

BIATHLON CANADA

SAFE SPORT POLICY MANUAL

INTRODUCTION

Biathlon Canada has a fundamental obligation and responsibility to protect the health, safety and physical and mental well-being of every individual that is involved in the Canadian biathlon community.

With zero tolerance for misconduct and maltreatment by any persons affiliated with Biathlon Canada, the organization is committed to enacting and enforcing strong, clear and effective policies and processes that speak to all forms of discrimination, maltreatment and misconduct.

This Safe Sport Policy Manual includes policies that:

- Promote and protect a Safe Sport environment
- Identify actions and outcomes for contravention of any identified policy
- Prevent future issues that may negatively impact the organization and all associated parties (including shareholders, athletes, etc.)

Should any individuals involved with Biathlon Canada including but not limited to Athletes, coaches, officials, volunteers, and parents/guardians of Athletes, wish to report any instance of discrimination, misconduct, or maltreatment, it must do so directly to Biathlon Canada or, if the discrimination, misconduct or maltreatment has been committed by a UCCMS Participant, to the Office of the Sport Integrity Commissioner.

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<u>Policy Title</u>	<u>Date of Last Approval</u>	<u>Date of Next Review</u>
Safe Sport	February 13, 2023	March 15, 2025
Athlete Protection	February 13, 2023	March 15, 2025
Code of Conduct and Ethics	February 13, 2023	March 15, 2025
Discipline and Complaints	February 13, 2023	March 15, 2025
Dispute Resolution	February 13, 2023	March 15, 2025
Appeal	February 13, 2023	March 15, 2025
Social Media	February 13, 2023	March 15, 2025
Screening	February 13, 2023	March 15, 2025
Risk Management	February 13, 2023	March 15, 2025
Whistleblower	February 13, 2023	March 15, 2025
Reciprocation	February 13, 2023	March 15, 2025

Definitions – Conduct
<i>The terms defined below apply to all policies included in this Safe Sport Manual</i>

1. **Abuse** – Includes Psychological Maltreatment, Physical Maltreatment, Neglect, and/or Grooming of Vulnerable Participants by Persons in Authority and which can have the following warning signs:
 - a) Recurrent unexplained injuries
 - b) Alert behaviour; child seems to always be expecting something bad to happen
 - c) Often wears clothing that covers up their skin, even in warm weather
 - d) Child startles easily, shies away from touch or shows other skittish behaviour
 - e) Constantly seems fearful or anxious about doing something wrong
 - f) Withdrawn from peers and adults
 - g) Behavior fluctuates between extremes (e.g., extremely cooperative or extremely demanding)
 - h) Acting either inappropriately beyond their age (like an adult; taking care of other children) or inappropriately younger than their age (like an infant; throwing tantrums)
 - i) Acting out in an inappropriate sexual way with toys or objects
 - j) New adult words for body parts and no obvious source
 - k) Self-harm (e.g., cutting, burning or other harmful activities)
 - l) Not wanting to be alone with a particular child or young person
2. **Bullying** – Offensive behaviour and/or abusive treatment of an Organizational Participant that typically, but not always, involves an abuse of power.
3. **Discrimination** – Differential treatment of an individual based on one or more prohibited grounds which include race, citizenship, national or ethnic origin, colour, religion, age, sex, sexual orientation, gender identity or expression, marital status, family status, genetic characteristics, or disability
4. **Harassment** – A course of vexatious comment or conduct, which is known or ought reasonably to be known to be unwelcome. Types of behaviour that constitute Harassment include, but are not limited to:
 - a) Written or verbal abuse, threats, or outbursts;

- b) Persistent unwelcome remarks, jokes, comments, innuendo, or taunts;
- c) Racial harassment, which is racial slurs, jokes, name calling, or insulting behaviour or terminology that reinforces stereotypes or discounts abilities because of racial or ethnic origin;
- d) Leering or other suggestive or obscene gestures;
- e) Condescending or patronizing behaviour which is intended to undermine self-esteem, diminish performance or adversely affect working conditions;
- f) Practical jokes which endanger a person's safety, or may negatively affect performance;
- g) *Hazing* – which is any form of conduct which exhibits any potentially humiliating, degrading, abusive, or dangerous activity expected of a junior-ranking individual by a more senior individual, which does not contribute to either individual's positive development, but is required to be accepted as part of a team or group, regardless of the junior-ranking individual's willingness to participate. This includes, but is not limited to, any activity, no matter how traditional or seemingly benign, that sets apart or alienates any teammate or group member based on class, number of years on the team or with the group, or ability;
- h) Unwanted physical contact including, but not limited to, touching, petting, pinching, or kissing;
- i) Deliberately excluding or socially isolating a person from a group or team;
- j) Persistent sexual flirtations, advances, requests, or invitations;
- k) Physical or sexual assault;
- l) Contributing to a *poisoned sport environment*, which can include:
 - a. Locations where material that is discriminatory is displayed (e.g., sexually explicit posters and racial/racist cartoons)
 - b. Groups where harassing behaviour is part of the normal course of activities
 - c. Behaviour that causes embarrassment, awkwardness, endangers a person's safety or negatively affects performance.
- m) Behaviours such as those described above that are not directed towards a specific person or group but have the same effect of creating a negative or hostile environment; and
- n) Retaliation or threats of retaliation against a person who reports harassment to Biathlon Canada

5. **Maltreatment** – as defined in the UCCMS.

6. **Workplace Harassment** – Vexatious comment or conduct against a worker in a Workplace that is known or ought reasonably to be known to be unwelcome. Workplace Harassment should not be confused with legitimate, reasonable management actions that are part of the normal work/training function, including measures to correct performance deficiencies, such as placing someone on a

performance improvement plan, or imposing discipline for workplace infractions. Types of behaviour that constitute Workplace Harassment include, but are not limited to:

- a) Bullying;
- b) Workplace pranks, vandalism, bullying or hazing;
- c) Repeated offensive or intimidating phone calls or emails;
- d) Inappropriate sexual touching, advances, suggestions or requests;
- e) Displaying or circulating offensive pictures, photographs or materials in printed or electronic form;
- f) Psychological abuse;
- g) Excluding or ignoring someone, including persistent exclusion from work-related social gatherings;
- h) Deliberately withholding information that would enable a person to do their job, perform or train;
- i) Sabotaging someone else's work or performance;
- j) Gossiping or spreading malicious rumours;
- k) Intimidating words or conduct (offensive jokes or innuendos); and
- l) Words or actions which are known, or ought reasonably to be known, as offensive, embarrassing, humiliating, or demeaning.

7. **Workplace Violence** – The use of or threat of physical force by a person against a worker in a Workplace that causes or could cause physical injury to the worker; an attempt to exercise physical force against a worker in a Workplace that could cause physical injury to the worker; or a statement or behaviour that it is reasonable for a worker to interpret as a threat to exercise physical force against the worker in a Workplace that could cause physical injury to the worker. Types of behaviour that are Workplace Violence include, but are not limited to:

- a) Verbal or written threats to attack;
- b) Sending to or leaving threatening notes or emails;
- c) Physically threatening behaviour such as shaking a fist at someone, finger pointing, destroying property, or throwing objects;
- d) Wielding a weapon in a Workplace;
- e) Hitting, pinching or unwanted touching which is not accidental;
- f) Dangerous or threatening horseplay;

- g) Physical restraint or confinement;
- h) Blatant or intentional disregard for the safety or wellbeing of others;
- i) Blocking normal movement or physical interference, with or without the use of equipment;
- j) Sexual assault; and
- k) Any attempt to engage in the type of conduct outlined above

Definitions – Policy
<i>The terms defined below apply to all policies included in this Safe Sport Manual</i>

1. **Affected Party** – Any individual or entity, as determined by the Appeal Manager, who may be affected by a decision rendered under the *Appeal Policy* and who may have recourse to an appeal in their own right
2. **Appellant** – The Party appealing a decision
3. **Appeal Manager** – An individual, who may be any staff member, committee member, volunteer, Director, or an independent third party, who is appointed to oversee the *Appeal Policy*. The Appeal Manager will have responsibilities that include using decision making authority empowered by the *Appeal Policy*
4. **Athlete** – An individual who is an Athlete Participant in Biathlon Canada who is subject to the UCCMS and the policies of Biathlon Canada
5. **Athlete Support Personnel** - Any coach, trainer, manager, agent, team staff, official, Wax Technicians, medical, paramedical personnel, parent, or any other person working with, treating or assisting an Athlete participating in or preparing for sports competition.
6. **Board** – The Board of Directors of Biathlon Canada
7. **Case Manager** – An independent individual (or individuals) appointed by Biathlon Canada to receive and administer complaints under the *Discipline and Complaints Policy*
8. **Club** – A Club that is a member of a Division and registered with Biathlon Canada
9. **Committee Member** – an individual elected or appointed to a committee as a member of a committee of Biathlon Canada
10. **Complainant** – An individual who makes a report of an incident, or a suspected incident, of Maltreatment or other behaviour that is a violation of the standards described in Biathlon Canada's policies, by-laws, rules or regulations, or the UCCMS.
11. **Director** – An individual appointed or elected to the Board of Directors of Biathlon Canada
12. **Director of Sanctions and Outcomes** – Responsible for overseeing the imposition of Provisional Measures, agreed outcomes, and sanctions and for appearing before the Safeguarding Tribunal or the Appeal Tribunal in cases arising from a potential breach of the UCCMS (or other conduct rules, as applicable).

13. **Discipline Chair** – an individual appointed to handle the duties of the Discipline Chair as described in the *Discipline and Complaints Policy*.
14. **Division** – A Provincial/Territorial Association that is a member of Biathlon Canada
15. **Event** – An event sanctioned by Biathlon Canada, which may include a social event
16. **External Discipline Panel** – A Panel of one or three people who are appointed by the Independent Third Party (or designate) to decide on complaints that are assessed under Process #2 of the *Discipline and Complaints Policy*.
17. **Independent Third Party** – the individual retained by Biathlon Canada to receive Reports and to fulfill the responsibilities outlined in the *Discipline and Complaints Policy*. This individual must not be in a conflict of interest.
18. **Internal Discipline Chair** – An individual appointed by Biathlon Canada to decide on complaints that are assessed under Process #1 of this Policy. The Internal Discipline Chair may be a Director, head coach, staff member, or other individual affiliated with Biathlon Canada but must not be in a conflict of interest.
19. **Minor** – Any Participant who is under the age of majority at the time and in the jurisdiction where the alleged Maltreatment has occurred. Adults are responsible for knowing the age of a Minor. For the purpose of protection in each Canadian province and territory, a Minor is a child younger than the following age:
 - a) 16 years old: Newfoundland and Labrador; Saskatchewan (unmarried persons);
 - b) 18 years old: Prince Edward Island; Quebec; Ontario; Manitoba; Alberta
 - c) 19 years old: Nova Scotia; New Brunswick; British Columbia; Yukon; Northwest Territories; Nunavut
20. **OSIC** – Office of the Sport Integrity Commissioner, an independent division of the Sport Dispute Resolution Centre of Canada (SDRCC) which comprises the functions of the Sport Integrity Commissioner
21. **Organizational Participants** – Refers to all categories of individual members and/or registrants defined in the By-laws of Biathlon Canada who are subject to the UCCMS and the policies of Biathlon Canada, as well as all people employed by, contracted by, or engaged in activities with, Biathlon Canada including, but not limited to, employees, contractors, Athletes, coaches, instructors, officials, volunteers, managers, administrators, parents or guardians, spectators, committee members, and Directors and Officers.
22. **Parties** – the groups involved with a dispute. In the *Discipline and Complaints Policy*, the Parties are the Complainant and Respondent. In the *Appeal Policy*, the Parties are the Appellant, Respondent, and any Affected Party
23. **Person in Authority** – Any Organizational Participant who holds a position of authority within Biathlon

Canada including, but not limited to, coaches, instructors, officials, managers, support personnel, chaperones, committee members, and Directors and Officers

- 24. **Power Imbalance** – As defined in the UCCMS.
- 25. **Provisional Suspension** – means that the Organizational Participant is barred temporarily from participating in in any capacity in any Event or activity of Biathlon Canada and its Members, or as otherwise decided pursuant to the *Discipline and Complaints Policy*, prior to the decision rendered in a hearing conducted pursuant to the *Discipline and Complaints Policy*.
- 26. **Reporting (or Report)** – As defined in the UCCMS.
- 27. ***Respondent** – The Participant responding to a complaint or, in the case of an appeal, the body whose decision is being appealed.
- 28. **Social Media** – The catch-all term that is applied broadly to new computer-mediated communication media such as blogs, YouTube, Facebook, Instagram, Tumblr, TikTok, Snapchat, and Twitter.
- 29. **UCCMS** - *Universal Code of Conduct to prevent and address Maltreatment in Sport*, as amended from time to time by the Sport Dispute Resolution Centre of Canada (SDRCC).
- 30. **UCCMS Participant** - An Organizational Participant affiliated with Biathlon Canada who has been a) designated by Biathlon Canada and b) who has signed the required consent form. UCCMS Participants may include an athlete, a coach, an official, an athlete support personnel, an employee, a contractual worker, an administrator, or a volunteer acting on behalf of, or representing Biathlon Canada in any capacity.
- 31. **Vulnerable Individual** - Includes Minors and vulnerable adults (people who, because of age, disability or other circumstance, are in a position of dependence on others or are otherwise at a greater risk than the general population of being harmed by people in positions of trust or authority).
- 32. **Workers** – all individuals who perform work for Biathlon Canada including employees, managers, supervisors, temporary workers, volunteers, student volunteers, part-time workers, and independent contractors.
- 33. **Workplace** – Any place where business or work-related activities are conducted. Workplaces include but are not limited to, the registered office(s), work-related social functions, work assignments outside the registered office(s), work-related travel, the training and competition environment, and work-related conferences or training sessions

SAFE SPORT POLICY

Purpose

1. This Policy describes how Biathlon Canada aims to provide a safe sport environment.

Commitment to True Sport Principles

2. Biathlon Canada commits to the True Sport Principles which are:
 - a) **Go for It** – Rise to the challenge – always strive for excellence. Discover how good you can be.
 - b) **Play Fair** – Play honestly – obey both the letter and spirit of the rules. Winning is only meaningful when competition is fair.
 - c) **Respect Others** – Show respect for everyone involved in creating your sporting experience, both on and off the field. Win with dignity and lose with grace.
 - d) **Keep it Fun** – Find the joy of sport. Keep a positive attitude both on and off the field.
 - e) **Stay Healthy** – Place physical and mental health above all other considerations – avoid unsafe activities. Respect your body and keep in shape.
 - f) **Include Everyone** – Share sport with others. Ensure everyone has a place to play.
 - g) **Give Back** – Find ways to show your appreciation for the community that supports your sport and helps make it possible.

Pledge

3. **Biathlon Canada is committed to the True Sport Principles.** By making such a commitment, Biathlon Canada pledges to embed the True Sport Principles in its governance and operations as follows:
 - a) **Conduct Standards** – Biathlon Canada will adopt comprehensive conduct standards that are expected to be followed by Organizational Participants
 - b) **Athlete Protection** – Biathlon Canada will provide coaches and other stakeholders with general and sport-specific athlete protection guidelines
 - c) **Dispute Resolution and Investigations** – Biathlon Canada will have dispute resolution processes that may include an independent investigation, that are both confidential and follow all procedural steps for alleged violations of conduct standards.
 - d) **Strategy** – Biathlon Canada will have a strategic plan that reflects the organization's mission, vision, and values
 - e) **Governance** – Biathlon Canada will adhere to principles of good governance. Biathlon Canada will

also explore opportunities to have sports leaders who are representative of the diversity of the community by which they seek to reflect.

- f) Risk Management – Biathlon Canada will take a proactive approach to risk mitigation and management to its operations and events.

Conduct Standards

- 4. Biathlon Canada will adopt a *Code of Conduct and Ethics* that describes standards of conduct and behaviour for all Organizational Participants. General standards of conduct will apply to all Organizational Participants and specific standards will be described for positions within the organization. The *Code of Conduct and Ethics* will have specific sections, including but not limited, to:
 - a) Athletes
 - b) Athlete Support Personnel
 - c) Officials
 - d) Volunteers
 - e) Directors and Committee Members
 - f) Parents and Spectators

Anti-Doping

- 5. The *Code of Conduct and Ethics* indicates that Biathlon Canada adopts and adheres to the Canadian Anti-Doping Program.

Social Media

- 6. Biathlon Canada has a *Social Media Policy* that outlines standards of conduct that are expected on social media by Organizational Participants. The *Social Media Policy* identifies specific conduct standards and risks that are common and/or exclusive to social media.
- 7. The *Social Media Policy* highlights the importance of responsible coach-athlete interaction on social media and will provide examples of violations of conduct standards.

Athlete Protection

Screening

- 8. Biathlon Canada has a comprehensive *Screening Policy* that requires some Organizational Participants to pass a screening process before being permitted to interact with athletes. The *Screening Policy* will:
 - a) Categorize positions in the organization as 'Low Risk', 'Medium Risk', and 'High Risk' and require progressive screening measures for individuals serving in each category of risk

- b) Describe how frequently some Organizational Participants must obtain a criminal record check and which type of check(s) they must obtain
 - c) Describe how frequently some Organizational Participants must submit Screening Disclosure Forms and Screening Renewal Forms
 - d) Empower a Screening Committee to prohibit Organizational Participants who do not pass screening from participating in certain positions
 - e) Empower a Screening Committee to attach conditions to a Participant's participation in certain positions
9. Biathlon Canada will develop an *Athlete Protection Policy* that can be used by coaches, managers, medical personnel, and other Persons in Authority. Biathlon Canada may provide training on the policy and take steps to ensure the policy is being implemented. Biathlon Canada will conduct a regular review of the policy to add and/or modify new content as appropriate.

Training

10. Biathlon Canada requires mandatory training on preventing and addressing harassment and abuse for the following categories of Organizational Participants:
- a) Category 1 – Individuals in decision-making positions at Biathlon Canada:
 - i. Senior staff
 - ii. High Performance Directors
 - iii. Case Managers / Adjudicators / Investigators
 - iv. Board of Directors (when the Board is an operational Board)
 - b) Category 2 – Athletes and individuals in direct contact with Athletes:
 - i. National Team Program Athletes
 - ii. Junior National Team Athletes
 - iii. Parents of underage National/Junior National Team Athletes
 - iv. High Performance Staff
 - v. Training Centre Staff
 - vi. Biathlon Canada-Appointed Coach Developers
 - vii. Integrated Support Personnel: Mental, Strength and Conditioning, Nutrition, etc.
 - viii. Coaches: Paid, Unpaid

- ix. Sport Assistants, guides, interpreters, etc.
 - x. Contractors (with direct Athlete contact)
 - xi. Officials
- c) Category 3 – Individuals with no direct Athlete contact:
- i. Organizing Committees
 - ii. Admin/Finance Committees
 - iii. Governance Committees/Judicial Boards
 - iv. Board of Directors (when the Board is a governance Board)
 - v. Event volunteers
 - vi. Office Staff

11. Categories of Organizational Participants must take the following training:

- a) Category 1 – [CAC Safe Sport Training](#) or other pre-approved Biathlon Canada Safe Sport Training
- b) Category 2 – [CAC Safe Sport Training](#) or other pre-approved Biathlon Canada Safe Sport Training
- c) Category 3 – [CAC Safe Sport Training](#) or other pre-approved Biathlon Canada Safe Sport Training

12. Categories of Organizational Participants must take the training at the following times:

- a) Category 1 – the earlier of:
 - i. Within 12 weeks of starting date; or
 - ii. Prior to their first formal activity, or any unsupervised contact with an Athlete
- b) Category 2 – Prior to their first formal activity, or prior to any unsupervised contact with an Athlete
- c) Category 3 – the earlier of:
 - i. Within 12 weeks of starting date; or
 - ii. Prior to their first formal activity and/or event

Resources

13. Biathlon Canada will regularly provide information to Organizational Participants about resources and training related to athlete protection. Resources and training opportunities can include:

- a) [NCCP modules](#)
- b) [Respect in Sport](#)
- c) [Commit to Kids](#)
- d) [Red Cross – Respect Education Courses](#)

Athlete Engagement

14. Biathlon Canada will, through an annual work plan, engage with athletes to determine the level of success of their athlete protection measures as well as to identify any gaps or athlete concerns. This engagement may take the form of:

- a) Anonymous athlete surveys
- b) Athlete involvement in organizational decision-making
- c) Independently led athlete outreach consultations

Dispute Resolution

15. Biathlon Canada will have a comprehensive suite of dispute resolution policies that will include:

- a) *Discipline and Complaints Policy*
- b) *Appeal Policy*
- c) *Dispute Resolution Policy*
- d) *Whistleblower Policy*

16. Taken together, the suite of dispute resolution policies will include the following features:

- a) An independent individual to whom complaints can be submitted
- b) Sanctions for violations of conduct standards
- c) Mechanism for suspension of individuals pending the conclusion of the process
- d) Non-biased and experienced case managers, decision-makers and/or investigators
- e) Protection from reprisal for submitting complaints
- f) Anonymity for the complainant in cases of whistleblowers (when possible)

- g) Independency of appeal procedures (when appeals are permitted)
- h) Opportunity for alternative dispute resolution
- i) Investigations of certain complaints
- j) In-event discipline procedures (when an event does not have its own disciplinary procedures)

Alignment

17. Biathlon Canada recognizes the importance of safe sport for athletes and participants across the country. Biathlon Canada will adopt a *Reciprocation Policy* that will require:

- a) Divisions and Clubs to report discipline decisions to Biathlon Canada
- b) The distribution of discipline decisions to all Divisions and to applicable Clubs
- c) Biathlon Canada, Divisions, and Clubs to recognize and enforce sanctions imposed by Biathlon Canada, a Division or Club
- d) Recognition and enforcement of sanctions imposed by Biathlon Canada or a Division or Club

Obligations – Reporting and Third-Party Case Management

- 18. The policies of Biathlon Canada will include requirements that certain complaints must be reported to the OSIC, government entities, local police services, and/or child protection agencies.
- 19. The policies of Biathlon Canada will include requirements that complaints must be received by an independent third party that has no conflict of interest or bias.

Records

- 20. Biathlon Canada will retain records of decisions that have been made pursuant to the organization's policies. These records may be shared with other individuals or organizations, including but not limited to, national sport organizations, provincial/territorial sport organizations, International Federations, multi-sport organizations, and government entities.

Governance and Operations

- 21. Biathlon Canada will have a comprehensive plan in which athlete protection and safe sport are top priorities for the organization.
- 22. Biathlon Canada will adopt a *Risk Management Policy* that will describe how the organization will address risks ranging from 'Unlikely' to 'Almost Certain' and from 'Minor' to 'Catastrophic'. Biathlon Canada will contemplate risk management strategies that retain, reduce, transfer, and/or avoid the risk. Risks can occur in the following areas:
 - a) Operational/Program

- b) Compliance
- c) Communication
- d) External
- e) Governance
- f) Financial
- g) Health and Safety

23. Biathlon Canada will pursue a governance structure and organizational culture that reflects the diversity of the community by which Biathlon Canada seeks to reflect in both its athletes and stakeholders within the sport. This structure will adhere to all applicable federal and/or provincial/territorial legislation, and that moves toward a national alignment strategy for the sport in Canada.

24. Biathlon Canada will continually monitor and evaluate its policies, practices, and procedures.

Policy History	
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ATHLETE PROTECTION POLICY

Purpose

1. This *Athlete Protection Policy* describes how Persons in Authority shall maintain a safe sport environment for all Athletes.

Interactions between Persons in Authority and Athletes – the ‘Rule of Two’

2. For interactions between Persons and Authority and Athletes, Biathlon Canada strongly recommends the ‘Rule of Two’ for all Persons in Authority who interact with athletes. The ‘Rule of Two’ is a directive that says that an athlete must never be alone one-on-one with an unrelated Person in Authority.
3. Biathlon Canada recognizes that fully implementing the ‘Rule of Two’ may not always be possible. Consequently, at a minimum, interactions between Persons in Authority and Athletes must respect the following:
 - a) The training environment should be open and transparent so that all interactions between Persons in Authority and Athletes are observable
 - b) Private or one-on-one situations must be avoided unless they are open and observable by another adult or Athlete
 - c) Persons in Authority shall not invite or have an unrelated Vulnerable Participant (or Vulnerable Participants) in their home without the written permission and contemporaneous knowledge of the Vulnerable Participant’s parent or guardian
 - d) Vulnerable Participants must not be in any situation where they are alone with an unrelated Person in Authority without another screened adult or Athlete present unless prior written permission is obtained from the Vulnerable Participant’s parent or guardian

Practices and Competitions

4. For practices and competitions, Biathlon Canada recommends:
 - a) A Person in Authority should never be alone with a Vulnerable Participant prior to or following a competition or practice unless the Person in Authority is the Vulnerable Participant’s parent or guardian
 - b) If the Vulnerable Participant is the first Athlete to arrive, the Athlete’s parent should remain until another Athlete or Person in Authority arrives
 - c) If a Vulnerable Participant would potentially be alone with a Person in Authority following a competition or practice, the Person in Authority should ask another Person in Authority (or a parent or guardian of another Athlete) to stay until all of the Athletes have been picked up. If an

adult is unavailable, another Athlete, who is preferably not a Vulnerable Participant, should be present in order to avoid the Person in Authority being alone with a Vulnerable Participant

- d) Persons in Authority giving instructions, demonstrating skills, or facilitating drills or lessons to an individual Athlete should always do so within earshot and eyesight of another Person in Authority
- e) Persons in Authority and Athletes should take steps to achieve transparency and accountability in their interactions. For example, a Person in Authority and an Athlete who know they will be away from other Participants for a lengthy period of time must inform another Person in Authority where they are going and when they are expected to return. Persons in Authority should always be reachable by phone or text message

Communication

5. For communication between Persons in Authority and Athletes, Biathlon Canada recommends:

- a) Group messages, group emails or team pages are to be used as the regular method of communication between Persons in Authority and Athletes
- b) Persons in Authority may only send texts, direct messages on social media or emails to individual Athletes when necessary and only for communicating information related to team issues and activities (e.g., non-personal information). Any such texts, messages or emails shall be professional in tone
- c) Electronic communication between Persons in Authority and Athletes that is personal in nature should be avoided. If such communication occurs, it must be recorded and available for review by another Person in Authority and/or by the Athlete's parent/guardian (when the Athlete is a Vulnerable Participant)
- d) Parents/guardians may request that their child not be contacted by a Person in Authority using any form of electronic communication and/or may request that certain information about their child not be distributed in any form of electronic communications
- e) All communication between a Person in Authority and Athletes must be between the hours of 6:00am and 10:00pm in the Athlete's time zone unless extenuating circumstances justify otherwise
- f) Communication concerning drugs or alcohol use (unless regarding its prohibition) is not permitted
- g) No sexually explicit language or imagery or sexually oriented conversation may be communicated in any medium
- h) Persons in Authority are not permitted to ask Athletes to keep a secret for them

Travel

6. For travel involving Persons in Authority and Athletes, Biathlon Canada recommends:

- a) Teams or groups of Athlete shall always have at least two Persons in Authority with them

- b) For mixed gender teams or groups of Athletes, there should be more than one gender identity present amongst the Persons in Authority
- c) Screened parents or other volunteers will be available in situations when two Persons in Authority cannot be present
- d) No Person in Authority may drive a vehicle alone with an Athlete unless the Person in Authority is the Athlete's parent or guardian
- e) A Person in Authority may not share a room or be alone in a hotel room with an Athlete unless the Person in Authority is the Athlete's parent/guardian or spouse
- f) Room or bed checks during overnight stays must be done by two Persons in Authority
- g) For overnight travel when Athletes who are Minors must share a hotel room, roommates will be age-appropriate (e.g., both Athletes who are Minors and relatively close in age) and of the same gender identity that the Athlete identifies with.

Locker Rooms / Changing Areas / Wax Cabins

- 7. For locker rooms, changing areas and other closed meeting spaces such as wax cabins, Biathlon Canada recommends:
 - a) Interactions between Persons in Authority and Athletes should not occur in any room where there is a reasonable expectation of privacy such as a locker room, washroom or changing area. A second adult should be present for any necessary interaction between an adult and an Athlete in any such room
 - b) If Persons in Authority are not present in the locker room or changing area, or if they are not permitted to be present, they should still be available outside the locker room or changing area and be able to enter the room or area if required, for reasons including but not limited to team communications and/or emergencies

Photography / Video

- 8. For all photography and video of an Athlete, Biathlon Canada recommends:
 - a) Photographs and video may only be taken in public view, must observe generally accepted standards of decency, and be both appropriate for and in the best interest of the Athlete
 - b) The use of recording devices of any kind in rooms where there is a reasonable expectation of privacy is strictly prohibited
 - c) Examples of photos that shall be edited or deleted include:
 - i. Images with misplaced apparel or where undergarments are showing
 - ii. Suggestive or provocative poses

iii. Embarrassing images

- d) If any photographs or videos will be used on any form of public media, an appropriately prepared Image Consent Form as prepared by Biathlon Canada must be completed before any images are taken and used

Physical Contact

9. Some physical contact between Persons in Authority and Athletes may be necessary for various reasons including, but not limited to, teaching a skill, or tending to an injury. For physical contact, Biathlon Canada, recommends:
- a) Unless it is otherwise impossible because of serious injury or other justifiable circumstance, a Person in Authority must always clarify with an Athlete where and why any physical contact will occur prior to the contact occurring. The Person in Authority must make clear that they are requesting to touch the Athlete and not requiring physical contact
 - b) Infrequent, non-intentional physical contact during a training session is permitted
 - c) Hugs lasting longer than five seconds, cuddling, physical horseplay, and physical contact initiated by the Person in Authority is not permitted. It is recognized that some Athletes may initiate hugging or other physical contact with a Person in Authority for various reasons (e.g., such as celebrating or crying after a poor performance), but this physical contact should always be limited to circumstances where the Person in Authority believes it is in the best interest of the Athlete and when it occurs in an open and observable environment.

Enforcement

10. Any alleged violations of this *Athlete Protection Policy* shall be addressed pursuant to Biathlon Canada's *Discipline and Complaints Policy*.
11. Any violation of this Policy that may be considered "Prohibited Behaviour" or "Maltreatment" (as defined in the UCCMS) when the Respondent is an Organizational Participant who has been designated by Biathlon Canada as a UCCMS Participant (as defined in the *Discipline and Complaints Policy*), will be handled pursuant to the policies and procedures of the Office of the Sport Integrity Commissioner ("OSIC"), subject to the rights of Biathlon Canada as set out in the *Discipline and Complaints Policy* and any applicable workplace policies.

Policy History	
Approved	February 13, 2023

Next Review Date	March 15, 2025
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CODE OF CONDUCT AND ETHICS

Biathlon Canada (the “Organization”) has adopted the [Universal Code of Conduct to Prevent and Address Maltreatment in Sport](#) (“UCCMS”) which shall be incorporated into this Code by reference as if set out in full herein. Any modifications or amendments made to the UCCMS by the Sport Dispute Resolution Centre of Canada (“SDRCC”) shall come into effect immediately and automatically upon their adoption by the SDRCC, without the need for any further action by Biathlon Canada.

Biathlon Canada is a Program Signatory of the Office of the Sport Integrity Commissioner (the “OSIC”), as of February 23, 2023 (the “Effective Date”).

Biathlon Canada has designated specific Organizational Participants within the organization as UCCMS Participants. The categories of individuals who have been designated as UCCMS Participants are identified below. .

*It is important to note that the Code applies to all Organizational Participants, **but not all Organizational Participants are UCCMS Participants** and subject to the complaint process under the OSIC.*

A. Purpose

The purpose of this Code is to ensure a safe and positive environment within the programs, activities, and Events of Biathlon Canada by making all Organizational Participants aware that there is an expectation, at all times, of appropriate behaviour consistent with Biathlon Canada’s core values, mission, and policies.

Biathlon Canada supports equal opportunity, prohibit discriminatory practices, and is committed to providing an environment in which all individuals can safely participate in sport and are treated with respect and fairness.

B. Application – General

This Code applies to the conduct of all Organizational Participants during the business, activities, and Events of Biathlon Canada 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.

This Code also applies to the conduct of all Organizational Participants outside of the business, activities, and Events of Biathlon Canada when such conduct adversely affects Biathlon Canada’s relationships (and the work and sport environment) or is detrimental to the image and reputation of Biathlon Canada. Such applicability will be determined by Biathlon Canada, at its sole discretion.

This Code applies to Organizational Participants active in the sport or who have retired from the sport where any claim regarding a potential breach of this Code occurred when the Organizational Participant was active in the sport.

However, notwithstanding anything to the contrary contained herein or in the OSIC’s policies and procedures, all incidents of Maltreatment involving Workers, may also be addressed pursuant to the

processes set out in any applicable workplace policy. For greater certainty, where an allegation of misconduct is alleged to be a breach of a workplace policy and of the UCCMS, the matter may be referred for handling under the policies and procedures of the OSIC, provided the Worker is a UCCMS Participant, in addition to any applicable workplace policy.

C. Prohibited Behaviours

All Organizational Participants must refrain from any behaviour that constitutes a Prohibited Behaviour as defined by the UCCMS and the Code.

Organizational Participants are responsible for knowing what actions or behaviours are Prohibited Behaviours and/or Maltreatment.

Prohibited Behaviours under the UCCMS include, but are not limited to:

- | | |
|-------------------------------|---|
| a) Physical Maltreatment | h) Failing to Report |
| b) Psychological Maltreatment | i) Aiding and Abetting |
| c) Neglect | j) Retaliation |
| d) Sexual Maltreatment | k) Interference with or Manipulation of Process |
| e) Grooming | l) False Reports |
| f) Boundary Transgressions | |
| g) Discrimination | |

In addition to the Prohibited Behaviours as defined by the UCCMS, this Code sets out other expected standards of behaviour and conduct for all Organizational Participants and any failure to respect these expected standards of behaviour by an Organizational Participants may constitute a breach of this Code. In addition, the following behaviours also constitute breaches of this Code:

- m) Bullying
- n) Harassment
- o) Workplace Harassment
- p) Workplace Violence

D. Responsibilities of Organizational Participants

All Organizational Participants have a responsibility to:

- a) Conduct themselves in a manner consistent with the True Sport principles.
- b) Refrain from any behaviour that constitutes Maltreatment or Prohibited Behaviour under this Code or the UCCMS.
- c) Maintain and enhance the dignity and self-esteem of other Organizational Participants 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 Organizational Participants;
 - 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 consuming tobacco products, cannabis, or recreational drugs while participating in the programs, activities, competitions, or events of Biathlon Canada.
- f) When under the age of 19, not consume alcohol, tobacco, or cannabis at any competition or Event regardless of what the drinking age is in the region of the Event and respect the drinking age of the region of the Event if it is above the age of 19.
- g) In the case of individuals who are not Minors, not consume cannabis in the Workplace or in any situation associated with the Events of Biathlon Canada (subject to protections under applicable human rights legislation), not consume alcohol during training, competitions, or in situations where Minors are present, ensure that a designated Person in Authority present is sober and take reasonable steps to manage the responsible consumption of alcohol in adult-oriented social situations.
- h) When driving a vehicle:
 - i. Have a valid driver's license;
 - ii. Obey traffic laws;
 - iii. Not be under the influence of alcohol or illegal drugs or substances;

- iv. Have valid car insurance; and
- v. Refrain from engaging in any activity that would constitute distracted driving.
- i) Respect the property of others and not wilfully cause damage.
- j) Promote sport in the most constructive and positive manner possible.
- k) Refrain from engaging in deliberate behaviour which is intended to manipulate the outcome of a para-classification, and/or not offer, receive or refrain from offering or receiving any benefit which is intended to manipulate the outcome of a para-classification.
- l) Refrain from engaging in deliberate behaviour which is intended to manipulate the outcome of a competition and/or not offer, receive or refrain from offering or receiving any benefit which is intended to manipulate the outcome of a competition.
 - a. Under k and l above, 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.
- m) Adhere to all applicable federal, provincial/territorial, municipal and host country laws.
- n) Comply with the bylaws, policies, procedures, rules, and regulations of Biathlon Canada, and as adopted and amended from time to time.
- o) Avoid any behaviour that abuses a Power Imbalance between Organizational Participants.

E. Directors, Committee Members, and Employees

In addition to section D (above), Directors, Committee Members, and employees of Biathlon Canada have additional responsibilities to:

- a) Function primarily as a Director, committee member or employee of Biathlon Canada (as applicable) and ensure to prioritize their duty of loyalty to Organization (and not to any other organization or group) while acting in this role.
- b) Ensure that financial affairs are conducted in a responsible and transparent manner with due regard for all fiduciary responsibilities.
- c) Comply with their obligations under the *Screening Policy*, including understanding ongoing expectations under the *Screening Policy* and fully cooperating in the screening process.
- d) Conduct themselves openly, professionally, lawfully and in good faith.
- e) Be independent and impartial and not let self-interest, outside pressure, expectation of reward, or fear of criticism influence their decision-making on behalf of Biathlon Canada.

- f) Exercise the degree of care, diligence, and skill required in the performance of their duties pursuant to applicable laws.
- g) Maintain required confidentiality of organizational information.
- h) When acting as a Director or Committee Member, respect the decisions of the majority (the Board or a Committee, as applicable) and resign if unable to do so.
- i) Commit the time to attend meetings and be diligent in preparation for, and participation in, discussions at such meetings.
- j) Have a thorough knowledge and understanding of all governance documents.

F. Athlete Support Personnel and Wax Technicians

In addition to section D (above), Athlete Support Personnel and Wax Technicians have many additional responsibilities.

Athlete Support Personnel must understand and respect the inherent Power Imbalance that exists in their relationship with Athletes and must be extremely careful not to abuse it, either consciously or unconsciously.

Athlete Support Personnel and Wax Technicians 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 while refraining from using training methods or techniques that may harm Athletes.
- d) Avoid compromising the present and future health of Athletes by communicating and cooperating with sport medicine professionals (where appropriate) 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) Report any ongoing criminal or anti-doping investigation, conviction, or existing bail conditions to Biathlon Canada, including those for violence, child pornography, or possession, use, or sale of any illegal or prohibited substance or method
- k) 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.
- l) When acting as a coach, respect Athletes competing for other jurisdictions 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 receiving approval from the coaches who are responsible for the Athletes.
- m) Disclose to Biathlon Canada any sexual or intimate relationship with an Organizational Participant and, if requested by Biathlon Canada, immediately discontinue any direct or supervisory involvement with that Organizational Participant.
- n) Avoid compromising the present and future health of Athletes by communicating and cooperating with sport science and sport medicine professionals in the diagnosis, treatment, and management of Athletes' medical and psychological treatments.
- o) Recognize the power inherent in the position of Athlete Support Personnel and respect and promote the rights of all Organizational Participants in sport. This is accomplished by establishing and following procedures for confidentiality (right to privacy), informed participation, and fair and reasonable treatment. Athlete Support Personnel have a special responsibility to respect and promote the rights of Organizational Participants who are in a vulnerable or dependent position and less able to protect their own rights.
- p) Dress appropriately.
- q) Use inoffensive language and consider the audience being addressed (e.g., the age/maturity of the individuals).

G. Athletes

2. In addition to section D (above), Athletes 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.

H. Officials

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

- a) Maintain and update their knowledge of the rules and rules changes.
- b) Not publicly criticize other Organizational Participants.
- 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 of any person on the field of play.
- f) Respect the terms of any agreement that they enter with Biathlon Canada.
- 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 Organizational Participants.
- 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 Organizational Participants.
- 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 Biathlon Canada at the earliest possible time.
- p) When writing reports, set out the facts to the best of their knowledge and recollection.
- q) Dress in appropriate attire for officiating.

I. Parents/Guardians and Spectators

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

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

J. Divisions and Clubs

Divisions and Clubs must:

- a) Adhere to all Biathlon Canada's governing documents and, when required, amend their own rules to comply or align with those of Biathlon Canada.
- b) Pay all required dues and fees by the prescribed deadlines.
- c) When required, ensure that all Athletes and Athlete Support Personal participating in sanctioned competitions and Events of Biathlon Canada are registered and in good standing.
- d) Appropriately screen prospective employees 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 Biathlon Canada immediately of any situation where a complainant has publicized a complaint in the media (including social media).
- h) Provide Biathlon Canada with a copy of all decisions rendered pursuant to the organization's policies for complaints and appeals.
- i) Implement and enforce any decisions and disciplinary sanctions imposed pursuant to the discipline process of Biathlon Canada or any other Division and Club, as applicable.

K. Anti-Doping¹

Biathlon Canada adopts and adheres to the Canadian Anti-Doping Program. Biathlon Canada will respect any sanction imposed on an Organizational Participant as a result of a breach of the [Canadian Anti-Doping Program](#) or any other applicable Anti-Doping Rules.

All Organizational Participants 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.

¹ 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.

c) Cooperate with any Anti-Doping Organization that is investigating 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 such conduct constitutes Tampering as defined in the Canadian Anti-Doping Program.

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 Biathlon Canada's jurisdiction.

L. Retaliation, Retribution or Reprisal

It is a breach of this *Code of Conduct and Ethics* for any Organizational Participant 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 policy of Biathlon Canada.

It is also a breach of this *Code of Conduct and Ethics* 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.

M. Privacy

The collection, use and disclosure of any personal information pursuant to this Policy is subject to the *Privacy Policy*.

Policy History	
Approved	February 13, 2023
Next Review Date	March 15, 2025

DISCIPLINE AND COMPLAINTS POLICY

PURPOSE

1. Organizational Participants are expected to fulfill certain responsibilities and obligations including, but not limited to, complying with all policies, by-laws, rules, and regulations of Biathlon Canada, as updated, and amended from time to time.
2. Non-compliance with any of Biathlon Canada's policies, by-laws, rules, or regulations, as applicable, may result in the imposition of sanctions pursuant to this Policy or the by-laws of Biathlon Canada.

APPLICATION

3. This Policy applies to all Organizational Participants and to any alleged breaches of Biathlon Canada's policies, by-laws, rules, or regulations that designate this Policy as applicable to address such alleged breaches.
4. In addition to being subject to disciplinary action pursuant to this Policy, an employee of Biathlon Canada who is a Respondent to a complaint may also be subject to consequences in accordance with the employee's employment agreement or policies for human resources, if applicable.
5. An Organizational Participant, who is a Worker, who believes that a staff member or Director has committed Wrongdoing (as described in the *Whistleblower Policy*) may report the alleged incident(s) to the Biathlon Canada Resource Person (as further described in the *Whistleblower Policy*).

REPORTING

UCCMS Participants

6. Incidents that involve alleged Maltreatment or Prohibited Behaviour that occurred or continued as of February 23, 2023 involving a UCCMS Participant must be reported to the OSIC (<https://sportintegritycommissioner.ca/report>) and will be addressed pursuant to the OSIC's policies and procedures.
7. Incidents that involve alleged Maltreatment or Prohibited Behaviour that occurred before February 23, 2023 may be reported to the OSIC; however, the OSIC shall determine the admissibility of such complaints in accordance with the relevant and applicable OSIC Guidelines regarding the initial review and preliminary assessment, and the matter may only proceed pursuant to the OSIC's procedures with the express consent of the Parties involved where the Parties have not been designated by Biathlon Canada as a UCCMS Participant.

8. If Biathlon Canada's Independent Third Party receives a Complaint that they consider would otherwise fall within the above sections, they shall refer the matter to the OSIC and notify the individual(s) that made the Complaint of such action.

Organizational Participants

9. Any complaints involving alleged breaches of Biathlon Canada's policies that do not fall within Sections 7 or 8 above may be reported to the Independent Third Party in writing.

Laurie Ehrman
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10. Notwithstanding any provision in this Policy, Biathlon Canada may, at its discretion, or upon request by the Independent Third Party, act as the Complainant and initiate the complaint process under the terms of this Policy. In such cases, Biathlon Canada will identify an individual to represent Biathlon Canada.
11. A Complainant who fears retribution or reprisal or who otherwise considers that their identity must remain confidential may file a complaint with the Independent Third Party and request that their identity be kept confidential. If the Independent Third Party considers that the Complainant's identity must remain confidential, the Independent Third Party may ask that Biathlon Canada take carriage of the complaint and act as the Complainant.²
12. In exceptional circumstances, the Independent Third Party may direct a complaint to be managed by Biathlon Canada if a Division or Club is otherwise unable to manage the complaint for valid and justifiable reasons, such as a conflict of interest, due to a lack of capacity or where the Division or Club does not have policies in place to address the complaint. In such circumstances, Biathlon Canada shall have the right to request that a cost recovery agreement be entered into with the Division or Club as a pre-condition to Biathlon Canada managing the complaint.
13. Where the Independent Third Party refers a matter to be managed by a Division or Club, or where a Division or Club is otherwise responsible for managing a matter (i.e., because they received the matter directly), and the Division and/or Club fails to conduct disciplinary proceedings within a reasonable timeline, Biathlon Canada may, at its discretion, take jurisdiction of the matter and conduct the proceedings. In such circumstances, if the Internal Discipline Chair or External Discipline Panel decides that Biathlon Canada acted reasonably in taking jurisdiction over the matter, Biathlon Canada's costs to conduct the proceedings, including legal fees, shall be reimbursed by the Division and/or Club to Biathlon Canada.

² In such circumstances, the Complainant(s) may be required to provide evidence during the disciplinary process.

MINORS

14. Complaints may be brought by or against an Organizational Participant who is a Minor. Minors must have a parent/guardian or other adult serve as their representative during this process.
15. Communication from the Independent Third Party, Internal Discipline Chair or External Discipline Panel (as applicable) must be directed to the Minor's representative.
16. If the Minor's representative is not their parent/guardian, the representative must have written permission to act in such a capacity from the Minor's parent/guardian.
17. A Minor is not required to attend or participate in an oral hearing, if held, or participate in an investigation if conducted. In such circumstances, no adverse inference can be drawn against the Minor.

INDEPENDENT THIRD-PARTY RESPONSIBILITIES

18. Upon receipt of a complaint, the Independent Third Party has a responsibility to:
 - a) Determine whether the complaint falls within the jurisdiction of this Policy;
 - b) Determine the appropriate jurisdiction to manage the complaint by considering the following:
 - i. whether the incident occurred within the business, activities, or Events of Biathlon Canada, or one of its Divisions or Clubs; and
 - ii. if the Division or Club can manage the complaint process³.
 - c) Determine whether the complaint is frivolous, vexatious or if it has been made in bad faith⁴;

³ In making this assessment, the Independent Third Party may determine that the Division or Club lacks the capacity to manage the complaint (which may include financial and human resource capacity), that the Division or Club is not the appropriate jurisdiction to manage the complaint due to its seriousness (for example, clubs should not be expected to manage serious complaints due to the complexity of conducting such a process), or that a real or perceived conflict of interest exists within the Division or Club.

If the Independent Third Party determines that the Complaint or Report should be handled by a Division or Club, that organization may use its own policies to address the complaint or may adopt this Policy and appoint its own Independent Third Party to fulfil the responsibilities listed herein. Where this Policy is adopted by a Division or Club, any reference to Independent Third Party shall be understood as a reference to the Independent Third Party of the Division or Club.

⁴ As indicated in the Sport Dispute Resolution Centre of Canada's Investigation Guidelines, a Reported complaint shall not be characterized as vexatious if the evidence demonstrates that there was a reasonable basis for filing and pursuing it. For a complaint to be considered to have been made in bad faith, the Independent Third Party must consider that it was filed consciously for a dishonest purpose or due to the moral underhandedness of the Complainant and that there was an intention to mislead.

- d) Determine if the alleged incident should be investigated pursuant to **Appendix A – Investigation Procedure**; and
- e) Choose which process (Process #1 or Process #2, as outlined below) should be followed to hear and adjudicate the matter.

AVAILABLE PROCESSES

There are two different processes that may be used to hear and adjudicate complaints. The Independent Third Party decides which process should be followed at their discretion, and such decision is not appealable.

Process #1 - the complaint contains allegations involving the following behaviours:

- a) Disrespectful conduct or comments
- b) Minor acts of physical violence, unless the physical violence is between a Person in Authority and a Vulnerable Individual, in which case the matter will be addressed under Process #2
- c) Conduct contrary to the values of Biathlon Canada or those of one of its Divisions or Clubs
- d) Non-compliance with the policies, procedures, rules, or regulations of Biathlon Canada or those of one of its Divisions or Clubs
- e) Minor violations of the policies or bylaws of Biathlon Canada or those of one of its Divisions or Clubs.

*** The behaviours identified above are examples only and are not a definitive list of behaviours that may be addressed through Process #1.

Process #2 - the complaint contains allegations involving the following behaviours:

- a) Repeated incidents described in Process #1
- b) Hazing
- c) Abusive, racist, or sexist comments, conduct or behaviour
- d) Incidents that constitute Prohibited Behaviour under the *Code of Conduct and Ethics* or the UCCMS
- e) Major incidents of violence (e.g., fighting, attacking)
- f) Pranks, jokes, or other activities that endanger the safety of others

- g) Conduct that intentionally interferes with a competition or with any athlete's preparation for a competition
- h) Conduct that intentionally damages the image, credibility, or reputation of Biathlon Canada or that of one of its Divisions or Clubs
- i) Consistent disregard for the by-laws, policies, rules, and regulations of Biathlon Canada or those of one of its Divisions or Clubs
- j) Major or repeated violations of the *Code* or any other policies, by-laws, rules or regulations that designate this *Discipline and Complaints Policy* as applicable to address such alleged breaches
- k) Intentionally damaging the property of Biathlon Canada, one of its Divisions or Clubs, or improperly handling any of the aforementioned organizations' monies
- l) Abusive use of alcohol, any use or possession of alcohol by Minors, or use or possession of illicit drugs and narcotics
- m) A conviction for any *Criminal Code* offense

*** The behaviours identified above are examples only and are not a definitive list of behaviours that may be addressed through Process #2

PROVISIONAL SUSPENSIONS

19. If it is considered appropriate or necessary based on the circumstances, immediate discipline or the imposition of a Provisional Suspension or interim measures may be imposed against any Organizational Participant by Biathlon Canada after which further discipline or sanctions may be applied according to this Policy.
20. If an infraction occurs at a competition, it will be dealt with by the procedures specific to the competition, if applicable. When applied at a competition, a Provisional Suspension or sanction may be for the duration of the competition, training, activity, or Event only, or as otherwise determined appropriate by the Independent Third Party.
- 21.** Notwithstanding the above, Biathlon Canada and/or Independent Third Party may determine that an alleged incident is of such seriousness as to warrant the imposition of a Provisional Suspension of a Respondent pending completion of an investigation, assessment and/investigation by the OSIC, criminal process, the hearing, or a decision of the External Discipline Panel.
- 22.** Any Respondent against whom a Provisional Suspension or interim measure is imposed may make a request to the Independent Third Party or External Discipline Panel (if appointed) to have the Provisional Suspension or interim measure lifted. In such circumstances, Biathlon Canada shall be provided with an opportunity to make submissions, orally or in writing, regarding the Respondent's

request to have their Provisional Suspension lifted. Provisional suspensions or interim measures shall only be lifted in circumstances where the Respondent establishes that it would be manifestly unfair to maintain the Provisional Suspension or interim measures against them.

23. Any decision not to lift a Provisional Suspension or interim measure shall not be subject to appeal.

PROCEDURAL STEPS

PROCESS #1: Handled by Internal Discipline Chair

Internal Discipline Chair

24. Following the determination that the complaint or incident should be handled under Process #1, the Independent Third Party will appoint an Internal Discipline Chair⁵ who may:

- a) Propose alternative dispute resolution techniques, if appropriate; and/or
- b) Ask the Complainant and the Respondent for either written or oral submissions regarding the complaint or incident. Both Parties shall also have the right to submit to the Internal Discipline Chair any relevant evidence, including, but not limited to witness statements, documentary evidence or evidence from other media (i.e., photos, screenshots, videos or other recordings). Each party shall have the right to receive the other party's submissions and evidence, including the Complainant's complaint. In the case of oral submissions, each party shall have the right to be present when such submissions are made; and/or
- c) Following receipt of the Parties' submissions, the Internal Discipline Chair may convene the Parties to a meeting, either in person or by way of video or teleconference to ask the Parties questions and to allow the Parties to ask questions of one another, if the Internal Discipline Chair deems it appropriate.

25. Following their review of the submissions and evidence related to the Complaint, the Internal Discipline Chair shall determine if any of the incidents listed in Process #1 above have occurred and, if so, determine the appropriate sanction (see: **Sanctions**). If, after hearing the Parties and reviewing their submissions, the Internal Discipline Chair considers that none of the incidents listed in Process #1 above have occurred or there is insufficient evidence to prove that the incidents occurred, they shall dismiss the Complaint.

26. The Independent Third Party will inform the Parties of the decision, which shall be in writing and include reasons. The Internal Discipline Chair's decision will take effect immediately, unless specified otherwise by the Internal Discipline Chair. Should the circumstances require a decision to be rendered immediately or within a short timeline, the Internal Discipline Chair may render a short, written decision, either orally or in writing, followed by a written reasoned decision.

⁵ The appointed Internal Discipline Chair must be unbiased and not in a conflict of interest.

27. Any decision rendered by the Internal Discipline Chair shall be provided to and maintained in the records of any applicable club, provincial/territorial organization and Biathlon Canada. Decisions will be kept confidential by the parties and the aforementioned organizations and shall be retained and discarded in accordance with the relevant and applicable privacy legislation and/or applicable policy.

PROCESS #2: Handled by Independent Third Party and External Discipline Panel

Independent Third Party

28. Following the determination that the complaint should be handled under Process #2, the Independent Third Party will propose the use of alternative dispute resolution methods, if deemed appropriate. Alternatively, the Independent Third Party may appoint a designate to handle the responsibilities described in this section. References to 'Independent Third Party' in Process #2 then apply to the Independent Third Party's designate, if appointed, instead. If the dispute is not resolved using alternative dispute resolution methods, the Independent Third Party will appoint an External Discipline Panel of one (1) person to hear the complaint. Thereafter, the Independent Third Party shall have the following responsibilities:

- a) Coordinate all administrative aspects of the process and set reasonable timelines
- b) Provide administrative assistance and logistical support to the External Discipline Panel as required, including providing the External Discipline Panel with any information related to previously imposed disciplinary sanctions against the Respondent(s) of the policies of Biathlon Canada, any Division or Club or any other sport organization that had authority over the Respondent
- c) Provide any other service or support that may be necessary to ensure a fair and timely proceeding

29. The Independent Third Party will establish and adhere to timelines that ensure procedural fairness and that the matter is heard in a timely fashion.

30. If warranted based on the severity of the allegations and at the Independent Third Party's sole discretion, an External Discipline Panel of three (3) people may be appointed. When a three-person External Discipline Panel is appointed, the Independent Third Party will appoint one of the External Discipline Panel's members to serve as the Chair.

31. The Independent Third Party, in cooperation with the External Discipline Panel, will then decide the format under which the complaint will be heard. This decision may not be appealed. The format of the hearing may be an oral in-person hearing, an oral hearing by telephone or other communication medium, a hearing based on a review of documentary evidence submitted in advance of the hearing, or a combination of these methods.

32. The hearing will be governed by the procedures that the Independent Third Party and the External Discipline Panel deem appropriate for the circumstances. The following guidelines will apply to the hearing:

- a) The determination of procedures and timelines, as well as a hearing duration, that is as expedient and cost-efficient as possible to ensure that costs to the Parties and Biathlon Canada and/or the Division or Club are reasonable
- b) The Parties will be given appropriate notice of the day, time, and place of the hearing
- c) Copies of any written documents which any of the Parties wishes to have the External Discipline Panel consider will be provided to all Parties, through the Independent Third Party, in advance of the hearing
- d) The Parties may engage a representative, advisor, translator, transcription services or legal counsel at their own expense
- e) The External Discipline Panel may request that any other individual participate and give evidence at the hearing
- f) If not a Party, Biathlon Canada and/or the Division or Club shall be allowed to attend the hearing as an observer and will be provided with access to any documents submitted. With the permission of the External Discipline Panel, Biathlon Canada and/or the Division or Club may make submissions at the hearing or may provide the External Discipline Panel with clarifying information that may be required for the Panel to render its decision⁶
- g) The External Discipline Panel shall allow any evidence at the hearing filed by the parties and may exclude any evidence is unduly repetitious or otherwise an abuse of process. The External Discipline Panel shall otherwise apply relevant and applicable evidentiary rules in relation to the admissibility and weight given to evidence filed by the parties
- h) Nothing is admissible in evidence at a hearing that:
 - i. would be inadmissible in a court by reason of any privilege under the law of evidence; or
 - ii. is inadmissible by any statute.

⁶ The purpose of this provision is not to provide Biathlon Canada or a Division or Club with the possibility to try to influence whether a sanction is imposed and, if so, the duration or nature of the sanction. Instead, this provision is intended to provide Biathlon Canada or a Division or Club with the possibility to provide the Panel with clarifying information when the parties have sought a particular sanction against an Organizational Participant, but they have misunderstood or misrepresented fundamental elements of the programming or membership structure (or other similar issues) and, if left unaddressed, could result in the Panel imposing a sanction that is unenforceable.

- i) The decision will be by a majority vote of the External Discipline Panel, when the Panel consists of three people

- 33. If the Respondent acknowledges the facts of the incident, the Respondent may waive the hearing, in which case the External Discipline Panel will determine the appropriate sanction. The External Discipline Panel may still hold a hearing for the purpose of determining an appropriate sanction.
- 34. The process will proceed in any event, even if a Party chooses not to participate in the hearing.
- 35. In fulfilling its duties, the External Discipline Panel may obtain independent advice.

DECISION

- 36. After hearing the matter, the External Discipline Panel will determine whether an infraction has occurred and, if so, the sanctions to be imposed. If the External Discipline Panel considers that an infraction has not occurred, the Reported complaint will be dismissed.
- 37. Within fourteen (14) days of the hearing's conclusion, the External Discipline Panel's written decision, with reasons, will be distributed to all parties by the Independent Third Party (or designate), including to Biathlon Canada.
- 38. In extraordinary circumstances, the External Discipline 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. The External Discipline Panel's decision will come into effect as of the date that it is rendered, unless decided otherwise by the External Discipline Panel. The External Discipline Panel's decision will apply automatically to Biathlon Canada and all of its Divisions or Clubs (if and when applicable), according to the terms of the *Reciprocation Policy*.
- 39. Unless the matter involves a Vulnerable Individual, once the appeal deadline in the *Appeal Policy* has expired, Biathlon Canada or the Division or Club (as applicable) shall publish on their website the outcome of the case, the provision(s) of the relevant policies that have been violated, the name(s) of the Organizational Participant(s) involved and the sanction(s) imposed, if any. If the matter is appealed, the publication provisions in the *Appeal Policy* shall apply. Identifying information regarding Minors or Vulnerable Individuals will never be published.
- 40. If the External Discipline Panel dismisses the Reported complaint, the information referred to in the above section may only be published with the Respondent's consent. If the Respondent does not provide such consent, the information referred to in the section above will be kept confidential by the Parties, the Independent Third Party, Biathlon Canada and the Division or Club (including the Respondent's club, if and when applicable) and shall be retained and discarded in accordance with the relevant and applicable privacy legislation and Biathlon Canada's policies. Failure to respect this provision may result in disciplinary action being taken pursuant to this *Discipline and Complaints Policy*.

41. Other individuals or organizations, including but not limited to, Divisions or Clubs, provincial/territorial organizations in other sports, sport clubs, etc., may be advised of any decisions rendered in accordance with this Policy.
42. Records of all decisions will be maintained by Biathlon Canada in accordance with the *Privacy Policy*.
43. When the External Discipline Panel imposes a sanction, the decision shall include, at a minimum, the following details:
- a) Jurisdiction;
 - b) Summary of the facts and relevant evidence;
 - c) The specific provision(s) of Biathlon Canada's policies, bylaws, rules or regulations that have been breached;
 - d) Which Party is responsible for the costs of implementing any sanction;
 - e) Which organization is responsible for monitoring that the sanctioned individual respects the terms of the sanction;
 - f) Any reinstatement conditions that the sanctioned individual must satisfy (if any);
 - g) Which organization is responsible for ensuring that conditions (if any) have been satisfied; and,
 - h) Any other guidance that will assist the Parties to implement the External Discipline Panel's decision.

If necessary, a Party – or the organization that is responsible for implementing or monitoring a sanction – may seek clarifications from the Panel regarding the decision so that it can be implemented or monitored appropriately.

SANCTIONS

44. When determining the appropriate sanction, the Internal Discipline Chair or External Discipline Panel, as applicable, will consider the following factors (where applicable):
- a) The nature and duration of the Respondent's relationship with the Complainant, including whether there is a Power Imbalance;
 - b) The Respondent's prior history and any pattern of misconduct or Maltreatment;
 - c) The respective ages of the individuals involved;

- d) Whether the Respondent poses an ongoing and/or potential threat to the safety of others;
- e) The Respondent's voluntary admission of the offense(s), acceptance of responsibility for the misconduct or Maltreatment, and/or cooperation in the investigative and/or disciplinary process of Biathlon Canada;
- f) Real or perceived impact of the incident on the Complainant, sport organization or the sporting community;
- g) Circumstances specific to the Respondent being sanctioned (e.g., lack of appropriate knowledge or training regarding the requirements in the *Code of Conduct and Ethics*; addiction; disability; illness);
- h) Whether, given the facts and circumstances that have been established, continued participation in the sport community is appropriate;
- i) A Respondent who is in a position of trust, intimate contact or high-impact decision-making may face more serious sanctions; and/or
- j) Other mitigating or aggravating circumstances.

45. Any sanction imposed must be proportionate and reasonable. However, progressive discipline is not required, and a single incident of Prohibited Behaviour/Maltreatment or other misconduct may justify elevated or combined sanctions.

46. The Internal Discipline Chair or External Discipline Panel, as applicable, may apply the following disciplinary sanctions, singularly or in combination:

- a) **Verbal or Written Warning** - A verbal reprimand or an official, written notice and formal admonition that an Organizational Participant has violated the *Code of Conduct and Ethics* and that more severe sanctions will result should the Organizational Participant be involved in other violations
- b) **Education** - The requirement that an Organizational Participant undertake specified educational or similar remedial measures to address the violation(s) of the *Code of Conduct and Ethics* or the UCCMS
- c) **Probation** - Should any further violations of the *Code of Conduct and Ethics* or the UCCMS occur during the probationary period, will result in additional disciplinary measures, likely including a period of suspension or permanent ineligibility. This sanction can also include loss of privileges or other conditions, restrictions, or requirements for a specified period
- d) **Suspension** - Suspension, either for a set time or until further notice, from participation, in any capacity, in any program, activity, Event, or competition sponsored by, organized by, or under the auspices of Biathlon Canada. A suspended Organizational Participant is eligible to

return to participation, but reinstatement may be subject to certain restrictions or contingent upon the Organizational Participant satisfying specific conditions noted at the time of suspension

- e) **Eligibility Restrictions** - Restrictions or prohibitions from some types of participation but allowing participation in other capacities under strict conditions
- f) **Permanent Ineligibility** - Ineligibility to participate in any capacity in any program, activity, Event, or competition sponsored by, organized by, or under the auspices of Biathlon Canada
- g) **Other Discretionary Sanctions** - Other sanctions may be imposed, including, but not limited to, other loss of privileges, no contact directives, a fine or a monetary payment to compensate for direct losses, or other restrictions or conditions as deemed necessary or appropriate

47. The Internal Discipline Chair or External Discipline Panel, as applicable, may apply the following presumptive sanctions which are presumed to be fair and appropriate for the listed Maltreatment:

- a) Sexual Maltreatment involving a Minor Complainant, or a Complainant who was a Minor at the time of the incidents complained of, shall carry a presumptive sanction of permanent ineligibility or expulsion from membership or registration
- b) Sexual Maltreatment, Physical Maltreatment with contact, and Maltreatment related to interference or manipulation of process shall carry a presumptive sanction of either a period of suspension or eligibility restrictions
- c) While a Respondent has pending charges allegations of a crime against a person, if justified by the seriousness of the offence, the presumptive sanction shall be a period of suspension until a final determination is made by the applicable process.

48. An Organizational Participant's conviction for certain *Criminal Code* offenses involving harmful conduct shall carry a presumptive sanction of permanent ineligibility from participating with Biathlon Canada. Such *Criminal Code* offences may include, but are not limited to:

- a) Any child pornography offences
- b) Any sexual offences
- c) Any offence of physical violence

49. Unless the External Discipline Panel decides otherwise, any disciplinary sanctions will begin immediately, notwithstanding an appeal.

50. Failure to comply with a sanction as determined by the External Discipline Panel will result in an automatic suspension until such time as compliance occurs.

OSIC SANCTION

51. As a Program Signatory to the OSIC, Biathlon Canada will ensure that any sanctions or measures imposed by the OSIC's Director of Sanctions and Outcomes ("DSO") will be implemented and respected within Biathlon Canada's jurisdiction (including at the provincial, territorial and club level) once Biathlon Canada receives appropriate notice of any sanction or measure from the OSIC.

APPEALS

52. The decision of an Internal Discipline Chair or External Discipline Panel, as applicable, may be appealed in accordance with the *Appeal Policy*.

CONFIDENTIALITY

53. The disciplinary process is confidential and involves only Biathlon Canada, the Parties, the Independent Third Party (and any designates), the Internal Discipline Chair, the External Discipline Panel, and any independent advisors to the External Discipline Panel.

54. Notwithstanding the above, Biathlon Canada recognizes that it is required to notify Sport Canada of all reported complaints and reports of potential complaints.

55. 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, unless Biathlon Canada is required to notify an organization such as an international federation, Sport Canada or other sport organization (i.e., where a Provisional Suspension or interim measures have been imposed and communication is required to ensure that they may be enforced), or notification is otherwise required by law.

56. Any failure to respect the confidentiality requirement may result in further sanctions or discipline by the Internal Discipline Chair or External Discipline Panel (as applicable).

TIMELINES

57. If the circumstances of the complaint are such that adhering to the timelines outlined by this Policy will not allow a timely resolution to the complaint, the Independent Third Party may direct that these timelines be revised.

STATISTICAL REPORTING

58. Biathlon Canada shall, at least annually, publish a general statistical report of the activity that has been conducted pursuant to this *Discipline and Complaints Policy*. This report shall not include any information that is confidential under this Policy, or that has been ordered to be kept confidential by a Panel, but may include the number of complaints Reported to the Independent Third Party, and statistics regarding the number of cases that were resolved through alternative dispute resolution, the Internal Discipline Chair process, and the External Discipline Chair process. Further,

statistics shall be kept of the number of appeals filed pursuant to the *Appeal Policy* and whether the appeals were upheld, partially upheld or dismissed.

PRIVACY

59. The collection, use and disclosure of any personal information pursuant to this Policy is subject to Biathlon Canada's *Privacy Policy*.
60. Biathlon Canada, its Divisions or Clubs, or any of their delegates pursuant to this Policy (i.e., Independent Third Party (and any designate), Internal Discipline Chair, External Discipline Panel), shall comply with Biathlon Canada's *Privacy Policy* (or, in the case if a Division or Club, the Division or Club's *Privacy Policy*) in the performance of their services under this Policy.

Appendix A – Investigation Procedure

Determination

1. When a complaint is submitted pursuant to the *Discipline and Complaints Policy* and is accepted by the Independent Third Party, the Independent Third Party will determine if the incident should be investigated.

Investigation

2. The Independent Third Party will appoint an Investigator. The Investigator must be an independent third-party skilled in investigating. The Investigator must not be in a conflict-of-interest situation and should have no connection to either party.
3. Federal and/or Provincial/Territorial legislation related to Workplace Harassment may apply to the investigation if Harassment was directed toward an employee in a Workplace. The Investigator should review workplace safety legislation, the organization's policies for human resources, and/or consult independent experts to determine whether legislation applies to the complaint.
4. The investigation may take any form as decided by the Investigator, guided by any applicable Federal and/or Provincial/Territorial legislation. The investigation may include:
 - a) Interviews with the Complainant
 - b) Witness interviews
 - c) Statement of facts (Complainant's perspective) prepared by Investigator, acknowledged by the Complainant and provided to the Respondent
 - d) Interviews with the Respondent
 - e) Statement of facts (Respondent's perspective) prepared by Investigator, acknowledged by the Respondent and provided to the Complainant

Investigator's Report

5. Upon completion of their investigation, the Investigator shall prepare a report that should include a summary of evidence from the parties (including both statements of facts, if applicable) and recommendations from the Investigator of whether, on a balance of probabilities, a breach of the *Code of Conduct and Ethics* or the UCCMS occurred. The Investigator may also make non-binding recommendations regarding the appropriate next steps (i.e., mediation, disciplinary procedures, further review, or investigation).
6. The Investigator's Report will be provided to the Independent Third Party who will disclose, at their discretion, all or part of it to Biathlon Canada and the relevant Divisions or Clubs (as applicable) and

to External Discipline Panel. The Independent Third Party may also disclose the Investigator's Report – or a redacted version to protect the identity of witnesses – to the parties, at their discretion, with any necessary redactions.

7. Should the Investigator find that there are possible instances of offence under the *Criminal Code*, the Investigator shall advise the Complainant and Biathlon Canada or the Division or Club to refer the matter to police.
8. The Investigator must also inform Biathlon Canada or the Division or Club (as applicable) of any findings of criminal activity. Biathlon Canada or the Division or Club (as applicable) may decide whether to report such findings to police but is required to inform police if there are findings related to the trafficking of prohibited substances or methods (as indicated in the version of the World Anti-Doping Agency's Prohibited List currently in force), any sexual crime involving Minors, fraud against Biathlon Canada or any Division(s) or Club(s) (as applicable), or other offences where the lack of reporting would bring Biathlon Canada or the Division or Club (as applicable) into disrepute.

Reprisal and Retaliation

9. An Organizational Participant who submits a complaint to Biathlon Canada or who gives evidence in an investigation may not be subject to reprisal or retaliation from any individual or group. Any such conduct may be subject to disciplinary proceedings pursuant to the *Discipline and Complaints Policy*.

False Allegations

10. An Organizational Participant who submits allegations that the Investigator determines to be malicious, false, or for the purpose of retribution, retaliation or vengeance may be subject to a complaint under the terms of the *Discipline and Complaints Policy* and may be required to pay for the costs of any investigation that comes to this conclusion. Biathlon Canada or any Division(s) or Club(s) (as applicable), or the Organizational Participant against whom the allegations were submitted, may act as the Complainant.

Confidentiality

11. The Investigator will make reasonable efforts to preserve the anonymity of the Complainant, Respondent, and any other party. However, Biathlon Canada and its Divisions or Clubs recognize that maintaining full anonymity during an investigation may not be feasible.

Privacy

12. The collection, use and disclosure of any personal information pursuant to this Procedure is subject to Biathlon Canada's *Privacy Policy*.

13. The Investigator will comply with Biathlon Canada's *Privacy Policy* (or, in the case of a Division or Club, the applicable *Privacy Policy*) in the performance of their services under this Procedure.

Policy History	
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DISPUTE RESOLUTION POLICY

Purpose

1. Biathlon Canada supports the principles of Alternative Dispute Resolution (ADR) and are committed to the techniques of negotiation, facilitation, and mediation as effective ways to resolve disputes. ADR avoids the uncertainty, costs, and other negative effects associated with lengthy appeals or complaints, or with litigation.
2. Biathlon Canada encourages all Organizational Participants to communicate openly, and to collaborate and use problem-solving and negotiation techniques to resolve their differences. Biathlon Canada believes that negotiated settlements are most often preferable to arbitrated outcomes. Negotiated resolutions to disputes with and among Organizational Participants are strongly encouraged.

Application of this Policy

3. This Policy applies to all Organizational Participants.
4. Opportunities for ADR may be pursued at any point in a dispute when all parties to the dispute agree that such a course of action would be mutually beneficial.

Facilitation and Mediation

5. If all parties to a dispute agree to ADR, a mediator or facilitator, acceptable to all parties, shall be appointed to mediate or facilitate the dispute.
6. The mediator or facilitator shall decide the format under which the dispute shall be mediated or facilitated and may, if they consider it appropriate, specify a deadline before which the parties must reach a negotiated decision.
7. Should a negotiated settlement be reached, the settlement shall be reported to Biathlon Canada. Any actions that are to take place because of the decision shall be enacted on the timelines specified by the negotiated decision, pending approval.
8. Should a negotiated settlement not be reached by the deadline specified by the mediator or facilitator at the start of the process (if set), or if the parties to the dispute do not agree to ADR, the dispute shall be considered under the appropriate section of the *Discipline and Complaints Policy* or *Appeal Policy*, as applicable.

Final and Binding

9. Any negotiated settlement will be binding on the parties. Negotiated settlements may not be appealed.

Policy History	
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APPEAL POLICY

Purpose

1. This *Appeal Policy* provides Organizational Participants with a fair and expedient appeal process.

Scope and Application of this Policy

2. This Policy applies to all Organizational Participants.
3. Any Organizational Participant who is directly affected by a decision made by Biathlon Canada shall have the right to appeal that decision if there are sufficient grounds for the appeal under the **Grounds for Appeal** section of this Policy.
4. This Policy **will apply** to decisions relating to:
 - a) Eligibility
 - b) Selection
 - c) Conflict of Interest
 - d) Discipline
 - e) Membership
5. This Policy **will not apply** to decisions relating to:
 - a) Employment
 - b) Infractions for doping offenses
 - c) The rules of the sport
 - d) Selection criteria, quotas, policies, and procedures established by entities other than Biathlon Canada
 - e) Substance, content and establishment of team selection or carding criteria
 - f) Volunteer/coach appointments and the withdrawal or termination of those appointments
 - g) Budgeting and budget implementation
 - h) The organization's operational structure and committee appointments

- i) Decisions or discipline arising within the business, activities, or events organized by entities other than Biathlon Canada (appeals of these decisions shall be dealt with pursuant to the policies of those other entities unless requested and accepted by the organization at its sole discretion)
- j) Decisions made by the Office for the Sport Integrity Commissioner (“OSIC”)
- k) Commercial matters for which another appeals process exists under a contract or applicable law
- l) Decisions made under this Policy

Timing of Appeal

6. Organizational Participants who wish to appeal a decision have seven (7) days from the date on which they received notice of the decision to submit the following unless the guiding document for the decision in question indicates otherwise:
 - a) Notice of the intention to appeal
 - b) Their contact information
 - c) Name and contact information of the Respondent and any Affected Parties, when known to the Appellant
 - d) Date the Appellant was advised of the decision being appealed
 - e) A copy of the decision being appealed, or description of decision if written document is not available
 - f) Grounds for the appeal
 - g) Detailed reasons for the appeal
 - h) All evidence that supports these grounds
 - i) Requested remedy or remedies
 - j) An administration fee of two hundred and fifty dollars (\$250), which will be refunded if the appeal is upheld
7. An Organizational Participant who wishes to initiate an appeal beyond the seven (7) day period must provide a written request stating the reasons for an exemption. The decision to allow or not allow an appeal outside of the seven (7) day period will be at the sole discretion of the Appeal Manager and may not be appealed.

Appealing a Decision Made by a Division or Club

8. Appeals of decisions made by a Club or a Division can be submitted to the Division to be heard pursuant to its policy for appeals (or, at its discretion, the Division may adopt the procedures described in this Policy and references to Biathlon Canada in this Policy would instead be considered as references to the Division).
9. Alternately, Biathlon Canada may hear appeals of decisions made by a Division or Club at its discretion. The cost of hearing an appeal will be borne by the Division or Club.

Appealing a Decision Made by Biathlon Canada

10. Appeals of decisions made by Biathlon Canada can be submitted to Biathlon Canada to be heard pursuant to this Policy.
11. A decision made by Biathlon Canada's Discipline Chair following a request for reconsideration by one of the parties pursuant to the *Discipline and Complaints Policy*, and a decision made by Biathlon Canada's Discipline Panel, may be appealed to Biathlon Canada in accordance with the terms of this *Appeal Policy*.
12. Alternatively, by agreement between the parties, the internal appeal process may be bypassed, and the appeal may be heard directly before the Sport Dispute Resolution Centre of Canada (SDRCC).
13. Except where an appeal proceeds before the SDRCC, Biathlon Canada shall appoint an Appeal Manager and shall follow the process outlined in this *Appeal Policy*.

Grounds for Appeal

14. A decision cannot be appealed on its merits alone. An appeal may only be heard if there are sufficient grounds for appeal. Sufficient grounds include the Respondent:
 - a) Made a decision that it did not have the authority or jurisdiction (as set out in the Respondent's governing documents) to make
 - b) Failed to follow its own procedures (as set out in the Respondent's governing documents)
 - c) Made a decision that was influenced by bias (where bias is defined as a lack of neutrality to such an extent that the decision-maker appears not to have considered other views)
 - d) Made a decision that was patently unreasonable

Screening of Appeal

15. The parties may first attempt to resolve the appeal through the *Dispute Resolution Policy*.

16. Appeals resolved under the *Dispute Resolution Policy* will result in the administration fee being refunded to the Appellant.
17. Should the appeal not be resolved by using the *Dispute Resolution Policy*, Biathlon Canada will appoint an independent Appeal Manager (who must not be in a conflict of interest or have any direct relationship with the parties) who has the following responsibilities:
 - a) To determine if the appeal falls under the scope of this Policy
 - b) To determine if the appeal was submitted in a timely manner
 - c) To decide whether there are sufficient grounds for the appeal
18. If the Appeal Manager denies the appeal based on insufficient grounds, because it was not submitted in a timely manner, or because it did not fall under the scope of this Policy, the Appellant will be notified, in writing, of the reasons for this decision. This decision may not be appealed.
19. If the Appeal Manager is satisfied there are sufficient grounds for an appeal, the Appeal Manager will appoint an Appeal Panel which shall consist of a single Arbitrator, to hear the appeal. In extraordinary circumstances, and at the discretion of the Appeal Manager, an Appeal Panel composed of three persons may be appointed to hear the appeal. In this event, the Appeal Manager will appoint one of the Panel's members to serve as the Chair.

Determination of Affected Parties

16. To confirm the identification of any Affected Parties, the Appeal Manager will engage Biathlon Canada or a Division or Club (as applicable). The Appeal Manager may determine whether a party is an Affected Party in their sole discretion.

Procedure for Appeal Hearing

20. The Appeal Manager shall notify the Parties that the appeal will be heard. The Appeal Manager shall then decide the format under which the appeal will be heard. This decision is at the sole discretion of the Appeal Manager and may not be appealed.
21. If a party chooses not to participate in the hearing, the hearing will proceed in any event.
22. The format of the hearing may involve an oral in-person hearing, an oral hearing by telephone or other electronic means, 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 Appeal Manager and the Panel deem appropriate in the circumstances, provided that:
 - a) The hearing will be held within a timeline determined by the Appeal Manager

- b) The Parties will be given reasonable notice of the day, time and place of an oral in-person hearing or oral hearing by telephone or electronic communications.
- c) 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
- d) The Parties may be accompanied by a representative, advisor, or legal counsel at their own expense
- e) The Panel may request that any other individual participate and give evidence at an oral in-person hearing or oral hearing by telephone or electronic communications.
- f) The Panel may allow as evidence at the hearing any oral evidence and document or thing relevant to the subject matter of the appeal, but may exclude such evidence that is unduly repetitious and shall place such weight on the evidence as it deems appropriate
- g) If a decision in the appeal may affect another party to the extent that the other party would have recourse to an appeal in their own right under this Policy, that party will become an Affected Party to the appeal in question and will be bound by its outcome
- h) The decision to uphold or reject the appeal will be by a majority vote of Panel members

23. In fulfilling its duties, the Panel may obtain independent advice.

Appeal Decision

- 24. The Appellant must demonstrate, on a balance of probabilities, that the Respondent has made a procedural error as described in the **Grounds for Appeal** section of this Policy and that this error had, or may reasonably have had, a material effect on the decision or decision-maker.
- 25. The Panel shall issue its decision, in writing and with reasons, within seven (7) days after the hearing's conclusion. In making its decision, the Panel will have no greater authority than that of the original decision-maker. The Panel may decide to:
 - a) Reject the appeal and confirm the decision being appealed;
 - b) Uphold the appeal and refer the matter back to the initial decision-maker for a new decision;
or
 - c) Uphold the appeal and vary the decision.
- 26. The Panel will also determine whether costs of the appeal, excluding legal fees and legal disbursements of any parties, will be assessed against any party. In assessing costs, the Panel will take into account the outcome of the appeal, the conduct of the parties, and the parties' respective financial resources.

27. The Panel's written decision, with reasons, will be distributed to all parties, the Appeal Manager, Biathlon Canada and/or an applicable Division or Club. 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 thereafter. The decision will be considered a matter of public record unless decided otherwise by the Panel.

Timelines

28. If the circumstances of the appeal are such that adhering to the timelines outlined by this Policy will not allow a timely resolution to the appeal, the Appeal Manager and/or Panel may direct that these timelines be revised.

Confidentiality

29. The appeals process is confidential and involves only the parties, the Appeal 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 to any person not involved in the proceedings.

Final and Binding

30. No action or legal proceeding will be commenced against Biathlon Canada, Divisions, Clubs, or Organizational Participants in respect of a dispute, unless Biathlon Canada has refused or failed to provide or abide by the dispute resolution process and/or appeal process as set out in governing documents.

Policy History	
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SOCIAL MEDIA POLICY

Preamble

1. Biathlon Canada is aware that Organizational Participant interaction and communication occurs frequently on social media. Biathlon Canada cautions Organizational Participants that any conduct falling short of the standard of behaviour required by this *Social Media Policy* and the *Code of Conduct and Ethics* may be subject to the disciplinary sanctions identified within the *Discipline and Complaints Policy*.

Application of this Policy

2. This Policy applies to all Organizational Participants.

Conduct and Behaviour

3. Per the *Discipline and Complaints Policy* and *Code of Conduct and Ethics*, the following Social Media conduct may be considered inappropriate and subject to a complaint:
 - a) Posting a disrespectful, hateful, harmful, disparaging, insulting, or otherwise negative comment on a social medium that is directed at an Organizational Participant, at Biathlon Canada or at other individuals connected with Biathlon Canada
 - b) Posting a picture, altered picture, or video on a social medium that is harmful, disrespectful, insulting, embarrassing, suggestive, provocative, or otherwise offensive, and that is directed at an Organizational Participant, at Biathlon Canada or at other individuals connected with Biathlon Canada
 - c) Creating or contributing to a Facebook group, webpage, Instagram account, Twitter feed, blog, or online forum devoted solely or in part to promoting negative or disparaging remarks or commentary about Biathlon Canada or their stakeholders or reputation
 - d) Any instance of cyber-bullying or cyber-harassment between one Organizational Participant and another Organizational Participant (including a teammate, coach, opponent, volunteer, or official), where incidents of cyber-bullying and cyber-harassment can include but are not limited to the following conduct on any social medium, via text-message, or via email: regular insults, negative comments, vexatious behaviour, pranks or jokes, threats, posing as another person, spreading rumours or lies, or other harmful behaviour.
4. All conduct and behaviour occurring on Social Media may be subject to the *Discipline and Complaints Policy*. However, any violation of this Policy that may be considered “Prohibited Behaviour” or “Maltreatment” (as defined in the UCCMS) when the Respondent is an Organizational Participant who has been designated by Biathlon Canada as a UCCMS Participant (as

defined in the *Discipline and Complaints Policy*), will be handled pursuant to the policies and procedures of the Office of the Sport Integrity Commissioner (“OSIC”), subject to the rights of Biathlon Canada as set out in the *Discipline and Complaints Policy* and any applicable workplace policies.

Organizational Participants Responsibilities

5. Organizational Participants should be aware that their social media activity may be viewed by anyone; including Biathlon Canada.
6. If Biathlon Canada unofficially engages with a Organizational Participant in Social Media (such as by retweeting a tweet or sharing a photo on Facebook) the Organizational Participant may, at any time, ask Biathlon Canada to cease this engagement.
7. When using Social Media, a Organizational Participant must model appropriate behaviour befitting the Organizational Participant’s role and status in connection with Biathlon Canada.
8. Removing content from Social Media after it has been posted (either publicly or privately) does not excuse the Organizational Participant from being subject to the *Discipline and Complaints Policy*.
9. An individual who believes that a Organizational Participant’s Social Media activity is inappropriate or may violate policies and procedures should report the matter to Biathlon Canada in the manner outlined by the *Discipline and Complaints Policy*.

Responsibilities – Biathlon Canada

10. Biathlon Canada has a responsibility to understand if and how Persons in Authority and Athletes are using Social Media to communicate with each other. Persons in Authority and Athletes may need to be reminded that behaviour in Social Media is still subject to the *Code of Conduct and Ethics* and *Social Media Policy*.
11. Complaints and concerns about the behaviour of a Person in Authority or Athlete in Social Media can be addressed under the *Discipline and Complaints Policy*.

Guidelines

12. The Guidelines in this section provide Persons in Authority and Athletes with tips and suggestions for Social Media use. Persons in Authority and Athletes are strongly encouraged to develop their own strategy for Social Media use (either written down or not) and ensure that their strategy for Social Media use is acceptable pursuant to the *Code of Conduct and Ethics*.
13. Given the nature of Social Media as a continually developing communication sphere, Biathlon Canada trusts its Persons in Authority and Athletes to use their best judgment when interacting with Social Media. These Guidelines are not hard and fast rules or behavioural laws; but rather recommendations that will inform individuals’ best judgment.

Social Media Guidelines for Persons in Authority

14. Persons in Authority should consider the following guidelines to inform their own strategy for Social Media use:

- a) With Minor Athletes, ensure that parents/guardians are aware if some interactions may take place on Social Media and the context for those interactions, and give parents/guardians the option to prohibit or restrict communication in this space
- b) Attempt to make communication with Athletes in Social Media as one-sided as possible. Be available for Athletes if they initiate contact – Athletes may wish to have this easy and quick access to you – but avoid imposing yourself into an Athlete’s personal Social Media space
- c) Ensure all Social Media communication is professional, unambiguous, and on-topic. Avoid emojis and unspecific language that can be interpreted in multiple ways
- d) Choosing not to engage with Social Media is an acceptable strategy. Be prepared to inform Athletes (and/or parents/guardians) why you will not engage in this space and explain which media you will use to communicate with them
- e) Athletes will search for your Social Media accounts. Be prepared for how you will respond when an Athlete attempts to interact with you on Social Media
- f) Annually review and update the privacy settings on all your Social Media accounts
- g) Consider monitoring or being generally aware of Athletes’ public Social Media behaviour to ensure compliance with *Code of Conduct and Ethics* and this Policy
- h) Never demand access to an Athlete’s private posts on Twitter, Instagram, or Facebook
- i) Do not send friend requests to Athletes. Never pressure Athletes to send you a friend request or follow your Social Media accounts
- j) If you accept a friend request from one Athlete, you should accept these requests from all Athletes. Be careful not to show favouritism on Social Media
- k) Consider managing your Social Media so that Athletes do not have the option to follow you on Twitter or send you a friend request on Facebook
- l) Do not identify Minor Athletes on publicly available Social Media
- m) Seek permission from adult Athletes before identifying them on publicly available Social Media
- n) Avoid adding Athletes to Snapchat and do not send snapchats to Athletes

- o) Do not post pictures or videos of Minor Athletes on your private Social Media accounts
- p) Do not use Social Media to 'trap' Athletes if they say one thing to you in person but their Social Media activity reveals they were doing something different
- q) Be aware that you may acquire information about an Athlete that imposes an obligation of disclosure on your part (such as seeing pictures of underage Athletes drinking during a trip)
- r) If selection decisions and other official team business are announced on Social Media, ensure they are also posted on a less-social medium like a website or distributed via email
- s) Never require Athletes to join Facebook, join a Facebook group, subscribe to a Twitter feed, or join a Facebook page about your team or organization
- t) If you create a page on Facebook or Instagram for your team or Athlete, do not make this Social Media site the exclusive location for important information. Duplicate important information in less-social channels (like on a website or via email)
- u) Exercise appropriate discretion when using Social Media for your own personal communications (with friends, colleagues, and other Persons in Authority) with the knowledge that your behaviour may be used as a model by Athletes
- v) Avoid association with Facebook groups, Instagram accounts, or Twitter feeds with explicit sexual conduct or viewpoints that might offend or compromise your relationship with an Athlete
- w) Never misrepresent yourself by using a fake name or fake profile

Social Media Guidelines for Athletes

15. The following tips should be used by Athletes to inform their own strategy for Social Media use:

- a) Set your privacy settings to restrict who can search for you and what private information other people can see.
- b) Coaches, teammates, officials, or opposing competitors may all add you to Facebook or follow you on Instagram or Twitter. You are not required to follow anyone or be Facebook friends with anyone.
- c) Avoid adding Persons in Authority to Snapchat and do not send snapchats to Persons in Authority.
- d) If you feel harassed by someone in a social medium, report it to your coach or another Persons in Authority with your organization.

- e) You do not have to join a fan page on Facebook or follow a Twitter feed or Instagram account.
- f) Content posted on a social medium, relative to your privacy settings, is considered public. In most cases, you do not have a reasonable expectation of privacy for any material that you post.
- g) Content posted to a social medium is almost always permanent – consider that other individuals may take screenshots of your content (even snapchats) before you can delete them.
- h) Avoid posting pictures of, or alluding to, participation in illegal activity such as: speeding, physical assault, harassment, drinking alcohol (if underage), and smoking marijuana.
- i) Model appropriate behaviour in Social Media befitting your status as a) an Athlete, and b) a member of your organization and its governing organizations. As a representative of your organization, you have agreed to the *Code of Conduct and Ethics* and must follow that Code when you post material and interact with other people through Social Media.
- j) Be aware that your public Facebook page, Instagram account, or Twitter feed may be monitored by your organization, coach, or by another organization and content or behaviour demonstrated in Social Media may be subject to sanction under the *Discipline and Complaints Policy*.

Policy History	
Approved	February 13, 2023
Next Review Date	March 15, 2025

SCREENING POLICY

Definitions

1. The following terms have these meanings in this Policy:
 - a) ***Criminal Record Check (CRC)*** – A search of the RCMP Canadian Police Information Centre (CPIC) system for adult convictions
 - b) ***Enhanced Police Information Check (E-PIC)*** – a Criminal Record Check plus a search of Local Police Information, available from Sterling Backcheck
 - c) ***Local Police Information (LPI)*** – Additional conviction and selected non-conviction information in national and local police data sources which may be relevant to the position sought
 - d) ***Vulnerable Sector Check (VSC)*** – A detailed check that includes a search of the RCMP Canadian Police Information Centre (CPIC) system, Local Police Information, and the Pardoned Sex Offender database

Preamble

2. Biathlon Canada understands that screening personnel and volunteers is a vital part of providing a safe sporting environment and has become a common practice among sport organizations that provide programs and services to the sport community.

Application of this Policy

3. This Policy applies to all individuals whose position with Biathlon Canada is one of trust or authority which may relate to, at a minimum, finances, supervision, or Vulnerable Participants.
4. Not all individuals associated with Biathlon Canada will be required to obtain a criminal record check or submit screening documents because not all positions pose a risk of harm to Biathlon Canada or participants. Biathlon Canada will determine which individuals will be subject to screening using the following guidelines (Biathlon Canada may vary the guidelines at their discretion):

Level 1 – Low Risk - Participants involved in low risk assignments who are not in a supervisory role, not directing others, not involved with finances, and/or do not have unsupervised access to Vulnerable Participants. Examples:

- a) Parents, youth, or volunteers who are helping out on a non-regular or informal basis

Level 2 – Medium Risk – Participants involved in medium risk assignments who may be in a supervisory role, may direct others, may be involved with finances, and/or who may have limited access to Vulnerable Participants. Examples:

- a) Non-coach employees or managers
- b) Directors
- c) Wax technicians who are typically under the supervision of another coach or technician
- d) Coaches who are typically under the supervision of another coach
- e) Officials: Technical Delegate

Level 3 – High Risk – Participants involved in high risk assignments who occupy positions of trust and/or authority, have a supervisory role, direct others, are involved with finances, and who have frequent or unsupervised access to Vulnerable Participants. Examples:

- a) Head coaches
- b) Athlete support personnel
- c) Coaches who travel with Athletes
- d) Head wax technician
- e) Coaches who could be alone with Athletes

Screening Committee

- 5. The implementation of this policy is the responsibility of the Screening Committee which is a committee composed of either one (1) or three (3) members. Biathlon Canada will ensure that the members appointed to their respective Screening Committees possess the requisite skills, knowledge and ability to accurately screen documents and render decisions under this Policy.
- 6. The Screening Committee is responsible for reviewing all documents submitted and, based on the review, making decisions regarding the appropriateness of individuals filling positions within Biathlon Canada. In carrying out its duties, the Screening Committee may consult with independent experts including lawyers, police, risk management consultants, volunteer screening specialists, or any other person
- 7. Nothing in this Policy restricts or limits the Screening Committee from requesting that the individual attend an interview with the Screening Committee if the Screening Committee considers that an interview is appropriate and necessary to screen the individual's application.

8. Nothing in this Policy restricts or limits the Screening Committee from requesting the individual's authorization to contact any professional, sporting or other organization in order to assess the individual's suitability for the position that they are seeking.
9. Nothing in this Policy restricts or limits the Screening Committee from requesting further information from the individual on more than one occasion, subject to the individual's right to insist that the Screening Committee make a decision on the basis of the information before it.
10. The Screening Committee may, where appropriate, draw an adverse inference from an individual's failure to provide information or answer queries.
11. When assessing an individual's screening application, the Screening Committee shall determine whether there is reason to believe that the individual may pose a risk to Biathlon Canada or to another individual.
12. An individual having been previously penalized for a prior offence shall not prevent the Screening Committee from considering that offence as part of the individual's screening application.
13. If the Screening Committee determines on the basis of the individual's screening application, in addition to any further material received by it, that the individual does not pose a risk to the members of Biathlon Canada, the Screening Committee shall approve the individual's application, subject to the Screening Committee's right to impose conditions.
14. In the case of a decision denying an application or approving an application with conditions, a copy of the decision shall be provided to the applicant and to the Board of Directors of Biathlon Canada, which may disseminate the decision as they see fit in order to best fulfil the mandate of Biathlon Canada.
15. A Participant whose screening application has been denied or revoked may not re-apply to participate in the programs or activities of Biathlon Canada for two (2) years from the date the rejected application was made.

Screening Requirements

16. A Screening Requirements Matrix is provided as **Appendix A**.
17. It is the policy of Biathlon Canada that when an individual is first engaged by the organization:
 - a) Level 1 individuals will:
 - i. Complete an Application Form (**Appendix B**)
 - ii. Complete a Screening Disclosure Form (**Appendix C**)
 - iii. Participate in training, orientation, and monitoring as described in the Screening

Requirements Matrix (**Appendix A**)

- b) Level 2 individuals will:
 - i. Complete an Application Form
 - ii. Complete a Screening Disclosure Form
 - iii. Complete and provide an E-PIC
 - iv. Provide one reference related to the position
 - v. Participate in training, orientation, and monitoring as described in the Screening Requirements Matrix (**Appendix A**)
 - vi. Provide a driver's abstract, if requested
- c) Level 3 individuals will:
 - i. Complete an Application Form
 - ii. Complete a Screening Disclosure Form
 - iii. Complete and provide an E-PIC and a VSC
 - iv. Provide two references related to the position
 - v. Participate in training, orientation, and monitoring as described in the Screening Requirements Matrix (**Appendix A**)
 - vi. Provide a driver's abstract, if requested
- d) If an individual subsequently receives a charge, conviction for, or is found guilty of, an offense they will report this circumstance immediately to Biathlon Canada. Additionally, the individual will inform the organization of any changes in their circumstance that would alter their original responses in their Screening Disclosure Form.
- e) If Biathlon Canada learns that an individual has provided false, inaccurate, or misleading information, the individual will immediately be removed from their position and may be subject to further discipline in accordance with the *Discipline and Complaints Policy*.

Young People

- 18. Biathlon Canada defines a young person as someone who is younger than 18 years old. When screening young people, Biathlon Canada will:

- a) Not require the young person to obtain a VSC or E-PIC; and
 - b) In lieu of obtaining a VSC or E-PIC, require the young person to submit up to two (2) additional letters of reference.
19. Notwithstanding the above, Biathlon Canada may ask a young person to obtain a VSC or E-PIC if the organization suspects the young person has an adult conviction and therefore has a criminal record. In these circumstances, the organization will be clear in its request that it is not asking for the young person's *youth record*. Biathlon Canada understands that they may not request to see a young person's youth record.

Renewal

20. Unless the Screening Committee determines, on a case-by-case basis, to modify the submission requirements, individuals who are required to submit an E-PIC, Screening Disclosure Form, or Screening Renewal Form, are required to submit the documents as follows:
- a) An E-PIC every two years
 - b) A Screening Disclosure Form every two years
 - c) A Screening Renewal Form (**Appendix D**) every year
 - d) A Vulnerable Sector Check once
21. At any time, including after either the submission of an individual's application or its approval (with or without conditions), the Screening Committee may re-open an individual's file for additional screening if it is advised of new information that, in the discretion of Biathlon Canada, could affect the assessment of the individual's suitability for participation in the programs or activities of Biathlon Canada, or the individual's interactions with other individuals involved with Biathlon Canada.

Orientation, Training, and Monitoring

22. The type and amount of orientation, training, and monitoring will be based on the individual's level of risk, at the discretion of Biathlon Canada.
23. Orientation may include, but is not limited to: introductory presentations, facility tours, equipment demonstrations, parent/Athlete meetings, meetings with colleagues and supervisors, orientation manuals, orientation sessions, and increased supervision during initial tasks or initial period of engagement.
24. Training may include, but is not limited to: certification courses, online learning, mentoring, workshop sessions, webinars, on-site demonstrations, and peer feedback.

25. At the conclusion of orientation and training, the individual will be required to acknowledge, in written form, that they have received and completed the orientation and training (**Appendix E**).
26. Monitoring may include but is not limited to: written or oral reports, observations, tracking, electronic surveillance (e.g., facility security cameras), and site visits.

How to Obtain an E-PIC or VSC

27. Biathlon Canada has joined the Coaching Association of Canada's Responsible Coaching Movement and therefore has access to the E-PIC at a discounted rate. Participants can obtain an E-PIC via https://www.sterlingtalentsolutions.ca/landing-pages/c/cac_ace/
28. Biathlon Canada, Biathlon Ontario, and Ontario-based Clubs understand that the *Police Record Checks Reform Act, 2015* requires the individual to consent in writing before requesting a criminal record check (such as an E-PIC). The Act also requires the individual to consent in writing for any disclosure of the results to the requesting organization.
29. For Biathlon BC, BC-based Clubs, and individuals located in BC understand that the process for obtaining a Criminal Record Check is different than in other provinces and territories and that sections of this policy relating to obtaining a Criminal Record Check may not apply. In such cases, the Screening Committee will provide Participants with directions pursuant to the following website: <https://www.viasport.ca/free-criminal-records-checks>
30. Participants may only obtain a VSC by visiting an RCMP office or police station, submitting two pieces of government-issued identification (one of which must have a photo), and completing any required paperwork. Fees may also be required.
31. Fingerprinting may be required if there is a positive match with the individual's gender and birth date.
32. Biathlon Canada understands that they may be required to assist an individual with obtaining a VSC. A Request for VSC (**Appendix E**) may need to be submitted or other documentation may need to be completed that describes the nature of the organization and the individual's role with Vulnerable Participants.

Procedure

33. Screening documents must be submitted to the Screening Committee [screening@biathloncanada.ca].
34. An individual who refuses or fails to provide the necessary screening documents will be ineligible to volunteer or apply for the position sought. The individual will be informed that their application and/or position will not proceed until such time as the screening documents are submitted.
35. Biathlon Canada understands that there may be delays in receiving the results of an E-PIC or a VSC.

At the discretion of Biathlon Canada, an individual may be permitted to participate in the role during the delay. This permission may be withdrawn at any time and for any reason.

36. Biathlon Canada recognizes that different information will be available depending on the type of screening document that the individual has submitted. For example, an E-PIC may show details of a specific offense, or not, and/or a VSC may be returned with specific information or simply a notification indicating 'cleared' or 'not cleared'. The Screening Committee will use its expertise and discretion when making decisions based on the screening documents that have been submitted.
37. Following the review of the screening documents, the Screening Committee will decide:
 - a) The individual has passed screening and may participate in the desired position;
 - b) The individual has passed screening and may participate in the desired position with conditions;
 - c) The individual has not passed screening and may not participate in the desired position; or
 - d) More information is required from the individual.
38. In making its decision, the Screening Committee will consider the type of offense, date of offense, and relevance of the offense to the position sought.
39. The Screening Committee may decide that an individual has not passed screening if the screening documentation reveals any of the following:
 - a) If imposed in the last ten years:
 - i. Any offense involving the use of a motor vehicle, including but not limited to impaired driving
 - ii. Any offense involving conduct against public morals
 - iii. Any offense involving theft or fraud
 - b) If imposed at any time:
 - i. Any offense involving a Minor or Minors
 - ii. Any offense of assault, physical or psychological violence
 - iii. Any offense involving trafficking or possession of illegal drugs
 - iv. Any offense involving the possession, distribution, or sale of any child-related pornography
 - v. Any sexual offense

Conditions and Monitoring

40. Excluding the incidents above which, if revealed, would cause the individual to not pass screening, the Screening Committee may determine that incidents revealed on an individual’s screening documents may allow the individual to pass the screening process and participate in a desired position with *conditions* imposed. The Screening Committee shall have the sole and unfettered discretion to apply and remove conditions, determine the length of time for the imposition of conditions, and determine the means by which adherence to conditions may be monitored.

Records

41. All records will be maintained in a confidential manner and will not be disclosed to others except as required by law, for use in legal, quasi-legal, or disciplinary proceedings.
42. The records kept as part of the screening process include but are not limited to:
- a) An individual’s Vulnerable Sector Check
 - b) An individual’s E-PIC (for a period of three years)
 - c) An individual’s Screening Disclosure Form (for a period of three years)
 - d) An individual’s Screening Renewal Form (for a period of one year)
 - e) Records of any conditions attached to an individual’s registration by the Screening Committee
 - f) Records of any discipline applied to any individual by Biathlon Canada or by another sport organization

Policy History	
Approved	February 13, 2023
Next Review Date	March 15, 2025

Appendix A – Screening Requirements Matrix

Risk Level	Roles (Note Young People Exception Below)	Training Recommended/Required	Screening
Level 1 Low Risk	a) Parents, youth or volunteers acting in non-regular or informal basis	Consult Biathlon Canada Safe Sport Policy, section 12, Training.	<ul style="list-style-type: none"> Complete an Application Form (Appendix B) Complete a Screening Disclosure Form (Appendix C) Participate in training, orientation, and monitoring as determined by the organization
Level 2 Medium Risk	a) Non-coach employees or managers b) Directors c) Wax technicians who are typically under the supervision of another coach or technician d) Coaches who are typically under supervision of another coach. e) Officials: Technical Delegate	Consult Biathlon Canada Safe Sport Policy, section 12, Training.	<ul style="list-style-type: none"> Level 1 Requirements Complete and provide an E-PIC At least one reference provided. Provide a driver's abstract, if requested
Level 3	a) Head Coaches	Consult Biathlon Canada Safe Sport	<ul style="list-style-type: none"> Level 2 Requirements Provide a VSC

High Risk	b) Athlete support personnel c) Coaches who travel with Athletes d) Head wax technician e) Coaches who could be alone with Athletes	Policy, section 12, Training.	<ul style="list-style-type: none"> At least two references provided.
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Young People

Biathlon Canada defines a young person as someone who is younger than 18 years old. Anyone under 18 years old should be under the supervision of an appropriately screened individual over the age of 18. When screening young people, Biathlon Canada will:

- Not require the young person to obtain a VSC or E-PIC; and
- In lieu of obtaining a VSC or E-PIC, require the young person to submit up to two (2) additional references.

Appendix B – Application Form

Note: Participants who are applying to volunteer or work within certain positions with Biathlon Canada must complete this Application Form. Participants need to complete an Application Form once for the position sought. If the individual is applying for a new position within Biathlon Canada a new Application Form must be submitted.

NAME:

First Middle Last

CURRENT PERMANENT ADDRESS:

Street City Province Postal

DATE OF BIRTH: _____ **GENDER IDENTITY:** _____
Month/Day/Year

EMAIL: _____ **PHONE:** _____

POSITION SOUGHT: _____

By signing this document below, I agree to adhere to the policies and procedures of Biathlon Canada, including but not limited to the *Code of Conduct and Ethics*, *Conflict of Interest Policy*, *Privacy Policy*, and *Screening Policy*. Policies are located at the following link:
<http://biathloncanada.ca/policies-procedures-and-guidelines/>

I recognize that I must pass certain screening requirements depending on the position sought, as outlined in the *Screening Policy*, and that the Screening Committee will determine my eligibility to volunteer or work in the position.

NAME (print): _____ **DATE:** _____

SIGNATURE: _____

Appendix C – Screening Disclosure Form

NAME:

First Middle Last

OTHER NAMES YOU HAVE USED: _____

CURRENT PERMANENT ADDRESS:

Street City Province Postal

DATE OF BIRTH: _____ **GENDER IDENTITY:** _____

Month/Day/Year

CLUB (if applicable): _____ **EMAIL:** _____

Note: Failure to disclose truthful information below may be considered an intentional omission and the loss of volunteer responsibilities or other privileges

1. Have you been convicted of a crime? If so, please complete the following information for each conviction. Attach additional pages as necessary.

Name or Type of Offense: _____

Name and Jurisdiction of Court/Tribunal: _____

Year Convicted: _____

Penalty or Punishment Imposed: _____

Further Explanation: _____

2. Have you ever been disciplined or sanctioned by a sport governing body or by an independent body (e.g., private tribunal, government agency, etc.) or dismissed from a coaching or volunteer position? If so, please complete the following information for each disciplinary action or sanction. Attach additional pages as necessary.

Name of disciplining or sanctioning body: _____

Date of discipline, sanction or dismissal: _____

Reasons for discipline, sanction or dismissal: _____

Penalty or Punishment Imposed: _____

Further Explanation: _____

3. Are criminal charges or any other sanctions, including those from a sport body, private tribunal or government agency, currently pending or threatened against you? If so, please complete the following information for each pending charge or sanction. Attach additional pages as necessary.

Name or Type of Offense: _____

Name and Jurisdiction of Court/Tribunal: _____

Name of disciplining or sanctioning body: _____

Further Explanation: _____

PRIVACY STATEMENT

By completing and submitting this Screening Disclosure Form, I consent and authorize Biathlon Canada to collect, use and disclose my personal information, including all information provided on the Screening Disclosure Form as well as my Enhanced Police Information Check and/or Vulnerable Sector Check (when permitted by law) for the purposes of screening, implementation of the *Screening Policy*, administering membership services, and communicating with National Sport Organizations, Provincial/Territorial Divisions, Clubs, and other organizations involved in the governance of sport. Biathlon Canada does not distribute personal information for commercial purposes.

CERTIFICATION

I hereby certify that the information contained in this Screening Disclosure Form is accurate, correct, truthful and complete.

I further certify that I will immediately inform Biathlon Canada of any changes in circumstances that would alter my original responses to this Screening Disclosure Form. Failure to do so may result in the withdrawal of volunteer responsibilities or other privileges and/or disciplinary action.

NAME (print): _____

DATE: _____

SIGNATURE: _____

Appendix D – Screening Renewal Form

NAME:

First	Middle	Last
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CURRENT PERMANENT ADDRESS:

Street	City	Province	Postal
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DATE OF BIRTH: _____ **GENDER IDENTITY:** _____
Month/Day/Year

EMAIL: _____ **PHONE:** _____

By signing this document below, I certify that there have been no changes to my criminal record since I last submitted an Enhanced Police Information Check and/or Vulnerable Sector Check and/or Screening Disclosure Form and/or Driver's Abstract ("Personal Document") to Biathlon Canada. I further certify that there are no outstanding charges and warrants, judicial orders, peace bonds, probation or prohibition orders, or applicable non-conviction information, and there have been no absolute and conditional discharges.

I agree that any Personal Document that I would obtain or submit on the date indicated below would be no different than the last Personal Document that I submitted to Biathlon Canada. I understand that if there have been any changes, or if I suspect that there have been any changes, it is my responsibility to obtain and submit a new Personal Document to Biathlon Canada's Screening Committee instead of this form.

I recognize that if there have been changes to the results available from any Personal Document and if I submit this form improperly, then I am subject to disciplinary action and/or the removal of volunteer responsibilities or other privileges at the discretion of the Screening Committee.

NAME (print): _____ **DATE:** _____

SIGNATURE: _____

Appendix E – Orientation and Training Acknowledgement Form

1. I have the following role(s) with Biathlon Canada (circle as many as apply):

Parent / Guardian

Coach

Director / Volunteer

Athlete

Official

Committee Member

2. As an individual affiliated with Biathlon Canada, I acknowledge I have received completed the following orientation and training:

Name of Training or Orientation:

Instructor: _____ Date Completed:

Name of Training or Orientation:

Instructor: _____ Date Completed:

Name of Training or Orientation:

Instructor: _____ Date Completed:

Name

Signature

Date

Appendix F – Request For Vulnerable Sector Check

Note: This letter must be modified to adhere to any requirements from the VSC provider

INTRODUCTION

Biathlon Canada is requesting a Vulnerable Sector Check for _____ [insert individual's full name] who identifies as a _____ [insert gender identity] and who was born on _____ [insert birthdate].

DESCRIPTION OF ORGANIZATION

Biathlon Canada is a not-for-profit national organization for the sport of biathlon located in Canmore, Alberta, Canada.

[Insert additional description of Organization]

DESCRIPTION OF ROLE

_____ [insert individual's name] will be acting as a _____ [insert individual's role]. In this role, the individual will have access to vulnerable individuals.

[Insert additional information re: type and number of vulnerable individuals, frequency of access, etc.]

CONTACT INFORMATION

If more information is required from Biathlon Canada, please contact the Screening Committee: screening@biathloncanada.ca

Signed: _____ Date: _____

WHISTLEBLOWER POLICY

Purpose

1. The purpose of this Policy is to allow Workers to have a discrete and safe procedure by which they can disclose incidents of wrongdoing in the workplace without fear of unfair treatment or reprisal.

Application

2. This Policy only applies to Workers who observe or experience incidents of wrongdoing committed by Directors or by other Workers.
3. Incidents of wrongdoing or misconduct observed or experienced by participants, volunteers, spectators, parents of participants, or other individuals not employed or contracted by Biathlon Canada can be reported under the terms of the *Discipline and Complaints Policy* and/or reported to the applicable organization's Board of Directors or senior staff person to be handled under the terms of the individual Worker's Employment Agreement or Contractor Agreement, as applicable, and/or the applicable organization's policies for human resources.
4. Matters reported under the terms of this Policy may be referred to be heard under the *Discipline and Complaints Policy*, at the discretion of the Compliance Officer.
5. Any violation of this Policy that may be considered "Prohibited Behaviour" or "Maltreatment" (as defined in the UCCMS) when the Respondent is an Organizational Participant who has been designated by Biathlon Canada as a UCCMS Participant (as defined in the *Discipline and Complaints Policy*), will be handled pursuant to the policies and procedures of the Office of the Sport Integrity Commissioner ("OSIC"), subject to the rights of Biathlon Canada as set out in the *Discipline and Complaints Policy* and any applicable workplace policies.

Wrongdoing

6. Wrongdoing can be defined as:
 - a) Violating the law;
 - b) Intentionally or seriously breaching of the *Code of Conduct and Ethics*;
 - c) Committing or ignoring risks to the life, health, or safety of a participant, volunteer, Worker, or other individual;
 - d) Directing an individual or Worker to commit a crime, serious breach of a policy, or other wrongful act; or
 - e) Fraud.

Pledge

7. Biathlon Canada pledges not to dismiss, penalize, discipline, or retaliate or discriminate against any Worker who discloses information or submits, in good faith, a report against a Worker or Director under the terms of this Policy.
8. Any individual affiliated with Biathlon Canada who breaks this Pledge will be subject to disciplinary action.

Reporting Wrongdoing

9. A Worker who believes that a Director or another Worker has committed an incident of wrongdoing should prepare a report that includes the following:
 - a) Written description of the act or actions that comprise the alleged wrongdoing, including the date and time of the action(s);
 - b) Identities and roles of other individuals or Workers (if any) who may be aware of, affected by, or complicit in, the wrongdoing;
 - c) Why the act or action should be considered to be wrongdoing; and
 - d) How the wrongdoing affects the Worker submitting the report (if applicable).

Authority

10. **Biathlon Canada has appointed the Chair of the Human Resource and Compensation Committee as Compliance Officer** to receive reports made under this Policy:

Gail Niinimaa: niinimaa@nucleus.com

After receiving the report, the Compliance Officer has the responsibility to:

- a) Assure the Worker of the **Pledge**
- b) Connect the Worker to the Alternate Liaison if the individual feels that they cannot act in an unbiased or discrete manner due to the individual's role with the organization and/or the content of the report
- c) Determine if the report is frivolous, vexatious, or not submitted in good faith (e.g., the submission of the report is motivated by personal interests and/or the content of the report is obviously false or malicious) and, if so, inform the Worker that no action will be taken on the report and the reasons why the report has been considered frivolous, vexatious, or not in good faith

- d) Determine if the *Whistleblower Policy* applies or if the matter should be handled under the *Discipline and Complaints Policy*
- e) Determine if the local police service be contacted
- f) Determine if mediation or alternative dispute resolution can be used to resolve the issue
- g) Determine if the applicable organization's Chairperson and/or senior staff person should or can be notified of the report
- h) Begin an investigation

Alternate Liaison

11. If the Worker feels that the Compliance Officer is unable to act in an unbiased or discrete manner due to the individual's role with the applicable organization and/or the content of the report, the Worker should contact the following individual who will act as an independent liaison between the Worker and the Compliance Officer:

Laurie Ehrman
laurie@ewcsport.com

12. The Alternate Liaison will not disclose the Worker's identity to the Compliance Officer or to anyone affiliated with the applicable organization without the Worker's consent.
13. A Worker who is unsure if they should submit a report, or who does not want to have their identity known, may contact the Alternate Liaison for informal advice about the process.

Investigation

14. If the Compliance Officer determines that an investigation should be launched, the Compliance Officer may decide to contract an external investigator. In such cases, Biathlon Canada's Chairperson and/or senior staff person may be notified that an investigation conducted by an external investigator is necessary without the nature of the investigation, content of the report, or identity of the Worker who submitted the report being disclosed. Biathlon Canada's Chairperson and/or senior staff person may not unreasonably refuse the decision to contract an external investigator.
15. An investigation launched by the Compliance Officer or by an external investigator should generally take the following form:
 - a) Follow-up interview with the Worker who submitted the report
 - b) Identification of Workers, participants, volunteers or other individuals that may have been affected by the wrongdoing

- c) Interviews with such-affected individuals
 - d) Interview with the Director(s) or Worker(s) against whom the report was submitted
 - e) Interview with the supervisor(s) of the Worker(s) against whom the report was submitted, if applicable
16. The investigator will prepare an Investigator's Report – omitting names whenever possible and striving to ensure confidentiality – that will be submitted to the applicable organization's Chairperson and/or senior staff person for review and action.

Decision

17. Within fourteen (14) days after receiving the Investigator's Report, the applicable organization's Chairperson and/or senior staff person will take corrective action, as required. Corrective action may include, but is not limited to including:
- a) Enacting and/or enforcing policies and procedures aimed at eliminating the wrongdoing or further opportunities for wrongdoing;
 - b) Revision of job descriptions; or
 - c) Discipline, suspension, termination, or other action as permitted by the applicable organization's By-laws, provincial/territorial employment legislation, applicable policies for human resources, and/or the Worker's Employment Agreement or Contractor Agreement.
18. The corrective action, if any, will be communicated to the investigator who will then inform the Worker who submitted the report.
19. Decisions made under the terms of this Policy may be appealed under the terms of the *Appeal Policy* provided that:
- a) If the Worker who submitted the initial report is appealing the decision, the Worker understands that their identity must be revealed if they submit an appeal, and
 - b) If the Director or Worker against whom the initial report was submitted is appealing the decision, the Worker or Director understands that the identity of the Worker who submitted the report will not be revealed and that the applicable organization will act as the Respondent

Confidentiality

20. Confidentiality at all stages of the procedures outlined in this Policy – from the initial report to the final decision – is assured for all individuals (the Worker, the Worker(s), or Director(s) against whom

the report is submitted, and the individuals interviewed during the investigation). An individual who intentionally breaches the confidentiality clause of this Policy will be subject to disciplinary action.

21. In all stages of the investigation, the investigator will take every precaution to protect the identity of the Worker who submitted the report and/or the specific nature of the report itself. However, Biathlon Canada recognizes that there are some instances where the nature of the report and/or the identity of the Worker who submitted the report will or may be inadvertently deduced by individuals participating in the investigation.

Policy History	
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RISK MANAGEMENT POLICY

Preamble

1. Biathlon Canada is committed to managing risks by ensuring its decisions and actions reflect established standards and organizational values.

Purpose

2. The purpose of this Policy is to provide a guiding statement on how risks will be managed. In general, Biathlon Canada views risk management as a comprehensive approach to improving organizational performance.
3. This Policy has other purposes, namely:
 - a) Reinforcing an understanding of risk management as having a broad focus, beyond merely preventing lawsuits and financial losses
 - b) Performing an educational function for staff and the Board
 - c) Over the longer term, contributing to enhancing a 'risk management culture' within Biathlon Canada
4. Ultimately, successful risk management has the following benefits:
 - a) Prevents or limits injury or losses to participants, volunteers and staff
 - b) Helps to protect Biathlon Canada against unnecessary litigation
 - c) Ensures that Biathlon Canada are compliant with all applicable laws, regulations and standards
 - d) Improves the quality and relevance of the programs and services that Biathlon Canada provide to its participants/registrants, partners and sponsors
 - e) Promotes improved business management and human resource management practices
 - f) Enhances the brand, reputation and image of Biathlon Canada in the community
 - g) Overall, enhances the ability of Biathlon Canada to achieve their strategic objectives

Principles

5. The International Standard Organization (ISO 31000:2009E) risk management principles are:

- a) Risk management creates and protects value
- b) Risk management is an integral part of all organizational processes
- c) Risk management is part of decision making
- d) Risk management explicitly addresses uncertainty
- e) Risk management is systematic, structures and timely
- f) Risk management is based on the best available information
- g) Risk management is tailored
- h) Risk management considers human and cultural factors into account
- i) Risk management is transparent and inclusive
- j) Risk management is dynamic, iterative and responsive to change
- k) Risk management facilitates continual improvement of the organization

Scope and Authority – Risk Manager

6. The Chair of the Finance and Audit Committee is the designated Risk Manager for Biathlon Canada and is responsible for the implementation, maintenance, and communication of this policy. This policy applies to all decisions and activities undertaken on behalf of Biathlon Canada.

Policy

7. Biathlon Canada makes the following commitments:
 - a) Activities and events will incorporate the principles of risk management
 - b) Systematic and explicit steps will be taken to identify, assess, manage and communicate risks facing the organization in a timely fashion
 - c) Risk mitigation strategies will be reasonable and will reflect the reasonable standard of care in any circumstance (where standard of care is determined by written/published standards, industry practices, established case law precedent, and common sense)
8. Biathlon Canada acknowledges that risk management is a broad activity and a shared responsibility. All Directors, Officers, staff, and volunteers have an ongoing responsibility to take appropriate measures within their scope of authority and responsibility to identify, assess, manage and communicate risks to those that they report to including but not limited to, the Risk Manager.

Risk Tolerance

9. The 'significance of a risk' refers to the combined ranking of the possibility/likelihood of a risk occurring and the consequence should it occur.

10. Possibility (P)

- a) Unlikely – less likely to happen than not; occurs every 5 years
- b) Possible – just as likely to happen as not; occurs once every year
- c) Probably – more likely to happen than not; occurs once a month
- d) Almost certain – sure to happen; occurs once a week

11. Consequence (C)

- a) Minor – will have an impact on the achievement of the objective that can be dealt with through small internal adjustments
- b) Moderate – will have an impact on some aspect of the achievement of the objective that will require changes to strategy or program delivery that may require a delay or increase in cost
- c) Serious – will significantly impact the achievement of the objective and require additional time, resources, costs, and thought
- d) Catastrophic – will have a debilitating impact on the achievement of the objective; staff and board need to devote full time resources to managing the situation

Commitment

12. Risks are identified by Directors and staff on an ongoing basis. All Minor-to-Moderate risks are managed by the Risk Manager and captured within program documents.

13. Risks that arise and considered to be Serious to Catastrophic are treated as follows:

- a) If a **Serious** is identified, it must be communicated to the Chairperson or senior staff person within 24 of the risk being identified. The individual will take all reasonable measures to manage the risk including, but not limited to, seeking the advice from other Board members, consulting external experts, etc. Once the individual feels that the risk has been managed or is in the process of being resolved, the Board will be advised using the most appropriate communications, which depending on the nature of the risk, may include an issue document, sharing at the next meeting, or calling a separate Board meeting to keep the Board informed.

- b) If a **Catastrophic** risk has been identified, the President must be contacted immediately. The Chairperson and senior staff person will determine the most appropriate action and if appropriate, may organize a Board meeting within 48 of the risk arising. It is understood that factors may arise that prevent this from happening including time zone, availability, nature of the risk, etc. All reasonable efforts will be made to manage the risk as it occurs, taking the necessary measures including, not to limited to, seeking the advice from internal partners, other Board members and external experts.

Procedures

14. Managing risks involves three steps:

- a) Identifying potential risks using an informed, environmental scan approach
- b) Assessing the significance of a risk by considering its likelihood and consequences
- c) Developing and implementing measures to address those risks deemed significant by reducing likelihood, consequences or both

15. Risks arise from several categories of the operations of Biathlon Canada. The following categories will be used when identifying risks:

- a) **Operational / Program Risks**

Risks related to the development, sanctioning, and implementation of programs; management of human resources, including staff and volunteers; organizational capacity to meet member and stakeholder expectations.

Technology and intellectual property risks related to the purchase, leasing, use, and storage of all hardware and software, programs, data, records, information including the protection of all intellectual property assets.

- b) **Compliance Risks**

Risks related to failure to comply with existing laws and regulations governing employment, privacy, and workplace safety. Also includes complying with anti-doping policies, Sport Canada, other agency standards for funding and accountability, and the fulfillment of contractual obligations.

- c) **Communication Risks**

Risks related to internal and external communications, information management systems, crisis and issues management, media relations, image and reputation management, missed opportunities to promote and exploit successful outcomes, management of intellectual property, social media opportunities and pitfalls, confidentiality.

d) **External Risks**

Risks that are not in direct control of the organization such as funding frameworks from government and other agencies; relations with governments, games organizations and international federations; security threats/risks, involvement in other sport partnerships; hosting decisions and requirements; changing political priorities.

e) **Governance Risks**

Risks related to clarity of roles and responsibilities, decision-making and oversight, organizational structure and performance; management of disputes and conflict of interest, planning for diversity and succession of the Board and committees, retention of corporate knowledge, staying current with trends affecting Biathlon Canada.

f) **Financial Risks**

Risks related to financial monitoring and reporting, flexibility to control and direct funds, sponsorship attraction and retention, currency exchange rates, investment and management of reserve funds, protection of revenue streams, long-term financial sustainability.

g) **Health and Safety of Athletes**

Risks related to the safety of athletes, abuse and/or harassment of athletes, practice or competition environment, equipment, and progressive training of athletes.

16. All risks faced by Biathlon Canada can be addressed by one or more of the following four general strategies:

- a) **Retain** the risk – no action is taken because the possibility and consequence of the risk is low. It may also be that the risk is inherent in the activity itself and thus can be accepted in its present form.
- b) **Reduce** the risk – steps are taken to reduce the possibility of the risk, and/or its potential consequences, through efforts such as improved planning, policies, delivery, supervision, monitoring, or education.
- c) **Transfer** the risk – accept the level of risk but transfer some or all of it to others through the use of insurance, waiver of liability agreements or other business contracts.
- d) **Avoid** the risk – eliminate the risk by avoiding the activity giving rise to the risk – in other words, simply decide NOT to do something, or to eliminate some activity or initiative.

17. The above general strategies translate into a variety of risk control measures, which for Biathlon Canada may include, but are not limited to:

- a) Development of policies, procedures, standards and rules
- b) Effective communication
- c) Education, instruction, professional development and specialized training
- d) Ensuring a core set of organizational values have been identified, defined and communicated throughout the organization
- e) Adherence to minimum, mandatory qualifications and/or certifications for key staff and leaders
- f) Use of robust and legally sound contracts (i.e., employment agreements, contractor agreements, partnership agreements)
- g) Improving role clarity through use of written position descriptions and committee terms of reference
- h) Supervision and monitoring of staff, volunteers, participants and activities
- i) Establishing and communicating procedures to handle concerns, complaints and disputes
- j) Implementing schedules for regular review, maintenance, repair and replacement of equipment
- k) Preparing procedures and protocols for emergency response and crisis management
- l) Use of warnings, signage, participation agreements and waiver of liability agreements where warranted
- m) Purchasing appropriate insurance coverage for all activities and reviewing regularly

Reporting and Communication

18. To ensure that risk management remains a high priority within Biathlon Canada and to promote an organizational culture that embraces a risk management perspective, risk management will be a standing item on the agenda of every regular Board meeting, so that staff (if applicable) and Directors can provide updates as required.
19. Biathlon Canada recognizes that communication is an essential part of risk management. This policy will be communicated to staff, the Board of Directors, Committees and volunteers and Biathlon Canada will encourage all individuals to communicate their risk management issues and concerns.

Insurance

20. Biathlon Canada maintains a comprehensive insurance program that provides General Liability, Accident and Directors and Officers Errors and Omissions coverage to the directors, officers, staff, and members of Biathlon Canada. On every review of this policy, Biathlon Canada will consult with the insurance provider to determine if there are any emerging gaps, issues, or deficiencies to be addressed through insurance renewal. Not all risks are insurable. However, as part of its commitment to risk management, Biathlon Canada will take all reasonable steps to ensure that insurance coverage is available for essential activities.

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RECIPROCATION POLICY

Purpose

1. The purpose of this Policy is to ensure national enforcement and recognition of all disciplinary sanctions applied by Biathlon Canada, its Division, and Clubs.
2. Biathlon Canada recognizes the importance of safe sport for all participants in the sport of biathlon throughout the country.

Application

3. This Policy applies to Biathlon Canada, Divisions, and Clubs.

Responsibilities

4. Biathlon Canada will:
 - a) Provide copies of discipline and appeal decisions to all Divisions and to the Club(s) affected or impacted by the decision, including any sanctions imposed by the OSIC as permitted by the OSIC;
 - b) For discipline decisions provided to Biathlon Canada by a Division or Club, determine per the *Discipline and Complaints Policy* whether to initiate further action against the individual(s) named in the decision
 - c) Recognize and enforce the disciplinary sanctions imposed by a Division or Club
5. Divisions will:
 - a) Provide copies of discipline and appeal decisions involving Participants to Biathlon Canada and to the Club(s) affected or impacted by the decision
 - b) For discipline decisions provided to a Division or Club by Biathlon Canada, determine per its own policies whether to initiate further action against the individual(s) named in the decision
 - c) Recognize and enforce the disciplinary sanctions imposed by Biathlon Canada and/or a Club
 - d) Update their governing documents to reference the reciprocation procedures described herein
6. Clubs will:
 - a) Provide copies of discipline and appeal decisions involving Participants to Biathlon Canada and to the Division with which the Club is affiliated

- b) For discipline decisions provided to a Club by Biathlon Canada or by a Division or Club, determine per its own policies whether to initiate further action against the Participant(s) named in the decision
- c) Recognize and enforce the disciplinary sanctions imposed by Biathlon Canada and/or a Division or Club
- d) Update their governing documents to reference the reciprocity procedures described herein

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