

Kingston Impact Basketball Prevention of Abuse Policy

Policy Statement

The Kingston Impact Basketball Club (KIBC), a member of the Ontario Basketball Association (OBA), is committed to providing a respectful sport culture that delivers an inclusive, accessible, welcoming, and safe sport experience.

Individuals should have the reasonable expectation when they participate in a KIBC or affiliated program that it will be in an environment that is free from all forms of maltreatment and that treats every individual with dignity and respect.

The Club expects all members to take all reasonable steps to safeguard the welfare of all our members and protect them from any form of maltreatment.

This policy is derived in part from the [Universal Code of Conduct to Prevent Maltreatment in Sport](#) developed by Canada's Office of the Sport Integrity Commissioner (OSIC) and following the lead of several Provincial Sports Organizations including Ontario Basketball, Nova Scotia Basketball and BC Basketball.

Terms and Definitions

- Maltreatment – An act that results in harm or has the potential for physical or psychological harm.
- Complainant – The Party alleging an infraction
- Accused – The Party being accused of the alleged infraction
- Parties - The Complainant, Respondent, and any other Individuals or persons affected by the complaint

Here is a list of common forms of abuse:

1. Emotional abuse

Emotional abuse is a chronic attack on a child's self-esteem; it is psychologically destructive behaviour by a person in a position of power, authority, or trust. It can take the form of name-calling, threatening, ridiculing, berating, intimidating, isolating, hazing, or ignoring the child's needs.

2. Physical abuse

Physical abuse is when a person in a position of power or trust purposefully injures or threatens to injure a child or youth. This may take the form of slapping, hitting, shaking, kicking, pulling hair or ears, throwing, shoving, grabbing, hazing or excessive exercise as a form of punishment.

3. Neglect

Neglect is chronic inattention to the 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 basketball 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.

4. **Sexual abuse**

Sexual abuse is when a young person is used by an older child, adolescent or adult for his or her own sexual stimulation or gratification. There are two categories:

CONTACT	NON-CONTACT
touched or fondled in sexual areas	obscene remarks on phone/computer or in notes
forced to touch another person's sexual areas	voyeurism
kissed or held in a sexual manner	forced to watch sexual acts
forced to perform oral sex	shown pornography
vaginal or anal intercourse	sexually intrusive questions and comments
vaginal or anal penetration with an object or finger	forced to pose for sexual photographs or videos
sexually oriented hazing	forced to self-masturbate or forced to watch others masturbate

5. **Grooming**

Grooming is a process of manipulation and trust-building that a person in power will use to create an atmosphere where they can exploit another.

Duty to Report

If anyone has reasonable grounds to suspect that a KIBC member may be suffering from or may have suffered from maltreatment, it is their duty to report it immediately to the Club.

Procedures

Step 1: Reporting the concern

Any person may report suspected abuse or the witnessing of an abusive act within the scope of this policy within 30 days of the alleged incident. They shall do so in writing via email to the appropriate person:

1. Club President president@kingstonimpact.ca
2. If the issue relates to the Club President, then it may go to the Club Vice President vp@kingstonimpact.ca

3. If the issue relates to both the Club President & Vice President, then it may go to any other executive member listed on the Club's website:
<https://www.kingstonimpact.ca/exec>
4. If there are concerns about the entire club executive, then an email should go to the Ontario Basketball Association, the governing Provincial Sport's Organization.

The email must include:

1. Your contact information.
2. The name of the victim(s).
3. Your relationship to the victim.
4. Name of the KIBC program or affiliated program where the alleged abuse took place.
5. The time/place of the alleged abuse.
6. The name of suspected abuser.
7. Details as to what was witnessed or why there is a suspicion of abuse.

Step 2: Follow up

On receipt of the concern, the receiver must respond immediately that they have received it and will initiate the initial assessment.

If a response is not received within 2 business days, the complainant should follow up with the next member of the executive listed in the contact. This will ensure that the Club can act as quickly as possible in case the initial Executive member is away from their email for an extended period.

Step 3: Initial assessment

The receiver (assessor) is required to perform an initial assessment to determine whether the concern falls under this policy and the degree of seriousness of the concern. This may include gathering further details from the complainant and consulting other executive members who are not connected directly to this complaint.

The complaint could be considered a:

1. **Minor infraction** – incidents failing to achieve expected standards of conduct that generally do not result in harm to others or the reputation of the Club. Examples include:
 - a. Disrespectful conduct such as outbursts of anger
 - b. Conduct contrary to the values of the Club
 - c. Being late for, or absent from, the Club events and activities at which attendance is expected or required
 - d. Non-compliance with the Club's policies, procedures, rules, or regulations
 - e. Minor violations of the Club's Code of Conduct and Ethics

2. **Major infraction** - instances of failing to achieve the expected standards of conduct that result, or have the potential to result, in harm to other persons, or to the Club. Examples of major infractions include, but are not limited to:
- a. Repeated minor infractions
 - b. Disrespectful, offensive, abusive, racist, or sexist comments or behaviour
 - c. Any incident of hazing
 - d. Incidents of physical or sexual abuse
 - e. Behaviour that constitutes harassment, sexual harassment, or sexual misconduct
 - 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 Club's image, credibility, or reputation
 - i. Disregard for the Club's bylaws, policies, rules, and regulations
 - j. Major or repeated violations of the Club's Code of Conduct and Ethics
 - k. Intentionally damaging Club's property or the property at which the activity takes place or improperly handling of the Club's monies
 - l. Abusive use of alcohol, any use or possession of alcohol by minors, or use or possession of illegal drugs
 - m. Any possession or use of performance enhancing substances or methods
 - n. Theft of money and/or property of others
 - o. Cheating during a competition

If the assessor determines that this does NOT fall under the scope of this policy:

- The complainant will receive in writing the reasons and suggestions on how to handle their concern.

If the assessor determines that this does follow under the scope of this policy:

1. The assessor will determine if it is a potential minor or major infraction.
2. The complainant will receive in writing the next steps.
3. The complaint moves to step 4.

Step 4: Investigation

The assessor will form a Disciplinary Committee consisting of themselves and 2 members of the club executive who are not connected to the alleged infraction. Ideally, when possible, there will be representation from both sexes on the Committee.

The Disciplinary Committee will be responsible for executing this procedure, ensuring fairness to all sides, and ensuring the safety and well-being of the alleged victim(s) as well as all members of the club.

Minor infraction

1. The assessor will inform the executive member who is responsible for the program where the alleged incident took place.
2. The victim and when the victim is under the age of 18 years old, their parents, will be informed of the concern.
3. The accuser will be informed in writing of the complaint filed against them.
4. Depending on the seriousness of the alleged infraction the Disciplinary Committee may suspend the accused from all Club programming until the matter is settled.
5. The accused will have an opportunity to share their side of the story either in written or oral form with the Disciplinary Committee.
6. The Disciplinary Committee may ask follow up questions of the accused, the complainant and/or the victim.

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2. The victim and when the victim is under the age of 18 years old, their parents, will be informed of the concern.
3. The accuser will be informed in writing of the complaint filed against them.
4. The accused will be immediately suspended from all position(s) in the club pending the conclusion of the investigation.
5. **If the infraction is deemed serious enough to warrant police involvement, Kingston Police will be informed and any further investigation by the club will be suspended until the police conclude their investigation. This will be warranted if the situation includes:**
 - a. Incidents of physical or sexual abuse
 - b. Behaviour that constitutes harassment, sexual harassment, or sexual misconduct
 - c. Theft of money and/or property of the Club or others
6. An individual's conviction for any offense in #5 will be deemed a major infraction under this Policy and will result in immediate and permanent expulsion from the Club.
7. If involving the police is not required OR the police decided to not proceed with legal action OR the accused was exonerated, then this process will continue.
8. The accused will have an opportunity to share their side of the story either in written or oral form with the Disciplinary Committee.
9. The Disciplinary Committee may ask follow up questions of the accused, the complainant and/or the victim. They may also follow with subject matter experts for advice

Step 5: Decision

On completion of the investigation, the Discipline Committee will determine if any disciplinary action is required. Disciplinary action may include but not limited to:

1. Verbal or written reprimand from the Club to one of the Parties
2. Verbal or written apology from one Party to the other Party
3. Removal of certain privileges of membership for a designated period
4. Suspension from the competitions, activities, or events

5. Expulsion or dismissal from the Club
6. Restriction of activities
7. Any other sanction considered appropriate for the offense

Any decisions made by this committee is final.

Step 5: Notification

Within 7 days of a decision, the Disciplinary Committee will provide a written report detailing any disciplinary action with reasons to:

1. Both parties
2. All members of the Club Executive

Confidentiality

The discipline and complaints process is confidential and involves only the Parties, the Executive, any advisors to the Parties or the Panel. 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.

Records and Distribution of Decisions

Minor and major infractions that result in discipline, as well as decisions of any appeals, shall be recorded and maintained by the Club Secretary.

Names of persons disciplined may be disclosed to the extent necessary to give effect to any sanction imposed.