

NIAGARA-ON-THE-LAKE 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 NIAGARA-ON-THE-LAKE SAILING CLUB who is subject to the policies of NIAGARA-ON-THE-LAKE 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 NIAGARA-ON-THE-LAKE 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 NIAGARA-ON-THE-LAKE SAILING CLUB or an activity where NIAGARA-ON-THE-LAKE 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 NIAGARA-ON-THE-LAKE SAILING CLUB, and any category of individuals and/or registrants who are subject to the policies of Sail Canada, Ontario Sailing, or NIAGARA-ON-THE-LAKE SAILING CLUB, including those employed by, contracted by, or engaged in any Sail Canada or Ontario Sailing or NIAGARA-ON-THE-LAKE 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 NIAGARA-ON-THE-LAKE SAILING CLUB at any Event.
20. "Internal Discipline Chair" – An individual appointed by NIAGARA-ON-THE-LAKE 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 NIAGARA-ON-THE-LAKE 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 Ontario Sailing 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 NIAGARA-ON-THE-LAKE 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 NIAGARA-ON-THE-LAKE 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.