



Policy Title	Code of Conduct with Disciplinary Procedure
Responsible Committee	Governance
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Table of Contents

Policy Statement.....	2
Definitions.....	2
Purpose.....	6
Application.....	6
Responsibilities.....	7
Disciplinary Procedure – Application.....	17
Reporting a Complaint.....	17
Identity of a Complainant.....	19
Complaint Administration.....	19
Jurisdiction.....	19
Languages.....	25
References.....	25
Communication.....	25
Review and Approval.....	25
Version History.....	25

This Policy has been prepared by Water Polo Canada and is applicable to Water Polo Canada, its members, affiliated organizations, and registrants. This document cannot be modified without consultation with and approval by Water Polo Canada.

Policy Statement

Water Polo Canada (WPC) has developed this Code of Conduct with Disciplinary Procedure document in order to protect and guide individuals associated with WPC. The first part of the document is a Code of Conduct that outlines the expected behaviour for all individuals associated with WPC. The second part of the document is a Disciplinary Procedure that describes how individuals and groups can easily submit a complaint about the conduct of individuals associated with WPC. Complaints will be handled fairly, quickly, and without bias.

Definitions

1. **“Athlete”** – An individual who is a member, registrant, or license holder of a sport organization subject to the Universal Code of Conduct to Prevent and Address Maltreatment in Sport (UCCMS).
“By-laws” – the by-laws of WPC, including any amendments.
“Case Manager” – a neutral third party assigned to review complaints and assist with hearing procedures and administration (if required)
“Complaint” – a report by an individual or group delivered to WPC about a potential violation of WPC’s Code of Conduct
“Complainant” – A Participant, Registrant or observer who makes a report of an incident of Maltreatment or a violation of this Code of Conduct, or suspicions of an incident/violation.
“Consent by a Person over the Age of Majority” – Consent is defined in Canada’s Criminal Code 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. For further information, please see the comment below. 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.]

“Date of Approval” means as stated on Page 1 of the Policy

“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.

“Duty to Report 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.

“Duty to Report 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.

“including” – including but not limited to

“Individuals” – refers to all categories of members and/or registrants defined in the Bylaws of WPC and in the Bylaws of a PTSO (or PSO), those included in the definition of “participants”, as well as all people employed by, contracted by, or engaged in activities with, WPC and a PTSO (PSO) including, but not limited to, employees, contractors, athletes, coaches, mission staff, chefs de mission, officials, volunteers, managers, administrators, committee members, parents or guardians, spectators, and Directors and Officers.

“Minor Infraction” – a potential minor violation of WPC’s Code of Conduct, as determined by the Case Manager, which can typically be handled by a person with authority. Minor Infraction is further defined in this document along with examples.

“Major Infraction” – a potential major violation of WPC’s Code of Conduct, as

determined by the Case Manager, which is typically handled by a formal hearing and a decision by a Discipline Panel. Major Infraction is further defined in this document along with examples.

“Maltreatment” – Volitional acts that result in harm or the potential for physical or psychological harm.

“Minor” – An individual who is under the age of majority at the time and in the jurisdiction where the alleged Maltreatment occurred. It is the responsibility of the adult to know the age of a minor. At the time this Code of Conduct with Disciplinary Procedure was updated to comply with the UCCMS, a child is defined as the following in each province and territory:

- Under 16 years old in Newfoundland and Labrador, the Northwest Territories, Nunavut and Saskatchewan.
- Under 18 years old in Prince Edward Island, Quebec, Ontario, Manitoba, and Alberta.
- Under 19 years old in Nova Scotia, New Brunswick, British Columbia, and the Yukon.

“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.

“Participant” – Every individual who is subject to the UCCMS. Participants may become subject to the UCCMS by various means. Athletes through membership in an adopting sport organization and coaches, volunteers, doctors, trainers, administrators, directors, etc. by signing an express contract accepting the jurisdiction of the UCCMS.

“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.]

“Registrant” has the meaning set out in the Bylaws of WPC, as amended from time to time;

“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 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.

“Respondent” – A Participant who is alleged to have engaged in Maltreatment and thereby to have violated the UCCMS.

“Responsible Subcommittee” means as stated on Page 1 of the Policy;

“Sexual Maltreatment 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 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).

“WPC” – Water Polo Canada

Purpose

2. Water Polo Canada’s (WPC’s) by-laws empower the WPC Board of Directors to discipline members and Registrants in accordance with the by-laws, rules, regulations, and written policies of WPC. This Code of Conduct with Disciplinary Procedure describes the manner by which WPC can discipline Registrants.
3. WPC, and by extension all Participants in WPC activities, are obligated by Sport Canada to comply with the UCCMS. In those cases where a conflict exists between a particular provision in this Code of Conduct with Disciplinary Procedure and the UCCMS, the UCCMS will govern, while the remainder of this policy remains valid.
4. Affiliation with WPC brings many privileges and benefits. At the same time, Registrants are expected to meet certain obligations including complying with WPC policies. Irresponsible behaviour by Registrants can result in severe damage to the integrity of WPC.
5. Individuals must be aware that they are expected to model behaviour appropriate for the person’s role as an Individual and a representative or associate of WPC. This document outlines the conduct expected of Individuals and the Disciplinary Procedure that Registrants are subject to if there is a complaint about a Registrant’s conduct.

Application

6. The Code of Conduct applies to Individuals’ conduct during WPC business, activities, and events including, but not limited to, competitions, tournaments, games, matches, practices, tryouts, training camps, and travel associated with WPC.
7. Individuals who violate this Code during a competition or event may be removed from the competition or pool area under the terms of any disciplinary procedure in place for that particular event or competition. Individuals may be subject to additional discipline under the terms of this Code of Conduct.

8. The Code of Conduct also applies to Individuals' conduct outside of WPC business, activities, and events when such conduct adversely affects relationships within WPC (and its work and sporting environment) or when it is detrimental, or perceived to be detrimental, to the image and reputation of WPC. Such applicability will be determined by WPC at its sole discretion.
9. As detailed in the UCCMS, Maltreatment is also forbidden outside of the sport environment where the Maltreatment has a serious and detrimental impact on another Participant. According to the UCCMS, claims of Maltreatment may be retroactive: past Registrants of WPC can claim maltreatment while they were active in sport.
10. Any employee of WPC found to have engaged in acts of Maltreatment against a Participant will be disciplined in accordance with the UCCMS. At the discretion of the WPC Board of Directors, the Code of Conduct may be applied to employees of WPC for other infractions including, but not limited to: acts of violence or harassment against any other employee, worker, contractor, Registrant, customer, supplier, client, or other third party during business hours or at any WPC event or to have otherwise violated the Code of Conduct will be subject to appropriate disciplinary action to the terms of WPC's *Human Resources Policy* as well as the employee's Employment Agreement (if applicable) and not the disciplinary procedures outlined in this document.

Responsibilities

11. All Individuals are responsible for maintaining and enhancing the dignity and self-esteem of other Individuals by:
 - a) 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, socioeconomic status, gender identity, gender expression, sex, and sexual orientation
 - b) Focusing comments or criticism appropriately and avoiding public criticism of athletes, coaches, officials, organizers, volunteers, employees, or Registrants
 - c) Consistently demonstrating a spirit of sportsmanship, sport leadership, and ethical conduct
 - d) Acting, when appropriate, to correct or prevent practices that are unjustly discriminatory
 - e) Consistently treating individuals fairly and reasonably
 - f) Ensuring adherence to the rules of Water Polo and the spirit of those rules

12. All Individuals are responsible for refraining from behaviour that is defined as Maltreatment as defined under the UCCMS, including:

- psychological maltreatment;
- physical maltreatment;
- sexual maltreatment;
- neglect;
- maltreatment related to grooming; and
- maltreatment related to process.

Each type of Maltreatment listed above is described in detail below as per the UCCMS

13. Psychological Maltreatment includes, without limitation, verbal acts, non-assaultive physical acts and acts that deny attention or support.

a) 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.

b) 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.

c) 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.

14. Physical Maltreatment includes, without limitation, contact or non-contact behaviours that have the potential to cause physical harm.

a) Contact behaviours

Including but not limited to: deliberately punching, kicking, beating, biting,

striking, strangling or slapping another; deliberately hitting another with objects.

b) 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.

15. 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 of Sexual Maltreatment include, without limitation:

- 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:
 - i. vaginal penetration by a penis, object, tongue, or finger; and
 - ii. 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:
 - i. kissing;
 - ii. intentional touching of the breasts, buttocks, groin or genitals, whether clothed or unclothed, or intentionally touching of another with any of these body parts
 - iii. any contact, no matter how slight, between the mouth of one person and the genitalia of another person, and
 - iv. making another touch themselves, the Participant, or someone else with or on any of the body parts listed in b).
 - v. any intentional touching in a sexualized manner of the relationship, context or situation.
- c) In addition to the criminal acts identified above, the UCCMS 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.

16. Neglect or acts of omission, include, 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.

17. Maltreatment Related to 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).

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.

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.

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.

18. Maltreatment Related to Process includes, without limitation:

a) Interference with or Manipulation of Process

An adult Participant, violates the UCCMS by directly or indirectly interfering with a UCCMS process by:

- i. a) falsifying, distorting, or misrepresenting information, the resolution process, or an outcome;
- ii. b) destroying or concealing information;
- iii. c) attempting to discourage an individual's proper participation
- iv. in or use of the UCCMS's processes;
- v. d) harassing or intimidating (verbally or physically) any person involved in the UCCMS's processes before, during, and/or following any UCCMS proceedings;
- vi. e) publicly disclosing a Participant's identifying information, without the Participant's agreement;
- vii. f) failing to comply with any temporary or provisional measure or other final sanction;
- viii. g) distributing or otherwise publicizing materials a Participant gains access to during a UCCMS investigation or hearing, except as required by law or as expressly permitted; or
- ix. h) influencing or attempting to influence another person to interfere with or manipulate the process.

b) Retaliation

Retaliation is prohibited. 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 under the UCCMS. Retaliation includes threatening, intimidating, harassing, coercing or any other conduct that would discourage a reasonable person from engaging or participating in UCCMS's processes.

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.

c) Aiding and Abetting

Aiding and Abetting 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. a) 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. b) providing any coaching-related advice or service to an Athlete who has been suspended or is otherwise ineligible; and
- iii. c) allowing any person to violate the terms of their suspension or any other sanctions imposed.

19. Maltreatment Related to Reporting includes, without limitation:

a) Failure 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. An adult Participant who fails to Report actual or suspected Psychological Maltreatment, Sexual Maltreatment, Physical Maltreatment or Neglect involving a Minor Participant pursuant to the UCCMS's processes and to law enforcement or child protection services (when applicable) shall be subject to disciplinary action under the UCCMS.

- 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

Not all inappropriate conduct may meet the threshold for constituting Maltreatment under the UCCMS. However, such inappropriate conduct may represent behavior with the risk of escalating to Maltreatment under the UCCMS.

Any Participant who suspects or becomes aware of another Participant's inappropriate conduct, even if it is not defined as Maltreatment under the UCCMS, 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 of the UCCMS 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 pursuant to the UCCMS.

- 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 UCCMS violation.

Doping and Drug Use

20 Registrants must abstain from the non-medical use of drugs or the use of performance-enhancing drugs or methods. More specifically, WPC adopts and adheres to the Canadian Anti-Doping Program. Any infraction under this Program will be considered an infraction of this Code and may be subject to further disciplinary action, and possible sanction, pursuant to the Disciplinary Procedures. WPC will respect any penalty enacted pursuant to a breach of the Canadian Anti- Doping Program imposed by any other sport organization.

21. Registrants must refrain from associating with any person for the purpose of coaching, training, competition, instruction, administration, management, athletic development, or supervision who has incurred an anti-doping rule violation and is serving a sanction involving a period of ineligibility imposed pursuant to the Canadian Anti-Doping Program and/or the World Anti- Doping Code and recognized by the Canadian Centre for Ethics in Sport (CCES).

Inappropriate Behaviour

22. Registrants must avoid behaviour considered to be inappropriate. Particularly, Registrants must:

- a) Refrain from the use of power or authority in an attempt to coerce another person to engage in inappropriate activities;
- b) Not be in possession or use any illegal substance and/or performance enhancing drugs;
- c) Additionally, inappropriate behaviour shall include:
 - i. Gross misbehaviour;

ii. Reporting to an activity in an impaired condition.

As well, the registrant is responsible for the following:

- d) Respect the property of others and not willfully cause damage;
- e) Adhere to all federal, provincial, municipal and host country laws.
- f) If under the age of majority in the location of the WPC sanctioned activity (i.e. competition, training camp), there will be no possession or use of alcohol;

Directors, Committee Members, Volunteers, and Staff

23 In addition to sections 11 through 22 above, WPC's Directors, Committee Members, Volunteers, and Staff have additional responsibilities to:

- a) Function primarily as a WPC Director, Committee Member, Volunteer or Staff member and not as a member of any other particular group or constituency
- b) Act with honesty and integrity and conduct themselves in a manner consistent with the nature and responsibilities of WPC business and the maintenance of Registrants' confidence
- c) Ensure that WPC'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 WPC
- 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 WPC activities, the provincial Water Polo 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 WPC is incorporated
- i) Respect the confidentiality appropriate to issues of a sensitive nature
- j) Ensure that all Registrants 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) When appropriate, have a thorough knowledge and understanding of all WPC governance documents
- o) Conform to the bylaws and policies approved by WPC, in particular this

Code of Conduct as well as the Conflict of Interest Policy and Confidentiality Policy

Coaches

24. In addition to sections 11 through 22 above, WPC's Coaches have many additional responsibilities. The coach-athlete relationship is a privileged one and plays a critical role in the person, 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. 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 WPC's *Screening Policy*
 - i) Self-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
 - k) Respect athletes participating with other clubs 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
 - 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, 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

25. In addition to sections 11 through 22 above, WPC's Athletes 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 their ability to fulfill requirements under the Athlete Assistance 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 WPC'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, or gestures to other athletes, officials, coaches, or spectators
 - g) Dress in a manner representative of WPC; focusing on neatness, cleanliness, and discretion
 - h) Act in accordance with WPC's policies and procedures and, when applicable, additional rules as outlined by coaches or managers

Officials

26. In addition to sections 11 through 22 above, WPC's Officials 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 WPC 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 officials and minor officials
- h) Conduct themselves openly, impartially, professionally, lawfully, and in good faith in the best interests of WPC, 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 Registrants
- 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

Disciplinary Procedure - Application

- 27. The Disciplinary Procedure applies to the conduct of Individuals during WPC business, activities, and events including, but not limited to, competitions, tournaments, games, matches, practices, tryouts, training camps, and travel associated with WPC. As described in the UCCMS, Maltreatment is also forbidden outside of the sport environment where the Maltreatment has a serious and detrimental impact on another Individual.
- 28. The Disciplinary Procedure does not prevent discipline from being applied during a competition or event, according to specific procedures in place for the particular event.
- 29. Individuals may also be subject to the disciplinary rules and processes of other associations, clubs, or organizations. WPC will respect decisions made by those bodies.

Reporting a Complaint

- 30. Any member of the public, including but not limited to parents, athletes, club or organization representatives, coaches, or representatives of WPC is encouraged to report violations of the Code of Conduct to WPC. These reports are considered 'complaints'.
- 31. Complaints related to Maltreatment (Sections 13-19), as defined under the UCCMS, can be reported using WPC's Incident Reporting Form, available on the

WPC website. Once completed, the form should be submitted to WPC's independent Safe Sport Officer (contact information can be found on the WPC website). As indicated in the UCCMS, there is no time limit for filing complaints related to Maltreatment, but each incident will be evaluated based on the content of the relevant WPC policy at the time that the incident occurred.

32. Complaints related to other violations of this Code of Conduct (Sections 20-26) must be in writing and signed and must be reported to WPC within fourteen (14) days of the alleged violation.
33. A complainant wishing to file a complaint related to that portion of the WPC Code of Conduct that falls outside the scope of the UCCMS after the fourteen (14) day period has expired 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 WPC. This decision may not be appealed.

Identity of a Complainant

34. Anonymous complaints may be accepted at the sole discretion of WPC.
35. At WPC's discretion, WPC may act as the complainant and initiate the complaint process under the terms of this Disciplinary Procedure. In such cases, WPC will identify an individual to represent WPC.
 - a. Where WPC exercises discretion to act as the complainant and initiate the complaint process, WPC shall appoint an anonymous complainant's Advocate, if requested by the Anonymous Complainant
 - b. The Anonymous Complainant's Advocate will be a volunteer role and will be appointed by WPC after ensuring that the individual has no other personal or professional interest in the complaint
 - c. The Anonymous Complainant's Advocate will be responsible to liaise with WPC to receiving information about the status and outcome of procedures and provide that information to the Anonymous Complainant

Mediation

36. Before any complaint proceeds to the formal stage, the dispute will first be reviewed by WPC's Executive Director (or designate) with the objective of resolving the dispute informally and/or with the assistance of a mediator. Disputes that are resolved by mediation may not be appealed or subsequently re-submitted as a complaint under this Disciplinary Procedure.

Complaint Administration

37. Should mediation not resolve the dispute, WPC's Executive Director (or designate) will appoint a Case Manager to oversee management and administration of a complaint submitted in accordance with this Procedure. The Case Manager is not required to be associated with WPC. The Case Manager has an overall responsibility to ensure procedural fairness is respected at all times, and to implement this Procedure in a timely manner. More specifically, the Case Manager has a responsibility to:
- a) Determine whether the complaint is frivolous or vexatious, and within the jurisdiction of this Procedure. If the Case Manager determines the complaint is frivolous or vexatious or outside the jurisdiction of this Procedure, 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) Identify the Parties to the complaint, which may include the complainant
 - d) Appoint the Panel, if necessary, in accordance with this Procedure
 - e) Coordinate all administrative aspects of the complaint
 - f) Provide administrative assistance and logistical support to the Panel as required
 - g) Provide any other service or support that may be necessary to ensure a fair and timely proceeding
38. 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 of this Procedure relating to minor or major infraction.

Jurisdiction

39. This Procedure does not prevent an appropriate person having authority (such as a coach or team manager) from taking immediate, informal or corrective action in response to behaviour that constitutes an infraction. Further sanctions may be applied in accordance with the procedures set out in this Procedure.
40. This Procedure does not take precedence over any dispute resolution procedure contained within a contract, employee agreement, or other formal written agreement.
41. 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 document.

Minor Infractions

42. Minor infractions are single incidents of failing to achieve expected standards of conduct that generally do not result in harm to others, WPC, or the sport of Water Polo. 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 WPC
 - d) Being late for, or absent from, WPC events and activities at which attendance is expected or required
 - e) Non-compliance with WPC's policies, procedures, rules, or regulations
 - f) Minor violations of WPC's Code of Conduct

43. 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, organizers, or WPC decision- makers.

44. 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).

45. Penalties for minor infractions, which may be applied singularly or in combination, include the following:
 - a) Verbal or written reprimand from WPC to one of the Parties
 - b) Verbal or written apology from one Party to the other Party
 - c) Service or other voluntary contribution to WPC
 - d) Removal of certain privileges of membership for a designated period of time
 - e) Suspension from the current competition, activity, or event
 - f) Fines
 - g) Any other sanction considered appropriate for the offense
 - h) Discipline specific to the event or competition, if applicable

46. Minor infractions that result in discipline will be recorded and records will be

maintained by WPC. Repeat minor infractions may result in further such incidents being considered a major infraction.

Major Infractions

47. 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 persons, to WPC, or to the sport of Water Polo. 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 competition
 - g) Conduct that intentionally damages WPC's image, credibility, or reputation
 - h) Disregard for WPC's bylaws, policies, rules, and regulations
 - i) Major or repeated violations of WPC's Code of Conduct
 - j) Intentionally damaging WPC property or improperly handling WPC monies
 - k) Abusive use of alcohol, any use or possession of alcohol by minors, or use or possession of illicit drugs and narcotics
 - l) Any possession or use of banned performance enhancing drugs or method
48. 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 Procedure.
49. Major infractions will be handled using the Hearing Procedure section described in this Disciplinary Procedure, except where a dispute resolution procedure contained within a contract, employee agreement, or other formal written agreement takes precedence.

Suspension Pending a Hearing

50. WPC may determine that an alleged incident is of such seriousness as to warrant immediate suspension of a Registrant pending a hearing and a decision of the Panel.

Hearing Procedure

51. The Case Manager will notify the Parties that the complaint is potentially legitimate and the incident will go to a hearing. The Case Manager, in consultation with the Panel, will then decide the procedure, format and timelines under which the complaint will be heard. These procedural decisions are at the sole discretion of the Case Manager and may not be appealed.
52. The Case Manager will appoint a Discipline Panel, which will 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, one of the Panel's members will serve as the Chair.
53. If the Respondent acknowledges the facts of the incident, he or she 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.
54. If a Party chooses not to participate in the hearing, the hearing may still proceed.
55. As determined by the Case Manager, the hearing 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 and, if the Party is a minor, the Party may be accompanied by a parent/guardian
 - d) The Panel may request that any other individual, including the complainant, 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 will place such weight on the evidence as it deems appropriate
 - f) If the Panel is made up of three persons, the decision will be by a majority vote

56. If a decision may affect another Registrant to the extent that the other Registrant would have recourse to a complaint in their own right, that Registrant will become a Party to the complaint in question and will be bound by the decision. The Case Manager will make arrangements for the other Registrant(s) to join the proceedings.
57. In fulfilling its duties, the Panel may obtain independent advice.

Decision

58. After hearing the matter, the Panel will determine whether an infraction has occurred and, if so, the sanctions to be imposed. Within fourteen (14) days of the hearing's conclusion, the Panel's written decision, with reasons, will be distributed to all Parties, the Case Manager, and WPC (unless reasonable circumstances exist for an extension). 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.

Sanctions

59. The Panel may apply the following disciplinary sanctions, singularly or in combination, ensuring alignment with the presumptive sanctions outlined in the UCCMS:
 - a) Verbal or written reprimand from WPC
 - b) Verbal or written apology
 - c) Further education, training, or counselling
 - d) Service or other voluntary contribution to WPC
 - e) Probation
 - f) Removal of certain privileges for a designated period of time
 - g) Suspension from certain competitions, activities, or events
 - h) Expulsion from the WPC
 - i) Fines
 - j) Payment of the cost of repairs for property damage
 - k) Any other sanction considered appropriate for the offense
60. 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.
61. Infractions that result in discipline will be recorded and records will be maintained by WPC.

Criminal Convictions

62. Conviction of an Individual under any of the following Criminal Code offenses will be deemed an infraction under this Policy and will result in automatic expulsion from the WPC:
- 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

63. The complaints and discipline process is 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

64. If the circumstances of the complaint are such that adhering to the timelines outlined by this Procedure will not allow a timely resolution to the complaint, the Panel may direct that these timelines be revised.

Records and Distribution of Decisions

65. Infractions that result in discipline will be recorded and maintained by the WPC. All discipline decisions will be stored according to the National Registration Policy and the Annual Historical Reporting Policy. This includes those sanctions related to Maltreatment (as dictated by the UCCMS).
66. National and provincial sport associations, as well as any clubs or other organizations, with which the Registrant is affiliated, may be advised of any decisions rendered under this Procedure.
67. Decisions are matters of public interest and will be publicly available with the names of the Parties redacted. Names of Registrants disciplined may be disclosed to the extent necessary to give effect to any sanction imposed.

Appeals Procedure

68. The decision of the Panel may be appealed in accordance with the WPC's *Appeal Policy*.

Languages

This Policy will be provided by WPC in both official languages of Canada.

In this Policy words denoting any gender include all genders and the rest of the sentence is to be construed as if the necessary grammatical changes have been made.

References

- Appeals Policy
- Conflict of Interest Policy
- Confidentiality Policy
- Human Resources Policy
- Screening Policy
- National Registration Policy
- Annual Historical Reporting Policy
- UCCMS

Communication

WPC will ensure a current version of the Policy is publicized on its organization's website within a reasonable time following the Date of Approval.

WPC and its members will use reasonable efforts to ensure that this Policy is communicated to those who will be responsible for upholding it as well as those who will be responsible for its implementation.

Review and Approval

This Policy will be effective as of the Date of Approval following approval by the WPC Board of Directors and will be reviewed by the Responsible Subcommittee every two years.

Version History

1. In March 2021, the 2015 version was updated to include all necessary and appropriate references to the Universal Code of Conduct to Prevent and Address Maltreatment in Sport (UCCMS), as mandated by Sport Canada.
2. Adopted on the 17th of October 2015, this Code of Conduct with Disciplinary Procedure replaced all other pre-existing codes of conduct and discipline and complaint procedures throughout WPC operations. This Code of Conduct with Disciplinary Procedure document also replaces all Water Polo Canada discipline, conduct, and harassment policies. In particular, the document replaces:
 - Harassment and Non-Discrimination Policy and Procedure

- Code of Conduct – Board policy #R1
- Discipline Policy – Board policy #R3 (Feb 2003)
- Conflict Resolution Policy – Board policy #R4
- Dispute Resolution/Discipline – Board policy #R5
- Harassment Policy – Board policy #R8
- Discipline Policy (June 2012)
- Water Polo Canada: National Team Code of Conduct