailing season is of no more than thirty (30) days.
If the Non-resident Member establishes his/her main residence inside the one hundred and fifty (150) kilometer radius such membership shall terminate unless such Non-resident member has made application for any other classification of membership for which he/she is eligible. Payment of fees and dues may be fixed by the Board from time to time.
A Non-resident Member shall not be entitled to vote at any meeting of the Club nor shall they be assigned a well or allowed to store a boat at South Port Sailing Club.
Only those Non-Resident Members from the date or revisions of the Club By-Laws (November 23, 2021) be grandfathered.

Mike & Liz Gozzard
Paul Grosshans
Jamie Halpin
Richard & Emilyn Robbins

- *Position statement adopted by the South Port Sailing Club Executive – May 14, 2007. Revised by the Board – November 25, 2014 AGM. Revised November 2021.*

SPSC Club and Guest/Children Policy

Club Property and Equipment
Members have the responsibility to ensure all Club equipment and property is used properly, safely, and with respect by themselves or anyone else.

Member's Guests and Children
Members will be responsible for their guest/s, and children, at all times and ensure that their guest/s and or children's conduct is in keeping with the Ontario Sailing Association Safe Sport Polies and the Club's rules and regulations.

- *Position statement adopted by South Port Sailing Club Executive – Amended January 2025*

SPSC LONG RANGE PLANNING (LRP) COMMITTEE POLICY

1. Purpose

The Long Range Planning (LRP) Committee is a standing committee of South Port Sailing Club established to:

- Identify and prioritize the club's long-term needs and opportunities.
- Provide continuity of planning from one Executive Committee to the next.
- Ensure that long-term recommendations are considered in light of the club's financial position and maintenance and improvement priorities.
- Plans will consider timeframes of 3-5years and 5-20yrs.

2. Scope

The LRP Committee focuses on matters typically extending beyond one year, including but not limited to:

- Club facilities, infrastructure, and grounds.
- Fleet and harbour assets.
- Membership experience and services.
- Strategic initiatives that support the long-term health and growth of the club.

3. Composition

3.1 **Members**

The LRP Committee shall consist of:

- Any of the four Flag Officers (Past Commodore, Commodore, Vice Commodore and Rear Commodore).
- Any additional willing members of the club who wish to participate.

3.2 **Chair / Lead**

- The current **Past Commodore** shall act as the primary liaison between the LRP Committee and the Executive Committee and shall be responsible for reporting on LRP activities and recommendations as described in Section 6.

4. Meetings

- The LRP Committee shall meet on a bimonthly basis throughout the year to review feedback, discuss priorities, and develop recommendations.
- Meetings may be held in person or virtually, provided minutes or written notes are maintained.
- All minutes of the LRP committee will be reported at the following executive meeting.

5. Responsibilities of the LRP Committee

The LRP Committee shall:

5.1 **Membership Survey**

- Prepare and distribute **by annual survey** to the membership each year to gather input on priorities, concerns, and ideas related to the club's long-term direction.
- Review and summarize the results of the survey for the Executive and membership.

5.2 **Recommendations**

- Develop a set of **Long Range Planning recommendations** based on: ○ Survey results,
    - ○ Observed needs and opportunities, and
    - ○ The current and anticipated financial position of the club.

- Ensure recommendations consider:
    - ○ The ongoing **maintenance** of existing assets, and
    - ○ **Improvements** and capital projects that support the long-term health of the club.

5.3 **Documentation**

- Maintain a written record of recommendations, rationales, and any associated timelines or cost considerations.
- Update and carry forward any recommendations not yet completed, so they remain visible to subsequent Executives.

6. Reporting Requirements

The LRP Committee will provide regular, formal reports as follows:

6.1 **February Members' Meeting**

- The committee shall present a **Recommendation Summary** at the February Members' Meeting, outlining:
    - ○ Key findings from the most recent membership survey, and
    - ○ The committee's current priorities and recommendations.

6.2 **Annual General Meeting (AGM) – November**

- At the AGM, the Past Commodore shall report on:
    - ○ The **recommendations made** by the LRP Committee during the year, and
    - ○ The **progress and achievements**, including which recommendations have been implemented, are in progress, or remain outstanding.

6.3 **Executive Committee**

- The Past Commodore shall present LRP recommendations to the Executive Committee and provide updates as needed throughout the year.

7. Role of the Past Commodore

The Past Commodore shall:

- Serve as the primary **reporting officer** for the LRP Committee to both the Executive Committee and the membership.
- Ensure that LRP recommendations are **formally brought forward** for consideration by the Executive Committee.
- Work with the Executive to ensure that, where feasible, the Executive **commits to the implementation** of LRP recommendations, taking into account:
    - The club's financial position,
    - Maintenance obligations, and
    - Agreed-upon improvement priorities.

8. Relationship with the Executive Committee

- The LRP Committee is **advisory** in nature; its recommendations are intended to guide long-term decision-making and provide continuity beyond individual terms of office.
- The Executive Committee shall give due consideration to LRP recommendations and, where a recommendation is not adopted or is deferred, the Executive should document the rationale and timing for revisiting it.

9. Review of Policy

- This policy shall be reviewed at least every **three (3) years**, or more frequently if required, to ensure it remains consistent with the club's bylaws, financial realities, and strategic needs.

- *Position statement adopted by South Port Sailing Club Executive – February 2026*

SPSC Executive Spending Authority Policy

For any new project, capital improvement, or non-routine expenditure, the Executive shall ensure the following requirements are met before final approval:

1. **Minimum of Three Quotes**
   A minimum of three written quotes or estimates shall be obtained where reasonably possible. If three quotes cannot be obtained, the reason shall be documented in the Executive meeting minutes.

2. **Project Description and Purpose**
   A written summary of the proposed project shall be prepared, following consultation with the appropriate Committee Chair, including the purpose of the project, the expected benefit to the Club, estimated cost, and anticipated timeline.

3. **Notice to Membership**
   Notice of the proposed project shall be provided to the membership before work begins, outlining the nature of the project, estimated cost, and reason for proceeding.

4. **Insurance Review**
   The Executive shall confirm whether the project has any impact on the Club's insurance coverage, liability exposure, or insurability, and shall consult with the Club's insurance provider where appropriate.

5. **Permits, Approvals, and Regulatory Requirements**
   The Executive shall confirm whether any municipal, provincial, federal, environmental, conservation authority, ERCA, building, zoning, marine, or other governmental permits, approvals, or allowances are required before proceeding.

6. **Safety and Risk Review**
   The Executive shall consider any safety risks to members, guests, contractors, neighbouring properties, boats, docks, or Club facilities, and ensure appropriate risk management measures are in place.

7. **Conflict of Interest Disclosure**
   Any Executive member or committee member with a personal, financial, or business interest in a contractor, supplier, quote, or project shall disclose the conflict and abstain from voting on that matter.

8. **Budget and Financial Review**
   The Treasurer shall confirm that sufficient funds are available and that the expenditure is financially reasonable in light of the Club's current cash flow, reserves, maintenance needs, and other planned expenses.

9. **Record Keeping**
   All quotes, approvals, insurance confirmations, permit information, notices to members, and related correspondence shall be retained with the Club's records.

10. **Executive Approval and Minutes**
    Final approval of the expenditure shall require a motion passed by the Executive and recorded in the Executive meeting minutes.

Any proposed expenditure or project expected to exceed **$25,000** shall require approval by the membership before proceeding, except in the case of an emergency where immediate action is required to protect health, safety, Club property, boats, docks, or the continued operation of the Club.

In the case of an emergency expenditure exceeding **$25,000**, the Executive shall act in the best interests of the Club and shall report the expenditure, reason for urgency, and supporting documentation to the membership as soon as reasonably possible.

Moved by: _____
Seconded by: _____
Date: _____

- *Position statement adopted by South Port Sailing Club Executive – June 2026*

South Port Sailing Club

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SAFE SPORT POLICY PACKAGE

Passed
June 6, 2023

Revised June 3, 2025

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Introduction & Overview

South Port Sailing Club in partnership with Sail Canada is committed to providing everyone involved in the sport of sailing a safe and welcoming environment in which to participate. As we work towards ensuring as positive, safe, and inclusive environment, Sail Canada has created a harmonious policy package to set the expectations for safe sport across the country which South Port Sailing Club has adopted.

The policies that make up the Safe Sport Policy Package include:
Code of Conduct including the Universal Code of Conduct to Prevent and Address Maltreatment in Sport
Protection Policy
Social Media Policy
Screening Policy
Whistle Blower Policy
Discipline and Complaints Policy
Appeal Policy
Dispute Resolution Policy

These policies are designed to provide guidance and direction to all sailing activity across the country, applicable to Sail Canada, Ontario Sailing as well as South Port Sailing Club within the confines of any applicable provincial legislation that may have authority over any aspect of the Safe Sport Policy Package and the policies contained within the package. Leaders of each of Sail Canada's Member Organizations should adopt the Policy Package, as presented, for their organization and join Sail Canada and Ontario Sailing in the commitment to making sport, especially sailing, a safe and positive experience for everyone involved.

The implementation of a harmonious policy package helps ensure that all Individuals involved in sailing in Canada know and understand a consistent standard of expected behaviour and there is a comprehensive system to address any matters that may impact the safe environment in an immediate, appropriate, and equitable manner.

These policies work together to address both prevention and response to issues related to the wide area related to safe sport. The policies are a package and work together, for example there is one set of definitions for the package of policies and the Discipline and Complaints Policy details process and jurisdiction for all complaints. Therefore, if any policy is excerpted in whole or in part from the Safe Sport Policy Package it must be done with knowledge and disclosure to any receiving party, that it is a part of the complete Safe Sport Policy Package.

South Port Sailing Club and Sail Canada takes any situation involving misconduct or Maltreatment very seriously; for this reason, we are committed to enacting and enforcing strong, clear, and effective policies and procedures for preventing and addressing all forms of misconduct or Maltreatment. These policies, found within the Safe Sport Policy Package, provide the consistent clear policy system to ensure sailing in Canada is safe and welcoming.

Creating a Safe and Inclusive Sport Environment

South Port Sailing Club believes everyone involved in any role in the sport of sailing has the right to participate in a safe and inclusive sailing environment free of abuse, harassment, or discrimination – collectively referred to as maltreatment. This right to fully enjoy the sport applies to everyone regardless of the level or type of sailing they participate in.

As such South Port Sailing Club, in partnership with Ontario Sailing, is committed to active evolution of their Safe Sport policies and practices to respond to the changing nature of Safe Sport in Canada. Our sport is continually working to support a focus on education, prevention, and response.

Please see our Safe Sport Policies package as well as the supporting resources below to learn more about how South Port Sailing Club is working to support ensuring a culture of safe sport in our organization and in turn in sailing in Canada and how you can play a role.

HAVE CONCERNS?
Reporting is critical in creating and maintaining a safe environment for sailing participants. Independent third-party complaints management is a directive of Canada's Safe Sport Movement, driven Sport Canada.

Sail Canada and the Provincial Sailing Associations have appointed an Independent Third Party who any participant can contact to discuss incidents of maltreatment or misconduct of any kind.
Individuals who are experiencing, or are aware of, any forms of maltreatment or misconduct, including a breach of the Sail Canada Code of Conduct or any policy, should contact the Independent Third Party designated to support sailing in Canada:

ITP Sport is available by using the online form or the toll-free 24/7/365:
https://app.integritycounts.ca/org/itpsport or by dialing 1-866-921-6714

Situations involving an individual directly linked to Sail Canada (Staff, Board, Committee Members, Athletes, Support People, and any registered Regional, or higher, level Officials)

Individuals above have been asked to agree to be CSSP Participants and are subject to the process created by Sport Canada and the Canadian Centre for Ethics in Sport (CCES) should there be an allegation of breaches of the Universal Code of Conduct to Prevent and Address Maltreatment in Sport (UCCMS) for these individuals.

If the situation involves someone in any capacity who may fall under the umbrella of this system, the complaint should go directly to the Canadian Centre for Ethics in Sport
Report online: https://cces.ca/report-safe-sport
Report by phone: 1-833-858-CSSP (2777)

Get more information about the Canadian Safe Sport Program
For more information about the CSSP and the UCCMS, click here. (https://cces.ca/canadian-safe-sport-program)
You can contact the CSSP team with questions or for support here:
https://cces.ca/contactCSSP.

POLICIES

South Port Sailing Club's Safe Sport Policy Package
(Includes overarching Definitions, Code of Conduct, Protection Policy, Whistle Blower Policy, Social Media Policy, and Screening Policy to prevent situations and Discipline & Complaints Policy, Appeals Policy, and Dispute Resolution Policy).

Universal Code of Conduct for the Prevention of Maltreatment in Sport (UCCMS)

English - link is https://cces.ca/sites/default/files/content/docs/2025-01/CCES-UCCMS-Final-E.pdf

Want to learn more about Safe Sport? We encourage you to take this short free Safe Sport Module offered by Coaching Association of Canada. https://safesport.coach.ca

South Port Sailing Club
Safe Sport Policy Package
Definitions
(in alignment with the UCCMS v6)

Note: These Safe Sport Policy Suite Definitions apply to all policies identified as within the Safe Sport Policy Package. Our Safe Sport policies follow the legal practice of capitalized defined terms to assist the reader in identifying that the term has a specific meaning within the policy package.

1. "Affected Party" - Any Individual or entity, as determined by the Appeal Manager, who may be affected by a decision rendered under the Appeal Policy and who may have recourse to an appeal in their own right under the Appeal Policy.
2. "Appellant" – The Party appealing a decision pursuant to the Appeal Policy.
3. "Appeal Manager" – An individual appointed by Ontario Sailing who may be any staff member, committee member, volunteer, Director, or an independent third party, to oversee the administration of the Appeal Policy. The Appeal Manager's responsibilities shall include those as described in the Appeal Policy.
4. "Athlete(s)" –Any Individual who is an Athlete Participant in South Port Sailing Club who is subject to the policies of South Port Sailing Club and the Code of Conduct.
5. "Athlete Support Personnel" - Any coach, trainer, manager, agent, team staff, official, medical, paramedical personnel, parent, or any other person working with, treating, or assisting an Athlete participating in or preparing for sports competition.
6. "Board" – the Board of Directors of South Port Sailing Club.
7. "Bullying" – Offensive behaviour and/or abusive treatment of an Individual that typically, but not always, involves an abuse of power.
8. "Case Manager" – an independent individual appointed by Ontario Sailing, to fulfill the responsibilities described in the Discipline and Complaints Policy. In order to be appointed as a Case Manager, the individual must be free of conflict of interest, have relevant experience and skills to manage complaints and perform their duties, either as a legal practitioner or sport administrator.
9. "Complainant" – the party (individual or organization) filing a complaint on an incident of Maltreatment or suspicions of an incident of Maltreatment or other behaviour that is a violation of the standards described in the NSO's policies, by-laws, rules or regulations, or the UCCMS.
10. "Criminal Record Check (CRC)" – the document prepared by a police service from national data on the Canadian Police Information Centre (CPIC) database or international equivalent reporting organization and provides information concerning a person's criminal record including any Criminal Code of Canada charges, violations, or convictions.
11. "Conflict of Interest" – anytime there is a perceived or real potential for an individual's relationship (financial, personal, or other) to influence a decision-making process.
12. "Days" – calendar days. For the purpose of calculating deadlines in this Safe Sport Policy Package, the day of the act/decision is not counted as the first day of any deadline.
13. "Director of Sanctions and Outcomes" – Responsible for overseeing the imposition of Provisional Measures, agreed outcomes, Sanctions and appearing before the Safeguarding Tribunal or the Appeal Tribunal in cases arising from a potential breach of the UCCMS (or other conduct rules, as applicable).
14. "Discrimination" – As defined in the UCCMS.
15. "External Discipline Panel" – A Panel of one or three people who are appointed by the Independent Third Party to decide on complaints that are assessed under Process #2 of the Discipline and Complaints Policy.

16. “Event” – An event hosted by South Port Sailing Club or an activity where South Port Sailing Club is involved in an official capacity. An event sanctioned by the PSA or a Member Organization, and which may include a social Event.
17. “Harassment” –A vexatious comment (or comments) or conduct against an Individual or group, irrespective of whether the comment or conduct occurs in person or via any other media, including Social Media, which is known or ought to reasonably be known to be unwelcome.
18. “Independent Third Party” – the independent entity retained by Sail Canada & Ontario Sailing to receive complaints and to fulfill the responsibilities outlined in the policies herein the Safe Sport Policy Package, as applicable (outside of OSIC’s role with complaints regarding UCCMS Participants). This individual must not be in a conflict of interest.
19. “Individuals” – anyone who is participating in programs and activities with Sail Canada, Ontario Sailing or South Port Sailing Club, and any category of individuals and/or registrants who are subject to the policies of Sail Canada, Ontario Sailing, or South Port Sailing Club, including those employed by, contracted by, or engaged in any Sail Canada or Ontario Sailing or South Port Sailing Club related activities. This includes but is not limited to athletes, coaches, learning facilitators, instructors, officials, support persons, employees, contractors, volunteers, Athletes and their parents/guardians, Directors, other volunteers, and those representing South Port Sailing Club at any Event.
20. “Internal Discipline Chair “– An individual appointed by South Port Sailing Club to decide on complaints that are assessed under Process #1 of the Discipline and Complaints Policy. The Internal Discipline Chair may be a Director, head coach, staff member, or other individual affiliated with South Port Sailing Club or Ontario Sailing but must not be in a conflict of interest.
21. “Maltreatment” – As defined in the UCCMS.
22. “Member Organizations” – A recognized organization that is registered with Sail Canada and South Port Sailing Club and in good standing as described in the Ontario Sailing bylaws.
23. “Minor” – As defined in the UCCMS an Individual who is under the age of nineteen (19) years old. Adult Individuals are responsible for knowing the age of a Minor.
24. “OSIC” – Office of the Sport Integrity Commissioner, an independent division of the SDRCC which comprises the functions of the Sport Integrity Commissioner.
25. “Parties” – in the context of a complaint under the Discipline and Complaints Policy, the Complainant and Respondent; in the context of an appeal under the Appeal Policy, the Appellant, Respondent and Affected Party (or Parties).
26. “Person in Authority” –Any Individual who holds a position of authority within Sail Canada, Ontario Sailing or South Port Sailing Club, including, but not limited to, coaches, instructors, officials, managers, Athlete Support Personnel, chaperones, committee members, and Directors or Officers. In addition to the responsibilities described for Individuals in the Code of Conduct, a Person in Authority shall be responsible for knowing what constitutes Maltreatment.
27. “Power Imbalance” – As defined in the UCCMS.
28. “Prohibited Behaviours” – As defined in the UCCMS.
29. “Provisional Suspension” – means that the Individual is barred temporarily from participating in in any capacity in any Event or activity of the NSO, PSA and its Member Organizations or as otherwise decided pursuant to the Discipline and Complaint Policy, prior to the decision rendered in a hearing conducted pursuant to that Policy.
30. “Reporting (or Report)”: The provision of information in writing by any person or an Individual to a relevant independent authority (the Independent Third Party or position charged with receiving a Report and determining next steps) regarding Maltreatment or misconduct. Reporting may occur through either the Complainant (of any age) or the one who experienced the Maltreatment, or a witness (someone who witnessed the Maltreatment or otherwise knows or suspects Maltreatment). In either case, the intention of Reporting is to initiate an independent investigative process, which could result in disciplinary action being taken against the Respondent.

31. “Respondent” – the Party responding to a complaint or investigation; or, in the case of an appeal, the body or organization whose decision is being appealed, or the Individual who was the subject of a decision that is being appealed.
32. “Sexual Maltreatment” – As defined in the UCCMS
33. “Social Medium (Social Media)” – A form of electronic communication including websites for social networking and microblogging such as blogs, YouTube, Facebook, Instagram, Tumblr, Snapchat, Tik-Tok, and Twitter. Social Media is the plural of Social Medium representing all the platforms broadly.
34. UCCMS – Universal Code of Conduct to prevent and address Maltreatment in Sport, as amended from time to time by the SDRCC.
35. “UCCMS Participant “– An Individual affiliated with the Program Signatory who has been a) designated by Sail Canada and b) who has signed the required consent form. UCCMS Participants may include an athlete, a coach, an official, an athlete support personnel, an employee, a contractual worker, an administrator, or a volunteer acting on behalf of, or representing the Program Signatory in any capacity.
36. “Vulnerable Individuals” – Includes Children / Youth (Minors) and Vulnerable Adults (people who, because of age, disability, or other circumstance, are in a position of dependence on others or are otherwise at a greater risk than the general population of being harmed by a Person in Authority).
37. “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.
38. “Workplace” - Any place where Events, business or work-related activities are conducted. Workplaces include but are not limited to, the office or facilities of Sail Canada, Ontario Sailing, and South Port Sailing Club, work-related social functions, work assignments outside offices, work-related travel, the training, and competition environment (wherever located), and work-related conferences or training sessions.
39. “Workplace Harassment” – A course of vexatious comment or conduct against an Individual 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.
40. “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.

South Port Sailing Club
Code of Conduct
(In addition to current UCCMS - Appendix A)

Effective date	
Initial Approved Date	
Date last reviewed	
Archived date	
Replaces and/or amends	
Appendix(-ces) to this Policy	

Note: The Safe Sport Policy Suite Definitions apply to this policy, please refer to that document for term definitions. Our Safe Sport policies follows the legal practice of capitalized defined terms to assist the reader in identifying that the term has a specific meaning within the policy suite.

*Sail Canada (the "Organization") has adopted the Universal Code of Conduct to Prevent and Address Maltreatment in Sport ("UCCMS"), as amended from time to time, (provided as **Appendix A**). Any modifications or amendments made to the UCCMS by the Sport Dispute Resolution Centre of Canada ("SDRCC") shall come into effect immediately upon their adoption by the SDRCC and automatically without the need for any further action by Sail Canada.*

Sail Canada is a Program Signatory of the Office of the Sport Integrity Commissioner (the "OSIC"), as of March 1st, 2023 (the "Effective Date").

Sail Canada has designated specific Individuals within the organization as UCCMS Participants. A full list of designated individuals is available at 53 Yonge St Kingston ON K7M 6G4

*It is important to note that the Code applies to all Individuals, **but not all Individuals are UCCMS Participants** and subject to the OSIC Process.*

A. Purpose

1. The purpose of this Code of Conduct is to ensure a safe and positive environment within the programs, activities, and Events of Sail Canada, Ontario Sailing, and South Port Sailing Club by making all Individuals aware that there is an expectation, at all times, of appropriate behaviour consistent with South Port Sailing Club's core values, mission, and policies.
2. Sail Canada, Ontario Sailing, South Port Sailing Club, and Individuals 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.

B. Application – General

3. This Code of Conduct applies to the conduct of all Individuals during the business, activities, and Events of Sail Canada, Ontario Sailing, and South Port Sailing Club 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.
4. This Code of Conduct also applies to the conduct of all Individuals outside of the business, activities, and Events of Sail Canada, Ontario Sailing, and South Port Sailing Club when such conduct adversely affects South Port Sailing Club's relationships (and the work and sport environment) or is detrimental to the image

and reputation of Sail Canada, Ontario Sailing or South Port Sailing Club. Such applicability will be determined by Sail Canada, Ontario Sailing or South Port Sailing Club, as applicable, at its sole discretion.

5. In addition, breaches of the Code of Conduct 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 or, if the breach has a serious and detrimental impact on the Individual(s).
6. This Code of Conduct applies to Individuals active in the sport or who have retired from the sport where any claim regarding a potential breach of this Code of Conduct occurred when the Individual was active in the sport.
7. Competition & the Racing Rules of Sailing

At competition hosted or organized by Sail Canada, Ontario Sailing, or South Port Sailing Club, covered by *The Racing Rules of Sailing* as amended from time to time (herein referred to as the Rules):

a. Participants shall conduct themselves as prescribed by the Rules as well as any amendments thereto prescribed by the organizers of the specific event.
b. All protests and Appeals with respect to the misconduct of participants shall be conducted in the manner prescribed by the Rules, including any01113 amendments thereto by the Organizing Authority (OA) for the event.

The Racing Rules of Sailing do not preclude, or limit, a Complaint being filed with OSIC, regardless of whether the matter was addressed in any manner under the Racing Rules of Sailing.

C. Prohibited Behaviours

8. All Individuals must refrain from any behaviour that constitutes a Prohibited Behaviour as defined by the UCCMS and this Code of Conduct
9. Individuals are responsible for knowing what actions or behaviours constitute Prohibited Behaviours and Maltreatment.
10. Prohibited Behaviours under the UCCMS include, but are not limited to:
    a) Physical Maltreatment
    b) Psychological Maltreatment
    c) Neglect
    d) Sexual Maltreatment
    e) Grooming
    f) Boundary Transgressions
    g) Discrimination
    h) Failing to Report
    i) Aiding and Abetting
    j) Retaliation
    k) Interference with or Manipulation of Process
    l) False Reports

In addition to the Prohibited Behaviours as defined by the UCCMS, this Code of Conduct sets out other expected standards of behaviours and conduct for all Individuals and any failure to respect these expected standards of behaviour by an Individual may constitute a breach of this Code of Conduct.

D. Responsibilities of Individuals

11. All Individuals have a responsibility to:
    a) Commit to prioritizing safety in all activities, both on and off the water.
    b) Refrain from any behaviour that constitutes Maltreatment or Prohibited Behaviour under this Code of Conduct or the UCCMS.
    c) Maintain and enhance the dignity and self-esteem of other Individuals by:
        i. Treating each other with fairness, honesty, respect and integrity;
        ii. Focusing comments or criticism appropriately and avoiding public criticism of Athletes, coaches, officials, organizers, volunteers, employees, or other Individuals;
        iii. Consistently demonstrating the spirit of sportsmanship, sport leadership, and ethical conduct; and
        iv. Ensuring adherence to the rules of the sport and the spirit of those rules.
    d) Refrain from the use of power or authority to coerce another person to engage in inappropriate activities.
    e) Refrain from the use of tobacco products (and vaping) while in the presence of other participants except in designated smoking areas while participating in the programs, activities, competitions, or Events of Sail Canada, Ontario Sailing or South Port Sailing Club.
    f) In the case of Minors, not consume alcohol, tobacco, or cannabis at any competition or Event.
    g) Not being under the influence of cannabis, alcohol or any medication that could cause impairment, or otherwise being impaired, at any time while performing duties or actively competing. Take reasonable steps to manage the responsible consumption of alcohol or cannabis in adult-oriented social situations.
    h) Respect the property of others and not wilfully cause damage.
    i) Refrain from engaging in deliberate behaviour which is intended to manipulate the o00001000000utcome of a para-classification, competition and/or not offer, receive, or refrain from offering or receiving any benefit which is intended to manipulate the outcome of a competition or para-classification. A benefit includes the direct or indirect receipt of money or other anything else of value, including, but not limited to, bribes, gains, gifts, preferential treatment, and other advantages.
    j) Adhere to all federal, provincial/territorial, municipal and host country laws.
    k) Comply with the bylaws, policies, procedures, rules, and regulations of Sail Canada, Ontario Sailing and South Port Sailing Club, as applicable, and as adopted and amended from time to time. Recognizing that some policies, such as the Social Media Policy, provide specific requirements for responsibilities.

Directors, Committee Members, and Employees

12. In addition to section D (above), Directors, Committee Members, and employees of South Port Sailing Club will have additional responsibilities to:
    a) Function primarily as a Director, committee member or employee of South Port Sailing Club and ensure to prioritize their duty of loyalty to South Port Sailing Club (and not to any other sport organization or group) while acting in this role.
    b) Act with honesty and integrity and conduct themselves in a manner consistent with the nature and responsibilities of the business and the maintenance of an Individual's confidence.
    c) Ensure that financial affairs are conducted in a responsible and transparent manner with due regard for all fiduciary responsibilities.

d) Comply with their obligations under the *Screening Policy*, including **understanding** ongoing expectations under the *Screening Policy* and fully cooperating in the screening process
e) Conduct themselves openly, professionally, lawfully and in good faith.
f) Be independent and impartial and not be influenced by self-interest, outside pressure, expectation of reward, or fear of criticism in their decision-making on behalf of South Port Sailing Club
g) Exercise the degree of care, diligence, and skill required in the performance of their duties pursuant to applicable laws.
h) Maintain required confidentiality of organizational information.
i) When acting as a Director or Committee Member, respect the decisions of the majority (of the Board or a Committee, as applicable) and resign if unable to do so.
j) Commit the time to attend meetings and be diligent in preparation for, and participation in, discussions at such meetings.
k) Have a thorough knowledge and understanding of all governance documents

Athlete Support Personnel

13. In addition to section D (above), Athlete Support Personnel have additional responsibilities.
14. Athlete Support Personnel must understand and respect the inherent Power Imbalance that exists in this relationship and must not abuse it, either consciously or unconsciously.
15. Athlete Support Personnel will:
    a) Avoid any behaviour that abuses the Power Imbalance inherent in the position of the Athlete Support Personnel.
    b) Ensure a safe environment by selecting activities and establishing controls that are suitable for the age, experience, ability, and fitness level of the Athletes.
    c) Prepare Athletes systematically and progressively, using appropriate time frames and monitoring physical and psychological adjustments.
    d) 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.
    e) Support the Athlete Support Personnel of a training camp, provincial/territorial team, or national team should an Athlete qualify for participation with one of these programs.
    f) Accept and promote Athletes' personal goals and refer Athletes to other coaches and sport specialists as appropriate.
    g) Provide Athletes (and the parents/guardians of Minor Athletes) with the information necessary to be involved in the decisions that affect the Athlete.
    h) Act in the best interest of the Athlete's development as a whole person.
    i) Comply with their obligations under the *Screening Policy*, including **understanding** ongoing expectations under this *Policy* and fully cooperating in the screening process.
    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 competitor Athletes and, in dealings with them, not encroach upon topics or take actions which are deemed to be within the realm of 'coaching', unless after first communicating with the coaches who are responsible for the Athletes.
    l) When a Power Imbalance exists, not engage in a sexual or intimate relationship with an Athlete of any age.
    m) Disclose to Sail Canada, Ontario Sailing, and South Port Sailing Club any sexual or intimate relationship with an Athlete over the age of majority and, if requested by Sail Canada,

Ontario Sailing, or South Port Sailing Club immediately discontinue any coaching involvement with that Athlete.

n) Recognize the power inherent in the position of Athlete Support Personnel and respect and promote the rights of all Individuals 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 Individuals who are in a vulnerable or dependent position and less able to protect their own rights.
o) Dress professionally and use appropriate language.

Athletes

16. In addition to section D (above), Athletes will have additional responsibilities to**:**
    a) Follow their Athlete Agreement (if applicable).
    b) Report any medical problems in a timely fashion, when such problems may limit their ability to travel, practice, or compete.
    c) Participate and appear on-time and prepared to participate to their best abilities in all competitions, practices, training sessions, and evaluations.
    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, professionalism, and equipment.
    f) Act in accordance with applicable policies and procedures and, when applicable, additional rules as outlined by Athlete Support Personnel.

Officials

17. In addition to section D (above), officials will have additional responsibilities to:
    a) Maintain and update their knowledge of the rules and rules changes.
    b) Not publicly criticize other Individuals.
    c) Adhere at all times to the rules of their international federation and any other sport organization that has relevant and applicable authority.
    d) Place the safety and welfare of competitors, and the fairness of the competition, above all else.
    e) Strive to provide a fair sporting environment, and at no time engage in Maltreatment or Prohibited Behaviour toward any person on the field of play.
    f) Respect the terms of any agreement that they enter into with Sail Canada, Ontario Sailing, or South Port Sailing Club
    g) Work within the boundaries of their position's description while supporting the work of other officials.
    h) Act as an ambassador of the sport by agreeing to enforce and abide by national and provincial/territorial rules and regulations.
    i) Take ownership of actions and decisions made while officiating.
    j) Respect the rights, dignity, and worth of all Individuals.
    k) Act openly, impartially, professionally, lawfully, and in good faith.
    l) Be fair, equitable, considerate, independent, honest, and impartial in all dealings with others.
    m) Respect the confidentiality required by issues of a sensitive nature, which may include discipline processes, appeals, and specific information or data about Individuals.
    n) Comply with their obligations under the *Screening Policy*, including **understanding** ongoing expectations under this *Policy* and fully cooperating in the screening process.

o) Honour all assignments unless unable to do so by virtue of illness or personal emergency, and in these cases inform a supervisor or Sail Canada, Ontario Sailing, or South Port Sailing Club at the earliest possible time.
p) When writing reports, set out the actual facts to the best of their knowledge and recollection.
q) Dress in proper attire for officiating.

Parents/Guardians and Spectators

18. In addition to section D (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 an Individual 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 stop and prevent verbal and physical abuse, coercion, intimidation, and excessive sarcasm.
    f) Respect and show appreciation to all competitors, and to coaches, officials, and other volunteers.
    g) Never harass Individuals, competitors, Athlete Support Personnel, officials, parents/guardians, or other spectators.
    h) Never encourage, aid, cover up or assist an Athlete in cheating through doping, competition manipulation or other cheating behaviours.

Member Organizations

19. Member Organizations and their members must:
    a) When required, adhere to Sail Canada and Ontario Sailing's by-laws and amend their own policies to comply or align with those of Sail Canada and Ontario Sailing unless prohibited by provincial/local legislation.
    b) Pay all required dues and fees and complete all required documents by the prescribed deadlines.
    c) Ensure that all Athletes and coaches participating in sanctioned competitions, programs and Events of Sail Canada or Ontario Sailing are registered and in good standing.
    d) Appropriately screen prospective employees in compliance with the Screening Policy to help 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
    g) Advise Sail Canada and Ontario Sailing immediately of any situation where a complainant has publicized a complaint in the media (including social media).
    h) Provide Sail Canada and Ontario Sailing with a copy of all decisions rendered pursuant to the Safe Sport Policy Package for complaints and appeals.
    i) Implement any decision and disciplinary sanctions imposed pursuant to Sail Canada, Ontario Sailing, or any other Member Organization's discipline process.

Anti-Doping[1]

[1] Any capitalized terms used in this Anti-Doping section shall, unless the context requires otherwise, have the meanings ascribed to them in the Definitions section of the Canadian Anti-Doping Program.

20. Sail Canada, Ontario Sailing, and South Port Sailing Club adopt and adhere to the Canadian Anti-Doping Program. Sail Canada, Ontario Sailing, and South Port Sailing Club 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.
21. All Athletes shall:
    a) Abstain from the non-medical use of medications or drugs or the use of Prohibited Substances or Prohibited Methods as listed on the version of the World Anti-Doping Agency's Prohibited List currently in force.
    b) Refrain from associating with any person for the purpose of coaching, training, competition, instruction, administration, management, athletic development, or supervision, who has been found to have committed an anti-doping rule violation and is serving a period of ineligibility imposed pursuant to the Canadian Anti-Doping Program or any other applicable anti-doping rules.
    c) Cooperate with any Anti-Doping Organization that is conducting an investigation into any anti-doping rule violation(s).
    d) Refrain from any offensive conduct toward a Doping Control official or other individual involved in Doping Control, whether or not such conduct constitutes Tampering as defined in the Canadian Anti-Doping Program.
    e) All Athlete Support Personnel or other Persons who are Using a Prohibited Substance or Prohibited Method without a valid and acceptable justification shall refrain from providing support to Athletes that fall under the NSO or a Member's jurisdiction.

Retaliation, Retribution or Reprisal

22. It is a breach of this *Code of Conduct* for any Individuals to engage in any act that threatens or seeks to intimidate another individual with the intent of discouraging that Individual from filing, in good faith, a Report pursuant to anySouth Port Sailing Club policy. It is also a breach of this *Code of Conduct* for an Individual to file a Report for the purpose of retaliation, retribution, or reprisal against any other Individual. Any Individual found to be in breach of this section shall be liable for the costs related to the disciplinary process required to establish such a breach.

Privacy

23. The collection, use and disclosure of any personal information pursuant to this Policy is subject to South Port Sailing Club's *Privacy Policy*.

Appendix A – Universal Code of Conduct to Prevent and Address Maltreatment in Sport v6.0

South Port Sailing Club
Protection Policy

Effective date	
Initial Approved Date	
Date last reviewed	
Archived date	
Replaces and/or amends	
Appendix(-ces) to this Policy	

Note: The Safe Sport Policy Suite Definitions apply to this policy, please refer to that document for term definitions. Our Safe Sport policies follow the legal practice of capitalized defined terms to assist the reader in identifying that the term has a specific meaning within the policy suite.

Purpose

1. This 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. Sail Canada and Ontario Sailing strongly recommends that the 'Rule of Two' best practices are followed by Persons in Authority when interacting with Athletes, whether in person or remotely. 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.

South Port Sailing Club 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. To ensure adherence to the 'Rule of Two', to the best of their ability, the following guidelines are in place:

- The training and competition environments should be open to observation so that all interactions between Persons in Authority and Individuals are observable.
- Private or one-on-one situations should be avoided whenever possible unless they are open and observable by another adult or Athlete or the public.
- Persons in Authority shall not invite, or have, a Vulnerable Individual(s) in their home without a previous relationship from outside the sport of sailing and the written permission and contemporaneous knowledge of the Vulnerable Individual's parents/guardians.
- 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 a previous relationship from

outside the sport of sailing exists and there is written permission and contemporaneous knowledge of the Vulnerable Individual's parents/guardians.

Expectations in Different Situations and Interactions

3. **Communication**

The following communication guidelines are in place for Individuals who are Persons of Authority who interact with Athletes:

- Group messages, group emails or team pages are to be used as the regular method of communication between Persons in Authority and Athletes.
- Persons in Authority may only send personal texts, direct messages on social media or emails to individual Athletes when necessary and only for the purpose of communicating information related to team issues and activities (e.g., non-personal information).
- The content of all electronic communication between Persons in Authority and Athletes must be professional in tone and for the purpose of communicating information related to team issues or activities.
- All communication between Persons in Authority and Athletes must be between the hours of 6:00am and 10:00pm unless extenuating circumstances exist.
- No communication concerning drugs or alcohol use (unless regarding its prohibition) is permitted.
- No sexually explicit language or imagery or sexually oriented conversation is permitted.
- A Person in Authority should not become overly involved in an Athlete's personal life. Persons in Authority and Athletes are not permitted to offer or ask one another to keep a secret for them.

<u>Special Notes for Minor Athletes or Vulnerable Individuals</u>

- Parents and guardians may request that the Minor or Vulnerable Athlete 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. All communication with Athletes in this category should include one other adult person on the message, preferably their parent/guardian or their designate.

4. **Travel**

The following travel guidelines are in place for Individuals who are Persons of Authority who interact with Athletes:

- Teams or groups of Athletes should have at least two Persons in Authority with them. Screened parents or other volunteers can be available in situations when two Persons in Authority cannot be present.
- A Person in Authority may not share a room or be alone in a hotel room with the door closed with an Athlete unless the Person in Authority is the Athlete's parent or guardian.
- For mixed gender teams or groups of Athletes, there will be appropriate mixed gender Persons in Authority as well.
- Room or bed checks which may be done during overnight stays must be done by two Persons in Authority together.

<u>Special Notes for Minor Athletes or Vulnerable Individuals</u>

- A Person in Authority should not be alone in a car with a Minor Athlete or Vulnerable Individuals unless the Person in Authority is the Athlete's parent, guardian or a designate appointed by the Athlete's parent/guardian. A Person in Authority may not be alone in a car with an Athlete, who is not a Minor Athlete, without the prior consent of the Athlete.
- For overnight travel when Minor Athletes share a hotel room, roommates will be age-appropriate (e.g., within 2 years of age) and of the same gender identity.

5. Training and Events

The following guidelines are in place for Individuals who are Persons of Authority who interact with Athletes for interactions associated with both training and competition or other Events:

- Persons in Authority giving instructions, demonstrating skills, or facilitating drills or lessons to an individual Athlete should always be doing so in an open and observable environment.
- A Person in Authority should never be alone in a closed or unobservable environment with an Athlete prior to or following a competition or practice unless the Person in Authority is the Athlete's parent/guardian.

Special Notes for Minor Athletes or Vulnerable Individuals

- If a Minor Athlete arrives before a second d Person in Authority, their parent/guardian should remain until another person arrives. Similarly, if a Minor Athlete could 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/guardian of another Athlete) to stay until all the Minor Athletes have been picked up. If an adult is not available, then another Athlete should be present to avoid the Person in Authority being alone with a singular Minor Athlete.

6. **Locker Rooms / Changing Areas / Meeting Rooms**

The following guidelines are in place for Individuals who are Persons of Authority who interact with Athletes for interactions in locker rooms, changing areas, and meeting rooms:

- Interactions between a Person in Authority and an individual Athlete should not occur in any room where there is a reasonable expectation of privacy such as the locker room, restroom, or changing area. A second Person in Authority should be present for any necessary interaction in any such room (Rule of Two).
- 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 in cases of emergency.

7. Virtual Settings

The following guidelines are in place for Individuals who are Persons of Authority who interact with Athletes for interactions in virtual settings:

- Communications during virtual sessions shall take place in an open and observable environment. Sessions must be initiated in appropriate locations (e.g. not in personal or locations such as bedrooms).
- Virtual sessions should be recorded whenever allowed by the technology being used.

Special Notes for Minor Athletes or Vulnerable Individuals

- Parents/guardians of Minors shall be informed by South Port Sailing Club of the activities that will take place during the virtual session, as well as the process of the virtual session.
- Parents/guardians of Minors shall provide consent to the Minor participating in the virtual session, if irregularly scheduled, or prior to the first session if the sessions will take place on a regular basis.
- For Athletes under the age of 16, a parent/guardian should be present during any virtual session.
- Parents/guardians are encouraged to debrief with Minors on a weekly basis regarding virtual sessions.

8. **Photography / Video Guidelines**

The following guidelines are in place for Individuals in a Position of Authority who are interacting with Athletes pursuant to that Position of Authority related to photography / video:

- Individuals (or parent/guardian in case of a Minor) should sign an image consent form (as part of the registration process) that describes how an Individual's image may be used by South Port Sailing Club.
- Without consent, Individuals may not be photographed or filmed; and no images of Individuals may be posted publicly or privately. If consent is given, it may be revoked at any time.
- 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 Individuals.
- The use of recording devices of any kind in rooms where there is a reasonable expectation of privacy is strictly prohibited.
- Examples of photos that should be edited or deleted include:
  - Images with misplaced apparel or where undergarments are showing.
  - Suggestive or provocative poses.
  - Embarrassing images.

9. **Physical Contact**

South Port Sailing Club recognizes 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. South Port Sailing Club requires the following touch guidelines:

- Unless it is not possible because of serious injury or other circumstance, a Person in Authority should always clarify with an Athlete where and why any touch will occur. The Person in Authority must make clear that he or she is requesting to touch the Athlete and not requiring the physical contact.
- Infrequent, non-intentional physical contact, particularly contact that arises out of an error or a misjudgment on the part of the Athlete during a training session, is permitted. Making amends, such as an apology or explanation, is encouraged to further help educate Athletes on the difference between appropriate and inappropriate contact.
- Hugging, cuddling, physical horseplay, and physical contact initiated by the Person in Authority is not permitted. Some Athletes may initiate hugging or other physical contact with a Person in Authority for various reasons (e.g., in celebration or defeat) but this physical contact should always be limited and take place in an open and observable environment.

10. Enforcement

Any alleged violations of this Protection Policy shall be addressed pursuant to South Port Sailing Club's Discipline and Complaints Policy.

11. Privacy

The collection, use and disclosure of any personal information pursuant to this Policy is subject to South Port Sailing Club's Privacy Policy.

South Port Sailing Club
Screening Policy

Effective date	
Initial Approved Date	
Date last reviewed	
Archived date	
Replaces and/or amends	
Appendix(-ces) to this Policy	

Note: The Safe Sport Policy Suite Definitions apply to this policy, please refer to that document for term definitions. Our Safe Sport policies follow the legal practice of capitalized defined terms to assist the reader in identifying that the term has a specific meaning within the policy suite.

Purpose

1. South Port Sailing Club is responsible for providing a safe and secure environment for Athletes. Instructors, coaches, officials, and Athlete Support Personnel are, and volunteers may be, in a position of trust related to these Athletes or others in the community. South Port Sailing Club understands that screening personnel and volunteers is a vital part of providing a safe sporting environment and has become a common practice amongst sport organizations that provide programs and services to the Canadian sport community, and specifically within sailing.

Scope

2. This Policy applies to all Individuals whose position with South Port Sailing Club is one of trust or authority which may relate to, at a minimum, finances, supervision, or any contact with Vulnerable Individuals.

3. Not all Individuals associated with South Port Sailing Club will be required to obtain a Criminal Record Check or submit screening documents because not all positions pose a risk of harm to South Port Sailing Club or participants. Individuals will be subject to the screening requirements described in the Screening Requirements Matrix found in the Appendix of this policy and shall comply with the screening application requirements as detailed therein.

4. In addition to Individuals directly under the Sail Canada umbrella as designated by Sport Canada, Sail Canada will provide the service of screening as it relates specifically to Criminal Record Checks for Member Organizations by ensuring instructors, coaches, and officials over the age of 18 submit a Criminal Record Check every three years as part of their annual registration. Member Organizations are responsible for all other aspects of the Screening Requirement Matrix.

Policy

5. South Port Sailing Club believes robust screening of all Individuals with a degree of risk in their role with sailing in Canada is a vital activity in the protection of all Individuals associated with the sport. Comprehensive screening involves a range of activities and documentation related to risk level of the role the Individual is assuming within the sport and the organization.

6. As such South Port Sailing Club has categorized positions in the organization according to the level of risk they pose and requires progressive, comprehensive screening measures for Individuals in each category of risk as found in the Screening Requirement Matrix and is committed to ensuring is an ongoing process with regular updates for each Individual's screening documentation based on the

risk associated with their position.

7. Screening requirements will be met before any Individuals will be permitted to interact with Athletes or have access to Vulnerable Individuals.

Screening Designated Officer

8. The implementation of this policy is the responsibility of an individual appointed by South Port Sailing Club, who is free from a Conflict of Interest, that will function as the Screening Designated Officer for all screening applications received pursuant to this policy. This individual will possess the requisite skills, knowledge, and abilities to accurately assess screening documents and to render decisions under this policy.

9. The Screening Officer will carry out its duties in accordance with the terms of this policy.

10. The Screening Officer is responsible for reviewing all documents submitted with a screening application and based on the review, they are empowered to make decisions regarding the related appropriateness of Individuals filling positions within South Port Sailing Club. In carrying out its duties, the Screening Officer may consult with independent experts including lawyers, police, risk management consultants, volunteer screening specialists, or any other person while respecting the confidentiality of the documents.

Screening Requirements

11. A Screening Requirements Matrix is provided as an Appendix. All Individuals must comply with the requirements detailed therein associated with the highest role they are interested in attaining when first engaged by South Port Sailing Club and shall respect the renewal requirements indicated below. Upon this policy becoming effective all current Individuals will be reviewed and any gaps in South Port Sailing Club Screening records will be addressed within a six-month period.

12. Regardless of previous involvement with South Port Sailing Club, should an Individual take on a new role at any time that falls within a different category within the Screening Matrix they will be required to ensure South Port Sailing Club is provided with the screening documents associated with that new role.

13. If an Individual subsequently receives a charge, conviction for, or is found guilty of an offense they will report this circumstance immediately to South Port Sailing Club. As part of completion of a Screening Disclosure Form, Individuals are required to inform South Port Sailing Club of any changes in their circumstances that would alter their responses in their Screening Disclosure Form. For any UCCMS Participants, South Port Sailing Club is required to share this information with Ontario Sailing.

14. If South Port Sailing Club learns that an Individual has provided false, inaccurate, or misleading information, the Individual will immediately be removed from their position and may be subject to further discipline in accordance with the Discipline and Complaints Policy. For any Individual that is employed by South Port Sailing Club providing false or inaccurate information is considered willful misconduct and disobedience that is not trivial which has not been condoned by South Port Sailing Club and may result in termination without notice and without cause.

Procedure

15. Individuals must submit current versions of the screening documents based on the Requirements

Matrix, according to the category in which they fall as designated by the Board of Directors, to the Screening Officer. Note that, for the sake of this policy, current is defined as within six months of the date of submission. For those Individuals requiring Vulnerable Sector Checks, if needed, South Port Sailing Club will provide a letter for the Individual to be able to access a Vulnerable Sector Check for the position sought as required. Any information submitted shall be subject to South Port Sailing Club's Privacy Policy, will only be viewed on a need-to-know basis, and will be protected in accordance with the relevant and applicable privacy legislation.

16. All positions are conditional on both the completion of the indicated screening activities in the matrix as well as an acceptance of the results of those activities. An Individual who refuses or fails to provide the necessary screening documents, or makes an incomplete application, will be ineligible for the position sought. The Individual will be informed by the Screening Officer that their application and/or position will not proceed until such time as the screening documents are submitted.

17. South Port Sailing Club understands that there may be delays in receiving the results of a Criminal Record Check. At its discretion, the organization may permit the Individual to participate in the role during the delay, provided that the Individual demonstrates that they have completed all other aspects of screening and have initiated the Criminal Record Check process. This permission may be withdrawn at any time and for any reason.

18. Candidates may have the right to submit different documentation through an approved designated Criminal Record Check provider, however South Port Sailing Club reserves the right in all cases to request a record check through official police services. Regardless of the provider utilized to obtain a Criminal Record Check the Individual will consent to South Port Sailing Club being provided the status of the results.

19. South Port Sailing Club recognizes that different information will be available depending on the type of screening document that the Individual has submitted. For example, some reports may show details of a specific offense, or not, and/or others may be returned with specific information or simply a notification indicating 'cleared' or 'not cleared'. The Screening Officer will use its expertise and discretion when making decisions based on the screening documents that have been submitted.

20. The Screening Officer will review all Criminal Record Check Reports for Level A and Level B candidates, including all supporting documents and shall make a decision as indicated below. For Level C screening applications, the Screening Officer will only review cases where the Individual has made a declaration in their disclosure form that may impact whether they can participate in the desired position.

21. Following the review of any Level A and Level B screening applications, the Screening Officer will decide one of the following outcomes:
    I. The Individual has passed screening and may be considered for the desired position.
    II. The Individual has passed screening and may be considered for the desired position with conditions.
    III. The Individual has not passed screening and may not participate in the desired position.
    IV. More information is required from the Individual.

22. The Screening Officer must decide that an Individual has not passed screening if the screening documentation reveals a conviction for any of the following:

    <u>If imposed in the last two years:</u>

    i. Any offense for possession of drugs and/or narcotics.
    ii. Any offense involving conduct against public morals.
    iii. If the role involves driving, any offense involving the use of a motor vehicle including, but not limited to, impaired driving, excessive speeding, stunt driving.

    <u>If imposed in the last ten years</u>:

    I. Any crime of violence including but not limited to, all forms of assault.
    II. Any offense involving a Minor or Minors.
    III. Any offense involving theft or fraud.
    IV. Any offense involving trafficking of illegal drugs
    V. Any of the above offenses for which a pardon has been granted

    <u>If imposed at any time</u>:

    I. Any offense involving the possession, distribution, or sale of any child-related pornography.
    II. Any sexual offense, or
    III. Any sanctions deriving from a Maltreatment misconduct imposed by Sail Canada discipline panel or by the SRCCC Director of sanctions or SDRCC Safeguarding Tribunal preventing the individual from participating in Canadian sport based on the timeline imposed by the sanction.

23. If a Criminal Record Check has been returned with any other results aside from those listed above, the Individual may request a determination as to whether their participation will be approved or not. For the purposes of making this decision, the Screening Officer, may request further information, including but not limited to police reports; court records; probation orders; parole orders; and release documents. The Screening Officer will then determine if the results will place Athletes or other community members at risk and will advise the Individual in writing as to one of four outcomes as listed above.

24. In making their determination, the Screening Officer will consider the relationship of the offence(s) to the nature of the position, the number and nature of charges or convictions, when the offence(s) occurred, and what the Individual has done since the date of the offence.

25. The Individual under review may appeal the decision of the Screening Officer resulting from this policy as per the South Port Sailing Club Appeal Policy. If an appeal is initiated the contents of the screening documentation may be disclosed to others as necessary for hearing the appeal. The Individual may elect to discontinue their appeal at any time.

Conditions and Monitoring

26. Excluding the incidents above which, if revealed, would cause the Individual to not pass screening, the Screening Officer may determine that incidents revealed on an Individual's screening documents may allow the Individual to pass the screening process and participate in a desired position with conditions imposed. The Screening Officer may apply and remove conditions at its discretion and will determine how adherence to conditions may be monitored.

27. The Screening Officer is responsible to advise those roles that need to know of the conditions of the individual's participation.

28. For the registration of instructors, coaches, and Officials, as Sail Canada will be unable to monitor

conditions, the options available in reviewing the documents submitted will be limited to Pass or not passed. Registration of these individuals will only be possible upon passing the Criminal Record check component of the screening process. Member Organizations are permitted to impose conditions on the involvement of Individuals in their operations based on other aspects of the screening documents.

Minors

29. When screening Minors, South Port Sailing Club will:
    I. Not require the Minor to obtain a Criminal Record Check; and
    II. In lieu of obtaining a Criminal Record Check, require the Minor to submit up to two (2) additional references.

30. Notwithstanding the above, South Port Sailing Club may ask a Minor to obtain a Criminal Record Check if the organization suspects the Minor has an adult conviction and therefore has a criminal record. In these circumstances, the organization will be clear in its request that it is not asking for the Minor's youth record. Sail Canada understands that they may not request to see a Minor's youth record.

Frequency of Updates

31. Unless the Screening Officer determines, on a case-by-case basis, to modify the submission requirements, individuals who are required to submit a Criminal Record Check, Screening Disclosure Form, or Screening Renewal Form, are required to renew the documents as follows:
    I. A Criminal Record and Judicial Matters Check every three years.
    II. A Screening Disclosure Form every three years.
    III. A Screening Renewal Form annually whenever a Screening Disclosure Form is not being submitted.
    IV. A Vulnerable Sector Check on initial commencement only.

32. South Port Sailing Club may request that an Individual provide any of the above documents at any time. Such request will be in writing and reasons will be provided for the request.

Record Keeping

33. All records will be maintained in a confidential manner and will not be disclosed to others except as required by law, or for use in legal, quasi-legal, or disciplinary proceedings. This includes protecting all records in accordance with the relevant and applicable privacy legislation.

34. Records will be securely stored for the duration of the Individual's service to South Port Sailing Club and the three years that follow that service.

35. The records kept as part of the screening process include but are not limited to:
    I. Documentation that the Individual's Criminal Record Check was seen
    II. Screening Disclosure and Renewal Forms
    III. Records of any conditions attached to an Individual's registration by the Screening Officer
    IV. Records of any discipline applied to any individual by Sail Canada, by Ontario Sailing, by South Port Sailing Club, or by another sport organization

Privacy

36. The collection, use and disclosure of any personal information pursuant to this Policy is subject to South Port Sailing Club's Privacy Policy.

Appendix A – Screening Requirements Matrix

	Description	Requirements	Examples
Level A	Individuals that hold a decision-making position, involved in high-risk assignments, occupies position of trust and/or authority, has a supervisory role, directs others, involved with finances, and who have frequent or unsupervised access to Vulnerable Individuals	- Complete an Application Form - Complete a Screening Disclosure Form - Complete and provide a VSC - Provide one reference related to the position - Participate in training, orientation, and monitoring as determined by the organization - Provide a driver's abstract, if requested and relevant	Senior organizational staff; full-time coaches; coaches that travel with athletes; coaches that could be alone with athletes
Level B	Individuals with direct athlete contact, individuals involved in medium risk assignments who may be in a supervisory role, may direct others, may be involved with finances, and/or who may have limited access to Vulnerable Individuals	- Complete an Application Form - Complete a Screening Disclosure Form - Complete and provide an CRCJM - Provide one reference related to the position - Participate in training, orientation, and monitoring as determined by the organization - Provide a driver's abstract, if requested and relevant	Board Officers; management staff; Coaches and other Athlete support personnel who are typically under the supervision of another coach; Officials in leadership roles; Event organizing committee chairs.
Level C	Individuals with no direct contact with athletes, involved in low-risk assignments who are not in a supervisory role, not directing others, not involved with finances, and/or do not have unsupervised access to Vulnerable Individuals	- Complete an Application Form - Complete a Screening Disclosure Form - Participate in training, orientation, and monitoring as determined by the organization	Certain staff & certain volunteers who are not working with athletes or minors; Parents, youth, or volunteers who are helping out on a non-regular or informal basis.

South Port Sailing Club
Social Media Policy

Effective date	
Initial Approved Date	
Date last reviewed	
Archived date	
Replaces and/or amends	
Appendix(-ces) to this Policy	

Note: The Safe Sport Policy Suite Definitions apply to this policy, please refer to that document for term definitions. Our Safe Sport policies follow the legal practice of capitalized defined terms to assist the reader in identifying that the term has a specific meaning within the policy suite.

Purpose

1. Through rapid changes in technology and the growth of Social Media platforms and the internet, communication and information sharing has profoundly changed. Social Media and mobile device technology brings many opportunities but also an increased threat to privacy, the risk of sharing proprietary corporate information and opportunity for Code of Conduct incidents; both innocent and intended. South Port Sailing Club recognizes the importance of Social Media platforms and online communities such as, but not limited to, Facebook, LinkedIn, YouTube and Twitter, and their importance in information sharing and education.

Scope

2. This Policy applies to all Individuals.

Policy

3. South Port Sailing Club is aware that Individual interaction and communication occurs frequently on Social Media. The principles and guidelines that apply to any/all organization activities in general, as found in the Code of Conduct, apply to all online activities. South Port Sailing Club cautions Individuals that any conduct falling short of the standard of behaviour required by this Social Media Policy and the Code of Conduct may be subject to the disciplinary sanctions identified within the Discipline and Complaints Policy.

Conduct and Behaviour

4. 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
   b) Posting a picture, altered picture, or video on a Social Medium that is harmful, disrespectful, insulting, or otherwise offensive,
   c) Creating or contributing to a Social Medium vehicle, such as 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 Sail Canada, Ontario Sailing, or South Port Sailing Club, or 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, umpires, officials, and Athletes, etc.
e) Any instance of cyber-bullying or cyber-harassment, where incidents of cyber-bullying and cyber-harassment can include, but are not limited to, the following conduct on any Social Medium, via text-message, or via email: regular insults, negative comments, vexatious or unwelcome behaviour, pranks or jokes, threats, posing as another person, spreading rumours or lies, or other harmful behaviour.
f) Any instance in which a Social Medium has been a vehicle in violating confidentiality obligations related to any complaints and/or investigations.

Individuals' Responsibilities

5. Individuals acknowledge that their Social Media activity may be viewable and viewed by anyone, including Sail Canada, Ontario Sailing, or South Port Sailing Club or Individuals.

6. When using Social Media, an Individual must model appropriate behaviour befitting the Individual's role and status in connection with South Port Sailing Club.

7. 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.

8. An Individual who believes that another Individual's Social Media activity is inappropriate or may violate the policies and procedures of South Port Sailing Club should Report the matter in the manner outlined by the Discipline and Complaints Policy.

9. Confidentiality of member and participant information must be maintained. Consequences of breaches in confidentiality may be far reaching and, in most cases, not anticipated at the time of occurrence. Any of these situations could jeopardize an Individual's or organization's experience, effective job performance, and place the organization and staff member in contravention of legislation and legal risk.

10. Everyone should be cognizant of standards of member and participant privacy and confidentiality. Privacy and confidentiality must be maintained in all environments, including online, and must at all times refrain from posting identifiable member or participant information of any kind online.

South Port Sailing Club **Social Media**

11. Organization representation, including specific programs or teams, via online Social Media platforms can only be initiated and authorized by the Board of Directors. Any accounts existing without prior authorization as required above will be subject to review and may be amended or removed.

12. The Board of Directors will identify specific employees/volunteers who will be given access to communicate via official South Port Sailing Club Social Media accounts.

13. Appropriate training sessions will take place with those granted access to communicate on behalf of the organization.

14. In the event of an emerging crisis or potentially harmful information (whether through Social

Media or traditional media), all communication will originate only from South Port Sailing Club designated spokespeople.

15. If South Port Sailing Club 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 South Port Sailing Club to cease this engagement.

Enforcement

16. Any alleged violations of this Social Media Policy shall be addressed pursuant to South Port Sailing Club's Discipline and Complaints Policy.

Privacy

17. The collection, use and disclosure of any personal information pursuant to this Policy is subject to South Port Sailing Club's Privacy Policy.

South Port Sailing Club
Whistleblower Policy

Effective date	
Initial Approved Date	
Date last reviewed	
Archived date	
Replaces and/or amends	
Appendix(-ces) to this Policy	

Note: The Safe Sport Policy Suite Definitions apply to this policy, please refer to that document for term definitions. Our Safe Sport policies follow the legal practice of capitalized defined terms to assist the reader in identifying that the term has a specific meaning within the policy suite.

Purpose
The intention of this policy is to support a culture where every Individual feels empowered and supported in playing an active role in proactively working towards a safe sport culture in sailing in Canada. This policy supplements, and does not replace, any procedures required by law, regulation, or funding source requirements. South Port Sailing Club is committed to ensuring our established and implemented policies and procedures enable Individuals to come forward with information on illegal practices or violations of organizational policies.

Scope
This policy applies to all Individuals and participants of Sail Canada, Ontario Sailing and South Port Sailing Club and complaints raised concerning policies, code of conducts, programs, services, or organization procedures of South Port Sailing Club.

Policy
In keeping with South Port Sailing Club goal of maintaining the highest standards of conduct and ethics, we will investigate complaints of suspected fraudulent or dishonest use or misuse of our resources or property by staff, Board members, consultants, volunteers, or registered participants. To maintain the highest standards of service, South Port Sailing Club will also investigate complaints concerning its programs and services. Additionally, South Port Sailing Club will not Retaliate against an employee who, in good faith, raised a complaint against some practice of the organization, or of another individual or entity with whom South Port Sailing Club has or had a business relationship, based on a reasonable belief that the practice is in violation of law or a clear mandate of policy.

Protection
No director, officer, employee, volunteer, or member/participant who in good faith Reports suspected fraudulent or dishonest use or misuse of its resources or property or complaints concerning South Port Sailing Club's programs and services shall suffer Maltreatment, Harassment, Retaliation, or adverse employment or other consequences. An Individual who Retaliates against someone who has reported a violation in good faith is subject to the process in the Discipline and Complaints Policy. For employees discipline up to and including termination of employment is possible. This policy is intended to encourage and enable staff, Board members, consultants, volunteers, or registered participants to raise serious concerns within the organization prior to seeking resolution outside the organization. The Policy

is in addition to any non-Retaliation requirements contained in our human resource policies and those required by law.

Staff, Board members, volunteers, and all our stakeholders are encouraged to Report suspected fraudulent or dishonest conduct or problems with services provided, following the procedures set forth in the South Port Sailing Club Safe Sport Policies. This includes, but is not limited to, concerns that may fall under the mandate of the Office of the Sport Integrity Commissioner.

Reporting
A person's concerns that fall outside South Port Sailing Club's Safe Sport Policies, and the role of the Independent Third Party, about possible fraudulent or dishonest use or misuse of resources or property, or program operation, should be reported to the President or if it involves the President, the Ontario Sailing. If, for any reason, a person finds it difficult to report his or her concerns to this individual, they may report the concerns directly to any member of the Board of Directors. Alternatively, to facilitate reporting of suspected violations where the reporter wishes to remain anonymous, a written statement may be submitted to one of the Directors on the Board.

Investigation
All relevant matters, including suspected but unproved matters, will be promptly reviewed and analyzed, with documentation of the receipt, retention, investigation, and treatment of the complaint. Appropriate corrective action will be taken, if necessary, and findings may be communicated to the reporting person and their supervisor, if appropriate. Investigations may be conducted by the President, the Board, Ontario Sailing or independent persons such as auditors and/or attorneys. Investigators will endeavor to maintain and protect confidentiality, to the best of their ability as the situation allows.

This protection from Retaliation is not intended to prohibit supervisors from taking action, including disciplinary action, in the usual scope of their duties and based on valid performance-related factors. Individuals making complaints must be made in good faith; employees who intentionally make false allegations are subject to disciplinary action in accordance with the organization's human resource policies.

Enforcement
Any alleged violations of this Whistleblower Policy shall be addressed pursuant to South Port Sailing Club's Discipline and Complaints Policy.

Privacy
The collection, use and disclosure of any personal information pursuant to this Policy is subject to South Port Sailing Club's Privacy Policy. Ontario Sailing, or any of its delegates pursuant to this Policy (i.e.,

Appeal Manager, Appeal Panel), shall comply with South Port Sailing Club's Privacy Policy in the performance of their services under this Policy.

South Port Sailing Club
Appeal Policy

Effective date	
Initial Approved Date	
Date last reviewed	
Archived date	
Replaces and/or amends	
Appendix(-ces) to this Policy	

Note: The Safe Sport Policy Suite Definitions apply to this policy, please refer to that document for term definitions. Our Safe Sport policies follows the legal practice of capitalized defined terms to assist the reader in identifying that the term has a specific meaning within the policy suite.

Purpose

1. The purpose of this policy is to enable Individuals a fair, expeditious, and affordable Appeal process.

Scope

2. This policy applies to all Individuals.

3. Any Individual who is affected by a decision taken by the South Port Sailing Club Board of Directors, of any Committee of the Board of Directors, or of any entity or Individual who has been delegated authority to make decisions on behalf of South Port Sailing Club or its Board of Directors, including employees of South Port Sailing Club, will have the right to Appeal that decision, provided there are sufficient grounds for the Appeal, as set out in this policy.

4. This Appeal Policy will apply to decisions relating to:
    a) Eligibility
    b) Conflict of Interest
    c) Membership
    d) Disciplinary decisions made pursuant to South Port Sailing Club's relevant and applicable polices. This does not include decisions made by the Office of Sports Integrity Commissioner or related entities as well as decisions made by other sport partners including, but not limited to, Sail Canada and Ontario Sailing.

5. This Appeal Policy will NOT apply to decisions relating to:
    a) Decisions made by the Office of the Sports Integrity Commissioner or related entities
    b) Infractions for doping offences, which are dealt with pursuant to the Canadian Anti-Doping Program, by the Canadian Centre for Ethics in Sport
    c) The technical rules of Sail Canada, as set out in the World Sailing Racing Rules of Sailing (RRS) including the Sail Canada Prescriptions to the RRS and associated protests and Appeals.
    d) Matters relating to regattas in Canada governed by international organizations such as the Olympic Games, Pan American Games, World Championships, and similar Events organized by entities other than South Port Sailing Club, which are dealt with under the policies of these other entities.
    e) Policy and procedures established by any other agency external to South Port Sailing Club, including selection criteria and quotas.

f) Contractual matters between South Port Sailing Club and Individuals for which another dispute resolution process exists under the provisions of the applicable contract
g) Operational matters such as employment matters or matters of operational structure, budget, staffing, or volunteer leadership opportunities.
h) Criminal offences for which the Appellant(s) or Respondent is/are seeking a criminal conviction.
i) Settlements negotiated pursuant to the Dispute Resolution Policy

Grounds for Appeal

6. An Appeal may be heard only if there are sufficient grounds for the Appeal. Sufficient grounds include:
   a) Made a decision for which it did not have authority or jurisdiction to make, as set out in Respondent's governing documents.
   b) Failed to follow its own procedures as set out in the Respondent's governing documents
   c) Made a decision which was influenced by bias, where bias is defined as a lack of neutrality to such an extent that the decision-maker is unable to consider other views or that the decision was made on the basis of, or significantly influenced by, factors unrelated to the merits of the decision.
   d) Made a decision that was grossly unreasonable or unfair.

7. The Appellant must demonstrate that the Respondent has made an error as described above and that the error had, or may reasonably have had, a material effect of the decision or the Respondent.

Timing of Appeal

8. Individuals who wish to Appeal a decision will have fourteen (14) days from the date they received notice of the decision, to submit their Appeal document in writing to South Port Sailing Club Board of Directors, who will appoint an Appeal Manager.

9. Any Individual wishing to submit an Appeal document beyond the fourteen (14) day period must provide a written request stating reasons for an exemption to the fourteen (14) day period. An Individual may only do so under exceptional circumstances preventing them from filing their appeal within the time period above. The decisions to allow, or not allow this exemption to the time period will be at the sole discretion of the Appeal Manager and may not be appealed.

Appeal Submission

10. The formal Appeal document that is required to be submitted to commence an Appeal will include:
    a. Notice of the intention to Appeal
    b. Their contact information
    c. Name of the Respondent and any Affected Parties, when known to the Appellant
    d. Date the Appellant was advised of the decision being appealed
    e. A copy of the decision being appealed, or description of the decision if a written document is not available
    f. Grounds and detailed reasons for the Appeal
    g. All evidence that supports these grounds
    h. Requested remedy or remedies
    i. An administration fee of two hundred and fifty dollars ($250), which will be refunded if the Appeal is granted, which may be waived or exempted at the discretion of the Appeal Manager (e.g., in cases of proven financial hardship).

11. The Appeal Manager has an overall responsibility to ensure procedural fairness is respected and to implement the policy in a timely manner. More specifically, the Appeal Manager has a responsibility to:
    a) Receive the Appeal document.
    b) Determine if the Appeal lies within the jurisdiction of this Policy.
    c) Determine if the Appeal is brought in a timely manner.
    d) Determine if the Appeal is brought on permissible grounds.
    e) Appoint the Appeal panel to hear appeals.
    f) Determine the format of the Appeal hearing.
    g) Coordinate all administrative and procedure aspects of the Appeal.
    h) Provide administrative assistance and logistical support to the Appeal Panel as required; and
    i) Provide any other service or support that may be necessary to ensure a fair and timely Appeal proceeding.

12. Upon commencement of the Appeal, the Appeal Manager will discuss the circumstances with the Appellant(s) and, without any delay, will notify the Respondent(s) in writing and forward a copy of the Appeal Document to the Respondent(s).

13. Notwithstanding any other provision in this Appeal Policy, by agreement between the Parties, the internal appeal process in relation to decisions made by Sail Canada only may be bypassed, and the appeal may be heard directly before the SDRCC. Except where an appeal proceeds before the SDRCC, Sail Canada or the relevant Provincial Sailing Association (as applicable) shall appoint an Appeal Manager and shall follow the process outlined in Sections 21 and following of this *Appeal Policy,* modified and applied accordingly based on the circumstances.

Dispute Resolution

14. Before proceeding further, the Appeal Manager and/or Appeal Panel may suggest, and the Parties may consent, the Appeal to be heard under South Port Sailing Club's Dispute Resolution Policy.

Screening of Appeal

15. Within five (5) days of receiving the Appeal, the Appeal Manager will determine whether there are appropriate grounds for the Appeal as set out in this policy.
16. For purposes of screening the appeal, the facts as alleged by the Appellant(s) in the Appeal Document shall be presumed to be correct unless such facts are, to the knowledge of the Appeal Manager, clearly erroneous.

17. If the Appeal is denied on the basis of insufficient grounds, or because it was not submitted in a timely manner, or because it did not fall under the scope of this Policy, the Appellant(s) and the Respondent(s) will be notified in writing without delay of this decision and its reasons.

18. If the Appeal is accepted because it falls under the scope of this Policy, there are sufficient grounds, and it was submitted in a timely manner, the Appellant(s) and the Respondent(s) will be notified in writing without delay of this decision and its reasons.

Appeal Panel

19. If the Appeal is accepted, the Appeal Manager will appoint an Appeal Panel. The Panel will be comprised of one Individual, unless the Appeal Manager determines a need to have an Appeal Panel comprised of 3 individuals, in which case one will be appointed chair.

20. When appointing the Appeal Panel, the Appeal Manager must select Individuals who are impartial, free from any real or perceived conflict of interest (and who shall remain so until a final decision has been rendered or the proceedings have otherwise finally terminated), and who do not have any direct relationship with any of the Parties. Although not a strict requirement, the Appeal Manager should attempt to appoint Individuals to the Appeal Panel who have a legal background and who understand dispute resolution. When justified by the circumstances, the Appeal Manager may appoint Individuals to the Appeal Panel who have specific areas of expertise that would assist in resolving the matter. In fulfilling its duties, the Appeal Panel may obtain independent advice.

Procedure for Appeal Hearing

21. The Appeal Manager shall notify the Parties that the Appeal will be heard. The Appeal Manager, in collaboration with the Appeal Panel, shall then decide the format under which the Appeal will be heard. This decision is at the sole discretion of the Appeal Manager and may not be appealed.

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

23. The format of the hearing may involve an oral in-person hearing, an oral hearing by telephone or other electronic means, a hearing based on a review of documentary evidence submitted in advance of the hearing, a hearing based on documentary submissions alone, or a combination of these methods. The hearing will be governed by the procedures that the Appeal Panel, with the assistance of the Appeal Manager, deem appropriate in the circumstances, provided that:

a) The hearing will be held in a timely manner
b) The Parties will be given reasonable notice of the day, time and place of an oral in-person hearing or oral hearing by telephone or electronic communications.
c) Copies of any written documents which the Parties wish to have the Appeal Panel consider will be provided to all Parties in advance of the hearing
d) The Parties may be accompanied by a representative, advisor, or legal counsel at their own expense
e) The Appeal Panel may request that any other Individual participate and give evidence at an oral in-person hearing or oral hearing by telephone or electronic communications.
f) The Appeal Panel may allow as evidence at the hearing any oral evidence and document or thing relevant to the subject matter of the Appeal but may exclude such evidence that is unduly repetitious and shall place such weight on the evidence as it deems appropriate.
g) 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 a party to the Appeal in question and will be bound by its outcome.
h) Any Affected Party shall be permitted to make submissions and file evidence before the Appeal Panel. The Appeal Panel's decision is binding on any Affected Party The decision to uphold or reject the Appeal will be by a majority vote of the Appeal Panel members, except in cases where the Panel consists of a single member.

Appeal Decision

24. Within fourteen (14) days of concluding the Appeal, the Panel will issue its written decision, with reasons. In making its decision, the Panel will have no greater authority than that of the original decision-maker. The Panel may decide:
    a) To reject the Appeal and confirm the decision being appealed.
    b) To grant the Appeal, in part or in whole, and refer the matter back to the initial decision-maker for a new decision.
    c) To grant the Appeal, in part or in whole, and vary the decision where it is found that an error occurred, and such an error cannot be corrected by the original decision-maker for reason of lack of clear procedure, lack of time, or lack of neutrality.
    d) To determine how costs of the Appeal, excluding legal fees and legal disbursements of any of the Parties, will be assessed against any party. When assessing such costs, the Panel shall consider the outcome of the proceedings, the conduct of the Parties and their respective financial resources.

25. A copy of this written decision will be provided to all of the Parties and to the Appeal Manager and to Ontario Sailing and Sail Canada. In extraordinary circumstances, the Panel may issue a verbal decision or a summary written decision, with full written decision to be issued thereafter.

Timelines

26. 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

27. The Appeal 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. Any failure to respect the confidentiality requirement may result in disciplinary action being taken against the Individual(s) in accordance with South Port Sailing Club's relevant and applicable policies.

Final and Binding

28. The decision of the Panel will be final and binding on the Parties and on all the Association's Individuals, subject to their right to appeal the decision before the SDRCC in accordance with the Canadian Sport Dispute Resolution Code.

29. No action or legal proceeding will be commenced against South Port Sailing Club or any Individuals in respect of a dispute unless South Port Sailing Club has refused or failed to provide or abide by the dispute resolution process and/or Appeal process as set out in governing documents.

Privacy

30. The collection, use and disclosure of any personal information pursuant to this Policy is subject to South Port Sailing Club's Privacy Policy. Ontario Sailing, or any of its delegates pursuant to this Policy (i.e., Appeal Manager, Appeal Panel), shall comply with South Port Sailing Club's Privacy Policy in the performance of their services under this Policy.

South Port Sailing Club
Discipline and Complaints Policy

Effective date	
Initial Approved Date	
Date last reviewed	
Archived date	
Replaces and/or amends	
Appendix(-ces) to this Policy	

Note: The Safe Sport Policy Suite Definitions apply to this policy, please refer to that document for term definitions. Our Safe Sport policies follows the legal practice of capitalized defined terms to assist the reader in identifying that the term has a specific meaning within the policy suite.

PURPOSE

1. Individuals are expected to fulfill certain responsibilities and obligations including, but not limited to, complying with all policies, by-laws, rules, and regulations of South Port Sailing Club, including the Code of Conduct, as updated, and amended from time to time.
2. Non-compliance with any of South Port Sailing Club's policies, by-laws, rules, or regulations, including the Code of Conduct may result in the imposition of sanctions pursuant to this Policy [or the by-laws of South Port Sailing Club.

APPLICATION

Application – General

3. This Policy applies to all Individuals and to any alleged breaches of South Port Sailing Club's policies, by-laws, rules or regulations, including the Code of Conduct.
4. In addition to being subject to disciplinary action pursuant to this Policy, an employee of South Port Sailing Club who is a Respondent to a complaint may also be subject to consequences in accordance with the employee's employment agreement or the policies for human resources, if applicable.

REPORTING

UCCMS Participants

5. Incidents that involve alleged Maltreatment or Prohibited Behaviour that occurred or continued as of MARCH 1ST, 2023 involving a UCCMS Participant must be reported to the OSIC [https://osicbcis.formstack.com/forms/osic_complaint_report] and will be addressed pursuant to the OSIC's policies and procedures.
6. Incidents that involve alleged Maltreatment or Prohibited Behaviour that occurred before MARCH 1ST, 2023 may be reported to the OSIC; however, the OSIC shall determine the admissibility of such complaints in accordance with the relevant and applicable OSIC Guidelines regarding the initial review and preliminary assessment, and the matter may only proceed pursuant to the OSIC's procedures with the express consent of the Parties involved where the Parties have not been designated by Sail Canada as a UCCMS Participant.
7. If the Independent Third Party receives a Complaint that they consider would otherwise fall within the above sections, they shall refer the matter to the OSIC and notify the individual(s) that made the Complaint of such action.

Individuals

8. Any complaints involving alleged breaches of South Port Sailing Club's policies that do not fall within Sections 5 or 6 above may be reported by an Individual to the Independent Third Party (available on the South Port Sailing Club website) in writing within fourteen (14) days of the occurrence of the incident.[2] For the avoidance of doubt, this includes complaints referred back to the Independent Third Party by the OSIC following a determination made by the OSIC that a complaint initially reported to it does not fall within its jurisdiction.
9. Notwithstanding any provision in this Policy, South Port Sailing Club may, at its discretion, or upon request by the Independent Third Party, act as the Complainant and initiate the complaint process under the terms of this Policy. In such cases, South Port Sailing Club will identify an individual to represent the organization.
10. A Complainant who fears retribution or reprisal or who otherwise considers that their identity must remain confidential may file a complaint with the Independent Third Party and request that their identity be kept confidential. If the Independent Third Party considers that the Complainant's identity must remain confidential, the Independent Third Party may ask that South Port Sailing Club take carriage of the complaint and act as the Complainant.[3]
11. In exceptional circumstances, the Independent Third Party may direct a complaint to be managed by Ontario Sailing or Sail Canada if a Member Organization is otherwise unable to manage the complaint for valid and justifiable reasons, such as a conflict of interest, due to a lack of capacity or where the Member Organization does not have policies in place to address the complaint. In such circumstances, Ontario Sailing, or Sail Canada as applicable, shall have the right to request that a cost-sharing agreement be entered into with the Member Organization as a pre-condition to Ontario Sailing or Sail Canada managing the complaint.
12. Where the Independent Third Party refers a matter to be managed by South Port Sailing Club, or where South Port Sailing Club is otherwise responsible for managing a matter (i.e., because they received the matter directly), and South Port Sailing Club fails to conduct disciplinary proceedings within a reasonable timeline, Ontario Sailing may, at its discretion, take jurisdiction of the matter and conduct the necessary proceedings. In such circumstances, if the Internal Discipline Chair or External Discipline Panel decides that Ontario Sailing acted reasonably in taking jurisdiction over the matter, Ontario Sailing's costs to conduct the proceedings, including legal fees, shall be reimbursed by South Port Sailing Club to Ontario Sailing or Sail Canada as appropriate.

MINORS

13. Complaints may be brought by or against an Individual who is a Minor. Minors must have a parent/guardian or other adult serve as their representative during this process. If the Minor's representative is not their parent/guardian, the representative must have written permission to act in such a capacity from the Minor's parent/guardian.
14. Communication from the Independent Third Party, Internal Discipline Chair or External Discipline Panel (as applicable) must be directed to the Minor's representative, or Parent/Guardian until such a time as a representative is identified.
15. Any Individual who Reports or brings a complaint involving known or suspected abuse, neglect, or Maltreatment of a Minor on behalf of the Minor must Report this to local child welfare services, the applicable provincial social service ministries or departments, or local police.

[2] This timeline may be waived at the Independent Third Party's sole discretion if they consider that there were extenuating circumstances that prevented the Individual from Reporting their complaint within fourteen (14) days of the occurrence of the incident. Any such decision by the Independent Third Party is not subject to appeal.

[3] In such circumstances, the Complainant(s) may be required to provide evidence during the disciplinary process.

16. A Minor is not required to attend or participate in an oral hearing, if held, or participate in an investigation if conducted. In such circumstances, no adverse inference can be drawn against the Minor.

INDEPENDENT THIRD-PARTY RESPONSIBILITIES

17. Upon receipt of a complaint, the Independent Third Party has a responsibility to:
    a) Determine whether the complaint falls within the jurisdiction of this Policy and whether it has been submitted in accordance with the deadlines indicated herein;
    b) Determine the appropriate jurisdiction to manage the complaint by considering the following:
        i. whether the incident occurred within the business, activities, or Events of South Port Sailing Club and
        ii. if South Port Sailing Club is able to manage the complaint process[4].
    c) Determine whether the complaint is frivolous, vexatious or if it has been made in bad faith[5];
    d) Determine if the alleged incident should be investigated pursuant to **Appendix A – Investigation Procedure**; and
    e) Choose which process (Process #1 or Process #2, as outlined below) should be followed to hear and adjudicate the matter.

Available Process

There are two different processes that may be used to hear and adjudicate complaints. Subject to Sections 5-7, the Independent Third Party decides which process should be followed at their discretion, and such decision is not appealable.

Process #1 - the complaint contains allegations involving the following behaviours:

a) Disrespectful conduct or comments
b) Minor acts of physical violence, unless the physical violence is between a Person in Authority and a Vulnerable Individual, in which case the matter will be addressed under Process #2

[4] In making this assessment, the Independent Third Party may determine that the Member Organization lacks the capacity to manage the complaint (which may include financial and human resource capacity), that the Member Organization is not the appropriate instance to manage the complaint due to its seriousness (for example, clubs may not be expected to manage serious complaints due to the complexity of conducting such a process), or that a real or perceived conflict of interest exists within the Member Organization.

If the Independent Third Party determines that the Complaint or Report should be handled by a Member Organization, that organization may adopt this Policy and appoint its own Independent Third Party to fulfil the responsibilities listed herein. Where this Policy is adopted by a Member organization or affiliated organization, any reference to Independent Third Party below shall be understood as a reference to the Independent Third Party of the Member Organization or affiliated organization.

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

c) Conduct contrary to the values of South Port Sailing Club
d) Non-compliance with the policies, procedures, rules, or regulations of South Port Sailing Club
e) Minor violations of the policies or bylaws of South Port Sailing Club.

*** The behaviours identified above are examples only and are not a definitive list of behaviours that may be addressed through Process #1.

Process #2 - the complaint contains allegations involving the following behaviours:

a) Repeated incidents described in Process #1
b) Hazing
c) Abusive, racist, or sexist comments, conduct or behaviour
d) Incidents that constitute Prohibited Behaviour under the Code of Conduct & Ethics (the Code) or the UCCMS
e) Major incidents of violence (e.g., fighting, attacking)
f) Pranks, jokes, or other activities that endanger the safety of others
g) Conduct that intentionally interferes with a competition or with any athlete's preparation for a competition
h) Conduct that intentionally damages the image, credibility, or reputation of South Port Sailing Club
i) Consistent disregard for the by-laws, policies, rules, and regulations of South Port Sailing Club
j) Major or repeated violations of the Code or any other policies, by-laws, rules or regulations that designate this *Discipline and Complaints Policy* as applicable to address such alleged breaches
k) Intentionally damaging the property of South Port Sailing Club or improperly handling any of the aforementioned organizations' monies
l) Abusive use of alcohol, any use or possession of alcohol by Minors, or use or possession of illicit drugs and narcotics
m) A conviction for any *Criminal Code* offense

***The behaviours identified above are examples only and are not a definitive list of behaviours that may be addressed through Process #2.

PROVISIONAL SUSPENSIONS

18. If it is considered appropriate or necessary on the basis of the circumstances, immediate discipline or the imposition of a Provisional Suspension or interim measures may be imposed against any Individual by the Independent Third Party, or South Port Sailing Club 3 senior staff member, after which further discipline or sanctions may be applied according to this Policy.
19. If an infraction occurs at a competition, it will be dealt with by the procedures specific to the competition, if applicable. Provisional Suspensions or interim measures may be imposed for the duration of the competition, training, activity, or Event only, or as otherwise determined appropriate by the Independent Third Party, or South Port Sailing Club senior staff member.
20. Notwithstanding the above, South Port Sailing Club and/or Independent Third Party may determine that an alleged incident is of such seriousness as to warrant the imposition of a Provisional Suspension of a Respondent pending completion of an investigation, assessment and/investigation by the OSIC, criminal process, the hearing, or a decision of the External Discipline Panel.
21. Any Respondent against whom a Provisional Suspension or interim measure is imposed may make a request to the Independent Third Party or External Discipline Panel (if appointed) to have the Provisional Suspension or interim measure lifted. In such circumstances, South Port Sailing Club shall be provided with an opportunity to make submissions, orally or in writing, regarding the Respondent's request to have their Provisional Suspension lifted. Provisional Suspensions or interim

measures shall only be lifted in circumstances where the Respondent establishes that it would be manifestly unfair to maintain the Provisional Suspension or interim measures against them.

22. Any decision not to lift a Provisional Suspension or interim measure shall not be subject to appeal.

Procedural Steps

PROCESS #1: Handled by Internal Discipline Chair

Internal Discipline Chair

23. Following the determination that the complaint or incident should be handled under Process #1, the Independent Third Party will ensure an Internal Discipline Chair[6] is appointed who may:
    a) Propose alternative dispute resolution techniques, if appropriate; and/or
    b) Ask the Complainant and the Respondent for either written or oral submissions regarding the complaint or incident. Both Parties shall also have the right to submit to the Internal Discipline Chair any relevant evidence, including, but not limited to witness statements, documentary evidence or evidence from other media (i.e., photos, screenshots, videos or other recordings). Each party shall have the right to receive the other party's submissions and evidence, including the Complainant's complaint. In the case of oral submissions, each party shall be present when such submissions are made; and/or
    c) Following receipt of the Parties' submissions, the Internal Discipline Chair may convene the Parties to a meeting, either in person or by way of video or teleconference in order to ask the Parties questions and to allow the Parties to ask questions of one another.
24. Following their review of the submissions and evidence related to the Complaint, the Internal Discipline Chair shall determine if any of the alleged incidents have occurred and, if so, determine the appropriate sanction (see: **Sanctions**). If, after hearing the Parties and reviewing their submissions, the Internal Discipline Chair considers that none of the alleged incidents have occurred, they shall dismiss the Complaint.
25. The Internal Discipline Chair will inform the Parties of the decision, which shall be in writing and include reasons. The Internal Discipline Chair's decision will take effect immediately, unless specified otherwise by the Internal Discipline Chair. Should the circumstances require a decision to be rendered immediately or within a short timeline, the Internal Discipline Chair may render a short, written decision, either orally or in writing, followed by a written reasoned decision.
26. Any decision rendered by the Internal Discipline Chair shall be provided to and maintained in the records of South Port Sailing Club, Ontario Sailing, and Sail Canada as applicable. Decisions will be kept confidential by the parties and the aforementioned organizations and shall be retained and discarded in accordance with the relevant and applicable privacy legislation.
27. In fulfilling its duties, the Internal Discipline Panel may obtain independent advice.

PROCESS #2: Handled by Independent Third Party and External Discipline Panel

Independent Third Party

28. Following the determination that the complaint should be handled under Process #2, the Independent Third Party will propose the use of alternative dispute resolution methods, if appropriate. If the dispute is not resolved using alternative dispute resolution methods, the Independent Third Party will appoint an External Discipline Panel of one (1) person to hear the complaint. Thereafter, the Independent Third Party shall have the following responsibilities:
    a) Coordinate all administrative aspects of the process and set reasonable timelines
    b) Provide administrative assistance and logistical support to the External Discipline Panel as required, including providing the External Discipline Panel with any information

[6] The appointed Internal Discipline Chair must be unbiased and not in a conflict-of-interest situation.

related to previously imposed disciplinary sanctions against the Respondent(s) of the policies of Sail Canada, Ontario Sailing, South Port Sailing Club or any other sport organization that had authority over the Respondent

c) Provide any other service or support that may be necessary to ensure a fair and timely proceeding

29. The Independent Third Party will establish and adhere to timelines that ensure procedural fairness and that the matter is heard in a timely fashion.
30. If warranted based on the nature of the case, the Independent Third Party may, in their sole discretion, appoint an External Discipline Panel of three (3) people. When a three-person External Discipline Panel is appointed, the Independent Third Party will appoint one of the External Discipline Panel's members to serve as the Chair.
31. The Independent Third Party, in cooperation with the External 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.
32. The hearing will be governed by the procedures that the Independent Third Party and the External Discipline Panel deem appropriate for the circumstances. The following procedural directions will apply:
    a) The determination of procedures and timelines, as well as a hearing duration, shall be as expedient and cost-efficient as possible in order to ensure that costs to the Parties and Sail Canada, Ontario Sailing, and/or South Port Sailing Club are reasonable
    b) The Parties will be given appropriate notice of the day, time, and place of the hearing
    c) Copies of any written documents which any of the Parties wishes to have the External Discipline Panel consider will be provided to all Parties, through the Independent Third Party, in advance of the hearing and in accordance with the timelines set by the Independent Third Party.
    d) The Parties may engage a representative, advisor, translator, transcription services or legal counsel at their own expense
    e) The External Discipline Panel may request that any other individual participate and give evidence at the hearing
    f) If not a Party, South Port Sailing Club and/or Ontario Sailing shall be allowed to attend the hearing as an observer and will be provided with access to any documents submitted. With the permission of the External Discipline Panel, South Port Sailing Club and/or Ontario Sailing may make submissions at the hearing or may provide the discipline panel with clarifying information that may be required for the External Discipline Panel to render its decision[7]
    g) The External Discipline Panel shall allow any evidence at the hearing filed by the parties and may exclude any evidence is unduly repetitious or otherwise an abuse of process. The External Discipline Panel shall otherwise apply relevant and applicable evidentiary rules in relation to the admissibility and weight given to evidence filed by the parties

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

h) Nothing is admissible in evidence at a hearing that:
    i. would be inadmissible in a court by reason of any privilege under the law of evidence; or
    ii. is inadmissible by any statute.
i) The decision will be by a majority vote of the External Discipline Panel, when the Panel consists of three people

33. If the Respondent acknowledges the facts of the incident, the Respondent may waive the hearing, in which case the External Discipline Panel will determine the appropriate sanction. The External Discipline Panel may still hold a hearing for the purpose of determining an appropriate sanction.
34. The process will proceed if a Party chooses not to participate in the hearing.
35. If a decision may affect another Party to the extent that the other Party would have recourse to a complaint or an appeal in their own right, that Party will become a Party to the complaint, shall be permitted to participate in the proceedings as determined by the External Discipline Panel, and will be bound by the decision.
36. In fulfilling its duties, the External Discipline Panel may obtain independent advice.

DECISION

37. After hearing the matter, the External Discipline Panel will determine whether an infraction has occurred and, if so, the sanctions to be imposed. If the External Discipline Panel considers that an infraction has not occurred, the Reported complaint will be dismissed.
38. Within fourteen (14) days of the hearing's conclusion, the External Discipline Panel's written decision, with reasons, will be distributed to all parties by the Independent Third Party, including and, South Port Sailing Club and if applicable, Sail Canada and Ontario Sailing.
39. In extraordinary circumstances, the External 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.
40. The External Discipline Panel's decision will come into effect as of the date that it is rendered, unless decided otherwise by the External Discipline Panel. The External Discipline Panel's decision will apply automatically to Sail Canada and all of its Member Organizations.
41. Unless the matter involves a Vulnerable Individual, once the appeal deadline in the *Appeal Policy* has expired, Sail Canada, Ontario Sailing, or South Port Sailing Club shall publish on their website the outcome of the case, the provision(s) of the relevant policies that have been violated, the name(s) of the Individual(s) involved and the sanction(s) imposed, if any. If the matter is appealed, the publication provisions in the *Appeal Policy* shall apply. Identifying information regarding Minors or Vulnerable Individuals will never be published.
42. If the External Discipline Panel dismisses the Reported complaint, the information referred to in Section 41 above may only be published with the Respondent's consent. If the Respondent does not provide such consent, the information referred to in Section 41 above will be kept confidential by the Parties, the independent Third Party, Ontario Sailing, Sail Canada and the Member Organization (including the Respondent's organization) and shall be retained and discarded in accordance with the relevant and applicable privacy legislation. Failure to respect this provision may result in disciplinary action being taken pursuant to this *Discipline and Complaints Policy*.
43. Other relevant individuals or organizations, including but not limited to, Sail Canada, affiliate organizations, etc., may be advised of any decisions rendered in accordance with this Policy.
44. Records of all decisions will be maintained by South Port Sailing Club in accordance with their Privacy Policy.
45. When the External Discipline Panel imposes a sanction, the decision shall include, at a minimum, the following details:
    a) Jurisdiction;

b) Summary of the facts and relevant evidence;
c) The specific provision(s) of South Port Sailing Club's policies, bylaws, rules or regulations that have been breached;
d) Which Party is responsible for the costs of implementing any sanction;
e) Which organization is responsible for monitoring that the sanctioned individual respects the terms of the sanction;
f) Any reinstatement conditions that the Respondent must satisfy (if any);
g) Which organization is responsible for ensuring that the conditions have been satisfied; and,
h) Any other guidance that will assist the Parties to implement the External Discipline Panel's decision.

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

SANCTIONS

46. When determining the appropriate sanction, the Internal Discipline Chair or External Discipline Panel, as applicable, will consider the following factors (where applicable):
    a) The nature and duration of the Respondent's relationship with the Complainant, including whether there is a Power Imbalance;
    b) The Respondent's prior history and any pattern of misconduct, Prohibited Behaviour or Maltreatment;
    c) The respective ages of the Individuals involved;
    d) Whether the Respondent poses an ongoing and/or potential threat to the safety of others;
    e) The Respondent's voluntary admission of the offense(s), acceptance of responsibility for the misconduct, Prohibited Behaviour or Maltreatment, and/or cooperation in the investigative and/or disciplinary process of South Port Sailing Club;
    f) Real or perceived impact of the incident on the Complainant, sailing organization or the sport of sailing;
    g) Circumstances specific to the Respondent being sanctioned (e.g., lack of appropriate knowledge or training regarding the requirements in the *Code*; addiction; disability; illness);
    h) Whether, given the facts and circumstances that have been established, continued participation in the sailing and broader sport community is appropriate;
    i) A Respondent who is in a position of trust, intimate contact or high-impact decision-making may face more serious sanctions; and/or
    j) Other mitigating or aggravating circumstances.
47. Any sanction imposed must be proportionate and reasonable. However, progressive discipline is not required, and a single incident of Prohibited Behaviour/Maltreatment or other misconduct may justify elevated or combined sanctions.
48. The Internal Discipline Chair or External Discipline Panel, as applicable, may apply the following disciplinary sanctions, singularly or in combination:
    a) **Verbal or Written Warning** - A verbal reprimand or an official, written notice and formal admonition that an Individual has violated the *Code* and that more severe sanctions will result should the Individual be involved in other violations
    b) **Education** - The requirement that an Individual undertake specified educational or similar remedial measures to address the violation(s) of the *Code* or the UCCMS
    c) **Probation** - Should any further violations of the *Code* or the UCCMS occur during the probationary period, this may result in additional disciplinary measures, including, without

limitation, a period of suspension or permanent ineligibility. This sanction can also include loss of privileges or other conditions, restrictions, or requirements for a specified period

d) **Suspension** - Suspension, either for a set time or until further notice, from participation, in any capacity, in any program, activity, Event, or competition sponsored by, organized by, or under the auspices of Ontario Sailing, Sail Canada or any Member Organization. A suspended Individual may be eligible to return to participation, but reinstatement may be subject to certain restrictions or contingent upon the Individual satisfying specific conditions noted at the time of suspension
e) **Eligibility Restrictions** - Restrictions or prohibitions from some types of participation but allowing participation in other capacities under strict conditions
f) **Permanent Ineligibility** - Ineligibility to participate in any capacity in any program, activity, Event, or competition sponsored by, organized by, or under the auspices of Sail Canada, Ontario Sailing, or any Member Organization.
g) **Other Discretionary Sanctions** - Other sanctions may be imposed, including, but not limited to, other loss of privileges, no contact directives, a fine or a monetary payment to compensate for direct losses, or other restrictions or conditions as deemed necessary or appropriate

49. The Internal Discipline Chair or External Discipline Panel, as applicable, may apply the following presumptive sanctions which are presumed to be fair and appropriate for the listed Maltreatment:
    a) Sexual Maltreatment involving a Minor Complainant, or a Complainant who was a Minor at the time of the incidents complained of, shall carry a presumptive sanction of permanent ineligibility
    b) Sexual Maltreatment, Physical Maltreatment with contact, and Maltreatment related to interference or manipulation of process shall carry a presumptive sanction of either a period of suspension or eligibility restrictions
    c) While a Respondent has pending charges allegations of a crime against a person, if justified by the seriousness of the offence, the presumptive sanction shall be a period of Provisional Suspension until a final determination is made by the applicable process.
50. An Individual's conviction for certain *Criminal Code* offenses involving harmful conduct shall carry a presumptive sanction of permanent ineligibility from participating with Sail Canada or its Member Organizations. Such *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
51. Unless the External Discipline Panel decides otherwise, any disciplinary sanctions will begin immediately, notwithstanding an appeal.
52. Failure to comply with a sanction as determined by the External Discipline Panel will result in an automatic suspension until such time as compliance occurs.

OSIC SANCTION

53. As a Program Signatory to the OSIC, Sail Canada will ensure that any sanctions or measures imposed by the OSIC's Director of Sanctions and Outcomes ("DSO") will be implemented and respected within Sail Canada's jurisdiction (including at all Member Organizations), once Sail Canada receives appropriate notice of any sanction or measure from the OSIC. South Port Sailing Club is committed to supporting and enforcing these sanctions.

APPEALS

54. The decision of an Internal Discipline Chair or External Discipline Panel, as applicable, may be appealed in accordance with the *Appeal Policy*.

CONFIDENTIALITY

55. The disciplinary process is confidential and involves only South Port Sailing Club, Ontario Sailing and Sail Canada and/or the Member Organizations (where applicable), the Parties, the Independent Third Party, the Internal Discipline Chair, the External Discipline Panel (as appropriate), and any independent advisors to the Internal Discipline Panel and External Discipline Panel.
56. None of the Parties (or their representatives or witnesses) or organizations referred to in Section 55 will disclose confidential information relating to the discipline or Complaint to any person not involved in the proceedings, unless Sail Canada, Ontario Sailing or South Port Sailing Club is required to notify an organization such as an international federation, Sport Canada or other sport organization including Member Organizations (i.e., where a Provisional Suspension or interim measures have been imposed and communication is required to ensure that they may be enforced), or notification is otherwise required by law.
57. Any failure to respect the confidentiality requirement may result in further sanctions or discipline by the Internal Discipline Chair or External Discipline Panel (as applicable).

TIMELINES

58. 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 Independent Third Party may direct that these timelines be revised.

Statistical Reporting Optional

59. Sail Canada and Ontario Sailing shall, at least annually, publish a general statistical report of the activity that has been conducted pursuant to this *Discipline and Complaints Policy*. This report shall not include any information that is confidential under this Policy, or that has been ordered to be kept confidential by a discipline or appeal panel, but may include the number of complaints Reported to the Independent Third Party (for Sail Canada and Member Organizations), and statistics regarding the number of cases that were resolved through alternate dispute resolution, the Internal Discipline Chair process, the External Discipline Panel process, and the number of appeals filed pursuant to the *Appeal Policy* and whether the appeals were upheld, partially upheld or dismissed.

Privacy

60. The collection, use and disclosure of any personal information pursuant to this Policy is subject to South Port Sailing Club's Privacy Policy.
61. South Port Sailing Club, Sail Canada, its Member Organizations, or any of their delegates pursuant to this Policy (e.g., Independent Third Party, Internal Discipline Chair, Case Manager, External Discipline Panel), shall comply with South Port Sailing Club's Privacy Policy (or, the Member Organization's Privacy Policy) in the performance of their services under this Policy.

Appendix A – Investigation Procedure

Determination

1. When a complaint is submitted pursuant to the *Policy* and is accepted by the Independent Third Party, the Independent Third Party will determine if the incident(s) should be investigated.

Investigation

2. If the Independent Third Party considers that an investigation is necessary, they will appoint an investigator. The investigator must be an independent third-party with experience in investigating. The investigator must not be in a conflict-of-interest situation and should have no connection to either party.
3. Federal and/or Provincial/Territorial legislation related to Workplace Harassment may apply to the investigation if Harassment was directed toward an employee 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.
4. The investigation may take any form as decided by the investigator, guided by any applicable Federal and/or Provincial/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

5. Upon completion of their investigation, the investigator shall prepare a written report that shall include a summary of evidence from the Parties and any witnesses interviewed. The report shall also include a non-binding recommendation from the investigator regarding whether an allegation or, where there are several allegations, which allegations, should be heard by an External Discipline Panel pursuant to the *Discipline and Complaints Policy* because they constitute a likely breach of the Code of Conduct, the UCCMS or any other relevant and applicable NSO or Member Organization policy. The investigator may also make non-binding recommendations regarding the appropriate next steps (i.e., mediation, disciplinary procedures, further review, or investigation).

6. The investigator's Report will be provided to the Independent Third Party who will disclose it, at their discretion, all or part of the investigation to South Port Sailing Club and any relevant Sail Canada Organizations (if applicable). The Independent Third Party may also disclose the investigator's Report – or a redacted version to protect the identity of witnesses – to the Parties, at their discretion, with any necessary redactions. Alternatively, and only, if necessary, other relevant Parties may be provided with an executive summary of the investigator's findings by the Independent Third Party.
7. Should the investigator find that there are possible instances of *Criminal Code* offences, the investigator shall advise the Parties, South Port Sailing Club and, where applicable, Sail Canada and/or Ontario Sailing, and the matter shall be referred by the Independent Third Party to the police.
8. The investigator must also inform South Port Sailing Club or Sail Canada and/or Ontario Sailing (as applicable) of any findings of criminal activity. South Port Sailing Club or Sail Canada and/or Ontario Sailing (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 South Port Sailing Club, Sail Canada or Ontario Sailing (as applicable), or other offences where the lack of reporting would bring South Port Sailing Club, Sail Canada or Ontario Sailing or the sport of sailing (as applicable) into disrepute.

Reprisal and Retaliation

9. An Individual who submits a complaint to the independent Third Party or who gives evidence in an investigation may not be subject to reprisal or retaliation from any individual or group or organization provided that the complaint and/or evidence was provided in good faith. Any such conduct may constitute Prohibited Behaviour and be subject to disciplinary proceedings pursuant to the *Discipline and Complaints Policy* or, as applicable, the policies and procedures of the OSIC.

False Allegations

10. An Individual who submits allegations that the investigator determines to be malicious, false, or for the purpose of retribution, retaliation or vengeance 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. The investigator may recommend to South Port Sailing Club, Sail Canada or Ontario Sailing (as applicable) that the Individual be required to pay for the costs of any investigation that comes to this

conclusion. Any Individual who is liable to pay for such costs shall be automatically deemed to be not in good standing until the costs are paid in full and shall be prohibited from participating in any South Port Sailing Club, Sail Canada or Ontario Sailing Events, activities, or business. South Port Sailing Club, Sail Canada or Ontario Sailing (as applicable), or the Individual against whom the allegations were submitted, may act as the Complainant with respect to making a complaint pursuant to this Section.

Confidentiality

11. The investigator will make reasonable efforts to preserve the anonymity of the Complainant, Respondent, and any other party. However, South Port Sailing Club, Sail Canada and Ontario Sailing recognizes that maintaining full anonymity during an investigation may not be feasible.

South Port Sailing Club
Dispute Resolution Policy

Effective date	
Initial Approved Date	
Date last reviewed	
Archived date	
Replaces and/or amends	
Appendix(-ces) to this Policy	

Note: The Safe Sport Policy Suite Definitions apply to this policy, please refer to that document for term definitions. Our Safe Sport policies follows the legal practice of capitalized defined terms to assist the reader in identifying that the term has a specific meaning within the policy suite.

Purpose

1. South Port Sailing Club support Individuals in seeking to resolve their own conflicts and recognize that, in many cases, disputes can be resolved directly and quickly in an informal way. In situations where direct action by Individuals may be inappropriate or unsuccessful, we support the principles of Alternate Dispute Resolution (ADR) to resolve disputes, which can be achieved through negotiation, facilitation, and mediation. ADR avoids the uncertainty, costs, and other negative effects associated with lengthy appeals or complaints, or with litigation.

2. South Port Sailing Club encourages all Individuals to communicate openly, collaborate, and use problem-solving and negotiation techniques to resolve their differences. South Port Sailing Club believes that negotiated settlements are usually 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 Alternate Dispute Resolution 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. If the dispute involves a potential Workplace Harassment or Workplace Violence situation, then the investigation must be completed pursuant to the Workplace Violence and Workplace Harassment Policy before consideration is given to ADR.

Facilitation and Mediation

5. If all Parties to a dispute agree to Alternate Dispute Resolution, a mediator or facilitator, acceptable to all Parties shall be appointed to mediate or facilitate the dispute. The costs of mediation and facilitation shall be borne by the Parties, unless agreed to otherwise with South Port Sailing Club.

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 timeline within which both Parties must reach a negotiated decision.

7. Should a negotiated decision be reached, the settlement shall be reported to South Port Sailing Club, and Sail Canada and/or Ontario Sailing (as applicable). Any actions that are to take place as a result of the decision shall be enacted on the timelines specified by the negotiated settlement.

8. Should a negotiated decision not be reached by the deadline specified by the mediator or facilitator or if the Parties to the dispute do not agree to Alternate Dispute Resolution, the dispute shall be considered under the appropriate section of South Port Sailing Club's *Discipline and Complaints Policy* or *Appeal Policy*.

Final and Binding

9. Any negotiated decision will be binding on the Parties and shall remain confidential and will be protected by South Port Sailing Club's Privacy Policy, as applicable. Negotiated decisions may not be appealed.

10. No action or legal proceeding will be commenced against South Port Sailing Club or any Sail Canada Organization in respect of a dispute, unless South Port Sailing Club or Ontario Sailing has refused or failed to provide or abide by the dispute resolution process contained in its governing documents.

Privacy

11. The collection, use and disclosure of any personal information pursuant to this Policy is subject to South Port Sailing Club's Privacy Policy.

12. South Port Sailing Club or any of its delegates pursuant to this Policy shall comply with South Port Sailing Club's Privacy Policy in the performance of their services under this Policy.

HOW TO FILE A COMPLAINT

Is the complaint that the Respondent breached the UCCMS?

No

Report to ITP Sport

1-866-921-6714

No

Yes

Are they a CSSP Participant? (Sail Canada Staff, Board, Committee Member, Team, or Regional or higher Official)

Yes

Report to CCES

Sail Canada is committed to providing everyone in the sport of sailing with a safe and positive experience.

SAIL·VOILE CANADA

NOTES