

 <p>POLICY MANUAL</p>		
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PREAMBLE

The OVCA is committed to eliminating all instances of Maltreatment within its operations and activities.

PURPOSE

This Policy describes how Individuals can report instances of Maltreatment and how the OVCA will investigate those reports.

The OVCA recognizes that curling centres and individuals operate under many and varied codes of conduct, including internal and those of the Provincial/National Sports Organizations. This policy is intended to cover instances of maltreatment within the OVCA workplace and/or OVCA-organised/sanctioned activities.

DEFINITIONS

1. The following terms have these meanings in this Policy:
 - a. “*Discipline Chair*” – An individual or individuals appointed by the Board of Directors to be the first point-of-contact for all discipline and complaint matters reported to the OVCA in accordance with the *Discipline and Complaints Policy*
 - b. “*Individuals*” – All individuals employed by, or engaged in activities with the OVCA including, but not limited to, volunteers, managers, administrators, committee members, and Directors and Officers of the OVCA
 - c. “*Board of Directors*” - the Board of Directors of the OVCA
2. The following terms have the meanings as defined in the the OVCA’s *Code of Conduct and Ethics*:
 - a. Harassment
 - b. Discrimination
 - c. Workplace Harassment
 - d. Sexual Harassment
 - e. Workplace Violence
3. The terms ‘Abuse’ and ‘Maltreatment’ have the meaning as defined in the OVCA’s *Maltreatment Policy*.

POLICY

Determination and Disclosure

4. When a complaint is submitted in accordance with the OVCA’s *Discipline and Complaints Policy*, the Discipline Chair will determine if such complaint is related to an instance of Discrimination, Harassment, Workplace Harassment, Workplace Violence, Sexual Harassment, or Abuse.

5. The OVCA will adhere to all disclosure and reporting responsibilities required by any government entity, local police force, or child protection agency.

Investigation

6. Complaints that are determined to contain an element of Discrimination, Harassment, Workplace Harassment, Workplace Violence, Sexual Harassment, and Abuse will continue to be addressed by the process(es) described in the *Discipline and Complaints Policy*. However, the Discipline Chair may also appoint an Investigator to investigate the allegations.
7. The Investigator must be an independent third-party skilled in investigating claims of harassment. The Investigator must not be in a conflict of interest situation and should have no connection to either party.
8. Federal and/or Provincial legislation related to Workplace Harassment may apply to the investigation if Harassment was directed toward a worker in a Workplace. The Investigator should review workplace safety legislation and/or consult independent experts to determine whether legislation applies to the complaint.
9. The investigation may take any form as decided by the Investigator, guided by any applicable Federal and/or Provincial legislation. The investigation may include:
 - a. Complainant interviewed;
 - b. Witnesses interviewed;
 - c. Statement of facts (complainant's perspective) prepared by Investigator and acknowledged by Complainant;
 - d. Statement delivered to Respondent;
 - e. Respondent interviewed;
 - f. Witnesses interviewed; and
 - g. Statement of facts (respondent's perspective) prepared by Investigator and acknowledged by Respondent.

Investigator's Report

10. In accordance with the timelines determined by the Discipline Chair, who may modify the timelines as described in the *Discipline and Complaints Policy*, the Investigator will prepare and submit a Report.
11. The Investigator's Report should include a summary of evidence from the parties (including both statements of facts, if applicable) and recommendations from the Investigator of whether or not, on a balance of probabilities, an incident occurred that could be considered Discrimination, Harassment, Workplace Harassment, Workplace Violence, Sexual Harassment, or Abuse.
12. The Investigator's Report will be provided to the parties with the names and identifying details of any witnesses redacted. The provision of the Investigator's Report is conditional on the parties not distributing the Report to any third party without the written permission of the OVCA.

13. Should the Investigator find that there are possible instances of offence under the Criminal Code, particularly related to Criminal Harassment (or Stalking), Uttering Threats, Assault, Sexual Interference, or Sexual Exploitation, the Investigator shall advise the Complainant to refer the matter to police. The Investigator will further inform the OVCA that the matter should be directed to the police.
14. The Investigator must also inform the OVCA of any findings of criminal activity. the OVCA may decide whether to report such findings to police but is required to inform police if there are findings related to the trafficking of doping drugs or materials, any sexual crime involving minors, fraud against the OVCA, or other offences where the lack of reporting would bring the OVCA's reputation into disrepute.
15. The Discipline Chair or the Discipline Panel, as applicable, shall consider the Investigator's Report, in addition to submissions from the parties, prior to deciding on the complaint.

Reprisal and Retaliation

16. An individual who submits a complaint to the OVCA, or who gives evidence in an investigation, may not be subject to reprisal or retaliation from any individual or group. Should anyone who participates in the process face reprisal or retaliation, that individual will have cause to submit a complaint.

False Allegations

17. An individual who submits allegations that the Investigator determines to be false or without merit may be subject to a complaint pursuant to the OVCA's Discipline and Complaints Policy. In such circumstances, the OVCA or the individual against whom the false allegations were submitted may act as the Complainant.

Confidentiality

18. The information obtained about an incident or complaint (including identifying information about any individuals involved) will remain confidential, unless disclosure is necessary for the purpose of investigating or taking corrective action or is otherwise required by law.
19. The Investigator will make every effort to preserve the confidentiality of the complainant, respondent, and any other party. However, the OVCA recognizes that maintaining anonymity of any party may be difficult for the Investigator during the investigation.