



# Safe Sport Policy Manual

## Badminton Ontario

April 2022

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**BADMINTON**  
ONTARIO

## Introduction

Badminton Ontario is committed to the health and safety of all of its members, for both the physical and mental well-being of all that are within the badminton community of Ontario. Badminton Ontario denounces all forms of maltreatment and abuse in sport and is committed to safe, inclusive sport for all.

Badminton Ontario takes any situation involving misconduct or maltreatment very seriously and will uphold the highest standards to protect its members. For this reason, Badminton Ontario is committed to enacting and enforcing strong, clear, and effective policies and processes for preventing and addressing all forms of misconduct or maltreatment.

Badminton Ontario has created and updated numerous policies that encompass respect, safety, inclusivity, fairness, equality and transparency that will support and help protect the badminton community.

Should any members of, or people involved with Badminton Ontario, including but not limited to athletes, coaches, officials, volunteers and parents/guardians of athletes, wish to report an instance of misconduct or maltreatment, they may do so directly to the President of Badminton Ontario or Badminton Canada's Safe Sport Officer, Lise Maclean ([safesportofficer@safesportagency.ca](mailto:safesportofficer@safesportagency.ca) - an independent third party), who will then determine the appropriate forum and manner to address the complaint.

Badminton Ontario is committed to improving itself as an organization and remaining current with all of our policies and documentation. We believe that creating this Safe Sport Manual, in line with Badminton Canada's Safe Sport Manual will help in creating a safer and more inclusive environment within the badminton community across the province.

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Reference	Policy Title	Approved	Review
SSP-01-2022	Athlete Protection Policy	April 2022	March 2023
SSP-08-2022	Team Selection Policy	April 2022	March 2023
SSP-02-2022	Gender Equity Policy	April 2022	March 2023
SSP-09-2022	Gender Inclusion Policy	April 2022	March 2023
SSP-10-2022	Screening Policy	April 2022	March 2023
SSP-11-2022	Social Media Policy	April 2022	March 2023
SSP-12-2022	Discipline/Complaints/Dispute Resolution Policy	April 2022	March 2023
SSP-13-2022	Code of Conduct and Ethical Conduct Policy	April 2022	March 2023

## Definitions – Conduct

1. **Abuse** - Includes Psychological Maltreatment, Physical Maltreatment, Neglect, and/or Grooming of Vulnerable Participants by Persons in Authority and which can have the following warning signs:
  - a. Recurrent unexplained injuries.
  - b. Alert behaviour - child seems to always be expecting something bad to happen.
  - c. Often wears clothing that covers up their skin, even in warm weather.
  - d. Child startles easily, shies away from touch or shows other skittish behaviour.
  - e. Constantly seems fearful or anxious about doing something wrong.
  - f. Withdrawn from peers and adults.
  - g. Behavior fluctuates between extremes (e.g., extremely cooperative or extremely demanding).
  - h. Acting either inappropriately beyond their age (like an adult; taking care of other children) or inappropriately younger than their age (like an infant; throwing tantrums).
  - i. Acting out in an inappropriate sexual way with toys or objects.
  - j. New adult words for body parts and no obvious source.
  - k. Self-harm (e.g., cutting, burning or other harmful activities).
  - l. Not wanting to be alone with a particular child or young person.
  
2. **Consent** - Consent is defined in Canada's *Criminal Code*<sup>1</sup> as the voluntary agreement to engage in the sexual activity in question. The law focuses on what the person was actually thinking and feeling at the time of the sexual activity. Sexual touching is only lawful if the person affirmatively communicated their consent, whether through words or conduct. Silence or passivity does not equal consent. Sexual activity is only legal when both parties consent. The *Criminal Code* also says there is no consent when: Someone says or does something that shows they are not consenting to an activity; Someone says or does something to show they are not agreeing to continue an activity that has already started; Someone is incapable of consenting to the activity, because, for example, they are unconscious; The consent is a result of a someone abusing a position of trust, power or authority or someone consents on someone else's behalf. A person cannot say they mistakenly believed a person was consenting if: that belief is based on their own intoxication; they were reckless about whether the person was consenting; they chose to ignore things that would tell them there was a lack of consent; or they didn't take proper steps to check if there was consent. Sexual activity with a Minor is a criminal offence as is sexual activity with a person under the age of 18 years when the other person is in a position of trust or authority.

[Comment to Consent: The responsibility for ensuring there is consent is on the person who is initiating or pursuing the sexual activity. When someone has said no to sexual contact, the other person cannot rely on the fact that time has passed or the fact that the individual has not said no again to assume that consent now exists. No one can legally consent in advance to sexual activity in the future when they will be unconscious. No one can legally consent to activity where they will suffer bodily harm, such as activity that will cause serious bruises, stitches or broken bones. It is a criminal offence to engage in sexual activity with a child, as a child is unable to consent.]

3. **Disclosure** - The sharing of information by a Participant regarding an incident or a pattern of Maltreatment experienced by that Participant. Disclosure does not constitute a formal report that initiates a process of investigation to address the Maltreatment.

<sup>1</sup> *Criminal Code, R.S.C. 1985, c. C-46, [s. 273.1 (1)]*

4. **Discrimination** - Differential treatment of an individual based on one or more prohibited grounds which include race, citizenship, national or ethnic origin, colour, religion, age, sex, sexual orientation, gender identity or expression, marital status, family status, genetic characteristics, or disability.

5. **Duty to Report**

- a. **Concerns Under Child Protection Legislation:** A legal duty to report is mandated by law, and the requirement varies by province depending on provincial legislation. Everyone has a duty to report child abuse and neglect under Canadian child welfare laws. Professionals who work with children and youth have an added responsibility to report. Adults are obliged to report child Maltreatment if there is knowledge or suspicion that it is occurring. This is called the “duty to report.” Every person in Canada has the duty to report known or suspected child Maltreatment by law. Known or suspected abuse or Neglect of a child must be reported to: local child welfare services (e.g., Children’s Aid Society or Child and Family Services Agency), or provincial/territorial social service ministries or departments, or local police.
- b. **Concerns Outside of Child Protection Legislation:** Participants have a duty to report concerns of inappropriate conduct of other Participants to uphold the ethical standards and values of Canadian sport. Reporting inappropriate conduct is important to ensure proper action is taken and expectations are re-established. By addressing inappropriate conduct, a collective responsibility to protect Participants from Maltreatment is enacted.

6. **Grooming** - Deliberate conduct by a Participant to sexualize a relationship with a Minor that involves the gradual blurring of boundaries and normalization of inappropriate and sexually abusive behaviour. During the grooming process, the Participant will gain the trust of the Minor and protective adults and peers around the Minor often under the guise of an existing relationship. Manipulation tactics are then used to blur perceptions and gain further access to add private time with the Minor in order to abuse or exploit the Minor. Grooming can occur whether or not harm is intended or results from the behaviour. (Grooming is also a prohibited behaviour listed under the definition of Maltreatment.)

7. **Harassment** - A course of vexatious comment or conduct against a Participant or group, which is known or ought reasonably to be known to be unwelcome. Types of behaviour that constitute Harassment include, but are not limited to:

- a. Written or verbal abuse, threats, or outbursts;
- b. Persistent unwelcome remarks, jokes, comments, innuendo, or taunts;
- c. Racial harassment, which is racial slurs, jokes, name calling, or insulting behaviour or terminology that reinforces stereotypes or discounts abilities because of racial or ethnic origin;
- d. Leering or other suggestive or obscene gestures;

- e. Condescending or patronizing behaviour which is intended to undermine self-esteem, diminish performance or adversely affect working conditions;
  - f. Practical jokes which endanger a person's safety, or may negatively affect performance.
- 8. Hazing** - which is any form of conduct which exhibits any potentially humiliating, degrading, abusive, or dangerous activity expected of a junior-ranking individual by a more senior individual, which does not contribute to either individual's positive development, but is required to be accepted as part of a team or group, regardless of the junior-ranking individual's willingness to participate. This includes, but is not limited to, any activity, no matter how traditional or seemingly benign, that sets apart or alienates any teammate or group member based on class, number of years on the team or with the group, or ability;
- a. Unwanted physical contact including, but not limited to, touching, petting, pinching, or kissing;
  - b. Deliberately excluding or socially isolating a person from a group or team;
  - c. Persistent sexual flirtations, advances, requests, or invitations;
  - d. Physical or sexual assault;
  - e. Contributing to a *poisoned sport environment*, which can include:
  - f. Locations where material that is discriminatory is displayed (e.g., sexually explicit posters and racial/racist cartoons).
  - g. Groups where harassing behaviour is part of the normal course of activities.
  - h. Behaviour that causes embarrassment, awkwardness, endangers a person's safety or negatively affects performance.
  - i. Behaviours such as those described above that are not directed towards a specific person or group but have the same effect of creating a negative or hostile environment;
  - j. Retaliation or threats of retaliation against a person who reports harassment to Badminton Ontario.
- 9. Maltreatment** - Includes Maltreatment related to:
- a. *Psychological Maltreatment* - which includes, without limitation, verbal acts, non-assaultive physical acts and acts that deny attention or support:
    - i. Verbal Acts - Verbally assaulting or attacking someone, including but not limited to: unwarranted personal criticisms; body shaming; derogatory comments related to one's identity (e.g. race, gender identity or expression, ethnicity, Indigenous status, ability/disability); comments that are demeaning, humiliating, belittling, intimidating, insulting or threatening; the use of rumours or false statements about someone to diminish that person's reputation; using confidential sport and non-sport information inappropriately. Verbal Maltreatment may also occur in online forms.
    - ii. Non-assaultive Physical Acts (no physical contact) - Physically aggressive behaviors, including but not limited to: throwing objects at or in the presence of others without striking another; hitting, striking or punching objects in the presence of others.
    - iii. Acts that Deny Attention or Support - Acts of commission that deny attention, lack of support or isolation including but not limited to: ignoring psychological needs or socially isolating a person repeatedly or for an extended period of time; abandonment of an Athlete as punishment for poor performance; arbitrarily or unreasonably

denying feedback, training opportunities, support or attention for extended periods of time and/or asking others to do the same.

- b. *Physical Maltreatment* – includes, without limitation, contact or non-contact behaviours that have the potential to cause physical harm:
  - i. Contact behaviours - Including but not limited to: deliberately punching, kicking, beating, biting, striking, strangling or slapping another; deliberately hitting another with objects.
  - ii. Non-contact behaviours - Including but not limited to: isolating a person in a confined space; forcing a person to assume a painful stance or position for no athletic purpose (e.g., requiring an Athlete to kneel on a hard surface); the use of exercise for the purposes of punishment; withholding, recommending against, or denying adequate hydration, nutrition, medical attention or sleep; denying access to a toilet; providing alcohol to a Participant under the legal drinking age; providing illegal drugs or non-prescribed medications to a Participant; encouraging or knowingly permitting an Athlete to return to play prematurely following any injury or after a concussion and without the clearance of a medical professional; encouraging an Athlete to perform a skill for which they are known to not be developmentally ready.
  
- c. *Sexual Maltreatment* - includes, without limitation, any act targeting a person’s sexuality, gender identity or expression, that is committed, threatened or attempted against a person, and includes but is not limited to the Criminal Code Offences of sexual assault, sexual exploitation, sexual interference, invitation to sexual touching, indecent exposure, voyeurism and non-consensual distribution of sexual/intimate images. Sexual Maltreatment also includes sexual harassment and stalking, cyber harassment, and cyber stalking of a sexual nature. Examples include:
  - A. Any penetration of any part of a person’s body, however slight, with any object or body part by a person upon another person, including but not limited to:
    - a. vaginal penetration by a penis, object, tongue, or finger;
    - b. anal penetration by a penis, object, tongue, or finger.
  - B. Any intentional touching of a sexual nature of any part of a person’s body, however slight, with any object or body part by a person upon another person, including but not limited to:
    - a. kissing;
    - b. intentional touching of the breasts, buttocks, groin or genitals, whether clothed or unclothed, or intentionally touching of another with any of these body parts;
    - c. any contact, no matter how slight, between the mouth of one person and the genitalia of another person;
    - d. making another touch themselves, the Participant, or someone else with or on any of the body parts listed in b).
    - e. any intentional touching in a sexualized manner of the relationship, context or situation.
  - C. In addition to the criminal acts identified above, the UCCMS (Universal Code of Conduct to Prevent and Address Maltreatment in Sport) prohibits sexual relations between an Athlete above the age of majority (depending upon jurisdiction) and a Participant who holds a position of trust and authority on the basis that there

can be no Consent where there is a Power Imbalance. A Power Imbalance that is presumed to exist may be challenged.

- d. *Neglect* - or acts of omission, includes without limitation: not providing an Athlete recovery time and/or treatment for a sport injury; not being aware of and not considering an individual's physical or intellectual disability; not considering supervision of an Athlete during travel, training or competition; not considering the welfare of the Athlete when prescribing dieting or other weight control methods (e.g., weigh-ins, caliper tests); disregarding the use of performance-enhancing drugs by an Athlete; failure to ensure safety of equipment or environment; allowing an Athlete to disregard sport's rules, regulations, and standards, subjecting Participants to the risk of Maltreatment.
- e. *Grooming* - is often a slow, gradual and escalating process of building trust and comfort with a young person. Grooming includes, without limitation, the process of making inappropriate behaviour seem normal and gradually engaging in 'boundary violations' which have been professionally-identified to Canadian standards (e.g., a degrading remark, a sexual joke, sexualized physical contact; adult Participants sharing rooms with a Minor who is not an immediate family member; providing a massage or other purported therapeutic interventions with no specific training or expertise; private social media and text communications; sharing personal photographs; shared use of locker rooms; private meetings; private travel, and providing gifts). The Grooming process:
  - i. Grooming usually begins with subtle behaviours that do not appear to be inappropriate. Many victims/survivors of sexual abuse do not recognize the grooming process as it is happening, nor do they recognize that this process of manipulation is part of the overall abuse process.
  - ii. In the grooming process, the offender begins by gaining trust of adults around the young person. The offender establishes a friendship and gains the young person's trust. Grooming then involves testing boundaries (e.g. telling sexual jokes, showing sexually explicit images, making sexual remarks). Typically, behaviour moves from non-sexual touching to "accidental" sexual touching.
  - iii. The young person is often manipulated into feeling responsible for the contact, is discouraged from telling anyone else about the relationship, and is made to feel obligated to protect the offender. The offender also builds trust with those close to the young person so that the relationship with the young person is not questioned.
- f. *Interference with or Manipulation of Process* - it is considered maltreatment if an adult Participant directly or indirectly interferes with a process by:
  - i. falsifying, distorting, or misrepresenting information, the resolution process, or an outcome;
  - ii. destroying or concealing information;
  - iii. attempting to discourage an individual's proper participation in or use of the processes of Badminton Ontario;
  - iv. harassing or intimidating (verbally or physically) any person involved in the processes before, during, and/or following any proceedings of Badminton Ontario;
  - v. publicly disclosing a Participant's identifying information, without the Participant's agreement;
  - vi. failing to comply with any temporary or provisional measure or other final sanction;



- vii. distributing or otherwise publicizing materials a Participant gains access to during an investigation or hearing, except as required by law or as expressly permitted; or
  - viii. influencing or attempting to influence another person to interfere with or manipulate the process
- g. *Retaliation* - which means that a Participant shall not take an adverse action against any person for making a good faith Report of possible Maltreatment or for participating in any process related to alleged conduct violations. Retaliation includes threatening, intimidating, harassing, coercing or any other conduct that would discourage a reasonable person from engaging or participating in the processes of Badminton Ontario. Retaliation after the conclusion of investigation and sanction processes is also prohibited. Retaliation may be present even where there is a finding that no Maltreatment occurred. Retaliation does not include good-faith actions lawfully pursued in response to a Report of possible Maltreatment.
- h. *Aiding and Abetting* - which is any act taken with the purpose of facilitating, promoting, or encouraging the commission of Maltreatment by a Participant. Aiding and Abetting also includes, without limitation, knowingly:
- i. allowing any person who has been suspended or is otherwise ineligible to be in any way associated with sport or to coach or instruct Participants;
  - ii. providing any coaching-related advice or service to an Athlete who has been suspended or is otherwise ineligible;
  - iii. allowing any person to violate the terms of their suspension or any other sanctions imposed.
- i. *Reporting* - it is considered Maltreatment to fail to report Maltreatment of a Minor. A legal Duty to Report is mandated by law, and the requirement varies by province depending on provincial legislation.
- A. Failure to Report Maltreatment of a Minor:
    - i. The obligation to Report requires the Reporting of any conduct which, if proven true, would constitute Psychological Maltreatment, Sexual Maltreatment, Physical Maltreatment or Neglect involving a Minor Participant. The obligation to Report is an ongoing one and is not satisfied simply by making an initial Report. The obligation includes Reporting, on a timely basis, all relevant information of which an adult Participant becomes aware;
    - ii. The obligation to Report includes making a direct Report;
    - iii. The obligation to Report includes personally identifying information of a potential Minor Complainant to the extent known at the time of the Report, as well as a duty to reasonably supplement the Report as to identifying information learned at a later time;
    - iv. Participants should not investigate or attempt to evaluate the credibility or validity of allegations involving Psychological Maltreatment, Sexual Maltreatment, Physical Maltreatment or Neglect. Participants making a good faith Report are not required to prove the Reports are true before Reporting;
  - B. Failure to Report Inappropriate Conduct:
    - i. Not all inappropriate conduct may meet the threshold for constituting Maltreatment. However, such inappropriate conduct may represent behavior

with the risk of escalating to Maltreatment. Any Participant who suspects or becomes aware of another Participant's inappropriate conduct, even if it is not defined as Maltreatment, has a Duty to Report such inappropriate conduct through the organization's internal procedures. Those in positions of trust and authority who become aware of another's inappropriate conduct have a responsibility for reporting the concern within their organization's policies and procedures. The person making the report does not need to determine whether a violation took place: instead, the responsibility lies in reporting the objective behaviour.

- C. Intentionally Filing a False Allegation: In addition to constituting Maltreatment, filing a knowingly false allegation or influencing others to file a knowingly false allegation, that a Participant engaged in Maltreatment shall be subject to disciplinary action:
- i. An allegation is false if the events Reported did not occur, and the person making the Report knows the events did not occur.
  - ii. A false allegation is different from an unsubstantiated allegation; an unsubstantiated allegation means there is insufficient supporting evidence to determine whether an allegation is true or false. Absent demonstrable bad faith, an unsubstantiated allegation alone is not grounds for a violation.

**10. Neglect** - Any pattern or a single serious incident of lack of reasonable care, inattention to a Participant's needs, nurturing or well-being, or omissions in care. Neglect is determined by the objective behaviour but the behaviour must be evaluated with consideration given to the Participant's needs and requirements, not whether harm is intended or results from the behaviour. (Neglect is also a prohibited behaviour listed under the definition of Maltreatment.)

**11. Physical Maltreatment** - Any pattern or a single serious incident of deliberate conduct that has the potential to be harmful to the physical well-being of the Participant. Physical Maltreatment includes, without limitation, contact or non-contact infliction of physical harm. Physical Maltreatment is determined by the objective behaviour, not whether harm is intended or results from the behaviour. (Physical Maltreatment is also a prohibited behaviour listed under the definition of Maltreatment.)

**12. Power Imbalance** - A Power Imbalance may exist where, based on the totality of the circumstances, a Participant has supervisory, evaluative, a duty of care, or other authority over another Participant. A Power Imbalance may also exist between an Athlete and other adults involved in sport in positions such as high-performance directors, sport specific health-care providers, sport science support staff, care or support persons, guides or pilots. Maltreatment occurs when this power is misused. Once a coach-Athlete relationship is established, a Power Imbalance is presumed to exist throughout the coach-Athlete relationship, regardless of age, and is presumed to continue for Minor Athletes after the coach-Athlete relationship terminates or until the Athlete reaches 25 years of age. A Power Imbalance may exist, but is not presumed, where an intimate relationship existed before the sport relationship commenced (e.g., a relationship between two spouses or life partners, or a sexual relationship between consenting adults that preceded the sport relationship).

[Comment to Power Imbalance: A Power Imbalance may arise whether the Participants are in 1) an authority-based relationship in which one person has power over another by virtue of an ascribed position of authority, such as between high performance director and coach; employer and employee; technical official and Athlete; 2) a dependency relationship in which the person in a position of lesser power is dependent upon the other person for a sense of security, safety, trust, and fulfillment of needs, conducive to intimate physical or psychological connections, such as between parent and child; teacher and student; coach and Athlete; high performance director and Athlete, sport science and medical support staff and Athlete; billet or host family and Athlete; and 3) a peer-to-peer relationship, including but not limited to teammate-teammate, athlete-athlete, coach-coach or official-official relationships. Power may be represented by seniority, ability, physical size, public profile, gender identity or expression, sexual orientation, ethno-racial identity, level of physical and intellectual disability, and their intersections, as some examples. Maltreatment occurs when this power is misused. Moreover, it is recognized that those from traditionally marginalized groups have experienced positions of lesser power.]

**13. Psychological Maltreatment** - Any pattern or a single serious incident of deliberate conduct that has the potential to be harmful to the psychological well-being of the Participant. Psychological Maltreatment includes, without limitation, verbal conduct, non-assaultive physical conduct, and conduct that denies attention or support. Psychological Maltreatment is determined by the objective behaviour, not whether harm is intended or results from the behaviour. (Psychological Maltreatment is also a prohibited behaviour listed under the definition of Maltreatment.)

**14. Sexual Maltreatment**

- a. **Involving a Child:** Any form of adult/child sexualized interaction constitutes child sexual abuse. Sexual abuse of a child may occur through behaviours that do or do not involve actual physical contact. (Sexual Maltreatment is also a prohibited behaviour listed under the definition of Maltreatment.)
- b. **Involving a person over the Age of Majority:** Any sexual act, whether physical or psychological in nature, that is committed, threatened, or attempted against a Participant without the Participant's Consent. It includes any act targeting a Participant's sexuality, gender identity or expression, that is committed, threatened or attempted against a Participant without that Participant's Consent, and includes but is not limited to, the Criminal Code Offences of sexual assault, sexual exploitation, sexual interference, invitation to sexual touching, indecent exposure, voyeurism and non-consensual distribution of sexual/intimate images. Sexual Maltreatment also includes sexual harassment and stalking, cyber harassment, and cyber stalking of a sexual nature. Sexual Maltreatment can take place through any form or means of communication (e.g. online, social media, verbal, written, visual, hazing, or through a third party). (Sexual Maltreatment is also a prohibited behaviour listed under the definition of Maltreatment.)

**15. Workplace Harassment** - Vexatious comment or conduct against a worker in a Workplace that is known or ought reasonably to be known to be unwelcome. Workplace Harassment should not be confused with legitimate, reasonable management actions that are part of the normal work/training function, including measures to correct performance deficiencies, such as placing someone on a performance improvement plan, or imposing discipline for workplace infractions. Types of behaviour that constitute Workplace Harassment include, but are not limited to:

- a. Bullying;
- b. Workplace pranks, vandalism, bullying or hazing;
- c. Repeated offensive or intimidating phone calls or emails;
- d. Inappropriate sexual touching, advances, suggestions or requests;

- e. Displaying or circulating offensive pictures, photographs or materials in printed or electronic form;
  - f. Psychological abuse;
  - g. Excluding or ignoring someone, including persistent exclusion of a person from work-related social gatherings;
  - h. Deliberately withholding information that would enable a person to do their job, perform or train;
  - i. Sabotaging someone else's work or performance;
  - j. Gossiping or spreading malicious rumours;
  - k. Intimidating words or conduct (offensive jokes or innuendos); and
  - l. Words or actions which are known, or ought reasonably to be known, as offensive, embarrassing, humiliating, or demeaning.
- 16. Workplace Violence** – The use of or threat of physical force by a person against a worker in a Workplace that causes or could cause physical injury to the worker; an attempt to exercise physical force against a worker in a Workplace that could cause physical injury to the worker; or a statement or behaviour that it is reasonable for a worker to interpret as a threat to exercise physical force against the worker in a Workplace that could cause physical injury to the worker. Types of behaviour that constitute Workplace Violence include, but are not limited to:
- a. Verbal or written threats to attack;
  - b. Sending to or leaving threatening notes or emails;
  - c. Physically threatening behaviour such as shaking a fist at someone, finger pointing, destroying property, or throwing objects;
  - d. Wielding a weapon in a Workplace;
  - e. Hitting, pinching or unwanted touching which is not accidental;
  - f. Dangerous or threatening horseplay;
  - g. Physical restraint or confinement;
  - h. Blatant or intentional disregard for the safety or wellbeing of others;
  - i. Blocking normal movement or physical interference, with or without the use of equipment;
  - j. Sexual assault; and
  - k. Any attempt to engage in the type of conduct outlined above.

## Definitions – Policies

1. **Affected Party** - Any individual or entity, as determined by the Appeal Manager, who may be affected by a decision rendered under the *Appeal Policy* and who may have recourse to an appeal in their own right.
2. **Appeal Manager** - An individual, who may be any staff member, committee member, volunteer, Director, or an independent third party, who is appointed to oversee the appeal process. The Appeal Manager will have responsibilities that include using decision making authority empowered by the *Appeal Policy*.

3. **Appellant** - The Party appealing a decision.
4. **Athlete** - An individual who is an Athlete Participant in Badminton Ontario who is subject to the UCCMS and the policies of Badminton Ontario.
5. **Board** - The Board of Directors of Badminton Ontario.
6. **Case Manager** - An independent individual (or individuals) appointed by Badminton Ontario to receive and administer complaints under the *Discipline and Complaints Policy*.
7. **Committee Member** - An individual elected or appointed to a committee of Badminton Ontario.
8. **Complainant** - A Participant or observer who makes a report of an incident, or a suspected incident, of Maltreatment or other behaviour that is a violation of the standards described in the *policies within the Safe Sport Policy Manual*.
9. **Days** - Days including weekends and holidays.
10. **Director** - An individual appointed or elected to the Board of Directors of Badminton Ontario.
11. **Discipline Chair** - An individual appointed to oversee discipline issues as described in the *Discipline and Complaints Policy*.
12. **Event** - An event sanctioned by Badminton Ontario.
13. **Minor** - Any Participant who is under the age of majority at the time and in the jurisdiction where the alleged Maltreatment has occurred. Adults are responsible for knowing the age of a Minor. For the purpose of protection in each Canadian province and territory, a Minor is a child younger than the following age:
  - a. 16 years old: Newfoundland and Labrador; Saskatchewan; Northwest Territories; Nunavut
  - b. 18 years old: Prince Edward Island; Quebec; Ontario; Manitoba; Alberta
  - c. 19 years old: Nova Scotia; New Brunswick; British Columbia; YukonNote: Children with disabilities are eligible for protective services until age 19
14. **Participants** - Refers to all categories of individual members and/or registrants defined in the By-laws of Badminton Ontario who are subject to the UCCMS and the policies of Badminton Ontario, as well as all people employed by, contracted by, or engaged in activities with Badminton Ontario including, but not limited to, employees, contractors, Athletes, coaches, instructors, officials, volunteers, managers, administrators, committee members, parents/guardians, spectators, committee members, and Directors.
15. **Parties** - the groups involved with a dispute. In the *Discipline and Complaints Policy*, the Parties are the Complainant and Respondent. In the *Appeal Policy*, the Parties are the Appellant, Respondent, and any Affected Party.

16. **Person in Authority** - Any Participant who holds a position of authority within Badminton Ontario including, but not limited to, coaches, instructors, officials, managers, support personnel, chaperones, committee members, and Directors.
17. **Reporting (or Report)** - The provision of information in writing by any person or a Participant to a relevant independent authority (the independent person or position, such as a Case Manager/Safe Sport Officer, 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.
18. **Respondent** - The Participant responding to a complaint filed against them or, in the case of an appeal, the body whose decision is being appealed.
19. **Safe Sport Officer** - This person is an independent third party who will guide a *Complainant* through the complaints process. This Independent Officer is empowered to supersede Badminton Ontario staff and launch appropriate policies as required based on evidence or a situation reported. Contact with the Safe Sport Officer is confidential, subject to certain legal limits. The independent Safe Sport Officer is a certified workplace harassment resources/investigator.
20. **Social Media** - The catch-all term that is applied broadly to computer-mediated communication media such as, but not limited to blogs, YouTube, Facebook, Instagram, Tumblr, TikTok, Snapchat, and Twitter.
21. **Vulnerable Participants** - Includes Minors and vulnerable adults (people who, because of age, disability or other circumstance, are in a position of dependence on others or are otherwise at a greater risk than the general population of being harmed by people in positions of trust or authority).
22. **Worker** - Any person who performs work for Badminton Ontario including employees, managers, supervisors, temporary workers, volunteers, student volunteers, part-time workers, the Board of Directors, and independent contractors.
23. **Workplace** - Any place where business or work-related activities are conducted. Workplaces include but are not limited to, the registered office(s), 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.

## SSP-01-2022 Athlete Protection Policy

### Purpose

1. This *Athlete Protection Policy* describes how Persons in Authority shall maintain a safe sport environment for all Athletes.

### Scope

2. Badminton Ontario has adopted Badminton Canada’s “Athlete Protection Policy”, as found in their Safe Sport Policy Manual (March 2021).
3. Regarding Section 8 (d) ‘Photography / Video’, please see attached Appendix A – Badminton Ontario Image Consent Form.
4. Regarding Section 10 ‘Enforcement’, any alleged violations of this policy shall be addressed pursuant to *Badminton Ontario’s Discipline/Complaints/Dispute Resolution Policy*.

### Policy History

<b>Approved</b>	<b>March 21, 2022</b>
<b>Next Review Date</b>	March 2023

### Revision Table

Current Revision Number	Date of Revision (mm/dd/yy)	Revision Details	Revision Completed By
1	03/08/22	Policy created & documented	BOCC

### Appendix A – Badminton Ontario Image Consent Form

#### CONSENT FOR USE OF PERSONAL INFORMATION AND PHOTOGRAPHY, VIDEO, EMAIL RELEASE

Please read carefully; confirm and agree.

Foreword: Badminton Ontario, the Provincial Sport Organization (“PSO”) governing badminton in Ontario, greatly acknowledges the leadership of Badminton Canada. The PSO endorses and adopts the guiding principles outlined in this Consent for Use of Personal Information and Photography, Video, and Email Release Consent (“Consent”).

This is a binding legal consent. Clarify any questions or concerns before agreeing to be bound by this Consent.

1. This Consent must be signed by the Participant and/or the Participant’s parent/guardian (if applicable, when the Participant is younger than the age of majority in his/her province of residence) prior to participation. The age of majority in the Province of Ontario is eighteen (18) years old. The Participant agrees to be bound by and acknowledges the terms set out in this Consent . When applicable, the Participant’s parent/guardian acknowledges and agrees to the terms on behalf of the Participant and references in this document to the Participant agreeing to



or acknowledging a risk or term is understood to be referring to the Participant's parent/guardian agreeing to or acknowledging the risk or term on behalf of the Participant.

## PERSONAL INFORMATION

2. The personal information provided at registration will be used for the purposes reasonably associated with badminton activities conducted by the Club, District Member Association, Provincial Sport Organization (Badminton Ontario), and/or National Sport Organization (Badminton Canada). These purposes include national, provincial, and regional event registration, insurance coverage, certification, training and competition event participation, competition result publication, and:

2.1 Compiling statistical reports;

2.2 Reporting non-identifying, demographic and participation statistics to funders, sponsors, and other authorized third parties;

2.3 Making direct contact with registrants, volunteers, and staff as necessary for the operations of the Club, District Member Association, Provincial Sport Organization (Badminton Ontario), and/or National Sport Organization (Badminton Canada).

3. Some of the information you provide will be used by Badminton Ontario and/or passed on to Badminton Canada for purposes including association registration, insurance coverage, and:

3.1 Ensuring participants train and compete in age appropriate disciplines;

3.2 Ensuring athlete eligibility for selection to teams;

3.3 Establishing pertinent records and baseline performance data to assist coaching decisions in a national team competitive training setting;

3.4 Reporting and publishing name, certification level, gender, club/district affiliation on Badminton Ontario and/or Badminton Canada web pages, news releases, notices, and reports.

4. The personal information collected will include the name, gender, year of birth, contact information, club affiliation, and various certifications as required for the registrants role.

5. Additional personal information may be collected from time to time. Consent for the use of this personal information may be inferred where its uses are obvious and it have been voluntarily provided. When not obvious, the purpose for collection will be provided prior to, or at the time of collection; either orally or in writing.

6. Complete texts of the Privacy Policy may be found on the Badminton Ontario website at: <https://badmintonontario.ca/wp-content/uploads/2020/08/BADMINTON-ONTARIO-Privacy-Policy.pdf>

7. Should a registrant wish to review their personal information held by their Club, District Member Association, Provincial Sport Organization (Badminton Ontario), or National Sport Organization (Badminton Canada) they must make a request to the appropriate organization pursuant to that organization's Policy. Further, registrants may withdraw consent to use their



personal information pursuant to the Policies. Such withdrawal however, may require the cancellation of registration with and suspension of insurance coverage and activities with the Club, District Member Association, Provincial Sport Organization (Badminton Ontario), and/or National Sport Organization (Badminton Canada).

All registrants or their legal guardian must agree to this consent form each season.

#### PHOTOGRAPHY, VIDEO, EMAIL RELEASE

8. The Participant (and the Participant's parent/guardian, if applicable) grants permission to the Organizations to photograph and/or record the Participant's image and/or voice on still or motion picture film and/or audio tape. The Participant (and the Participant's parent/guardian, if applicable) consents to the collection and use of personal images, video, audio, athletic results and awards and prizes received. The use of these materials and information will be to promote the sport, the Organizations, and/or the Organizations' Activities through social media, newsletters, websites, television, film, radio, print and/or displays. The Participant (or the Participant's parent/guardian, if applicable) understands that they waive any claim to remuneration for use of audio/visual materials used for these purposes. The Participant (or the Participant's parent/guardian, if applicable) understands that personal information can be viewed by anyone who accesses Badminton Ontario's website or publications and that permission may be withdrawn at any time by contacting the Organizations' Privacy Officers. The Privacy Officer will advise the implications of such withdrawal.

#### ACKNOWLEDGMENT

9. The Participant (and the Participant's parent/guardian, if applicable) acknowledges that they have read and understand this Consent, that they have executed this consent form voluntarily, and that this consent form is to be binding upon themselves, their heirs, spouse, children, parents, guardians, next of kin, executors, administrators and legal or personal representatives. It is further acknowledged that by agreeing to this consent form the Participant (when 18 years old or older) has waived the right to maintain a lawsuit against the PSO on the basis of any claims from which they have released herein.

By typing your name or parent/Guardian on this, you agree that you are to be bound by all that is contained in this Consent Form.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Name

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Parent/Guardian (if the individual is younger than eighteen (18) years old)

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Parent/Guardian (if the individual is younger than eighteen (18) years old)

## SSP-08-2022 Team Selection Policy

### **Purpose**

1. This Policy serves as a general guide for Badminton Ontario's Provincial Team nomination and selection process for both coaches and athletes. It establishes general principles that are applicable to the selection to all Provincial Team events.

### **Criteria**

2. For each specific Provincial Team event, a "Selection Criteria Document" will be approved and published by the Badminton Ontario selection committee (the "Selection Committee"). The Selection Criteria Document outlines the selection process for each team (the "Selection Criteria"), including:

- a. Team objectives – Stipulated in the Selection Criteria Document for a specific competition;
- b. High performance principles – Stipulated in the Selection Criteria Document for a specific competition; and
- c. Eligibility for selection – athlete and coach.

#### ***Athlete:***

- i. Must meet the age criteria dictated by the competition;
- ii. Must be a registered competitive member of Badminton Ontario and in good standing;
- iii. Must adhere to the Badminton Ontario's Code of Conduct and Ethical Conduct Policy;
- iv. Must be a Canadian citizen or landed immigrant and be prepared to show documentation and must submit a declaration of same prior to the deadline published by the Selection Committee (this includes athletes who may have received an exemption from competing in any selection competitions);
- v. Must compete at the team selection trials established for each team;
- vi. Must have met the minimum performance standard at a sanctioned competition recognized by Badminton Ontario, normally being a specific trials competition but there could be instances whereby other options for selection are determined within the Selection Criteria; and
- vii. For the Canada Games, must have had a permanent domicile or actual residence located, for at least 180 days prior to the opening of the Games, within Ontario. An athlete can have only one domicile.

#### ***Coach:***

- i. Must be a current registered coach of Badminton Ontario, meeting all the professional and public standards required for such registration;
- ii. Must be a member in good standing with Badminton Ontario;
  - i. Must adhere to the Badminton Ontario's Code of Conduct and Ethical Conduct Policy; and
  - i. Must be accredited in the National Coaching Certification Program (NCCP) at the level determined within the specific competition Selection Criteria.

#### ***Manager:***

- i. Must be a member in good standing with Badminton Ontario; and

- ii. Must adhere to the Badminton Ontario's Code of Conduct and Ethical Conduct Policy.

Selection processes, Selection Criteria, deadlines, qualifying periods, and standards and exception will each be stipulated in the Selection Criteria Document for the specific competition.

### **Selection**

3. All coach and athlete selections will be made by the applicable Selection Committee in accordance with the applicable Selection Criteria Document.

### **Rules**

4. Regarding Selection Criteria, except as explicitly provided in the Selection Criteria Document, the most restrictive criteria of the Badminton World Federation (BWF), Badminton Canada (BCAN), Canada Games Council (CGC), or other organization's regulations pertinent to the team selection being determined will prevail.

### **Trials**

5. Except as explicitly provided in the Selection Criteria Document, all athletes must compete at the identified qualifying trial(s) to be eligible for selection.

### **Qualifying Period**

6. Except as explicitly provided in the Selection Criteria Document, no performances in events that occur before or after the end of the applicable qualifying period will be valid for the purpose of selection to the team.

### **Amendments**

7. Badminton Ontario reserves the right to amend the Selection Criteria Document. If amendments are made, they will be communicated as soon as possible through established communication channels (posting on the Badminton Ontario web-site and social media platforms).

### **Unforeseen Circumstances**

8. In situations where unforeseen circumstances do not allow the process for selection as contemplated in the Selection Criteria Document to be implemented, the Selection Committee reserves the right to determine an appropriate course of action. Depending on the circumstances, such course of action may involve implementation of an alternate process for team selection.

### **Team Travel Obligations**

9. Athletes who wish to participate on a Badminton Ontario provincial team are required to comply with Badminton Ontario travel plans (including participation in pre-competition and pre-target-event training camps and competitions), as they pertain to training schedules, travel and accommodation schedules.

### **Appeals for Selection**

10. Appeals of team selection decisions may only be submitted by athletes deemed eligible to submit appeals as specified in the Selection Criteria Document.

11. Appeals may be submitted for circumstances related to athlete illness or injury or other reasonable technical circumstance deemed appropriate by the Selection Committee. The

Selection Committee will decide all first level appeals, bearing in mind the team objectives and high-performance principles as specified in the Selection Criteria Document.

12. All Appeals relating to Team Selection must be submitted to Badminton Ontario as per the Badminton Ontario Appeal Policy.

### Non-Compliance

13. Failure to comply with any of the Policy obligations (outlined above) may result in removal from a team.

### Policy History

<b>Approved</b>	<b>March 21, 2022</b>
<b>Next Review Date</b>	March 2023

### Revision Table

<b>Current Revision Number</b>	<b>Date of Revision (mm/dd/yy)</b>	<b>Revision Details</b>	<b>Revision Completed By</b>
1	04/06/2022	Policy created & documented	BOCC

## SSP-02-2022 Gender Equity Policy

### Purpose

1. Badminton Ontario is committed to ensuring that all individuals, regardless of gender, have equitable opportunities to take part in badminton as a player, coach, official, administrator or leader. Badminton Ontario understands that gender balance increases collaboration, respect and inclusiveness and reduces inequality on all grounds.

### Scope

2. Badminton Ontario has adopted Badminton Canada's "Gender Equity Policy", as found in their Safe Sport Policy Manual (May 2020) and remove the existing "Gender Equity and Inclusion Policy".

### Policy History

<b>Approved</b>	<b>March 21, 2022</b>
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<b>Next Review Date</b>	March 2023
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### Revision Table

<b>Current Revision Number</b>	<b>Date of Revision (mm/dd/yy)</b>	<b>Revision Details</b>	<b>Revision Completed By</b>
1	03/08/22	Policy created & documented	BOCC

## SSP-09-2022 Gender Inclusion Policy

### Purpose

1. Badminton Ontario is committed to ensuring that all individuals, regardless of gender, have equitable opportunities to take part in badminton as a player, coach, official, administrator or leader. Badminton Ontario understands that gender balance increases collaboration, respect and inclusiveness and reduces inequality on all grounds.

### Scope

2. Badminton Ontario has adopted Badminton Canada's "Gender Inclusion Policy", as found in their Safe Sport Policy Manual (May 2020).

### Policy History

<b>Approved</b>	<b>March 21, 2022</b>
<b>Next Review Date</b>	March 2023

### Revision Table

<b>Current Revision Number</b>	<b>Date of Revision (mm/dd/yy)</b>	<b>Revision Details</b>	<b>Revision Completed By</b>
1	04/06/22	Policy created & documented	BOCC

## SSP-10-2022 Screening Policy

### Purpose

1. Screening of personnel and volunteers is an important part of providing a safe environment among sport organizations which provide programs and services to youth and people with disabilities. Badminton Ontario is responsible, at law, to do everything reasonable to provide a safe and secure environment for participants in its programs, activities and events. Badminton Ontario takes very seriously, and is committed to, fulfilling the duty of care it owes to its members.

2. The purpose of screening is to identify individuals within Badminton Ontario who pose a risk to children, youth and people with disabilities.

### Scope

3. Badminton Ontario has adopted Badminton Canada's "Screening Policy", as found in their Safe Sport Policy Manual (May 2020).

4. An exception to the adoption will be made in Appendix B, where it references Badminton Canada's "Code of Conduct and Ethics Policy, Conflict of Interest Policy, and Privacy Policy", these should be replaced with "Badminton Ontario's Code of Conduct and Ethical Conduct Policy".

### Policy History

<b>Approved</b>	<b>March 21, 2022</b>
<b>Next Review Date</b>	March 2023

### Revision Table

<b>Current Revision Number</b>	<b>Date of Revision (mm/dd/yy)</b>	<b>Revision Details</b>	<b>Revision Completed By</b>
1	04/06/2022	Policy created & documented	BOCC

## SSP-11-2022 Social Media Policy

### Purpose

1. The Social Media Policy describes guidelines on how all members of Badminton Ontario are protected with media and photographs of members and staff in posting respectful to show activities and events hosted under Badminton Ontario in proper conduct and behaviour.

### Criteria

2. Badminton Ontario has adopted Badminton Canada’s “Social Media Policy”, as found in their Safe Sport Policy Manual (May 2020).

### Policy History

<b>Approved</b>	<b>March 21, 2022</b>
<b>Next Review Date</b>	March 2023

### Revision Table

<b>Current Revision Number</b>	<b>Date of Revision (mm/dd/yy)</b>	<b>Revision Details</b>	<b>Revision Completed By</b>
<b>1</b>	04/06/2022	Policy created & documented	BOCC

## SSP-12-2022 Discipline/Complaints/Dispute Resolution Policy

### Definitions

1. The following terms have these meanings in this Policy:
  - a. “BON Mediator” means the person appointed from time to time by the board of directors of Badminton Ontario for the purpose of resolving disputes through mediation.
  - b. “Case Manager” has the meaning ascribed to it in Section 12.
  - c. “Complainant” means the Party alleging an infraction.
  - d. “Days” means calendar days irrespective of weekends and holidays.
  - e. “Individuals” means all categories of membership defined in Badminton Ontario’s Bylaws, as well as all individuals employed by, or engaged in activities with, Badminton Ontario including, but not limited to, athletes, coaches, convenors, referees, officials, volunteers, managers, administrators, committee members, directors and officers of Badminton Ontario, spectators at events, and parents/guardians of athletes.
  - f. “Panel” has the meaning ascribed to it in Section 25.
  - g. “Parties” means the Complainant, Respondent, and any other Individuals, persons, or organizations affected by the complaint.
  - h. “Respondent” means the alleged infracting Party.

### Purpose

2. Badminton Ontario is committed to providing an environment in which all Individuals involved with Badminton Ontario are treated with respect. Membership in Badminton Ontario, as well as participation in its activities, brings many benefits and privileges. At the same time, Individuals and participants are expected to fulfill certain responsibilities and obligations including, but not

limited to, complying with Badminton Ontario's policies, bylaws, rules and regulations, and Code of Conduct and Ethics. Irresponsible behaviour by Individuals can result in severe damage to the integrity of Badminton Ontario. Conduct that violates these values may be subject to sanctions pursuant to this Policy. Since discipline may be applied, Badminton Ontario provides Individuals with the mechanism outlined in this Policy so that complaints are handled fairly, expeditiously, and affordably.

### **Application of this Policy**

3. This Policy applies to all Individuals.
4. This Policy may be adopted by Badminton Ontario's members to their own activities with the substitution of 'Badminton Ontario' with the name of the member organization.
5. This Policy applies to discipline matters that may arise during the course of Badminton Ontario's business, activities, and events including, but not limited to, competitions, practices, tryouts, training camps, travel associated with Badminton Ontario activities, and any meetings.
6. This Policy does not prevent discipline from being applied, during a competition or event, according to specific procedures in place for the particular event. Further discipline may be applied according to this Policy.
7. Discipline matters and complaints arising within the business, activities, or events organized by entities other than Badminton Ontario will be dealt with pursuant to the policies of these other entities unless requested and accepted by Badminton Ontario at its sole discretion.

### **Minors**

8. Complaints may be brought for or against a Participant who is a Minor. Minors must have a parent/guardian or other adult serve as their representative during this process.
9. A Minor is not required to attend an oral hearing, if held.

### **Reporting a Complaint**

10. Any individual may report any complaint to Badminton Ontario. Such a complaint must be in writing and signed. The complaint must be filed within fourteen (14) calendar days of the alleged incident. Anonymous complaints may be accepted at the sole discretion of Badminton Ontario.
11. A Complainant wishing to file a complaint outside the fourteen (14) calendar day period must provide a written statement giving reasons for an exemption to this limitation. The decision to accept or not accept the complaint outside of the fourteen (14) day period will be at the sole discretion of Badminton Ontario. This decision may not be appealed.
12. At Badminton Ontario's discretion, Badminton Ontario may act as the Complainant and initiate the complaint process under the terms of this Policy. In such cases, Badminton Ontario will identify an individual to represent Badminton Ontario.

### **Mediation**

13. Before any complaint proceeds to the formal stage, the dispute may be referred to mediation upon the consent of the parties. Where appropriate, the BON Mediator can act as a mediator to assist the Complainant and Respondent to work towards a mutually agreed resolution. Where



Badminton Ontario or a director of Badminton Ontario is a Party, the Parties may select a mutually agreed upon third party to serve as a mediator, with costs to be allocated as determined by the Parties.

### **Case Manager**

14. Should mediation not resolve the dispute, Badminton Ontario will appoint a case manager (the “Case Manager”) to oversee management and administration of complaints submitted in accordance with this Policy and such appointment is not appealable. The Case Manager is not required to be a member of Badminton Ontario and shall not be a member of Badminton Ontario where Badminton Ontario is a Party. In such circumstances, the Case Manager shall be an independent third-party with professional experience in matters of dispute resolution. Badminton Ontario shall bear the costs of such Case Manager, unless Badminton Ontario is the Respondent, in which case the Complainant shall bear the initial costs of the Case Manager but may be reimbursed by Badminton Ontario at the discretion of the Case Manager. The Case Manager has an overall responsibility to ensure procedural fairness is respected at all times in this Policy, and to implement this Policy in a timely manner. More specifically, the Case Manager has a responsibility to:

- a. Determine whether the complaint is within the jurisdiction of this Policy and/or is frivolous or vexatious. If the Case Manager determines the complaint is frivolous or vexatious or outside the jurisdiction of this Policy, the complaint will be dismissed immediately. The Case Manager’s decision to accept or dismiss the complaint may not be appealed.
- b. Determine if the complaint is a minor or major infraction
- c. Appoint the Panel, if necessary, in accordance with this Policy
- d. Coordinate all administrative aspects of the complaint
- e. Provide administrative assistance and logistical support to the Panel as required
- f. Provide any other service or support that may be necessary to ensure a fair and timely proceeding

15. The Case Manager will inform the Parties if the incident is to be dealt with as a minor infraction or major infraction and the matter will be dealt with according to the applicable section relating to the minor or major infraction.

16. This Policy does not prevent an appropriate person having authority from taking immediate, informal or corrective action in response to behaviour that constitutes either a minor or major infraction. Further sanctions may be applied in accordance with the procedures set out in this Policy.

17. 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. Further sanctions may be applied but only after review of the matter in accordance with the procedures set out in this Policy.

### **Minor Infractions**

18. Minor infractions are single incidents of failing to achieve expected standards of conduct that generally do not result in harm to others, Badminton Ontario, or the sport. Examples of minor infractions can include, but are not limited to, a single incident of:

- a. Disrespectful, offensive, abusive, racist, or sexist comments or behaviour
- b. Disrespectful conduct such as outbursts of anger or argument
- c. Conduct contrary to the values of Badminton Ontario
- d. Being late for, or absent from, Badminton Ontario events and activities at which attendance is expected or required
- e. Non-compliance with Badminton Ontario's policies, procedures, rules, or regulations
- f. Minor violations of Badminton Ontario's Code of Conduct and Ethical Conduct Policy, Social Media Policy, and/or Athlete Protection Policy

19. All disciplinary situations involving minor infractions will be dealt with by the appropriate person who has authority over both the situation and the individual involved. If applicable, discipline specific to the particular event or competition shall be applied. The person in authority can be, but is not restricted to being, staff, officials, coaches, judges, organizers, or Badminton Ontario's decision-makers.

20. Provided that the Respondent being disciplined is told the nature of the infraction and has an opportunity to provide information concerning the incident, procedures for dealing with minor infractions will be informal (compared to the procedures for major infractions) and will be determined at the discretion of the person responsible for discipline of such infractions (as noted above).

21. Penalties for minor infractions, which may be applied singularly or in combination, include the following:

- a. Verbal or written reprimand from Badminton Ontario to one of the Parties
- b. Verbal or written apology from one Party to the other Party
- c. Removal of certain privileges of membership for a designated period of time
- d. Suspension from the current competition, activity, or event
- e. Fines
- f. Any other sanction considered appropriate for the offense
- g. Discipline specific to the event or competition, if applicable

22. Minor infractions that result in discipline will be recorded and records will be maintained by Badminton Ontario. Repeat minor infractions may result in further such incidents being considered a major infraction.

### **Major Infractions**

23. Major infractions are instances of failing to achieve the expected standards of conduct that result, or have the potential to result in harm to other people, to Badminton Ontario, or to the sport. Examples of major infractions include, but are not limited to:

- a. Repeated minor infractions
- b. Any incident of hazing
- c. Incidents of physical abuse
- d. Behaviour that constitutes harassment, sexual harassment, or sexual misconduct
- e. Pranks, jokes, or other activities that endanger the safety of others
- f. Conduct that intentionally interferes with a competition or with any athlete's preparation for a
- g. competition
- h. Conduct that intentionally damages Badminton Ontario's image, credibility, or reputation

- i. Disregard for Badminton Ontario's bylaws, policies, rules, and regulations
- j. Major or repeated violations of Badminton Ontario's Code of Conduct and Ethics
- k. Intentionally damaging Badminton Ontario property or improperly handling Badminton Ontario monies
- l. Abusive use of alcohol, any use or possession of alcohol by minors, or use or possession of illicit drugs and/or narcotics
- m. Any possession or use of banned performance enhancing drugs or methods

24. Major infractions occurring within competition may be dealt with immediately, if necessary, by an appropriate person having authority. In such situations, disciplinary sanctions will be for the duration of the competition, training, activity, or event only. If applicable, discipline specific to the particular event or competition shall be applied. Further sanctions may be applied but only after review of the matter in accordance with the procedures set out in this Policy. This review does not replace the appeal provisions of this Policy.

25. Major infractions will be handled using the Procedure for Major Infraction Hearing set out in this Policy, except where a dispute resolution procedure contained within a contract, employee agreement, or other formal written agreement takes precedence.

### **Procedure for Major Infraction Hearing**

26. The Case Manager shall notify the Parties that the complaint has been received, and the incident shall be dealt with as a major infraction. The Case Manager shall then decide the format under which the complaint will be heard. This decision is at the sole discretion of the Case Manager and may not be appealed.

27. The Case Manager will appoint a discipline panel (the "Panel"), which shall consist of a single Adjudicator, to hear the complaint. In extraordinary circumstances, and at the discretion of the Case Manager, a Panel of three persons may be appointed to hear the complaint. In this event, the Case Manager will appoint one of the Panel's members to serve as the Chair.

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

29. If a Party chooses not to participate in the hearing, the hearing will proceed in any event.

30. The Case Manager will determine the format of the hearing, which may involve an oral in-person hearing, an oral hearing by telephone, a hearing based on a review of documentary evidence submitted in advance of the hearing, or a combination of these methods. The hearing will be governed by the procedures that the Case Manager deems appropriate in the circumstances, provided that:

- a. The Parties will be given appropriate notice of the day, time, and place of the hearing
- b. 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
- c. The Parties may be accompanied by a representative, advisor, or legal counsel at their own expense
- d. The Panel may request that any other individual participate and give evidence at the hearing

- e. The Panel may allow as evidence at the hearing any oral evidence and document or thing relevant to the subject matter of the complaint, but may exclude such evidence that is unduly repetitious and shall place such weight on the evidence as it deems appropriate
- f. The decision will be by a majority vote of Panel members

31. 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 complaint in question and will be bound by the decision.

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

### **Decision**

33. After hearing the matter, the Panel will determine whether an infraction has occurred and, if so, the sanctions to be imposed. Within fourteen (14) calendar days of the hearing's conclusion, the Panel's written decision, with reasons, will be distributed to all Parties, the Case Manager, and Badminton Ontario. In extraordinary circumstances, the Panel may first issue a verbal or summary decision soon after the hearing's conclusion, with the full written decision to be issued before the end of the fourteen (14) day period. The decision will be considered a matter of public record unless decided otherwise by the Panel.

### **Sanctions**

34. The Panel may apply the following disciplinary sanctions, singularly or in combination, for major infractions:

- a. Verbal or written reprimand from Badminton Ontario to one of the Parties
- b. Verbal or written apology from one Party to the other Party
- c. Expulsion from Badminton Ontario
- d. Removal of certain membership privileges
- e. Suspension from certain teams, events, and/or activities
- f. Suspension from all Badminton Ontario's activities for a designated period of time
- g. Withholding of prize money or awards (if applicable)
- h. Payment of the cost of repairs for property damage
- i. Suspension of funding from Badminton Ontario or from other sources
- j. Any other sanction considered appropriate for the offense

35. Unless the Panel decides otherwise, any disciplinary sanctions will begin immediately. Failure to comply with a sanction as determined by the Panel will result in automatic suspension until such time as compliance occurs.

36. Major infractions that result in discipline will be recorded and records will be maintained by Badminton Ontario.

### **Suspension Pending a Hearing**

37. Badminton Ontario may determine that an alleged incident is of such seriousness as to warrant suspension of an Individual pending completion of the criminal process, a hearing or a decision of the Panel.

### **Criminal Convictions**

38. An Individual's conviction for any of the following Criminal Code offenses will be deemed a major infraction under this Policy and will result in expulsion from Badminton Ontario and/or removal from Badminton Ontario's competitions, programs, activities and events upon the sole discretion of Badminton Ontario:

- a. Any child pornography offences
- b. Any sexual offences
- c. Any offence of physical or psychological violence
- d. Any offence of assault
- e. Any offence involving trafficking of illegal drugs

### **Confidentiality**

39. The discipline and complaints process are confidential and involves only the Parties, the Case Manager, the Panel, and any independent advisors to the Panel. Once initiated and until a decision is released, none of the Parties will disclose confidential information relating to the discipline or complaint to any person not involved in the proceedings.

### **Timelines**

40. 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 Panel may direct that these timelines be revised.

### **Records and Distribution of Decisions**

41. Minor and major infractions that result in discipline, as well as decisions of any appeals, shall be recorded and maintained by Badminton Ontario.

42. Other organizations may be advised of any decisions and, if there was an appeal, the appeal decision.

43. Decisions and appeals are matters of public interest and shall be publicly available with the names of the individuals redacted. Names of persons disciplined may be disclosed to the extent necessary to give effect to any sanction imposed. The Panel may determine that disclosing the person's identity would unduly violate the person's privacy and may decide that the decision, or part of the decision, shall be kept confidential.

### **Timelines**

44. The decision of the Panel may be appealed in accordance with Badminton Ontario's Appeal Policy.

### **Policy History**

<b>Approved</b>	<b>March 21, 2022</b>
<b>Next Review Date</b>	March 2023

### **Revision Table**

Current Revision Number	Date of Revision (mm/dd/yy)	Revision Details	Revision Completed By
1	04/06/2022	Policy created & documented	BOCC

## SSP-13-2022 Code of Conduct and Ethical Conduct Policy

### Definitions

1. The following terms have these meanings in this Code:
  - a. "Individuals" – Individuals employed by, or engaged in activities with, Badminton Ontario including, but not limited to, athletes, coaches, convenors, referees, officials, volunteers, managers, administrators, committee members, and directors and officers of Badminton Ontario.

### Purpose

2. The purpose of this Code is to ensure a safe and positive environment (within Badminton Ontario's programs, activities, and events) by making Individuals aware that there is an expectation, at all times, of appropriate behaviour consistent with Badminton Ontario's core values. Badminton Ontario supports equal opportunity, prohibits discriminatory practices, and is committed to providing an environment in which all individuals are treated with respect.

### Application of this Code

3. This Code may be adopted by Badminton Ontario's Members to their own activities with the substitution of 'Badminton Ontario' with the name of the Member organization.
4. This Code applies to Individuals' conduct during Badminton Ontario's business, activities, and events including, but not limited to, competitions, practices, tryouts, training camps, travel associated with Badminton Ontario's activities, Badminton Ontario's office environment, and any meetings.
5. An Individual who violates this Code may be subject to sanctions pursuant to Badminton Ontario's Discipline and Dispute Resolution Policy. In addition to facing possible sanction pursuant to Badminton Ontario's Discipline and Dispute Resolution Policy, an Individual who violates this Code during a competition may be ejected from the competition or the playing area, the official may delay the competition until the Individual complies with the ejection, and the Individual may be subject to any additional discipline associated with the particular competition.
6. An employee of Badminton Ontario found to have engaged in acts of violence or harassment against any other employee, worker, contractor, member, customer, supplier, client or other third-party during business hours, or at any Organization event, will be subject to appropriate disciplinary action subject to the terms of Badminton Ontario's Human Resources Policy as well as the employee's Employment Agreement (if applicable).

7. This Code also applies to Individuals' conduct outside Badminton Ontario's business, activities, and events when such conduct adversely affects relationships within Badminton Ontario (and its work and sport environment) and is detrimental to the image and reputation of Badminton Ontario. Such applicability will be determined by Badminton Ontario at its sole discretion.

## Responsibilities

8. Individuals have a responsibility to:

- a. Maintain and enhance the dignity and self-esteem of Badminton Ontario members and other individuals by:
  - i. Demonstrating respect to individuals regardless of body type, physical characteristics, athletic ability, age, ancestry, colour, race, citizenship, ethnic origin, place of origin, creed, disability, family status, marital status, gender identity, gender expression, sex, and sexual orientation
  - ii. Focusing comments or criticism appropriately and avoiding public criticism of athletes, coaches, officials, organizers, volunteers, employees, or members
  - iii. Consistently demonstrating the spirit of sportsmanship, sport leadership, and ethical conduct
  - iv. Acting, when appropriate, to correct or prevent practices that are unjustly discriminatory
  - v. Consistently treating individuals fairly and reasonably
  - vi. Ensuring adherence to the rules of the sport and the spirit of those rules
- b. Refrain from any behaviour that constitutes harassment, where harassment is defined as comment or conduct directed towards an individual or group, which is offensive, abusive, racist, sexist, degrading, or malicious. Types of behaviour that constitute harassment include, but are not limited to:
  - i. Written or verbal abuse, threats, or outbursts
  - ii. The display of visual material which is offensive or which a reasonable person ought to know is offensive in the circumstances
  - iii. Unwelcome remarks, jokes, comments, innuendo, or taunts
  - iv. Leering or other suggestive or obscene gestures
  - v. Condescending or patronizing behaviour which is intended to undermine self-esteem, diminish performance or adversely affect working conditions
  - vi. Practical jokes which cause awkwardness or embarrassment, endanger a person's safety, or negatively affect performance
  - vii. Any form of hazing
  - viii. Retaliation or threats of retaliation against an individual who reports harassment
  - ix. Bullying
  - x. Offensive or intimidating phone calls or emails
  - xi. Displaying or circulating offensive pictures, photographs or materials in printed or electronic form
  - xii. Psychological abuse
  - xiii. Discrimination
  - xiv. Words or actions which are known or should reasonably be known to be offensive, embarrassing, humiliating, demeaning or intimidating



- xv. Behaviours such as those described above are not directed towards a specific individual or group but have the same effect of creating a negative or hostile environment
- c. Refrain from any behaviour that constitutes violence, where violence is defined as the exercise of physical force, that causes or could cause physical injury; an attempt to exercise physical force that could cause physical injury; or a statement or behaviour that it is reasonable to interpret as a threat to exercise physical force. Types of behaviour that are applicable to this section include, but are not limited to:
  - i. Verbal threats to attack
  - ii. Sending to or leaving threatening notes or emails
  - iii. Making threatening physical gestures
  - iv. Wielding a weapon
  - v. Hitting, pinching or unwanted touching which is not accidental
  - vi. Throwing an object
  - vii. Blocking normal movement or physical interference, with or without the use of equipment
  - viii. Any attempt to engage in the type of conduct outlined above
- d. Refrain from any behaviour that constitutes sexual harassment, where sexual harassment is defined as unwelcome sexual comments and sexual advances, requests for sexual favours, or conduct of a sexual nature. Types of behaviour that constitute sexual harassment include, but are not limited to:
  - i. Sexist jokes
  - ii. Sexual violence
  - iii. Display of sexually offensive material
  - iv. Sexually degrading words used to describe a person
  - v. Inquiries or comments about a person's sex life
  - vi. Unwelcome sexual flirtations, advances, or propositions
  - vii. Inappropriate sexual touching, advances, suggestions or requests
  - viii. Unwanted physical contact including, but not limited to, touching, petting, pinching, or kissing
  - ix. Unwelcome sexual flirtations, advances, requests, or invitations
  - x. Physical or sexual assault
- e. Abstain from the non-medical use of drugs or the use of performance-enhancing drugs or methods. More specifically, Badminton Ontario adopts and adheres to the Canadian Anti-Doping Program. Any infraction under this Program shall be considered an infraction of this Code and may be subject to further disciplinary action, and possible sanction, pursuant to Badminton Ontario's Discipline and Dispute Resolution Policy. Badminton Ontario will respect any penalty enacted pursuant to a breach of the Canadian Anti-Doping Program, whether imposed by Badminton Ontario or any other sport organization.
- f. Refrain from associating with any person for the purpose of coaching, training, competition, instruction, administration, management, athletic development, or supervision of the sport, who has incurred an anti-doping rule violation and is serving a sanction involving a period of ineligibility imposed pursuant to the Canadian Anti- GA06 - 3 Doping Program and/or the World Anti-Doping Code and recognized by the Canadian Centre for Ethics in Sport (CCES).
- g. Refrain from the use of power or authority in an attempt to coerce another person to engage in inappropriate activities
- h. Refrain from consuming alcohol, tobacco products, or recreational drugs while participating in Badminton Ontario programs, activities, competitions, or events



- i. In the case of adults, avoid consuming alcohol in situations where minors are present and take reasonable steps to manage the responsible consumption of alcohol in adult-oriented social situations associated with Badminton Ontario's events
- j. Respect the property of others and not willfully cause damage
- k. Promote the sport of badminton in the most constructive and positive manner possible
- l. Adhere to all federal, provincial, municipal and host country laws
- m. Comply, at all times, with Badminton Ontario's bylaws, policies, procedures, and rules and regulations, as adopted and amended from time to time
- n. In the case of Minors, not consume alcohol, tobacco, or cannabis at any competition or event
- o. Refrain from engaging in deliberate cheating which is intended to manipulate the outcome of a para-classification, competition, and not offer or receive any bribe which is intended to influence the outcome of a competition

### **Board/Committee Members and Staff**

9. In addition to section 8 (above), Badminton Ontario's Directors, Committee Members, and Staff will have additional responsibilities to:

- a. Function primarily as a member of the board and/or committee(s) of Badminton Ontario; not as a member of any other particular member or constituency
- b. Act with honesty and integrity and conduct themselves in a manner consistent with the nature and responsibilities of Badminton Ontario's business and the maintenance of Individuals' confidence
- c. Ensure that Badminton Ontario's financial affairs are conducted in a responsible and transparent manner with due regard for all fiduciary responsibilities
- d. Conduct themselves openly, professionally, lawfully and in good faith in the best interests of Badminton Ontario
- e. Be independent and impartial and not be influenced by self-interest, outside pressure, expectation of reward, or fear of criticism
- f. Behave with decorum appropriate to both circumstance and position and be fair, equitable, considerate, and honest in all dealings with others
- g. Keep informed about Badminton Ontario's activities, the provincial sport community, and general trends in the sectors in which they operate
- h. Exercise the degree of care, diligence, and skill required in the performance of their duties pursuant to the laws under which Badminton Ontario is incorporated
- i. Respect the confidentiality appropriate to issues of a sensitive nature
- j. Ensure that all Individuals are given sufficient opportunity to express opinions, and that all opinions are given due consideration and weight
- k. Respect the decisions of the majority and resign if unable to do so
- l. Commit the time to attend meetings and be diligent in preparation for, and participation in, discussions at such meetings
- m. Have a thorough knowledge and understanding of all Badminton Ontario governance documents
- n. Conform to the bylaws and policies approved by Badminton Ontario, in particular this Code of Conduct and Ethics

### **Coaches**

10. In addition to section 8 (above), coaches have many additional responsibilities. The coach-athlete relationship is a privileged one and plays a critical role in the personal, sport, and athletic development of the athlete. Coaches must understand and respect the inherent power imbalance that exists in this relationship and must be extremely careful not to abuse it, consciously or unconsciously. Coaches will:

- a. Ensure a safe environment by selecting activities and establishing controls that are suitable for the age, experience, ability, and fitness level of the involved athletes
- b. 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
- c. Avoid compromising the present and future health of athletes by communicating and cooperating with sport medicine professionals in the diagnosis, treatment, and management of athletes' medical and psychological treatments
- d. Support the coaching staff of a training camp, provincial team, or national team; should an athlete qualify for participation with one of these programs
- e. Provide athletes (and the parents/guardians of minor athletes) with the information necessary to be involved in the decisions that affect the athlete
- f. Act in the best interest of the athlete's development as a whole person
- g. Respect other coaches
- h. Meet the highest standards of credentials, integrity and suitability, including but not limited to such considerations established by Badminton Ontario's Screening Policy
- i. Report any ongoing criminal investigation, conviction, or existing bail conditions, including those for violence, child pornography, or possession, use, or sale of any illegal substance
- j. Under no circumstances provide, promote, or condone the use of drugs (other than properly prescribed medications) or performance-enhancing substances and, in the case of minors, alcohol and/or tobacco
- k. Respect all athletes competing against their athletes and, in dealings with them, not encroach upon topics or actions which are deemed to be within the realm of 'coaching', unless after first receiving approval from the coaches who are responsible for the athletes
- l. Not engage in a sexual relationship with an athlete under 18 years old, or an intimate or sexual relationship with an athlete over the age of 18 if the coach is in a position of power, trust, or authority over the athlete
- m. Recognize the power inherent in the position of coach and respect and promote the rights of all participants in sport. This is accomplished by establishing and following procedures for confidentiality (right to privacy), informed participation, and fair and reasonable treatment. Coaches have a special responsibility to respect and promote the rights of participants who are in a vulnerable or dependent position and less able to protect their own rights
- n. Dress professionally, neatly, and inoffensively
- o. Use inoffensive language, taking into account the audience being addressed

## **Athletes**

11. In addition to section 8 (above), athletes will have additional responsibilities to:

- a. Report any medical problems in a timely fashion, when such problems may limit their ability to travel, practice, or compete; or in the case of carded athletes, interfere with the athlete's ability to fulfill requirements under the Quest For Gold Program
- b. Participate and appear on-time, well-nourished, and prepared to participate to their best abilities in all competitions, practices, training sessions, tryouts, tournaments, and events
- c. 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
- d. Adhere to Badminton Ontario's rules and requirements regarding clothing and equipment
- e. Never ridicule a participant for a poor performance or practice
- f. Act in a sportsmanlike manner and not display appearances of violence, foul language, indiscriminate shouting, or gestures to other athletes, officials, coaches, or spectators
- g. Dress in a manner representative of Badminton Ontario; focusing on neatness, cleanliness, and discretion
- h. Act in accordance with Badminton Ontario's policies and procedures and, when applicable, additional rules as outlined by coaches or managers

### **Officials**

12. In addition to section 8 (above), officials will have additional responsibilities to:

- a. Maintain and update their knowledge of the rules and rules changes
- b. Work within the boundaries of their position's description while supporting the work of other officials
- c. Act as an ambassador of Badminton Ontario by agreeing to enforce and abide by national and provincial rules and regulations
- d. Take ownership of actions and decisions made while officiating
- e. Respect the rights, dignity, and worth of all individuals
- f. Not publicly criticize other officials or any club or association
- g. Assist with the development of less-experienced referees and minor officials
- h. Conduct themselves openly, impartially, professionally, lawfully, and in good faith in the best interests of Badminton Ontario, athletes, coaches, other officials, and parents
- i. Be fair, equitable, considerate, independent, honest, and impartial in all dealings with others
- j. Respect the confidentiality required by issues of a sensitive nature, which may include ejections, defaults, forfeits, discipline processes, appeals, and specific information or data about Individuals
- k. 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
- l. When writing reports, set out the true facts and not attempt to justify any decisions
- m. Dress in proper attire for officiating

### **Parents, Guardians and Spectators**

13. In addition to section 8 (above), parents/guardians of individuals and spectators at events will have additional responsibilities to:

- a. Encourage athletes to play by the rules and resolve conflicts without resorting to hostility or violence.
- b. Never ridicule a participant for poor performance or practice.
- c. Respect the decisions and judgment of officials and encourage athletes to do the same.
- d. Not question the judgment or honesty of an official or a Badminton Ontario supervising member.
- e. Respect and show appreciation to all competitors and to the coaches, officials, and other volunteers who give their time to the sport.
- f. Keep off the Competition area and not interfere with events or calls.

### Policy History

<b>Approved</b>	<b>March 21, 2022</b>
<b>Next Review Date</b>	March 2023

### Revision Table

<b>Current Revision Number</b>	<b>Date of Revision (mm/dd/yy)</b>	<b>Revision Details</b>	<b>Revision Completed By</b>
<b>1</b>	04/06/2022	Policy created & documented	BOCC