

	<b>SafeSport Policy</b>	<b>Approved:</b> March 2022	<b>Up for review:</b> May 2024
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NSAWA considers safety in the sport of paramount importance and therefore considers it to be of the highest priority. As a participant under the jurisdiction of Wrestling Canada Lutte (WCL), NSAWA has agreed to follow the WCL SafeSport Policy which contains the following policies:

- Definitions
- Athlete Protection Policy with the following Appendix
  - Appendix A: Image Consent Form
- Code of Conduct and Ethics
- Abuse Policy
- Discipline and Complaints Policy
- Investigations Policy
- Alternative Dispute Resolution Policy
- Appeal Policy
- Reciprocity Policy
- Social Media Policy
- Screening Policy with the following appendices
  - Appendix A (Application form regarding paid or volunteer employment)
  - Appendix B (Screening Disclosure form)
  - Appendix C (Screening Renewal form)
  - Appendix D (Request for a Vulnerable Sector Check)

The all-encompassing WCL SafeSport Policy will supersede any previous NSAWA SafeSport Policies such as the Criminal Records Check Policy, the Rule of Two policy, the Code of Conduct, the Discipline and Complaints policy, the Appeals policy, and any other relevant policies.

In addition to the measures outlined in the WCL Screening Policy, members of NSAWA must submit a Nova Scotia Department of Social Services Child Abuse Registry Check dated less than three years previous



# **SAFE SPORT POLICY MANUAL**

January 2023

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## INTRODUCTION

Wrestling Canada Lutte (WCL) has a fundamental obligation and responsibility to protect the health and well-being of the organization and its participants.

WCL takes any situation involving misconduct or Maltreatment very seriously. WCL is committed to enacting and enforcing strong, clear, and streamlined policies and processes for preventing and addressing all forms of misconduct or Maltreatment.

This WCL Safe Sport Manual, applicable to Registered Participants in WCL's jurisdiction<sup>1</sup>, contains policies 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 by communicating expected standards of behaviour to all participants.

Individuals and participants involved with wrestling programs (including Athletes, coaches, officials, volunteers, and parents of Athletes) can report any instance of misconduct or Maltreatment directly to WCL's Independent Third Party, who will then determine the appropriate jurisdiction and / or manner to address the complaint.

As a program signatory to Abuse-Free Sport (<https://sportintegritycommissioner.ca>), the new independent program to prevent and address maltreatment in sport, WCL and identified UCCMS (Universal Code of Conduct to Prevent and Address Maltreatment in Sport) participants will also have access to the services of the Office of the Sport Integrity Commissioner (OSIC), which serves as the central hub of Abuse-Free Sport.

It should also be noted that certain policies found in this Safe Sport Manual also apply to matters beyond safe sport (i.e. Appeal Policy). As such, copies of these policies will also be published separately on WCL's website so that they are accessible and applicable in all relevant areas.

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<sup>1</sup> WCL Member organizations, including Provincial / Territorial Sport Organizations (PTSOs) and the Canadian Association of Wrestling Officials (CAWO) are required to have comparable safe sport policies as a condition of membership with WCL.

## DEFINITIONS

*The terms defined below shall apply to the WCL policies included in this WCL Safe Sport Manual, as well as any other policies that may be referenced herein.*

Please note the definitions below for “*Registered Participants*” which is key to understanding the intent and application of this Manual.

1. **Affected Party** - Any individual or entity, as determined by the Independent Third Party (or designate), who may be affected by a decision rendered under the Appeal Policy and who may have recourse to an appeal in their own right under the Appeal Policy.
2. **Appellant** – The Party appealing a decision pursuant to the Appeal Policy.
3. **Athlete** – An individual who is an Athlete Registered Participant in WCL jurisdiction who is subject to the policies of WCL.
4. **Athlete Support Personnel** – Any coach, trainer, manager, agent, team staff, official, medical, paramedical personnel, parent or any other person working with, treating or assisting an Athlete participating in or preparing for sports competition.
5. **Board** – The Board of Directors of WCL or a Member, as applicable.
6. **Bullying** – Offensive behaviour and / or abusive treatment of a Registered Participant that typically, but not always, involves an abuse of power.
7. **Club** – A club affiliated with and / or a member of a PTSO.
8. **Complainant** – A Registered Participant who makes a report of an incident, or a suspected incident, of alleged Maltreatment, Prohibited Behaviour or other misconduct that may be a violation of the standards described in WCL’s policies, by-laws, rules or regulations, or the UCCMS.
9. **Conflict of Interest** – Any situation in which a Representative’s decision-making, which should always be in the best interests of WCL, is influenced or could be influenced by personal, family, financial, business, or other private interests.
10. **Criminal Record Check (CRC)** – A search of the RCMP Canadian Police Information Centre (CPIC) system for adult convictions.
11. **Days<sup>2</sup>** – Calendar days including weekends and holidays.

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<sup>2</sup> For the purpose of calculating deadlines, the following shall apply: the day of the act is not included in the calculation (i.e., the date of receipt of a decision is not Day 1); instead, the deadline would start on the day following receipt of the decision and would expire at midnight (in the location of the individual seeking to file an appeal) on the last day of the period.

12. **Director** – An individual appointed or elected to the Board.
13. **Discipline Panel** – A Panel of one or three people who are appointed by WCL’s Independent Third Party to decide complaints assessed under the *Discipline and Complaints Policy*. The Discipline Panel must not be in a conflict of interest or have a direct relationship with any of the Parties. A Discipline Panel who previously acted in this capacity for WCL is not necessarily in a conflict of interest.
14. **Enhanced Police Information Check (E-PIC)** – A Criminal Record Check plus a search of local police information, available from Sterling Backcheck.
15. **Event** – An event sanctioned by WCL, and which may include a social Event.
16. **Harassment** – A course of vexatious comment or conduct against a Registered Participant or group, which is known or ought to reasonably be known to be unwelcome.
17. **Independent Third Party (ITP)** – The individual or organization retained by WCL to receive reports and complaints, and to fulfill the responsibilities outlined in the *Discipline and Complaints Policy* and *Appeal Policy*, as applicable. This individual or organization must not be in a real or perceived conflict of interest or have a direct relationship with any of the Parties.
18. **Intimate or Romantic Relationship** – A close personal relationship, other than a familial relationship, that exists independently and outside of wrestling. Whether a relationship is intimate is based on the totality of the circumstances, including: regular contact and/or interactions outside of or unrelated to the sport relationship (electronically or in person), the parties’ emotional connectedness, the exchange of gifts, ongoing physical and/or intimate contact and/or sexual activity, identity as a couple, the sharing of sensitive personal information, and/or intimate knowledge about each other’s lives outside the sport relationship<sup>3</sup>.
19. **Investigator** – An independent third party appointed to conduct an investigation.
20. **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.
21. **Maltreatment** – As defined in the UCCMS.
22. **Member Group** – Refers to the PTOs and CAWO who are admitted as Member Groups of WCL per WCL’s by-laws.
23. **Minor** – As defined in the UCCMS.
24. **NSO** – Wrestling Canada Lutte (WCL).
25. **OSIC** – Office of the Sport Integrity Commissioner, an independent division of the SDRCC which comprises the function of the Sport Integrity Commissioner.

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<sup>3</sup> Adapted from US Center for Safesport – Minor Athlete Abuse Prevention Policies

26. **Parties** – The individuals involved in a dispute.
27. **Person in Authority** – Any Registered Participant who holds a position of authority within WCL including, but not limited to, coaches, instructors, officials, managers, support personnel, chaperones, committee members, or Directors and Officers.
28. **Power Imbalance** – As defined in the UCCMS.
29. **Prohibited Behaviours** – As defined in the UCCMS.
30. **Provisional Suspension** – Means that the Registered Participant is barred temporarily from participating in any capacity in any Event or activity of WCL, or as otherwise decided pursuant to the *Discipline and Complaints Policy*, prior to the decision rendered in a hearing conducted pursuant to the Policy.
31. **PTSOs** – Provincial/Territorial Sport Organizations.
32. **Registered Participants** – Refers to all categories of individual participants and/or registrants who are subject to the policies of WCL, as well as all people employed by, contracted by, or engaged in activities with WCL (competition, training, camps, treatment or consultations, travel, the office environment, and any meetings or social events, etc.) including, but not limited to, employees, contractors, Athletes, coaches, instructors, officials, volunteers, managers, administrators, committee members, parents / guardians / spectators specific to and limited to WCL sanctioned Events, or Directors and Officers. Notwithstanding the foregoing, and for greater certainty, the Independent Third Party, or any other person retained by WCL to administer the Discipline & Complaints Policy, or Appeal Policy, is not a “Registered Participant”. This clarification, or in the alternative, revision, of the definition of Registered Participant (including “Participant” under prior iterations of WCL’s policies), shall have retroactive application.
33. **Reporting (or Report)** - The provision of information in writing by any person or a Registered Participant to a relevant independent authority (the Independent Third Party or position 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.
34. **Representatives** – Participants employed by, or engaged in activities on behalf of, WCL including: staff, contract personnel, volunteers, managers, administrators, Committee Members, and Directors and Officers.
35. **Respondent** – The Party responding to a complaint or, in the case of an appeal, the Party whose decision is being appealed.

36. **Social media** – The catch-all term that is applied broadly to new computer-mediated communication media such as blogs, YouTube, Facebook, Instagram, Tumblr, Tiktok, WhatsApp, Snapchat, and Twitter.
37. **UCCMS** – Universal Code of Conduct to Prevent and Address Maltreatment in Sport, as amended from time to time by the SDRCC.
38. **UCCMS Participant** – A Registered Participant affiliated with WCL who has been a) designated by WCL and b) who has signed the required consent form. UCCMS Participants may include an Athlete, a coach, an official, an Athlete Support Personnel, an employee, a contractual worker, an administrator, or a volunteer acting on behalf of, or representing WCL in any capacity.
39. **Vulnerable Participant** – As defined in the UCCMS.
40. **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.
41. **Worker** – An individual who has signed an Employment Agreement or Contractor Agreement with WCL.
42. **Workplace** - Any place where business or work-related activities are conducted. Workplaces include but are not limited to, the registered office(s) of WCL, work-related social functions, work assignments outside the registered office(s), work-related travel, the training and competition environment, and work-related conferences or training sessions.
43. **Workplace Harassment** – A course of 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.
44. **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.



# ATHLETE PROTECTION POLICY

## Purpose

1. This Policy describe how Persons in Authority can maintain a safe sport environment for Athletes.

## Position of Trust or Authority

2. Maintaining an appropriate and professional relationship with all individuals, especially children, young people and those individuals at risk, is a key part of maintaining a safe sport environment.
3. A Person in Authority holds a position of trust or authority over another person. These individuals have a considerable amount of power, influence or control. To help define situations where an individual is in a position of trust or authority over an Athlete, or where a Power Imbalance may exist, the following guidelines should be applied to make that determination:
  - Does the individual actually exercise power over the Athlete?
  - Is there an imbalance of power between the individual and Athlete?
  - What is the age of the Athlete and the individual? What is the age difference between the individual and Athlete?
  - Does the individual give orders and does the Athlete comply with these orders?
  - How did the relationship develop and evolve?
  - Is the individual / Athlete relationship ongoing or has it been suspended or terminated?
  - How long has the individual / Athlete relationship been in place?

## Rule of Two - Interactions between Persons in Authority and Athletes

4. WCL strongly recommends the 'Rule of Two' be followed for all Persons in Authority who interact with Athletes, especially Vulnerable Participants, whether in person or remotely (i.e. virtual settings), to the maximum extent feasible. The goal of the 'Rule of Two' is to ensure that all interactions and communications are open, observable, and justifiable. When following the 'Rule of Two' two responsible adults (a coach, parent, or screened volunteer) are present with a participant. There may be exceptions in emergency situations. Coaching Association of Canada's 'Rule of Two' infographic (<https://coach.ca/sites/default/files/2022-02/cac-rcm-rule-of-two-infographic-en.pdf>) describes how to best implement the 'Rule of Two'.
5. WCL recognizes that fully implementing the 'Rule of Two', as described and depicted, may not always be possible in all circumstances. Consequently, at minimum, interactions between Persons in Authority and Athletes must respect the following:
  - a) Transparent
    - The training environment should be open to observation so that all interactions between Persons in Authority and Athletes are observable. This could include leaving the door open when having a meeting and/or moving away from others in a public space but staying within eyesight.
    - Avoid private or one-on-one situations unless they are open and observable by another adult or Athlete.

- b) Authorized
  - Persons in Authority shall not invite or have a Minor Athlete(s) in their home without the written permission and contemporaneous knowledge of the Minor Athlete's parent or guardian.
  - Minor Athletes must not be in a situation where they are alone with a Person in Authority without another screened adult or athlete present unless prior written permission is obtained from the Minor Athlete's parent or guardian.
  
- c) Accountable
  - In the event that the minimum standards described immediately above cannot be respected for any reason whatsoever, the Person in Authority shall immediately notify the parent or guardian of a Minor Athlete. Notification shall be accomplished by any means that allows the Person in Authority to communicate immediately with the Minor Athlete's parent or guardian. If the Person in Authority cannot communicate with the Minor Athlete's parent or guardian, they must notify another screened Person in Authority of the circumstances of the situation that are preventing them from respecting the minimum standards described above.

### **Rule of Two - Virtual Setting**

- 6. The Rule of Two shall apply to all Minors in a virtual environment. Specifically:
  - a) For Minor Athletes, where possible, a parent or guardian should be present during any virtual session;
  - b) Parents or guardians of Minors shall be informed by WCL of the activities that will occur during the virtual session, as well as the process of the virtual session;
  - c) Parents or guardians of Minors shall provide consent to the Minor participating in the virtual session, if irregularly scheduled, or prior to the first session if the sessions occur on a regular basis;
  - d) Communications during virtual sessions shall take place in an open and observable environment. Sessions must be initiated in appropriate locations;
  - e) Virtual sessions should be recorded whenever possible by the technology being used.

### **Relationships – Interactions Between Persons in Authority and Athletes**

- 7. It is recognized that athletes have personal relationships with others in the wrestling community, including their Athlete Support Personnel. However, Intimate or Romantic Relationships are not permitted between Athletes and Athlete Support Personnel or any other Person in Authority.
  
- 8. If a relationship that is not permitted by the Policy exists, immediate steps are to be taken. This includes disclosure to WCL of any Intimate or Romantic Relationship, and the Registered Participant(s) changing their role(s) so that neither is a Person in Authority relative to the other, or ending the relationship.

9. If an Athlete is in a relationship with another Athlete, a determination needs to be made whether there is Power Imbalance between the Athletes. If a Power Imbalance exists, then this relationship would not be permitted, as outlined in the Section immediately above.<sup>4</sup>

## Communications

10. For communications between Persons in Authority and Athletes:

- a) Group messages or emails are to be used as the regular method of communication between Persons in Authority and Athletes.
- b) Persons in Authority may only send personal texts, direct messages on social media or emails to individual Athletes when absolutely necessary and only for communicating information related to team issues and activities (e.g., non-personal information). Any such communication shall be professional in tone and must be copied to another Person in Authority and / or the Athlete's parent / guardian when the Athlete is a Minor.
- c) Parents and guardians may request that their Minor Athlete not be contacted by Persons in Authority using any form of electronic communication and/or to request that certain information about their child may not be distributed in any form of electronic communications.
- d) All communication between Persons in Authority and Athletes must be between the hours of 6:00 am and midnight unless extenuating circumstances exist.
- e) No communication concerning drugs or alcohol use (unless regarding its prohibition) is permitted.
- f) No sexually explicit language or imagery or sexually oriented conversation is permitted by any medium.
- g) Persons in Authority are not permitted to ask Athletes to keep a secret for them.

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<sup>4</sup> The follow examples are not exhaustive but provide guidance on some potential situations:

Example 1:

If a senior Athlete helps coach their club team and is in a relationship with a fellow club Athlete, then the guidelines noted above would yield the conclusion that the individual should be considered a coach when looking at the appropriateness of that relationship, and as such the relationship should not be permitted.

Example 2:

If a senior Athlete is in a relationship with a fellow club Athlete, and also coaches and officiates at the high school level, then as per the guideline above, the senior Athlete with multiple roles does not result in any power over the club Athlete. The relationship is then permitted (at least as far as the multiple roles is concerned).

Example 3:

If two Athletes are in a relationship and neither play another role in the sport (i.e. not a coach or official), it is still possible that a reasonable person would consider that one Athlete is a Person in Authority relative to the other Athlete. This could be case if the one Athlete has a supervisory or evaluative role, a duty of care, or other authority over the other Athlete.

- h) A Person in Authority should not become excessively involved in an Athlete's personal life.

### **Practices and Competitions**

#### 11. For practices and competitions:

- a) A Person in Authority should never be alone with a Minor Athlete prior to or following a competition or practice, unless the Person in Authority is the Athlete parent or guardian.
- b) If the Minor Athlete is the first Athlete to arrive, the Athlete's parent should remain until another Athlete or Person in Authority arrives.
- c) Similarly, if a Minor Athlete 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 the Athletes have been picked up. If an adult is not available, then another Athlete should be present in order to avoid the Person in Authority being alone with a single Athlete.
- d) Persons in Authority giving instructions, demonstrating skills, or facilitating drills or lessons to an individual Athlete should always do so within an open and observable environment, and seek the appropriate consent.
- e) If there is a concern that the Rule of Two cannot be observed due to long distance training or competition of any nature, or any other circumstances, Persons in Authority and Athletes should take additional steps to achieve transparency and accountability in their interactions. Persons in Authority should always be reachable by phone or text message.

### **Travel**

#### 12. For travel involving Persons in Authority and Athletes:

##### **Onsite**

- a) Upon arrival at the intended destination, teams or groups of Minor Athletes should always have at least two Persons in Authority with them.
- b) If two Persons in Authority cannot be present, reasonable efforts should be made to supplement supervision with screened parents or other volunteers.
- c) For mixed gender teams or groups of Minor Athletes, there should be one Person in Authority from each gender identity. Where this is not possible, Minor Athletes and their parents / guardians will be informed of alternative arrangements.

## **Transit**

- d) A Person in Authority should travel with Minor Athletes during international travel. Where this is not possible, the Minor Athlete's parent or guardian shall be informed of the proposed travel arrangements for their approval. In the event that the parent or guardian does not approve the proposed travel arrangements, they shall be responsible for determining alternative arrangements, at their own expense, to ensure that the Minor Athlete is accompanied during international travel.
- e) To the maximum extent possible, no Person in Authority may drive a vehicle with a Minor Athlete alone unless the Person in Authority has the permission of the Athlete's parent or guardian. This applies when a vehicle is required to reach a competition or training destination and when vehicle use is required upon arrival at the intended competition or training destination if transit to the destination has occurred by other means (i.e., train or airplane).

## **Accommodations**

- f) Double occupancy (or more) is permitted, provided that no individual is sharing a bed with another individual.
- g) 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.
- h) Room or bed checks during overnight stays (where applicable) must be done by two Persons in Authority, or two adults.
- i) For overnight travel when athletes must share a hotel room, roommates will be age-appropriate (and for Minor Athletes within 3 years of age) and of the same gender identity. Any accommodation requests should be directed to WCL.
- j) Except in the case of an emergency, Minor Athletes may not leave their accommodations after the designated curfew without a Person in Authority and, if so, this may only be done in accordance with relevant and applicable instructions or where the Minor Athlete has been given express permission from a Person in Authority that is also present on the trip or for the activity.
- k) Persons in Authority should be notified of any off-site trips and the time/date that Athletes expect to return to the site. However, an Athlete who is a Minor may only leave the site if they have given prior notification to a Person in Authority. In such situations, the Minor may only leave the site if they are doing so in a group of at least two people and they must notify a responsible Person in Authority upon their return.

## **Locker Room / Changing Areas**

13. For locker rooms, changing areas, and other closed meeting spaces:

- 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 the locker room, restroom or changing area. A second adult should be present for any necessary interaction between an adult and an Athlete in any such room, respecting the Rule of Two.
- 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, including but not limited to team communications and/or emergency.

### **Photography / Video**

14. For all photography and video of an Athlete:

- a) If any photographs or videos will be used on any form of public media, an Image Consent Form (Appendix A – Image Consent Form) must be completed before any images are taken and used.
- b) 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.
- c) The use of recording devices of any kind in rooms where there is a reasonable expectation of privacy is strictly prohibited.
- d) Examples of photos that should be edited or deleted include:
  - i. Images with misplaced apparel
  - ii. Suggestive or provocative poses
  - iii. Embarrassing images

### **Physical Contact**

15. It is recognized that 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. WCL is committed to creating a safe environment to have the kinds of conversations needed to further educate Athletes and Athlete Support Personnel on the difference between appropriate and inappropriate contact. Any physical contact shall respect the following:

- a) Unless it is not possible because of serious injury or other circumstance, a Person in Authority should 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 (seeking consent) and not *requiring* the physical contact.
- b) Infrequent, non-intentional physical contact during training or competition is permitted.
- c) Feeling comfortable to say you are uncomfortable.

- d) Unwanted hugging, 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 crying or celebrating after a performance), but this physical contact may only occur in an open and observable environment.

## Enforcement

16. Any alleged violations of this *Athlete Protection Policy* will be addressed pursuant to the *Discipline and Complaints Policy*.
17. Any violation of this Policy that may be considered “Prohibited Behaviour” or “Maltreatment” (as defined in the Definitions) when it is reported pursuant to the *Discipline and Complaints Policy*, and when the matter involves a Registered Participant who is also a UCCMS Participant (as defined in the Definitions), will be handled pursuant to the policies and procedures of the Office of the Sport Integrity Commissioner (“OSIC”).

Policy History	
Approved	June 28, 2021
Next Review Date	June 2022
Revision Approval Dates	November 30, 2022

## APPENDIX A – IMAGE CONSENT FORM

1. I hereby grant WCL 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 WCL 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. Participants will have the right to request removal of an image under certain circumstances.
2. I hereby fully release, discharge, and agree to save harmless WCL, 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.

Signed at this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Print Name of Participant: \_\_\_\_\_

Signature of Participant: \_\_\_\_\_

Signature of Parent/Guardian: \_\_\_\_\_  
(if Participant is younger than the age of majority)



## CODE OF CONDUCT & ETHICS

WCL (the “NSO”) has adopted the Universal Code of Conduct to Prevent and Address Maltreatment in Sport (“UCCMS”), as amended from time to time, which shall be incorporated into this Code by reference as if set out in full herein. Any modifications or amendments made to the UCCMS by the Sport Dispute Resolution Centre of Canada (“SDRCC”) shall come into effect immediately upon their adoption by the SDRCC and automatically without the need for any further action by WCL.

WCL has designated specific Registered Participants within the NSO as UCCMS Participants. A full list of designated individuals is available at: <https://wrestling.ca/safe-sport/>.

It is important to note that the Code of Conduct and Ethics (the “Code”) applies to all Registered Participants, **but not all Registered Participants are UCCMS Participants** and subject to the OSIC Process.

### Purpose

1. The purpose of this Code is to ensure a safe and positive environment within the programs, activities, and events of WCL by making all Registered Participants aware that there is an expectation, at all times, of appropriate behaviour consistent with WCL’s core values, mission and policies.
2. WCL and its Registered Participants 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 - General

3. This Code applies to the conduct of all Registered Participants during the business, activities, and Events of WCL including, but not limited to competitions, practices, evaluations, treatment, or consultations (e.g. massage therapy), training camps, travel associated with organizational activities, the office environment, and any meetings.
4. This Code also applies to the conduct of all Registered Participants outside of the business, activities, and Events of WCL when such conduct adversely affects WCL’s relationships (and the work and sport environment) or is detrimental to the image and reputation of WCL. Such applicability will be determined by WCL, as applicable, at its sole discretion.
5. In addition, this Policy will apply to breaches of the Code that occurred when the Registered 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 Registered Participant(s).
6. This Code also applies to Registered 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 Registered Participant was active in the sport.

7. Any UCCMS Participant that violates the UCCMS may be subject to sanctions pursuant to OSIC. Any Registered Participant that 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 Registered Participant who violates this Code during a competition may be ejected from the competition or practice area, and the Registered Participant may be subject to sanctions pursuant to that competition's policies.

### **Prohibited Behaviour**

8. All Registered Participants must refrain from any behaviour that constitutes a Prohibited Behaviour as defined by the UCCMS and the Code.
9. Registered Participants are responsible for knowing what actions or behaviours constitute Prohibited Behaviours and Maltreatment.
10. Prohibited Behaviours under the UCCMS include, but are not limited to:
  - a) Physical Maltreatment
  - b) Psychological Maltreatment
  - c) Neglect
  - d) Sexual Maltreatment
  - e) Grooming
  - f) Boundary Transgressions
  - g) Discrimination
  - h) Failing to Report
  - i) Aiding and Abetting
  - j) Retaliation
  - k) Interference with or Manipulation of Process
  - l) False Reports

In addition to the Prohibited Behaviours as defined by the UCCMS, this Code sets out other expected standards of behaviour and conduct for all Registered Participants and any failure to respect these expected standards of behaviour by a Registered Participant may constitute a breach of this Code.

### **Responsibilities of Registered Participants**

11. All Registered Participants have a responsibility to:
  - a) Refrain from any behaviour that constitutes Maltreatment and Prohibited Behaviour under this Code and the UCCMS.
  - b) Maintain and enhance the dignity and self-esteem of members and other Registered Participants by:
    - i. Treating each other with the fairness, honesty, respect and integrity;
    - ii. Focusing comments or criticism appropriately and avoiding public criticism of athletes, coaches, officials, organizers, volunteers, employees, or other Registered Participants;

- iii. Consistently demonstrating the spirit of sportsmanship, sport leadership, and ethical conduct;
  - iv. Ensuring adherence to the rules of the sport and the spirit of those rules.
- c) Refrain from the use of power or authority in an attempt to coerce another person to engage in inappropriate activities.
  - d) In the case of Minors, not consume alcohol, tobacco, or cannabis at any competition or event.
  - e) In the case of individuals who are not Minors, take all reasonable steps to manage consumption of cannabis and alcohol as per these “Responsible Consumption” guiding principles in the Workplace or in any situation associated with WCL Events (subject to protections under applicable human rights legislation):

For Athletes:

- i. No consumption of alcohol until the conclusion of their training or competition. Consumption of cannabis remains banned during the “in-competition” period.

For any Registered Participant or accredited Athlete Support Personnel, volunteers, WCL staff and Directors:

- i. At all times be guided by standards of maintaining Athlete performance.
  - ii. No consumption until the conclusion of the daily competition or training.
  - iii. Be “fit for duty” and sober (in the required physical, mental, and emotional state) when returning to one’s tasks.
  - iv. Ensure one’s behaviour when consuming is consistent with a professional image and positive reputation.
- f) When driving a vehicle with a Registered Participant, comply with all applicable legislation, and refrain from engaging in any activity that would constitute distracted driving.
  - g) Respect the property of others and not wilfully cause damage.
  - h) Promote sport in the most constructive and positive manner possible.
  - i) Refrain from engaging in deliberate cheating which is intended to manipulate the outcome of a competition and/or not offer, receive or refrain from offering or receiving any benefit which is intended to manipulate the outcome of a competition. A benefit includes the direct or indirect receipt of money or anything else of value, including, but not limited to bribes, gains, gifts, preferential treatment, and other advantages.
  - j) Adhere to all federal, provincial, municipal and host country laws.
  - k) Comply with the by-laws, policies, procedures, and rules and regulations of WCL and those of any sport organization with authority over the Registered Participant, as applicable, and as adopted and amended from time to time.
  - l) Not engage in an Intimate or Romantic Relationship with an Athlete of any age, or with any

Registered Participant where a Power Imbalance exists (to remove the risk of any actual or perceived conflicts). If a relationship that is not permitted by the Policy exists, immediate steps are to be taken. Resolution includes Registered Participants changing their role(s) so that neither is a Person in Authority relative to the other, or ending the relationship.

### **Directors, Committee Members, and Staff**

12. In addition to section 11 (above), Directors, Committee Members, and Staff of WCL and its Members will have additional responsibilities to:

- a) Function primarily as a director, committee member or staff of WCL (as applicable) and ensure to prioritize their duty of loyalty to WCL (and not to any other group) while acting in this role.
- b) Act with honesty and integrity and conduct themselves in a manner consistent with the nature and responsibilities of the business and the maintenance of Registered Participants' confidence.
- c) Ensure that financial affairs are conducted in a responsible and transparent manner with due regard for all fiduciary responsibilities.
- d) Comply with their obligations under the *Screening Policy*, including understanding ongoing expectations under the *Screening Policy* and fully cooperating in the screening process.
- e) Conduct themselves openly, professionally, lawfully and in good faith.
- f) Be independent and impartial and not let self-interest, outside pressure, expectation of reward, or fear of criticism influence their decision-making.
- g) Exercise the degree of care, diligence, and skill required in the performance of their duties pursuant to applicable laws.
- h) Maintain required confidentiality of organizational information.
- i) Commit the time to attend meetings and be diligent in preparation for, and participation in, discussions at such meetings.
- j) Have a thorough knowledge and understand all governance and relevant policies and procedures.

### **Coaches and Athlete Support Personnel**

13. In addition to section 11 (above), coaches and Athlete Support Personnel have many additional responsibilities.

14. The relationship of an Athlete with a coach or Athlete Support Personnel is a privileged one and plays a critical role in the personal, sport, and athletic development of the Athlete. Coaches and Athlete Support Personnel must understand and respect the inherent power imbalance that exists in this relationship and must not abuse it, consciously or unconsciously.

15. Coaches and Athlete Support Personnel will:

- a) Avoid any behaviour that abuses the Power Imbalance inherent in the position of the coach and Athlete Support Personnel.
- 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 science and sport medicine professionals in the diagnosis, treatment, and management of Athletes' medical and psychological treatments, including when discussing optimal nutritional strategies or weight control methods for junior aged Athletes and above (18 + years of age). Dieting and other weight control methods are not permitted for Athletes 17 years of age and younger.
- e) Support the coach and Athlete Support Personnel of a training camp, provincial team, or national team, should an Athlete qualify for participation with one of these programs.
- f) Comply with all established responsibilities and obligations as set out by the coach and Athlete Support Personnel's professional governing association or order, if any.
- g) Accept and promote Athletes' personal goals and refer athletes to other coaches and sports specialists as appropriate.
- h) Provide Athletes (and the parents/guardians of Minor Athletes) with the information necessary to be involved in the decisions that affect the Athlete.
- i) Act in the best interest of the Athlete's development as a whole person.
- j) Comply with the obligations under the *Screening Policy*, including understanding ongoing expectations under the *Screening Policy* and fully cooperating in the screening process.
- 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 Minor Athletes, alcohol, cannabis and/or tobacco.
- l) Respect competitor Athletes and, in dealings with them, not encroach upon topics or take 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) Recognize the power inherent in the position of coach and Athlete Support Personnel and respect and promote the rights of all Registered 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 Registered Participants who are in a vulnerable or dependent position and less able to protect their own rights.

- n) Dress appropriately and use appropriate language, taking into account the audience being addressed.

### **Athletes**

16. In addition to section 11 (above), Athletes will have additional responsibilities to:

- a) Follow 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 events.
- 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, professionalism and equipment.
- f) Act in accordance with applicable policies and procedures and, when applicable, additional rules as outlined by staff, coaches and Athlete Support Personnel.

### **Officials**

17. In addition to section 11 (above), officials will have additional responsibilities to:

- a) Maintain and update their knowledge of the rules and rules changes.
- b) Not publicly criticize other Registered Participants.
- c) Adhere at all times to the rules of their international federation and any other sport organization that has relevant and applicable authority.
- d) Place the safety and welfare of competitors, and the fairness of the competition above all else.
- e) Strive to provide a fair sporting environment, and at no time engage in Maltreatment or Prohibited Behaviour toward any person on the field of play.
- f) Respect the terms of any agreement that they enter with WCL.

- g) Work within the boundaries of their position's description while supporting the work of other officials.
- h) Act as an ambassador of the sport by agreeing to enforce and abide by national and provincial / territorial rules and regulations.
- i) Take ownership of actions and decisions made while officiating.
- j) Respect the rights, dignity, and worth of all Registered Participants.
- k) Act openly, impartially, professionally, lawfully, and in good faith.
- l) Be fair, equitable, considerate, independent, honest, and impartial in all dealings with others.
- m) Respect the confidentiality required by issues of a sensitive nature, which may include yellow or red card notifications, defaults, forfeits, discipline processes, appeals, and specific information or data about Registered Participants.
- n) Comply with the obligations under the *Screening Policy*, including understanding ongoing expectations under the *Screening Policy* and fully cooperating in the screening process.
- o) Honour all assignments unless unable to do so by virtue of illness or personal emergency, and in these cases inform the assignor or association at the earliest possible time.
- p) When writing reports, set out the actual facts to the best of their knowledge and recollection.
- q) Dress appropriately for officiating.

### **Parents/Guardians and Spectators at WCL Sanctioned Events**

18. In addition to section 11 (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 Registered Participant for making a mistake during a performance or practice.
- d) Respect the decisions and judgments of officials and encourage Athletes to do the same.
- e) Support all efforts to stop and prevent verbal and physical abuse, coercion, intimidation, and excessive sarcasm.
- f) Respect and show appreciation to all competitors, and to the coaches, officials and other volunteers.

- g) Never harass Registered Participants, competitors, coaches and other Athlete Support Personnel, officials, parents/guardians, or other spectators.
- h) Never encourage, aid, cover up or assist an Athlete in cheating through doping, competition manipulation or other cheating behaviours.

### **PTSOs and Canadian Association of Wrestling Officials (CAWO)**

19. PTSOs and CAWO, and any of their individual members must:

- a) Adhere to all WCL's governing documents and policies, and, when required, amend their own rules to comply or align with those of WCL.
- b) Have comparable safe sport policies as a condition of membership with WCL.
- c) Pay all required dues and fees by the prescribed deadlines.
- d) Ensure that all Athletes and other members participating in sanctioned competitions and Events of WCL are registered and in good standing.
- e) Appropriately screen prospective employees to help 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.
- h) Advise WCL immediately of any situation where a complainant has publicized a complaint in the media (including social media).
- i) Provide WCL with a copy of all decisions rendered pursuant to WCL's *Reciprocation Policy*.
- j) Implement any decisions and disciplinary sanctions imposed pursuant to WCL's *Reciprocation Policy*.

### **Anti-Doping<sup>5</sup>**

20. WCL adopts and adheres to the Canadian Anti-Doping Program. WCL will respect any sanction imposed on an Individual as a result of a breach of the Canadian Anti-Doping Program or any other applicable Anti-Doping Rules.

21. All Registered Participants shall:

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<sup>5</sup> Any capitalized terms used in this Anti-Doping section shall, unless the context requires otherwise, have the meanings ascribed to them in the Definitions section of the Canadian Anti-Doping Program.



- a) 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.
- b) 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.
- c) Cooperate with any Anti-Doping sport organization that is conducting an investigation into any anti-doping rule violation(s).
- d) Refrain from any offensive conduct toward a Doping Control official or other individual involved in Doping Control, whether or not such conduct constitutes Tampering as defined in the Canadian Anti-Doping Program.
- e) All Athlete Support Personnel or other Persons who are Using a Prohibited Substance or Prohibited Method without a valid and acceptable justification shall refrain from providing support to Athletes that fall under WCL’s jurisdiction.

**Retaliation, Retribution or Reprisal**

22. It is a breach of this *Code of Conduct and Ethics* for any Registered Participant to engage in any act that threatens or seeks to intimidate another individual with the intent of discouraging that Registered Participant from filing, in good faith, a complaint pursuant to any WCL policy. It is also a breach of this Code to file a complaint for the purpose of retaliation, retribution or reprisal against any other Registered Participant. Any Registered Participant found to be in breach of this section shall be liable for the costs related to the disciplinary process required to establish such a breach.

**Privacy**

23. The collection, use and disclosure of any personal information pursuant to this Policy is subject to WCL’s *Privacy Policy*.

Policy History	
Approved	June 28, 2021
Next Review Date	June 2022
Revision Approval Dates	November 30, 2022

## ABUSE POLICY

*If there is any conflict with this Policy and the UCCMS, the UCCMS will prevail.*

### Purpose

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

### Zero Tolerance Statement

2. WCL has zero tolerance for any type of abuse. Registered Participants are required to report instances of abuse or suspected abuse to WCL 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*<sup>6</sup>:

#### *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.

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<sup>6</sup> Retrieved from: [https://www.ecclesiastical.ca/guidelines\\_developsafetyprotectionpolicy\\_children-youths-vulnerableadults\\_faith/](https://www.ecclesiastical.ca/guidelines_developsafetyprotectionpolicy_children-youths-vulnerableadults_faith/)

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. Potential warning signs of abuse of children or youth can include<sup>7, 8</sup>:

- 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, young person or adult

7. 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.

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<sup>7</sup> Adapted from: <https://www.all4kids.org/2014/03/04/warning-signs-child-abuse-neglect/>

<sup>8</sup> Adapted from: [https://www.parentsprotect.co.uk/warning\\_signs.htm](https://www.parentsprotect.co.uk/warning_signs.htm)

## *Abuse in Sport*

8. Abuse in sport can include emotional maltreatment, neglect, physical maltreatment and grooming.
- 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. 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 separated from a larger practice group with no supervision and/or for an extended period
  - ii. Withholding, recommending against, or denying adequate hydration, nutrition, medical attention or sleep
  - iii. Ignoring an injury
  - iv. Knowing about sexual abuse of an athlete but failing to report it
- c) **Physical Maltreatment** - involves contact or non-contact behaviour that can cause physical harm to an athlete. It also includes any act or conduct described as physical abuse or misconduct (e.g., child abuse, child neglect and assault). Almost all sport involves strenuous physical activity. Athletes regularly push themselves to the point of exhaustion. However, any activity that physically harms an athlete—such as extreme disciplinary actions or punishment—is unacceptable. Physical maltreatment can extend to seemingly unrelated areas including inadequate recovery times for injuries and restricted diet. Examples of physical maltreatment include:

- i. Punching, beating, biting, striking, choking or slapping an athlete
  - ii. Intentionally hitting an athlete with objects or sporting equipment
  - iii. Providing alcohol to an athlete under the legal drinking age
  - iv. Providing illegal drugs or non-prescribed medications to any athlete
  - v. Encouraging or permitting an Athlete to return to play prematurely or without the clearance of a medical professional, following a serious injury (e.g., a concussion)
  - vi. Prescribed dieting or other weight-control methods for junior aged Athletes and above (18+ years of age) without regard for their nutritional well-being and health (sport science and sport medicine professionals should be consulted when discussing optimal nutritional strategies or weight control methods). Please note that dieting and other weight control methods are not permitted for Athletes 17 years of age and younger.
  - 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 parents/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 coach's personal life outside of coaching (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 coach's needs above needs of Athlete and/or going to Athlete to have coach's needs met
9. Importantly, emotional and physical maltreatment does not include professionally-accepted reasonable coaching methods (per the NCCP) of skill enhancement, human development, physical conditioning, team building, discipline, or improving athletic performance, or sport science and sport medicine supervised nutritional strategies and weight control methods.

## *Vulnerable Adult Abuse*

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
  - f) Not wanting to be alone with a particular person

### **Preventing Abuse**

14. WCL will enact measures aimed at preventing abuse. These measures include screening, orientation, training, practice, and monitoring.

#### *Screening*

15. WCL will use the *Screening Policy* to determine the level of trust, authority, and access that each Person in Authority 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 E-Pic, Criminal Record Check ("CRC") and/or Vulnerable Sector Check ("VSC")
  - e) Providing a driver's abstract, as required
  - f) Other screening procedures, as required
16. 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 Individual's ineligibility for the position sought.

#### *Orientation and Training*

17. WCL may deliver orientation and training to those Persons in Authority 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*.
18. 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.
19. Training may include, but is not limited to: certification courses, online learning, mentoring, workshop sessions, webinars, on-site demonstrations, and peer feedback.

20. 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*

21. 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 individual)
- 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, a 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*

22. WCL will regularly monitor those Persons in Authority 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*.

23. 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**

24. Reports of abuse that are shared confidentially with a Person in Authority by a Vulnerable Participant may require the Participant to report the incident to parents/guardians, WCL, a Member, 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.

25. Complaints or reports that describe an element of **abuse** will be addressed by the process(es) described in the *Discipline and Complaints Policy*.



26. Any violation of this Policy that may be considered “Prohibited Behaviour” or “Maltreatment” (as defined in the Definitions) when it is reported pursuant to the *Discipline and Complaints Policy*, and when the matter involves a Registered Participant who is also a UCCMS Participant (as defined in the Definitions), will be handled pursuant to the policies and procedures of the Office of the Sport Integrity Commissioner (“OSIC”).

Policy History	
Approved	June 28, 2021
Next Review Date	June 2022
Revision Approval Dates	November 30, 2022

## DISCIPLINE & COMPLAINTS POLICY

### Purpose

1. Registered Participants are expected to fulfill certain responsibilities and obligations including, but not limited to, complying with policies, by-laws, rules and regulations of WCL, as updated and amended from time to time.
2. Non-compliance with any of WCL's policies, by-laws, rules and regulations may result in the imposition of sanctions pursuant to this Discipline and Complaints Policy (the "Policy").

### Application - General

3. This Policy applies to all Registered Participants and to any alleged breaches of WCL's policies, by-laws, rules or regulations that designate this Policy as applicable to address such alleged breaches.
  - a) Nothing in this Policy permits or authorizes this Policy's application to the Independent Third Party, or any other person retained by WCL in respect of their administration of the Discipline and Complaints Policy, or Appeal Policy. In all regards, any person or entity retained by WCL to administer the Discipline and Complaints Policy, or Appeal Policy shall be wholly and completely immune from complaint, proceeding or sanction under the Discipline and Complaints Policy. This clarification, or in the alternative, revision, of the application of the Policy shall have retroactive application as set out herein.
  - b) Any proceeding under this Policy against the Independent Third Party, or any other person retained by WCL in respect of the administration of the Discipline and Complaints Policy, or Appeal Policy, that, as of the date of this policy revision has not been determined on its merits, including any proceeding commenced under a predecessor to this policy revision, is hereby immediately and permanently stayed, and any Discipline Panel convened to determine such a proceeding shall enter an Award staying the proceeding in accordance with this Policy. No costs may be awarded to any party in respect of any proceeding stayed by virtue of this Policy.
  - c) This Policy, in all respects, shall be interpreted in such a manner as to provide immunity from proceeding to the Independent Third Party, or any other person retained by WCL in respect of the administration of the Discipline and Complaints Policy, or Appeal Policy.
4. This Policy does not prevent immediate discipline or sanction from being applied as reasonably required at any WCL sanctioned activity. 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 will be for the duration of the competition, training, activity, or event only. However, disciplinary sanctions during competition do not prevent further disciplinary proceeding being initiated according to this Policy.
5. In addition to being subject to disciplinary action pursuant to this Policy, an employee, contractor or service provider of WCL who is a Respondent to a Complaint may also be subject to consequences in

accordance with the employee's employment agreement or WCL's human resources policies, if applicable.

6. If a Participant makes a complaint or reports an incident that occurred at a time when a different WCL conduct policy was in force, the complaint will be addressed using the procedures of the discipline policy in place at the time that the complaint is made. If known, the conduct standards in place at the time when the incident/events related to the complaint are alleged to have will be applied. Determination of the conduct standard to be applied will be determined by the Independent Third Party, at its sole discretion, and is not subject to appeal.

#### **Reporting – UCCMS Participants**

7. Incidents that involve alleged Maltreatment or Prohibited Behaviour (as those terms are defined in the UCCMS) that occurred or continued as of December 29, 2022 involving a UCCMS Participant must be reported to the OSIC ([www.sportintegritycommissioner.ca](http://www.sportintegritycommissioner.ca)) and will be addressed pursuant to the OSIC's policies and procedures.
8. Incidents that involve alleged Maltreatment or Prohibited Behaviour that occurred before December 29, 2022 may be reported to the OSIC, however, the OSIC shall determine the admissibility of such complaints in accordance with the relevant and applicable OSIC Guidelines regarding the initial review and preliminary assessment, and the matter may only proceed pursuant to the OSIC's procedures with the express consent of the Parties involved where the Parties have not been designated by WCL as a UCCMS Participant.
9. If the Independent Third Party receives a complaint that they consider would otherwise fall within the above sections, they shall refer the matter to the OSIC and notify the individual(s) that made the complaint of such action.

#### **Reporting – Registered Participants**

10. Any complaints involving alleged breaches of WCL's policies that do not fall within Sections 7 or 8 above may be reported by a Registered Participant to the Independent Third Party in writing within fourteen (14) days of the occurrence of the incident.<sup>9</sup> For the avoidance of doubt, this includes complaints referred back to the Independent Third Party by the OSIC following a determination made by the OSIC that a complaint initially reported to it does not fall within its jurisdiction. The OSIC is not required to comply with the deadline specified here.
11. Notwithstanding any provision in this Policy, WCL may at its discretion, or upon request by the Independent Third Party, act as the Complainant and initiate the complaint process under the terms of this Policy. In such cases, WCL will identify an individual to represent the organization.

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<sup>9</sup> This timeline may be waived at the Independent Third Party's sole discretion if they consider that there were exceptional circumstances that prevented the Individual from Reporting their complaint within 14 days of the occurrence of the incident. Any such decision by the Independent Third Party is not subject to appeal.

12. A Complainant who fears retribution or reprisal or who otherwise considers that their identity must remain confidential may file a complaint with the Independent Third Party and request that their identity be kept confidential. If the Independent Third Party considers that the Complainant's identity must remain confidential, the Independent Third Party may ask that WCL take carriage of the complaint and act as the Complainant.<sup>10</sup>
13. In exceptional circumstances, the Independent Third Party may direct a complaint to be managed by WCL if a PTSO is otherwise unable to manage the complaint for valid and justifiable reasons, such as a conflict of interest, due to a lack of capacity or where the PTSO does not have policies in place to address the complaint. In such circumstances, WCL shall require that a cost-sharing agreement is entered into with the PTSO as a pre-condition to WCL managing the complaint.

### **Alignment**

14. WCL recognizes that Registered Participants may also be registered with WCL, PTSOs, CAWO, and/or Clubs. Pursuant to the *Reciprocation Policy*, organizations are required to have discipline decisions involving Registered Participants submitted to WCL which may take further action at its discretion. Further action may include the involvement of the Independent Third Party when the decision involved an element of Maltreatment or Prohibited Behaviour.
15. If WCL decides to take further action upon becoming aware of a Registered Participant who has been disciplined by a PTSO, CAWO and/or a Club, the Registered Participant will be the Respondent to a complaint initiated under the terms of this Policy. WCL may act as the Complainant if the original Complainant is unwilling or unavailable to participate in this process.
16. The Discipline Panel, as applicable, will review and consider the decision by the PTSO, CAWO and/or Club when deciding on the complaint per the terms of this Policy.

### **Minors**

17. Complaints may be brought by or against a Registered Participant who is a Minor. Minors must have a parent/guardian or other adult serve as their representative during this process.
18. Communications from the Independent Third Party, Discipline Panel, as applicable, must be directed to the Minor's representative.
19. If the Minor's adult representative is not their parent / guardian, the representative must have written permission to act such a capacity from the Minor's parent / guardian.
20. A Minor is not required to attend an oral hearing, if held, or participate in an investigation if conducted. In such circumstances, no adverse interference can be drawn against the Minor.

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<sup>10</sup> In such circumstances, the Complainant(s) may be required to provide evidence during the disciplinary process.

## Independent Third Party Responsibilities

21. Any individual may report a complaint to the Independent Third Party via the reporting mechanism within fourteen (14) days from the date of the alleged incident.
22. Upon receipt of a written complaint, the Independent Third Party has a responsibility to:
  - a) Determine whether the complaint falls within of this Policy by considering whether the incident occurred with the business, activities, or Events of WCL, and whether it has been submitted in accordance with the deadlines indicated herein.
  - b) Determine whether the complaint is frivolous, vexatious or if it has been made in bad faith<sup>11</sup>.
  - c) Determine if the alleged incident should be investigated pursuant to Appendix A – Investigation Procedure.
  - d) Choose which process (Process #1 or Process #2) should be followed to hear and adjudicate the matter. Appropriate rationale should be provided in making that determination.
23. If the Independent Third Party determines the complaint is frivolous or outside the jurisdiction of this Policy, the complaint will be dismissed immediately or directed to the appropriate jurisdiction, and a written decision of such decision will be provided to WCL and the Complainant. The Independent Third Party's decision to accept or dismiss the complaint may not be appealed.

## Available Processes

24. There are two different processes that may be used to hear and adjudicate complaints. Subject to Sections 7-9, the Independent Third Party decides which process will be followed at their discretion, and such decision is not appealable.

Process #1 - the complaint contains allegations involving the following behaviours:

- i. Disrespectful conduct or comments
- ii. Minor acts of physical violence, unless the physical violence is between a Person in Authority and a Vulnerable Participant, in which case the matter will be addressed under Process #2
- iii. Conduct contrary to the values of WCL
- iv. Non-compliance with the organization's policies, procedures, rules, or regulations of WCL

The behaviours identified above are examples only and are not a definitive list of behaviours that may be addressed through Process #1.

Process #2 - the complaint contains allegations involving the following behaviours:

- i. Repeated incidents described in Process #1

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<sup>11</sup> As indicated in the Sport Dispute Resolution Centre of Canada's Investigation Guidelines, a Reported complaint shall not be characterized as vexatious if the evidence demonstrates that there was a reasonable basis for filing and pursuing it. For a complaint to be considered to have been made in bad faith, the Independent Third Party must consider that it was filed consciously for a dishonest purpose or due to the moral underhandedness of the Complainant and that there was an intention to mislead.

- ii. Hazing
- iii. Abusive, racist, or sexist comments, conduct or behaviour
- iv. Incidents that constitute Prohibited Behaviour under the *Code of Conduct and Ethics (the "Code")* or the UCCMS
- v. Major incidents of violence (e.g., fighting, attacking,)
- vi. Pranks, jokes, or other activities that endanger the safety of others
- vii. Conduct that intentionally interferes with a competition or with any athlete's preparation for a competition
- viii. Conduct that intentionally damages the image, credibility, or reputation of WCL
- ix. Consistent disregard for the by-laws, policies, rules, and regulations of WCL
- x. Major or repeated violations of the *Code of Conduct and Ethics* or any other policies, by-laws, rules or regulations that designate this *Discipline and Complaints Policy* as applicable to address such alleged breaches
- xi. Intentionally damaging the property of WCL or improperly handling WCL's monies
- xii. Abusive use of alcohol, any use or possession of alcohol by Minors, or use or possession of illicit drugs and narcotics
- xiii. A conviction for any *Criminal Code* offense

The behaviours identified above are examples only and are not a definitive list of behaviours that may be addressed through Process #2.

### **Provisional Suspensions**

- 25. If it is considered appropriate or necessary on the basis of the circumstances, immediate discipline or the imposition of a Provisional Suspension or interim measures may be imposed against any Registered Participant by the Independent Third Party or WCL after which further discipline or sanctions may be applied according to this Policy.
- 26. If an infraction occurs at a competition, it will be dealt with by the procedures specific to the competition, if applicable. Provisional Suspensions or interim measures may be imposed for the duration of a competition, training, activity, or Event only, or as otherwise determined appropriate by the Independent Third Party (or WCL).
- 27. Notwithstanding the above, WCL and / or Independent Third Party may determine that an alleged incident is of such seriousness as to warrant the imposition of a Provisional Suspension of a Respondent pending completion of an investigation, assessment and investigation by the OSIC, criminal process, the hearing, or a decision of the Discipline Panel.
- 28. A Participant who has been charged for a *Criminal Code* offense, will be immediately suspended from all WCL activities until a determination is made regarding the charges. If an individual is subsequently cleared from the charges their suspension will be lifted.
- 29. Any Respondent against whom a Provisional Suspension or interim measure is imposed may make a request to the Independent Third Party or Discipline Panel (if appointed) to have the Provisional Suspension or interim measure lifted. In such circumstances, WCL shall be provided with an opportunity to make submissions, orally or in writing, regarding the Respondent's request to have

their Provisional Suspension lifted. Provisional Suspensions or interim measures shall only be lifted in circumstances where the Respondent establishes that it would be manifestly unfair to maintain the Provisional Suspension or interim measures against them.

30. Any decision not to lift a Provisional Suspension or interim measure shall not be subject to appeal.

**Process #1:**

31. Following the determination that the complaint or incident should be handled under Process #1, the Independent Third Party may propose using alternative dispute resolution methods (see Appendix B), if appropriate. If the dispute is not resolved using alternative dispute resolution methods, the Independent Third Party will appoint a Discipline Panel of one (1) person. Thereafter, the Discipline Panel shall have the following responsibilities:

- a) Ask the Complainant and the Respondent for written submissions regarding the complaint or incident. Both Parties shall also have the right to submit to the Discipline Panel any relevant evidence, including, but not limited to witness statements, documentary evidence or evidence from other media (i.e., photos, screenshots, videos or other recordings). Each Party shall have the right to receive the other Party's submissions and evidence, including the Complainant's complaint.
- b) Following receipt of the Parties' submissions, the Discipline Panel may request additional clarification from the Parties, in writing, as applicable.

32. Following their review of the submissions and evidence related to the complaint, the Discipline Panel shall determine if any of the incidents listed in Process #1 above have occurred and, if so, determine whether to impose a sanction and, if so, determine the appropriate sanction (see Sanctions). If, after reviewing their submissions, the Discipline Panel considers that none of the incidents listed in Process #1 above have occurred, they shall dismiss the complaint.

33. The Discipline Panel will inform the Parties of the decision, which shall be in writing and include reasons. The Discipline Panel's decision will take effect immediately, unless specified otherwise by the Discipline Panel. Should the circumstances require a decision to be rendered immediately or within a short timeline, the Discipline Panel may render a short decision, in writing, followed by a written reasoned decision.

34. Any decision rendered by the Discipline Panel shall be provided to and maintained in the records of WCL. Decisions will be kept confidential by the Parties and WCL and shall be retained and discarded in accordance with the relevant and applicable privacy legislation.

**Process #2:**

35. Following the determination that the complaint or incident should be handled under Process #2, the Independent Third Party will propose using alternative dispute resolution methods (see Appendix B), if appropriate. Alternatively, the Independent Third Party may appoint a designate to handle the responsibilities described in this section. References to 'Independent Third Party' in Process #2 then

apply to the ITP's designate, if appointed, instead. If the dispute is not resolved using alternative dispute resolution methods, the Independent Third Party will appoint a Discipline Panel of one (1) person to hear the complaint. Thereafter, the Independent Third Party shall have the following responsibilities:

- a) Coordinate all administrative aspects of the process and set reasonable timelines.
  - b) Provide administrative assistance and logistical support to the Discipline Panel as required, including providing the Discipline Panel with any information related to the previously imposed disciplinary sanctions against the Respondent(s) of the policies of WCL, any Member of any other sport organization that had authority over the Respondent.
  - c) Provide any other service or support that may be necessary to ensure a fair and timely proceeding
36. The Independent Third Party will establish and adhere to timelines that ensure procedural fairness and that the matter is heard in a timely fashion.
37. If warranted based on the nature of the case, the Independent Third Party may, in their sole discretion, appoint a Discipline Panel of three (3) people. When a three-person Discipline Panel is appointed, the Independent Third Party will appoint one of the Discipline Panel's members to serve as the Chair.
38. The Independent Third Party, 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.
39. The hearing will be governed by the procedures that the Independent Third Party and the Discipline Panel deem appropriate in the circumstances. The following procedural directions will apply:
- a) The determination of procedures and timelines, as well as the hearing duration, shall be as expedient and cost-efficient as possible in order to ensure that costs to the Parties and WCL are reasonable.
  - b) The Parties will be given appropriate notice of the day, time, and place of the hearing.
  - c) Copies of any written documents which any of the Parties wishes to have the Discipline Panel consider will be provided to all Parties, through the Independent Third Party, in advance of the hearing and in accordance with the timelines set by the Independent Third Party.
  - d) The Parties may engage a representative, advisor, translator, transcription services or legal counsel at their own expense.
  - e) The Discipline Panel may request that any other individual participate and give evidence at the hearing.



- f) If not a Party, WCL shall be allowed to attend the hearing as an observer and will be provided with access to any documents submitted. With the permission of the Discipline Panel, WCL may make submissions at the hearing or may provide the Discipline Panel with clarifying information that may be required for the Discipline Panel to render its decision<sup>12</sup>.
  - g) The Discipline Panel shall allow any evidence at the hearing filed by the Parties and may exclude any evidence that is unduly repetitious or otherwise an abuse of process. The Discipline Panel shall otherwise apply relevant and applicable evidentiary rules in relation to the admissibility and weight given to evidence filed by the Parties.
  - h) Nothing is admissible in evidence at a hearing that:
    - i. Would be inadmissible in a court by reason of any privilege under the law of evidence.
    - ii. Is inadmissible by any statute.
  - i) The decision will be by a majority vote of the Discipline Panel when the Panel consists of three people.
40. 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.
41. The hearing will proceed in any event, even if a Party chooses not to participate in the hearing.
42. If a decision may affect another party to the extent that the other party would have recourse to a complaint or an appeal in their own right, that party will become a Party to the current complaint and will be bound by the decision.
43. In fulfilling its duties, the Discipline Panel may obtain independent advice.

## **Decision**

44. After hearing and/or reviewing the matter, the Discipline Panel will determine whether an infraction has occurred and, if so, the sanctions to be imposed. If the Discipline Panel considers that an infraction has not occurred, the complaint will be dismissed.
45. Within fourteen (14) days of the hearing's conclusion, the Discipline Panel's written decision, with reasons, will be distributed to all Parties by the Independent Third Party, including WCL.

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<sup>12</sup> The purpose of this provision is not to provide WCL with the possibility to try to influence whether a sanction is imposed and, if so, the duration or nature of the sanction. Instead, this provision is intended to provide WCL with the possibility to provide the Discipline Panel with clarifying information when the parties have sought a particular sanction against an individual, but they have misunderstood or misrepresented fundamental elements of the programming or membership structure (or other similar issues) and, if left unaddressed, could result in the Discipline Panel imposing a sanction that is unenforceable.

46. 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.
47. The Discipline Panel's decision will come into effect as of the date that it is rendered, unless decided otherwise by the Discipline Panel. The Discipline Panel's decision will apply automatically to WCL and all of its Members and associated organizations, according to the terms of the *Reciprocation Policy*.
48. Unless the matter involves a Vulnerable Participant, once the appeal deadline in the *Appeal Policy* has expired, WCL shall publish on its website the outcome of the case, the provision(s) of the relevant policies that have been violated, the name(s) of the Registered Participant(s) involved and the sanction(s) imposed, if any, as written by the Discipline Panel. If the matter is appealed, the publication provisions in the *Appeal Policy* shall apply. Identifying information regarding Minors or Vulnerable Participants will never be published by WCL.
49. If the Discipline Panel dismisses the complaint, the information referred to in Section 48 above may only be published with the Respondent's consent. If the Respondent does not provide such consent, the information referred to in Section 48 above will be kept confidential by the Parties, the Independent Third Party and WCL and shall be retained and discarded in accordance with the relevant and applicable privacy legislation. Failure to respect this provision may result in disciplinary action being taken pursuant to this *Policy*.
50. Other individuals or organizations, including but not limited to, national sport organizations, Provincial/Territorial sport organizations, sport clubs, etc., shall be advised of the outcome of any decisions rendered in accordance with this *Policy*.
51. Records of all decisions will be maintained by WCL in accordance with its Privacy Policy.
52. When the Discipline Panel imposes a sanction, the decision shall include, at a minimum, the following details:
  - a) Jurisdiction.
  - b) Summary of the facts and relevant evidence.
  - c) Where applicable, the specific provision(s) of WCL's policies, bylaws, rules or regulations that have been breached.
  - d) Which Party or organization is responsible for the costs of implementing any sanction.
  - e) Which organization is responsible for monitoring that the sanctioned individual respects the terms of the sanction.
  - f) Any reinstatement conditions that the Respondent must satisfy (if any).
  - g) Which organization is responsible for ensuring that the conditions have been satisfied.

h) Any other guidance that will assist the Parties to implement the Discipline Panel's decision.

53. If necessary, a Party – or the organization that is responsible for implementing or monitoring a sanction – may seek clarifications from the Discipline Panel regarding the order so that it can be implemented or monitored appropriately.

### Sanctions

54. When determining the appropriate sanction, the Discipline Panel will consider the following factors (where applicable):

- 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 misconduct, Prohibited Behaviour or Maltreatment;
- c) The respective 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 misconduct, Prohibited Behaviour or Maltreatment, and/or cooperation in the investigative and / or disciplinary process of WCL;
- 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.

55. Any sanction imposed must be proportionate and reasonable. However, progressive discipline is not required and a single incident of Prohibited Behaviour, Maltreatment or other misconduct may justify elevated or combined sanctions.

56. The Discipline Panel may apply the following disciplinary sanctions, singularly or in combination:

- a) **Verbal or Written Warning** - A verbal reprimand or an official, written notice that a Registered Participant has violated the *Code of Conduct and Ethics* and that more severe sanctions will result should the Registered Participant be involved in other violations.
- b) **Education** - The requirement that a Registered Participant undertake specified educational or similar remedial measures to address the violation(s) of the *Code of Conduct and Ethics* or the UCCMS.
- c) **Probation** - Should any further violations of the *Code of Conduct and Ethics* or the UCCMS occur during the probationary period, this may result in additional disciplinary measures, including, without limitation, 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.
- 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 WCL. A suspended Registered Participant may be eligible to return to participation, but reinstatement may be subject to certain restrictions or contingent upon the Registered 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 capacity in any program, activity, event, or competition sponsored by, organized by, or under the auspices of WCL.
- 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.

57. The Discipline Panel 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, or a Complainant who was a Minor at the time of the incidents complained of, 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 allegations of a crime against a person, if justified by the seriousness of the offence, the presumptive sanction shall be a period of suspension until a final determination is made by the applicable process.

58. A Registered Participant's conviction for certain *Criminal Code* offenses involving harmful conduct shall carry a presumptive sanction of permanent ineligibility from participating with WCL. Such *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

### **OSIC Sanction**

59. As a Program Signatory to the OSIC, WCL will ensure that any sanctions or measures imposed by the OSIC's Director of Sanctions and Outcomes ("DSO") will be implemented and respected within WCL's jurisdiction (including at the provincial, territorial and club level), once WCL receives appropriate notice of any sanction or measure from the OSIC.

### **Appeals**

60. The decision of the Discipline Panel, as applicable, may be appealed in accordance with the *Appeal Policy*.

### **Confidentiality**

61. The disciplinary process is confidential and involves only WCL, the Parties, the Independent Third Party, the Discipline Panel (as appropriate), and any independent advisors to the Discipline Panel.

62. None of the Parties (or their representatives or witnesses) or organizations referred to in section 61 will disclose confidential information relating to the discipline or complaint to any person not involved in the proceedings, unless WCL is required to notify an organization such as an international federation, Sport Canada or other sport organization (i.e., where a Provisional Suspension or interim measures have been imposed and communication is required to ensure that they may be enforced), or notification is otherwise required by law.

63. Any failure to respect the confidentiality requirement may result in further sanctions or discipline by the Discipline Panel (as applicable).

### **Timelines**

64. 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 Independent Third Party may direct that these timelines be revised.

### **Civil Claims**

65. Should any Party file a civil claim related to the incident(s) being handled under WCL's internal complaint process (i.e., a non-OSIC complaint), the complaint process may be suspended until all civil proceedings are concluded.

## Records and Distribution of Decisions

66. WCL recognizes 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.

## Privacy

67. The collection, use and disclosure of any personal information pursuant to this Policy is subject to WCL's Privacy Policy.

68. WCL or any of its delegates pursuant to this Policy (i.e., Independent Third Party (and any designate), Discipline Panel), shall comply with WCL's Privacy in the performance of their services under this Policy.

Policy History	
Approved	June 28, 2021
Next Review Date	June 2022
Revision Approval Dates	November 30, 2022
Revision Approval Dates	January 13, 2023

## APPENDIX A – INVESTIGATION PROCEDURE

### Determination and Disclosure

1. When a complaint is submitted pursuant to the *Discipline and Complaints Policy* and is accepted by the Independent Third Party, the Independent Third Party will determine if the incident(s) should be investigated.
2. WCL will adhere to all disclosure and reporting responsibilities required by any government entity, local police force, or child protection agency.

### Investigation

3. If the Independent Third party considers that an investigation is necessary, they will appoint an Investigator, taking into consideration the financial resources of WCL. The Investigator must be an independent third party with experience in investigating. The Investigator must not be in a conflict of interest situation and should have no connection to either Party. Provided the subject of the investigation is different, an Investigator having previously conducted an investigation for WCL is not necessarily in a conflict of interest.
4. Federal and/or Provincial legislation related to Workplace Harassment may apply to the investigation if Harassment was directed toward a Worker in a Workplace. The Investigator should review workplace safety legislation, 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) Witnesses interviewed;
  - c) Collection of documents;
  - d) Statement of facts (Complainant's perspective) prepared by Investigator, acknowledged by the Complainant and provided to the Respondent;
  - e) Interviews with the Respondent;
  - f) 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 and any witnesses interviewed. The report shall also include a non-binding recommendation from the Investigator regarding whether an allegation or, where there are several allegations, which allegations, should be heard by a Discipline Panel pursuant to the *Discipline and Complaint Policy* because they constitute a likely breach of the *Code of Conduct and Ethics*, the UCCMS or any other relevant and applicable WCL policy. The Investigator may also make non-binding recommendations regarding the appropriate next steps (i.e. mediation, disciplinary procedures, further review or investigation).
7. The Investigator's Report will be provided to the Independent Third Party who will disclose to the Discipline Panel, as applicable (in full or redacted). The Independent Third Party may also disclose the Investigator's Report, or a redacted version to protect the identity of the witnesses, to WCL and to the Parties, at their discretion, with any necessary redactions. Alternatively, and only if necessary, other relevant Parties may be provided with an executive summary of the Investigator's findings by the Independent Third Party.
8. Should the Investigator find that there are possible instances of *Criminal Code* offences, the Investigator shall advise the Parties, WCL and the matter shall be referred by the Independent Third Party to the police.
9. The Investigator must also inform WCL of any findings of criminal activity. WCL 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 WCL, or other offences where the lack of reporting would bring WCL into disrepute.

## Reprisal and Retaliation

10. A Registered Participant who submits a complaint to the Independent Third Party in good faith, 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 Prohibited Behaviours and be subject to disciplinary proceedings pursuant to the *Discipline and Complaints Policy* or, if applicable, the policies and procedures of the OSIC.

## False Allegations

11. A Registered Participant who submits allegations that the Investigator determines to be malicious, false or for the purpose of retribution, retaliation or vengeance, 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 Registered 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 and shall be prohibited from participating in any WCL event, activities or business. WCL or the Registered Participant against whom allegations were submitted, may act as the Complainant with respect to making a complaint pursuant to this section.



## **Confidentiality**

12. The Investigator will make reasonable efforts to preserve the anonymity of WCL, the Respondent, and any other Party. However, WCL recognizes that maintaining full anonymity during an investigation may not be feasible.

## **Privacy**

13. The collection, use and disclosure of any personal information pursuant to this Policy is subject to *WCL's Privacy Policy*.
14. WCL or any of its delegates pursuant to this Policy (i.e., Independent Third Party, Discipline Panel), shall comply with WCL's Privacy Policy in the performance of their services under this Policy.

## **APPENDIX B - ALTERNATIVE DISPUTE RESOLUTION PROCEDURE**

### **Purpose**

1. WCL supports the principles of Alternate Dispute Resolution (ADR) and is 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. WCL encourages all Registered Participants to communicate openly, collaborate, and use problem-solving and negotiation techniques to resolve their differences. WCL believes that negotiated settlements are usually preferable to outcomes resolved through other dispute resolution techniques. Negotiated resolutions to disputes with and among Participants are strongly encouraged.

### **Application**

3. These Procedures apply to all Registered 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, WCL's Independent Third Party will mediate or facilitate the dispute. Alternatively, a mediator or facilitator, acceptable to all parties, shall be appointed to mediate or facilitate the dispute. The cost of the mediation or facilitation will be borne equally by the Parties, unless agreed to otherwise with WCL.
6. WCL commits to using the Sport Dispute Resolution Centre of Canada (SDRCC) mediation and facilitation services where possible, and where WCL is a Party to the matter.
7. The mediator or facilitator shall decide the format under which the dispute shall be mediated or facilitated and shall specify a deadline before which the parties must reach a negotiated decision.
8. Should a negotiated decision be reached, the decision shall be reported to WCL. Any actions that are to take place as a result of the decision shall be enacted on the timelines specified by the negotiated decision.
9. Should a negotiated decision not be reached by the deadline specified by the mediator or facilitator at the start of the process, 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**

24. Any negotiated decision will be binding on the Parties and shall remain confidential, unless otherwise agreed to by the Parties. Negotiated decisions may not be appealed.

# APPEAL POLICY

## Purpose

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

## Scope and Application of this Policy

2. This Policy applies to all Registered Participants. Any Registered Participant who is directly affected by a decision made by WCL shall have the right to appeal that decision provided that it is a decision subject to appeal pursuant to Section 3 of this policy, that the conditions indicated in Sections 5 or 6 of this Policy (as applicable) have been satisfied, and provided there are sufficient grounds for the appeal under the 'Grounds for Appeal' section of this Policy.
3. This Policy **will apply** to decisions relating to:
  - a) Eligibility
  - b) Nomination and Selection
  - c) Conflict of Interest
  - d) Discipline
  - e) Membership
  - f) Athlete Assistance Program (AAP) Carding Nominations
4. This Policy **will not apply** to decisions relating to:
  - a) Matters of general application such as amendments to WCL by-laws
  - b) Employment matters or matters of operational structure or staffing or volunteer leadership opportunities
  - c) Infractions for doping offenses, which are dealt with pursuant to the Canadian Anti-Doping Program by the Canadian Centre for Ethics in Sport, United World Wrestling or any other Anti-Doping organization with authority to pursue a doping offence
  - d) The rules of the sport ("Competition Rules")
  - e) Nomination and selection criteria, quotas, policies, and procedures established by entities other than WCL
  - f) Substance, content and establishment of team nomination and selection or carding criteria
  - g) Volunteer/coach appointments and the withdrawal or termination of those appointments
  - h) Budgeting and budget implementation
  - i) WCL's operational structure and committee appointments
  - j) Decisions or discipline arising within the business, activities, or events organized by entities other than WCL (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)
  - k) Commercial or contractual matters for which another dispute resolution process exists under the provisions of the applicable contract or applicable law
  - l) Decisions made under this Policy
  - m) Decisions made by the Office for the Sport Integrity Commissioner ("OSIC")

- n) Settlements negotiated pursuant to the Alternative Dispute Resolution Procedures.

### **Timing of Appeal**

5. Participants who wish to appeal a decision have seven (7) days from the date on which they received notice of the decision to submit a Request for Appeal to the Independent Third Party which includes the following:
  - a) Notice of the intention to appeal
  - b) Contact information and status of the appellant
  - c) Name 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 five hundred dollars (\$500)
6. A Registered Participant who wishes to initiate an appeal beyond the seven (7) day period may only do so if exceptional circumstances prevented them from filing their appeal within the deadline indicated in Section 5 above. Any such Registered Participant must provide a written request stating the reasons for which they are seeking 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 Independent Third Party and may not be appealed.

### **Grounds for Appeal**

7. A decision cannot be appealed on its merits alone or because a Registered Participant does not like or agree with a decision. 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 grossly unreasonable or unfair.
8. 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.

## **Dispute Resolution**

9. Notwithstanding any other provision in this Appeal Policy, by agreement between the Parties, the internal appeal process may be bypassed, and the appeal may be heard directly before the SDRCC.
10. Upon receiving the notice of the appeal, the fee, and all other information (outlined in the 'Timing of Appeal' section of this Policy), the Parties may first attempt to resolve the appeal through the *Dispute Resolution Procedures*.
11. Appeals resolved by under the *Dispute Resolution Procedures* will result in the administration fee being refunded to the Appellant.

## **Screening of Appeal**

12. Should the appeal not be resolved by using the *Alternative Dispute Resolution Procedures*, the Independent Third Party has the following responsibilities:
  - a) Determine if the appeal falls under the scope of this Policy (sections 2-4)
  - b) Determine if the appeal was submitted in a timely manner (sections 5-6)
  - c) Decide whether there are sufficient grounds for the appeal (section 7)
13. If the appeal is denied 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.
14. If the Independent Third Party, in collaboration with WCL, accepts an appeal because it falls under the scope of this Policy, there are sufficient grounds for an appeal, and it was submitted in a timely manner, they will appoint an Appeal Panel which shall consist of a single person, to hear the appeal. In extraordinary circumstances, and at the discretion of the Independent Third Party, a Panel of three persons may be appointed to hear the appeal. In this event, the Independent Third Party will appoint one of the Panel's members to serve as the Chair.
15. When appointing the Appeal Panel, the Independent Third Party must select individuals who are impartial, free from any real or perceived conflict of interest (and who shall remain so until a final decision has been rendered or the proceedings have otherwise finally ended), and who do not have any direct relationship with any of the Parties. Although not a strict requirement, attempts should be made to appoint individuals to the Appeal Panel who have a legal background and understand the sport of wrestling. An Appeal Panel who previously acted in this capacity for WCL is not necessarily in a conflict of interest.

## **Determination of Affected Parties**

16. In order to ensure the identification of any Affected Parties, the Independent Third Party will engage WCL. The Independent Third Party will determine whether a party is an Affected Party at their sole discretion.

### **Procedure for Appeal Hearing**

17. The Independent Third Party shall notify the Parties that the appeal will be heard. The Independent Third Party shall then decide the format under which the appeal will be heard. This decision is at the sole discretion of the Independent Third Party and may not be appealed.
18. If a Party chooses not to participate in the hearing, the hearing will proceed in any event.
19. 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 Independent Third Party and the Panel deem appropriate in the circumstances, provided that:
  - a) The hearing will be held within a timeline determined by the Complaints & Appeal Officer
  - 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 a 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, except in the case where the panel consists of a single member.
20. In fulfilling its duties, the Panel may obtain independent advice.

### **Appeal Decision**

21. 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
- c) Uphold the appeal and vary the decision
- d) May refund the appeal administration fee if the appellant is successful in their appeal.

22. The Panel's written decision, with reasons, will be distributed to all Parties, the Independent Third Party, and WCL. 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 the Panel orders that the decision, in whole or in part, remain confidential.

**Timelines**

23. 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 Independent Third Party and/or Panel may direct that these timelines be revised.

**Confidentiality**

24. The appeals process is confidential and involves only the Parties, the Independent Third Party, 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.

25. Any failure to respect the aforementioned confidentiality requirement may result in further sanctions or discipline in accordance with WCL's applicable policies.

**Final and Binding**

26. The decision of the Panel will be binding on the Parties; subject to the right of any Party to seek a review of the Panel's decision pursuant to the rules of the Sport Dispute Resolution Centre of Canada (SDRCC).

27. No action or legal proceeding will be commenced against WCL, or Participants in respect of a dispute, unless WCL has refused or failed to provide or abide by the dispute resolution process and/or appeal process as set out in governing documents.

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## RECIPROCATION POLICY

### Purpose

1. The purpose of this Policy is to ensure national enforcement and recognition of all disciplinary sanctions applied by WCL, PTSOs, Canadian Association of Wrestling Officials (CAWO), and Clubs.

### Application

2. This Policy applies to all Registered Participants, WCL, PTSOs, CAWO, and Clubs.

### Responsibilities

3. WCL will:
  - a) Provide copies of discipline and appeal decisions involving Registered Participants to all PTSOs and to the Club(s) with which the Participant is affiliated
  - b) For discipline decisions provided to WCL by a PTISO, CAWO or by a Club, 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 PTISO, CAWO and/or a Club
  - d) Previous decisions in which the sanction is still enforceable, shall also be communicated to all PTSOs and to the Club(s) for which the individual was affiliated
4. PTISO / CAWO will:
  - a) Provide copies of discipline and appeal decisions involving Participants to WCL and to the Club(s) with which the Individual is affiliated
  - b) For discipline decisions provided to a PTISO, CAWO by WCL or by a Club, 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 WCL and/or a Club
  - d) Update their governing documents to reference the reciprocatation procedures described herein
5. Clubs will:
  - a) Provide copies of discipline and appeal decisions involving Participants to WCL and to the PTISO with which the Club is affiliated
  - b) For discipline decisions provided to a Club by WCL or by a PTISO, 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 WCL and/or a PTSO
- d) Update their governing documents to reference the reciprocity procedures described herein

**Appeals**

6. The recognition and implementation of a sanction in accordance with this Policy is not appealable.

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## **SOCIAL MEDIA POLICY**

### **Preamble**

1. WCL is aware that individual interaction and communication occurs frequently on social media. WCL cautions Registered Participants that any conduct falling short of the standard of behaviour required by the *Code of Conduct and Ethics* will be subject to the disciplinary sanctions identified within the *Discipline and Complaints Policy*.

### **Application of this Policy**

2. This Policy applies to all Registered Participants.

### **Conduct and Behaviour**

3. The following conduct and behaviour may be subject to disciplinary action in accordance with the *Discipline and Complaints Policy*.
  - a) Posting a disrespectful, hateful, harmful, disparaging, insulting, or otherwise negative comment on a social medium that is directed at a Registered Participant, at WCL, or at other individuals connected with WCL
  - 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 Registered Participant, at WCL, or at other individuals connected with WCL
  - 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 WCL, WCL's stakeholders, or WCL's reputation
  - d) Inappropriate Intimate or Romantic Relationships over a social medium between Individuals and Persons in Authority, such as between Athletes and coaches, Directors and Officers, Committee members and staff, officials and Athletes, etc.
  - e) Any instance of cyber-bullying or cyber-harassment between one Registered Participant and another Registered 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 or unwelcome behaviour, pranks or jokes, threats, posing as another person, spreading rumours or lies, or other harmful behaviour.

### **Participants' Responsibilities**

4. Registered Participants should be aware that their social media activity may be viewed by anyone; including WCL or other Registered Participants.

5. If WCL unofficially engages with a Registered Participant in social media (such as by retweeting a tweet or sharing a photo on Facebook) the Individual may, at any time, ask WCL to cease this engagement.
6. When using social media, a Registered Participant must model appropriate behaviour befitting the Registered Participant’s role and status in connection with WCL.
7. Removing content from social media after it has been posted (either publicly or privately) does not excuse the Registered Participant from being subject to the *Discipline and Complaints Policy*.
8. An individual who believes that a Registered Participant’s social media activity is inappropriate or may violate the policies and procedures of WCL should report the matter in the manner outlined by the *Discipline and Complaints Policy*.
9. Any violation of this Policy that may be “Prohibited Behaviour” or “Maltreatment” (defined in the *UCCMS*) and when the Respondent is a Registered Participant who is a *UCCMS* Participant (as designated by WCL), will be handled pursuant to the policies and procedures of the Office of the Sport Integrity Commissioner (“OSIC”), subject to the rights of WCL as set out in the Code of Conduct and Ethics.

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# SCREENING POLICY

## Preamble

1. WCL understands 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 community.

## Application of this Policy

2. This Policy applies to all individuals whose position with WCL is one of trust or authority which may relate to, at a minimum, finances, supervision, or Vulnerable Participants.
3. Not all individuals associated with WCL will be required to obtain a criminal record check or submit screening documents because not all positions pose a risk of harm to WCL, or participants. WCL will determine which individuals will be subject to screening using the following guidelines (WCL may vary the guidelines at its 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 Minor Athletes
- c) Coaches who could be alone with Minor Athletes
- d) Medical personnel

## Screening Committee

4. The implementation of this policy is the responsibility of WCL staff and a WCL appointed or contracted Screening Committee composed of either one (1) or three (3) members. WCL will ensure that the Screening Committee possesses the requisite skills, knowledge and abilities to accurately screening

documents and render decisions under this Policy.

5. The Screening Committee will carry out its duties, in accordance with the terms of this policy.
6. The Screening Committee is responsible for reviewing all documents submitted which have an adverse finding and, based on the review, making decisions regarding the appropriateness of individuals filling positions within WCL, 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.

### **Screening Requirements**

7. It is the policy of WCL that when a Participant is first engaged by the organization:
  - a) Level 1 Participants will:
    - i. Complete an Application Form (**Appendix A**)
    - ii. Complete a Screening Disclosure Form (**Appendix B**)
    - iii. Participate in training, orientation, and monitoring as determined by the organization
  - b) Level 2 Participants will:
    - i. Complete an Application Form
    - ii. Complete a Screening Disclosure Form
    - iii. Complete and provide an E-PIC
    - iv. For Minors, 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 Participants will:
    - i. Complete an Application Form
    - ii. Complete a Screening Disclosure Form
    - iii. Complete and provide an E-PIC and a VSC
    - iv. For Minors, 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 a Registered Participant subsequently receives a charge, conviction for, or is found guilty of, an offense they will report this circumstance immediately to WCL. 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 WCL learns that a Registered Participant has provided false, inaccurate, or misleading information, the Registered Participant will immediately be removed from their position and may be subject to further discipline in accordance with the *Discipline and Complaints Policy*.

### **Young People**

8. WCL defines a Young Person as someone who is younger than 18 years old. When screening Young

People, WCL 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.
9. Notwithstanding the above, WCL 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*. WCL understands that it may not request to see a Young Person's youth record.

### **Renewal**

10. 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 C**) every year
  - d) A Vulnerable Sector Check once
11. The Screening Committee may request that an individual provide any of the above documents at any time. Such request will be in writing and reasons will be provided for the request.

### **Orientation, Training, and Monitoring**

12. The type and amount of orientation, training, and monitoring will be based on the individual's level of risk, at the discretion of WCL.
13. 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.
14. Training may include, but is not limited to: certification courses, online learning, mentoring, workshop sessions, webinars, on-site demonstrations, and peer feedback.
15. 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.
16. 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**

17. WCL has partnered with Sterling Backcheck and therefore has access to the E-PIC at a discounted rate. Participants can obtain an E-PIC via: <https://pages.sterlingbackcheck.ca/landing-pages/w/wrestling->

18. For Ontario-based organizations, WCL understand that the *Police Record Checks Reform Act, 2015* requires the individual 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.
19. For BC-based organizations and/or individuals located in BC, WCL understands that the process for obtaining a Criminal Record Check 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>
20. 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.
21. Fingerprinting may be required if there is a positive match with the individual's gender and birth date.
22. WCL understands that it may be required to assist an individual with obtaining a VSC. A Request for VSC (**Appendix D**) 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 individuals.

### Procedure

23. Every individual as outlined above will submit the required documentation at the time requested. Further, WCL may request that an individual provide VSCs, E-PICs or other screening documents for review and consideration at any time.
24. Screening documents must be submitted to WCL as requested.
25. An individual who refuses or fails to provide the necessary screening documents will be ineligible to volunteer, apply for the position sought, or participate in a given activity. The individual will be informed that their application and/or position will not proceed until such time as the screening documents are submitted.
26. WCL understands that there may be delays in receiving the results of an E-PIC or a VSC. At its discretion, the organization may permit the individual to participate in the role during the delay. This permission may be withdrawn at any time and for any reason.
27. If an individual's documents do not reveal a positive response ("yes") or the possibility of a relevant offence, WCL will grant the individual with eligibility to volunteer or participate in a given activity.
28. WCL recognizes 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.

29. In the event that screening document(s) disclose a positive response ("yes") or the possibility of a relevant offence, the Screening Committee will be established and 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.
30. 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.
31. Provided a pardon has not been granted, the following examples are considered to be relevant offenses and are provided as a guide for the Screening Committee:
  - a) If imposed in the last three years:
    - i. Any offense involving the use of a motor vehicle, including but not limited to impaired driving if the position involves any driving required to conduct the role
    - ii. Any offense for trafficking and/or possession of drugs and/or narcotics
    - iii. Any offense involving conduct against public morals
  - b) If imposed in the last ten years:
    - i. Any crime of violence including but not limited to, all forms of assault
    - ii. Any offense involving a minor or minors
    - iii. Any offense involving theft or fraud
  - c) If imposed at any time:
    - i. An individual's conviction for any of the following *Criminal Code* offenses:
      - a. Any offense of physical or psychological violence
      - b. Any crime of violence including but not limited to, all forms of assault
      - c. Any offense involving trafficking of illegal drugs
      - d. Any offense involving the possession, distribution, or sale of any child-related pornography
      - e. Any sexual offense

### **Conditions and Monitoring**

32. The Screening Committee may determine that relevant offenses (described above) 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 may apply and remove conditions at its discretion and will determine the means by which adherence to conditions may be monitored.

## Records

33. All records will be maintained in a confidential manner and will not be disclosed to others except as required by law, or for use in legal, quasi-legal, or disciplinary proceedings.
34. 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 WCL or by another sport organization

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## APPENDIX A – APPLICATION FORM

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

FIRST NAME:	MIDDLE NAME:	LAST NAME:
STREET:	CITY:	PROVINCE:
POSTAL CODE:	DOB (mm/dd/yy):	GENDER IDENTITY:
EMAIL:	PHONE:	POSITION SOUGHT:

By signing this document below, I agree to adhere to the policies and procedures of WCL, 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://wrestling.ca/resources/policy-manual/>

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.

DATED:	NAME:	SIGNATURE:
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## APPENDIX B – SCREENING DISCLOSURE FORM

FIRST NAME:

MIDDLE NAME:

LAST NAME:

OTHER NAMES YOU HAVE USED:

GENDER IDENTITY:

STREET:

CITY:

PROVINCE:

POSTAL CODE:

DOB (mm/dd/yy):

EMAIL:

CLUB:

*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*. If not, please leave this section blank. 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. If not, please leave this section blank. 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. If not, please leave this section blank. 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 WCL 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 and/or Driver's Abstract (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. WCL does 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 WCL 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.

DATED:

NAME:

SIGNATURE:

## APPENDIX C – SCREENING RENEWAL FORM

FIRST NAME:	MIDDLE NAME:	LAST NAME:
STREET:	CITY:	PROVINCE:
POSTAL CODE:	DOB (mm/dd/yy):	GENDER IDENTITY:
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 WCL. 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 WCL. 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 the 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.**

DATED:	NAME:	SIGNATURE:
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## APPENDIX D – REQUEST FOR VULNERABLE SECTOR CHECK

*Note: WCL will be required to modify this letter to adhere to any requirements from the VSC provider*

### INTRODUCTION

Wrestling Canada Lutte (WCL) 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

Wrestling Canada Lutte is a not-for-profit national organization for the sport of wrestling.

[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 Wrestling Canada Lutte, please contact the Screening Committee Chair:

[Insert information for Screening Committee Chair]

Signed: \_\_\_\_\_ Date: \_\_\_\_\_