

Participant Code of Conduct

Introduction

I-SPARC Overview: The Indigenous Sport, Physical Activity & Recreation Council (I-SPARC) is a provincial organization established with the purpose of improving the health outcomes of Indigenous peoples by supporting and encouraging physically active individuals, families, and communities. The programs and services delivered by I-SPARC are designed to build capacity and increase access to sport, recreation, and physical activity in First Nations communities, Métis Chartered Communities, Inuit Communities, Aboriginal Friendship Centres, schools, and other delivery agencies throughout the province.

I-SPARC has three primary functional areas: Healthy Living, Sport, and Grants and Recognition. Each functional area is responsible for many different programs from FitNation to Food Systems, Team BC to community sport development, RISE Grants to Premier's Awards, among others. In addition, I-SPARC engages community members regularly through working groups, committees, action teams and the Board of Directors. Through the support and oversight of I-SPARC staff, the Board of Directors, Regional Action Teams, and various committees, I-SPARC has established a comprehensive approach to participant safety at all events, programs, and activities.

I-SPARC's Commitment Statement to Safe Participation: The Indigenous Sport, Physical Activity and Recreation Council (I-SPARC) is committed to creating, promoting, and maintaining positive, inclusive, safe, and respectful sport, physical activity, recreation, and wellness environments for all participants and leaders, which are free from all forms of maltreatment, prejudice, and discrimination. Improving the health outcomes of Indigenous peoples across BC can only be achieved by proactively taking measures to prevent harm, to respond appropriately when incidents do occur, and build strong communities together. We will work collaboratively with all individuals, organizations, communities, and invested partners to promote safe practices, to educate and promote a holistic approach that emphasizes the importance of the physical, emotional, psychological, and cultural safety of participants and leaders, and to continuously evaluate and improve our policies, procedures, and ways of working. Our goal is to foster a culture of safety for all, where everyone feels valued, respected, empowered, and heard, and to preserve the rights of every participant and leader. I-SPARC works to set an example for the Indigenous sport, physical activity, recreation, and wellness community in BC and work towards deep rooted and long-lasting change.

Purpose of this Document: The I-SPARC Participant Code of Conduct is a defined set of principles, values, and expected behaviours of a participant in any I-SPARC event, program, or activity (virtually or on-site) to create, promote and maintain a positive, quality, inclusive, safe, and respectful environment.

Participants should have the reasonable expectation when they are a participant in I-SPARC events, programs and/or activities, that they will participate in an environment that is free from all forms of maltreatment and that every individual is treated with dignity and respect. Maltreatment in all its forms is a serious issue that undermines the health, well-being, safety and security of individuals, communities, and society.

1. Jurisdiction and Scope of Application

1.1. Individuals subject to and protected by the I-SPARC Participant Code of Conduct

All participants of I-SPARC-delivered events, programs, or activities are subject to and protected by the I-SPARC Participant Code of Conduct. As a participant, you are expected to conduct yourself in the spirit of integrity, honour, respect, inclusion, and well-being for all.

I-SPARC reserves the right to act as a complainant and/or investigate behaviour of any participant or leader if they receive concerns, without an official complaint or complainant identified.

1.2. Application of the I-SPARC Participant Code of Conduct

This Participant Code of Conduct is not intended to specifically outline every instance of misconduct. The Participant Code of Conduct applies, but is not limited to, any forms of misconduct described herein, provided the misconduct occurs in any one or more of the following situations:

- i. During an I-SPARC-delivered or I-SPARC-funded event, program, or activity; or,
- ii. When the participants and/or leaders involved interacted or were known to each other due to their mutual involvement in I-SPARC events, programs, or activities; or,
- iii. Outside of any I-SPARC event, program or activity when such conduct poses, or may pose, a risk to the safety of anyone in community, adversely affects, or may affect, relationships within or related to I-SPARC, its work and program environment, is inconsistent with the values of I-SPARC or is, or may be, detrimental to the image and reputation of I-SPARC as an organization.

The physical location(s) where the misconduct has allegedly occurred is not determinative.

I-SPARC understands that host organizations, community groups, or communities may not have a participant code of conduct. Where an applicable code of conduct does not exist from among the host organizations, community groups, or communities hosting an I-SPARC-funded event, program, or activity, the I-SPARC Participant Code of Conduct will apply.

1.3. Amendments

The I-SPARC Participant Code of Conduct may be amended from time to time by I-SPARC and amendments shall be published to this document on the I-SPARC website when such amendments come into effect.

2. Responsibilities of Participants

All I-SPARC participants have a responsibility to:

2.1. Create Safe and Inclusive Places

- i. Create a positive, safe, accessible, inclusive, welcoming, and supportive environment for all.
- ii. Adhere to the highest standard of behaviour, and refrain at all times from any behaviour that could reflect poorly on I-SPARC or their family, community or Nation;
- iii. Ensure their intentions, actions and efforts reflect a commitment to prioritizing the safety and well-being of all participants and leaders;
- iv. Establish, respect, and maintain appropriate boundaries with and between participants and/or leaders;
- v. Ensure all interactions and communications are carried out in a way that is transparent to other participants and/or leaders and promotes the concept of individual accountability; and,
- vi. Dress appropriately for the I-SPARC event, program, or activity.

2.2. Demonstrate Respect

- i. Treat individuals fairly, reasonably and with respect, including their right to make decisions about their participation in I-SPARC events, programs or activities and their right to advocate for their safety, health, and well-being;
- ii. Demonstrate respect towards all individuals regardless of any attributes related to one's physical, psychological/mental, emotional, cultural, and spiritual being;
- iii. Respect the rights of the residents of the Host organizations, communities, and other participants;

- iv. Respect the property of others and not willfully causing damage, including avoidance of abuse, damage, vandalization, or destruction of facilities, accommodations, vehicles, equipment or personal property;
- v. Respect the guidance and decisions of I-SPARC staff, Board members, and representatives;
- vi. Regard participation in I-SPARC events, programs, and activities as a privilege;
- vii. Refrain from the use profanity, obscene language, or offensive gestures at any time during or after an I-SPARC event, program or activity;
- viii. Directing comments or criticism appropriately and avoiding public criticism of I-SPARC, host organizations, communities, and participants; and,
- ix. Act as ambassadors for I-SPARC, your family, and community.

2.3. Uphold Standards of Conduct

- i. Demonstrate zero tolerance for maltreatment and misconduct, including but not limited to:
 - a. Use of power or authority for coercion;
 - b. Sexual harassment;
 - c. Grooming; and,
 - d. Any behaviour that threatens the safety, health, and well-being of participants;
 (Please see Section 3 for additional details on Standards of Conduct).
- ii. Adhere to all federal, provincial, municipal and host Nation laws.
- iii. Comply, at all times, with all I-SPARC by-laws, regulations, policies, procedures and directives, and guidelines (these can be made available upon request);
- iv. Respect all rules and regulations as set by I-SPARC, the Host organization, community, and/or any other service provider(s);
- v. Treat all disclosures, allegations or suspicions of maltreatment and misconduct seriously;
- vi. Immediately report any acts or suspicions of maltreatment or other misconduct;
- vii. Accept and consider feedback with respect to their own actions and take positive steps to resolve the concerns raised; and,
- viii. Reasonably cooperate with any investigation relating to a breach of this Participant Code of Conduct or arising out of an I-SPARC Program or I-SPARC-funded Program. If a breach has been reported, I-SPARC can engage in an investigation at the full discretion of I-SPARC and under any format that feels appropriate.

3. Standards of Conduct

I-SPARC is committed to providing an environment where all individuals are treated in a fair, inclusive, and respectful manner. I-SPARC supports equal opportunities and prohibits discriminatory practices. All participants will refrain from comments or behaviours, which are disrespectful, offensive, abusive, racist, sexist, or homophobic. Participating in I-SPARC events, programs and activities is a privilege, and participants shall maintain the integrity of I-SPARC events, programs, and activities. It is a violation of this Code of Conduct to engage in any behaviours that constitute (but are not limited to):

- Aiding and abetting
- Boundary transgressions
- Cultural maltreatment
- Discrimination
- Failure to report
- Grooming
- Intentionally reporting a false or misleading allegation

- Interference with or manipulation of process
- Neglect
- Physical maltreatment
- Psychological maltreatment
- Retaliation
- Sexual maltreatment
- Subjecting a participant to the risk of maltreatment

Participants, especially those in positions of trust or authority, are responsible for knowing what constitutes misconduct. They shall also recognize that the categories of misconduct are not mutually exclusive, nor are the examples provided in each category an exhaustive list.

4. Participant Agreement

All participants, by way of their participation in I-SPARC events, programs and/or activities and their signed consent to participate in said event(s), program(s) and/or activity(ies), accept and agree:

- To abide by the guidelines and rules within the Participant Code of Conduct and any further rules set out by I-SPARC, host organizations / communities, accommodations / facilities / venues;
- To abide by all I-SPARC policies, rules, and guidelines;
- To accept actions taken for failure to abide by the I-SPARC policies, rules, and guidelines;
- That if dismissed from the I-SPARC event, program or activity, the participant may be sent home immediately at the expense of the participant or participant's parent/guardian by whatever means is most appropriate for I-SPARC. Further, if dismissed from the program or event regardless of date / time, the fee or any subsequent costs related to the I-SPARC event, program or activity will not be reimbursed.

As a participant in an I-SPARC event, program and/or activity, I, _____ shall adhere to I-SPARC's Participant Code of Conduct set out in this document. I understand that failure to adhere to this Participant Code of Conduct may bring disciplinary actions.

Signature of I-SPARC Participant: _____

Date (YYYY-MM-DD): _____

Signature of Parent / Guardian: _____

(if participant is under the age of 18)

Date (YYYY-MM-DD): _____

Appendix: Definitions

Aiding and Abetting: Aiding and abetting is any act or communication taken with the purpose of directly assisting, furthering, facilitating, promoting, or encouraging maltreatment or other type of misconduct by or against a participant. Aiding and abetting also includes, but is not limited to, knowingly allowing any person who is suspended or is otherwise ineligible to participate in events, programs, or activities; providing any coaching-related advice or service to an athlete who is suspended or is otherwise ineligible; and allowing any person to violate the terms of their suspension or any other sanctions imposed. (For more information on the definition and specific examples of Aiding and Abetting, please refer to UCCMS v6.0).

Attributes, Characteristics, Beliefs and Choices: Attributes, characteristics, beliefs and choices include, but are not limited to, body type, physical characteristics, socio-economic status, athletic ability, age, ancestry, colour, race, Nation, citizenship, ethnic origin, place of origin, creed, disability, family status, marital status, gender identity, gender expression, sexual orientation, spiritual or cultural practices or any other grounds protected under Human Rights legislation in Canada;

Boundary Transgressions: A boundary may be defined as the “edge” of appropriate professional behaviour between two participants. Boundary transgression refers to one or more participants stepping out of appropriate professional behaviour and breaching their role as an employee, coach, leader, etc. Boundaries define the expected and accepted psychological and social distance between two individuals, particularly when there is a minor, a vulnerable person, or a power imbalance involved (e.g., program leader to youth participant). It may be the case that a particular act or communication does not meet the threshold of any of the types of maltreatment, but is an act or communication that is nonetheless viewed as inappropriate in the circumstances. The assessment of the behaviour should consider whether the behaviour would raise concern in the mind of a reasonable observer, what objective appears to be guiding the interaction, and whose needs are being met. (For more information on the definition and specific examples of Boundary Transgressions, please refer to UCCMS v6.0).

Cultural Maltreatment: Cultural maltreatment is defined as instances when participants fail to create an inclusive and respectful environment that recognizes and embraces the diversity of participants. Cultural maltreatment is when one omits or fails to consider a participant’s cultural background, values, and beliefs, and/or fails to prevent any form of discrimination, prejudice, or bias based on cultural or spiritual differences. Cultural safety promotes the infusion of culture, language, spirituality and holistic approaches to programming and fosters an increased sense of cultural identity and pride.

Discrimination: Discrimination can be defined as the unjust or prejudicial treatment of different categories of people, especially on the grounds of gender, age, ethnicity, sexual orientation, or disability. Discrimination can include overt or subtle forms of harm that uniquely define adverse or inequitable experiences. The following are examples of discrimination if they are based on one or more of the grounds of discrimination within the definition: a) Denying someone access to services, benefits, or opportunities; b) Treating a person unfairly; c) Communicating hate messages or unwelcome remarks or jokes; d) The perpetuation of misogynistic, racist, ableist, homophobic, or transphobic attitudes and stereotypes. (For more information on the definition and specific examples of Discrimination, please refer to UCCMS v6.0).

Failure to Report: Failure to report can be considered misconduct when a) any adult participant knew or ought to have known of a participant’s misconduct toward another person and failed to report such conduct. For clarity, a participant is not obligated to report an instance of misconduct to which they were personally subject; b) the person making the report does not need to determine whether a violation took place. Instead, the responsibility lies in reporting the objective behaviour; c) reporting, on a timely basis, any and all relevant information of which an adult participant becomes aware; and d) for any adult

participant to fail to fulfill any applicable legal duty to report. (For more information on Failure to Report, please refer to UCCMS v6.0).

Grooming: Grooming is conduct that may precede other behaviours defined as sexual maltreatment or is carried out in conjunction with other forms of sexual maltreatment. Repeated boundary transgressions (defined below) by a participant toward a minor or vulnerable participant may also be deemed to be grooming, even in the absence of deliberate intention to facilitate a sexual relationship. In assessing whether grooming has occurred, the existence of a power imbalance should be taken into account. (For more information on the definition and specific examples of Grooming, please refer to UCCMS v6.0).

I-SPARC-Delivered or I-SPARC-Funded Event, Program, or Activity: An I-SPARC-delivered or I-SPARC-funded event, program, or activity could be virtual or on-site and include, but not be limited to, community gatherings, leader training sessions, camps, clinics, meetings, education sessions, competitions, tournaments, games, matches, practices, tryouts, training camps, and associated travel.

Intentionally Reporting a False or Misleading Allegation: It is considered misconduct to report a knowingly false or misleading allegation, or influence another to report a knowingly false or misleading allegation, that a participant has engaged in prohibited behaviour. An allegation is false or misleading if the events reported did not occur, and the person making the report knows at the time of reporting that the events did not occur. A false or misleading allegation is different from an unsubstantiated allegation; an unsubstantiated allegation means there is insufficient supporting evidence to determine whether an allegation is true or false.

Interference with or Manipulation of Process: It is considered misconduct for a participant to directly or indirectly interfere with or manipulate an investigation or disciplinary review process by a) knowingly destroying, falsifying, distorting, concealing, or misrepresenting information, with the intent to interfere with or influence the resolution process or the implementation of an outcome; b) attempting to discourage or prevent a person's proper participation in or use of the disciplinary processes; c) harassing or intimidating any person involved in the processes before, during, and/or following any proceedings; d) failing to comply with any temporary or provisional measure or final sanction(s); e) influencing or attempting to influence another person to interfere with or manipulate the process; or f) distributing or otherwise publicizing materials a participant gains access to during an investigation or hearing, except as required by law or as expressly permitted. All participants are expected to act in good faith throughout any investigation or disciplinary review process.

Leader: A leader is defined as any employee, contractor, coach, organizer, official or volunteer who is leading or contributing to the delivery of an I-SPARC event, program, or activity or anyone who is leading or contributing to the delivery of an I-SPARC-funded event, program, or activity in a paid or volunteer capacity

Neglect: Neglect refers to the omission of adequate care and attention and is evaluated with consideration given to the Participant's needs and requirements. Neglect may include, but is not limited to, failure to allow an athlete adequate recovery time and/or treatment for a sport injury; disregarding and/or not considering a person's mobility, sensory, cognitive, or invisible disability; not ensuring appropriate supervision of an athlete during travel, training or competition; not considering the welfare of the athlete when prescribing dieting or other weight control methods (e.g., weigh-ins, caliper tests); disregarding the use of performance-enhancing drugs by an athlete; failure to ensure safety of equipment or environment; allowing an athlete to disregard sport's rules, regulations, and standards. (For more information on the definition and specific examples of Neglect, please refer to UCCMS v6.0).

Participant: A participant is defined as anyone who is enrolled in, participating in, or delivering an I-SPARC event, program, or activity or anyone who is delivering an I-SPARC-funded event, program, or activity in a paid or volunteer capacity.

Physical Maltreatment: Physical maltreatment includes contact or non-contact infliction of physical harm, injury, violence, or abuse. Physical maltreatment occurs when one has failed to reduce the risk of injuries, to manage concussions, to plan and monitor appropriate and progressive return to training and competition after injury, to provide proper access to and use of equipment, to provide safe equipment or facilities, or to create a physical environment that is inclusive for all types of participants. (For additional information on the definitions and specific examples of Physical Maltreatment, please refer to the UCCMS v6.0.).

Psychological Maltreatment: Psychological maltreatment includes, without limitation, verbal conduct, non-assaultive physical conduct, conduct that denies attention or support, and/or a person in authority's pattern of deliberate non-contact behaviours that have the potential to cause harm. (For additional information on the definitions of and specific examples of Psychological Maltreatment, please refer to the UCCMS v6.0.).

Retaliation: It is considered retaliation for a participant to take an adverse action against any person for making a good faith report of possible misconduct or for participating in any I-SPARC Disciplinary Process. Retaliation includes threatening, intimidating, harassing, coercing, negatively interfering with participation, or any other conduct that would discourage a reasonable person from engaging or participating in an investigation or disciplinary review process related to behaviour prohibited by the Participant Code of Conduct. Retaliation after the conclusion of these processes is also prohibited, even where there is a finding that no misconduct occurred. Retaliation does not include good-faith actions lawfully pursued in response to a report of possible misconduct.

Sexual Maltreatment: Sexual maltreatment is defined as any non-consensual touching of a sexual nature and/or the Criminal Code offence of sexual assault; b) forcing or coercing a person into sexual acts; c) participating in or performing acts on a person that violate their sexual integrity; d) Criminal Code offences that do not involve actual physical contact or that can occur through electronic means such as indecent exposure, voyeurism, non-consensual distribution of sexual/intimate images, luring and agreement or arrangement to commit a sexual offence; e) Sexual harassment, which is defined as any series of or serious comment(s) or conduct of a sexual nature that is unwelcome and that would be objectively perceived to be unwelcome, and which broadly includes jokes, remarks or gestures of a sexual or degrading nature, or distributing, displaying or promoting images or other material of a sexual or degrading nature, or any act targeting a person's sexuality, gender identity or expression. It can also include stalking or harassment in person or by electronic means where the stalking or harassment is of a sexual nature. (For more information on the definition and specific examples of Sexual Maltreatment, please refer to UCCMS v6.0).

Subjecting a Participant to the Risk of Maltreatment: I-SPARC and/or other decision-makers involved in I-SPARC-delivered or I-SPARC-funded events, programs, and activities are in positions of authority. Subjecting a participant to the risk of maltreatment occurs when those decision-makers place participants in situations that they know or ought to have known make the participant vulnerable to maltreatment. Subjecting a participant to the risk of maltreatment includes, but is not limited to, instructing an employee and a participant to share a hotel room when traveling, knowingly hiring a participant who has a past history of misconduct and who is under a sanction of temporary or permanent ineligibility pursuant to the I-SPARC Disciplinary Process, or assigning a guide or support staff to a participant with a disability in the absence of consultation with the participant. (For more information on the definition and specific examples of Subjecting a Participant to the Risk of Maltreatment, please refer to UCCMS v6.0).