

CALEDON TENNIS CLUB

Abuse & Harassment Policy	Effective Date May 1, 2024
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POLICY STATEMENT

The Caledon Tennis Club prohibits and will not condone any form of abuse or neglect, whether physical, emotional or sexual, of any participant of any age in any of its programs. The Caledon Tennis Club expects members to take all reasonable steps to safeguard the welfare of Caledon Tennis Club participants and to protect them from any form of maltreatment. The Caledon Tennis Club encourages the reporting of all incidents of abuse, regardless of who the offender may be.

Allegations of abuse or neglect will be dealt with in accordance with the Caledon Tennis Club's complaint procedures as set out in this policy.

This policy applies to abuse occurring during the course or in conjunction with any Caledon Tennis Club business, activities or events.

Notwithstanding this policy, every person who experiences abuse continues to have the right to seek assistance from the police, their provincial child protection authority, and their provincial human rights commission, even when steps are being taken under this policy.

GUIDELINES

1. Abuse is any form of physical, emotional and/or sexual mistreatment or lack of care which causes physical injury or emotional damage. Abuse may be perpetrated by an adult or a child, and the victim may be an adult or a child.
2. Child abuse raises distinct issues and triggers unique legal obligations. A common characteristic of all forms of abuse against children and youth is an abuse of power or authority and/or breach of trust by an adult over a child. In Ontario, a person is considered a child, for purposes of triggering a legal obligation to report child abuse, if this person is under 18 years of age.
3. Physical abuse occurs when a person purposefully injures or threatens to injure another person. This may include, but not limited to, slapping, hitting, shaking, kicking, pulling hair or ears, throwing, and shoving, grabbing, hazing or excessive exercise as a form of punishment.
4. Emotional abuse is a chronic attack on a person's self-esteem. It is psychologically destructive behaviour. It can take the form of, among other things, name-calling, threatening, ridiculing, berating, intimidating, isolating, hazing or ignoring the person's needs.
5. Sexual abuse is when a person, without their consent, is used by another person for his or her own sexual stimulation or gratification. Children under 14 are deemed not to consent to sexual touching by an adult. Children under 18 are deemed not to consent to sexual activity by an adult who is in a position of authority or trust. There are different types of sexual abuse, some of which involve physical contact, and some of which do not. Sexual abuse that does not involve physical contact includes making obscene remarks, voyeurism, showing pornography, forcing a person to watch sexual acts, asking sexually intrusive questions or making sexually intrusive comments, and forcing a person to pose for sexual photographs or videos.
6. Abuse and neglect may be inflicted directly or indirectly, and through any means of communication, including through electronic communications.

RESPONSIBILITY

1. The Caledon Tennis Club Executive Committee is responsible for the implementation of this policy. In addition, they are responsible for:
 - discouraging and dealing with abuse within the Caledon Tennis Club;
 - ensuring that formal complaints of abuse are investigated in a sensitive, responsible, and timely manner;
 - imposing appropriate disciplinary or corrective measures when a complaint of abuse has been substantiated, regardless of the position or authority of the offender;
 - providing advice to persons who experience abuse;
 - doing all in their power to support and assist any member of the Caledon Tennis Club who experiences abuse by someone who is not a member of the Caledon Tennis Club;
 - making all members of the Caledon Tennis Club aware of the problem of abuse, including, sexual abuse, and of the procedures contained in this policy;
 - informing both complainants and respondents of the procedures contained in this policy; and
 - regularly reviewing the terms of this policy to ensure that they adequately meet the organization's legal obligations and public policy objectives.
2. Every member of the Caledon Tennis Club has a responsibility to play a part in ensuring that the Caledon Tennis Club sport environment is free from abuse, by complying with this policy.
3. Members of the Caledon Tennis Club against whom a complaint of abuse is substantiated may be severely disciplined, up to and including termination of membership.

CONFIDENTIALITY

1. The Caledon Tennis Club understands that it can be extremely difficult to come forward with a complaint of abuse and that it can be devastating to be wrongly convicted of abuse. The Caledon Tennis Club recognizes the interests of both the complainant and the respondent in keeping the matter confidential.
2. However, abuse allegations must be dealt with in a forthright and fair manner. This includes an obligation to share relevant information with child protection authorities and police, and to be fair to the alleged abuser by providing sufficient information about the allegation that concerns them to enable them to respond properly. In many cases, this will mean that anonymity is not feasible or fair. However, members can be assured that the Caledon Tennis Club will take all possible steps to preserve confidentiality to the extent reasonably possible. Where information pertaining to allegations is disseminated, the status of the allegations as being allegations only should be articulated.

REPRISALS AND FALSE ALLEGATIONS

1. A person who makes a complaint of abuse, whether under this policy or otherwise, should not be penalized for doing so. Retaliation against an individual for having filed a complaint or for having participated in any procedure under this policy will not be tolerated and will be treated as a disciplinary offence.
2. The making of false, frivolous or malicious allegations of abuse by another person will likewise be treated as a disciplinary offence.

COMPLAINT PROCEDURE

1. Individuals who believe they have been subjected to abuse, which includes discrimination or harassment, should immediately report the incident to an Executive Committee Member. All complaints will be promptly and thoroughly investigated. The Caledon Tennis Club will treat such complaints as confidentially as possible, releasing information on to those with a need or right to know.

2. Any person who observes or becomes aware of any discrimination or harassment should immediately advise Executive Committee Member. No person should assume that the Caledon Tennis Club is aware of the problem.
3. A person who experiences harassment is encouraged to make it known to the harasser that the behavior is unwelcome, offensive, and contrary to this policy.
4. If confronting the harasser is not reasonably possible or if after confronting the harasser the harassment continues, the complainant should seek the advice of the Executive Committee Member.
5. Executive Committee Member shall inform the complainant of:
 - the options for pursuing an informal resolution of his or her complaint;
 - the right to lay a formal written complaint under this policy when an informal resolution is inappropriate or not feasible;
 - the availability of counseling and other support provided by the Caledon Tennis Club;
 - the confidentiality provisions of this policy;
 - the right to withdraw from any further action in connection with the complaint at any stage (even though the Caledon Tennis Club might continue to investigate the complaint); and
 - other avenues of recourse, including the right to file a complaint with a human rights commission or, where appropriate, to contact the police to have them lay a formal charge under the Criminal Code.
6. There are four possible outcomes to this initial meeting of complainant and Executive Committee Member.
 - a) *The complainant and CTC Executive agree that the conduct does not constitute harassment.*
 - If this occurs, Executive Committee Member will take no further action and will make no written record.
 - b) *The complainant brings evidence of harassment and chooses to pursue an informal resolution of the complaint.*
 - If this occurs, the CTC Executive will assist the two parties to negotiate a solution acceptable to the complaint, or may assist the complainant with informal means of resolving the complaint. If desired by the parties and if appropriate, the CTC Executive may also seek the assistance of a neutral mediator.
 - If an informal resolution yields a result, which is acceptable to both parties, the CTC Executive will make a written record that a complaint was made and was resolved informally to the satisfaction of both parties, and will take no further action.
 - If informal resolution fails to satisfy the complaint, the complainant may reserve the option of laying a formal written complaint.
 - If an informal resolution is not achieved, and the complainant does not file a written complaint, a record of his or her dealings with the CTC Executive will be kept by the CTC Executive. Such record will be confidential.
 - c) *The complainant brings evidence of harassment and decides to lay a formal written complaint.*
 - If this occurs, the CTC Executive will assist the complainant in drafting a formal written complaint, to be signed by the complainant, and a copy given to the respondent without delay. The written complaint should set out the details of the incident(s), the names of any witnesses to the incident(s), and should be dated and signed.
 - The respondent will be given an opportunity to provide a written response to the complaint. The CTC Executive may assist the respondent in preparing this response.
 - d) *The complainant brings evidence of harassment but does not wish to lay a formal complaint.*
 - If this occurs, the CTC Executive must decide if pursuing further the alleged harassment is serious enough to warrant laying a formal written complaint, even if it is against the wishes of the complainant.

- When the CTC Executive decides that the evidence and surrounding circumstances require a formal written complaint, the CTC Executive will issue a formal written complaint and, without delay, provide copies of the complaint to both the complainant and the respondent.
7. If the Executive Committee determines that the allegations of abuse or harassment are false, vexatious, retaliatory, or unfounded, their report may recommend disciplinary action against the complainant.
 8. A copy of the report of the case review panel shall be provided, without delay, to both the complainant and the respondent.
 9. When determining appropriate disciplinary action and corrective measures, the case review panel shall consider factors such as:
 - the nature of the abuse or harassment;
 - whether the abuse or harassment involved any physical contact;
 - whether the abuse or harassment was an isolated incident or part of an ongoing pattern;
 - the nature of the relationship between complainant and the respondent;
 - the age of the complainant;
 - whether the respondent had been involved in previous abuse or harassment incidents;
 - whether the respondent admitted responsibility and expressed a willingness to change;
 - and whether the respondent retaliated against the complainant.
 10. In recommending disciplinary sanctions, the panel may consider the following options, singly or in combination, depending on the severity of the harassment:
 - a verbal apology;
 - a written apology;
 - referral to counseling;
 - removal of certain privileges of membership;
 - expulsion from membership
 11. Where the investigation does not result in a finding of abuse or harassment, a copy of the report of the case review panel shall be placed in Executive Committee Member's files. These files shall be kept confidential and access to them shall be restricted to the Caledon Tennis Club President and/or Executive Committee Member.