

CODE OF CONDUCT AND ETHICS

February 2023
(the "Code")

*Diving Plongeon Canada ("DPC") has adopted the Universal Code of Conduct to Prevent and Address Maltreatment in Sport ("UCCMS") (provided as **Appendix A**) which shall be incorporated into this Code by reference as if set out in full herein. Any modifications or amendments made to the UCCMS by the Sport Dispute Resolution Centre of Canada ("SDRCC") shall come into effect immediately and automatically upon their adoption by the SDRCC, without the need for any further action by DPC.*

DPC is a Program Signatory of the Office of the Sport Integrity Commissioner (the "OSIC"), as of March 1, 2023 the "Effective Date".

DPC has designated specific Organizational Participants within the organization as UCCMS Participants. A full list of designated individuals is available by contacting the DPC Chief Operating Officer (COO).

*It is important to note that the Code applies to all Organizational Participants, **but not all Organizational Participants are UCCMS Participants** and therefore subject to the complaint process under the OSIC.*

Unless the subject matter or context otherwise requires, all terms used but not defined herein shall have the meanings ascribed thereto in the "Introduction and Definitions." (click to link)

A. PURPOSE

1. The purpose of this Code is to ensure a safe and positive environment within the programs, activities, and Events of DPC and its Members by making all Organizational Participants aware that there is an expectation, at all times, of appropriate behaviour consistent with DPC's core values, mission, and policies.
2. DPC and its Members supports equal opportunity, prohibit discriminatory practices, and are committed to providing an environment in which all individuals can safely participate in sport and are treated with respect and fairness.

B. APPLICATION – GENERAL

3. This Code applies to the conduct of all Organizational Participants (including UCCMS participants) during the business, activities, and Events of DPC and its Members including, but not limited to competitions, practices, evaluations, treatment, or consultations (e.g., massage therapy), training camps, travel associated with organizational activities, the office environment, and any meetings.
4. This Code also applies to the conduct of all Organizational Participants outside of the business, activities, and Events of DPC and its Members when such conduct adversely affects DPC's relationships (and the work and sport environment) or is detrimental to the image and reputation of DPC or a Member. Such applicability will be determined by DPC or a Member, as applicable, at its sole discretion.

5. This Code applies to Organizational Participants active in the sport or who have retired from the sport where any claim regarding a potential breach of this Code occurred when the Organizational Participant was active in the sport.
6. However, notwithstanding anything to the contrary contained herein or in the OSIC's policies and procedures, all incidents of Maltreatment involving Workers, may also be addressed pursuant to the processes set out in any applicable workplace policy. For greater certainty, where an allegation of misconduct is alleged to be a breach of a workplace policy and of the UCCMS, the matter may be referred for handling under the policies and procedures of the OSIC, provided the Worker is a UCCMS Participant, in addition to any applicable workplace policy.

C. PROHIBITED BEHAVIOURS

7. All Organizational Participants must refrain from any behaviour that constitutes a Prohibited Behaviour as defined by the UCCMS and the Code.
8. Organizational Participants are responsible for knowing what actions or behaviours are Prohibited Behaviours and/or Maltreatment.
9. Prohibited Behaviours under the UCCMS (which are defined in the UCCMS) include, but are not limited to:
 - a) Physical Maltreatment
 - b) Psychological Maltreatment
 - c) Neglect
 - d) Sexual Maltreatment
 - e) Grooming
 - f) Boundary Transgressions
 - g) Discrimination
 - h) Failing to Report
 - i) Aiding and Abetting
 - j) Retaliation
 - k) Interference with or Manipulation of Process
 - l) False Reports
10. In addition to the Prohibited Behaviours as defined by the UCCMS, this Code sets out other expected standards of behaviour and conduct for all Organizational Participants and any failure to respect these expected standards of behaviour by an Organizational Participants may constitute a breach of this Code. In addition, the following behaviours also constitute breaches of this Code:
 - a) Bullying
 - b) Harassment
 - c) Workplace Harassment
 - d) Workplace Violence

D. RESPONSIBILITIES OF ORGANIZATIONAL PARTICIPANTS

11. All Organizational Participants have a responsibility to:

- a) Refrain from any behaviour that constitutes Maltreatment or Prohibited Behaviour under this Code or the UCCMS.
- b) Maintain and enhance the dignity and self-esteem of other Organizational Participants by:
 - i. Treating each other with fairness, honesty, respect and integrity;
 - ii. Focusing comments or criticism appropriately and avoiding public criticism of Athletes, coaches, officials, organizers, volunteers, employees, or other Organizational Participants;
 - iii. Consistently demonstrating the spirit of sportsmanship, sport leadership, and ethical conduct; and
 - iv. Ensuring adherence to the rules of the sport and the spirit of those rules.
- c) Not knowingly place themselves in a situation that could give rise to a conflict between personal interests and the interests of DPC¹;
- d) Refrain from the use of power or authority to coerce another person to engage in inappropriate activities.
- e) Refrain from consuming tobacco products, cannabis, or recreational drugs while participating in the programs, activities, competitions, or Events of DPC or a Member.
- f) In the case of Minors, not consume alcohol, tobacco, or cannabis at any competition or Event.
- g) In the case of individuals who are not Minors, not consume cannabis in the Workplace or in any situation associated with the Events of DPC or a Member (subject to protections under applicable human rights legislation), not consume alcohol during training, competitions, or in situations where

¹ For the purposes of this policy, conflict of interest is defined as “a situation where an Organizational Participant, or the entity with which they are affiliated, as a real or perceived competing interest with DPC’s activities. This competing interest may result in the Organizational Participant, or the entity with which the Organizational Participant is affiliated, being in a position to benefit from the situation or in DPC not being able to achieve a result which would be in the best interest of DPC.”

DPC recognizes that some situations may present conflicts that are not materially harmful. As a result, DPC’s Board of Directors or Senior Staff, as appropriate, will address such situations on a case-by-case basis. All Organizational Participants are responsible to self-report to DPC all instances of real or perceived conflict, so that a determination can be made as to whether the particular instance is in fact harmful to DPC or its Organizational Participants, and therefore prohibited.

Minors are present, and take reasonable steps to manage the responsible consumption of alcohol in adult-oriented social situations.

- h) When driving a vehicle:
 - i. Have a valid driver's license;
 - ii. Obey traffic laws;
 - iii. Not be under the influence of alcohol or illegal drugs or substances;
 - iv. Have valid car insurance; and
 - v. Refrain from engaging in any activity that would constitute distracted driving.
- i) Respect the property of others and not wilfully cause damage.
- j) Promote sport in the most constructive and positive manner possible.
- k) Refrain from engaging in deliberate behaviour which is intended to manipulate the outcome of a competition and/or not offer, receive or refrain from offering or receiving any benefit which is intended to manipulate the outcome of a competition. A benefit includes the direct or indirect receipt of money or anything else of value, including, but not limited to, bribes, gains, gifts, preferential treatment, and other advantages.
- l) Adhere to all applicable federal, provincial/territorial, municipal and host country laws.
- m) Comply with the bylaws, policies, procedures, rules, and regulations of DPC and its Members, as applicable, and as adopted and amended from time to time.

E. DIRECTORS, COMMITTEE MEMBERS, AND EMPLOYEES

12. In addition to section D (above), Directors, Committee Members, and employees of DPC and its Members have additional responsibilities to:
- a) Function primarily as a Director, committee member or employee of DPC or the Member (as applicable) and ensure to prioritize their duty of loyalty to DPC or the Member (and not to any other organization or group) while acting in this role.
 - b) Ensure that financial affairs are conducted in a responsible and transparent manner with due regard for all fiduciary responsibilities.
 - c) Comply with their obligations under the *Screening Policy*, including understanding ongoing expectations under the *Screening Policy* and fully cooperating in the screening process.

- d) Conduct themselves openly, professionally, lawfully and in good faith.
- e) Be independent and impartial and not let self-interest, outside pressure, expectation of reward, or fear of criticism influence their decision-making on behalf of DPC or the Member.
- f) Exercise the degree of care, diligence, and skill required in the performance of their duties pursuant to applicable laws.
- g) Maintain required confidentiality of organizational information.
- h) When acting as a Director or Committee Member, respect the decisions of the majority (the Board or a Committee, as applicable) and resign if unable to do so.
- i) Commit the time to attend meetings and be diligent in preparation for, and participation in, discussions at such meetings.
- j) Have a thorough knowledge and understanding of all governance documents.
- k) Comply at all times with the bylaws, policies, and rules and regulations of DPC and FINA, including complying with contracts or agreements executed with or by DPC.

F. ATHLETE SUPPORT PERSONNEL

- 13. In addition to section D (above), Athlete Support Personnel have many additional responsibilities.
- 14. Athlete Support Personnel must understand and respect the inherent Power Imbalance that exists in their relationship with Athletes and must be extremely careful not to abuse it, either consciously or unconsciously.
- 15. Athlete Support Personnel will:
 - a) Avoid any behaviour that abuses the Power Imbalance inherent in the position of the Athlete Support Personnel.
 - b) Ensure a safe environment by selecting activities and establishing controls that are suitable for the age, experience, ability, and fitness level of the Athletes.
 - c) Prepare Athletes systematically and progressively, using appropriate time frames and monitoring physical and psychological adjustments while refraining from using training methods or techniques that may harm Athletes.
 - d) Avoid compromising the present and future health of Athletes by communicating and cooperating with sport medicine professionals (where appropriate) in the diagnosis, treatment, and management of Athletes' medical and psychological treatments.

- e) Support the Athlete Support Personnel of a training camp, provincial/territorial team, or national team, should an Athlete qualify for participation with one of these programs.
- f) Accept and promote Athletes' personal goals and refer Athletes to other coaches and sport specialists as appropriate.
- g) Provide Athletes (and the parents/guardians of Minor Athletes) with the information necessary to be involved in the decisions that affect the Athlete.
- h) Act in the best interest of the Athlete's development as a whole person.
- i) Comply with their obligations under the *Screening Policy*, including understanding ongoing expectations under this Policy and fully cooperating in the screening process.
- j) Report any ongoing criminal or anti-doping investigation, conviction, or existing bail conditions to DPC or a Member (as applicable), including those for violence, child pornography, or possession, use, or sale of any illegal or prohibited substance or method.
- k) Under no circumstances provide, promote, or condone the use of drugs (other than properly prescribed medications) or prohibited substances or prohibited methods and, in the case of Minors, alcohol, cannabis, and/or tobacco.
- l) When acting as a coach, respect Athletes competing for other jurisdictions and, in dealings with them, not encroach upon topics or take actions which are deemed to be within the realm of 'coaching', unless after first receiving approval from the coaches who are responsible for the Athletes.
- m) Comply with DPC's policies and with DPC and FINA rules and regulations.
- n) Avoid any behaviour that abuses the Power Imbalance inherent in the coaching position to (i) establish or maintain a sexual relationship with an athlete that they are coaching, or (ii) encourage inappropriate physical or emotional intimacy with an athlete, regardless of the athlete's age.
- o) Communicate and collaborate with sport science and sport medicine professionals in the diagnosis, treatment, and management of Athletes' medical and overall healthcare.
- p) Recognize the power inherent in the position of Athlete Support Personnel and respect and promote the rights of all Organizational Participants in sport. This is accomplished by establishing and following procedures for confidentiality (right to privacy), informed participation, and fair and reasonable treatment. Athlete Support Personnel have a special responsibility to respect and promote the rights of Organizational Participants who are in a vulnerable or dependent position and less able to protect their own rights.

- q) Dress appropriately.
- r) Use inoffensive language and take into account the audience being addressed (e.g., the age/maturity of the individuals).

G. ATHLETES

16. In addition to section D (above), Athletes have additional responsibilities to:

- a) Follow their Athlete Agreement (if applicable).
- b) Report any health and fitness related problems in a timely fashion, when such problems may limit their ability to travel, train, compete or, in the case of carded athletes, interfere with the athlete's ability to fulfill requirements under the Athlete Assistance Program.
- c) Participate and appear on-time and prepared to participate to their best abilities in all competitions, practices, training sessions, and evaluations.
- d) Properly represent themselves and not attempt to participate in a competition for which they are not eligible by reason of age, classification, or other reason.
- e) Adhere to DPC and FINA rules.
- f) Act in accordance with applicable policies and procedures and, when applicable, additional rules as outlined by Athlete Support Personnel.

H. OFFICIALS

17. In addition to section D (above), officials have additional responsibilities to:

- a) Conduct all events according to the rules of DPC and FINA, with the integrity of the sport and each Athlete's performance in mind.
- b) Not publicly criticize other Organizational Participants.
- c) Adhere at all times to the rules of their international federation and any other sport organization that has relevant and applicable authority.
- d) Place the safety and welfare of competitors, and the fairness of the competition above all else.
- e) Strive to provide a fair sporting environment, and at no time engage in Maltreatment of any person on the field of play.

- f) Respect the terms of any agreement that they enter into with DPC or a Member.
- g) Work within the boundaries of their position's description while supporting the work of other officials.
- h) Act as an ambassador of the sport by agreeing to enforce and abide by national and provincial/territorial rules and regulations.
- i) Take ownership of actions and decisions made while officiating.
- j) Respect the rights, dignity, and worth of all Organizational Participants.
- k) Act openly, impartially, professionally, lawfully, and in good faith.
- l) Be fair, equitable, considerate, independent, honest, and impartial in all dealings with others.
- m) Respect the confidentiality required by issues of a sensitive nature, which may include discipline processes, appeals, and specific information or data about Organizational Participants.
- n) Comply with their obligations under the *Screening Policy*, including understanding ongoing expectations under this Policy and fully cooperating in the screening process.
- o) Honour all assignments unless unable to do so by virtue of illness or personal emergency, and in these cases inform a supervisor or DPC or a Member at the earliest possible time.
- p) When writing reports, set out the facts to the best of their knowledge and recollection.
- q) Dress in appropriate attire for officiating.

I. PARENTS/GUARDIANS AND SPECTATORS

18. In addition to section D (above), parents/guardians and spectators at Events will:

- a) Encourage Athletes to compete within the rules and to resolve conflicts without resorting to hostility or violence.
- b) Respect the decisions and judgments of officials and encourage Athletes to do the same.
- c) Support all efforts to stop and prevent verbal and physical abuse, coercion, intimidation, and excessive sarcasm.
- d) Respect and show appreciation to all competitors, and to coaches, officials and other volunteers.
- e) Never harass competitors, Athlete Support Personnel, officials, parents/guardians, or other spectators.

- f) Never encourage, aid, cover up or assist an Athlete in cheating through doping, competition manipulation or other cheating behaviour.

J. PROVINCIAL SECTIONS AND CLUBS

19. Provincial Sections and Clubs must:

- a) Adhere to all DPC's governing documents and, when required, amend their own rules to comply or align with those of DPC.
- b) Pay all required dues and fees by the prescribed deadlines.
- c) When required, ensure that all Athletes and Athlete Support Personal participating in sanctioned competitions and Events of DPC are registered and in good standing.
- d) Appropriately screen prospective employees to help ensure Athletes have a healthy and safe sport environment.
- e) Ensure that any possible or actual misconduct is investigated promptly and thoroughly.
- f) Impose appropriate disciplinary or corrective measures when misconduct has been substantiated.
- g) Advise DPC immediately of any situation where a complainant has publicized a complaint in the media (including social media).
- h) Provide DPC with a copy of all decisions rendered pursuant to the organization's policies for complaints and appeals.
- i) Implement and enforce any decisions and disciplinary sanctions imposed pursuant to the discipline process of DPC or any other Provincial Section and Club, as applicable.

K. ANTI-DOPING²

20. DPC and its Members adopt and adhere to the Canadian Anti-Doping Program. DPC and its Members will respect any sanction imposed on an Organizational Participant as a result of a breach of the Canadian Anti-Doping Program or any other applicable Anti-Doping Rules.

21. All Organizational Participants shall:

² Any capitalized terms used in this Anti-Doping section shall, unless the context requires otherwise, have the meanings ascribed to them in the Definitions section of the Canadian Anti-Doping Program.

- a) Abstain from the non-medical use of medications or drugs or the use of Prohibited Substances or Prohibited Methods as listed on the version of the World Anti-Doping Agency's Prohibited List currently in force.
 - b) Refrain from associating with any person for the purpose of coaching, training, competition, instruction, administration, management, athletic development, or supervision, who has been found to have committed an anti-doping rule violation and is serving a period of ineligibility imposed pursuant to the Canadian Anti-Doping Program or any other applicable anti-doping rules.
 - c) Cooperate with any Anti-Doping Organization that is conducting an investigation into any anti-doping rule violation(s).
 - d) Refrain from any offensive conduct toward a Doping Control official or other individual involved in Doping Control, whether or not such conduct constitutes Tampering as defined in the Canadian Anti-Doping Program.
22. All Athlete Support Personnel or other Persons who are Using a Prohibited Substance or Prohibited Method without a valid and acceptable justification shall refrain from providing support to Athletes that fall under DPC's or a Member's jurisdiction.

L. RETALIATION, RETRIBUTION OR REPRISAL

23. It is a breach of this *Code of Conduct and Ethics* for any Organizational Participant to engage in any act that threatens or seeks to intimidate another individual with the intent of discouraging that individual from filing, in good faith, a Report pursuant to any policy of DPC. It is also a breach of this *Code of Conduct and Ethics* for an individual to file a Report for the purpose of retaliation, retribution or reprisal against any other individual. Any individual found to be in breach of this section shall be liable for the costs related to the disciplinary process required to establish such a breach.

M. PRIVACY

24. The collection, use and disclosure of any personal information pursuant to this Policy is subject to the *Privacy Policy*.