

## Sail Nova Scotia Code of Conduct

(In addition to current UCCMS - Appendix A)

Effective date	June 13, 2023
Initial Approved Date	June 13, 2023
Date last reviewed	
Archived date	
Replaces and/or amends	
Appendix(-ces) to this Policy	

*Note: The Safe Sport Policy Suite Definitions apply to this policy, please refer to that document for term definitions. Our Safe Sport policies follows the legal practice of capitalized defined terms to assist the reader in identifying that the term has a specific meaning within the policy suite.*

*Sail Canada (the "Organization") has adopted the Universal Code of Conduct to Prevent and Address Maltreatment in Sport ("UCCMS"), as amended from time to time, (provided as **Appendix A**). Any modifications or amendments made to the UCCMS by the Sport Dispute Resolution Centre of Canada ("SDRCC") shall come into effect immediately upon their adoption by the SDRCC and automatically without the need for any further action by Sail Canada.*

*Sail Canada is a Program Signatory of the Office of the Sport Integrity Commissioner (the "OSIC"), as of DATE (the "Effective Date").*

*Sail Canada has designated specific Individuals within the organization as UCCMS Participants. A full list of designated individuals is available at 53 Yonge St Kingston ON K7M 6G4*

*It is important to note that the Code applies to all Individuals, **but not all Individuals are UCCMS Participants** and subject to the OSIC Process.*

### **A. Purpose**

1. The purpose of this Code of Conduct is to ensure a safe and positive environment within the programs, activities, and Events of Sail Canada, Sail Nova Scotia and its Member Organizations by making all Individuals aware that there is an expectation, at all times, of appropriate behaviour consistent with Sail Nova Scotia's core values, mission, and policies.
2. Sail Canada, Sail Nova Scotia, its Member Organizations, and Individuals support equal opportunity, prohibit discriminatory practices, and are committed to providing an environment in which all individuals can safely participate in sport and are treated with respect and fairness.

### **B. Application – General**

3. This Code of Conduct applies to the conduct of all Individuals during the business, activities, and Events of Sail Canada, Sail Nova Scotia, and its Member Organizations including, but not limited to competitions, practices, evaluations, treatment, or consultations (e.g., massage therapy), training camps, travel associated with organizational activities, the office environment, and any meetings.
4. This Code of Conduct also applies to the conduct of all Individuals outside of the business, activities, and Events of Sail Canada, Sail Nova Scotia and its Member Organizations when such conduct adversely affects

Sail Nova Scotia's relationships (and the work and sport environment) or is detrimental to the image and reputation of Sail Nova Scotia or a Member. Such applicability will be determined by Sail Canada, Sail Nova Scotia or a Member Organization, as applicable, at its sole discretion.

5. In addition, breaches of the Code of Conduct may occur when the Individuals involved interacted due to their mutual involvement in the sport or, if the breach occurred outside of the sport environment or, if the breach has a serious and detrimental impact on the Individual(s).
6. This Code of Conduct applies to Individuals active in the sport or who have retired from the sport where any claim regarding a potential breach of this Code of Conduct occurred when the Individual was active in the sport.
7. Competition & the Racing Rules of Sailing  
At competition hosted or organized by Sail Canada, Sail Nova Scotia, or a Member Organization, covered by *The Racing Rules of Sailing* as amended from time to time (herein referred to as the Rules):
  - a. Participants shall conduct themselves as prescribed by the Rules as well as any amendments thereto prescribed by the organizers of the specific event.
  - b. All protests and Appeals with respect to the misconduct of participants shall be conducted in the manner prescribed by the Rules, including any amendments thereto by the Organizing Authority (OA) for the event.

The Racing Rules of Sailing do not preclude, or limit, a Complaint being filed with OSIC, regardless of whether the matter was addressed in any manner under the Racing Rules of Sailing.

### **C. Prohibited Behaviours**

8. All Individuals must refrain from any behaviour that constitutes a Prohibited Behaviour as defined by the UCCMS and this Code of Conduct
9. Individuals are responsible for knowing what actions or behaviours constitute Prohibited Behaviours and Maltreatment.
10. Prohibited Behaviours under the UCCMS include, but are not limited to:
  - a) Physical Maltreatment
  - b) Psychological Maltreatment
  - c) Neglect
  - d) Sexual Maltreatment
  - e) Grooming
  - f) Boundary Transgressions
  - g) Discrimination
  - h) Failing to Report
  - i) Aiding and Abetting
  - j) Retaliation
  - k) Interference with or Manipulation of Process
  - l) False Reports

In addition to the Prohibited Behaviours as defined by the UCCMS, this Code of Conduct sets out other expected standards of behaviours and conduct for all Individuals and any failure to respect these expected standards of behaviour by an Individual may constitute a breach of this Code of Conduct.

#### **D. Responsibilities of Individuals**

11. All Individuals have a responsibility to:

- a) Commit to prioritizing safety in all activities, both on and off the water.
- b) Refrain from any behaviour that constitutes Maltreatment or Prohibited Behaviour under this Code of Conduct or the UCCMS.
- c) Maintain and enhance the dignity and self-esteem of other Individuals by:
  - i. Treating each other with fairness, honesty, respect and integrity;
  - ii. Focusing comments or criticism appropriately and avoiding public criticism of Athletes, coaches, officials, organizers, volunteers, employees, or other Individuals;
  - iii. Consistently demonstrating the spirit of sportsmanship, sport leadership, and ethical conduct; and
  - iv. Ensuring adherence to the rules of the sport and the spirit of those rules.
- d) Refrain from the use of power or authority to coerce another person to engage in inappropriate activities.
- e) Refrain from the use of tobacco products (and vaping) while in the presence of other participants except in designated smoking areas while participating in the programs, activities, competitions, or Events of Sail Canada, Sail Nova Scotia or a Member Organization.
- f) In the case of Minors, not consume alcohol, tobacco, or cannabis at any competition or Event.
- g) Not being under the influence of cannabis, alcohol or any medication that could cause impairment, or otherwise being impaired, at any time while performing duties or actively competing. Take reasonable steps to manage the responsible consumption of alcohol or cannabis in adult-oriented social situations.
- h) Respect the property of others and not wilfully cause damage.
- i) Refrain from engaging in deliberate behaviour which is intended to manipulate the outcome of a para-classification, competition and/or not offer, receive, or refrain from offering or receiving any benefit which is intended to manipulate the outcome of a competition or para-classification. A benefit includes the direct or indirect receipt of money or other anything else of value, including, but not limited to, bribes, gains, gifts, preferential treatment, and other advantages.
- j) Adhere to all federal, provincial/territorial, municipal and host country laws.
- k) Comply with the bylaws, policies, procedures, rules, and regulations of Sail Canada, Sail Nova Scotia and its Member Organizations, as applicable, and as adopted and amended from time to time. Recognizing that some policies, such as the Social Media Policy, provide specific requirements for responsibilities.

#### **Directors, Committee Members, and Employees**

12. In addition to section D (above), Directors, Committee Members, and employees of Sail Nova Scotia and its Member Organizations will have additional responsibilities to:

- a) Function primarily as a Director, committee member or employee of Sail Nova Scotia or the Member Organization (as applicable) and ensure to prioritize their duty of loyalty to Sail Nova Scotia or the Member Organization (and not to any other sport organization or group) while acting in this role.
- b) Act with honesty and integrity and conduct themselves in a manner consistent with the nature and responsibilities of the business and the maintenance of an Individual's confidence.
- c) Ensure that financial affairs are conducted in a responsible and transparent manner with due regard for all fiduciary responsibilities.

- d) Comply with their obligations under the *Screening Policy*, including understanding ongoing expectations under the *Screening Policy* and fully cooperating in the screening process
- e) Conduct themselves openly, professionally, lawfully and in good faith.
- f) Be independent and impartial and not be influenced by self-interest, outside pressure, expectation of reward, or fear of criticism in their decision-making on behalf of Sail Nova Scotia
- g) Exercise the degree of care, diligence, and skill required in the performance of their duties pursuant to applicable laws.
- h) Maintain required confidentiality of organizational information.
- i) When acting as a Director or Committee Member, respect the decisions of the majority (of the Board or a Committee, as applicable) and resign if unable to do so.
- j) Commit the time to attend meetings and be diligent in preparation for, and participation in, discussions at such meetings.
- k) Have a thorough knowledge and understanding of all governance documents

### **Athlete Support Personnel**

13. In addition to section D (above), Athlete Support Personnel have additional responsibilities.
14. Athlete Support Personnel must understand and respect the inherent Power Imbalance that exists in this relationship and must not abuse it, either consciously or unconsciously.
15. Athlete Support Personnel will:
- a) Avoid any behaviour that abuses the Power Imbalance inherent in the position of the Athlete Support Personnel.
  - b) Ensure a safe environment by selecting activities and establishing controls that are suitable for the age, experience, ability, and fitness level of the Athletes.
  - c) Prepare Athletes systematically and progressively, using appropriate time frames and monitoring physical and psychological adjustments.
  - d) 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.
  - e) Support the Athlete Support Personnel of a training camp, provincial/territorial team, or national team should an Athlete qualify for participation with one of these programs.
  - f) Accept and promote Athletes' personal goals and refer Athletes to other coaches and sport specialists as appropriate.
  - g) Provide Athletes (and the parents/guardians of Minor Athletes) with the information necessary to be involved in the decisions that affect the Athlete.
  - h) Act in the best interest of the Athlete's development as a whole person.
  - i) Comply with their obligations under the *Screening Policy*, including understanding ongoing expectations under this *Policy* and fully cooperating in the screening process.
  - j) Under no circumstances provide, promote, or condone the use of drugs (other than properly prescribed medications) or prohibited substances or prohibited methods and, in the case of Minors, alcohol, cannabis, and/or tobacco.
  - k) Respect competitor Athletes and, in dealings with them, not encroach upon topics or take actions which are deemed to be within the realm of 'coaching', unless after first communicating with the coaches who are responsible for the Athletes.
  - l) When a Power Imbalance exists, not engage in a sexual or intimate relationship with an Athlete of any age.
  - m) Disclose to Sail Canada, Sail Nova Scotia, (or the Member Organization as applicable) any sexual or intimate relationship with an Athlete over the age of majority and, if requested

by Sail Canada or Sail Nova Scotia, immediately discontinue any coaching involvement with that Athlete.

- n) Recognize the power inherent in the position of Athlete Support Personnel and respect and promote the rights of all Individuals in sport. This is accomplished by establishing and following procedures for confidentiality (right to privacy), informed participation, and fair and reasonable treatment. Coaches have a special responsibility to respect and promote the rights of Individuals who are in a vulnerable or dependent position and less able to protect their own rights.
- o) Dress professionally and use appropriate language.

#### **Athletes**

16. In addition to section D (above), Athletes will have additional responsibilities to:

- a) Follow their Athlete Agreement (if applicable).
- b) Report any medical problems in a timely fashion, when such problems may limit their ability to travel, practice, or compete.
- c) Participate and appear on-time and prepared to participate to their best abilities in all competitions, practices, training sessions, and evaluations.
- d) 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.
- e) Adhere to any rules and requirements regarding clothing, professionalism, and equipment.
- f) Act in accordance with applicable policies and procedures and, when applicable, additional rules as outlined by Athlete Support Personnel.

#### **Officials**

17. In addition to section D (above), officials will have additional responsibilities to:

- a) Maintain and update their knowledge of the rules and rules changes.
- b) Not publicly criticize other Individuals.
- c) Adhere at all times to the rules of their international federation and any other sport organization that has relevant and applicable authority.
- d) Place the safety and welfare of competitors, and the fairness of the competition, above all else.
- e) Strive to provide a fair sporting environment, and at no time engage in Maltreatment or Prohibited Behaviour toward any person on the field of play.
- f) Respect the terms of any agreement that they enter into with Sail Canada, Sail Nova Scotia or a Member Organization
- g) Work within the boundaries of their position's description while supporting the work of other officials.
- h) Act as an ambassador of the sport by agreeing to enforce and abide by national and provincial/territorial rules and regulations.
- i) Take ownership of actions and decisions made while officiating.
- j) Respect the rights, dignity, and worth of all Individuals.
- k) Act openly, impartially, professionally, lawfully, and in good faith.
- l) Be fair, equitable, considerate, independent, honest, and impartial in all dealings with others.
- m) Respect the confidentiality required by issues of a sensitive nature, which may include discipline processes, appeals, and specific information or data about Individuals.

- n) Comply with their obligations under the *Screening Policy*, including understanding ongoing expectations under this *Policy* and fully cooperating in the screening process.
- o) Honour all assignments unless unable to do so by virtue of illness or personal emergency, and in these cases inform a supervisor or Sail Canada, Sail Nova Scotia or the Member Organization at the earliest possible time.
- p) When writing reports, set out the actual facts to the best of their knowledge and recollection.
- q) Dress in proper attire for officiating.

#### **Parents/Guardians and Spectators**

18. In addition to section D (above), parents/guardians and spectators at Events will:

- a) Encourage Athletes to compete within the rules and to resolve conflicts without resorting to hostility or violence.
- b) Condemn the use of violence in any form.
- c) Never ridicule an Individual for making a mistake during a competition or practice.
- d) Respect the decisions and judgments of officials and encourage Athletes to do the same.
- e) Support all efforts to stop and prevent verbal and physical abuse, coercion, intimidation, and excessive sarcasm.
- f) Respect and show appreciation to all competitors, and to coaches, officials, and other volunteers.
- g) Never harass Individuals, competitors, Athlete Support Personnel, officials, parents/guardians, or other spectators.
- h) Never encourage, aid, cover up or assist an Athlete in cheating through doping, competition manipulation or other cheating behaviours.

#### **Member Organizations**

19. Member Organizations and their members must:

- a) When required, adhere to Sail Canada and Sail Nova Scotia's by-laws and amend their own policies to comply or align with those of Sail Canada and Sail Nova Scotia unless prohibited by provincial/local legislation.
- b) Pay all required dues and fees and complete all required documents by the prescribed deadlines.
- c) Ensure that all Athletes and coaches participating in sanctioned competitions, programs and Events of Sail Canada or Sail Nova Scotia are registered and in good standing.
- d) Appropriately screen prospective employees in compliance with the Screening Policy to help ensure Athletes have a healthy and safe sport environment.
- e) Ensure that any possible or actual misconduct is investigated promptly and thoroughly
- f) Impose appropriate disciplinary or corrective measures when misconduct has been substantiated
- g) Advise Sail Canada and Sail Nova Scotia immediately of any situation where a complainant has publicized a complaint in the media (including social media).
- h) Provide Sail Canada and Sail Nova Scotia with a copy of all decisions rendered pursuant to the Safe Sport Policy Package for complaints and appeals.
- i) Implement any decision and disciplinary sanctions imposed pursuant to Sail Canada, Sail Nova Scotia or any Member Organization's discipline process.

### **Anti-Doping<sup>1</sup>**

20. Sail Canada, Sail Nova Scotia, and its Member Organizations adopt and adhere to the Canadian Anti-Doping Program. Sail Canada, Sail Nova Scotia, and its Member Organizations will respect any sanction imposed on an Individual as a result of a breach of the Canadian Anti-Doping Program or any other applicable Anti-Doping Rules.
21. All Athletes shall:
- a) Abstain from the non-medical use of medications or drugs or the use of Prohibited Substances or Prohibited Methods as listed on the version of the World Anti-Doping Agency's Prohibited List currently in force.
  - b) Refrain from associating with any person for the purpose of coaching, training, competition, instruction, administration, management, athletic development, or supervision, who has been found to have committed an anti-doping rule violation and is serving a period of ineligibility imposed pursuant to the Canadian Anti-Doping Program or any other applicable anti-doping rules.
  - c) Cooperate with any Anti-Doping Organization that is conducting an investigation into any anti-doping rule violation(s).
  - d) Refrain from any offensive conduct toward a Doping Control official or other individual involved in Doping Control, whether or not such conduct constitutes Tampering as defined in the Canadian Anti-Doping Program.
  - e) All Athlete Support Personnel or other Persons who are Using a Prohibited Substance or Prohibited Method without a valid and acceptable justification shall refrain from providing support to Athletes that fall under the NSO or a Member's jurisdiction.

### **Retaliation, Retribution or Reprisal**

22. It is a breach of this *Code of Conduct* for any Individuals to engage in any act that threatens or seeks to intimidate another individual with the intent of discouraging that Individual from filing, in good faith, a Report pursuant to any Sail Nova Scotia policy. It is also a breach of this *Code of Conduct* for an Individual to file a Report for the purpose of retaliation, retribution, or reprisal against any other Individual. Any Individual found to be in breach of this section shall be liable for the costs related to the disciplinary process required to establish such a breach.

### **Privacy**

23. The collection, use and disclosure of any personal information pursuant to this Policy is subject to Sail Nova Scotia's *Privacy Policy*.

Appendix A – Universal Code of Conduct to Prevent and Address Maltreatment in Sport v6.0

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<sup>1</sup> Any capitalized terms used in this Anti-Doping section shall, unless the context requires otherwise, have the meanings ascribed to them in the Definitions section of the Canadian Anti-Doping Program.