



**PENTATHLON CANADA
SAFE SPORT POLICY MANUAL**

STATEMENT ON SAFE SPORT

Pentathlon Canada and its Member Associations have a fundamental obligation and responsibility to protect the health, safety and physical and mental well-being of every individual that is involved in the Canadian pentathlon community.

Pentathlon Canada and its Member Associations take any situation involving misconduct or maltreatment very seriously. For this reason, Pentathlon Canada and its Member Associations are collectively committed to enacting and enforcing strong, clear, and effective policies and processes for preventing and addressing all forms of misconduct or maltreatment.

This Safe Sport Policy Manual contains policies for the entire pentathlon community. The policies are intended to promote a Safe Sport environment in a manner that allows for consistent, immediate, appropriate and meaningful action should any issues arise, but also to prevent issues from arising in the first place by communicating expected standards of behaviour.

Should any individuals involved with Pentathlon Canada or its Member Associations, including but not limited to Athletes, coaches, officials, volunteers, and parents/guardians of Athletes, wish to report any instance of misconduct or maltreatment, they may do so directly to the Pentathlon Canada's Safe Sport Officer who will determine the appropriate forum and manner to address the complaint

Pentathlon Canada also recognizes the recent development of the Universal Code of Conduct to Prevent and Address Maltreatment in Sport (UCCMS). Since the UCCMS may continue to evolve in the foreseeable future, this Safe Sport Policy Manual incorporates the key elements of the current version of the UCCMS as follows (which are indicated with an * in each part of the manual):

UCCMS v. 5.1 Section	Safe Sport Manual
Section 1.2 – General Principles	Discipline and Complaints Policy para. 2
Section 1.3 – Consensus Statements	Safe Sport Policy para. 3
Definitions (related to conduct)	Definitions – Conduct
Definitions (unrelated to conduct)	Definitions – Policy
Scope and Application 2.12	Code of Conduct para. 4 Discipline and Complaints Policy para. 6
Scope and Application 2.13	Code of Conduct para. 10b
Scope and Application 2.14	Code of Conduct para. 7-8
Scope and Application 2.15	Code of Conduct para. 9
Scope and Application 2.16	Investigation Procedure para. 7
Maltreatment 2.2	Definitions – Conduct

Retaliation 2.2.6.1.2	Investigation Procedure para. 11
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Presumptive Sanctions 3.3	Discipline and Complaints Policy para. 37
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<u>Policy Title</u>	<u>Date of Last Approval</u>	<u>Date of Next Review</u>
Safe Sport		
Athlete Protection		
Code of Conduct and Ethics		
Discipline and Complaints		
Investigations		
Dispute Resolution		
Appeal		
Event Discipline		
Social Media		
Screening		
Abuse		
Risk Management		
Whistleblower		
Reciprocation		

**PENTATHLON CANADA
DEFINITIONS - POLICY**

The terms defined below shall apply to all policies included in this Safe Sport Manual.

* Indicates a definition adapted from the UCCMS

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
2. *“Appellant”* – The Party appealing a decision
3. *“Appeal Manager”* – An individual, who may be any staff member, committee member, volunteer, Director, or an independent third party, who is appointed to oversee the *Appeal Policy*. The Appeal Manager will have responsibilities that include using decision making authority empowered by the *Appeal Policy*
4. **“Athlete”* – An individual who is an Athlete Participant with Pentathlon Canada or a Member Association who is subject to the UCCMS and the policies of Pentathlon Canada and the applicable Member Association
5. *“Board”* – The Board of Directors of Pentathlon Canada or a Member Association, as applicable
6. *“Case Manager”* – An independent individual (or individuals) appointed by Pentathlon Canada to receive and administer complaints under the *Discipline and Complaints Policy*
7. *“Committee Member”* – an individual elected or appointed as a member of a committee of Pentathlon Canada or a Member Association (as applicable)
8. **“Complainant”* – A Participant or observer who makes a report of an incident, or a suspected incident, of Maltreatment or other behaviour that is a violation of the standards described in the *Code of Conduct and Ethics*
9. *“Criminal Record Check (CRC)”* – A search of the RCMP Canadian Police Information Centre (CPIC) system for adult convictions
10. *“Days”* – Days including weekends and holidays
11. *“Director”* – An individual appointed or elected to the Board of Directors of Pentathlon Canada or a Member Association
12. *“Discipline Chair”* – an individual appointed to handle the duties of the Discipline Chair as described in the *Discipline and Complaints Policy*.
13. *“Enhanced Police Information Check (E-PIC)”* – a Criminal Record Check plus a search of Local Police Information, available from Sterling Backcheck
14. *“Event”* – An event sanctioned by Pentathlon Canada or by a Member Association
15. *“Local Police Information (LPI)”* – Additional conviction and selected non-conviction information in national and local police data sources which may be relevant to the position sought
16. *“Member Association”* – Includes provincial/territorial associations that are members of Pentathlon Canada
17. **“Minor”* – Any Participant who is under the age of majority at the time and in the jurisdiction where the alleged Maltreatment has occurred. Adults are responsible for knowing the age of a minor. For the purpose of protection in each Canadian province and territory, the age of a child is defined as follows:
 - i. 16 years old: Newfoundland and Labrador; Saskatchewan; Northwest Territories; Nunavut
 - ii. 18 years old: Prince Edward Island; Quebec; Ontario; Manitoba; Alberta
 - iii. 19 years old: Nova Scotia; New Brunswick; British Columbia; Yukon

18. **“Participants”* – Refers to all categories of individual members and/or registrants defined in the By-laws of Pentathlon Canada and in the By-laws of a Member Association who are subjected to the UCCMS and the policies of the Member Association, as well as all people employed by, contracted by, or engaged in activities with, Pentathlon Canada or a Member Association including, but not limited to, employees, contractors, Athletes, coaches, instructors, officials, volunteers, managers, administrators, committee members, parents or guardians, spectators, committee members, and Directors and Officers
19. **“Parties”* – the groups involved with the particular dispute. In the *Discipline and Complaints Policy*, the Parties are the Complainant and Respondent. In the *Appeal Policy*, the Parties are the Appellant, Respondent, and any Affected Party
20. **“Person in Authority”* – Any Participant who holds a position of authority within Pentathlon Canada or a Member Association including, but not limited to, coaches, instructors, officials, managers, support personnel, chaperones, committee members, and Directors and Officers
21. **“Reporting (or Report)”* – The provision of information in writing by any person or a Participant to a relevant independent authority (the independent person or position, such as a Case Manager, charged with receiving a report and determining next steps) regarding Maltreatment. Reporting may occur through either: (i) the Complainant (of any age) or the one who experienced the Maltreatment, or (ii) 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
22. **“Respondent”* – The party responding to a complaint or, in the case of an appeal, the body whose decision is being appealed.
23. **“Social media”* – The catch-all term that is applied broadly to new computer-mediated communication media such as blogs, YouTube, Facebook, Instagram, Tumblr, TikTok, Snapchat, and Twitter.
24. **“Vulnerable Participants”* – Includes 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 people in positions of trust or authority);
25. **“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
26. **“Worker”* – Any person who performs work for Pentathlon Canada or a Member Association including employees, managers, supervisors, temporary workers, volunteers, student volunteers, part-time workers, the Board of Directors, and independent contractors.
27. **“Workplace”* – Any place where business or work-related activities are conducted. Workplaces include but are not limited to, the office of Pentathlon Canada or a Member Association, work-related social functions, work assignments outside offices, work-related travel, the training and competition environment, and work-related conferences or training sessions

PENTATHLON CANADA
DEFINITIONS – CONDUCT

The terms defined below apply to all policies included in this Safe Sport Manual

* Indicates a definition adapted from the UCCMS

1. *“Abuse”* – As defined in the *Abuse Policy*
2. ****“Consent”* – *Consent* is defined in Canada’s *Criminal Code* as the voluntary agreement to engage in the sexual activity in question. The law focuses on what the person was actually thinking and feeling at the time of the sexual activity. Sexual touching is only lawful if the person affirmatively communicated their consent, whether through words or conduct. Silence or passivity does not equal consent. Sexual activity is only legal when both parties consent. The *Criminal Code* also says there is no consent when: Someone says or does something that shows they are not consenting to an activity; Someone says or does something to show they are not agreeing to continue an activity that has already started; Someone is incapable of consenting to the activity, because, for example, they are unconscious; The consent is a result of a someone abusing a position of trust, power or authority or someone consents on someone else’s behalf. A person cannot say they mistakenly believed a person was consenting if: that belief is based on their own intoxication; they were reckless about whether the person was consenting; they chose to ignore things that would tell them there was a lack of consent; or they didn’t take proper steps to check if there was consent. Sexual activity with a Minor is a criminal offence as is sexual activity with a person under the age of 18 years when the other person is in a position of trust or authority
3. ****“Disclosure”* - The sharing of information by a Participant regarding an incident or a pattern of Maltreatment experienced by that Participant. Disclosure does not constitute a formal report that initiates a process of investigation to address the Maltreatment
4. *“Discrimination”* – Differential treatment of an individual based on one or more prohibited grounds which include race, citizenship, national or ethnic origin, colour, religion, age, sex, sexual orientation, gender identity or expression, marital status, family status, genetic characteristics, or disability
5. ****“Duty to Report”*
 - a) Concerns Under Child Protection Legislation: A legal duty to report is mandated by law, and the requirement varies by province depending on provincial legislation. Everyone has a duty to report child abuse and neglect under Canadian child welfare laws. Professionals who work with children and youth have an added responsibility to report. Adults are obliged to report child Maltreatment if there is knowledge or suspicion that it is occurring. This is called the “duty to report.” Every person in Canada has the duty to report known or suspected child Maltreatment by law. Known or suspected abuse or Neglect of a child must be reported to: local child welfare services (e.g., children’s aid society or child and family services agency), or provincial/territorial social service ministries or departments, or local police
 - b) Concerns Outside of Child Protection Legislation: Participants have a duty to report concerns of inappropriate conduct of other Participants to uphold the ethical standards and values of Canadian sport. Reporting inappropriate conduct is important to ensure proper action is taken and expectations are re-established. By addressing inappropriate conduct, a collective responsibility to protect Participants from Maltreatment is enacted
6. ****“Grooming”* – Deliberate conduct by a Participant 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 Participant will gain 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. (Grooming is also a prohibited behaviour listed under the definition of Maltreatment)

7. *"Harassment"* – A course of vexatious comment or conduct against a Participant or group, which is known or ought reasonably to 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. Contributing to a *poisoned sport environment*, which can include:
 - a. Locations where material that is discriminatory is displayed (e.g., sexually explicit posters and racial/racist cartoons)
 - b. Groups where harassing behaviour is part of the normal course of activities
 - c. Behaviour that causes embarrassment, awkwardness, endangers a person's safety or negatively affects performance.
 - xiii. 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
 - xiv. Retaliation or threats of retaliation against a person who reports harassment to Pentathlon Canada or to a Member Association
8. *"Maltreatment"* – Includes Maltreatment related to:
 - a) *Psychological Maltreatment* – which includes, without limitation, verbal acts, non- assaultive physical acts and acts that deny attention or support
 - a. Verbal Acts - Verbally assaulting or attacking someone, including but not limited to: unwarranted personal criticisms; body shaming; derogatory comments related to one's identity (e.g. race, gender identity or expression, ethnicity, Indigenous status, ability/disability); comments that are demeaning, humiliating, belittling, intimidating, insulting or threatening; the use of rumours or false statements about someone to diminish that person's reputation; using confidential sport and non-sport information inappropriately. Verbal Maltreatment may also occur in online forms.
 - b. Non-assaultive Physical Acts (no physical contact) - Physically aggressive behaviors, including but not limited to: throwing objects at or in the presence of others without striking another; hitting, striking or punching objects in the presence of others

- c. Acts that Deny Attention or Support - Acts of commission that deny attention, lack of support or isolation including but not limited to: ignoring psychological needs or socially isolating a person repeatedly or for an extended period of time; abandonment of an Athlete as punishment for poor performance; arbitrarily or unreasonably denying feedback, training opportunities, support or attention for extended periods of time and/or asking others to do the same
- b) *Physical Maltreatment* – includes, without limitation, contact or non-contact behaviours that have the potential to cause physical harm
 - a. Contact behaviours - Including but not limited to: deliberately punching, kicking, beating, biting, striking, strangling or slapping another; deliberately hitting another with objects
 - b. Non-contact behaviours - Including but not limited to: isolating a person in a confined space; forcing a person to assume a painful stance or position for no athletic purpose (e.g., requiring an Athlete to kneel on a hard surface); the use of exercise for the purposes of punishment; withholding, recommending against, or denying adequate hydration, nutrition, medical attention or sleep; denying access to a toilet; providing alcohol to a Participant under the legal drinking age; providing illegal drugs or non-prescribed medications to a Participant; encouraging or knowingly permitting an Athlete to return to play prematurely following any injury or after a concussion and without the clearance of a medical professional; encouraging an Athlete to perform a skill for which they are known to not be developmentally ready
- c) *Sexual Maltreatment* – includes, without limitation, any act targeting a person’s sexuality, gender identity or expression, that is committed, threatened or attempted against a person, and includes but is not limited to the Criminal Code Offences of sexual assault, sexual exploitation, sexual interference, invitation to sexual touching, indecent exposure, voyeurism and non-consensual distribution of sexual/intimate images. Sexual Maltreatment also includes sexual harassment and stalking, cyber harassment, and cyber stalking of a sexual nature. Examples include:
 - a. Any penetration of any part of a person’s body, however slight, with any object or body part by a person upon another person, including but not limited to:
 - i. vaginal penetration by a penis, object, tongue, or finger; and
 - ii. anal penetration by a penis, object, tongue, or finger
 - b. Any intentional touching of a sexual nature of any part of a person’s body, however slight, with any object or body part by a person upon another person, including but not limited to:
 - i. kissing;
 - ii. intentional touching of the breasts, buttocks, groin or genitals, whether clothed or unclothed, or intentionally touching of another with any of these body parts;
 - iii. any contact, no matter how slight, between the mouth of one person and the genitalia of another person, and
 - iv. making another touch themselves, the Participant, or someone else with or on any of the body parts listed in b).
 - v. any intentional touching in a sexualized manner of the relationship, context or situation
 - c. In addition to the criminal acts identified above, the UCCMS prohibits sexual relations between an Athlete above the age of majority (depending upon jurisdiction) and a Participant who holds a position of trust and authority on the basis that there can be no Consent where there is a Power Imbalance. A Power Imbalance that is presumed to exist may be challenged
- d) *Neglect* – or acts of omission, includes without limitation: not providing an Athlete recovery time and/or treatment for a sport injury; not being aware of and not considering an individual’s physical or intellectual disability; not considering supervision of an Athlete during travel, training or

competition; not considering the welfare of the Athlete when prescribing dieting or other weight control methods (e.g., weigh-ins, caliper tests); disregarding the use of performance-enhancing drugs by an Athlete; failure to ensure safety of equipment or environment; allowing an Athlete to disregard sport's rules, regulations, and standards, subjecting Participants to the risk of Maltreatment

- e) *Grooming* – is often a slow, gradual and escalating process of building trust and comfort with a young person. Grooming includes, without limitation, the process of making inappropriate behaviour seem normal and gradually engaging in 'boundary violations' which have been professionally-identified to Canadian standards (e.g., a degrading remark, a sexual joke, sexualized physical contact; adult Participants sharing rooms with a Minor who is not an immediate family member; providing a massage or other purported therapeutic interventions with no specific training or expertise; private social media and text communications; sharing personal photographs; shared use of locker rooms; private meetings; private travel, and providing gifts). The Grooming process:
- a. Grooming usually begins with subtle behaviours that do not appear to be inappropriate. Many victims/survivors of sexual abuse do not recognize the grooming process as it is happening, nor do they recognize that this process of manipulation is part of the overall abuse process.
 - b. In the grooming process, the offender begins by gaining trust of adults around the young person. The offender establishes a friendship and gains the young person's trust. Grooming then involves testing boundaries (e.g. telling sexual jokes, showing sexually explicit images, making sexual remarks). Typically, behaviour moves from non-sexual touching to "accidental" sexual touching
 - c. The young person is often manipulated into feeling responsible for the contact, is discouraged from telling anyone else about the relationship, and is made to feel obligated to protect the offender. The offender also builds trust with those close to the young person so that the relationship with the young person is not questioned
- f) *Interference with or Manipulation of Process* – it is considered maltreatment if an adult Participant directly or indirectly interferes with a process by:
- a. falsifying, distorting, or misrepresenting information, the resolution process, or an outcome;
 - b. destroying or concealing information;
 - c. attempting to discourage an individual's proper participation in or use of the processes of Pentathlon Canada or a Member Association;
 - d. harassing or intimidating (verbally or physically) any person involved in the processes before, during, and/or following any proceedings of Pentathlon Canada or a Member Association;
 - e. publicly disclosing a Participant's identifying information, without the Participant's agreement;
 - f. failing to comply with any temporary or provisional measure or other final sanction;
 - g. distributing or otherwise publicizing materials a Participant gains access to during an investigation or hearing, except as required by law or as expressly permitted; or
 - h. influencing or attempting to influence another person to interfere with or manipulate the process
 - i. Retaliation – which means that a Participant shall not take an adverse action against any person for making a good faith Report of possible Maltreatment or for participating in any process related to alleged conduct violations. Retaliation includes threatening, intimidating, harassing, coercing or any other conduct that would discourage a reasonable person from engaging or participating in the processes of Pentathlon Canada or a Member Association.

Retaliation after the conclusion of investigation and sanction processes is also prohibited. Retaliation may be present even where there is a finding that no Maltreatment occurred. Retaliation does not include good-faith actions lawfully pursued in response to a Report of possible Maltreatment

- j. Aiding and Abetting – which is any act taken with the purpose of facilitating, promoting, or encouraging the commission of Maltreatment by a Participant. Aiding and Abetting also includes, without limitation, knowingly:
 - i. allowing any person who has been suspended or is otherwise ineligible to be in any way associated with sport or to coach or instruct Participants;
 - ii. providing any coaching-related advice or service to an Athlete who has been suspended or is otherwise ineligible; and
 - iii. allowing any person to violate the terms of their suspension or any other sanctions imposed
- g) *Reporting* – it is considered Maltreatment to fail to report Maltreatment of a Minor. A legal Duty to Report is mandated by law, and the requirement varies by province depending on provincial legislation.
 - a. Failure to Report Maltreatment of a Minor
 - i. The obligation to Report requires the Reporting of any conduct which, if proven true, would constitute Psychological Maltreatment, Sexual Maltreatment, Physical Maltreatment or Neglect involving a Minor Participant. The obligation to Report is an ongoing one and is not satisfied simply by making an initial Report. The obligation includes Reporting, on a timely basis, all relevant information of which an adult Participant becomes aware
 - ii. The obligation to Report includes making a direct Report
 - iii. The obligation to Report includes personally identifying information of a potential Minor Complainant to the extent known at the time of the Report, as well as a duty to reasonably supplement the Report as to identifying information learned at a later time
 - iv. Participants should not investigate or attempt to evaluate the credibility or validity of allegations involving Psychological Maltreatment, Sexual Maltreatment, Physical Maltreatment or Neglect. Participants making a good faith Report are not required to prove the Reports are true before Reporting
 - b. Failure to Report Inappropriate Conduct
 - i. Not all inappropriate conduct may meet the threshold for constituting Maltreatment. However, such inappropriate conduct may represent behavior with the risk of escalating to Maltreatment. Any Participant who suspects or becomes aware of another Participant’s inappropriate conduct, even if it is not defined as Maltreatment, has a Duty to Report such inappropriate conduct through the organization’s internal procedures. Those in positions of trust and authority who become aware of another’s inappropriate conduct have a responsibility for reporting the concern within their organization’s policies and procedures. The person making the report does not need to determine whether a violation took place: instead, the responsibility lies in reporting the objective behaviour.
 - c. Intentionally Filing a False Allegation
 - i. An allegation is false if the events Reported did not occur, and the person making the Report knows the events did not occur
 - ii. A false allegation is different from an unsubstantiated allegation; an unsubstantiated allegation means there is insufficient supporting evidence to determine whether an allegation is true or false. Absent demonstrable bad faith, an unsubstantiated allegation alone is not grounds for a violation

9. **Neglect* – Any pattern or a single serious incident of lack of reasonable care, inattention to a Participant’s needs, nurturing or well-being, or omissions in care. Neglect is determined by the objective behaviour but the behaviour must be evaluated with consideration given to the Participant’s needs and requirements, not whether harm is intended or results from the behaviour. (Neglect is also a prohibited behaviour listed under the definition of Maltreatment)
10. **Physical Maltreatment* – Any pattern or a single serious incident of deliberate conduct that has the potential to be harmful to the physical well-being of the Participant. Physical Maltreatment includes, without limitation, contact or non-contact infliction of physical harm. Physical Maltreatment is determined by the objective behaviour, not whether harm is intended or results from the behaviour. (Physical Maltreatment is also a prohibited behaviour listed under the definition of Maltreatment)
11. **Power Imbalance* – A Power Imbalance may exist where, based on the totality of the circumstances, a Participant has supervisory, evaluative, a duty of care, or other authority over another Participant. A Power Imbalance may also exist between an Athlete and other adults involved in sport in positions such as high-performance directors, sport specific health-care providers, sport science support staff, care or support persons, guides or pilots. Maltreatment occurs when this power is misused. Once a coach-Athlete relationship is established, a Power Imbalance is presumed to exist throughout the coach-Athlete relationship, regardless of age, and is presumed to continue for Minor Athletes after the coach-Athlete relationship terminates or until the Athlete reaches 25 years of age. A Power Imbalance may exist, but is not presumed, where an intimate relationship existed before the sport relationship commenced (e.g., a relationship between two spouses or life partners, or a sexual relationship between consenting adults that preceded the sport relationship).
12. **Psychological Maltreatment* – Any pattern or a single serious incident of deliberate conduct that has the potential to be harmful to the psychological well-being of the Participant. Psychological Maltreatment includes, without limitation, verbal conduct, non-assaultive physical conduct, and conduct that denies attention or support. Psychological Maltreatment is determined by the objective behaviour, not whether harm is intended or results from the behaviour. (Psychological Maltreatment is also a prohibited behaviour listed under the definition of Maltreatment)
13. **Sexual Maltreatment*
 - a) Involving a Child: Any form of adult/child sexualized interaction constitutes child sexual abuse. Sexual abuse of a child may occur through behaviours that do or do not involve actual physical contact. (Sexual Maltreatment is also a prohibited behaviour listed under the definition of Maltreatment)
 - b) Involving a person over the Age of Majority: Any sexual act, whether physical or psychological in nature, that is committed, threatened, or attempted against a Participant without the Participant’s Consent. It includes any act targeting a Participant’s sexuality, gender identity or expression, that is committed, threatened or attempted against a Participant without that Participant’s Consent, and includes but is not limited to, the Criminal Code Offences of sexual assault, sexual exploitation, sexual interference, invitation to sexual touching, indecent exposure, voyeurism and non-consensual distribution of sexual/intimate images. Sexual Maltreatment also includes sexual harassment and stalking, cyber harassment, and cyber stalking of a sexual nature. Sexual Maltreatment can take place through any form or means of communication (e.g. online, social media, verbal, written, visual, hazing, or through a third party). (Sexual Maltreatment is also a prohibited behaviour listed under the definition of Maltreatment)
14. *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 person from work-related social gatherings;
 - viii. Deliberately withholding information that would enable a person to do their 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 ought reasonably to be known, as offensive, embarrassing, humiliating, or demeaning.
15. *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. Types of behaviour that constitute Workplace Violence include, but are not limited to:
- i. Verbal or written threats to attack;
 - ii. Sending to or leaving threatening notes or emails;
 - iii. Physically threatening behaviour such as shaking a fist at someone, finger pointing, destroying property, or throwing objects;
 - iv. Wielding a weapon in a Workplace;
 - v. Hitting, pinching or unwanted touching which is not accidental;
 - vi. Dangerous or threatening horseplay;
 - vii. Physical restraint or confinement;
 - viii. Blatant or intentional disregard for the safety or wellbeing of others;
 - ix. Blocking normal movement or physical interference, with or without the use of equipment;
 - x. Sexual assault; and
 - xi. Any attempt to engage in the type of conduct outlined above

SAFE SPORT POLICY

* Indicates a section that has been adapted from the UCCMS

Purpose

1. This Policy describes how Pentathlon Canada and its Member Associations aims to provide a safe sport environment.

Commitment to True Sport Principles

2. Pentathlon Canada and its Member Associations commit to the True Sport Principles which are:
 - a) **Go for It** – Rise to the challenge – always strive for excellence. Discover how good you can be.
 - b) **Play Fair** – Play honestly – obey both the letter and spirit of the rules. Winning is only meaningful when competition is fair.
 - c) **Respect Others** – Show respect for everyone involved in creating your sporting experience, both on and off the field. Win with dignity and lose with grace.
 - d) **Keep it Fun** – Find the joy of sport. Keep a positive attitude both on and off the field.
 - e) **Stay Healthy** – Place physical and mental health above all other considerations – avoid unsafe activities. Respect your body and keep in shape.
 - f) **Include Everyone** – Share sport with others. Ensure everyone has a place to play.
 - g) **Give Back** – Find ways to show your appreciation for the community that supports your sport and helps make it possible.

Commitment to a Sport Environment Free from Maltreatment

3. *Pentathlon Canada and its Member Associations make the following commitments to a sport environment free from Maltreatment:
 - a) All Participants in sport can expect to play, practice and compete, work, and interact in an environment free from Maltreatment.
 - b) Addressing the causes and consequences of Maltreatment is a collective responsibility and requires the deliberate efforts of all Participants, sport stakeholders, sport club administrators and organization leaders.
 - c) Participants in positions of trust and authority have the general responsibility to protect the health and well-being of all other Participants.
 - d) Adult Participants have a specific ethical and statutory duty and the additional responsibility to respond to incidents of Maltreatment involving Minors and other Vulnerable Participants.
 - e) All Participants recognize that Maltreatment can occur regardless of age, sex, sexual orientation, gender identity or expression, race, ethnicity, Indigenous status, or level of physical and intellectual disability and their intersections. Moreover, it is recognized that those from traditionally marginalized groups have increased vulnerability to experiences of Maltreatment.
 - f) All Participants recognize that individuals who have experienced Maltreatment may experience a range of effects that may emerge at different time points and that can profoundly affect their lives.
 - g) All adults working with children and youth have a duty to prevent or mitigate opportunities for misconduct.
 - h) In recognition of the historic vulnerability to discrimination and violence amongst some groups, and that continues to persist today, Participants in positions of trust and authority have a duty to incorporate strategies to recognize systemic bias, unconscious bias, and to respond quickly and effectively to discriminatory practices

Pledge

4. The stakeholders, individual members, and leaders of Pentathlon Canada and its Member Associations are

expected to live the True Sport Principles and Pentathlon Canada and its Member Associations pledge to embed the True Sport Principles in its governance and operations in the following ways:

- a) Conduct Standards – Pentathlon Canada and its Member Associations will adopt comprehensive conduct standards that are expected to be followed by Participants
- b) Athlete Protection – Pentathlon Canada and its Member Associations will provide coaches and other stakeholders with general and sport-specific athlete protection guidelines
- c) Dispute Resolution and Investigations – Pentathlon Canada and its Member Associations will have dispute resolution processes that are confidential and procedurally fair and that require independent investigation for certain alleged violators of the conduct standards
- d) Strategy – Pentathlon Canada and its Member Associations will have a strategic plan that reflects the organization’s mission, vision, and values
- e) Governance – Pentathlon Canada and its Member Associations will have a diverse blend of sport leaders and will adhere to principles of good governance
- f) Risk Management – Pentathlon Canada and its Member Associations will intentionally manage risks to its operations and events through the use of risk management plans and/or risk registries

Conduct Standards

5. Pentathlon Canada and its Member Associations will adopt a *Code of Conduct and Ethics* that describes standards of conduct and behaviour for all Participants. General standards of conduct will apply to all Participants and specific standards will be described for positions within the organization. The *Code of Conduct and Ethics* will have specific sections, including but not limited to:

- a) Athletes
- b) Coaches
- c) Officials
- d) Volunteers
- e) Directors and Committee Members
- f) Parents and Spectators

6. The *Safe Sport Policy Manual* will contain detailed definitions of key terms, including:

- a) Harassment
- b) Sexual Harassment
- c) Workplace Harassment
- d) Workplace Violence
- e) Discrimination
- f) Hazing

7. Pentathlon Canada and its Member Associations will adopt an *Abuse Policy* that will define “vulnerable individuals” and describe the types of abuse (e.g., Physical Abuse, Sexual Abuse, Emotional Abuse, and Neglect) that vulnerable individuals may be subjected to.

Anti-Doping

8. The *Code of Conduct and Ethics* will indicate that Pentathlon Canada and its Member Associations adopt and adhere to the Canadian Anti-Doping Program.

Social Media

9. Pentathlon Canada and its Member Associations will adopt a *Social Media Policy* that describes standards of conduct that are expected on social media by Participants. The *Social Media Policy* will indicate specific conduct standards and risks that are common and/or exclusive to social media.

10. The *Social Media Policy* will highlight the importance of responsible coach-athlete interaction on social media and will provide examples of violations of conduct standards.

Athlete Protection

Screening

11. Pentathlon Canada and its Member Associations will adopt a comprehensive *Screening Policy* that requires some Participants to pass a screening process before being permitted to interact with athletes. The *Screening Policy* will:

- a) Categorize positions in the organization as 'Low Risk', 'Medium Risk', and 'High Risk' and require progressive screening measures for individuals serving in each category of risk
- b) Describe how frequently some Participants must obtain a criminal record check and which type of check(s) they must obtain
- c) Describe how frequently some Participants must submit Screening Disclosure Forms and Screening Renewal Forms
- d) Empower a Screening Committee to prohibit Participants who do not pass screening from participating in certain positions
- e) Empower a Screening Committee to attach conditions to a Participant's participation in certain positions

12. Pentathlon Canada and its Member Associations will develop an *Athlete Protection Policy* that can be used by coaches, managers, medical personnel, and other Persons in Authority. Pentathlon Canada and its Member Associations may provide training on the policy and take steps to ensure the policy is being implemented. Pentathlon Canada and its Member Associations will conduct a regular review of the guidelines to add and/or modify new guidelines as appropriate.

Training

13. Pentathlon Canada requires mandatory training on preventing and addressing harassment and abuse for the following categories of Participants:

- a) Category 1 – Individuals in decision-making positions at Pentathlon Canada:
 - i. Senior staff
 - ii. High Performance Directors
 - iii. Case Managers / Adjudicators / Investigators
 - iv. Board of Directors (when the Board is an operational Board)
- b) Category 2 – Athletes and individuals direct contact with Athletes:
 - i. National Team Program Athletes
 - ii. Junior National Team Athletes
 - iii. Parents of underage National/Junior National Team Athletes
 - iv. High Performance Staff
 - v. Training Centre Staff
 - vi. Pentathlon Canada-Appointed Coach Developers
 - vii. Integrated Support Personnel: Mental, Strength and Conditioning, Nutrition, etc.
 - viii. Coaches: Paid, Unpaid
 - ix. Sport Assistants, guides, interpreters, etc.
 - x. Contractors (with direct Athlete contact)
 - xi. Officials
- c) Category 3 – Individuals with no direct Athlete contact:
 - i. Organizing Committees
 - ii. Admin/Finance Committees
 - iii. Governance Committees/Judicial Boards

- iv. Board of Directors (when the Board is a governance Board)
- v. Event volunteers
- vi. Office Staff

14. Categories of Participants must take the following training:

- a) Category 1 – [CAC Safe Sport Training](#) and/or [Respect in Sport Training](#)
- b) Category 2 – [CAC Safe Sport Training](#) and/or [Respect in Sport Training](#)
- c) Category 3 – [CAC Safe Sport Training](#) and/or [Respect in Sport Training](#)

15. Categories of Participants must take the training at the following times:

- a) Category 1 – the earlier of:
 - i. Within 12 weeks of starting date; or
 - ii. Prior to their first formal activity in their season, or any unsupervised contact with an Athlete
- b) Category 2 – Prior to their first formal activity in their season, or prior to any unsupervised contact with an Athlete
- c) Category 3 – the earlier of:
 - i. Within 12 weeks of starting date; or
 - ii. Prior to their first formal activity and/or event

Resources

16. Pentathlon Canada and its Member Associations will regularly provide information to Participants about resources and training related to athlete protection. Resources and training opportunities can include:

- a) [NCCP modules](#)
- b) [Respect in Sport](#)
- c) [Commit to Kids](#)
- d) [Red Cross – Respect Education Courses](#)

Athlete Engagement

17. Pentathlon Canada and its Member Associations will engage with athletes to determine the level of success of their athlete protection measures as well as to identify any gaps or athlete 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

Dispute Resolution

18. Pentathlon Canada and its Member Associations will have a comprehensive suite of dispute resolution policies that will include:

- a) *Discipline and Complaints Policy*
- b) *Appeal Policy*
- c) *Dispute Resolution Policy*
- d) *Investigations Policy*
- e) *Event Discipline Procedure*
- f) *Whistleblower Policy*

19. Taken together, the suite of dispute resolution policies will include the following features:

- a) An independent individual to whom complaints can be submitted
- b) Sanctions for violations of conduct standards

- c) Mechanism for suspension of individuals pending the conclusion of the process
- d) Non-biased and experienced case managers, decision-makers and/or investigators
- e) Protection from reprisal for submitting complaints
- f) Anonymity for the complainant in cases of whistleblowers (when possible)
- g) Independency of appeal procedures (when appeals are permitted)
- h) Opportunity for alternate dispute resolution
- i) Investigations of certain complaints (e.g., when required by law and/or when the complaint involves harassment, abuse, or discrimination)
- j) In-event discipline procedures (when an event does not have its own disciplinary procedures)

Alignment

20. Pentathlon Canada and its Member Associations recognize the importance of safe sport for athletes and participants across the country. Pentathlon Canada and its Member Associations will adopt a *Reciprocity Policy* that will require:

- a) Member Associations to report discipline decisions to Pentathlon Canada
- b) The distribution of discipline decisions to all Member Associations
- c) Pentathlon Canada and Member Associations to recognize and enforce sanctions imposed by Pentathlon Canada or a Member Association
- d) Recognition and enforcement of sanctions imposed by Pentathlon Canada or a Member Association

Obligations – Reporting and Third-Party Case Management

21. The policies of Pentathlon Canada and its Member Associations will include requirements that certain complaints must be reported to government entities, local police forces, and/or child protection agencies.

22. The policies of Pentathlon Canada and its Member Associations will include requirements that certain complaints (e.g., those related to harassment, discrimination, and abuse) must be handled by an independent third party that has no conflict of interest or bias.

Records

23. Pentathlon Canada and its Member Associations will retain records of decisions that have been made pursuant to the organization's policies. These records may be shared with other individuals or organizations, including but not limited to, national sport organizations, provincial/territorial sport organizations, multi-sport organizations, and government entities.

Governance and Operations

24. Pentathlon Canada and its Member Associations will have a comprehensive plan in which athlete protection and safe sport are top priorities for the organization.

25. Pentathlon Canada and its Member Associations will adopt a *Risk Management Policy* that will describe how the organization will address risks ranging from 'Unlikely' to 'Almost Certain' and from 'Minor' to 'Catastrophic'. Pentathlon Canada and its Member Associations will contemplate risk management strategies that retain, reduce, transfer, and/or avoid the risk. Risks can occur in the following areas:

- a) Operational/Program
- b) Compliance
- c) Communication
- d) External
- e) Governance
- f) Financial
- g) Health and Safety

- 26. Pentathlon Canada and its Member Associations will pursue a governance structure and organizational culture that reflects the diversity of the athletes and stakeholders within the sport, that adheres to all applicable federal and/or provincial/territorial legislation, and that moves toward a national alignment strategy for the sport in Canada.

- 27. Pentathlon Canada and its Member Associations will continually monitor and evaluate its policies, practices, and procedures.

Policy History	
Approved	January 2021
Next Review Date	January 2023

**PENTATHLON CANADA
ATHLETE PROTECTION POLICY**

This Policy has been prepared by Pentathlon Canada and is a Pan-Canadian Policy applicable to Pentathlon Canada and its Member Associations. This document cannot be modified by a Member Association without consultation and approval from Pentathlon Canada.

Purpose

1. This *Athlete Protection Policy* describe 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. For interactions between Persons and Authority and Athletes, Pentathlon Canada and its Member Associations strongly recommend the ‘Rule of Two’ for all Persons in Authority who interact with athletes. The ‘Rule of Two’ is a directive that says that an athlete must never be alone one-on-one with an unrelated Person in Authority.
3. Pentathlon Canada recognizes that fully implementing the ‘Rule of Two’ may not always be possible. Consequently, at a minimum, interactions between Persons in Authority and Athletes must respect the following:
 - a) The training environment should be open and transparent so that all interactions between Persons in Authority and Athletes are observable
 - b) Private or one-on-one situations must be avoided unless they are open and observable by another adult or Athlete
 - c) Persons in Authority shall not invite or have an unrelated Vulnerable Participant (or Vulnerable Participants) in their home without the written permission and contemporaneous knowledge of the Vulnerable Participant's parent or guardian
 - d) Vulnerable Participants must not be in any situation where they are alone with an unrelated Person in Authority without another screened adult or Athlete present unless prior written permission is obtained from the Vulnerable Participant’s parent or guardian

Practices and Competitions

4. For practices and competitions, Pentathlon Canada and its Member Associations recommend:
 - a) A Person in Authority should never be alone with a Vulnerable Participant prior to or following a competition or practice unless the Person in Authority is the Vulnerable Participant’s parent or guardian
 - b) If the Vulnerable Participant is the first Athlete to arrive, the Athlete’s parent should remain until another Athlete or Person in Authority arrives
 - c) If a Vulnerable Participant would 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 or guardian of another Athlete) to stay until all of the Athletes have been picked up. If an adult is unavailable, another Athlete, who is preferably not a Vulnerable Participant, should be present in order to avoid the Person in Authority being alone with a Vulnerable Participant
 - d) Persons in Authority giving instructions, demonstrating skills, or facilitating drills or lessons to an individual Athlete should always do so within earshot and eyesight of another Person in Authority
 - e) Persons in Authority and Athletes should take steps to achieve transparency and accountability in their interactions. For example, a Person in Authority and an Athlete who know they will be away

from other Participants for a lengthy period of time must inform another Person in Authority where they are going and when they are expected to return. Persons in Authority should always be reachable by phone or text message

Communications

5. For communication between Persons in Authority and Athletes, Pentathlon Canada and its Member Associations recommend:
 - a) Group messages, group emails or team pages are to be used as the regular method of communication between Persons in Authority and Athletes
 - b) Persons in Authority may only send texts, direct messages on social media or emails to individual Athletes when necessary and only for communicating information related to team issues and activities (e.g., non-personal information). Any such texts, messages or emails shall be professional in tone
 - c) Electronic communication between Persons in Authority and Athletes that is personal in nature should be avoided. If such communication occurs, it must be recorded and available for review by another Person in Authority and/or by the Athlete's parent/guardian (when the Athlete is a Vulnerable Participant)
 - d) Parents/guardians may request that their child not be contacted by a Person in Authority using any form of electronic communication and/or may request that certain information about their child not be distributed in any form of electronic communications
 - e) All communication between a Person in Authority and Athletes must be between the hours of 6:00am and midnight unless extenuating circumstances justify otherwise
 - f) Communications concerning drugs or alcohol use (unless regarding its prohibition) is not permitted
 - g) No sexually explicit language or imagery or sexually oriented conversation may be communicated in any medium
 - h) Persons in Authority are not permitted to ask Athletes to keep a secret for them

Travel

6. For travel involving Persons in Authority and Athletes, Pentathlon Canada and its Member Associations recommend:
 - a) Teams or groups of Athlete shall always have at least two Persons in Authority with them
 - b) For mixed gender teams or groups of Athletes, there should be one Person in Authority from each gender
 - c) Screened parents or other volunteers will be available in situations when two Persons in Authority cannot be present
 - d) No Person in Authority may drive a vehicle alone with an Athlete unless the Person in Authority is the Athlete's parent or guardian
 - e) A Person in Authority may not share a room or be alone in a hotel room with an Athlete unless the Person in Authority is the Athlete's parent/guardian or spouse
 - f) Room or bed checks during overnight stays must be done by two Persons in Authority
 - g) For overnight travel when Athletes must share a hotel room, roommates will be age-appropriate (e.g., within two years of age of one another) and of the same gender identity

Locker Rooms / Changing Areas

7. For locker rooms, changing areas and other closed meeting spaces, Pentathlon Canada and its Member Associations recommend:
 - a) Interactions (i.e., conversation) between Persons in Authority and Athletes should not occur in any room where there is a reasonable expectation of privacy such as a locker room, washroom or changing area. A second adult should be present for any necessary interaction between an adult

- and an Athlete in any such room
- b) 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, for reasons including but not limited to team communications and/or emergencies

Photography / Video

- 8. For all photography and video of an Athlete, Pentathlon Canada and its Member Associations recommend:
 - a) 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 Athlete
 - b) The use of recording devices of any kind in rooms where there is a reasonable expectation of privacy is strictly prohibited
 - c) Examples of photos that shall be edited or deleted include:
 - i. Images with misplaced apparel or where undergarments are showing
 - ii. Suggestive or provocative poses
 - iii. Embarrassing images
 - d) If any photographs or videos will be used on any form of public media, an Image Consent Form (**Appendix A**) must be completed before any images are taken and used

Physical Contact

- 9. 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. For physical contact, Pentathlon Canada and its Member Associations recommend:
 - a) Unless it is otherwise impossible because of serious injury or other justifiable circumstance, a Person in Authority must always clarify with an Athlete where and why any physical contact will occur prior to the contact occurring. The Person in Authority must make clear that he or she is requesting to touch the Athlete and not requiring physical contact
 - b) Infrequent, non-intentional physical contact during a training session is permitted
 - c) Hugs lasting longer than five seconds, cuddling, physical horseplay, and physical contact initiated by the Person in Authority is not permitted. It is recognized that some Athletes may initiate hugging or other physical contact with a Person in Authority for various reasons (e.g., such as celebrating or crying after a poor performance), but this physical contact should always be limited to circumstances where the Person in Authority believes it is in the best interest of the Athlete and when it occurs in an open and observable environment.

Enforcement

- 10. Any alleged violations of this *Athlete Protection Policy* shall be addressed pursuant to Pentathlon Canada’s *Discipline and Complaints Policy*.

Policy History	
Approved	January 2021
Next Review Date	January 2023

Appendix A – Image Consent Form

Name of Participant (print): _____

1. I hereby grant to [Insert Name of Member Association] and Pentathlon Canada (collectively the “Organizations”) on a worldwide basis, the permission to photograph and/or record the Participant’s image and/or voice on still or motion picture film and/or audio tape (collectively the “Images”), and to use the Images to promote the sport and/or Pentathlon Canadas through traditional media such as newsletters, websites, television, film, radio, print and/or display form, and through social media such as Instagram, Facebook, YouTube, and Twitter. I understand that I waive any claim to remuneration for use of audio/visual materials used for these purposes. This consent will remain in effect in perpetuity.
2. I hereby fully release, discharge, and agree to save harmless Pentathlon Canadas, for any and all claims, demands, actions, damages, losses or costs that might arise out of the collection, use or disclosure of the Images or taking, publication, distortion of the Images, negatives, and masters or any other likeness or representation of the Participant that may occur or be produced in the taking of said Images or in any subsequent processing thereof, including without limitation any claims for libel, passing off, misappropriate of personality or invasion of privacy.
3. **I UNDERSTAND AND AGREE**, that I have read and understood the terms and conditions of this document. On behalf of me, my heirs and assigns, I agree that I am signing this document voluntarily and to abide by such terms and conditions.

Signature of Participant: _____

OR, if the Participant is younger than the age of majority

Signature of Parent/Guardian: _____

Date: _____

PENTATHLON CANADA
CODE OF CONDUCT AND ETHICS

This Policy has been prepared by Pentathlon Canada and is a Pan-Canadian Policy applicable to Pentathlon Canada and its Member Associations. This document cannot be modified by a Member Association without consultation and approval from Pentathlon Canada.

*** Indicates a section that has been adapted from the UCCMS**

Purpose

1. The purpose of this Code is to ensure a safe and positive environment within the programs, activities, and events of Pentathlon Canada and its Member Associations by making Participants aware that there is an expectation, at all times, of appropriate behaviour consistent with the applicable organization's core values and policies. Pentathlon Canada and its Member Associations 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.

Application of this Code

2. This Code applies to any Participant's conduct during the business, activities, and events of Pentathlon Canada and its Member Associations including, but not limited to competitions, practices, evaluations, treatment or consultations (i.e., massage therapy), training camps, travel associated with organizational activities, the office environment, and any meetings.
3. This Code also applies to Participants' conduct outside of the business, activities, and events of Pentathlon Canada and its Member Associations when such conduct adversely affects the organization's relationships (and the work and sport environment) or is detrimental to the image and reputation of Pentathlon Canada or a Member Association. Such applicability will be determined by Pentathlon Canada or a Member Association, as applicable, at its sole discretion.
4. *This Code applies to Participants active in the sport or who have retired from the sport where any claim regarding a potential breach of this Code occurred when the Participant was active in the sport.
5. In addition, breaches of this Code may occur when the Participants involved interacted due to their mutual involvement in the sport or, if the breach occurred outside of the sport environment, if the breach has a serious and detrimental impact on the Participant(s).
6. Any Participant who violates this Code may be subject to sanctions pursuant to the *Discipline and Complaints Policy*. In addition to facing possible sanctions pursuant to the *Discipline and Complaints Policy*, a Participant who violates this Code during a competition may be removed from the competition or training area, and the Participant may be subject to further sanctions.

Persons in Authority and Maltreatment

7. *When they are a Person in Authority, Participants are responsible for knowing what constitutes Maltreatment. The categories of Maltreatment are not mutually exclusive, nor are the examples provided in each category an exhaustive list. Rather, what matters for the assessment of the Maltreatment is whether the conduct falls into one or more of the categories, not into which category it falls. Abuse, assault, Harassment, bullying, and hazing can be experienced in more than one category of Maltreatment.

8. *Maltreatment can be any of the prohibited behaviours and conduct, provided the Maltreatment occurs in any one or a combination of the following situations (The physical location(s) where the alleged Maltreatment occurred is not determinative):
 - a) Within a sport environment;
 - b) When the Participant alleged to have committed Maltreatment was engaging in sport activities;
 - c) When the Participants involved interacted due to their mutual involvement in sport; or
 - d) Outside of the sport environment where the Maltreatment has a serious and detrimental impact on another Participant

9. *It is a violation of the Code for sport administrators or other Persons in Authority to place Participants in situations that make them vulnerable to Maltreatment. This includes, but is not limited to, instructing an Athlete and coach to share a hotel room when traveling, hiring a coach who has a past history of Maltreatment, assigning guides and other support staff to a para-Athlete when the guide or support staff has a reputation for Maltreatment or assigning such a guide or support staff to a para-Athlete in the absence of consultation with the para-Athlete.

Responsibilities

10. Participants have a responsibility to:
 - a) Maintain and enhance the dignity and self-esteem of other Participants by:
 - i. Treating each other with the highest standards of respect and integrity;
 - ii. Focusing comments or criticism appropriately and avoiding public criticism of Athletes, coaches, officials, organizers, volunteers, employees, or other participants;
 - iii. Consistently demonstrating the spirit of sportsmanship, sport leadership, and ethical conduct;
 - iv. Acting, when appropriate, to correct or prevent practices that are unjustly discriminatory;
 - v. Consistently treating individuals fairly and reasonably; and
 - vi. Ensuring adherence to the rules of the sport and the spirit of those rules.
 - b) *Refrain from any behaviour that constitutes Harassment, Workplace Harassment, Sexual Harassment, Workplace Violence, Discrimination, or any form of Maltreatment
 - c) 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. More specifically, Pentathlon Canada and its Member Associations adopt and adhere to the Canadian Anti-Doping Program. Pentathlon Canada and its Member Associations will respect any sanction imposed on a Participant as a result of a breach of the Canadian Anti-Doping Program or any other applicable Anti-Doping Rules
 - d) 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
 - e) Refrain from the use of power or authority in an attempt to coerce another person to engage in inappropriate activities
 - f) Refrain from consuming tobacco products, cannabis, or recreational drugs while participating in the programs, activities, competitions, or events of Pentathlon Canada or a Member Association;
 - g) In the case of minors, not consume alcohol, tobacco, or cannabis at any competition or event;
 - h) In the case of adults, not consume cannabis in the Workplace or in any situation associated with the events of Pentathlon Canada or a Member Association (subject to any requirements for accommodation), not consume alcohol during competitions and in situations where minors are present, and take reasonable steps to manage the responsible consumption of alcohol in adult-oriented social situations
 - i) When driving a vehicle:
 - i. Not have his or her license suspended;

- ii. Not be under the influence of alcohol or illegal drugs or substances;
- iii. Have valid car insurance; and
- iv. Refrain from holding a mobile device.
- j) Respect the property of others and not wilfully cause damage
- k) Promote sport in the most constructive and positive manner possible
- l) Refrain from engaging in deliberate cheating which is intended to manipulate the outcome of a para-classification, competition and/or not offer or receive any bribe which is intended to manipulate the outcome of a competition
- m) Adhere to all federal, provincial/territorial, municipal and host country laws
- n) Comply, at all times, with the bylaws, policies, procedures, and rules and regulations of Pentathlon Canada and its Member Associations, as applicable and as adopted and amended from time to time
- o) Report any ongoing criminal or anti-doping investigation, conviction, or existing bail conditions involving a Participant to Pentathlon Canada or to a Member Association, including, but not limited to, those for violence, child pornography, or possession, use, or sale of any illegal or prohibited substance or method

Directors, Committee Members, and Staff

11. In addition to section 10 (above), Directors, Committee Members, and staff of Pentathlon Canada and its Member Associations will have additional responsibilities to:
- a) Function primarily as a Director or Committee Member or staff member of Pentathlon Canada or a Member Association (as applicable) and not as a member of any other organization or constituency
 - b) Ensure their loyalty prioritizes the interests of Pentathlon Canada or the Member Association (as applicable)
 - c) Ensure that financial affairs are conducted in a responsible and transparent manner with due regard for all fiduciary responsibilities
 - d) Comply with the *Screening Policy*
 - 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
 - g) Behave with decorum appropriate to both circumstance and position
 - h) Exercise the degree of care, diligence, and skill required in the performance of their duties pursuant to applicable laws
 - i) Respect the confidentiality appropriate to issues of a sensitive nature
 - j) Respect the decisions of the majority and resign if unable to do so
 - k) Commit the time to attend meetings and be diligent in preparation for, and participation in, discussions at such meetings
 - l) Have a thorough knowledge and understanding of all governance documents

Coaches and Instructors

12. In addition to section 10 (above), coaches and instructors have many additional responsibilities. The coach-Athlete relationship is a privileged one and plays a critical role in the personal, sport, and athletic development of the Athlete. Coaches must understand and respect the inherent power imbalance that exists in this relationship and must be extremely careful not to abuse it, either consciously or unconsciously. Coaches and instructors will:
- a) *Avoid any behaviour that abuses the power imbalance inherent in the coaching position to (i) establish or maintain a sexual relationship with an athlete that he or she is coaching, or (ii) encourage inappropriate physical or emotional intimacy with an athlete, regardless of the athlete's age
 - 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 while refraining from using training methods or techniques that may harm Athletes
- 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 coaching staff 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 the *Screening Policy*
- j) Report any ongoing criminal or anti-doping investigation, conviction, or existing bail conditions to Pentathlon Canada or a Member Association (as applicable), including those for violence, child pornography, or possession, use, or sale of any illegal or prohibited substance or method
- k) 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
- l) Respect Athletes competing for other jurisdictions and, in dealings with them, not encroach upon topics or actions which are deemed to be within the realm of 'coaching', unless after first receiving approval from the coaches who are responsible for the Athletes
- m) Not engage in a sexual or intimate relationship with an Athlete of any age in which the coach is in a position of trust or authority
- n) Disclose any sexual or intimate relationship with an athlete over the age of majority to Pentathlon Canada or a Member Association (as applicable)
- o) Recognize the power inherent in the position of coach and respect and promote the rights of all participants 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 participants who are in a vulnerable or dependent position and less able to protect their own rights
- p) Dress professionally
- q) Use inoffensive language, taking into account the audience being addressed

Athletes

13. In addition to section 10 (above), Athletes will have additional responsibilities to:

- a) Adhere to 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 and equipment
- f) Dress to represent the sport and themselves with professionalism
- g) Act in accordance with applicable policies and procedures and, when applicable, additional rules as outlined by coaches or managers

Officials

14. In addition to section 10 (above), officials will have additional responsibilities to:
- a) Maintain and update their knowledge of the rules and rules changes
 - b) Not publicly criticize other officials
 - c) Work within the boundaries of their position's description while supporting the work of other officials
 - d) Act as an ambassador of the sport by agreeing to enforce and abide by national and provincial/territorial rules and regulations
 - e) Take ownership of actions and decisions made while officiating
 - f) Respect the rights, dignity, and worth of all Participants
 - g) Act openly, impartially, professionally, lawfully, and in good faith
 - h) Be fair, equitable, considerate, independent, honest, and impartial in all dealings with others
 - i) Respect the confidentiality required by issues of a sensitive nature, which may include discipline processes, appeals, and specific information or data about Participants
 - j) Comply with the *Screening Policy*
 - k) Honour all assignments unless unable to do so by virtue of illness or personal emergency, and in these cases inform a supervisor or Pentathlon Canada or the Member Association at the earliest possible time
 - l) When writing reports, set out the actual facts to the best of their knowledge and recollection
 - m) Dress in proper attire for officiating

Parents/Guardians and Spectators

15. In addition to section 10 (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 a participant 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 remove verbal and physical abuse, coercion, intimidation, and sarcasm
 - f) Respect and show appreciation to all competitors, and to coaches, officials and other volunteers
 - g) Never harass competitors, coaches, officials, parents/guardians, or other spectators

Member Associations

16. Member Associations will:
- a) Adhere to all of Pentathlon Canada's governing documents and, where necessary, amend their own rules to comply or align with those of Pentathlon Canada
 - b) Pay all required dues and fees by the prescribed deadlines;
 - c) Recognize that their websites, blogs and social media accounts may be seen as extensions of Pentathlon Canada and must reflect Pentathlon Canada's mission, vision and values
 - d) Ensure that all Athletes and coaches participating in sanctioned competitions and events of Pentathlon Canada are registered and in good standing
 - e) Have well-defined hiring practices and standards in place including interviews, reference checks, and screening procedures to ensure Athletes have a healthy and safe sport environment
 - f) Ensure that any possible or actual misconduct is investigated promptly and thoroughly
 - g) Impose appropriate disciplinary or corrective measures when misconduct has been substantiated, regardless of the position or authority of the offender
 - h) Advise Pentathlon Canada immediately of any situation where a complainant has publicized a complaint in the media
 - i) Provide Pentathlon Canada with a copy of all decisions rendered pursuant to the organization's policies for complaints and appeals

Policy History	
Approved	January 2021
Next Review Date	January 2023

PENTATHLON CANADA
DISCIPLINE AND COMPLAINTS POLICY

This Policy has been prepared by Pentathlon Canada and is a Pan-Canadian Policy applicable to Pentathlon Canada and its Member Associations. This document cannot be modified by a Member Association without consultation and approval from Pentathlon Canada.

*** Indicates a section that has been adapted from the UCCMS**

Purpose

1. Participants are expected to fulfill certain responsibilities and obligations including, but not limited to, complying with the policies, By-laws, rules and regulations of Pentathlon Canada and its Member Associations, as applicable. Non-compliance may result in the imposition of sanctions pursuant to this Policy.

Principles

2. *The following principles guide the findings and determinations under this Policy:
 - a) Any form of Maltreatment violates the integrity of Participants and undermines the values of Canadian sport.
 - b) Sanctions imposed will reflect the seriousness of the Maltreatment and the harm to those affected and the values of Canadian sport.
 - c) This Policy and its procedures will be:
 - i. Harmonized (applied to all Participants across Canada)
 - ii. Fair (procedural and substantive due process for all Participants)
 - iii. Comprehensive (all forms of Maltreatment addressed and potential sanctions described)
 - iv. Expert-informed (the determination of Maltreatment and impositions of sanctions will be informed by those with expertise in such areas as sport, child abuse, and the law)
 - v. Trauma-informed (acknowledgement of the physical, psychological and emotional effects of trauma, and avoidance of re-traumatization)
 - vi. Evidence-driven (evidence of Maltreatment required, where Evidence or “proof” of maltreatment may include the words/report of a complainant if found credible by the relevant authorities. Depending upon the nature of the Maltreatment, physical evidence, corroboration or third-party verification may not be needed)
 - vii. Independent administration (free from all conflicts of interest)

Application of this Policy

3. This Policy applies to all Participants.
4. This Policy applies to matters that may arise during the business, activities, and events of Pentathlon Canada and its Member Associations (as applicable) including, but not limited to, competitions, practices and training, treatment or consultations (e.g., massage therapy), camps and clinics, travel associated with the activities of Pentathlon Canada or a Member Association, and any meetings.
5. This Policy also applies to Participants’ conduct outside of the business, activities, and events of Pentathlon Canada and its Member Associations (as applicable) when such conduct adversely affects Pentathlon Canada’s and/or a Member Association’s relationships (and the work and sport environment) or is detrimental to the image and reputation of Pentathlon Canada or a Member Association, or upon the acceptance of Pentathlon

Canada or a Member Association. Accordingly, applicability of this Policy will be determined by Pentathlon Canada or a Member Association upon its sole discretion.

6. *This Policy applies to alleged breaches of the *Code of Conduct and Ethics* by Participants who have retired from the sport where any claim regarding a potential breach of the *Code of Conduct and Ethics* occurred when the Participant was active in the sport. In addition, this Policy will apply to breaches of the *Code of Conduct and Ethics* that occurred when the Participants involved interacted due to their mutual involvement in the sport or, if the breach occurred outside of the sport environment, if the breach has a serious and detrimental impact on the Participant(s).
7. Applicability of this Policy will be determined by Pentathlon Canada or a Member Association at its sole discretion and shall not be subject to appeal.
8. In the event that it is considered appropriate or necessary on the basis of the circumstances, immediate discipline or the imposition of a sanction may be applied, after which further discipline or sanctions may be applied according to this Policy. Any infractions or complaints occurring within competition will be dealt with by the procedures specific to the competition, if applicable. In such situations, disciplinary sanctions may be for the duration of the competition, training, activity, or event only.
9. In addition to being subject to disciplinary action pursuant to this *Discipline and Complaints Policy*, an employee of Pentathlon Canada or a Member Association who is a Respondent to a complaint may also be subject to consequences in accordance with the employee's Employment Agreement or policies for human resources, if applicable.

Minors

10. Complaints may be brought for or against a Participant who is a Minor. Minors must have a parent/guardian or other adult serve as their representative during this process.
11. Communication from the Case Manager, Discipline Chair or Discipline Panel (as applicable) must be directed to the Minor's representative.
12. A Minor is not required to attend an oral hearing, if held.

Reporting a Complaint

13. Any person may report a complaint to Pentathlon Canada, to a Member Association, or to Pentathlon Canada's Case Manager (who is Pentathlon Canada's Safe Sport Officer, or designate): <https://www.pentathloncanada.ca/safe-sport/>
14. At its discretion, Pentathlon Canada or a Member Association (as applicable) may act as the Complainant and initiate the complaint process under the terms of this Policy. In such cases, Pentathlon Canada or a Member Association (as applicable) will identify an individual to represent the organization.
15. Complaints or incident reports should be made in writing and the person making the complaint may contact the applicable Case Manager for direction. The Case Manager may accept any report, in writing or not, at their sole discretion.

Case Manager Responsibilities

16. Upon receipt of a complaint, the Case Manager has a responsibility to:

- a) Determine the appropriate jurisdiction to manage the complaint and consider the following:
 - a. Whether the complaint should be handled by the appropriate Member Association or by Pentathlon Canada. In making this decision, the Case Manager will consider:
 - i. whether the incident has occurred within the business, activities or events of the Member Association or Pentathlon Canada. If the incident has occurred outside of the business, activities or events of any of these organizations, the Case Manager will determine which organization's relationships are adversely affected or which organization's image or reputation will be detrimentally affected by the incident; and
 - ii. if the Member Association is otherwise unable to manage the complaint for valid and justifiable reasons, such as a conflict of interest or due to a lack of capacity
 - b. If the Case Manager determines that the complaint or incident should be handled by the appropriate Member Association, that Member Association shall appoint its own Case Manager to fulfil the responsibilities listed below. In such instance, any reference to Case Manager below shall be understood as a reference to the Member Association's Case Manager
- b) Determine whether the complaint is frivolous and/or within the jurisdiction of this Policy and, if so, the complaint will be dismissed immediately and the Case Manager's decision to dismiss the complaint may not be appealed;
- c) Propose the use of alternative dispute resolution techniques;
- d) Determine if the alleged incident should be investigated pursuant to **Appendix A – Investigation Procedure**; and/or
- e) Choose which process (Process #1 or Process #2) should be followed, and may use the following examples as a general guideline:

Process #1 - the Complaint alleges the following incidents:

- a) Disrespectful, abusive, racist, or sexist comments or behaviour
- b) Disrespectful conduct
- c) Minor incidents of violence (e.g., tripping, pushing, elbowing)
- d) Conduct contrary to the values of Pentathlon Canada or a Member Association
- e) Non-compliance with the organization's policies, procedures, rules, or regulations
- f) Minor violations of the *Code of Conduct and Ethics*

Process #2 - the Complaint alleges the following incidents:

- a) Repeated minor incidents
- b) Any incident of hazing
- c) Behaviour that constitutes harassment, sexual harassment, or sexual misconduct
- d) Major incidents of violence (e.g., fighting, attacking, sucker punching)
- e) Pranks, jokes, or other activities that endanger the safety of others
- f) Conduct that intentionally interferes with a competition or with any athlete's preparation for a competition
- g) Conduct that intentionally damages the organization's image, credibility, or reputation
- h) Consistent disregard for the bylaws, policies, rules, and regulations
- i) Major or repeated violations of the *Code of Conduct and Ethics*
- j) Intentionally damaging the organization's property or improperly handling the organization's monies
- k) Abusive use of alcohol, any use or possession of alcohol by minors, or use or possession of illicit drugs and narcotics
- l) A conviction for any *Criminal Code* offense

- m) Any possession or use of banned performance enhancing drugs or methods

PROCESS #1: Handled by Discipline Chair

Discipline Chair

17. Following the determination that the complaint or incident should be handled under Process #1, the Case Manager will appoint a Discipline Chair who may:
 - a) Recommend mediation;
 - b) Make a decision;
 - c) Ask the Complainant and the Respondent for either written or oral submissions regarding the complaint or incident; or
 - d) Convene the parties to a meeting, either in person or by way of video or teleconference in order to ask the parties questions.
18. Thereafter, the Discipline Chair shall determine if a breach occurred, if so, if one or more of the following sanctions should be applied (see: **Sanctions**).
19. The Discipline Chair will inform the Parties of the decision, which will take effect immediately.
20. Records of all sanctions will be maintained by Pentathlon Canada and the Member Association. Member Associations will disclose all decisions to Pentathlon Canada, which may disclose such decisions at its discretion.

Request for Reconsideration

21. If there is no sanction, the Complainant may contest the non-sanction by informing the Discipline Chair, within five (5) days of receiving the decision, that the Complainant is not satisfied with the decision. The initial complaint or incident will then be handled under Process #2 of this Policy.
22. If there is a sanction, the sanction may not be appealed until the completion of a Request for Reconsideration. However, the Respondent may contest the sanction by submitting a Request for Reconsideration within five (5) days of receiving the sanction. In the Request for Reconsideration, the Respondent must indicate:
 - a) Why the sanction is inappropriate;
 - b) Summary of evidence that the Respondent will provide to support the Respondent's position; and
 - c) What penalty or sanction (if any) would be appropriate.
23. Upon receiving a request for reconsideration, the Discipline Chair may decide to accept or reject the Respondent's suggestion for an appropriate sanction.
24. Should the Discipline Chair accept the Respondent's suggestion for an appropriate sanction, that sanction will take effect immediately.
25. Should the Discipline Chair not accept the Respondent's suggestion for an appropriate sanction, the initial complaint or incident will be handled under Process #2 of this Policy.

PROCESS #2: Handled by Case Manager

Case Manager

26. Following the determination that the complaint or incident should be handled under Process #2, the Case Manager has a responsibility to:
 - a) Propose the use of alternate dispute resolution techniques

- b) Appoint the Discipline Panel, if necessary
- c) Coordinate all administrative aspects and set timelines
- d) Provide administrative assistance and logistical support to the Discipline Panel as required
- e) Provide any other service or support that may be necessary to ensure a fair and timely proceeding

27. The Case Manager will establish and adhere to timelines that ensure procedural fairness and that the matter is heard in a timely fashion.

28. The Case Manager may propose using alternate dispute resolution with the objective of resolving the dispute. If applicable, and if the dispute is not resolved, or if the parties refuse to attempt alternate dispute resolution (such as mediation or a negotiated settlement) the Case Manager will appoint a Discipline Panel, which shall consist of a single Arbitrator, to hear the complaint. At the discretion of the Case Manager, a Discipline Panel of three people may be appointed to hear the complaint. In this event, the Case Manager will appoint one of the Discipline Panel's members to serve as the Chair.

29. The Case Manager, in cooperation with the 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. The hearing will be governed by the procedures that the Case Manager and the Discipline Panel deem appropriate in the circumstances, provided that:

- a) The Parties will be given appropriate notice of the day, time, and place of the hearing, in the case of an oral in-person hearing or an oral hearing by telephone or other communication medium
- b) Copies of any written documents which the parties wish to have the Discipline Panel consider will be provided to all Parties, through the Case Manager, in advance of the hearing
- c) The Parties may engage a representative, advisor, or legal counsel at their own expense
- d) The Discipline Panel may request that any other individual participate and give evidence at the hearing
- e) The Discipline Panel may allow as evidence at the hearing any oral evidence and document or thing relevant to the subject matter of the complaint, but may exclude such evidence that is unduly repetitious, and shall place such weight on the evidence as it deems appropriate
- f) The decision will be by a majority vote of the Discipline Panel

30. If the Respondent acknowledges the facts of the incident, the Respondent may waive the hearing, in which case the Discipline Panel will determine the appropriate sanction. The Discipline Panel may still hold a hearing for the purpose of determining an appropriate sanction.

31. The hearing will proceed in any event, even if a Party chooses not to participate in the hearing.

32. In fulfilling its duties, the Discipline Panel may obtain independent advice.

Decision

33. After hearing the matter, the Discipline Panel will determine whether an infraction has occurred and, if so, the sanctions to be imposed. Within fourteen (14) days of the hearing's conclusion, the Discipline Panel's written decision, with reasons, will be distributed to all parties, the Case Manager, to Pentathlon Canada and the Member Association. In extraordinary circumstances, the 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. The decision will be considered a matter of public record unless decided otherwise by the Discipline Panel.

Sanctions

34. *Prior to determining sanctions, the Discipline Chair or Discipline Panel, as applicable, will consider factors relevant to determining appropriate sanctions which include:
- 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 inappropriate behaviour or Maltreatment;
 - c) The 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 Maltreatment, and/or cooperation in the process of the Organization and/or the Member;
 - f) Real or perceived impact of the incident on the Complainant, sport organization or the sporting community;
 - g) Circumstances specific to the Respondent being sanctioned (e.g. lack of appropriate knowledge or training regarding the requirements in the *Code of Conduct and Ethics*; addiction; disability; illness);
 - h) Whether, given the facts and circumstances that have been established, continued participation in the 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 and aggravating circumstances.
35. *Any sanction imposed must be proportionate and reasonable. However, progressive discipline is not required and a single incident of Maltreatment or other prohibited behaviour may justify elevated or combined sanctions.
36. *The Discipline Chair or 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 a Participant has violated the *Code of Conduct and Ethics* and that more severe sanctions will result should the Participant be involved in other violations
 - b) **Education** - The requirement that a Participant undertake specified educational or similar remedial measures to address the violation(s) of the *Code of Conduct and Ethics*
 - c) **Probation** - Should any further violations of the *Code of Conduct and Ethics* occur during the probationary period, will result in additional disciplinary measures, likely including 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 of time
 - d) **Suspension** - Suspension, either for a set time or until further notice, from participation, in any capacity, in any program, practice, activity, event, or competition sponsored by, organized by, or under the auspices of the Organization or a Member. A suspended Participant is eligible to return to participation, but reinstatement may be subject to certain restrictions or contingent upon the Participant 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** - Permanent ineligibility to participate, in any sport, in any capacity, in any program, activity, event, or competition sponsored by, organized by, or under the auspices of the Organization, a Member, and/or any sport organization subject to the UCCMS
 - 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

37. *The Discipline Chair or 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 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 or dispositions in violation of the criminal law, the presumptive sanction shall be a period of suspension
38. A Participant's conviction for a *Criminal Code* offense, as determined by Pentathlon Canada or the Member Association (as applicable), will be deemed an infraction under this Policy and will result in expulsion from Pentathlon Canada or the Member Association (as applicable). *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
 - d) Any offence of assault
- Any offence involving trafficking of illegal drugs
39. Unless the Discipline Panel decides otherwise, any disciplinary sanctions will begin immediately, notwithstanding an appeal. Failure to comply with a sanction as determined by the Discipline Panel will result in an automatic suspension until such time as compliance occurs.
40. Records of all decisions will be maintained by Pentathlon Canada and the Member Association (as applicable). Member Associations will submit all records to Pentathlon Canada.

Appeals

41. The decision of the Discipline Panel may be appealed in accordance with the *Appeal Policy*.

Suspension Pending a Hearing

42. Pentathlon Canada or the Member Association (as applicable) may determine that an alleged incident is of such seriousness as to warrant suspension of a Participant pending completion of an investigation, criminal process, the hearing, or a decision of the Discipline Panel.

Confidentiality

43. The discipline and complaints process is confidential and involves only Pentathlon Canada, the applicable Member Association(s), the parties, the Case Manager, the Discipline Chair, the Discipline Panel, and any independent advisors to the Discipline Panel. Once initiated and until a decision is released, none of the parties will disclose confidential information relating to the discipline or complaint to any person not involved in the proceedings.
44. Any failure to respect the aforementioned confidentiality requirement may result in further sanctions or discipline by the Discipline Chair or Discipline Panel (as applicable).

Timelines

45. 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 Case Manager may direct that these timelines be revised.

Records and Distribution of Decisions

46. Other individuals or organizations, including but not limited to, national sport organizations, Provincial/Territorial sport organizations, sport clubs, etc., may be advised of any decisions rendered in accordance with this Policy.

47. *Pentathlon Canada, and Member Associations, recognize that a publicly-available searchable database or registry of Respondents who have been sanctioned, or whose eligibility to participate in sport has in some way been restricted, may be maintained and may be subject to provisions in the UCCMS.

Policy History	
Approved	January 2021
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**PENTATHLON CANADA
INVESTIGATIONS POLICY**

This Policy has been prepared by Pentathlon Canada and is a Pan-Canadian Policy applicable to Pentathlon Canada and its Member Associations. This document cannot be modified by a Member Association without consultation and approval from Pentathlon Canada.

* Indicates a section that has been adapted from the UCCMS

Determination and Disclosure

1. When a complaint is submitted pursuant to the *Discipline and Complaints Policy*, the Case Manager will determine if the incident should be investigated.
2. Pentathlon Canada and its Member Associations will adhere to all disclosure and reporting responsibilities required by any government entity, local police service, or child protection agency.

Investigation

3. The Case Manager will appoint an investigator. The Investigator must be an independent third-party skilled in investigating. The Investigator must not be in a conflict of interest situation and should have no connection to either party.
4. Federal and/or Provincial/Territorial 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, the organization's policies for human resources, and/or consult independent experts to determine whether legislation applies to the complaint.
5. 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

6. Upon completion of their investigation, the Investigator shall prepare a report that should include a summary of evidence from the parties (including both statements of facts, if applicable) and recommendations from the Investigator of whether, on a balance of probabilities, an incident occurred that could be considered Discrimination, Harassment, Workplace Harassment, Workplace Violence, Sexual Harassment, or Maltreatment, or breach of a governing document, including, but not limited to the *Code of Conduct and Ethics*.

7. *The Investigator must be aware that sport-specific differences exist with respect to such aspects as acceptable levels of touch, physical contact, and aggression during training or competition and will consider such differences during the investigative process.
8. The Investigator’s Report will be provided to the Case Manager who will disclose it, at their discretion, to Pentathlon Canada and the relevant Member Associations (if applicable).
9. 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 and Pentathlon Canada or the Member Association to refer the matter to police.
10. The Investigator must also inform Pentathlon Canada or the Member Association (as applicable) of any findings of criminal activity. Pentathlon Canada or the Member Association (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 Pentathlon Canada or any Member Association(s) (as applicable), or other offences where the lack of reporting would bring Pentathlon Canada or the Member Association (as applicable) into disrepute.

Reprisal and Retaliation

11. *A Participant who submits a complaint to Pentathlon Canada or who gives evidence in an investigation may not be subject to reprisal or retaliation from any individual or group. Any such conduct may constitute Maltreatment and will be subject to disciplinary proceedings pursuant to the *Discipline and Complaints Policy*.

False Allegations

12. A Participant who submits allegations that the Investigator determines to be malicious, false or for the purpose of retribution, retaliation or vengeance (or that otherwise fall within the definition of Maltreatment) 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. Any Participant 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. Pentathlon Canada or any Member Association(s) (as applicable), or the Participant against whom the allegations were submitted, may act as the Complainant.

Confidentiality

13. The Investigator will make every effort to preserve the confidentiality of the complainant, respondent, and any other party. However, Pentathlon Canada and its Member Associations recognize that maintaining anonymity of any party may be difficult for the Investigator during the investigation.

Policy History	
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**PENTATHLON CANADA
DISPUTE RESOLUTION POLICY**

This Policy has been prepared by Pentathlon Canada and is a Pan-Canadian Policy applicable to Pentathlon Canada and its Member Associations. This document cannot be modified by a Member Association without consultation and approval from Pentathlon Canada.

Purpose

1. Pentathlon Canada and its Member Associations support the principles of Alternate Dispute Resolution (ADR) and are committed to the techniques of negotiation, facilitation, and mediation as effective ways to resolve disputes. ADR also avoids the uncertainty, costs, and other negative effects associated with lengthy appeals or complaints, or with litigation.
2. Pentathlon Canada and its Member Associations encourage all Participants to communicate openly, and to collaborate and use problem-solving and negotiation techniques to resolve their differences. Pentathlon Canada and its Member Associations believe that negotiated settlements are most often preferable to arbitrated outcomes. Negotiated resolutions to disputes with and among Participants are strongly encouraged.

Application of this Policy

3. This Policy applies to all Participants.
4. Opportunities for ADR 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.

Facilitation and Mediation

5. If all parties to a dispute agree to ADR, a mediator or facilitator, acceptable to all parties, shall be appointed to mediate or facilitate the dispute. Pentathlon Canada or the Member Association (as applicable) may optionally consult the SDRCC's services for dispute resolution: <http://www.crdsc-sdrcc.ca/eng/dispute-resolution-facilitation>
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 deadline before which the parties must reach a negotiated decision.
7. Should a negotiated settlement be reached, the settlement shall be reported to Pentathlon Canada or the Member Association (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 decision, pending approval.
8. Should a negotiated settlement not be reached by the deadline specified by the mediator or facilitator at the start of the process (if set), or if the parties to the dispute do not agree to ADR, the dispute shall be considered under the appropriate section of the *Discipline and Complaints Policy* or *Appeal Policy*, as applicable.

Final and Binding

9. Any negotiated settlement will be binding on the parties. Negotiated settlements may not be appealed.

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**PENTATHLON CANADA
APPEAL POLICY**

This Policy has been prepared by Pentathlon Canada and is a Pan-Canadian Policy applicable to Pentathlon Canada and its Member Associations. This document cannot be modified by a Member Association without consultation and approval from Pentathlon Canada.

Purpose

1. This *Appeal Policy* provides Participants with a fair and expedient appeal process.

Scope and Application of this Policy

2. This Policy applies to all Participants.
3. Any Participant who is directly affected by a decision made by Pentathlon Canada or a Member Association shall have the right to appeal that decision provided that there are sufficient grounds for the appeal under the **Grounds for Appeal** section of this Policy.
4. This Policy **will apply** to decisions relating to:
 - a) Eligibility
 - b) Selection
 - c) Conflict of Interest
 - d) Discipline
 - e) Membership
5. This Policy **will not apply** to decisions relating to:
 - a) Employment
 - b) Infractions for doping offenses
 - c) The rules of the sport
 - d) Selection criteria, quotas, policies, and procedures established by entities other than Pentathlon Canada or a Member Association (as applicable)
 - e) Substance, content and establishment of team selection or carding criteria
 - f) Volunteer/coach appointments and the withdrawal or termination of those appointments
 - g) Budgeting and budget implementation
 - h) The organization's operational structure and committee appointments
 - i) Decisions or discipline arising within the business, activities, or events organized by entities other than Pentathlon Canada or its Member Associations (appeals of these decisions shall be dealt with pursuant to the policies of those other entities unless requested and accepted by the organization at its sole discretion)
 - j) Commercial matters for which another appeals process exists under a contract or applicable law
 - k) Decisions made under this Policy

Timing of Appeal

6. Participants who wish to appeal a decision have seven (7) days from the date on which they received notice of the decision to submit the following:
 - a) Notice of the intention to appeal
 - b) Their contact information

- c) Name and contact information 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 decision if written document is not available
 - f) Grounds for the appeal
 - g) Detailed reasons for the appeal
 - h) All evidence that supports these grounds
 - i) Requested remedy or remedies
 - j) An administration fee of two hundred dollars (\$200), which will be refunded if the appeal is upheld
7. A Participant who wishes to initiate an appeal beyond the seven (7) day period must provide a written request stating the reasons for an exemption. The decision to allow, or not allow, an appeal outside of the seven (7) day period will be at the sole discretion of the Appeal Manager and may not be appealed.

Submitting an Appeal

- 8. Appeals of decisions made by a Member Association can be submitted to the Member Association to be heard pursuant to this Policy. Alternately, Pentathlon Canada may hear appeals of Member Association decisions at its discretion.
- 9. Appeals of decisions made by Pentathlon Canada can be submitted to Pentathlon Canada to be heard pursuant to this Policy.

Discipline Chair Decision – Member Associations

- 10. A decision made by a Member Association’s Discipline Chair following a request for reconsideration by one of the parties pursuant to the *Discipline and Complaints Policy* may be appealed to Pentathlon Canada in accordance with the terms of this *Appeal Policy*.
- 11. Pentathlon Canada shall appoint an Appeal Manager and shall follow the process outlined in this *Appeal Policy*.

Discipline Panel Decision – Member Associations

- 12. A decision made by a Member Association’s Discipline Panel pursuant to the *Discipline and Complaints Policy* may be appealed to Pentathlon Canada in accordance with the terms of this *Appeal Policy*.
- 13. Pentathlon Canada shall appoint an Appeal Manager and shall follow the process outlined in this *Appeal Policy*.

Discipline Chair or Discipline Panel Decision – Pentathlon Canada

- 14. A decision made by Pentathlon Canada’s Discipline Chair following a request for reconsideration by one of the parties pursuant to the *Discipline and Complaints Policy*, and a decision made by Pentathlon Canada’s Discipline Panel, may be appealed to Pentathlon Canada in accordance with the terms of this *Appeal Policy*.
- 15. Alternatively, by agreement between the parties, the internal appeal process may be bypassed, and the appeal may be heard directly before the Sport Dispute Resolution Centre of Canada (SDRCC).
- 16. Except where an appeal proceeds before the SDRCC, Pentathlon Canada shall appoint an Appeal Manager and shall follow the process outlined in this *Appeal Policy*.

Grounds for Appeal

17. A decision cannot be appealed on its merits alone. An appeal may only be heard if there are sufficient grounds for appeal. Sufficient grounds include the Respondent:
 - a) Made a decision that it did not have the authority or jurisdiction (as set out in the Respondent's governing documents) to make
 - b) Failed to follow its own procedures (as set out in the Respondent's governing documents)
 - c) Made a decision that was influenced by bias (where bias is defined as a lack of neutrality to such an extent that the decision-maker appears not to have considered other views)
 - d) Made a decision that was patently unreasonable

Screening of Appeal

18. The parties may first attempt to resolve the appeal through the *Dispute Resolution Policy*.
19. Appeals resolved under the *Dispute Resolution Policy* will result in the administration fee being refunded to the Appellant.
20. Should the appeal not be resolved by using the *Dispute Resolution Policy*, Pentathlon Canada or the Provincial/Territorial Organization will appoint an independent Appeal Manager (who must not be in a conflict of interest or have any direct relationship with the parties) who has the following responsibilities:
 - a) To determine if the appeal falls under the scope of this Policy
 - b) To determine if the appeal was submitted in a timely manner
 - c) To decide whether there are sufficient grounds for the appeal
21. If the Appeal Manager denies the appeal on the basis of insufficient grounds, because it was not submitted in a timely manner, or because it did not fall under the scope of this Policy, the Appellant will be notified, in writing, of the reasons for this decision. This decision may not be appealed.
22. If the Appeal Manager is satisfied there are sufficient grounds for an appeal, the Appeal Manager will appoint an Appeal Panel which shall consist of a single Arbitrator, to hear the appeal. In extraordinary circumstances, and at the discretion of the Appeal Manager, an Appeal Panel composed of three persons may be appointed to hear the appeal. In this event, the Appeal Manager will appoint one of the Panel's members to serve as the Chair.

Determination of Affected Parties

16. In order to confirm the identification of any Affected Parties, the Appeal Manager will engage Pentathlon Canada or the Member Association (as applicable). The Appeal Manager may determine whether a party is an Affected Party in their sole discretion.

Procedure for Appeal Hearing

23. The Appeal Manager shall notify the Parties that the appeal will be heard. The Appeal Manager 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.
24. If a party chooses not to participate in the hearing, the hearing will proceed in any event.
25. 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, or a combination of these methods. The hearing will be governed by the procedures that the Appeal Manager and the Panel deem appropriate in the circumstances, provided that:
 - a) The hearing will be held within a timeline determined by the Appeal Manager

- 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 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 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 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 an Affected Party to the appeal in question and will be bound by its outcome
- h) The decision to uphold or reject the appeal will be by a majority vote of Panel members

26. In fulfilling its duties, the Panel may obtain independent advice.

Appeal Decision

- 27. The Appellant must demonstrate, on a balance of probabilities, that the Respondent has made a procedural error as described in the **Grounds for Appeal** section of this Policy and that this error had, or may reasonably have had, a material effect on the decision or decision-maker.
- 28. The Panel shall issue its decision, in writing and with reasons, within seven (7) days after the hearing's conclusion. In making its decision, the Panel will have no greater authority than that of the original decision-maker. The Panel may decide to:
 - a) Reject the appeal and confirm the decision being appealed;
 - b) Uphold the appeal and refer the matter back to the initial decision-maker for a new decision; or
 - c) Uphold the appeal and vary the decision.
- 29. The Panel will also determine whether costs of the appeal, excluding legal fees and legal disbursements of any parties, will be assessed against any party. In assessing costs, the Panel will take into account the outcome of the appeal, the conduct of the parties, and the parties' respective financial resources.
- 30. The Panel's written decision, with reasons, will be distributed to all parties, the Appeal Manager, and Pentathlon Canada or the Member Association (as applicable). In extraordinary circumstances, the Panel may first issue a verbal or summary decision soon after the hearing's conclusion, with the full written decision to be issued thereafter. The decision will be considered a matter of public record unless decided otherwise by the Panel.

Timelines

- 31. 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

- 32. The appeals 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.

Final and Binding

33. No action or legal proceeding will be commenced against Pentathlon Canada, Member Associations, or Participants in respect of a dispute, unless Pentathlon Canada or the Member Association (as applicable) has refused or failed to provide or abide by the dispute resolution process and/or appeal process as set out in governing documents.

Policy History	
Approved	January 2021
Next Review Date	January 2023

**PENTATHLON CANADA
EVENT DISCIPLINE POLICY**

This Policy has been prepared by Pentathlon Canada and is a Pan-Canadian Policy applicable to Pentathlon Canada and its Member Associations. This document cannot be modified by a Member Association without consultation and approval from Pentathlon Canada.

** This *Event Discipline Policy* does not supersede or replace the *Discipline and Complaints Policy* **

Purpose

1. Pentathlon Canada and its Member Associations are committed to providing a competition environment in which all Participants are treated with respect. This Procedure outlines how alleged misconduct during an Event will be handled.

Scope and Application of this Policy

2. This Procedure will be applied to all Events sanctioned by Pentathlon Canada and its Member Associations.
3. If the Event is being sanctioned by an organization other than Pentathlon Canada or a Member Association (e.g., an international federation), the procedures for event discipline of the host organization will replace this procedure. Incidents involving Participants connected with Pentathlon Canada and Member Associations (such as Athletes, coaches, and Directors and Officers) must still be reported to Pentathlon Canada or the Member Association (as applicable) to be addressed under the *Discipline and Complaints Policy*, if necessary.
4. This Procedure does not replace or supersede the *Discipline and Complaints Policy*. Instead, this Procedure works in concert with the *Discipline and Complaints Policy* by outlining, for a designated person with authority at an event sanctioned by Pentathlon Canada or a Member Association, the procedure for taking immediate, informal, or corrective action in the event of a possible violation of the *Code of Conduct and Ethics*.

Misconduct During Events

5. Incidents that violate or potentially violate the *Code of Conduct and Ethics*, which can occur during a competition, away from the area of competition, or between parties connected to the Event, shall be reported to a designated person (usually the chief official) responsible at the Event.
6. The designated person at the Event shall use the following procedure to address the incident that violated or potentially violated the *Code of Conduct and Ethics*:
 - a) Notify the involved parties that there has been an incident that violated or potentially violated the *Code of Conduct and Ethics*
 - b) Convene a jury of either one person or three people (one of whom shall be designated the Chairperson), who shall not be in a conflict of interest or involved in the original incident, to determine whether the *Code of Conduct and Ethics* has been violated. The designated person at the Event may serve on the jury
 - c) The jury will interview and secure statements from any witnesses to the alleged violation
 - d) If the violation occurred during a competition, interviews will be held with the officials who officiated or observed the competition and with the coaches and captains of each team when necessary and appropriate
 - e) The jury will secure a statement from the person(s) accused of the violation
 - f) The jury will render a decision and determine a possible penalty

- g) The Chairperson of the jury will inform all parties of the jury’s decision
7. The penalty determined by the jury may include any of the following, singularly or in combination:
 - a) Oral or written warning
 - b) Oral or written reprimand
 - c) Suspension from future competitions at the Event
 - d) Ejection from the Event
 - e) Other appropriate penalty as determined by the jury
 8. The jury does not have the authority to determine a penalty that exceeds the duration of the Event. A full written report of the incident and the jury’s decision shall be submitted to Pentathlon Canada or the Member Association (as applicable) following the conclusion of the Event. Further discipline may then be applied in accordance with the *Discipline and Complaints Policy*, if necessary.
 9. Decisions made pursuant to this Policy may not be appealed.
 10. This Policy does not prohibit other Participants from reporting the same incident to Pentathlon Canada or a Member Association to be addressed as a formal complaint under the *Discipline and Complaints Policy*.
 11. Pentathlon Canada and its Member Associations shall record and maintain records of all reported incidents.

Timeliness

12. The procedures outlined in this Procedure are Event-specific and therefore shall be exercised and implemented as soon as it is reasonable to do so. The final decision of the jury must be reached and communicated to the Parties prior to the conclusion of the event in order for it to be effective.
13. Decisions issued by the jury after the conclusion of the event will not be enforceable.

Policy History	
Approved	January 2021
Next Review Date	January 2023

**PENTATHLON CANADA
SOCIAL MEDIA POLICY**

This Policy has been prepared by Pentathlon Canada and is a Pan-Canadian Policy applicable to Pentathlon Canada and its Member Associations. This document cannot be modified by a Member Association without consultation and approval from Pentathlon Canada.

Preamble

1. Pentathlon Canada and its Member Associations are aware that Participant interaction and communication occurs frequently on social media. Pentathlon Canada and its Member Associations caution Participants that any conduct falling short of the standard of behaviour required by this *Social Media Policy* and the *Code of Conduct and Ethics* may be subject to the disciplinary sanctions identified within the *Discipline and Complaints Policy*.

Application of this Policy

2. This Policy applies to all Participants.

Conduct and Behaviour

3. Per the *Discipline and Complaints Policy* and *Code of Conduct and Ethics*, the following Social Media conduct may be considered minor or major infractions at the discretion of the Discipline Chair or Independent Case Manager:
 - a) Posting a disrespectful, hateful, harmful, disparaging, insulting, or otherwise negative comment on a social medium that is directed at a Participant, at Pentathlon Canada, at a Member Association, or at other individuals connected with Pentathlon Canada
 - b) Posting a picture, altered picture, or video on a social medium that is harmful, disrespectful, insulting, embarrassing, suggestive, provocative, or otherwise offensive, and that is directed at a Participant, at Pentathlon Canada, at a Member Association, or at other individuals connected with Pentathlon Canada or a Member Association
 - c) Creating or contributing to 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 Pentathlon Canada or a Member Association, or their stakeholders or reputation
 - d) Any instance of cyber-bullying or cyber-harassment between one Participant and another Participant (including a teammate, coach, opponent, volunteer, or official), 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 behaviour, pranks or jokes, threats, posing as another person, spreading rumours or lies, or other harmful behaviour.
4. All conduct and behaviour occurring on Social Media may be subject to the *Discipline and Complaints Policy* at the discretion of the Discipline Chair or Independent Case Manager.

Participants Responsibilities

5. Participants should be aware that their social media activity may be viewed by anyone; including Pentathlon Canada or the Member Association.
6. If Pentathlon Canada or a Member Association unofficially engages with a Participant in Social Media (such as by retweeting a tweet or sharing a photo on Facebook) the Participant may, at any time, ask Pentathlon Canada or the Member Association to cease this engagement.

7. When using Social Media, a Participant must model appropriate behaviour befitting the Participant's role and status in connection with Pentathlon Canada or the Member Association.
8. Removing content from Social Media after it has been posted (either publicly or privately) does not excuse the Participant from being subject to the *Discipline and Complaints Policy*.
9. An individual who believes that a Participant's Social Media activity is inappropriate or may violate policies and procedures should report the matter to Pentathlon Canada or a Member Association in the manner outlined by the *Discipline and Complaints Policy*.

Organization and Member Association Responsibilities

10. Pentathlon Canada and its Member Associations have a responsibility to understand if and how coaches and athletes are using Social Media to communicate with each other. Coaches and athletes may need to be reminded that behaviour in Social Media is still subject to the *Code of Conduct and Ethics* and *Social Media Policy*.
11. Complaints and concerns about an athlete's or a coach's conduct or behaviour in Social Media can be addressed under the *Discipline and Complaints Policy*.

Guidelines

12. The Guidelines in this section provide coaches and athletes with tips and suggestions for Social Media use. Coaches and athletes (and Participants who are a Person in Authority) are strongly encouraged to develop their own strategy for Social Media use (either written down or not) and ensure that their strategy for Social Media use is acceptable pursuant to the *Code of Conduct and Ethics*.
13. Given the nature of Social Media as a continually developing communication sphere, Pentathlon Canada and its Member Associations trust its coaches and athletes to use their best judgment when interacting with Social Media. These Guidelines are not hard and fast rules or behavioural laws; but rather recommendations that will inform coaches' and athletes' best judgment.

Social Media Guidelines for Coaches

14. Coaches should consider the following guidelines to inform their own strategy for Social Media use. Some of these guidelines may also be useful for other Persons in Authority.
 - a) With minor athletes, ensure that parents/guardians are aware that some interactions may take place on Social Media and the context for those interactions, and give parents/guardians the option to prohibit or restrict communication in this space
 - b) Attempt to make communication with athletes in Social Media as one-sided as possible. Be available for athletes if they initiate contact – athletes may wish to have this easy and quick access to you – but avoid imposing yourself into an athlete's personal Social Media space unless explicitly requested to do so
 - c) Ensure all Social Media communication is professional, unambiguous, and on-topic. Avoid emojis and unspecific language that can be interpreted in multiple ways
 - d) Choosing not to engage with Social Media is an acceptable strategy. Be prepared to inform athletes (and/or parents/guardians) why you will not engage in this space and explain which media you will use to communicate with them
 - e) Athletes will search for your Social Media accounts. Be prepared for how you will respond when an athlete attempts to interact with you on Social Media
 - f) Annually review and update the privacy settings on all your Social Media accounts

- g) Consider monitoring or being generally aware of athletes' public Social Media behaviour to ensure compliance with *Code of Conduct and Ethics* and this Policy
- h) Coaches should not demand access to an athlete's private posts on Twitter, Instagram, or Facebook
- i) Do not initiate "friend" requests with athletes on Facebook. Never pressure athletes to "friend" you
- j) If you accept a "friend" request from one athlete, you should accept these requests from all athletes. Be careful not to show favouritism on Social Media
- k) Consider managing your Social Media so that athletes do not have the option to follow you on Twitter or "friend" you on Facebook
- l) Seek permission from athletes before identifying them on publicly available Social Media like a blog, Instagram, or YouTube
- m) Avoid adding athletes to Snapchat and do not send snapchats to athletes
- n) Do not post pictures or videos of minor athletes on your private Social Media accounts
- o) Do not use Social Media to 'trap' athletes if they say one thing to you in person but their Social Media activity reveals they were doing something different
- p) Be aware that you may acquire information about an athlete that imposes an obligation of disclosure on your part (such as seeing pictures of underage athletes drinking during a trip)
- q) If selection decisions and other official team business are announced on Social Media, ensure they are also posted on a less-social medium like a website or distributed via email
- r) Never require athletes to join Facebook, join a Facebook group, subscribe to a Twitter feed, or join a Facebook page about your team or organization
- s) If you create a page on Facebook or Instagram for your team or athlete, do not make this Social Media site the exclusive location for important information. Duplicate important information in less-social channels (like on a website or via email)
- t) Exercise appropriate discretion when using Social Media for your own personal communications (with friends, colleagues, and other athletes) with the knowledge that your behaviour may be used as a model by athletes
- u) Avoid association with Facebook groups, Instagram accounts, or Twitter feeds with explicit sexual conduct or viewpoints that might offend or compromise your relationship with an athlete
- v) Never misrepresent yourself by using a fake name or fake profile

Social Media Guidelines for Athletes

15. The following tips should be used by athletes to inform their own strategy for Social Media use:
- a) Set your privacy settings to restrict who can search for you and what private information other people can see.
 - b) Coaches, teammates, officials, or opposing competitors may all add you to Facebook or follow you on Instagram or Twitter. You are not required to follow anyone or be Facebook friends with anyone.
 - c) Avoid adding coaches to Snapchat and do not send snapchats to coaches.
 - d) If you feel harassed by someone in a social medium, report it to your coach or another individual associated with your organization.
 - e) You do not have to join a fan page on Facebook or follow a Twitter feed or Instagram account.
 - f) Content posted on a social medium, relative to your privacy settings, is considered public. In most cases, you do not have a reasonable expectation of privacy for any material that you post.
 - g) Content posted to a social medium is almost always permanent – consider that other individuals may take screencaps of your content (even snapchats) before you can delete them.
 - h) Avoid posting pictures of, or alluding to, participation in illegal activity such as: speeding, physical assault, harassment, drinking alcohol (if underage), and smoking marijuana.
 - i) Model appropriate behaviour in Social Media befitting your status as a) an elite athlete, and b) a member of your Member Association and its governing organizations. As a representative of your

organization, you have agreed to the *Code of Conduct and Ethics* and must follow that Code when you post material and interact with other people through Social Media.

- j) Be aware that your public Facebook page, Instagram account, or Twitter feed may be monitored by your organization, coach, or by another organization and content or behaviour demonstrated in Social Media may be subject to sanction under the *Discipline and Complaints Policy*.

Policy History	
Approved	January 2021
Next Review Date	January 2023

**PENTATHLON CANADA
SCREENING POLICY**

This Policy has been prepared by Pentathlon Canada and is a Pan-Canadian Policy applicable to Pentathlon Canada and its Member Associations. This document cannot be modified by a Member Association without consultation and approval from Pentathlon Canada.

Preamble

1. Pentathlon Canada and its Member Associations understand that screening personnel and volunteers is a vital part of providing a safe sporting environment and has become a common practice among sport organizations that provide programs and services to the sport community.

Application of this Policy

2. This Policy applies to all individuals whose position with Pentathlon Canada or a Member Association is one of trust or authority which may relate to, at a minimum, finances, supervision, or Vulnerable Participants.
3. Not all individuals associated with Pentathlon Canada or a Member Association will be required to obtain a criminal record check or submit screening documents because not all positions pose a risk of harm to Pentathlon Canada, Member Associations, or participants. Pentathlon Canada or the Member Association will determine which individuals will be subject to screening using the following guidelines (Pentathlon Canada or the Member Association may vary the guidelines at their discretion):

Level 1 – Low Risk - Participants 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 Participants. Examples:

- a) Parents, youth, or volunteers who are helping out on a non-regular or informal basis

Level 2 – Medium Risk – Participants 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 Participants. Examples:

- a) Athlete support personnel
- b) Non-coach employees or managers
- c) Directors
- d) Coaches who are typically under the supervision of another coach
- e) Officials

Level 3 – High Risk – Participants involved in high risk assignments who occupy positions of trust and/or authority, have a supervisory role, direct others, are involved with finances, and who have frequent or unsupervised access to Vulnerable Participants. Examples:

- a) Full time coaches
- b) Coaches who travel with Athletes
- c) Coaches who could be alone with Athletes

Screening Committee

4. The implementation of this policy is the responsibility of the Screening Committee which is a committee composed of either one (1) or three (3) members. Pentathlon Canada and its Member Associations will ensure that the members appointed to their respective Screening Committees possess the requisite skills, knowledge and abilities to accurately screening documents and render decisions under this Policy.

5. The Screening Committee is responsible for reviewing all documents submitted and, based on the review, making decisions regarding the appropriateness of individuals filling positions within Pentathlon Canada or the Member Association, as applicable. In carrying out its duties, the Screening Committee may consult with independent experts including lawyers, police, risk management consultants, volunteer screening specialists, or any other person
6. Nothing in this Policy restricts or limits the Screening Committee from requesting that the individual attend an interview with the Screening Committee if the Screening Committee considers that an interview is appropriate and necessary to screen the individual's application.
7. Nothing in this Policy restricts or limits the Screening Committee from requesting the individual's authorization to contact any professional, sporting or other organization in order to assess the individual's suitability for the position that they are seeking.
8. Nothing in this Policy restricts or limits the Screening Committee from requesting further information from the individual on more than one occasion, subject to the individual's right to insist that the Screening Committee make a decision on the basis of the information before it.
9. The Screening Committee may, where appropriate, draw an adverse inference from an individual's failure to provide information or answer queries.
10. When assessing an individual's screening application, the Screening Committee shall determine whether there is reason to believe that the individual may pose a risk to Pentathlon Canada, to a Member, or to another individual.
11. An individual having been previously penalized for a prior offence shall not prevent the Screening Committee from considering that offence as part of the individual's screening application.
12. If the Screening Committee determines on the basis of the individual's screening application, in addition to any further material received by it, that the individual does not pose a risk to Pentathlon Canada, a Member Association, or Participants, the Screening Committee shall approve the individual's application, subject to the Screening Committee's right to impose conditions.
13. In the case of a decision denying an application or approving an application with conditions, a copy of the decision shall be provided to the applicant and to Pentathlon Canada's Board of Directors, which may disseminate the decision as they see fit in order to best fulfil the mandate of Pentathlon Canada.
14. A Participant whose screening application has been denied or revoked may not re-apply to participate in Pentathlon Canada's programs or activities for two (2) years from the date the rejected application was made.

Screening Requirements

15. A Screening Requirements Matrix is provided as **Appendix A**.
16. It is the policy of Pentathlon Canada and its Member Associations that when an individual is first engaged by the organization:
 - a) Level 1 individuals will:
 - i. Complete an Application Form (**Appendix B**)

- ii. Complete a Screening Disclosure Form (**Appendix C**)
 - iii. Participate in training, orientation, and monitoring as determined by the organization
- b) Level 2 individuals will:
- i. Complete an Application Form
 - ii. Complete a Screening Disclosure Form
 - iii. Complete and provide an E-PIC
 - iv. Provide one letter of reference related to the position
 - v. Participate in training, orientation, and monitoring as determined by the organization
 - vi. Provide a driver's abstract, if requested
- c) Level 3 individuals will:
- i. Complete an Application Form
 - ii. Complete a Screening Disclosure Form
 - iii. Complete and provide an E-PIC and a VSC
 - iv. Provide one letter of reference related to the position
 - v. Participate in training, orientation, and monitoring as determined by the organization
 - vi. Provide a driver's abstract, if requested
- d) If an individual subsequently receives a charge, conviction for, or is found guilty of, an offense they will report this circumstance immediately to Pentathlon Canada or the Member Association, as applicable. Additionally, the individual will inform the organization of any changes in their circumstance that would alter their original responses in their Screening Disclosure Form.
- e) If Pentathlon Canada or the Member Association 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*.

Young People

17. Pentathlon Canada and its Member Associations define a young person as someone who is younger than 18 years old. When screening young people, Pentathlon Canada and its Member Associations will:
- a) Not require the young person to obtain a VSC or E-PIC; and
 - b) In lieu of obtaining a VSC or E-PIC, require the young person to submit up to two (2) additional letters of reference.
18. Notwithstanding the above, Pentathlon Canada or a Member Association may ask a young person to obtain a VSC or E-PIC if the organization suspects the young person 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 young person's *youth record*. Pentathlon Canada and its Member Associations understand that they may not request to see a young person's youth record.

Renewal

19. Unless the Screening Committee determines, on a case-by-case basis, to modify the submission requirements, individuals who are required to submit an E-PIC, Screening Disclosure Form, VSC, or Screening Renewal Form, are required to submit the documents as follows:
- a) An E-PIC every three years
 - b) A Screening Disclosure Form every three years
 - c) A Screening Renewal Form (**Appendix D**) every year

d) A Vulnerable Sector Check once

20. At any time, including after either the submission of an individual's application or its approval (with or without conditions), the Screening Committee may re-open an individual's file for additional screening if it is advised of new information that, in the discretion of Pentathlon Canada or a Member Association, could affect the assessment of the individual's suitability for participation in Pentathlon Canada's or a Member Association's programs or activities.

Orientation, Training, and Monitoring

21. The type and amount of orientation, training, and monitoring will be based on the individual's level of risk, at the discretion of Pentathlon Canada or the Member Association, as applicable.
22. 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 initial period of engagement.
23. Training may include, but is not limited to: certification courses, online learning, mentoring, workshop sessions, webinars, on-site demonstrations, and peer feedback.
24. At the conclusion of orientation and training, the individual will be required to acknowledge, in written form, that they have received and completed the orientation and training.
25. Monitoring may include but is not limited to: written or oral reports, observations, tracking, electronic surveillance (e.g., facility security cameras), and site visits.

How to Obtain an E-PIC or VSC

26. An E-PIC may be obtained online via <http://www.backcheck.net/e-pic.htm>
27. Pentathlon Canada and Pentathlon Ontario understand that the *Police Record Checks Reform Act, 2015* requires individuals in Ontario to consent in writing before requesting a criminal record check (such as an E-PIC). The Act also requires the individual to consent in writing for any disclosure of the results to the requesting organization.
28. Pentathlon Canada and Pentathlon BC understand that the process for obtaining a Criminal Record Check in BC is different than in other provinces and territories and that sections of this policy relating to obtaining a Criminal Record Check may not apply. In such cases, the Screening Committee will provide Participants with directions pursuant to the following website: <https://www.viasport.ca/free-criminal-records-checks>
29. Participants may only obtain a VSC by visiting an RCMP office or police station, submitting two pieces of government-issued identification (one of which must have a photo), and completing any required paperwork. Fees may also be required.
30. Fingerprinting may be required if there is a positive match with the individual's gender and birth date.
31. Pentathlon Canada and its Member Associations understand that they may be required to assist an individual with obtaining a VSC. A Request for VSC (**Appendix E**) may need to be submitted or other documentation may need to be completed that describes the nature of the organization and the individual's role with Vulnerable Participants.

Procedure

32. Screening documents must be submitted to the Screening Committee.
33. An individual who refuses or fails to provide the necessary screening documents will be ineligible to volunteer or apply for the position sought. The individual will be informed that their application and/or position will not proceed until such time as the screening documents are submitted.
34. Pentathlon Canada and its Member Associations understand that there may be delays in receiving the results of an E-PIC or a VSC. At the discretion of Pentathlon Canada or a Member Association (as applicable), an individual may be permitted to participate in the role during the delay. This permission may be withdrawn at any time and for any reason.
35. Pentathlon Canada and its Member Associations recognize that different information will be available depending on the type of screening document that the individual has submitted. For example, an E-PIC may show details of a specific offense, or not, and/or a VSC may be returned with specific information or simply a notification indicating 'cleared' or 'not cleared'. The Screening Committee will use its expertise and discretion when making decisions based on the screening documents that have been submitted.
36. Following the review of the screening documents, the Screening Committee will decide:
 - a) The individual has passed screening and may participate in the desired position;
 - b) The individual has passed screening and may participate in the desired position with conditions;
 - c) The individual has not passed screening and may not participate in the desired position; or
 - d) More information is required from the individual.
37. In making its decision, the Screening Committee will consider the type of offense, date of offense, and relevance of the offense to the position sought.
38. The Screening Committee must decide that an individual has not passed screening if the screening documentation reveals any of the following:
 - a) If imposed in the last ten years:
 - i. Any offense involving the use of a motor vehicle, including but not limited to impaired driving
 - ii. Any offense involving conduct against public morals
 - iii. Any offense involving theft or fraud
 - b) If imposed at any time:
 - i. Any offense involving a Minor or Minors
 - ii. Any offense of assault, physical or psychological violence
 - iii. Any offense involving trafficking or possession of illegal drugs
 - iv. Any offense involving the possession, distribution, or sale of any child-related pornography
 - v. Any sexual offense

Conditions and Monitoring

39. Excluding the incidents above which, if revealed, would cause the individual to not pass screening, the Screening Committee 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 Committee shall have the sole and unfettered discretion to apply and remove conditions, determine the length of time for the imposition of conditions, and determine the means by which adherence to conditions may be monitored.

Records

40. All records will be maintained in a confidential manner and will not be disclosed to others except as required by law, for use in legal, quasi-legal, or disciplinary proceedings.
41. The records kept as part of the screening process include but are not limited to:
- a) An individual's Vulnerable Sector Check
 - b) An individual's E-PIC (for a period of three years)
 - c) An individual's Screening Disclosure Form (for a period of three years)
 - d) An individual's Screening Renewal Form (for a period of one year)
 - e) Records of any conditions attached to an individual's registration by the Screening Committee
 - f) Records of any discipline applied to any individual by Pentathlon Canada, by a Member Association, or by another sport organization

Policy History	
Approved	January 2021
Next Review Date	January 2023

Appendix A – Screening Requirements Matrix

Risk Level	Roles (Note Young People Exception Below)	Training Recommended/Required	Screening
Level 1 Low Risk	a) Parents, youth or volunteers acting in non-regular or informal basis	Recommended: <ul style="list-style-type: none"> • Respect in Sport for Activity Leaders 	<ul style="list-style-type: none"> • Complete an Application Form (Appendix B) • Complete a Screening Disclosure Form (Appendix C) • Participate in training, orientation, and monitoring as determined by the organization
Level 2 Medium Risk	a) Athlete support personnel b) Non-coach employees or managers c) Directors d) Coaches who are typically under supervision of another coach. e) Officials	Recommended based on role: <ul style="list-style-type: none"> • Respect in Sport for Activity Leaders • Commit to Kids Required: <ul style="list-style-type: none"> • Respect in Sport Activity Leaders (National Officials) • MED Certified (Coaches) 	<ul style="list-style-type: none"> • Level 1 Requirements • Complete and provide an E-PIC • Provide one letter of reference related to the position • Provide a driver's abstract, if requested
Level 3 High Risk	a) Full Time Coaches b) Coaches who travel with Athletes c) Coaches who could be alone with Athletes	Recommended based on role: <ul style="list-style-type: none"> • Respect in Sport for Activity Leaders • Commit to Kids Required: <ul style="list-style-type: none"> • MED Certified (Coaches) 	<ul style="list-style-type: none"> • Level 2 Requirements • Provide a VSC with E-PIC • A second letter of reference from a sport organization

Young People

Pentathlon Canada and its Member Associations define a young person as someone who is younger than 18 years old. When screening young people, Pentathlon Canada and its Member Associations will:

- a) Not require the young person to obtain a VSC or E-PIC; and
- b) In lieu of obtaining a VSC or E-PIC, require the young person to submit up to two (2) additional letters of reference.

Appendix B – Application Form

Note: Participants who are applying to volunteer or work within certain positions with Pentathlon Canada or a Member Association must complete this Application Form. Participants need to complete an Application Form once for the position sought. If the individual is applying for a new position within Pentathlon Canada or within a Member Association, a new Application Form must be submitted.

NAME: _____
First Middle Last

CURRENT PERMANENT ADDRESS:

Street City Province Postal

DATE OF BIRTH: _____ **GENDER IDENTITY:** _____
Month/Day/Year

EMAIL: _____ **PHONE:** _____

POSITION SOUGHT: _____

By signing this document below, I agree to adhere to the policies and procedures of Pentathlon Canada and/or the Member Association(as applicable), including but not limited to the *Code of Conduct and Ethics, Conflict of Interest Policy, Privacy Policy, and Screening Policy*. Policies are located at the following link:
<https://www.pentathloncanada.ca/about/governance/>

I recognize that I must pass certain screening requirements depending on the position sought, as outlined in the *Screening Policy*, and that the Screening Committee will determine my eligibility to volunteer or work in the position.

NAME (print): _____ **DATE:** _____

SIGNATURE: _____

Appendix C – Screening Disclosure Form

NAME: _____
First Middle Last

OTHER NAMES YOU HAVE USED: _____

CURRENT PERMANENT ADDRESS:

Street City Province Postal

DATE OF BIRTH: _____ **GENDER IDENTITY:** _____
Month/Day/Year

CLUB (if applicable): _____ **EMAIL:** _____

Note: Failure to disclose truthful information below may be considered an intentional omission and the loss of volunteer responsibilities or other privileges

1. Have you been convicted of a crime? If so, please complete the following information for each conviction. Attach additional pages as necessary.

Name or Type of Offense: _____

Name and Jurisdiction of Court/Tribunal: _____

Year Convicted: _____

Penalty or Punishment Imposed: _____

Further Explanation: _____

2. Have you ever been disciplined or sanctioned by a sport governing body or by an independent body (e.g., private tribunal, government agency, etc.) or dismissed from a coaching or volunteer position? If so, please complete the following information for each disciplinary action or sanction. Attach additional pages as necessary.

Name of disciplining or sanctioning body: _____

Date of discipline, sanction or dismissal: _____

Reasons for discipline, sanction or dismissal: _____

Penalty or Punishment Imposed: _____

Further Explanation: _____

3. Are criminal charges or any other sanctions, including those from a sport body, private tribunal or

government agency, currently pending or threatened against you? If so, please complete the following information for each pending charge or sanction. Attach additional pages as necessary.

Name or Type of Offense: _____

Name and Jurisdiction of Court/Tribunal: _____

Name of disciplining or sanctioning body: _____

Further Explanation: _____

PRIVACY STATEMENT

By completing and submitting this Screening Disclosure Form, I consent and authorize Pentathlon Canada and/or the Member Association to collect, use and disclose my personal information, including all information provided on the Screening Disclosure Form as well as my Enhanced Police Information Check and/or Vulnerable Sector Check (when permitted by law) for the purposes of screening, implementation of the *Screening Policy*, administering membership services, and communicating with National Sport Organizations, Provincial/Territorial Sport Organizations, Clubs, and other organizations involved in the governance of sport. Pentathlon Canada and its Member Associations do not distribute personal information for commercial purposes.

CERTIFICATION

I hereby certify that the information contained in this Screening Disclosure Form is accurate, correct, truthful and complete.

I further certify that I will immediately inform Pentathlon Canada or the Member Association (as applicable) of any changes in circumstances that would alter my original responses to this Screening Disclosure Form. Failure to do so may result in the withdrawal of volunteer responsibilities or other privileges and/or disciplinary action.

NAME (print): _____

DATE: _____

SIGNATURE: _____

Appendix D – Screening Renewal Form

NAME: _____
First Middle Last

CURRENT PERMANENT ADDRESS:

Street City Province Postal

DATE OF BIRTH: _____ **GENDER IDENTITY:** _____
Month/Day/Year

EMAIL: _____ **PHONE:** _____

By signing this document below, I certify that there have been no changes to my criminal record since I last submitted an Enhanced Police Information Check and/or Vulnerable Sector Check and/or Screening Disclosure Form and/or Driver's Abstract ("Personal Document") to Pentathlon Canada or to a Member Association. I further certify that there are no outstanding charges and warrants, judicial orders, peace bonds, probation or prohibition orders, or applicable non-conviction information, and there have been no absolute and conditional discharges.

I agree that any Personal Document that I would obtain or submit on the date indicated below would be no different than the last Personal Document that I submitted to Pentathlon Canada or to a Member Association. I understand that if there have been any changes, or if I suspect that there have been any changes, it is my responsibility to obtain and submit a new Personal Document to the Screening Committee instead of this form.

I recognize that if there have been changes to the results available from any Personal Document and if I submit this form improperly, then I am subject to disciplinary action and/or the removal of volunteer responsibilities or other privileges at the discretion of the Screening Committee.

NAME (print): _____ **DATE:** _____

SIGNATURE: _____

Appendix E – Request For Vulnerable Sector Check

Note: Pentathlon Canada and its Member Associations must modify this letter to adhere to any requirements from the VSC provider

INTRODUCTION

[insert Organization] is requesting a Vulnerable Sector Check for _____ [insert individual's full name] who identifies as a _____ [insert gender identity] and who was born on _____ [insert birthdate].

DESCRIPTION OF ORGANIZATION

[insert Organization] is a not-for-profit [national, provincial/territorial, local] organization for the sport of pentathlon located in [location].

[Insert additional description]

DESCRIPTION OF ROLE

_____ [insert individual's name] will be acting as a _____ [insert individual's role]. In this role, the individual will have access to vulnerable individuals.

[Insert additional information re: type and number of vulnerable individuals, frequency of access, etc.]

CONTACT INFORMATION

If more information is required from [insert Organization], please contact the Screening Committee Chair:

[Insert information for Screening Committee Chair]

Signed: _____ Date: _____

**PENTATHLON CANADA
ABUSE POLICY**

This Policy has been prepared by Pentathlon Canada and is a Pan-Canadian Policy applicable to Pentathlon Canada and its Member Associations. This document cannot be modified by a Member Association without consultation and approval from Pentathlon Canada.

Purpose

1. Pentathlon Canada and its Member Associations are committed to a sport environment free from abuse. The purpose of this Policy is to stress the importance of that commitment by educating Participants about abuse, outlining how Pentathlon Canada and its Member Associations will work to prevent abuse, and how abuse or suspected abuse can be reported to and addressed by Pentathlon Canada.

Zero Tolerance Statement

2. Pentathlon Canada and its Member Associations have zero tolerance for any type of abuse. Participants are required to report instances of abuse or suspected abuse to Pentathlon Canada to be immediately addressed under the terms of the applicable policy.

Education – What is Abuse

3. Vulnerable Participants can be abused in different forms.
4. 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]:

Child / Youth Abuse

5. "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:
 - a) **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.
 - b) **Sexual abuse** and exploitation involve 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.
 - c) **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.
 - d) **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.
6. 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.

7. Abuse of children or youth in sport can include emotional maltreatment, neglect, and physical maltreatment.
- a) **Emotional Maltreatment** – A Person in Authority’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. Intentionally 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 Person in Authority 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. Using conditioning as punishment
 - xii. Throwing sports equipment, water bottles or chairs at, or in the presence of, athletes
 - xiii. Body shaming – making disrespectful, hurtful or embarrassing comments about an athlete’s physique
- b) **Neglect** - acts of omission (i.e., the Person in Authority should act to protect the 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
 - ii. Withholding, recommending against, or denying adequate hydration, nutrition, medical attention or sleep
 - iii. Ignoring an injury
 - iv. Knowing about 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)
- d) **Grooming** - a slow gradual and escalating process of building comfort and trust with an athlete and/or their parent/guardian that is often very difficult to recognize. The process allows for inappropriate conduct to become normalized. It is often preceded by building confidence and comfort that an individual can be trusted with the care of the athlete. Examples of grooming include:
- i. Nudity or exposure of genitals in the presence of an athlete
 - ii. Sexually oriented conversation or discussions about personal sexual activities
 - iii. Excessive discussions about a Person in Authority's personal life (i.e., family, work, medical challenges)
 - iv. Spending time with an individual athlete and/or their family outside of team activities
 - v. Excessive gift-giving to an individual athlete
 - vi. Socially isolating an athlete
 - vii. Restricting an athlete's privacy
 - viii. Providing drugs, alcohol or tobacco to an athlete
 - ix. Becoming overly-involved in an athlete's personal life
 - x. Making sexual or discriminatory jokes or comments to an athlete
 - xi. Displaying material of a sexual nature in the presence of an athlete
 - xii. Mocking or threatening an athlete
 - xiii. Putting the Person in Authority's needs above needs of an athlete and/or going to an athlete to have the Person in Authority's needs met

8. 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.

9. Potential warning signs of abuse of children or youth can include[2][3]:

- a) Recurrent unexplained injuries
- b) Alert behaviour; child seems to always be expecting something bad to happen
- c) Often wears clothing that covers up their skin, even in warm weather
- d) Child startles easily, shies away from touch or shows other skittish behaviour
- e) Constantly seems fearful or anxious about doing something wrong
- f) Withdrawn from peers and adults
- g) Behavior fluctuates between extremes (e.g., extremely cooperative or extremely demanding)
- h) Acting either inappropriately beyond their age (like an adult; taking care of other children) or inappropriately younger than their age (like an infant; throwing tantrums)
- i) Acting out in an inappropriate sexual way with toys or objects
- j) New adult words for body parts and no obvious source
- k) Self-harm (e.g., cutting, burning or other harmful activities)
- l) Not wanting to be alone with a particular child or young person

10. 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.
11. 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].
12. 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
13. Potential warning signs of abuse of vulnerable adults can include:
 - a) Depression, fear, anxiety, passivity
 - b) Unexplained physical injuries
 - c) Dehydration, malnutrition, or lack of food
 - d) Poor hygiene, rashes, pressure sores

- e) Over-sedation

Preventing Abuse

14. Pentathlon Canada and its Member Associations will enact measures aimed at preventing abuse. These measures include screening, orientation, training, practice, and monitoring.

Screening

15. Participants who coach, volunteer, officiate, deliver developmental programs, accompany a team to an event or competition, are paid staff, or otherwise engage with Vulnerable Participants will be screened according to the *Screening Policy*.
16. Pentathlon Canada and its Member Associations will use the *Screening Policy* to determine the level of trust, authority, and access that each Participant has with Vulnerable Participants. 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 Participants that they must agree to adhere with the organization's policies and procedures (including this *Abuse Policy*))
 - b) Completing a Screening Declaration Form
 - c) Providing letters of reference
 - d) Providing a Criminal Record Check ("CRC") and/or Vulnerable Sector Check ("VSC")
 - e) Providing a driver's abstract (for Participants who transport Vulnerable Participants)
 - f) Other screening procedures, as required
17. A Participant's failure to participate in the screening process or pass the screening requirements, as determined by a Screening Committee, will result in the Participant's ineligibility for the position sought.

Orientation and Training

18. Pentathlon Canada and/or its Member Associations may deliver orientation and training to those individuals who have access to, or interact with, Vulnerable Participants. The orientation and training, and their frequency, will be based on the level of risk, as described in the *Screening Policy*.
19. 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.
20. Training may include, but is not limited to: certification courses, online learning, mentoring, workshop sessions, webinars, on-site demonstrations, and peer feedback.
21. At the conclusion of the orientation and training, Participants may be required to acknowledge, in written form, that they have received and completed the training.

Practice

22. When Persons in Authority interact with Vulnerable Participants, they are required to enact certain practical approaches to these interactions. These may 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 Participants are always supervised by more than one Person in Authority

- c) Ensuring that more than one person is involved with team selection (thereby limiting the consolidation of power onto one Participant)
- d) Ensuring that parents/guardians are aware that some non-personal communication between Persons in Authority and Vulnerable Participants (e.g., between coaches and minor 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 Participants (e.g., teenagers). Participants are aware that such communication is subject to the *Code of Conduct and Ethics* and *Social Media Policy*.
- e) When traveling with Vulnerable Participants, the Person in Authority will not transport Vulnerable Participants without another adult present and will not stay in the same overnight accommodation location without additional adult supervision.

Monitoring

- 23. Pentathlon Canada and/or its Member Associations will regularly monitor those Participants who have access to, or interact with, Vulnerable Participants. The monitoring will be based on the level of risk, as described in the *Screening Policy*.
- 24. 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

- 25. Reports of abuse that are shared confidentially with a Participant by a Vulnerable Participant may require the Participant to report the incident to parents/guardians, Pentathlon Canada, a Member Association, or police. Participants 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 Participant’s parent/guardian.
- 26. Complaints or reports that describe an element of **abuse** will be addressed by the process(es) described in the *Discipline and Complaints Policy* and the *Investigations Policy - Discrimination, Harassment and Maltreatment*.

 [1] Retrieved from: 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

Policy History	
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Next Review Date	January 2023

**PENTATHLON CANADA
WHISTLEBLOWER POLICY**

This Policy has been prepared by Pentathlon Canada and is a Pan-Canadian Policy applicable to Pentathlon Canada and its Member Associations. This document cannot be modified by a Member Association without consultation and approval from Pentathlon Canada.

Purpose

1. The purpose of this Policy is to allow Workers to have a discrete and safe procedure by which they can disclose incidents of wrongdoing in the workplace without fear of unfair treatment or reprisal.

Application

2. This Policy only applies to Workers who observe or experience incidents of wrongdoing committed by Directors or by other Workers.
3. Incidents of wrongdoing or misconduct observed or experienced by participants, volunteers, spectators, parents of participants, or other individuals not employed or contracted by Pentathlon Canada or a Member Association can be reported under the terms of the *Discipline and Complaints Policy* and/or reported to the applicable organization's Board of Directors or senior staff person to be handled under the terms of the individual Worker's Employment Agreement or Contractor Agreement, as applicable, and/or the applicable organization's policies for human resources.
4. Matters reported under the terms of this Policy may be referred to be heard under the *Discipline and Complaints Policy*, at the discretion of the Compliance Officer.

Wrongdoing

5. Wrongdoing can be defined as:
 - a) Violating the law;
 - b) Intentionally or seriously breaching of the *Code of Conduct and Ethics*;
 - c) Committing or ignoring risks to the life, health, or safety of a participant, volunteer, Worker, or other individual;
 - d) Directing an individual or Worker to commit a crime, serious breach of a policy, or other wrongful act; or
 - e) Fraud.

Pledge

6. Pentathlon Canada and its Member Associations pledge not to dismiss, penalize, discipline, or retaliate or discriminate against any Worker who discloses information or submits, in good faith, a report against a Worker or Director under the terms of this Policy.
7. Any individual affiliated with Pentathlon Canada who breaks this Pledge will be subject to disciplinary action.

Reporting Wrongdoing

8. A Worker who believes that a Director or another Worker has committed an incident of wrongdoing should prepare a report that includes the following:
 - a) Written description of the act or actions that comprise the alleged wrongdoing, including the date and time of the action(s);

- b) Identities and roles of other individuals or Workers (if any) who may be aware of, affected by, or complicit in, the wrongdoing;
- c) Why the act or action should be considered to be wrongdoing; and
- d) How the wrongdoing affects the Worker submitting the report (if applicable).

Authority

9. The following Compliance Officer has been appointed to receive reports made under this Policy:

W&W Dispute Resolution Inc
<https://www.pentathloncanada.ca/safe-sport/>

10. After receiving the report, the Compliance Officer has the responsibility to:

- a) Assure the Worker of the **Pledge**
- b) Connect the Worker to the Alternate Liaison if the individual feels that he or she cannot act in an unbiased or discrete manner due to the individual's role with the organization and/or the content of the report
- c) Determine if the report is frivolous, vexatious, or not submitted in good faith (e.g., the submission of the report is motivated by personal interests and/or the content of the report is obviously false or malicious)
- d) Determine if the *Whistleblower Policy* applies or if the matter should be handled under the *Discipline and Complaints Policy*
- e) Determine if the local police service be contacted
- f) Determine if mediation or alternate dispute resolution can be used to resolve the issue
- g) Determine if the applicable organization's Chairperson and/or senior staff person should or can be notified of the report
- h) Begin an investigation

Alternate Liaison

11. If the Worker feels that the Compliance Officer is unable to act in an unbiased or discrete manner due to the individual's role with the applicable organization and/or the content of the report, the Worker should contact the following individual who will act as an independent liaison between the Worker and the Compliance Officer:

Steven J. Indig, LLB
Sport Law & Strategy Group
SJI@sportlaw.ca

12. The Alternate Liaison will not disclose the Worker's identity to the Compliance Officer or to anyone affiliated with the applicable organization without the Worker's consent.

13. A Worker who is unsure if he or she should submit a report, or who does not want to have his or her identity known, may contact the Alternate Liaison for informal advice about the process.

Investigation

14. If the Compliance Officer determines that an investigation should be launched, the Compliance Officer may decide to contract an external investigator. In such cases, Pentathlon Canada's Chairperson and/or senior staff person may be notified that an investigation conducted by an external investigator is necessary without the nature of the investigation, content of the report, or identity of the Worker who submitted the report

being disclosed. Pentathlon Canada's Chairperson and/or senior staff person may not unreasonably refuse the decision to contract an external investigator.

15. An investigation launched by the Compliance Officer or by an external investigator should generally take the following form:
 - a) Follow-up interview with the Worker who submitted the report
 - b) Identification of Workers, participants, volunteers or other individuals that may have been affected by the wrongdoing
 - c) Interviews with such-affected individuals
 - d) Interview with the Director(s) or Worker(s) against whom the report was submitted
 - e) Interview with the supervisor(s) of the Worker(s) against whom the report was submitted, if applicable
16. The investigator will prepare an Investigator's Report – omitting names whenever possible and striving to ensure confidentiality – that will be submitted to the applicable organization's Chairperson and/or senior staff person for review and action.

Decision

17. Within fourteen (14) days after receiving the Investigator's Report, the applicable organization's Chairperson and/or senior staff person will take corrective action, as required. Corrective action may include, but is not limited to including:
 - a) Enacting and/or enforcing policies and procedures aimed at eliminating the wrongdoing or further opportunities for wrongdoing;
 - b) Revision of job descriptions; or
 - c) Discipline, suspension, termination, or other action as permitted by the applicable organization's By-laws, provincial/territorial employment legislation, applicable policies for human resources, and/or the Worker's Employment Agreement or Contractor Agreement.
18. The corrective action, if any, will be communicated to the investigator who will then inform the Worker who submitted the report.
19. Decisions made under the terms of this Policy may be appealed under the terms of the *Appeal Policy* provided that:
 - a) If the Worker who submitted the initial report is appealing the decision, the Worker understands that his or her identity must be revealed if he or she submits an appeal, and
 - b) If the Director or Worker against whom the initial report was submitted is appealing the decision, the Worker or Director understands that the identity of the Worker who submitted the report will not be revealed and that the applicable organization will act as the Respondent

Confidentiality

20. Confidentiality at all stages of the procedures outlined in this Policy – from the initial report to the final decision – is assured for all individuals (the Worker, the Worker(s), or Director(s) against whom the report is submitted, and the individuals interviewed during the investigation). An individual who intentionally breaches the confidentiality clause of this Policy will be subject to disciplinary action.
21. In all stages of the investigation, the investigator will take every precaution to protect the identity of the Worker who submitted the report and/or the specific nature of the report itself. However, Pentathlon Canada and its Member Associations recognize that there are some instances where the nature of the

report and/or the identity of the Worker who submitted the report will or may be inadvertently deduced by individuals participating in the investigation.

Policy History	
Approved	January 2021
Next Review Date	January 2023

**PENTATHLON CANADA
RISK MANAGEMENT POLICY**

This Policy has been prepared by Pentathlon Canada and is a Pan-Canadian Policy applicable to Pentathlon Canada and its Member Associations. This document cannot be modified by a Member Association without consultation and approval from Pentathlon Canada.

Preamble

1. Pentathlon Canada and its Member Associations are committed to managing risks by ensuring its decisions and actions reflect established standards and organizational values.

Purpose

2. The purpose of this Policy is to provide a guiding statement on how risks will be managed. In general, Pentathlon Canada and its Member Associations view risk management as a comprehensive approach to improving organizational performance.
3. This Policy has other purposes, namely:
 - a) Reinforcing an understanding of risk management as having a broad focus, beyond merely preventing lawsuits and financial losses
 - b) Performing an educational function for staff and the Board
 - c) Over the longer term, contributing to enhancing a 'risk management culture' within Pentathlon Canada
4. Ultimately, successful risk management has the following benefits:
 - a) Prevents or limits injury or losses to participants, volunteers and staff
 - b) Helps to protect Pentathlon Canada and its Member Associations against unnecessary litigation
 - c) Ensures that Pentathlon Canada and its Member Associations are compliant with all applicable laws, regulations and standards
 - d) Improves the quality and relevance of the programs and services that Pentathlon Canada and its Member Associations provide to its participants/registrants, partners and sponsors
 - e) Promotes improved business management and human resource management practices
 - f) Enhances the brand, reputation and image of Pentathlon Canada and its Member Associations in the community
 - g) Overall, enhances the ability of Pentathlon Canada and its Member Associations to achieve their strategic objectives

Principles

5. The International Standard Organization (ISO 31000:2009E) risk management principles are:
 - a) Risk management creates and protects value
 - b) Risk management is an integral part of all organizational processes
 - c) Risk management is part of decision making
 - d) Risk management explicitly addresses uncertainty
 - e) Risk management is systematic, structures and timely
 - f) Risk management is based on the best available information
 - g) Risk management is tailored
 - h) Risk management considers human and cultural factors into account
 - i) Risk management is transparent and inclusive
 - j) Risk management is dynamic, iterative and responsive to change

- k) Risk management facilitates continual improvement of the organization

Scope and Authority – Risk Manager

- 6. The **[insert individual]** is the designated Risk Manager for Pentathlon Canada or the Member Association (as applicable) and is responsible for the implementation, maintenance, and communication of this policy. This policy applies to all decision and activities undertaken on behalf of Pentathlon Canada or the Member Association (as applicable).

Policy

- 7. Pentathlon Canada and its Member Associations make the following commitments:
 - a) Activities and events will incorporate the principles of risk management
 - b) Systematic and explicit steps will be taken to identify, assess, manage and communicate risks facing the organization in a timely fashion
 - c) Risk mitigation strategies will be reasonable and will reflect the reasonable standard of care in any circumstance (where standard of care is determined by written/published standards, industry practices, established case law precedent, and common sense)
- 8. Pentathlon Canada and its Member Associations acknowledge that risk management is a broad activity and a shared responsibility. All Directors, Officers, staff, and volunteers have an ongoing responsibility to take appropriate measures within their scope of authority and responsibility to identify, assess, manage and communicate risks to those that they report to including but not limited to, the Risk Manager.

Risk Tolerance

- 9. The 'significance of a risk' refers to the combined ranking of the possibility/likelihood of a risk occurring and the consequence should it occur.
- 10. Possibility (P)
 - a) Unlikely – less likely to happen than not; occurs every 5 years
 - b) Possible – just as likely to happen as not; occurs once every year
 - c) Probably – more likely to happen than not; occurs once a month
 - d) Almost certain – sure to happen; occurs once a week
- 11. Consequence (C)
 - a) Minor – will have an impact on the achievement of the objective that can be dealt with through small internal adjustments
 - b) Moderate – will have an impact on some aspect of the achievement of the objective that will require changes to strategy or program delivery that may require a delay or increase in cost
 - c) Serious – will significantly impact the achievement of the objective and require additional time, resources, costs, and thought
 - d) Catastrophic – will have a debilitating impact on the achievement of the objective; staff and board need to devote full time resources to managing the situation

Commitment

- 12. Risks are identified by Directors and staff on an ongoing basis. All Minor-to-Moderate risks are managed by the Risk Manager and captured within program documents.
- 13. Risks that arise and considered to be Serious to Catastrophic are treated as follows:
 - a) If a **Serious** is identified, it must be communicated to the Chairperson or senior staff person within 48 of the risk being identified. The individual will take all reasonable measures to manage the risk

including, but not limited to, seeking the advice from other Directors, consulting external experts, etc. Once the individual feels that the risk has been managed or is in the process of being resolved, the Board will be advised using the most appropriate communications, which depending on the nature of the risk, may include an issue document, sharing at the next meeting, or calling a separate Board meeting to keep the Board informed.

- b) If a **Catastrophic** risk has been identified, the President must be contacted immediately. The Chairperson and senior staff person will determine the most appropriate action and if appropriate, may organize a Board meeting within 48 of the risk arising. It is understood that factors may arise that prevent this from happening including time zone, availability, nature of the risk, etc. All reasonable efforts will be made to manage the risk as it occurs, taking the necessary measures including, not to limited to, seeking the advice from internal partners, other Directors and external experts.

Procedures

14. Managing risks involves three steps:

- a) Identifying potential risks using an informed, environmental scan approach
- b) Assessing the significance of a risk by considering its likelihood and consequences
- c) Developing and implementing measures to address those risks deemed significant by reducing likelihood, consequences or both

15. Risks arise from a number of categories of the operations of Pentathlon Canada and its Member Associations. The following categories will be used when identifying risks:

- a) **Operational / Program Risks**

Risks related to the development, sanctioning, and implementation of programs; management of human resources, including staff and volunteers; organizational capacity to meet stakeholder expectations.

Technology and intellectual property risks related to the purchase, leasing, use, and storage of all hardware and software, programs, data, records, information including the protection of all intellectual property assets.

- b) **Compliance Risks**

Risks related to failure to comply with existing laws and regulations governing employment, privacy, and workplace safety. Also includes complying with anti-doping policies, Sport Canada, other agency standards for funding and accountability, and the fulfillment of contractual obligations.

- c) **Communication Risks**

Risks related to internal and external communications, information management systems, crisis and issues management, media relations, image and reputation management, missed opportunities to promote and exploit successful outcomes, management of intellectual property, social media opportunities and pitfalls, confidentiality.

- d) **External Risks**

Risks that are not in direct control of the organization such as funding frameworks from government and other agencies; relations with governments, games organizations and international federations; security threats/risks, involvement in other sport partnerships; hosting decisions and requirements; changing political priorities.

e) **Governance Risks**

Risks related to clarity of roles and responsibilities, decision-making and oversight, organizational structure and performance; management of disputes and conflict of interest, planning for diversity and succession of the Board and committees, retention of corporate knowledge, staying current with trends affecting Pentathlon Canada and its Member Associations.

f) **Financial Risks**

Risks related to financial monitoring and reporting, flexibility to control and direct funds, sponsorship attraction and retention, currency exchange rates, investment and management of reserve funds, protection of revenue streams, long-term financial sustainability.

g) **Health and Safety of Athletes**

Risks related to the safety of athletes, abuse and/or harassment of athletes, practice or competition environment, equipment, and progressive training of athletes.

16. All risks faced by Pentathlon Canada and its Member Associations can be addressed by one or more of the following four general strategies:

- a) **Retain** the risk – no action is taken because the possibility and consequence of the risk is low. It may also be that the risk is inherent in the activity itself and thus can be accepted in its present form.
- b) **Reduce** the risk – steps are taken to reduce the possibility of the risk, and/or its potential consequences, through efforts such as improved planning, policies, delivery, supervision, monitoring, or education.
- c) **Transfer** the risk – accept the level of risk but transfer some or all of it to others through the use of insurance, waiver of liability agreements or other business contracts.
- d) **Avoid** the risk – eliminate the risk by avoiding the activity giving rise to the risk – in other words, simply decide NOT to do something, or to eliminate some activity or initiative.

17. The above general strategies translate into a variety of risk control measures, which for Pentathlon Canada or a Member Association may include, but are not limited to:

- a) Development of policies, procedures, standards and rules
- b) Effective communication
- c) Education, instruction, professional development and specialized training
- d) Ensuring a core set of organizational values have been identified, defined and communicated throughout the organization
- e) Adherence to minimum, mandatory qualifications and/or certifications for key staff and leaders
- f) Use of robust and legally sound contracts (i.e., employment agreements, contractor agreements, partnership agreements)
- g) Improving role clarity through use of written position descriptions and committee terms of reference
- h) Supervision and monitoring of staff, volunteers, participants and activities

- i) Establishing and communicating procedures to handle concerns, complaints and disputes
- j) Implementing schedules for regular review, maintenance, repair and replacement of equipment
- k) Preparing procedures and protocols for emergency response and crisis management
- l) Use of warnings, signage, participation agreements and waiver of liability agreements where warranted
- m) Purchasing appropriate insurance coverage for all activities and reviewing regularly

Reporting and Communication

18. To ensure that risk management remains a high priority within Pentathlon Canada and its Member Associations, and to promote an organizational culture that embraces a risk management perspective, risk management will be a standing item on the agenda of every regular Board meeting, so that staff (if applicable) and Directors can provide updates as required.

19. Pentathlon Canada and its Member Associations recognize that communication is an essential part of risk management. This policy will be communicated to staff, the Board of Directors, Committees and volunteers and Pentathlon Canada and its Member Associations will encourage all individuals to communicate their risk management issues and concerns.

Insurance

20. Pentathlon Canada maintains a comprehensive insurance program that provides General Liability, Accident and Directors and Officers Errors and Omissions coverage to the directors, officers, staff, individual members, volunteers and sponsors of Pentathlon Canada. On every review of this policy, Pentathlon Canada will consult with the insurance provider to determine if there are any emerging gaps, issues, or deficiencies to be addressed through insurance renewal. Not all risks are insurable. However, as part of its commitment to risk management, Pentathlon Canada will take all reasonable steps to ensure that insurance coverage is available for essential activities.

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**PENTATHLON CANADA
RECIPROCATION POLICY**

This Policy has been prepared by Pentathlon Canada and is a Pan-Canadian Policy applicable to Pentathlon Canada and its Member Associations. This document cannot be modified by a Member Association without consultation and approval from Pentathlon Canada.

Purpose

1. The purpose of this Policy is to ensure national enforcement and recognition of all disciplinary sanctions applied by Pentathlon Canada and its Member Associations.
2. Pentathlon Canada recognizes the importance of safe sport for all participants in pentathlon throughout the country. Pentathlon Canada also recognizes its obligation to engage an independent third party to handle and/or investigate all matters involving Harassment, Discrimination, Abuse, Workplace Harassment, Workplace Violence, Maltreatment, and Sexual Harassment.

Application

3. This Policy applies to all Member Associations.

Responsibilities

4. Pentathlon Canada will:
 - a) Provide copies of discipline and appeal decisions to all Member Associations
 - b) For discipline decisions provided to Pentathlon Canada by a Member Association, determine per the *Discipline and Complaints Policy* whether to initiate further action against the Participant(s) named in the decision
 - c) Recognize and enforce the disciplinary sanctions imposed by a Member Association
5. Member Associations will:
 - a) Provide copies of discipline and appeal decisions involving Participants to Pentathlon Canada
 - b) For discipline decisions provided to a Member Association by Pentathlon Canada, determine per its own policies whether to initiate further action against the individual(s) named in the decision
 - c) Recognize and enforce the disciplinary sanctions imposed by Pentathlon Canada
 - d) Update their governing documents to reference the reciprocation procedures described herein

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