



## **Kawartha Minor Hockey Code of Conduct Policy**

It is the policy of the Kawartha Minor Hockey Association that there be no harassment, abuse or bullying of any participant in any of its programs. The Kawartha Minor Hockey Association expects every athlete, coach, assistant coach, trainer, manager, official, parent, director, officer, volunteer, employee and chaperone within the Kawartha Minor Hockey Association to take reasonable steps to safeguard the participants against harassment, abuse and bullying.

### **Definitions**

Child means a person between the age of 0 and 16 years.

Youth means a person between the age of 16 and 18 years.

Adult means a person who has reached the age of maturity. In the Province of Ontario this age is 18 years.

### **Bullying**

Bullying describes behaviours that are similar to harassment, but occur between children under the age of twelve, or behaviours between youth or between adults that are not addressed under human rights laws. Bullying is intentionally hurting someone in order to insult, humiliate, degrade or exclude him or her. Bullying can be broken down into four categories: physical, verbal, relational (for example, trying to cut off victims from social connection by convincing peers to exclude or reject a certain person), and reactive (for example engaging in bullying as well as provoking bullies to attack by taunting them).

### **Harassment**

Harassment is offensive behaviour – emotional, physical, and or sexual – that involves discrimination against a person because of their race, national or ethnic origin, age, colour, religion, family status, sexual orientation, sex or gender, disability, marital status, or pardoned conviction. Harassment may occur when someone attempts to negatively control, influence or embarrass another person based on a prohibited ground of discrimination.

### **Abuse**

Child abuse is any form of physical, emotional and/or sexual mistreatment or lack of care, which causes physical injury or emotional damage to a child. A common characteristic of all forms of abuse against children and youth is an abuse of power or authority and/or breach of trust. Abuse is an issue of child protection. Protection refers to provincial, territorial or Aboriginal band-appointed child protective services. A child may be in need of protection from harm if abuse or neglect is suspected. Information about one's legal duty to report and circumstances under which reporting must occur according to child protection legislation is available at [www.hockeycanada.ca](http://www.hockeycanada.ca).

### **Emotional Abuse**

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

### **Physical Abuse**

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

### **Neglect**

A general definition of neglect is the chronic inattention to the basic necessities of life such as clothing, shelter, nutritious diets, education, good hygiene, supervision, medical and dental care, adequate rest, safe environment, moral guidance and discipline, exercise and fresh air. Neglect may apply in a hockey setting where there is a chronic inattention in the hockey context, for example when a player is made to play with injuries.

### **Sexual Abuse**

Sexual abuse is when a child or youth is used by a child or youth with more power or an adult for his or her own sexual stimulation or gratification. There are two categories of sexual abuse: contact and non-contact.

### **Misconduct**

Misconduct refers to the behaviour or a pattern of behaviour that is found, by a formal (for example an independent investigation) or informal process (i.e. for example an internal fact finding), to be contrary to the Kawartha Minor Hockey Association Code of Conduct and that is not harassment, abuse or bullying.

### **Complaint**

Any allegation, verbal or written, that involves bullying, harassment, abuse or misconduct within the jurisdiction of the Kawartha Minor Hockey Association.

### **RECEIVING A COMPLAINT**

When there is a complaint of abuse of a child participant there will be no investigation by the Kawartha Minor Hockey Association. Any investigation will be left to the police or appropriate child protective agency. If a complaint of abuse of a child participant results in a conviction, the Kawartha Minor Hockey Association may discipline the individual convicted. If a complaint of abuse of a child participant does not result in a conviction, the Kawartha Minor Hockey Association may nevertheless discipline the individual subject to the complaint. Complaints of harassment, bullying or misconduct may be handled informally where possible or formally, but within a reasonable time frame.

The Kawartha Minor Hockey Association is not required to deal with all complaints. The Kawartha Minor Hockey Association may decide not to deal with the complaint if it is of the opinion that it:

1. could be more appropriately dealt with under another policy, rule or regulation;
2. is frivolous, vexatious or made in bad faith;
3. is not within the governing body's jurisdiction; or,
4. based on occurrences that are more than six months old.

Complaints of harassment, abuse or bullying will not qualify a player for an automatic release. This is to ensure the safety of all players on the team, not just the one initiating the complaint. If a complaint is substantiated, the primary option is to address the behaviour of the offending party which may include disciplinary action up to and including suspension or removal.

#### **Kawartha Minor Hockey Association Responsibility:**

If a Formal Complaint is directed to the attention of the Kawartha Minor Hockey Association, all relevant information will be forwarded to the Ontario Hockey Federation for follow up and/or investigation.

Upon notification of a Complaint the Ontario Hockey Federation will report the situation and all relevant information to the Hockey Canada Insurance Department in accordance with Hockey Canada guidelines.

#### **Kawartha Minor Hockey Association**

Kawartha Minor Hockey Association shall designate one person or committee to accept complaints originating from within their organization. This person or committee will be identified to the OHF Risk Management Committee at the beginning of each season.

Upon receipt of a Complaint the Kawartha Minor Hockey Association will complete an OHF Complaint Intake Form and submit it to the OHF Executive Director or staff designate.

#### **INVESTIGATION**

Kawartha Minor Hockey Association is required to oversee all investigations within their jurisdiction. Once directed to do so, Kawartha Minor Hockey Association may not cede its responsibility to:

1. complete the investigation and;
2. render a decision within the specified timeframe.

The failure of Kawartha Minor Hockey Association to complete an appropriate fact finding investigation and render a decision, once directed, may result in disciplinary action at the discretion of the President or Board of Directors of the OHF.

#### **INVESTIGATION DECISIONS**

The following decisions resulting from any investigation may be made:

1. the complaint is with merit;
2. the complaint is without merit;
3. there is insufficient information to enable a conclusive decision to be made; or
4. the complaint is outside of the jurisdiction of the investigating body.

#### **DISCIPLINE**

Any athlete, coach, assistant coach, trainer, manager, official, parent, director, officer, volunteer, employee or chaperone within the Kawartha Minor Hockey Association found in violation of the Hockey Canada Policy on Harassment, Abuse and Bullying or the OHF Speak Out Policy or the OHF Code of Conduct or the Kawartha Minor Hockey Association Code of Conduct may be disciplined up to and including dismissal and/or revocation of membership in accordance with the Kawartha Minor Hockey Association Constitution, By-Laws and Regulations.

Any athlete, coach, assistant coach, trainer, manager, official, parent, director, officer, volunteer, employee or chaperone within the Kawartha Minor Hockey Association who knowingly brings a false complaint against an Kawartha Minor Hockey Association participant may be disciplined up to and including dismissal and/or revocation of membership in accordance with the Kawartha Minor Hockey Association Constitution, By-laws and Regulations.

Any athlete, coach, assistant coach, trainer, manager, official, director, officer, volunteer or employee or chaperone who is the subject of a complaint of harassment, abuse or bullying may be suspended from his or her position, or made subject to other precautions taken for the duration of an investigation. This action will be reviewed by the Kawartha Minor Hockey Association President or other designate on a case by case basis in accordance with the Kawartha Minor Hockey Association Constitution, By-laws and Regulations.

Any coach, assistant coach, trainer, manager, official, director, officer, volunteer, employee or chaperone who is discovered by means other than a criminal record check to have a conviction that may impact upon their position, may be disciplined up to and including dismissal and/or revocation of membership in accordance with the Kawartha Minor Hockey Association Constitution, By-Laws and Regulations.

April 9, 2012