



# Abuse Policy

## Definitions

1. The following terms have these meanings in this Policy:
  - a) “**Abuse**” – Child/Youth Abuse or Vulnerable Adult Abuse as described in this Policy.
  - b) “**Individuals**” – Registered Participants as defined in Volleyball Canada’s Bylaws, as well as all individuals employed by, or engaged in activities with, Volleyball Canada including, but not limited to, athletes, coaches, volunteers, managers, administrators, committee members, health care workers, Directors and Officers of Volleyball Canada; parents/guardians, and spectators at events;
  - c) “**Vulnerable Individuals**” – Includes Children / Youth (people under the age of 18 years old) and Vulnerable Adults (people who, because of age, disability or other circumstance, is in a position of dependence on others or is otherwise at a greater risk than the general population of being harmed by people in positions of trust or authority);
  - d) “**Workplace**” - Any place where business or work-related activities are conducted. Workplaces include but are not limited to, Volleyball Canada’s office, work-related social functions, work assignments outside Volleyball Canada’s offices, work-related travel, and work-related conferences or training sessions;
  - e) “**Harassment**” – A course of vexatious comment or conduct against an Individual or group, which is known or ought to reasonably be known to be unwelcome. Types of behaviour that constitute Harassment include, but are not limited to:
    - i. Written or verbal abuse, threats, or outbursts;
    - ii. Persistent unwelcome remarks, jokes, comments, innuendo, or taunts;
    - iii. Racial harassment, which is racial slurs, jokes, name calling, or insulting behaviour or terminology that reinforces stereotypes or discounts abilities because of racial or ethnic origin;
    - iv. Leering or other suggestive or obscene gestures;
    - v. Condescending or patronizing behaviour which is intended to undermine self-esteem, diminish performance or adversely affect working conditions;
    - vi. Practical jokes which endanger a person’s safety, or may negatively affect performance;
    - vii. Hazing, which is any form of conduct which exhibits any potentially humiliating, degrading, abusive, or dangerous activity expected of a junior-ranking individual by a more senior individual, which does not contribute to either individual’s positive development, but is required to be accepted as part of a team or group, regardless of the junior-ranking individual’s willingness to participate. This includes, but is not limited to, any activity, no matter how traditional or seemingly benign, that sets apart or alienates any teammate or group member based on class, number of years on the team or with the group, or ability;
    - viii. Unwanted physical contact including, but not limited to, touching, petting, pinching, or kissing;
    - ix. Deliberately excluding or socially isolating a person from a group or team;
    - x. Persistent sexual flirtations, advances, requests, or invitations;
    - xi. Physical or sexual assault;
    - xii. Behaviours such as those described above that are not directed towards a specific person or group but have the same effect of creating a negative or hostile environment; and



- xiii. Retaliation or threats of retaliation against a person who reports harassment to Volleyball Canada
- f) **“Sexual Harassment”** – A course of vexatious comment or conduct against an Individual because of sex, sexual orientation, gender identify or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome; or making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advance to the Individual and the person knows or ought reasonably to know that the solicitation or advance is unwelcome. Types of behaviour that constitute Sexual Harassment include, but are not limited to:
- i. Sexist jokes;
  - ii. Threats, punishment, or denial of a benefit for refusing a sexual advance;
  - iii. Offering a benefit in exchange for a sexual favour;
  - iv. Demanding hugs;
  - v. Bragging about sexual ability;
  - vi. Leering (persistent sexual staring);
  - vii. Sexual assault;
  - viii. Display of sexually offensive material;
  - ix. Distributing sexually explicit email messages or attachments such as pictures or video files;
  - x. Sexually degrading words used to describe an Individual;
  - xi. Unwelcome inquiries into or comments about an Individual’s gender identity or physical appearance;
  - xii. Inquiries or comments about an Individual’s sex life;
  - xiii. Persistent, unwanted attention after a consensual relationship ends;
  - xiv. Persistent unwelcome sexual flirtations, advances, or propositions; and
  - xv. Persistent unwanted contact
- g) **“Workplace Harassment”** – Vexatious comment or conduct against a worker in a Workplace that is known or ought reasonably to be known to be unwelcome. Workplace Harassment should not be confused with legitimate, reasonable management actions that are part of the normal work/training function, including measures to correct performance deficiencies, such as placing someone on a performance improvement plan, or imposing discipline for workplace infractions. Types of behaviour that constitute Workplace Harassment include, but are not limited to:
- i. Bullying;
  - ii. Workplace pranks, vandalism, bullying or hazing;
  - iii. Repeated offensive or intimidating phone calls or emails;
  - iv. Inappropriate sexual touching, advances, suggestions or requests;
  - v. Displaying or circulating offensive pictures, photographs or materials in printed or electronic form;
  - vi. Psychological abuse;
  - vii. Excluding or ignoring someone, including persistent exclusion of a particular person from work-related social gatherings;
  - viii. Deliberately withholding information that would enable a person to do his or her job, perform or train;
  - ix. Sabotaging someone else’s work or performance;
  - x. Gossiping or spreading malicious rumours;
  - xi. Intimidating words or conduct (offensive jokes or innuendos); and



- xii. Words or actions which are known or should reasonably be known to be offensive, embarrassing, humiliating, or demeaning

### **Policy Statement**

2. Volleyball Canada has zero tolerance for any type of abuse or neglect. Individuals are required to report instances of abuse or suspected abuse to Volleyball Canada to be immediately addressed under the terms of the applicable policy.

### **Purpose**

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

### **Scope and Application**

4. This Policy applies to all Individuals, relating to conduct that may arise during the course of Volleyball Canada's business, activities and events, including but not limited to; the office environment, competitions, practices, tournaments, training camps, social media, travel, and any work-related meetings.
5. Volleyball Canada recognizes the critical role of the clubs, regions and Provincial Sections in the delivery of Safe Sport Environment program initiatives.
6. This Policy will work in tandem with other Volleyball Canada Policies, including the *Code of Conduct and Ethics*, *Discipline and Complaints Policy*, *Social Media Policy*, *Workplace Violence and Harassment Policy*, and *Screening Policy*.

### **Violations of Policy**

7. An Individual who violates this Policy may be subject to sanctions pursuant to Volleyball Canada's *Discipline and Complaints Policy*. In addition to facing possible sanction pursuant to Volleyball Canada's *Discipline and Complaints Policy*, an Individual who violates this Policy during a competition may be ejected from the competition or the playing area, the official may delay the competition until the Individual complies with the ejection, and the Individual may be subject to any additional discipline associated with the particular competition.
8. Any Volleyball Canada employee or member of the Board who violates this Policy will be subject to appropriate disciplinary action, subject to the terms of Volleyball Canada's *Discipline and Complaints Policy* as well as the employee's Employment Agreement (if applicable).

### **Provisions**

9. Volleyball Canada is committed to providing an environment in which all individuals are treated with respect, and supports equal opportunity, while prohibiting discriminatory practices. Volleyball Canada will not tolerate any form of abuse.
10. Vulnerable Individuals can be abused in different forms.



11. The following description of Child / Youth Abuse has been modified and adapted from Ecclesiastical's *Guidelines for Developing a Safety & Protection Policy for Children / Youth / Vulnerable Adults* [1]:

- a. **Child abuse** refers to the violence, mistreatment or neglect that a child or adolescent may experience while in the care of someone they depend on or trust. There are many different forms of abuse and a child may be subjected to more than one form:
- b. **Physical abuse** involves single or repeated instances of deliberately using force against a child in such a way that the child is either injured or is at risk of being injured. Physical abuse includes beating, hitting, shaking, pushing, choking, biting, burning, kicking or assaulting a child with a weapon. It also includes holding a child under water, or any other dangerous or harmful use of force or restraint.
- c. **Sexual abuse** and exploitation involves using a child for sexual purposes. Examples of child sexual abuse include fondling, inviting a child to touch or be touched sexually, intercourse, rape, incest, sodomy, exhibitionism, or involving a child in prostitution or pornography.
- d. **Neglect** is often chronic, and it usually involves repeated incidents. It involves failing to provide what a child needs for his or her physical, psychological or emotional development and well being. For example, neglect includes failing to provide a dependent child with food, clothing, shelter, cleanliness, medical care, or protection from harm.
- e. **Emotional abuse** involves harming a child's sense of self-worth. It includes acts (or omissions) that result in, or place a child at risk of, serious behavioural, cognitive, emotional, or mental health problems. For example, emotional abuse may include aggressive verbal threats, social isolation, intimidation, exploitation, or routinely making unreasonable demands. It also includes exposing the child to violence.

12. An abuser may use a number of different tactics to gain access to children, exert power and control over them, and prevent them from telling anyone about the abuse or seeking support. The abuse may happen once or it may occur in a repeated and escalating pattern over a period of months or years. The abuse may change form over time.

13. Abuse of children or youth in sport can include emotional maltreatment, neglect, and physical maltreatment.

- a) **Emotional Maltreatment** – A coach's failure to provide a developmentally-appropriate and supportive environment. Emotional abuse is at the foundation of all other forms of maltreatment (sexual, physical and neglect). In sports, this conduct has the potential to cause emotional or psychological harm to an athlete when it is persistent, pervasive or patterned acts (i.e., yelling at an athlete once does not constitute maltreatment). Examples of emotional maltreatment include:
  - i. Refusal to recognize an athlete's worth or the legitimacy of an athlete's needs (including complaints of injury/pain, thirst or feeling unwell)
  - ii. Creating a culture of fear, or threatening, bullying or frightening an athlete
  - iii. Frequent name-calling or sarcasm that continually "beats down" an athlete's self-esteem
  - iv. Embarrassing or humiliating an athlete in front of peers
  - v. Excluding or isolating an athlete from the group
  - vi. Withholding attention



- vii. Encouraging an athlete to engage in destructive and antisocial behaviour, reinforcing deviance, or impairing an athlete's ability to behave in socially appropriate ways
  - viii. Over-pressuring; whereby the coach imposes extreme pressure upon the athlete to behave and achieve in ways that are far beyond the athlete's capabilities
  - ix. Verbally attacking an athlete personally (e.g., belittling them or calling them worthless, lazy, useless, fat or disgusting).
  - x. Routinely or arbitrarily excluding athletes from practice
  - xi. Throwing sports equipment, water bottles or chairs at, or in the presence of, athletes
- b) **Neglect** - acts of omission (i.e., the coach should act to protect health/well-being of an athlete but does not). Examples of neglect include:
- i. Isolating an athlete in a confined space or stranded on equipment, with no supervision, for an extended period of time
  - ii. Withholding, recommending against, or denying adequate hydration, nutrition, medical attention or sleep
  - iii. Ignoring an injury
  - iv. Knowing about sexual abuse of an athlete but failing to report it
- c) **Physical Maltreatment** - involves contact or non-contact behaviour that can cause physical harm to an athlete. It also includes any act or conduct described as physical abuse or misconduct (e.g., child abuse, child neglect and assault). Almost all sport involves strenuous physical activity. Athletes regularly push themselves to the point of exhaustion. However, any activity that physically harms an athlete—such as extreme disciplinary actions or punishment—is unacceptable. Physical maltreatment can extend to seemingly unrelated areas including inadequate recovery times for injuries and restricted diet. Examples of physical maltreatment include:
- i. Punching, beating, biting, striking, choking or slapping an athlete
  - ii. Intentionally hitting an athlete with objects or sporting equipment
  - iii. Providing alcohol to an athlete under the legal drinking age
  - iv. Providing illegal drugs or non-prescribed medications to any athlete
  - v. Encouraging or permitting an athlete to return to play prematurely or without the clearance of a medical professional, following a serious injury (e.g., a concussion)
  - vi. Prescribed dieting or other weight-control methods without regard for the nutritional well-being and health of an athlete
  - vii. Forcing an athlete to assume a painful stance or position for no athletic purpose, or excessive repetition of a skill to the point of injury
  - viii. Using excessive exercise as punishment (e.g., stretching to the point of causing the athlete to cry, endurance conditioning until the athlete vomits)

14. Importantly, emotional and physical maltreatment does not include professionally-accepted coaching methods (per the NCCP) of skill enhancement, physical conditioning, team building, discipline, or improving athletic performance.

#### *Vulnerable Adult Abuse*

15. Although individuals may be abused at virtually any life stage – childhood, adolescence, young adulthood, middle age, or old age – the nature and consequences of abuse may differ depending on an individual's situation, disability, or circumstance.



16. The following description of Vulnerable Adult Abuse has been modified and adapted from Ecclesiastical's *Guidelines for Developing a Safety & Protection Policy for Children / Youth / Vulnerable Adults* [1].
17. Abuse of vulnerable adults is often described as a misuse of power and a violation of trust. Abusers may use a number of different tactics to exert power and control over their victims. Abuse may happen once or it may occur in a repeated and escalating pattern over months or years. The abuse may take many different forms, which may change over time:
- a) **Psychological abuse** includes attempts to dehumanize or intimidate vulnerable adults. Any verbal or non-verbal act that reduces their sense of self-worth or dignity and threatens their psychological and emotional integrity is abuse. This type of abuse may include, for example
    - i. Threatening to use violence
    - ii. Threatening to abandon them
    - iii. Intentionally frightening them
    - iv. Making them fear that they will not receive the food or care they need
    - v. Lying to them
    - vi. Failing to check allegations of abuse against them
  - b) **Financial abuse** encompasses financial manipulation or exploitation, including theft, fraud, forgery, or extortion. It includes using a vulnerable adult's money or property in a dishonest manner, or failing to use a vulnerable adult's assets for their welfare. Abuse occurs any time someone acts without consent in a way that financially or personally benefits one person at the expense of another. This type of abuse against a vulnerable adult may include, for example:
    - i. Stealing their money, disability cheques, or other possessions
    - ii. Wrongfully using a Power of Attorney
    - iii. Failing to pay back borrowed money when asked
  - c) **Physical abuse** includes any act of violence – whether or not it results in physical injury. Intentionally inflicting pain or injury that results in either bodily harm or mental distress is abuse. Physical abuse may include, for example:
    - i. Beating
    - ii. Burning or scalding
    - iii. Pushing or shoving
    - iv. Hitting or slapping
    - v. Rough handling
    - vi. Tripping
    - vii. Spitting
  - d) All forms of sexual abuse are also applicable to Vulnerable Adults



## **Preventing Abuse**

18. Volleyball Canada will enact measures aimed at preventing abuse. These measures include screening, orientation, training, practice, and monitoring.

### *Screening*

19. Individuals who coach, volunteer, officiate, deliver developmental programs, are affiliated with national teams, accompany an Volleyball Canada team to an event or competition, are paid staff, or otherwise engage with Vulnerable Individuals involved with Volleyball Canada will be screened according to the organization's *Screening Policy*.

20. Volleyball Canada will use the *Screening Policy* to determine the level of trust, authority, and access that each Individual has with Vulnerable Individuals. Each level of risk will be accompanied by increased screening procedures which may include the following, singularly or in combination:

- a) Completing an Application Form for the position sought (which includes alerting Individuals that they must agree to adhere with the organization's policies and procedures (including this *Abuse Policy*))
- b) Providing letters of reference
- c) Providing a Criminal Record Check ("CRC") and/or Vulnerable Sector Check ("VSC")
- d) Providing a driver's abstract (for Individuals who transport Vulnerable Individuals)
- e) Other screening procedures, as required

21. An Individual's failure to participate in the screening process, or pass the screening requirements as determined by a Screening Committee, will result in the Individual's ineligibility for the position sought.

### *Orientation and Training*

22. Volleyball Canada will deliver orientation and training to those Individuals who have access to, or interact with, Vulnerable Individuals. The orientation and training, and their frequency, will be based on the level of risk, as described in the *Screening Policy*.

23. Orientation may include, but is not limited to: introductory presentations, facility tours, equipment demonstrations, parent/athlete meetings, meetings with colleagues and supervisors, orientation manuals, orientation sessions, and increased supervision during initial tasks or period of engagement.

24. Training may include, but is not limited to: certification courses, online learning, mentoring, workshop sessions, webinars, on-site demonstrations, and peer feedback.

25. At the conclusion of the orientation and training, Individuals will be required to acknowledge, in written form, that they have received and completed the training.

### *Practice*

26. When Individuals interact with Vulnerable Individuals, they are required to enact certain practical approaches to these interactions. These include, but are not limited to:

- a) Limiting physical interactions to non-threatening or non-sexual touching (e.g., high-fives, pats on the back or shoulder, handshakes, specific skill instruction, etc.)
- b) Ensuring that Vulnerable Individuals are always supervised by more than one adult



- c) Ensuring that more than one person is responsible for team selection (thereby limiting the consolidation of power onto one Individual)
- d) Including parents/guardians in all communication (e.g., electronic, telephonic) with Vulnerable Individuals
- e) Ensuring that parents/guardians are aware that some non-personal communication between Individuals and Vulnerable Individuals (e.g., coaches and athletes) may take place electronically (e.g., by texting) and that this type of communication is now considered to be commonplace, especially with older Vulnerable Individuals (e.g., teenagers). Individuals are aware that such communication is subject to Volleyball Canada's *Code of Conduct and Ethics* and *Social Media Policy*.
- f) When traveling with Vulnerable Individuals, the Individual will not transport Vulnerable Individuals without another adult present and will not stay in the same overnight accommodation location without additional adult supervision.

#### *Monitoring*

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

#### **Reporting Abuse**

- 29. Reports of abuse that are shared confidentially with an Individual by a Vulnerable Individual may require the Individual to report the incident to parents/guardians, child protection services, Volleyball Canada, or police. Individuals must respond to such reports in a non-judgemental, supportive and comforting manner but must also explain that the report may need to be escalated to the proper authority or to the Vulnerable Individual's parent/guardian.
- 30. Volleyball Canada will adhere to all disclosure and reporting responsibilities required by the Government of Canada.
- 31. Complaints or reports that describe an element of **abuse** will be addressed under Volleyball Canada's *Discipline and Complaints Policy* but will also be investigated, as described below.

#### **Investigation**

- 32. When a complaint is submitted per Volleyball Canada's *Discipline and Complaints Policy*, the individual responsible for receiving the complaint will determine if such complaint is related to an instance of Abuse.
- 33. Complaints that are determined to contain an element of Abuse will continue to be addressed by the process(es) described in the *Discipline and Complaints Policy*. However, an Investigator will be appointed to investigate the allegations.
- 34. The Investigator may be a Volleyball Canada representative or Director, or may be an independent third-party skilled in investigating claims of abuse. The Investigator must not be in a conflict of interest situation and should have no connection to either party.



35. Federal and/or Provincial legislation related to Workplace Harassment may apply to the investigation if Harassment was directed toward a worker in a Workplace. The Investigator should review workplace safety legislation and/or consult independent experts to determine whether legislation applies to the complaint.
36. The investigation may take any form as decided by the Investigator, guided by any applicable Federal and/or Provincial legislation. The investigation may include:
- a) Complainant interviewed;
  - b) Witnesses interviewed;
  - c) Statement of facts (complainant's perspective) prepared by Investigator and acknowledged by Complainant;
  - d) Statement delivered to Respondent ;
  - e) Respondent interviewed;
  - f) Witnesses interviewed; and
  - g) Statement of facts (respondent's perspective) prepared by Investigator and acknowledged by Respondent.

### **Investigator's Report**

37. Timelines as described in the *Discipline and Complaints Policy* may be modified so that the Investigator can prepare and submit a Report.
38. The Investigator's Report should include a summary of evidence from the parties (including both statements of facts, if applicable) and recommendations from the Investigator of whether or not, on a balance of probabilities, an incident occurred that could be considered Abuse.
39. The Investigator's Report will be provided to the parties with the names and identifying details of any witnesses redacted. The provision of the Investigator's Report is conditional on the parties not distributing the Report to any third party without the written permission of Volleyball Canada.
40. Should the Investigator find that there are possible instances of offence under the *Criminal Code*, particularly related to Criminal Harassment (or Stalking), Uttering Threats, Assault, Sexual Interference, or Sexual Exploitation, the Investigator shall advise the Complainant to refer the matter to police. The Investigator will further inform Volleyball Canada that the matter should be directed to the police.
41. The Investigator must also inform Volleyball Canada of any findings of criminal activity. Volleyball Canada may decide whether to report such findings to police, but is required to inform police if there are findings related to the trafficking of doping drugs or materials, any sexual crime involving minors, fraud against Volleyball Canada, or other offences where the lack of reporting would bring Volleyball Canada into disrepute.
42. Should the Investigator "have reasonable grounds to suspect that a child is or may be in need of protection", the Investigator must inform Volleyball Canada who must report the situation to the appropriate authorities (e.g., child protection services).



43. The individual(s) responsible for making a decision on the complaint, per the *Discipline and Complaints Policy*, shall consider the Investigator's Report, in addition to submissions from the parties, prior to making a decision on the complaint.

### **Reprisal and Retaliation**

44. An individual who submits a complaint to Volleyball Canada, or who gives evidence in an investigation, may not be subject to reprisal or retaliation from any individual or group. Should anyone who participates in the process face reprisal or retaliation, that individual will have cause to submit a complaint.

### **False Allegations**

45. An individual who submits allegations that the Investigator determines to be false or without merit may be subject to a complaint under the terms of Volleyball Canada's *Discipline and Complaints Policy*, or the individual against whom the false allegations were submitted, acting as the Complainant.

### **Confidentiality**

46. The information obtained about an incident or complaint (including identifying information about any individuals involved) will remain confidential, unless disclosure is necessary for the purpose of investigating or taking corrective action, or is otherwise required by law.
47. The Investigator will make every effort to preserve the confidentiality of the complainant, respondent, and any other party. However, Volleyball Canada recognizes that maintaining anonymity of any party may be difficult for the Investigator during the course of the investigation.

### **Communications**

1. This Policy must be effectively communicated to all those who are responsible for upholding and implementing the Policy.
2. Volleyball Canada will develop and continually evolves the overall communication and consultation strategy concerning the Safe Sport.

### **Review**

3. This Policy will be reviewed at least once every two years, or as decided by the Chief Executive Officer and/or the Volleyball Canada Board of Directors.
4. This Policy will next be reviewed in July 2019.

### **Approval**

5. This Policy was approved by the Volleyball Canada Board of Directors on 6 November 2018.

### **Resources**

[1] Retrieved from: [https://www.ecclesiastical.ca/guidelines\\_developsafetyprotectionpolicy\\_children-youths-vulnerableadults\\_faith/](https://www.ecclesiastical.ca/guidelines_developsafetyprotectionpolicy_children-youths-vulnerableadults_faith/)

[2] Adapted from: <https://www.all4kids.org/2014/03/04/warning-signs-child-abuse-neglect/>

[3] Adapted from: [https://www.parentsprotect.co.uk/warning\\_signs.htm](https://www.parentsprotect.co.uk/warning_signs.htm)