

Reporting and Documenting Complaints: Potentially Unlawful Behaviour Policy

At the **Whitney Pier Soccer Club**, all children have the right to a safe and respectful environment that is free from child sexual abuse and/or inappropriate conduct. Any abusive or unlawful act committed by an employee/volunteer will not be tolerated and will be reported to child welfare and/or law enforcement as applicable. Any employee/volunteer engaging in such acts will be subject to a range of disciplinary procedures, up to and including dismissal (see Suspension/Dismissal: Unlawful Behaviour Policy). Similarly, employees/volunteers who are aware of breaches of the Code of Conduct to Protect Children, but fail to take appropriate action, may be subject to discipline.

The **Whitney Pier Soccer Club** is committed to:

- Ensuring that prompt action is taken in regard to disclosures, allegations or suspicions of child abuse (and reporting to a child welfare and/or law enforcement agency and/or parents as required by law and as deemed necessary for the protection of children).
- Ensuring we create an environment that encourages disclosures, allegations or suspicions to be reported.
- Treating all disclosures, allegations or suspicions as confidential.

PURPOSE

Under Canadian child welfare laws, if you know or suspect child maltreatment, you have a legal obligation to report it. This is known as the “duty to report”. Every person in Canada has the duty to report known or suspected child maltreatment by law.

WHY IS THIS POLICY IMPORTANT?

Organizations must have internal reporting procedures regarding the following types of incidents:

Child Maltreatment:

- As outlined above, Canadian child welfare laws set out the duty to report and require all people to report suspicions based on reasonable grounds that a child is/or has been sexually abused; and/or disclosure of child sexual abuse.

PARAMETERS

This policy applies to all employees/volunteers of the **Whitney Pier Soccer Club**, including full-time, part-time, contract, temporary, or casual employees.

Employees/volunteers are required to immediately report all disclosures, allegations, suspicions, or indicators of child abuse, regardless of source or content.

Employees/volunteers are required to promptly report the following matters under this policy:

1. Reports of Unlawful Behaviour from a Child Involving an Employee/Volunteer of the **Whitney Pier Soccer Club** or a Third Party. All disclosures, allegations or suspicions of unlawful behaviour towards a child reported to an employee by a child regarding either:

- a) another employee/volunteer of the **Whitney Pier Soccer Club**; or
- b) someone other than an employee/volunteer of the **Whitney Pier Soccer Club** (e.g. parent).

2. Unlawful Behaviour Witnessed by the **Whitney Pier Soccer Club** Employee/Volunteer. Any incident of alleged unlawful behaviour, either:

- a) witnessed by an employee/volunteer regarding another employee/volunteer of the **Whitney Pier Soccer Club**; or
- b) witnessed by an employee/volunteer regarding someone other than the **Whitney Pier Soccer Club** employee/volunteer (e.g. parent).

3. Reports of Unlawful Behaviour from a Third Party Involving an Employee/Volunteer of the Whitney Pier Soccer Club or a Third Party. Any alleged unlawful behaviour, either:

- a) reported to an employee by a third party and regarding another employee/volunteer of the **Whitney Pier Soccer Club**; or
- b) reported to an employee by a third party regarding someone other than the **Whitney Pier Soccer Club** employee/volunteer (e.g. parent).

The above reporting obligations apply whether the child involved is a participant in a program of our organization or not. NOTE: If you do not know the identity of the child, take steps to find out who the child is— depending on the situation, steps may need to be taken to protect that child from additional harm, the child may need to make a statement to police, etc.

REPORTING REQUIREMENTS

An employee/volunteer has an independent legal obligation to report unlawful behaviour to child welfare and/or law enforcement as well as the **Whitney Pier Soccer Club** executive.

PROCEDURE

Employees/volunteers:

1. If a child is the one conveying the information:
 - a) Treat the disclosure/allegation seriously and reassure the child.
 - b) Document the disclosure/allegation on an Incident Report Form.
2. If you witness something:

a) Do what you can to stop or interrupt the behaviour or situation causing the concern, to the extent you are able to do so without unreasonably jeopardizing your safety or the safety of the child involved. The steps you may be able to take will vary depending upon the situation and the safety concerns that may be applicable.

b) If you do not know the child or adult involved, take reasonable steps to identify the party you do not know and/or to note any identifiable features that may help to identify him/her.

c) Document what you have seen and what you may have done to intervene on the Incident Report Form, including whatever information you may have about the identity of the child or adult involved.

3. If the information is being conveyed through another source (third party, another employee, another volunteer):

a) Treat the information received seriously.

b) Document the information received from the reporting person, and any other information you have received on Incident Report Form.

4. Notify your supervisor/administrator/president and report the matter to child welfare and/or law enforcement. A phone call to child welfare can be made by you on your own, or together with your supervisor/administrator/president.

Remember: the legal duty to report lies with the individual who witnessed the incident or received the disclosure, allegation or other concern. Notifying your Supervisor/administrator/president is for purposes of this policy only. It does not absolve an employee/volunteer of the legal obligation to report to CFS.

5. Documentation:

a) Supervisor/administrator/president - document discussion with employee/volunteer on Incident Report Form.

b) Supervisor/administrator/president and employee/volunteer – document discussion with CFS on Incident Report Form.

6. All employees/volunteers receiving the disclosure, allegation or other concern must keep the information confidential and in accordance with the confidentiality obligations set out at the end of this policy, and the obligations under the Policy on Communications with Employees About Unlawful Behaviour.

7. Leave the investigation up to the authorities mandated with this responsibility (child welfare and law enforcement). Do not investigate disclosures, allegations or other concerns, and do not discuss them with others except as required to report the information or participate in a related investigation.

8. The **Whitney Pier Soccer Club Executive** is tasked with:

- a) Consulting with legal counsel
- b) Following steps in the Suspension/Dismissal: Potential Unlawful Behaviour policy.
- c) Documenting the outcome on Incident Report Form.

OTHER MATTERS OF NOTE

Interference with the Conduct of an Investigation

A threat or promise made to discourage a disclosure, the filing of an allegation or the reporting of a concern, or any interference with the conduct of an investigation, including an attempt to have a disclosure, allegation or other concern withdrawn, is strictly prohibited and will result in disciplinary action.

Confidentiality

All disclosures, allegations and other concerns will be handled in confidence. We will not disclose the identity of any parties involved, or the circumstances of the disclosure, allegation or concern, except where necessary for the purpose of investigative or corrective action, where required by law, or for the protection of individuals. Similarly, employees/volunteers interviewed as part of an investigation or follow-up under this policy shall treat all information in a confidential manner. An employee/volunteer who breaches confidentiality may be subject to discipline.

A copy of the documented incident shall be placed in the accused employee/volunteer's human resource file. Any identifying information about the child victim or reporting person shall be removed from this copy. A generic letter shall also be placed in the file that indicates the alleged offence, how it was handled and any follow-up that was completed.