

# Nipissing Ridge Tennis Club

## Abuse & Harassment Policy & Procedure

### 1. Policy Statement

NRTC provides a safe and respectful environment free from abuse and harassment where all persons are treated with respect and fairness. This includes Directors, volunteers, staff, members and visitors.

### 2. Abuse Policy

There shall be no abuse and neglect, whether physical, emotional or sexual of any person. We expect every parent, volunteer and staff member to take all reasonable steps to safeguard the welfare of NRTC members, participants or visitors and protect them from any form of maltreatment. NRTC also expects that all members and visitors will treat each other, any staff or Board member in a courteous and respectful manner.

#### a. Definitions of Abuse

**Child Abuse:** is any form of physical, emotional and/or sexual mistreatment or lack of care that causes physical injury or emotional damage to a child. A common characteristic of all forms of abuse against children and youth is an abuse of power or authority and/or breach of trust. A child is considered any person under the age of 18.

**Emotional Abuse:** is a chronic attack on a person's, including a child's, self-esteem; it is psychologically destructive behaviour by a person in a position of power, authority or trust. It can take form of name-calling, threatening, ridiculing, berating, intimidating, isolating, hazing or ignoring the person's or child's needs.

**Physical Abuse:** is when a person is a position of power or trust purposefully injures or threatens to injure another, including a child or youth. This may take the form of slapping, hitting, shaking, kicking, pulling hair or ears, throwing, and shoving, and grabbing, hazing or excessive exercise as a form of punishment.

**Neglect:** is chronic inattention to the basic necessities of life such as clothing, shelter, nutritious diets, education, good hygiene, supervision, medical and dental care, adequate rest, safe environment, moral guidance and discipline, exercise and fresh air.

**Sexual Abuse:** is when an older child, adolescent or adult for his or her own sexual stimulation or gratification, takes advantage of another, particularly a young person.

#### b. Duty to Report

Anyone having reason to believe that any form of abuse has occurred at the courts during NRTC tennis hours, or in conjunction with NRTC-related activities, shall immediately report such abuse to the NRTC Board of Directors by sending an email to the Club general mailbox; they may also contact a Board Member directly.

Additionally, anyone having reason to believe that abuse of a child, under the age of 18 years, has occurred must report the matter to a Child Protection Authority or police.

The person making the report of child abuse is not required to determine if the abuse is caused by the child's parent or by another person. However, the person making the report will be required to give all available information to the Child Protection Authority or to the police to assist with any investigation.

### 3. Harassment Policy

To foster an environment and culture that does not tolerate harassment of any kind, including of a sexual nature.

#### a. Definition

**Complainant:** The individual or individuals who have been identified by themselves or a third party as the possible victim(s) of abuse or harassment.

**Respondent:** The individual or individuals who have been identified as using behaviours or words that may ultimately be viewed as abuse or harassment.

**Intervenor:** The Intervenor is an adult appointed by the Board to oversee the investigation of the complaint. Intervenors have a responsibility to remain neutral throughout their involvement with the complaint.

**Harassment:** a form of conduct that is cruel, intimidating, humiliating, offensive or physically harmful. Types of behaviour that constitute harassment could include, but are not limited to:

- (1) hostile verbal and non-verbal communications;
- (2) condescending, patronizing, threatening or punishing actions that undermine self-esteem or diminish performance;
- (3) unwelcome remarks and/or jokes, innuendo or teasing about a person's looks, body, attire, age, ethnic or national origin, religion, sex or sexual orientation;
- (4) leering or other suggestion or obscene gestures;
- (5) practical jokes that cause awkwardness or embarrassment, endanger a person's safety;
- (6) any form of hazing;
- (7) any form of physical assault;
- (8) sexual harassment, as defined in this policy;
- (9) retaliation or threats of retaliation against an individual who reports harassment.

**Sexual Harassment:** unwelcome sexual remarks or advances, requests for sexual favours or other verbal or physical conduct of a sexual nature when:

- (1) submitting to or rejecting this conduct is used as the basis for making decisions that affect the individual; or
- (2) such conduct has the purpose or effect of interfering with an individual's performance; or
- (3) such conduct creates an intimidating, hostile or offensive environment.

**b. Procedures for Receiving and Responding to a Complaint**

A person who thinks he or she has been subjected to conduct which constitutes harassment under this policy and/or any person who witnessed harassment, is encouraged to make it known to the other person responsible for the conduct that the behaviour is unwelcome, offensive and contrary to this policy.

If confronting the person is not possible, if after confronting the person the behaviour continues or if the Complainant is not comfortable approaching the person who is alleged to have acted in a harassing manner, the person who has experienced the harassment, who has witnessed the harassment, or who believes that harassment has occurred should report the matter to the NRTC Board of Directors by forwarding an email to the NRTC general mailbox; additionally, the Complainant may report the matter directly to a NRTC Board Member.

Once an incident is reported, an Intervenor will be identified to serve in a neutral, unbiased capacity in receiving the report of the incident and assisting in an informal resolution of the complaint, where this is appropriate.

**c. Investigation and Formal Resolution**

When it is determined that the complaint cannot be resolved through informal means, a formal written complaint will be required by the Complainant in accordance with NRTC's By-Laws. The Intervenor will provide a copy of the complaint to the Respondent, will review and clarify the written complaint with both the Complainant and the Respondent and ensure both parties have been provided with copies of this policy. The Respondent will be asked to provide a written response to the complaint within seven (7) calendar days of receiving the written complaint. The Complainant will be provided with a copy of this response immediately. The Intervenor will then conduct any further investigation required and provide a written report to the NRTC Board of Directors.

**d. Interim Measures**

The Organization may impose interim measure pending the investigation and dispositions of a complaint. The Interim measures are not sanctions, and they may take many forms, including but not limited to:

- (1) Limitations on the continued involvement of the Respondent in the Club's activities;
- (2) Suspension of the Respondent from the activities of the Club;
- (3) Other measures as determined.

**e. Reluctant Complainant**

A potential Complainant may wish to remain anonymous; also, a Complainant may wish to discontinue with their complaint.

In the event that a Complainant makes a complaint but wishes to remain anonymous and otherwise is willing to engage in the investigation process, the process identified above shall be followed except that the name of the Complainant shall not be disclosed or referred to. In the event of a Complainant who wishes to remain anonymous, the NRTC Board will use its best efforts to keep the name of the Complainant confidential.

If a Complainant determines not to continue with these procedures and decides to withdraw the complaint, it shall be at the sole discretion of the NRTC Board of Directors as to whether to continue

with the process identified in this Policy having regard to, among other things: (a) any reasons given for the withdrawal; (b) the state of the investigation; (c) the ability of NRTC to continue forward with a fair and appropriate investigation process and (d) the Board's then assessment as to whether harassment or abuse has occurred, is occurring or is likely to occur in the future.

**f. Decision**

After receiving the report of the Intervenor, reviewing and ultimately deciding any matter, the NRTC Board will present its findings with a copy provided to the Complainant, if he or she is still involved, and Respondent. This report will contain:

- (1) a summary of the relevant facts;
- (2) a determination as to whether the complaint constitutes harassment as defined in this policy;
- (3) disciplinary action to be taken against the Respondent, if the acts constitute harassment;
- (4) measures to remedy or mitigate the harm or loss suffered by the Complainant, if the acts constitute harassment.

If the Organization determines that the allegations of harassment are false, vexatious, retaliatory or frivolous, its report may direct that there be disciplinary action against the Complainant.

**g. Discipline**

In directing disciplinary action, the Board may consider the following options, singly or in combination, depending on the nature and severity of the harassment and other aggravating and mitigating circumstances:

- (1) Written apology;
- (2) Letter of reprimand;
- (3) Suspension or Termination of Club Membership;
- (4) Suspension of or Termination of relationship with the Club;
- (5) Termination of employment or contract;
- (6) Any other sanction that the Club considers appropriate in the circumstances.

**4. Confidentiality**

The Club recognizes the sensitive and serious nature of harassment and will strive to keep all matters relating to a complaint confidential. However, if required by law to disclose information, the Club will do so. Any allegation of emotional, physical or sexual abuse or neglect involving a minor will be reported to the Child Protection Authority or the police.