



Policy title:	Safe and Welcoming Sport Policy Suite Overview	
Adopted:		
Current version approved by Board of Directors:	December 22, 2021	
<b>This Policy has been prepared by Canada Artistic Swimming (CAS) and is applicable to CAS, its PTSOs and Affiliated Organizations. This document cannot be modified without consultation with and approval by CAS.</b>		

## Safe and Welcoming Sport Policy Suite Statement

This Safe and Welcoming Sport Policy Suite provides the key principles and objectives to ensure participants feel safe and welcomed in the sport of artistic swimming. This overview also provides the definitions that apply to the Safe and Welcoming Sport Policies listed below.

All PTSOs and Affiliated Organizations must adopt this Safe and Welcoming Sport Policy Suite Overview, the CAS Conduct Policy, the CAS Discrimination, Harassment and Maltreatment Policy, and the CAS Conflict of Interest of Policy, or substantially equivalent policies, with any necessary modifications that may be required by provincial law.

PTSOs and Affiliated Organizations may also adopt the CAS Discipline and Complaint Policy and Procedure and the CAS Appeals Policy, or similar policies and procedures that are suitable to the PTSO or Affiliated Organization. In the absence of a PTSO or Affiliated Organization Discipline and Complaint Policy and Procedure or Appeals Policy that specifies otherwise, CAS or the Affiliated Organization's PTSO (as the case may be) shall manage a Complaint, Reported Incident or Appeal on behalf of the PTSO or Affiliated Organization, and the applicable Discipline and Complaint Policy and Procedure or Appeals Policy of CAS or the PTSO will apply. If CAS or a PTSO manage a Complaint, Reported Incident or Appeal on behalf of another Organization, CAS or the PTSO may invoice the Organization for related expenses.

PTSOs and Affiliated Organizations shall comply with CAS Policies when involved in a CAS Activity or Event.

CAS believes that everyone in the sport has the right to enjoy the sport fully at whatever level or position they participate. Athletes, Coaches, Officials and Volunteers have the right to participate

in a safe and inclusive training and competitive environment that is free of Discrimination, Harassment, Maltreatment or other misconduct. They also have a reasonable expectation that any Conflicts of Interest arising in connection with the sport will be appropriately managed.

CAS takes any situation involving Discrimination, Harassment, Maltreatment or other misconduct, or any breach of the Conflict of Interest Policy, very seriously. For this reason, CAS is committed to enacting and enforcing strong, clear, and effective Policies for preventing and addressing all forms of Discrimination, Harassment, Maltreatment and other misconduct, and for the avoidance and management of Conflicts of Interest.

The Policies are intended to promote a safe and welcoming sport environment in a manner that allows for consistent, immediate, appropriate, and meaningful actions should any issues arise. The Policies are also intended to prevent issues from arising in the first place by communicating expected standards of conduct.

CAS also recognizes the recent development of the Universal Code of Conduct to Prevent and Address Maltreatment in Sport (UCCMS) and its responsibility to integrate the UCCMS into its Policies. Since the UCCMS may continue to evolve in the future, CAS Policies incorporate key elements of the UCCMS as appropriate.

## **Purpose of Safe and Welcoming Sport Policy Suite Overview**

This Policy describes how CAS commits to providing a safe and welcoming sport environment under three main banners:

- Promoting a Safe Environment
- Protection Through Prevention
- Providing a Reporting and Resolution Framework

### **1) Promoting a Safe Environment**

The Safe and Welcoming Sport Policy Suite includes the following Policies:

- Conduct Policy
- Conflict of Interest Policy
- Discrimination, Harassment and Maltreatment Policy

The following policies also play a key role in promoting a safe environment, although they do not form part of the Safe and Welcoming Sport Policy Suite:

- Equity, Diversity and Inclusion Policy
- Concussion Policy and the companion Concussion Protocol
- Coach Registration and Certification Policy

### **2) Protection Through Prevention**

Commitment to True Sport Principles

<https://truesportpur.ca/true-sport-principles>

## Responsible Coaching Movement Pledge

- Screening Policy
  - Screening disclosure form
- Rule of Two
- Ethics and Respect training
  - Respect in Sport Activity Leader Training
  - Respect in Sport Parent Program
  - Respect in Sport Officials Program
  - CAC Safe Sport Module
  - Commit to Kids for Coaches

### **3) Providing a Reporting and Resolution Framework**

“Make a Report” (Alias report intake process - see below)

Discipline and Complaint Policy and Procedure (this Policy and Procedure is designed to guide the management of Minor and Major Infractions)

Appeals Policy (this Policy applies to safe and welcoming sport matters as well as other decisions, and has its own definitions)

On-line Injury Reporting Procedure

[https://synchro.formstack.com/forms/injury\\_tracker](https://synchro.formstack.com/forms/injury_tracker)

### **“Make a Report”**

CAS has implemented a standard report intake process that is in place for all types of feedback (including general feedback, reports of Discrimination, Harassment or Maltreatment, and reports of other non-maltreatment related concerns like Conflict of Interest).

The "Make a Report" process is managed by an independent external third-party organization called Alias, and can be accessed through the applicable link on Organization websites. This is a private, fully confidential mechanism that allows a Complainant to make a report directly to the appropriate Complaint Triage Officer (as defined below) - depending on the safe sport reporting requirements of each province. In the event a province has no designated Complaint Triage Officer, the report will come directly to CAS's Independent Complaint Assessor who will triage the report and determine how it will be addressed in accordance with CAS's safe and welcoming sport policies and procedures.

### **Athlete Engagement**

CAS will engage with Athletes to determine the level of success of their Athlete protection measures as well as to identify any gaps or Athletes concerns. This engagement may take the form of:

- a) Anonymous Athlete surveys

- b) Athlete involvement in organizational decision-making
- c) Independently led Athlete outreach consultations

## **Alignment**

CAS recognizes the importance of safe and welcoming sport for Athletes and Individuals across the country. CAS:

- a) requires PTSOs to abide by the Member Operations Policy including committing to follow or adopt the Safe and Welcoming Sport Policy suite, including complying with any provincial legislation requirements;
- b) requires PTSOs and Affiliated Organizations to report all applicable discipline decisions to CAS in accordance with CAS Policies; and
- c) recognizes and enforces and requires PTSOs and Affiliated Organizations to recognize and enforce, sanctions imposed at any level of CAS sport system.

## **Governance and Operations**

CAS will maintain a comprehensive strategic plan in which safe and welcoming sport, and the protection of Athletes and other Individuals, are top priorities.

CAS will pursue a governance structure that reflects the diversity of the Athletes, other Individuals, and stakeholders within the sport, that adheres to all applicable federal and/or provincial/territorial laws, and that moves toward a national alignment strategy for the sport in Canada.

CAS will continually monitor and evaluate its Policies, practices, and procedures.

## **Relationship to Other Policies**

If any provisions of the Policies included in the Safe and Welcoming Sport Policy Suite, including this Overview, are inconsistent or in conflict with a provision of the CAS Member Operations Policy or any other CAS Policy, the provision of the Policies included in the Safe and Welcoming Sport Policy Suite prevail and take precedence to the extent of that inconsistency or conflict.

## **Definitions**

The following definitions apply to all safe and welcoming sport Policies, including the Conduct Policy, the Discrimination, Harassment and Maltreatment Policy, the Conflict-of-Interest Policy, and the Discipline and Complaints Policy and Procedure, unless the context otherwise requires. As such, these definitions are global and are not repeated within each separate Policy. Other Organizations' Policies may have their own definitions.

- a) “*Activity or Event*” means an activity or event of CAS, a PTSO or an Affiliated Organization, including a conference, meeting, workshop, teams’ meeting, exhibition, competition, trial or

- selection event, training camp, and any other activity or event sanctioned or organized by the Organization;
- b) *"Affected Party"* means a Party that could be impacted or affected by a decision under the Organization's Discipline and Complaint Policy and Procedure;
  - c) *"Affiliated Organization"* means any recreational or competitive Club or league (excluding a municipality) that delivers artistic swimming programs and has fulfilled the requirements of registration as required by CAS and the PTSO and has paid any associated registration fees to CAS and the PTSO;
  - d) *"Appeal"* means an appeal filed under the Appeals Policy of the Organization;
  - e) *"Athlete"* means any Individual participating in the sport of artistic swimming, recreationally or competitively, who is registered under CAS's Registration Policy;
  - f) *"Board"* means the Board of Directors of CAS, a PTSO or Affiliated Organization, as applicable;
  - g) *"CAC"* means the Coaching Association of Canada;
  - h) *"CAS"* means Canada Artistic Swimming;
  - i) *"CEO"* means the CAS Chief Executive Officer;
  - j) *"Club"* means an artistic swimming club affiliated with CAS and a PTSO, which is also identified as an Affiliated Organization;
  - k) *"Coach"* means an Individual certified by the CAC and registered with CAS as an artistic swimming coach, and includes an instructor, which is a specific level of Coach who teaches AquaGO! or other recreational programming;
  - l) *"Complainant"* means an Individual, witness or observer who files a Complaint or reports an incident or suspicion of conduct related to the Discrimination, Harassment and Maltreatment Policy, Conduct Policy or Conflict of Interest Policy;
  - m) *"Complaint"* means a complaint filed with an Organization's Complaint Triage Officer in accordance with the Organization's Discipline and Complaint Policy and Procedure and any other applicable Policies;
  - n) *"Complaint Manager"* or *"CM"* means an independent person or external agency responsible for managing Complaints and Reported Incidents assessed by the Complaint Triage Officer in accordance with the Organization's Discipline and Complaint Policy and Procedure;
  - o) *"Complaint Triage Officer"* means either the Independent Complaint Assessor (ICA) of CAS, or the Complaint Assessor or Triage Officer of a PTSO or Affiliated Organization as defined in the Organization's Discipline and Complaint Policy and Procedure, as applicable; this role may have other names under applicable PTSO or Affiliated Organization Policies;
  - p) *"Conduct Policy"* means the Organization's Conduct Policy, and includes any other conduct-related provisions embodied in agreements with the Organization;
  - q) *"Confidential Information"* means information known to the Individual by virtue of their connection to the Organization, whether or not marked "confidential";
  - r) *"Conflict of Interest"* means an actual or perceived Conflict of Interest as described in the Organization's Conflict of Interest Policy;
  - s) *"Criminal Code"* means the Criminal Code of Canada, and includes any other Criminal Codes in effect in other jurisdictions;

- t) *"Days"* means calendar days, including weekends and holidays;
- u) *"Discrimination"* means unlawful discrimination, and includes but is not limited to discrimination on the basis of race, colour, national place of origin, ancestry, sex (including pregnancy), religious beliefs, age, physical or mental disability, sexual orientation, gender identity or expression, family or marital status, or any other ground or characteristic protected under applicable provincial human rights legislation;
- v) *"Discipline and Complaint Policy and Procedure"* means the Policy and Procedure by which a Complaint or Reported Incident is managed by CAS, a PTSO or an Affiliated Organization;
- w) *"Employee"* means a person having an employment or contractual relationship with CAS, a PTSO or Affiliated Organization which relationship is subject to employment standards legislation in the applicable jurisdiction;
- x) *"Equity, Diversity and Inclusion"* or *"EDI"* has the meaning described in the Organization's Equity, Diversity and Inclusion Policy;
- y) *"Executive Director"* means the Executive Director of a PTSO or Affiliated Organization;
- z) *"Family Member"* means a spouse, partner, natural or adoptive Parent, grandparent, child or step-child, sibling, aunt, uncle, nephew or niece, the Parents or close relatives of a spouse or partner, people who are in an intimate relationship and people who permanently reside together or are financially dependent on each other;
- aa) *"Grooming"* means deliberate conduct by an Individual to sexualize a relationship with a Minor that involves the gradual blurring of boundaries and normalization of inappropriate and sexually abusive behaviour. During the Grooming process, the Individual gains the trust of the Minor and protective adults and peers around the Minor, often under the guise of an existing relationship. Manipulation tactics are then used to blur perceptions and gain further access to and private time with the Minor in order to abuse or exploit the Minor. Grooming can occur whether or not harm is intended or results from the behaviour;
- bb) *"Harassment"* means an unwelcome comment or conduct, directed toward an Individual or group of Individuals, which is aggressive, insulting, intimidating, humiliating, malicious, degrading, or offensive. Types of behaviours that constitute Harassment include:
  - i. written or verbal abuse or threats including swearing;
  - ii. intimidating or bullying conduct or gestures;
  - iii. the display of visual material that is offensive or which one ought to know is offensive derogatory material such as pornography, racist or other offensive material;
  - iv. unwelcome remarks, jokes, comments, innuendo or taunting about a person's looks, body, attire, age, race, religion, sex or sexual orientation
  - v. leering or other suggestive or obscene gestures;
  - vi. condescending, paternalistic or patronizing behaviour that is intended to undermine self-esteem, diminish performance or adversely affect working conditions or sport environment;
  - vii. practical jokes that cause awkwardness or embarrassment, endanger a person's safety or negatively affect performance;
  - viii. unwanted and unwelcome physical contact including touching, petting, pinching, or kissing;
  - ix. unwelcome sexual flirtations, advances, requests for sexual favours or invitations

- whether indirect or explicit;
  - x. physical or sexual assault;
  - xi. any sexual activity with a Minor;
  - xii. vandalism of personal property;
  - xiii. Grooming as defined in this Policy;
  - xiv. abuse of authority that undermines performance or threatens an Individual's career;
  - xv. racial, religious, or ethnic slurs; or
  - xvi. any other unwelcome behaviours that constitute Harassment as determined by the Organization's Complaint Triage Officer at their discretion.
- cc) "*Hearing*" means a hearing conducted by the Discipline Panel under the Organization's Discipline and Complaint Policy and Procedure;
- dd) "*Includes*" or "*Including*" means including but not limited to;
- ee) "*Independent Complaint Assessor*" or "*ICA*" means the independent third party contracted by CAS to triage and manage Complaints and Reported Incidents under the CAS Discipline and Complaint Policy and Procedure; the ICA is responsible for receiving Reported Incidents and Complaints and determining the appropriate course of action in accordance with CAS's Policies;
- ff) "*Individual*" means any individual who has fulfilled the registration requirements of CAS and a PTSO, as well as any individual engaged on a volunteer or contractual basis in an Activity or Event with CAS, a PTSO or an Affiliated Organization, whether or not they are registered. Individuals include Athletes, Coaches, Employees (subject to their applicable human resources policy), Officials, Volunteers, Persons in Leadership, directors, Parents, spectators, team managers, team captains, Support Personnel, contractors and suppliers, as applicable;
- gg) "*Investigation*" means an investigation conducted under an Organization's Discipline and Complaint Policy and Procedure either by the Organization's Complaint Triage Officer or by an external investigator;
- hh) "*LTAD*" means the long-term Athlete development framework and pathway developed by CAS;
- ii) "*Major Infraction*" means any incident of Discrimination, Harassment or Maltreatment or another breach of any CAS, PTSO or Affiliated Organization Policy or other incident of misconduct that is not determined by the applicable Organization's Complaint Triage Officer to constitute a Minor Infraction. Major Infractions are behaviours more serious than a Minor Infraction that may result in significant harm or aggravating consequences;
- jj) "*Maltreatment*" means intentional acts that may be physical or psychological resulting in harm or the potential for physical or psychological harm, and includes any of the various prohibited behaviours and conduct described in the Organization's Discrimination, Harassment and Maltreatment Policy;
- kk) "*Member*" means a PTSO registered with CAS;
- ll) "*Minor*" means a person under the age of 18 years or, where applicable, a person who is under the age of majority and meets the definition of a child for the purposes of protection in the applicable province or territory. The ages of majority in each province and territory are as follows:

<b>Province or Territory</b>	<b>Definition of child for purposes of protection</b>
Newfoundland and Labrador	under 16 years old
Prince Edward Island	under 18 years old
Nova Scotia	under 19 years old
New Brunswick	under 19 years old
Quebec	under 18 years old
Ontario	under 18 years old
Manitoba	under 18 years old
Saskatchewan	under 16 years old
Alberta	under 18 years old
British Columbia	under 19 years old
Yukon	under 19 years old
Northwest Territories	under 16 years old
Nunavut	under 16 years old

- mm) *“Minor Infraction”* means a breach of any CAS, PTSO or Affiliated Organization Policy or another incident of misconduct that is not of such a nature as to cause significant harm or aggravating consequences, as determined by the applicable Organization’s Complaint Triage Officer upon receipt of a Complaint or Reported Incident;
- nn) *“NOC”* means National Officials Committee;
- oo) *“Official”* means a judge (including a practice judge), referee or scorer recognized by CAS or FINA;
- pp) *“Organization”* means CAS, a PTSO or an Affiliated Organization, as the case may be;
- qq) *“Panel”* or *“Discipline Panel”* means the Panel appointed to hear and determine a Complaint or Reported Incident alleging a Major Infraction under the applicable Organization’s Discipline and Complaint Policy and Procedure;
- rr) *“Parent”* means a natural or adoptive parent or guardian of an Athlete or other Individual registered under CAS’s Registration Policy;
- ss) *“Party”* means a Complainant or Respondent with respect to a Complaint, Reported Incident or Hearing under an Organization’s Discipline and Complaint Policy and Procedure;
- tt) *“Person in Leadership”* means any person who is in a position of leadership or authority within CAS, a PTSO, an Affiliated Organization or a Sport Partner;
- uu) *“Policy”* or *“Policies”* means the policy or policies of an Organization;
- vv) *“President”* means the President of CAS, a PTSO or an Affiliated Organization, as applicable;
- ww) *“Provincial or Territorial Sports Organization”* or *“PTSO”* means the CAS Member that is the recognized provincial or territorial sport organization responsible for artistic swimming in its territory;
- xx) *“Registrant”* means any Affiliated Organization or Individual that has fulfilled the registration requirements in CAS’s and the applicable PTSO’s By-laws or Policies and who has paid any



- associated registration fees to CAS and the PTSO;
- yy) *“Related Party”* includes a Family Member, a relative or friend, associate, a person under an Individual’s care or responsibility, a close client, a partner, a corporation controlled by an Individual, or a corporation or enterprise in which an Individual has a significant interest;
  - zz) *“Reported Incident”* means an incident reported to an Organization’s Complaint Triage Officer in accordance with the Organization’s Discipline and Complaint Policy and Procedure;
  - aaa) *“Respondent”* means an Organization or Individual named in a Complaint or Reported Incident who is alleged to have engaged in misconduct that constitutes either a Minor or Major Infraction;
  - bbb) *“Respect in Sport Training Program”* means the program recognized by Canadian sports organizations and CAS that educates youth leaders, Coaches, Officials and sport participants (14 years and up) to recognize, understand and respond to issues of bullying, abuse, Harassment and Discrimination (BAHD);
  - ccc) *“Responsible Coaching Movement”* means a CAC initiative calling to action sport organizations, Parents, and Coaches to enact responsible coaching across Canada, on and off the field;
  - ddd) *“Sport Partner”* means a sport organization that CAS, a PTSO or an Affiliated Organization works with to deliver its Activities and Events;
  - eee) *“Support Personnel”* means any person other than a Coach supporting the development of an Athlete at all LTAD stages including a fitness trainer, sport science specialist, health care practitioner or specialist affiliated with or recognized by CAS, a PTSO, an Affiliated Organization or a Sport Partner;
  - fff) *“UCCMS”* means Universal Code of Conduct to Prevent and Address Maltreatment in Sport adopted by Sport Canada;
  - ggg) *“Vulnerable Person”* means a person who, because of their age, disability, or other circumstances, whether temporary or permanent, is in a position of dependence on others or is otherwise at a greater risk than the general population of being harmed by a person in a position of authority or trust relative to them, and includes a Minor or a person with a physical, developmental, or other disability;
  - hhh) *“Volunteer”* means a person volunteering for CAS, a PTSO or an Affiliated Organization, including a volunteer fulfilling the duties and responsibilities of an Organization’s Employee or contractor.