

Valley United Soccer Club
Policies and Procedures

POLICY TITLE

Reporting and Documenting Complaints: Potentially Unlawful
Behaviour Policy

ISSUED BY

DATE ISSUED

DISTRIBUTION

POLICY STATEMENT

At Valley United Soccer Club all children have the right to a safe and respectful environment that is free from child sexual abuse and/or inappropriate conduct. Any abusive or unlawful act committed by an employee/volunteer will not be tolerated and will be reported to child welfare and/or law enforcement as applicable. Any employee/volunteer engaging in such acts will be subject to a range of disciplinary procedures, up to and including dismissal (see Suspension/Dismissal: Unlawful Behaviour Policy on page Valley United Soccer Club [page number]). Similarly, employees/volunteers who are aware of breaches of the Code of Conduct to Protect Children, but fail to take appropriate action, may be subject to discipline.

Valley United Soccer Club is committed to:

- Ensuring that prompt action is taken in regard to disclosures, allegations or suspicions of child abuse (and reporting to a child welfare and/or law enforcement agency and/or parents as required by law and as deemed necessary for the protection of children).
- Ensuring we create an environment that encourages disclosures, allegations or suspicions to be reported.
- Treating all disclosures, allegations or suspicions as confidential.

POLICY PURPOSE

Under Canadian child welfare laws, if you know or suspect child maltreatment, you have a legal obligation to report it. This is known as the “duty to report”. Every person in Canada has the duty to report known or suspected child maltreatment by law.

DEFINITION(S)

Employees and Volunteers. Employees and volunteers include coaches, managers or any person interacting with children and/or vulnerable individuals.

WHY IS THIS POLICY IMPORTANT?

Canadian child welfare laws set out the duty to report and require all people to report suspicions based on reasonable grounds that a child is/or has been sexually abused; and/or disclosure of child sexual abuse.

An employee/volunteer has an independent legal obligation to report unlawful behaviour to child welfare and/or law enforcement.

Under this policy, an employee/volunteer is also required to report unlawful behaviour to his/her supervisor/administrator/president, who is then obligated to report it to [Complete in accordance with the organizational chart of your organization].

Organizations must have an internal reporting procedure.

POLICY PROCEDURE

Employees/volunteers are required to immediately report all disclosures, allegations, suspicions, or indicators of child abuse, regardless of source or content.

Employees/volunteers are required to promptly report unlawful behaviour from a child involving an employee/volunteer of Valley United Soccer Club or a Third Party.

1. This includes reports of all disclosures, allegations or suspicions of unlawful behaviour towards a child reported to an employee by a child regarding either:
 - a) another employee/volunteer of Valley United Soccer Club; or
 - b) someone other than an employee/volunteer of Valley United Soccer (e.g. parent).

2. This includes unlawful behaviour witnessed by a Valley United Soccer Club Employee/Volunteer. Any incident of alleged unlawful behaviour, either:
 - a) witnessed by an employee/volunteer regarding another employee/volunteer of Valley United Soccer Club; or
 - b) witnessed by an employee/volunteer regarding someone other than Valley United Soccer Club employee/volunteer (e.g. parent).

3. Reports of Unlawful Behaviour from a Third Party Involving an Employee/Volunteer of Valley United Soccer Club or a Third Party. Any alleged unlawful behaviour, either:
 - a) reported to an employee by a third party and regarding another employee/volunteer of Valley United Soccer Club; or
 - b) reported to an employee by a third party regarding someone other than a Valley United Soccer Club employee/volunteer (e.g. parent).

REPORTING REQUIREMENTS

Employees/volunteers:

1. If a child is the one conveying the information:
 - a) Treat the disclosure/allegation seriously and reassure the child.
 - b) Document the disclosure/allegation on an Incident Report Form.

2. If you witness something:
 - a) Do what you can to stop or interrupt the behaviour or situation causing the concern, to the extent you are able to do so without unreasonably jeopardizing your safety or the safety of the child involved. The steps you may be able to take will vary depending upon the situation and the safety concerns that may be applicable.

- b) If you do not know the child or adult involved, take reasonable steps to identify the party you do not know and/or to note any identifiable features that may help to identify him/her.
 - c) Document what you have seen and what you may have done to intervene on the Incident Report Form, including whatever information you may have about the identity of the child or adult involved.
3. If the information is being conveyed through another source (third party, another employee, another volunteer):
- a) Treat the information received seriously.
 - b) Document the information received from the reporting person, and any other information you have received on Incident Report Form.
 - c) Notify your supervisor/administrator/president and report the matter to child welfare and/or law enforcement. A phone call to child welfare can be made by you on your own, or together with your supervisor/administrator/president.

Remember: the legal duty to report lies with the individual who witnessed the incident or received the disclosure, allegation or other concern. Notifying your supervisor/administrator/president is for purposes of this policy only. It does not absolve an employee/volunteer of the legal obligation to report to CFS.

Documentation:

1. Supervisor/administrator/president - document discussion with employee/volunteer on Incident Report Form.
2. Supervisor/administrator/president and employee/volunteer - document discussion with CFS on Incident Report Form.
3. The Supervisor/administrator/president must report the disclosure, allegation or other concern above to [Complete in accordance with the organizational chart of your organization], and the individual receiving the information must report it to [Complete in accordance with the organizational chart of your organization].
4. All employees/volunteers receiving the disclosure, allegation or other concern must keep the information confidential and in accordance with the confidentiality obligations set out at the end of this policy, and the obligations under the Policy on Communications with Employees About Unlawful Behaviour.
5. Leave the investigation up to the authorities mandated with this responsibility (child welfare and law enforcement). Do not investigate disclosures, allegations or other concerns, and do not discuss them with others except as required to report the information or participate in a related investigation.
6. The [Complete in accordance with the organizational chart of your organization] is tasked with:
 - a. Consulting with legal counsel and/or an HR professional.
 - b. Following steps in the Suspension/Dismissal: Potential Unlawful Behaviour policy.
 - c. Documenting the outcome on Incident Report Form.

A copy of the documented incident shall be placed in the accused employee/volunteer's human resource file. Any identifying information about the child victim or reporting person shall be removed from this copy. A generic letter shall also be placed in the file that indicates the alleged offence, how it was handled and any follow-up that was completed.

POLICY ADHERENCE

This policy applies to all employees/volunteers of Valley United Soccer Club including full-time, part-time, contract, temporary, or casual employees.

The reporting obligations apply whether the child involved is a participant in a program of our organization or not. NOTE: If you do not know the identity of the child, take steps to find out who the child is- depending on the situation, steps may need to be taken to protect that child from additional harm, the child may need to make a statement to police, etc.

POLICY COMMUNICATION

All employees and volunteers should be aware of this policy and it should be reinforced through training programs and related materials.

Parents/legal guardians/caregivers should be made aware of this policy in parent handbooks, on parent bulletin boards and on the organization's website.

WHAT IS THE RISK WHEN THIS POLICY IS NOT SUPPORTED?

Any interference with the conduct of an investigation, including an attempt to have a disclosure, allegation or other concern withdrawn, is strictly prohibited and will result in disciplinary action.

All disclosures, allegations and other concerns will be handled in confidence. We will not disclose the identity of any parties involved, or the circumstances of the disclosure, allegation or concern, except where necessary for the purpose of investigative or corrective action, where required by law, or for the protection of individuals. Similarly, employees/volunteers interviewed as part of an investigation or follow-up under this policy shall treat all information in a confidential manner. An employee/volunteer who breaches confidentiality may be subject to discipline.