

VUL Code of Conduct

Part A – Policy Overview

1. Purpose

- a. The Vancouver Ultimate League Society (“VUL”) is committed to ensuring a safe and respectful environment for all individuals who are involved with the VUL. This policy makes clear the expectation that members of the VUL community will exhibit appropriate behaviour consistent with the VUL's values.
- b. The VUL aims to provide an environment that is free of any form of bullying, violence, harassment, and discrimination. In particular, sexual violence, sexual assault, and sexual misconduct are unacceptable.
- c. Individuals or groups who commit or attempt to commit acts contrary to this code will be held accountable for their actions through a process that ensures procedural fairness.

2. Scope

- a. This policy applies to individuals engaged in activities with the VUL including, but not limited to, participants, coaches, instructors, parents or guardians, volunteers, contractors, employees, committee members, and board members of the VUL (“the VUL Community”).
- b. This policy covers incidents occurring:
 - i. During VUL activities - games, tournaments, camps, social events, and other VUL programs.
 - ii. Outside of VUL activities - where the conduct may adversely affect relationships or continued engagement of others within the VUL Community (including work, sport, and social environments) and/or is detrimental to the image and reputation of the VUL.
- c. Review: This policy should be reviewed at least once every two years.

3. Definitions

- a. Complainant: When a report or complaint is made under this policy for initiating an investigation/adjudication, the person filing the complaint is referred to as the Complainant.
- b. Recipient: The VUL representative who receives the Complainant’s report.
- c. Respondent: When a report or complaint is made under this policy for initiating an investigation/adjudication, the person accused and whom the complaint is made against is referred to as the Respondent.

4. Responsibilities – members of the VUL Community have a responsibility to:

- a. Maintain and enhance the **dignity and respect** of others by:
 - i. Demonstrating respect to individuals regardless of body type, physical characteristics, athletic ability, age, ancestry, colour, race, citizenship, ethnic origin, place of origin, religion, disability, family status, marital status, gender identity, gender expression, sex, and sexual orientation;

- ii. Consistently demonstrating the spirit of sportsmanship, sport leadership, and ethical conduct;
 - iii. Acting, when appropriate, to correct or prevent practices that are unjustly discriminatory;
 - iv. Consistently treating individuals fairly and reasonably; and
 - v. Ensuring adherence to the principles of Spirit of the Game, the rules of the sport, and the spirit of those rules.
- b. Refrain from any behaviour that constitutes **harassment**, where harassment is defined as a comment or conduct directed towards an individual or group that is offensive, abusive, racist, sexist, degrading, or malicious. Types of behaviour that constitute harassment include, but are not limited to:
- i. Written or verbal abuse, threats, or outbursts;
 - ii. Persistent unwelcome remarks, jokes, comments, innuendo, or taunts;
 - iii. Leering or other suggestive or obscene gestures;
 - iv. Condescending or patronizing behaviour which is intended to undermine self-esteem, diminish performance, or adversely affect the VUL Community;
 - v. Unwanted physical contact;
 - vi. Physical assault; and
 - vii. Behaviours such as those described above that are not directed towards a specific individual or group but have the same effect of creating a negative or hostile environment.
- c. Refrain from any behaviour that constitutes **sexual misconduct**, where sexual misconduct is any sexual act, or act targeting an individual's sexuality, gender identity, or gender expression, whether the act is physical or psychological in nature, that is committed, threatened or attempted against an individual without that individual's consent. Types of behaviour that constitute sexual misconduct include, but are not limited to:
- i. sexual assault, which is any form of sexual touching or the threat of sexual touching without the individual's consent;
 - ii. sexual harassment, which is unwelcome conduct of a sexual nature that detrimentally affects the working, learning, or living environment, or leads to adverse consequences for the one directly subjected to the harassment;
 - iii. stalking, which is engaging in conduct that causes an individual to fear for their physical or psychological safety, such as repeatedly following or communicating through any means with someone, engaging in threatening conduct, or keeping watch over the place where the individual happens to be;
 - iv. indecent exposure, which is exposing one's body to another individual for a sexual purpose or coercing another individual to remove their clothing in order to expose their body, without their consent;
 - v. voyeurism, which is non-consensual viewing, photographing, or otherwise recording another individual in a location where there is an expectation of privacy and where the viewing, photographing or recording is done for a sexual purpose;

- vi. the distribution of a sexually explicit photograph or recording of an individual to one or more individuals other than the individual in the photograph or recording without the consent of the individual in the photograph or recording; and
 - vii. stealthing, which is the non-consensual condom removal during sexual intercourse.
- d. Refrain from the use of power or authority in an attempt to coerce another person to engage in inappropriate activities.
 - e. Respect the property of others and not wilfully cause damage.
 - f. Adhere to all federal and provincial laws, and municipal by-laws & resolutions..

Part B - Procedures

1. Reporting

- a. Any individual from the VUL Community may report a complaint under this policy to the VUL. The VUL may also act as a Complainant. In such cases, the VUL will identify an individual to represent the VUL.
- b. The complaint must be made in writing to any VUL manager or the Executive Director (“ED”), or if the ED is involved as Complainant or Respondent, to the President or Vice President of the VUL Board of Directors (“Board”).
- c. There is no time limit to filing a complaint after the incident.
- d. Resignation or lapsing of a membership after a complaint is filed does not preclude proceedings from continuing under this policy.

2. Withdrawal of a Complaint

- a. A Complainant may withdraw a complaint at any point throughout the process before a decision is rendered. They should communicate, in writing, their decision to withdraw their complaint. In some circumstances, the VUL may still pursue the complaint. If the complaint is withdrawn, complainants and respondents can still request the support of the VUL, where feasible, with continued participation in VUL activities.

3. Initial Review

- a. The Recipient will acknowledge the complaint and review the report within 14 calendar days to:
 - i. determine if they are the appropriate individual to commence initial review or if the complaint should be transferred to a more appropriate VUL representative. In the case of a complaint being transferred, the VUL representative accepting responsibility for the complaint will be designated as the Recipient.
 - ii. determine whether the complaint falls within the jurisdiction of this policy;
 - iii. clarify desired outcomes with the Complainant (if any); and
 - iv. assess next steps under this policy (if any).
- b. If warranted, a Case Manager will be appointed by the ED (or President / VP).

4. Case Manager

- a. The Case Manager (“CM”) is responsible for managing the complaint to completion.

- b. The CM must be qualified to handle the type of complaint. They could be a staff member, Board member, volunteer, contractor, or panel of 3 such individuals.
- c. The CM will:
 - i. identify what actions to follow based on the complaint, this policy, and other VUL policies & procedures;
 - ii. coordinate an inquiry and/or informal resolutions, as appropriate;
 - iii. keep the ED and Board (if appropriate) informed of progress; and
 - iv. seek to ensure a fair and timely process.

5. Inquiry

- a. An inquiry may be required to resolve the complaint. If so, the VUL will arrange for inquirer(s) with relevant skills and expertise to conduct an inquiry based on the nature of the complaint.
- b. The inquirer(s) will contact the Complainant and the Respondent separately to notify them of the beginning of an inquiry. The notification will:
 - i. Advise the Respondent of the nature of the allegations against them;
 - ii. Explain to each party the decision making process; and
 - iii. Discuss details of interim measures, if applicable.
- c. The inquirer(s) will then conduct the investigation.
 - i. The inquirer(s) will interview both the Complainant and the Respondent separately. The inquirer(s) may need to meet several times with each party. The meetings may be in person, remote, or written as appropriate.
 - ii. Both the Complainant and Respondent can provide the inquirer(s) with information, documents, names of witnesses, and other submissions or evidence that they believe are relevant to the complaint. The decision about what evidence will be relied upon and which individuals will be interviewed is at the sole discretion of the inquirer(s).
 - iii. Both the Complainant and the Respondent will have the opportunity to review and respond to all material aspects of the complaint.
 - iv. The inquirer(s) will review written submissions, as appropriate.
- d. When complete, the inquirer(s) will prepare a report of their findings for the CM. The CM and ED (or President / VP) will review the report and generate a recommendation for the Board.

6. Informal Resolution

- a. The Complainant or Respondent may choose to pursue an alternative resolution. If so, the CM can help coordinate those activities (within reasonable constraints).
- b. Examples of alternative dispute resolutions include:
 - i. Impact Statement/Letter: A Complainant may decide to communicate to the Respondent that their behaviours, remarks or communications are unwelcome or uncomfortable. The Complainant may choose to communicate their concerns directly or indirectly, verbally or in writing.
 - ii. Response Statement/Letter: A Respondent may decide to provide some form of explanation or apology to Complainant regarding the complaint.
 - iii. Facilitation: A Complainant or Respondent may request that a community member facilitate a discussion between themselves and the other party. In

such circumstances, with agreement of the other party, a facilitator would try to reach a resolution by acting as a “go-between.” Neither party is required to attend any face-to-face meetings during this process unless they both agree to do so. This facilitated process may result in a written agreement that could include behavioural expectations, agreement to no contact, or an apology.

- iv. Education: A Respondent may agree to participate in education and training related to anti-violence, anti-oppression, and consent.
- v. Restorative Justice: Restorative or transformative justice is an approach used in situations that benefit from an understanding of the harm done, the needs of those affected, and the strategies for moving forward as a community and creating lasting change. Through meetings that include the affected parties and support from others, those involved are actively engaged in understanding what happened and the impact on others, with the goal of holding those who have done harm accountable not only for their past actions but for shaping the future.
- vi. Spirit of the Game: Refer to Spirit of the Game conflict-resolution as a resource for facilitating an informal resolution.

7. Interim Measures

- a. Where the VUL feels it is appropriate, interim measures may be taken to support the VUL Community while an investigation occurs. This can include but is not limited to:
 - i. Adjusting schedules or job duties to avoid contact; and
 - ii. Refunding, partially or fully, at VUL discretion, program fees should a Complainant choose to cancel their registration in a program
- b. The VUL reserves the right to immediately suspend a member of the Community if there is a significant and immediate concern for safety. In such an event:
 - i. The ED or their designate will inform the individual and the Board in writing when the suspension takes place;
 - ii. The individual may appeal this interim suspension to the Board; and
 - iii. The VUL will initiate an inquiry through this policy for further investigation. It may lead to further discipline or a reversal of the interim suspension.

8. Decision

- a. The Board will review any recommendations arising from an inquiry and any informal resolutions. If sanctions are warranted, the Board will consider the following in determining the appropriate sanction:
 - i. The sanction or remedy sought by the Complainant;
 - ii. The nature and severity of the incident;
 - iii. Restorative justice principles and building an inclusive society; and
 - iv. Any other relevant factors.
- b. A summary of the Board’s conclusions and any resulting sanctions will be made in writing and delivered by the ED or Case Manager to the Complainant and Respondent within seven business days of a decision.
- c. Sanctioned individuals may appeal their sanction to the Board within 30 days of being informed of their sanction..

9. Sanctions

- a. The VUL may issue various types of sanctions in response to a breach of the policy. Sanctions will have a range of severity and length and will take into consideration the seriousness and the number of incidences.
- b. Examples of sanctions include, but are not limited to:
 - i. Verbal or written reprimand;
 - ii. Letter of behavioural expectations;
 - iii. Verbal or written apology;
 - iv. Requirement to complete educational workshops or counselling;
 - v. Removal of certain privileges;
 - vi. Suspension from certain teams, events, and/or activities;
 - vii. Suspension from all VUL activities for a designated period of time;
 - viii. Withholding of awards;
 - ix. Suspension of funding from the VUL;
 - x. Suspension and expulsion from the VUL; and
 - xi. Any other sanction considered appropriate for the offense.

10. Anti-retaliation

- a. Retaliation is an adverse action taken against a person to whom this Policy applies for having:
 - i. invoked this Policy in good faith, whether on behalf of themselves or on behalf of another person;
 - ii. participated or cooperated in any inquiry under this Policy; or
 - iii. associated with a person who has invoked this Policy or participated in these procedures.
- b. Every member of the VUL Community has a right to participate in proceedings under this policy, without retaliation or threat of retaliation.
- c. All Respondents will be informed of the VUL's position regarding the seriousness of any allegations of retaliation against any individuals involved in an inquiry.
- d. Any claims of retaliation would qualify as inquiries and will be investigated and responded to using the procedures in this policy.

11. Confidentiality

- a. Confidentiality will be maintained throughout the process by all VUL representatives and any third-party inquirers and information will be disclosed only to the extent necessary to carry out procedures provided for within this Policy, including the conduct of a fair inquiry and the implementation of corrective/disciplinary measures, and where disclosure is required under lawful authority. In all circumstances, only the minimum amount of information will be disclosed.

12. Purposeful omissions

- a. Time-limits for filing a complaint
- b. Face-to-Face meetings - Complainants do not need to have any face-to-face meetings or contact with the Respondent as part of this process.