



# GYMNASTICS NOVA SCOTIA

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| <i>Policy Name</i><br><b>ABUSE, MALTREATMENT, AND DISCRIMINATION POLICY</b>  |   | <i>Date of Approval</i><br><b>06/9/2019</b> | <i>Activation Date</i><br><b>09/01/2019</b>  |
| <i>Approved By</i><br>Gymnastics NS Board of Directors   | <i>Linking To</i><br>1. Provincial/National Safe Sport Policy<br>2. Code of Ethics and Conduct Policy<br>3. Complaints and Discipline Policy<br>4. Screening Policy |   | <i>Replacing Previous Version</i><br>GNS Policy Manual –<br>Section 15<br>Harassment Policy<br>(July 2019) |
| <i>Review Cycle</i><br>Reviewed annually by the Gymnastics Canada Chief Executive Officer with recommendations to the Board of Directors. Gymnastics Nova Scotia will review any recommended revisions by Gymnastics Canada. |   |   |  |

## Table of Contents

|                                    |   |
|------------------------------------|---|
| 1. Organizational Commitment ..... | 1 |
| 2. Scope of Policy.....            | 1 |
| 3. Abuse and Maltreatment.....     | 2 |
| 3.1 Physical Abuse.....            | 2 |
| 3.2 Emotional Abuse .....          | 2 |
| 3.3 Sexual Abuse .....             | 3 |
| 3.4 Neglect .....                  | 3 |
| 3.5 Harassment.....                | 3 |
| 3.6 Bullying.....                  | 4 |
| 3.7 Hazing.....                    | 4 |
| 4. Discrimination .....            | 4 |
| 5. Complaints .....                | 5 |
| 6. Reprisal Prohibited.....        | 6 |
| 7. Acknowledgments.....            | 6 |

## 1. Organizational Commitment

All participants should be able to engage in a safe, healthy, and inclusive sport environment that is free from all forms of abuse, discrimination, harassment, violence, and other potential harm. Creating and fostering this environment and culture is paramount to the administration and delivery of all gymnastics programs in Canada. Promoting, establishing, and maintaining this positive environment is the collective responsibility of each individual member of the gymnastics community. This means not engaging in, allowing, condoning, or ignoring behaviour that violates this Policy.

Therefore, it is the expectation of **Gymnastics Nova Scotia** that participant conduct will always reflect the highest standard of behaviour. **Gymnastics Nova Scotia** considers abuse, discrimination, harassment, and violence a very serious offence. Contravention of this Policy will be subject to review, investigation, and disciplinary and remedial action. Contravention may also result in **Gymnastics Nova Scotia** contacting law enforcement officials or taking legal action where necessary. The following Policy describes various offences and types of unacceptable behaviour and should be read in conjunction with the *Code of Ethics and Conduct Policy*.

## 2. Scope of Policy

The **Gymnastics Nova Scotia Abuse, Harassment, and Discrimination Policy** applies to:

- a. All full-time and part-time employees (permanent, temporary, or fixed-term) of Gymnastics Nova Scotia and all consultants, contractors, and other service providers who may provide services to Gymnastics Nova Scotia;
- b. Members of the Gymnastics Nova Scotia Board of Directors and committees;
- c. Athletes, coaches, managers, integrated support team members, judges, and technical observers participating in Gymnastics Nova Scotia and Gymnastics Canada competitions, training camps, tryouts, programs, and activities;
- d. Parents, guardians, and spectators observing Gymnastics Nova Scotia and Gymnastics Canada training and competitions;
- e. All members of Gymnastics Nova Scotia;
- f. Coach developers;
- g. Volunteers at events hosted by Gymnastics Nova Scotia;
- h. Volunteers appointed to accompany teams to events, training camps, competitions, or other activities;
- i. Affiliate organizations and international guests; and
- j. Members of the public whose behaviour is directed at the persons and members listed above and occurs at any Gymnastics Nova Scotia competitions, training camps, tryouts, programs, events (including social events), or other activities.

### **3. Abuse and Maltreatment**

*(Adapted from Stirling, 2009; Canadian Centre for Child Protection's Commit to Kids)*

Abuse and maltreatment tend to be categorized based on the nature of the relationship in which the behaviour occurs. Specifically, physical abuse, emotional abuse, sexual abuse, and neglect tend to occur in a critical relationship, in which an individual is dependent upon another individual in a position of authority or trust for safety, trust, and fulfillment of needs. Examples of critical relationships include but are not limited to parent-athlete or coach-athlete relationships. Conversely, harassment, bullying, and hazing typically occur in other types of relationships in sport, where a dependency relationship does not exist per se (e.g., relationships between peers or colleagues). In these relationships, power imbalances are often present between the individuals but tend not to be officially prescribed positions of authority or trust. In general, an individual's behaviours do not have to be intended to harm for the behaviour to qualify as abuse, harassment, and/or discrimination. Instead, abuse, harassment, and discrimination is characterized by the deliberate nature of the action and the repetition of behaviour over time. Note that a single instance of such deliberate behaviour may result in harm to an individual or a group of people and thus, may constitute abuse, harassment, or discrimination.

The descriptions below provide broad definitional parameters of the various types of abuse and maltreatment that may occur in the sport environment. The subsequent examples are used to help differentiate between behaviours but should not be taken as an exhaustive list.

#### **3.1 Physical Abuse**

Physical abuse refers to the exercise of physical force by a person, or contact or non-contact behaviour that has the potential to cause physical harm or inflict physical injury to someone. These behaviours may be overtly forceful (e.g., hitting, punching, shaking, pushing) and/or subtle (e.g., squeezing, restraining, pinching, or displaying threatening gestures). Physical abuse may occur as a result of inappropriate or excessive physical measures of punishment, including but not limited to, denying access to nutritional needs, conditioning to the point of vomiting, deliberately disregarding medical advice, and/or forcing a premature return to training or competition following a serious injury or concussion, overstretching, and excessive repetition of skill to the point of injury. A statement or behaviour that can reasonably be interpreted as a threat to exercise physical force against someone is also considered physical abuse.

#### **3.2 Emotional Abuse**

Emotional abuse refers to a pattern of deliberate non-contact behaviours that have the potential to cause harm. These behaviours may be verbal (e.g., shouting, belittling, humiliating, intimidating, name-calling, degrading) or non-verbal (e.g., denial of attention and support, hitting or throwing objects in frustration, social isolation, stalking). Emotional abuse is often at the foundation of all other forms of maltreatment.

Although such behaviour is usually persistent, pervasive, or patterned in nature, a single incidence of such behaviour that causes high intensity emotional trauma and therefore has a lasting harmful effect on a person may also qualify as emotional abuse.

### **3.3 Sexual Abuse**

Sexual abuse refers to any sexual interaction with a person(s) of any age that is perpetrated against the victim's will, without consent, or in an aggressive, exploitative, coercive, manipulative, or threatening manner. Sexually abusive behaviours can be contact (e.g., inappropriate touching, intercourse, reward for sexual favours) or non-contact (e.g., indecent exposure, sexually oriented comments or jokes, voyeurism, intimidating sexual remarks, advances, suggestions or requests, sexually intrusive questions, displaying or sharing of obscene or pornographic images or materials).

Note that sexual abuse includes making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant, or deny a benefit or advancement to the individual and knows or ought reasonably to know that the solicitation or advance is unwelcome. A reprisal, or a threat, or implied threat of reprisal, for rejecting a sexual solicitation or advance is also prohibited.

### **3.4 Neglect**

Neglect refers to acts of omission in care and/or general deprivation of attention. Neglect occurs when an individual fails to protect and nurture the health and welfare of others in their care, including but not limited to denying adequate hydration, nutrition, or medical attention, abandonment of an athlete following a poor training or competitive result, inadequate supervision, chronic rejection, prohibiting social relations within or outside sport, ignoring an injury, or failure to intervene when made aware of misconduct.

### **3.5 Harassment**

Harassment also includes psychological harassment and refers to a course of vexatious conduct or comments and unwanted or coerced behaviours that the person knew or ought reasonably to have known would be unwelcome and inappropriate or otherwise offensive to another person or group of people.

Harassing behaviours include comments, conduct, actions, or gestures directed toward an individual or group of individuals, which are insulting, intimidating, humiliating, malicious, or offensive. An individual or group may experience harassment as a result of their race or perceived race, ancestry, nationality or national origin, citizenship, place of origin, colour, ethnic or linguistic background or origin, religion, political belief, age, sex, sexual orientation, gender identity or expression, marital status, family status, social condition or disadvantage, physical or mental disability or related characteristics, disfigurement, criminal record, source of income, or any other prohibited ground of discrimination in accordance with applicable human rights legislation.

Forms of harassment in sport may include, but are not limited to, physical harassment (e.g., pushing, shoving, hitting, pinching, grabbing), sexual harassment (e.g., vulgar, degrading or lewd

comments, repeated propositions to engage in sexual conduct), emotional harassment (e.g., offensive or hostile expressions or gestures, put-down jokes, stalking), gender harassment, racial harassment, and homophobia (e.g., referring to someone's gender, race, sexual orientation or expression in negative, vulgar, or derogatory terms or exclusion of an individual based on those grounds).

Once again, a single incidence of such behaviour that has a lasting harmful effect on a person or a group of people may constitute harassment.

### **3.6 Bullying**

Bullying refers to physical, verbal, or psychological attacks or intimidations that may cause fear, distress, or potential harm to others. These behaviours often occur between peers and may be characterized as direct, overt attacks (e.g., pushing, hitting, threatening, mocking) or indirect, relational attacks, such as gossip, spreading rumours, threatening to end friendship as a way to control others' behaviour, and social exclusion.

Bullying behaviours are typically repetitive in nature. However, a single instance of high intensity bullying may also qualify.

### **3.7 Hazing**

Hazing refers to an abusive, often humiliating form of initiation expected of someone joining a group that degrades, or intentionally and recklessly endangers the mental and physical health of the person, regardless of the person's willingness to participate in the activity.

## **4. Discrimination**

Discrimination is unfair or improper behaviour, whether intentional or not, that results in differential treatment of one or more individuals and that is related to one or more of any grounds of discrimination prohibited by human rights legislation, including but not limited to:

- race or perceived race
- ancestry, citizenship, nationality or national origin, place of origin, colour, ethnic or linguistic background or origin, including aboriginal origin
- religion, or creed, or religious belief, association or activity
- political belief, association, convictions, or activity
- age
- sex, including sex-determined characteristics such as pregnancy, the possibility of pregnancy, and circumstances related to pregnancy
- sexual orientation
- gender identity and gender expression
- marital status (including single status), family status, civil status, family association
- social condition or disadvantage

- physical or mental disability, or related characteristics or circumstances, including reliance on a service animal, a wheelchair, or any other remedial appliance or device, as well as disfigurement and any irrational fear of contracting an illness or disease
- criminal charges or criminal record
- source of income or receipt of public assistance
- actual or presumed association with another individual or class of individuals having any of the aforementioned prohibited grounds of discrimination

An individual does not have to intend to discriminate for the behaviour to be discrimination. It is enough if the individual knew or ought reasonably to have known that their behaviour would be inappropriate or unwelcome.

A discriminatory practice is to deny access to goods, services, facilities, or accommodation customarily available to the general public or to differentiate adversely in relation to any individual, on a prohibited ground of discrimination.

Examples of conduct that may be considered discrimination include but are not limited to the following:

- stereotyping (assuming that an individual has certain traits, qualities, or beliefs)
- racial, ethnic, or religious jokes, slurs, nicknames, or mimicry
- practical jokes that cause awkwardness or embarrassment
- persisting with comments or jokes after becoming aware that the behaviour is unwelcome
- offering or withholding favours or employment benefits such as promotions, favourable evaluations, favourable assigned duties or shifts, conditioned on or related to a characteristic protected under any prohibited ground of discrimination

## 5. Complaints

An individual who believes they have experienced maltreatment or witnessed misconduct that contravenes this Policy has the right and obligation to file a formal complaint under Gymnastics Nova Scotia's *Complaints and Discipline Policy and Procedures*.

If you have reasonable suspicion or believe that danger or violence are imminent or that a participant is in immediate danger or risk and/or is a victim of any form of abuse or neglect, you should:

- do nothing to put yourself in further risk;
- help the participant withdraw from the situation, if possible;
- inform others nearby of the situation, if possible;
- call 9-1-1 immediately where the situation requires immediate attention; and
- report the situation pursuant to the *Complaints and Discipline Policy and Procedures*.

## 6. Reprisal Prohibited

Under no circumstances will Gymnastics Nova Scotia condone acts of retaliation by registered participants, by parents or legal guardians, or other supporters of registered participants against those individuals who have reported inappropriate behaviour or actions to Gymnastics Nova Scotia or Gymnastics Canada.

Similarly, no individual may retaliate against an individual who is accused of having acted inappropriately and contravened any policies. All participants are to report complaints under the Complaints and Discipline Policy and Procedures.

Any individual who believes that they, or someone else, has been subjected to unlawful reprisal must promptly report those concerns to Gymnastics Nova Scotia or Gymnastics Canada.

## 7. Acknowledgments

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