# KINGSTON TENNIS CLUB (KTC)

## ABUSE & HARASSMENT POLICY

| Title<br>**Abuse & Harassment Policy** | Effective Date<br>**October 20, 2026** |
|---|---|
| | Supersedes<br>**June 15, 2016** |

### POLICY STATEMENT

The objective of this policy is to provide an environment that fosters mutual respect and working relationships free of abuse and harassment, as defined in this Policy as well as the Ontario *Occupational Health and Safety Act* and the Ontario *Human Rights Code. The Ontario Human Rights Code* prohibits harassment and discrimination, based on protected grounds – i.e. race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, record of offences, marital status, family status or disability).

The KTC prohibits and will not condone any form of abuse or neglect, whether physical, emotional or sexual, of any participant of any age in any of its programs. The KTC expects every employee and member to take all reasonable steps to safeguard the welfare of KTC participants and to protect them from any form of maltreatment. The KTC encourages the reporting of all incidents of abuse, regardless of who the offender may be.

Allegations of abuse or neglect will be dealt with in accordance with the KTC's complaint procedures as set out in this policy.

### SCOPE

This policy applies to all employees and members of the Kingston Tennis Club (KTC) as well as to all directors, officers, consultants, volunteers, coaches, athletes, contractors, and officials associated with specific KTC activities (collectively referred to in this policy as "members" of the KTC).

This policy applies to abuse occurring during the course or in conjunction with any KTC business, activities or events.

Notwithstanding this policy, every person who experiences abuse continues to have the right to seek assistance from the police, their provincial child protection authority, and their provincial human rights tribunal, even when steps are being taken under this policy.

### GUIDELINES

1. Abuse is any form of physical, emotional and/or sexual mistreatment or lack of care which causes physical injury or emotional damage. Abuse may be perpetrated by an adult or a child, and the victim may be an adult or a child.

2 Child abuse raises distinct issues and triggers unique legal obligations. A common characteristic of all forms of abuse against children and youth is an abuse of power or authority and/or breach of trust by an adult over a child. In Ontario, a person is considered a child, for purposes of triggering a legal obligation to report child abuse, if this person is under 18 years of age.

3 Physical abuse occurs when a person purposefully injures or threatens to injure another person. This may include slapping, hitting, shaking, kicking, pulling hair or ears, throwing, and shoving, grabbing, hazing or excessive exercise as a form of punishment.

4 Emotional abuse is a repeated attack on a person's self-esteem. It is psychologically harmful behaviour. It can take the form of, among other things, name-calling, threatening, ridiculing, berating, intimidating, isolating, hazing or ignoring the person's needs.

5 Sexual abuse is when a person, without their consent, is used by another person for his or her own sexual stimulation or gratification. Children under 14 are deemed not to consent to sexual touching by an adult. Children under 18 are deemed not to consent to sexual activity by an adult who is in a position of authority or trust. There are different types of sexual abuse, some of which involve physical contact, and some of which do not. Sexual abuse that does not involve physical contact includes making obscene remarks, voyeurism, showing pornography, forcing a person to watch sexual acts, asking sexually intrusive questions or making sexually intrusive comments, and forcing a person to pose for sexual photographs or videos.

6 Neglect is repeated inattention to the basic necessities of life such as clothing, shelter, nutritious diets, education, good hygiene, supervision, medical and dental care, adequate rest, safe environment, moral guidance and discipline, exercise and fresh air. This may occur in tennis when injuries are not adequately treated or players are made to play with injuries, equipment is inadequate or unsafe, no one intervenes when team members are persistently harassing another player, or road trips are not properly supervised.

7 Abuse and neglect may be inflicted directly or indirectly, and through any means of communication, including through electronic communications.

## RESPONSIBILITY

1. The KTC President. the KTC Abuse & Harassment Officer, and Reporting Contacts are responsible for the implementation of this policy. In addition, they are responsible for:

    - ensuring that the Board appoints a **KTC Abuse & Harassment Officer**, herein referred to in this document as "**Officer**";
    - discouraging and dealing with abuse within the KTC;
    - ensuring that formal complaints of abuse are investigated in a sensitive, responsible, and timely manner;
    - imposing appropriate disciplinary or corrective measures when a complaint of abuse has been substantiated, regardless of the position or authority of the offender;
    - providing advice to persons who experience abuse;
    - doing all in their power to support and assist any employee or member of the KTC who experiences abuse by someone who is not an employee or member of the KTC;
    - making all employees and members of the KTC aware of the problem of abuse, including, sexual abuse, and of the procedures contained in this policy;
    - informing both complainants and respondents of the procedures contained in this policy; and
    - regularly reviewing the terms of this policy to ensure that they adequately meet the organization's legal obligations and public policy objectives.

2. Every employee and member of the KTC has a responsibility to play a part in ensuring that the KTC sport environment is free from abuse, by complying with this Policy.

3. Employees or members of the KTC against whom a complaint of abuse is substantiated may be severely disciplined, up to and including employment dismissal or termination of membership.

## CONFIDENTIALITY

1. The KTC understands that it can be extremely difficult to come forward with a complaint of abuse and that it can be devastating to be wrongly convicted of abuse. The KTC recognizes the interests of both the complainant and the respondent in keeping the matter confidential.

2. However, abuse allegations must be dealt with in a forthright and fair manner. This includes an obligation to share relevant information with child protection authorities and police, and to be fair to the alleged abuser by providing sufficient information about the allegation that concerns them to enable them to respond properly. In many cases, this will mean that anonymity is not feasible or fair. However, employees and members can be assured that the KTC will take all possible steps to preserve confidentiality to the extent reasonably possible. Where information pertaining to allegations is disseminated, the status of the allegations as being allegations only should be articulated.

## REPRISALS AND FALSE ALLEGATIONS

1. Retaliation against an individual for having filed a complaint or for having participated in any procedure under this policy will not be tolerated and will be treated as a disciplinary offence.

2. The making of false, frivolous or malicious allegations of abuse by another person will likewise be treated as a disciplinary offence.

## REFERENCE POLICIES

N/A

# KINGSTON TENNIS CLUB (KTC)

## REPORTING CONTACTS (Also see chart at end of policy)

1. An incident or a complaint of abuse under this Policy, which includes discrimination or harassment, should be reported as set out below, as soon as possible after experiencing or witnessing an incident:

   (a) If the incident/complaint involves staff (employees, volunteers, contractors):

   - the incident or complaint should be reported to the Club Manager; or
   - if the Club Manager is the person engaging the misconduct, the incident or complaint should be reported to the Abuse & Harassment Officer.

   (b) If the incident/complaint involves any member of the Board of Directors:

   - the incident or complaint should be reported to Abuse & Harassment Officer; or
   - if the Abuse & Harassment Officer is the person engaging the misconduct, the incident or complaint should be reported to the President.

   (c) If the incident/complaint involves a member or visitor:

   - the incident or complaint should be reported to the Club Manager;

   (d) The Club Manager should report any incident/complaint to the Abuse & Harassment Officer.

   (e) The Abuse & Harassment Officer should report an incident or complaint to the President.

6. There are four possible outcomes to this initial meeting of complainant and the Reporting Contact.

*a) The complainant and Reporting Contact agree that the conduct does not constitute harassment.*

- If this occurs, the Reporting Contact will take no further action and will make no written record.

*b) The complainant brings evidence of harassment and chooses to pursue an informal resolution of the complaint.*

- If this occurs, the Reporting Contact will assist the two parties to negotiate a solution acceptable to the complaint, or may assist the complainant with informal means of resolving the complaint. If desired by the parties and if appropriate, the Reporting Contact may also seek the assistance of a neutral mediator.
- If an informal resolution yields a result, which is acceptable to both parties, the Reporting Contact will make a written record that a complaint was made and was resolved informally to the satisfaction of both parties, and will take no further action.
- If informal resolution fails to satisfy the complaint, the complainant may reserve the option of laying a written complaint.
  - If an informal resolution is not achieved, and the complainant does not file a written complaint, a record of his or her dealings with the Reporting Contact will be kept by the Reporting Contact. Such record will be confidential.

c) *The complainant brings evidence of harassment and decides to lay a written complaint.*

- If this occurs, the Reporting Contact will assist the complainant in drafting a written complaint, to be signed by the complainant, and a copy given to the respondent without delay. The written complaint should set out the details of the incident(s), the names of any witnesses to the incident(s), and should be dated and signed.
- The respondent will be given an opportunity to provide a written response to the complaint. The Reporting Contact may assist the respondent in preparing this response.

d) *The complainant brings evidence of harassment but does not wish to lay a formal complaint.*

- If this occurs, the Reporting Contact must decide if pursuing further the alleged harassment is serious enough to warrant laying a written complaint, even if it is against the wishes of the complainant.
- When the Reporting Contact decides that the evidence and surrounding circumstances require a written complaint, the Reporting Contact will issue a written complaint and, without delay, provide copies of the complaint to both the complainant and the respondent. In such cases, the procedures in below shall apply.

## Investigation Procedure

(**NOTE:** Timelines given are to be considered the maximum allowable, every effort should be made to act as soon as possible)

7. As soon as reasonably possible after receiving the written complaint, but in any case, within 21 days, the Reporting Contact shall submit a report to the President, containing the documentation filed by both parties along with a recommendation (and reasons for the recommendation) that:

- No further action be taken because the complaint is unfounded or the conduct cannot reasonably be said to fall within this policy's definition of abuse or harassment; or the complaint should be investigated further.
- A copy of this report shall be provided and reviewed without delay, to both the complainant and the respondent

8. The KTC will ensure that an investigation appropriate in the circumstances is conducted when a complaint is received.

9. The KTC will determine who will conduct the investigation into the incident or complaint. The KTC reserves the right to refer the investigation to an external investigator to conduct an impartial investigation.

10. The investigation must be completed in a timely manner and generally within 60 days or less unless there are extenuating circumstances (i.e. illness, complex investigation) warranting a longer investigation.

11. The person conducting the investigation whether internal or external to the workplace will, at minimum, complete the following:

(a) The investigator must ensure the investigation is kept confidential and identifying information is not disclosed unless necessary to conduct the investigation. The investigator should remind the parties of this confidentiality obligation at the beginning of the investigation.

(b) The investigator should interview the individual who allegedly experienced the misconduct and the alleged abuser(s)/harasser(s). If the accused is not a worker, the investigator should make reasonable efforts to interview the accused.

(c) The accused must be given the opportunity to respond to the specific allegations raised by the complainant. In some circumstances, the complainant should be given a reasonable opportunity to reply.

(d) The investigator should interview any relevant witnesses employed by the employer who may be identified by either the complainant, the accused or as necessary to conduct a thorough investigation. The investigator must make reasonable efforts to interview any relevant witnesses who are not employed by the employer if there are any identified.

(e) The investigator must collect and review any relevant documents.

(f) The investigator must take appropriate notes and statements during interviews with the complainant, the accused and any witnesses.

(g) The investigator must prepare a written report summarizing the steps taken during the investigation, the complaint, the allegations of the complainant, the response from the accused, the evidence of any witnesses, and the evidence gathered. The report must set out findings of fact and come to a conclusion about whether abuse/ harassment was found or not.

(h) If the investigator determines that the allegations of abuse or harassment are vexatious, or retaliatory, their report may recommend disciplinary action against the complainant.

12. A copy of the report of the investigator shall be provided, without delay, to both the complainant and the respondent.

## Results of the Investigation

(**NOTE:** Timelines given are considered to be the maximum allowable, every effort should be made to provide results as soon as possible)

1. Within 10 days of the investigation being completed, the individual who allegedly experienced the abuse/harassment and the accused, will be informed in writing of the results of the investigation and any corrective action taken or that will be taken by the KTC to address the misconduct. W

2. In the even the respondent is the KTC President, the KTC Vice President and the Reporting Contact shall make the above appointment.

3. Within 21 days of its appointment, unless the parties and the review panel agree otherwise, the case review panel shall convene a hearing. The hearing shall be conducted in a manner that is fair to both parties, and shall be governed by such procedures as the review panel may decide, provided that:

    - The complainant and respondent shall be given 14 days' notice, in writing, of the day, time and place of the hearing.
    - Members of the review panel shall select a chairperson from among themselves.

- A quorum shall be all three panel members.
- Decisions shall be by majority vote.
- The hearing shall be on camera.
- Both parties shall be present at the hearing to give evidence and to answer questions of the other party and the panel. Each shall have the right to present evidence and to question and cross-examine witnesses.
- If the complainant does not appear, the matter may be dismissed (unless the complainant decided not to lay a formal complaint, but the Reporting Contact concluded that the evidence and surrounding circumstances were such as to require a written complaint). If the respondent does not appear, the hearing may proceed in any event.
- A representative or adviser may accompany the complainant and respondent.
- The Reporting Contact shall attend the meeting at the request of the panel.

4. Within 14 days of the hearing, the case review panel shall present its findings in a report to the KTC President and Abuse & Harassment Officer which shall contain:

a. a summary of the relevant facts found by the case review panel, based on the evidence presented at the hearing;
b. a determination as to whether abuse or harassment as defined in this policy has occurred as alleged in the complaint;
c. recommend disciplinary action against the abuse or respondent, if harassment is found to have occurred; and
d. recommend measures to remedy or mitigate the harm or loss suffered by the complainant, if abuse or harassment is found to have occurred.

5 When determining appropriate disciplinary action and corrective measures, the case review panel shall consider factors such as:

a. the nature of the abuse or harassment;
b. whether the abuse or harassment involved any physical contact;
c. whether the abuse or harassment was an isolated incident or part of an ongoing pattern;
d. the nature of the relationship between complainant and the respondent;
e. the age of the complainant;
f. whether the respondent had been involved in previous abuse or harassment incidents;
g. whether the respondent admitted responsibility and expressed a willingness to change;
h. and whether the respondent retaliated against the complainant.

6. In recommending disciplinary sanctions, the panel may consider the following options, singly or in combination, depending on the severity of the harassment:

a. a verbal apology;
b. a written apology;
c. a letter of reprimand;
d. a fine or levy;
e. referral to education;
f. removal of certain privileges of membership or employment;
g. demotion or a pay cut;
h. temporary suspension with or without pay;
i. termination of employment or contract; or
j. expulsion from membership

7. Where the investigation does not result in a finding of abuse or harassment, a copy of the report of the case review panel shall be placed in the Reporting Contact's files. These files shall be kept confidential and access to them shall be restricted to the KTC President, the Club Manager, and the Abuse & Harassment Officer.

8. Where the investigation results in a finding of abuse or harassment, a copy of the report of the case review panel shall be placed in the personnel or membership file of the respondent. This report shall be retained for a period of ten years, unless new circumstances dictate that the report should be kept for a longer period of time or if required by law.

9. The foregoing procedures are not applicable to cases of suspected Child Abuse and Serious Violence (dealt with below)

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12. The foregoing procedures are not applicable to cases of suspected Child Abuse and Serious Violence (dealt with below)

## PROCEDURES FOR ADDRESSING SUSPECTED CHILD ABUSE

**General Principles**

1. The child protection authorities and/or police have prime responsibility for the investigation of allegations of child abuse and neglect. This means that any internal KTC investigation will generally be deferred or modified, pending the completion of a related child protection or police investigation. The KTC will work cooperatively with the appropriate child protection authority and police and will share all information relevant to an investigation, to the extent permitted by law.

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**Receiving a Complaint from a Child**

2. An initial disclosure of alleged child abuse must be received and responded to appropriately. Trauma may result from responses that seek to minimize or discount truthful disclosures. Some basic "dos and don'ts" for receiving a child's disclosure are:

| DO | DON'T |
|---|---|
| Listen to the child. | Lead or suggest answers to the child. |
| Tell the child who must be notified. | Promise the child not to tell anyone. |
| Reassure the child that the conduct described is not the child's fault and that the child has done the right thing by disclosing. | Criticize the child for how or when disclosure has been made. |
| Speak to the child in private. | Bring the suspected perpetrator in to confront the child. |
| Determine the immediate safety needs of the child, involving the child in this decision. | Return the child to a risk laden situation. |

3. Where an employee or member of the KTC has reasonable grounds to suspect that a child has suffered or is at risk of likely suffering child abuse, he or she must report those suspicions and the information on which they are based directly to the provincial or territorial child protection authority. The reporting person may request that one or more representatives of the KTC be present while he or she is making the report to the child protection authority.

4. The employee or member must also immediately notify the Club Manager or, if the Club Manager is not available, the Abuse & Harassment Officer.

5. The Club Manager must immediately notify the child's parents or guardians, unless it would be inappropriate to do so in the circumstances. It may be appropriate in some cases to seek the advice of the child protection authority prior to contacting the child's parents or guardians.

6. The reporting person may need to ask questions of the child or of the child's parent to clarify the nature of the complaint. Questioning should occur only until the point that the person has a reasonable suspicion that the child has been abused. Any further questioning constitutes investigation, which is the responsibility of the child protection authority or the police. Employees and members of the KTC must avoid interfering with the child protection or police investigation.

7. The reporting person must document in writing all details of the report and provide a copy to the Club Manager. The Club Manager must write to the child protection authority confirming that the suspicion has been reported, and keep a copy of the letter.

8. The Club Manager shall consult with the child protection authority as to the best way to address the child's continued involvement in KTC activities, if appropriate, and shall follow up with the child protection authority to determine the outcome of the investigation.

9. The KTC shall ensure that support structures are in place for children who disclose alleged abuse.

**When an Employee or Member is Suspected**

10. Where an employee or member of the KTC is suspected of conduct that may constitute child abuse, the Club Manager must be notified immediately and provided with all relevant information regarding the suspicion. Where the Club Manger is suspected of such conduct, the Abuse & Harassment Officer must be notified. The subject matter of a complaint should not be discussed with the alleged perpetrator until specific instructions are received from the investigating police or child protection authority.

11. Generally, where abuse has been alleged against an employee or member, the individual should be removed from situations involving unsupervised access to children, pending determination as to whether abuse occurred. Depending on the circumstances, removal may involve reassignment to other duties, suspension with or without pay (if an employee), or immediate termination if, for example, abuse is admitted.

12. The employee or member's status should be reassessed upon completion of any police or child protection investigation, after any criminal charges are laid, after any criminal case is completed, and upon completion of any internal KTC investigation.

13 Any employee or member of the KTC may initiate disciplinary proceedings against a suspected perpetrator of child abuse. However, any case review panel struck must determine whether to defer its investigation or disciplinary proceedings until the child protection or police investigation is complete.

14. Regardless of whether an employee or member of the KTC initiates disciplinary proceedings, the Reporting Contact must consider whether an internal KTC investigation should be conducted, or internal disciplinary proceedings commenced, and determine the appropriate timing of any investigation or proceedings. A criminal conviction or finding of guilt will justify disciplinary action, including termination of employment or membership. The need for a full internal investigation by the KTC may thereby be unnecessary. However, an internal investigation may be required where no criminal investigation or prosecution is initiated, or where criminal charges are withdrawn, stayed or dismissed. This is a recognition that criminal charges involve a different burden of proof, and that different rules of admissibility are applicable in a disciplinary context.

15. Any internal investigation conducted by the KTC and any resulting disciplinary proceedings in connection with alleged abuse should be informed by the desirability of:

    - Avoiding or reducing trauma to the child;
    - Respecting the confidentiality and privacy interests of all affected parties, to the extent possible; and
    - Ensuring fairness to the KTC employee or member against whom a complaint has been made.

**When a Child is Suspected**

16. Where an employee or member of the KTC who is a child is suspected of conduct that may constitute child abuse, the procedures outlined above apply, with necessary modifications. The child protection authority should be contacted about both the victim and the alleged perpetrator, and the parents of both the victim and the alleged perpetrator should be notified.

17. The Club Manager should review the available information to determine whether the alleged perpetrator may continue to participate in KTC activities pending investigation of the matter. Advice of the child protection authority or the police may be sought in this regard.

18. A decision to permit the alleged perpetrator to continue to participate may be made if it is determined, after appropriate consultation, that the alleged perpetrator's continued involvement is unlikely to be detrimental to the physical or mental well-being of the alleged victim or witnesses or other employees or members, and is in the alleged perpetrator's best interests. Reasonable conditions may be imposed.

## PROCEDURES FOR ADDRESSING SERIOUS VIOLENCE

1. Incidents of abuse other than child abuse can appropriately be divided into two categories: serious incidents of violence, and less serious incidents. In determining the seriousness of an incident, the circumstances should be considered, including:

    - The nature of the conduct perpetrated;
    - Whether the conduct would amount to a criminal offence;
    - The impact, including physical and emotional harm, upon the victim and the KTC community;
    - The motivation or underlying causes for the conduct;
    - The ages of the alleged perpetrator and victim;
    - Whether the conduct is isolated or reflects a pattern of misconduct; and
    - Whether the alleged perpetrator acted alone or with others.

2. Uttering threats of serious bodily harm or death, criminal intimidation, assault causing serious bodily harm, sexual assault, arson, robbery, stalking, extortion, gang or group related violence, and hate motivated violence, will almost always be regarded as serious.

3. Fighting not resulting in bodily harm, some violent acts such as throwing objects, some threats and intimidation, and some inappropriate but not criminal behaviour may be regarded as less serious.

**Serious Incidents of Violence**

4. All serious incidents of violence shall be reported to the police and to the Club Manager or, if the Club Manager is not available, to the Abuse & Harassment Officer.

5. If a child is involved, the parents or guardians of the child must be contacted with the least possible delay. However, reporting to the police should not be delayed because of the unavailability of a parent or guardian.

6. If, in the course of an investigation, the police need to speak to an employee or member of the KTC regarding alleged abuse, the KTC will cooperate after being informed of the nature of the request.

7. Any employee or member of the KTC may initiate disciplinary proceedings against a suspected perpetrator of a serious incident of violence. However, any case review panel struck must determine whether to defer its investigation or disciplinary proceedings until the police investigation is complete.

8. Regardless of whether an employee or member of the KTC initiates disciplinary proceedings, the Club Manager must consider whether an internal KTC investigation should be conducted, or internal disciplinary proceedings commenced, and determine the appropriate timing of any investigation or proceedings.

9. Any internal investigation conducted by the KTC and any resulting disciplinary proceedings in connection with alleged abuse should be informed by the desirability of:

    - Avoiding or reducing trauma to the victim;
    - Respecting the confidentiality and privacy interests of all affected parties, to the extent possible; and
    - Ensuring fairness to the KTC employee or member against whom a complaint has been made.

**Less Serious Incidents**

10. Where a less serious incident of abuse is alleged, the allegations must be reported to the most senior employee of the KTC present at the location of the incident or, if no employee is present, to an employee of appropriate seniority who is familiar with the alleged perpetrator and/or the victim. The employee must determine whether, in all the circumstances, the incident should immediately be reported to the Reporting Contact for investigation, or whether the incident may properly be investigated and dealt with on the spot by the employee.

11. If the incident is reported to the Club Manager, he or she must consider whether an internal KTC investigation should be conducted, or internal disciplinary proceedings commenced, and determine the appropriate timing of any investigation or proceedings. Such an investigation will generally be informal and expeditious, given the nature of the allegations.

12. If the incident is investigated and dealt with on the spot by the senior employee, the employee must provide a written report to the Club Manager immediately thereafter, explaining the facts and the manner in which the incident was dealt with by the employee. If appropriate, the Abuse & Harassment Officer may initiate a further investigation or disciplinary proceedings.

**LIMITATION PERIOD:**
Should you be involved in or witness an incident of abuse or harassment as described in this policy, you have one (1) year from the date on which the incident occurs to file a report to the Reporting Contact.

# KINGSTON TENNIS CLUB (KTC)

**Reporting Contact Guidelines :**

| Person involved in incident/complaint | Reporting Contact (to whom the incident/complaint is reported) |
|---|---|
| Staff (including employees, volunteers, contractors) | Club Manager |
| Member of the Board | Abuse & Harassment Officer |
| Club Member, Visitor | Club Manager |
| Club Manager | Abuse & Harassment Officer |
| Abuse& Harassment Officer | President |

## APPROVAL OF THE BOARD OF DIRECTORS

Note that this policy should be reviewed no less than every 2 years and updates made as appropriate

Date: YYYY-MM-DD

Signed: _____

KTC President, on behalf of the Board of Director

## RECORD OF REVISIONS

| Date of Review | Nature of Review | Date of Approval/Update |
|---|---|---|
| October 20, 2026 | Updates to Policy | October 20, 2026 |
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