

**BULLYING & HARASSMENT  
POLICY**

**NSGSC**



## PURPOSE

The North Shore Girls Soccer Club (the “NSGSC”) Bullying and Harassment Policy (the “**Policy**”) describes prohibited conduct and provides a process for addressing and investigating complaints of Discrimination, Sexual Harassment and Bullying and Harassment.

This policy applies to everyone at the NSGSC, including employees, directors, officers, volunteers, coaches, managers, associates, officials, players and parents of players (hereinafter collectively referred to as “**Members**”).

## POLICY

### **1. Policy Statement**

The NSGSC is committed to providing a collegial environment in which all Members are treated, and treat each other, with respect and dignity. Members have the right to participate and work in an environment which promotes equal opportunities and prohibits discriminatory practices, to be treated in a fair and respectful manner and to be free from Discrimination, Sexual Harassment and Bullying and Harassment.

Discrimination, Sexual Harassment and Bullying and Harassment are offensive, degrading, threatening and prohibited by law, including by the British Columbia *Human Rights Code* and the British Columbia *Workers Compensation Act*. In its most extreme forms, conduct amounting to Discrimination, Sexual Harassment or Bullying and Harassment may constitute an offence under the *Criminal Code of Canada*.

Conduct amounting to Discrimination, Sexual Harassment or Bullying and Harassment is unacceptable and will not be tolerated by the NSGSC. Conduct amounting to Reprisal or Retaliation will not be tolerated by the NSGSC, and will be addressed in the same manner as an instance of Discrimination, Sexual Harassment or Bullying and Harassment.

This Policy applies during the course of all NSGSC business, activities and events, whether on or off NSGSC property and on or off the field. It also applies to conduct outside of NSGSC business, activities and events when such misconduct involves Members of the NSGSC.

The NSGSC recognizes that Discrimination, Sexual Harassment and Bullying and Harassment can occur in a variety of situations and forums, including, but not limited to:

- at on-field soccer events (i.e., competitions, practices, matches and tournaments);
- at off-field soccer functions (i.e., meetings, conferences, training sessions and workshops);
- at soccer related social functions;
- during soccer/work-related travel;
- through any form of communication device/system (i.e., telephone, email, fax, text message, social media); and

the NSGSC will address and investigate any and all allegations of Discrimination, Sexual

forums in accordance with the procedures set out in this Policy.

The NSGSC recognizes that Members may be subjected to Discrimination, Sexual Harassment or Bullying and Harassment by others who are not Members. The NSGSC acknowledges its responsibility to investigate such incidents and to take steps in accordance with this Policy as are reasonable and appropriate in the particular circumstances.

## 2. Definitions

**“Bullying and Harassment”** includes any inappropriate conduct or comment by a person towards a Member that the person knew or reasonably ought to have known would cause the Member to be humiliated or intimidated, but does not include any reasonable action taken by or on behalf of the NSGSC relating to the management and direction of Members.

Examples of conduct or comments that could constitute Bullying and Harassment include, but are not limited to, verbal aggression or insults, derogatory name-calling, harmful hazing or initiation practices, vandalizing personal belongings, and spreading malicious rumours.

**“Discrimination”** means a differentiation or distinction in the manner of treatment of a Member by a person, whether intentional or unintentional, and based on the enumerated grounds found in the British Columbia *Human Rights Code*: race, colour, ancestry, place of origin, political belief, religion, marital status, family status, physical or mental disability, sex, sexual orientation, age and criminal or summary conviction offences where unrelated to the employment or intended employment of that Member.

**“Sexual Harassment”** means one or more incidents involving unwelcome sexual advances, requests for sexual favours, or other verbal or physical conduct of a sexual nature that detrimentally affects the work environment or leads to adverse work-related consequences.

Sexual harassment may occur in the form of conduct by males towards females, between males, between females, or by females towards males.

Examples of types of behaviour which could constitute Sexual Harassment include, but are not limited to, the use of promises or threats contingent on the performance of sexual favours, the display of sexually offensive material, leering or other suggestive or obscene gestures, unwanted physical contact or sexual attention and unwelcome sexual flirtations, remarks, comments, inquiries, advances, requests or invitations whether indirect or explicit.

Sexual Harassment is not limited to sexual remarks or conduct. The NSGSC considers sexist and sexually degrading terms, remarks and comments to constitute Sexual Harassment and will address such incidents in accordance with the procedures set out in this Policy.

Discrimination, Sexual Harassment and Bullying and Harassment can include a single incident.

**“Retaliation”** or **“Reprisal”** means any improper treatment against a Member or Members for having filed a complaint under this Policy, having participated in any procedure under this Policy or for having associated with a Member who properly invoked this Policy or participated in any procedure under this Policy.

### **3. Responsibilities of NSGSC and Members**

The NSGSC is committed to providing an environment that is free from Discrimination, Sexual Harassment and Bullying and Harassment and will:

- take steps to prevent, where possible, or otherwise minimize incidents of Discrimination, Sexual Harassment and Bullying and Harassment;
- review this Policy, the procedures set out herein, the policy statement and the steps being taken by the NSGSC to prevent where possible, or otherwise minimize, incidents of Discrimination, Sexual Harassment and Bullying and Harassment;
- make all Members aware of this Policy, the procedures set out herein, the policy statement and the steps being taken by the NSGSC to prevent where possible, or otherwise minimize incidents of Discrimination, Sexual Harassment and Bullying and Harassment; and
- provide training to Members to help them fulfill their responsibilities and obligations under this Policy, become capable of recognizing, responding to and reporting incidents and complaints of Discrimination, Sexual Harassment and Bullying and Harassment in accordance with the procedures set out in this Policy and understand how the NSGSC will respond to and investigate complaints of Discrimination, Sexual Harassment and Bullying and Harassment.

Members must:

- avoid engaging in any conduct that constitutes Discrimination, Sexual Harassment and Bullying and Harassment;
- report if Discrimination, Sexual Harassment or Bullying and Harassment is observed or experienced; and
- apply and comply with this Policy and the procedures set out herein.

Members on the Board, and professional and volunteer coaches also have an obligation to ensure that Members under their supervision are free from Discrimination, Sexual Harassment and Bullying and Harassment.

### **4. Reporting, Handling and Responding to Complaints of Discrimination, Sexual Harassment and Bullying and Harassment**

#### **Reporting Complaints**

Preventing Discrimination, Sexual Harassment and Bullying and Harassment is a partnership between the NSGSC and all Members. If a Member believes that he/she has been subjected to Discrimination, Sexual Harassment or Bullying and Harassment, or if he/she is aware of any such conduct occurring, the Member must report any such incident promptly and diligently to a member of the NSGSC Board of Directors and specifically the Director of Human Resources or the Vice-President of Administration either verbally or in writing.

If the Member feels safe talking to the alleged harasser, the Member should do so and should be specific about why the behaviour was inappropriate. Be clear that the behaviour is unwanted and unacceptable and needs to stop.

If a member of the NSGSC Board of Directors is the cause of the problem or seems unwilling to address the issue, the Member is then expected to contact the Ombudsman.

When reporting an incident to the NSGSC Director of Human Resources and Vice-President of Human Resources. Members should provide as much information as possible, including the names of those involved, witnesses, where and when the event occurred, the behaviour that led to the complaint and any supporting documents or materials (i.e., emails, notes or photographs).

### **Confidentiality and Record-Keeping**

Every complaint of Discrimination, Sexual Harassment or Bullying and Harassment will be recorded by the person receiving the complaint and subsequently reported to NSGSC Executive Committee. The Executive Committee shall maintain and have access to notes of any and all complaints.

The NSGSC understands that it can be extremely difficult to come forward with a complaint of Discrimination, Sexual Harassment or Bullying and Harassment and that it can be devastating to be wrongfully accused of such misconduct. The NSGSC recognizes the interests of both alleged victims and alleged harassers in keeping the matter confidential. Accordingly, the Executive Committee shall maintain the confidentiality of the names of the individuals involved in a complaint as well as all notes and records to the extent reasonably practicable and appropriate in the particular circumstances and will not disclose such information except in accordance with this Policy or as required by law.

### **Mediation**

Where both the alleged victim and the alleged harasser consent, the parties, engage in a mutually acceptable mediation process with the Ombudsman (which may or may not involve direct contact between the parties to the complaint) with a view towards arriving at an acceptable solution.

Where the parties and the Ombudsman are satisfied with the resolution achieved, the Ombudsman will then make a confidential written record of the resolution. This record will be kept by the Executive Committee.

### **Investigating and Addressing Reported Incidents**

The Director of Human Resources and Vice-President of Administration will, for every complaint that is not satisfactorily resolved through mediation, conduct an investigation.

Investigations will be conducted in a timely and expedient manner, keeping in mind the importance and necessity of conducting a thorough and complete investigation. Investigations will involve reviewing all relevant documents and conducting in-person interviews with the alleged victim, the alleged harasser and all witnesses.

#### ***Roles and Responsibilities***

The Director of Human Resources and Vice-President of Administration (the "Investigation") will conduct investigations of incidents of Discrimination, Sexual Harassment and Bullying and Harassment. Acting as a fair and impartial third party, the Investigation will review the evidence and testimonies of all relevant individuals, including the alleged victim, the alleged harasser and any witnesses. Evidence may include emails, handwritten notes, photographs, or physical evidence.

Members are required to cooperate with the Investigation throughout the investigation by providing factual information of the acts they have experienced or witnessed. All Members involved are expected to maintain confidentiality of the incident during and after the investigation is completed.

The NSGSC and the Board of Directors will ensure that the procedures being set out in this Policy are being followed throughout the investigation.

### ***Follow-Up and Record Keeping***

Upon completing the investigation, the Investigation will prepare a written report, which will include a summary of the complaint, findings, and where appropriate, recommendations for appropriate disciplinary actions. The Investigation will provide the NSGSC Executive Committee, the alleged victim and the alleged harasser with a copy of this report.

A copy of the report will be kept by the Executive Committee.

Where a complaint is substantiated, a copy of the complaint and the outcome of the investigation, including any action to be taken, will be filed in the personnel file of the Member who engaged in inappropriate conduct.

Where complaints are substantiated, appropriate action ranging from counseling to termination of employment or membership will be taken by the NSGSC Executive Committee.

Where the investigation results in a finding that the complaint cannot be substantiated, no record of the complaint shall be kept in the personnel file of the Member who was alleged to have engaged in misconduct.

In appropriate circumstances, Members may be encouraged to seek medical advice.

### **Withdrawal of Complaint**

At any time, a Member may choose to withdraw his or her complaint without penalty so long as the complaint was filed in good faith.

Notwithstanding this right, if in the opinion of the Director of Human Resources or Vice-President of Administration the circumstances warrant the continuation of the complaint process, the complaint process may be controlled.

## **5. Coach – Player Relationships**

The NSGSC takes the view that intimate relationships between coaches and adult players, while not against the law, can have harmful effects on the individual player involved and on other players and coaches and on the NSGSC public image.

Intimate relationship between a coach and a minor (non-adult) are prohibited. The NSGSC will take action, up to and including termination of employment and membership and reporting such relationships to external authorities, as deemed appropriate.