Physical and Health Education Canada
Statement of Policies and Procedures Package

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# Legend

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|---|---|
| SPP | Statement of Policy and Procedure |
| Numerical system | Each policy gets a unique number as it's approved, without hierarchy |
| | Each policy number is followed by the year of approval |
| Definitions | Any term included in the *Definitions section* is hyperlinked the first time it appears in this document. Clicking the hyperlink will take you directly to the corresponding definition. |

# Approval and Review

This Statement of Policy and Procedure package was approved by the PHE Canada Board of Directors:
**November 6th, 2025 – Board Motion 26-02-02**

**Review Cycle**
Each Statement of Policy and Procedure shall be reviewed by the Executive Director & Chief Executive Officer (ED&CEO) and the Executive Committee every four (4) years, or earlier if organizational or contextual changes necessitate an update.

A historical record of amendments (Appendix D) are kept for seven years as part of the corporate records.

**Recent Amendment Record**

| Date / Board Motion | SPP # | Change | Replaces |
|---|---|---|---|
| Nov 6, 2025<br><br>Motion 26-02-02 | 1.25 | Board of Directors<br>• term changes for appointed and treasurer roles<br>• voting privileges of Nominations Committee members<br>• addition of EDI commitments in board membership<br>• change in process for dealing with more than one nominee | SPP NP2.01 |
| | 2.25 | Accountabilities and Responsibilities of Directors and Officers<br>• change in expectations for board meeting attendance<br>• change to quorum as related to conflicts of interest | SPP NP2.03 |
| | 3.25 | Board Processes<br>• inclusion of land acknowledgment in the meeting process<br>• removal of directive to follow Robert's Rules<br>• clarification of board processes to reflect practice (reports including nil reports, consent agenda, business arising)<br>• addition of standing, advisory, ad hoc, and working committee minutes to corporate record (board portal)<br>• removal of policies and procedures related to ED&CEO | SPP NP2.02 |
| | 4.25 | Board and ED&CEO Roles and Responsibilities<br>• new policy containing the policies and procedures related to the ED&CEO from SPP NP2.02 | SPP NP2.03 |
| | 5.25 | Risk Management and Mitigation<br>• separation of risk management procedures of the Board (governance) and the ED&CEO (management)<br>• amalgamation of NP2.05 Risk Management and NP2.08 Risk Mitigation to remove duplication | SPP NP2.05<br>SPP NP2.08 |
| | 6.25 | Strategic, Operational and Succession Planning<br>• alignment of strategic planning timelines to match the President-Elect's first term<br>• alignment of operation and budget planning cycles to match PHE Canada's fiscal year | SPP NP2.06 |

| | | | |
|---|---|---|---|
| | 7.25 | Inclusion, Diversity, Equity, and Access (IDEA)<br>• inclusion of child rights<br>• inclusion of a commitment to substantive equity on the board<br>• addition of expectation for Board and employment recruitment practices that are culturally safe and inclusive | SPP NP2.07 |
| | 8.25 | Workplace Harassment and Violence<br>• acknowledgment of educational regulatory bodies to investigate, adjudicate, or impose sanctions related to a teacher's misconduct.<br>• removal of prohibited behaviours already covered under the law<br>• change of terminology from alleged wrong-doer or harasser to a neutral term - "person(s) named in the complaint" | SPP HR5.07 |
| | 9.25 | Code of Conduct and Ethics<br>• no changes beyond numbering | SPP NP2.04 |
| | 10.25 | Conflict of Interest and Whistleblowing<br>• change to quorum as related to conflicts of interest<br>• condensing and removal of duplication | SPP NP2.09 |
| | 11.25 | Discipline and Appeal<br>• no changes beyond numbering | SPP NP2.09 |
| | 12.25 | Anti-Doping and Sport Policy<br>• no changes beyond numbering | SPP NP2.09 |
| | 13.25 | Responsible Conduct of Research<br>• no changes beyond numbering | SPP NP3.06 |
| | 14.25 | Membership<br>• assignment of responsibilities for sanctions of members to the Executive Committee from unassigned | SPP NP6.04 |

| SPP 1.25: Board of Directors | 26-02-02 |
|---|---|
| Purpose | This Statement of Policy and Procedure outlines a clear, transparent process for identifying, evaluating, and appointing eligible and qualified individuals to serve on the Board of Directors of PHE Canada, to support good governance, legal compliance, and alignment with the charity's mission. |
| Scope | This Statement of Policy and Procedure applies to the Board of Directors, Nominations Committee, Executive Director & Chief Executive Officer, and the Secretary of the Board. |

## 1. POLICY (what we do)

**1.1.** PHE Canada nominates and appoints an eligible and qualified Board of Directors at its annual general meeting (AGM) to ensure its fiduciary duties are met as follows:

- Duty of Care
- Duty of Obedience
- Duty of Loyalty
- Duty to Act in Good Faith

**1.2.** The Board shall appoint a Nominations Committee each year to determine its requirements, recruit eligible and qualified Board Directors, and provide related information to the Board.

**1.3.** To prevent any real or perceived conflict of interest, members of the Nominations Committee are prohibited from voting on matters under the committee's consideration.

**1.4.** PHE Canada is committed to advancing equity, diversity, and inclusion within its governance structure. PHE Canada is committed to sustaining a substantive board that reflects:

- Education sector representatives from all provincial and territorial regions.
- 51% representation from under-represented equity-deserving groups as identified under the Employment Equity Act. For the purpose of this policy, equity-deserving groups include:
  - Indigenous peoples (First Nations, Inuit, and Métis)
  - Women
  - Persons with disabilities
  - Members who identify as 2SLGBTQ+
  - Members of racialized or visible minority communities
- Subject matter expertise in governance, legal, financial, human resources, inclusion or other matters required to support the achievement of the strategic plan.
- Youth (aged 18-29), as a beneficiary of PHE Canada's programs and services.

**1.5.** Board Directors serve terms of two (2) to six (6) years, extending from AGM to AGM. Terms may be extended under special circumstances, including but not limited to the interruption or cancellation of an AGM, a declared state of emergency, or the resignation or discontinuation of a Board Director.

**1.6.** The number of Board Directors and the terms of office are as follows:

- Number of Board Directors: Not fewer than five (5) and not more than twenty (20).
- Past-President-Elect: four-year term of office.
- Treasurer: Two (2) year term of office, may serve a maximum of three (3) consecutive terms.
- Elected Board Directors representing the educator sector across the country: Two (2) year term of office; may serve a maximum of two (2) consecutive terms.
- Appointed Board Directors: Two (2) year term of office, may serve a maximum of three (3) consecutive terms.
- Ex-Officio Board Directors: As defined in the bylaws (non-voting unless otherwise stated); serve by virtue of their office.

## 2. PROCEDURES (how we do it)

**2.1.** It is the responsibility of the Past-President-Elect during their respective terms to:

- Ensure the Nomination Terms of Reference are up-to-date.
- Chair the Nominations Committee.
- Contact Board Directors who are eligible to continue serving to confirm their willingness to stand for election for an additional term.
- Communicate PHE Canada's thanks to those Board Directors who are leaving the Board.
- Present the proposed slate of Board Directors to the membership at the AGM.

**2.2.** It is the responsibility of the Nominations Committee six months before the AGM to:

- Conduct a Board Composition Review to assess the presence of education sector representatives from across the country, skill, beneficiary and equity-deserving Board Directors as noted in 1.4 above.
- Identify gaps from expected board turnover, qualifications, emergent needs, and to meet the required board composition as noted in 1.4 above.
- Specify and communicate to the Board, the recruitment priorities for the upcoming term.
- Search for appropriate, qualified and eligible candidates.
- Review all nomination submissions to ensure they are complete, accurate, and meet eligibility requirements before they are advanced in the election process.
- Present new candidates to the Board for review.
- Present the slate of proposed Board Directors to members at the AGM to confirm their election.
- Announce all new Board Directors to the membership for election at the AGM.

**2.3** If more than one qualified and eligible nomination is received for a position, the Nominations Committee presents both candidates to the Board for an objective review, and the Board selects one candidate to best support board composition.

**2.4** In circumstances where the representation goals as outlined in 1.4 above are not met, the following measures shall apply:

- The Nominations Committee shall provide a written explanation to the Board outlining the reasons the target was not achieved, including any challenges in candidate availability, timing, or other contextual factors.
- A corrective action plan shall be developed, including strategies to prioritize recruitment of candidates from underrepresented groups in the next election or appointment cycle.
- The Board shall continue to uphold the principles of equity, inclusion, and cultural safety in all governance decisions while actively working toward achieving the representation target in subsequent cycles.

**2.5** The Nominations Committee may request support from the Executive Director & Chief Executive Officer to assist in board recruitment or succession planning processes if additional organizational insight is required.

**2.6** It is the responsibility of the Board to:

- Participate in the annual Board Composition Review.
- Actively recruit qualified and eligible candidates to the Board.

**2.7** It is the responsibility of the Secretary of the Board (or their designee) to support the Nominations Committee and to:

- Organize all Nominations Committee meetings and circulate the agenda and minutes to Nominations Committee members.
- Provide the Nominations Committee with information related to the expected board openings.
- Promote board openings and manage the collection of submissions of interest from the general public and the PHE Canada members.
- Present the submissions to the Nominations Committee for consideration.
- Present notice of the slate of proposed Board Directors, their representation and experience, to all members at least 21 days before the AGM.
- Minute the confirmation of Board Directors at the AGM.
- Announce the election results and submit these to PHE Canada's corporate record.
- Submit any resignations or terminations of Board Directors to PHE Canada's corporate record.

**2.8** It is the responsibility of the Secretary of the Board (or their designee) to arrange for appropriate directors and officers liability insurance and provide information to the Board of Directors regarding the coverage, expectations of Board Directors, and any limitations.

**2.9** Once elected, PHE Canada will provide appropriate orientation and development for new Board Directors, including:

- A meeting with the President for orientation to the vision for PHE Canada and the current work of the Board and its committees, names of Executive Committee members, committee chairs, and other Board Directors.
- An invitation to a board meeting ahead of appointment as Board Director.

- An optional meeting with the outgoing Board Director holding the portfolio, or one similar.
- A meeting with the Executive Director & Chief Executive Officer for orientation to the operations of the organization and management.
- A copy of the Board of Directors Handbook.
- A meeting with the Secretary of the Board for orientation to the online board portal, highlighting the presence of the Board of Directors Handbook, organization's bylaws, policies and procedures, strategic plans, directors and officers' liability insurance, financial statements and budgets for the coming year, the name of the external auditor, and any other information deemed appropriate.

**2.10** Once elected and annually thereafter, it is the responsibility of all new and returning Board Directors before assuming their duties to:

- Sign a personal acknowledgement of the organization's code of conduct and ethics guidelines for practice (Code of Conduct and Guidelines for Ethical Practice)
- Declare any known conflicts of interest to the President.
- Provide or complete background screening within 30 days of starting their term.
- Complete and provide proof that harassment and violence training has been completed within 30 days of commencing their term on the Board.

**2.11** Failure to provide the required acknowledgement and training in a timely manner will result in a progressive penalty approach, balancing fairness, organizational integrity, and risk management. The following steps will apply:

- Initial Deadline—Board Directors are required to submit the criminal reference check and/or vulnerable sector records check within 30 days of their start date.
- Warning and Temporary Restriction—If the criminal reference check and/or vulnerable sector records check is not provided by the deadline, the Board Director will receive a formal written warning. Additionally, temporary restrictions may be imposed, such as being prohibited from working directly with vulnerable populations, until the check is provided.
- Suspension—If the criminal reference check is still not provided after an additional grace period of 30 days, the Board Director may be placed on leave.
- Termination for Non-Compliance— Failure to provide the criminal reference check after two warnings and extended deadlines may result in termination for non-compliance with this policy.

## 3. DEFINITIONS

- Diversity
- Directors and Officers Liability Insurance
- Eligible Individual
- Equity
- Fiduciary Duties
- Inclusion
- PHE Canada Member
- Qualified Individual
- Substantive Board
- Terms of Reference

## 4 RELATED FORMS / RESOURCES

- Board Composition Review (Appendix B)
- Board of Directors Handbook
- Nominations Committee Terms of Reference

# SPP 2.25: Accountabilities and Responsibilities of Directors and Officers

**26-02-02**

| | |
|---|---|
| Purpose | This Statement of Policy and Procedure articulates the accountabilities, fiduciary duties, and specific responsibilities of PHE Canada's Board Directors and Officers to ensure effective governance and stewardship of the organization. |
| Scope | This Statement of Policy and Procedure applies to all Board Directors, including Officers, namely the Executive Director & Chief Executive Officer, Treasurer and Secretary of the Board. |

## 1 POLICY STATEMENTS (what we do)

**1.1.** All Board Directors shall exercise their fiduciary duty in the best interests of the members and the organization. The board is collectively responsible for the following four fiduciary duties:

- **Duty of Loyalty**
  - Set organizational direction (i.e. mission, vision, values, and strategic plan).
  - Share expertise, ideas, data, and advice; offer alternatives.
  - Enhance PHE Canada's public standing and advocate for it.
  - Bring forward relevant items for discussion or action.
  - Offer information that PHE Canada may have difficulty obtaining.
  - Maintain confidentiality of information unless permission to share is granted.
  - Avoid self-dealing and conflicts of interest.
- **Duty of Care**
  - Ensure appropriate and adequate resources, namely hiring/supporting the Executive Director & Chief Executive Officer.
  - Attend board meetings, participate in committee work, and respect others' roles.
  - Prepare for meetings by reading all reports.
  - Treat everyone fairly and impartially.
  - Engage in prudent decision-making and avoid unnecessary risks.
  - Assist the Executive Director & Chief Executive Officer, as requested by the President or the Executive Director & Chief Executive Officer.
- **Duty of Obedience**
  - Obey the law and stay true to PHE Canada's articles of continuance, letters patent, bylaws, and policies and procedures.
  - Prepare for and participate in all regular board meetings.
  - Keep sensitive information protected.
  - Follow all legal obligations.
  - Complete all mandatory training in a timely manner.

- **Duty to Act in Good Faith**
  - Act honestly, transparently, and without deceit.
  - Advocate to advance PHE Canada's mission and purpose.
  - Mobilize resources, make connections, and promote the organization.
  - Keep the membership informed of board actions through information returns (e.g., t3010) and the AGM.
  - Consider financial, social, and environmental impacts in decision-making.

**1.2.** To fulfil its fiduciary duties, Board Directors are expected to attend the full duration of all scheduled board meetings to ensure they contribute meaningfully to discussions and informed decision-making.

- Attendance at only part of a meeting shall be considered an absence.
- Directors who miss more than one board meeting, including partial absence, within a year will be invited to discuss their continued participation with the chair and may be asked to resign if they are unable to attend all future meetings.
- Partial absence is defined as less than 75% of the scheduled meeting.

**1.3.** Directors serve without remuneration but will be reimbursed for reasonable expenses incurred in the performance of their duties according to the expenses policy.

**1.4.** Directors are not prohibited from receiving compensation for services provided to the organization in another capacity.

## 2. PROCEDURES (how we do it)

**2.1.** Each Board Director plays an important role and, in performing this role, works collectively to act as a fiduciary.

**2.2.** The President is responsible to:

- Ensure adherence to this policy and that board minutes reflect compliance.
- Sit as a Board Director with the same rights and privileges as all other Board Directors, but vote only when voting is by ballot or to break/create a tie.
- Chair quarterly board meetings and others as required.
- Gain consensus on board needs and plan for succession.
- Approve guest attendance at board meetings.
- Exercise responsibility for board operations and disciplinary action, including dismissal of Board Directors.
- Ensure conflicts of interest are declared and recorded.
- Ensure all Board Directors sign the code of conduct/ethics acknowledgment.
- Read all board reports and previous minutes ahead of meetings.
- Sit as a voting member and chair the Executive Committee.
- Sit as a voting member of the Finance and Audit Committee.
- Ensure the annual Board Composition Review is conducted.

- Chair the AGM as a non-voting member; provide the President's message for the AGM.
- Review board meeting and AGM agendas/minutes prior to approval.
- Attend or designate attendance at PHE Canada board committees as required.
- Participate in strategic planning during their second year of term.
- Orient, engage, and support Board Directors to ensure input, cohesion, and healthy relationships.
- Delineate the Board's annual workplan to Board Directors.
- Act as an advocate and spokesperson for PHE Canada, including public speaking at signature events.
- Act as the primary liaison between the Board and the Executive Director & Chief Executive Officer, providing support, oversight, and unified direction while respecting the Executive Director & Chief Executive Officer's authority over operations.
- Attend monthly Executive Meetings with Past-President-Elect and Executive Director & Chief Executive Officer.
- Certify all corporate documents requiring certification.

### 2.3. President-Elect (One-Year Term, adjunct to the President's second year)

Responsible to:

- Sit as a voting member of the Board with full rights.
- Attend quarterly board meetings and others as required.
- Sit as a voting member of the Finance and Audit Committee (four virtual meetings).
- Act as the Board lead for strategic planning, provide quarterly updates to the Board, and present the strategic plan at the AGM at the commencement of their term.
- Co-chair the Council of Provinces and Territories, and provide quarterly updates.
- Chair the Nominations Committee (two or more meetings annually).
- Stand in as Chair in the President's absence.
- Read all reports and previous minutes ahead of meetings.
- Initiate the annual Board Composition Review.
- Initiate the annual assessment of the Board of Directors' skills within the Nominations Committee.
- Attend monthly Executive Committee meetings with the President and Executive Director & Chief Executive Officer.

### 2.4. Past President (One-Year Term, adjunct to the President's first year)

Responsible to:

- Sit as a voting member of the Board with full rights.
- Attend quarterly board meetings and others as required.
- Read all reports and previous minutes ahead of meetings.
- Stand in as Chair in the President's absence.

- Sit as a voting member of the Finance and Audit Committee.
- Co-chair the Council of Provinces and Territories and provide updates to the Board.
- Chair the Nominations Committee; provide updates to the Board.
- Initiate an annual assessment of the board of directors' skills within the nominations committee.
- Attend monthly Executive Committee meetings with the President and Executive Director & Chief Executive Officer.

**2.5. Educator Sector Representatives from Across the Country (Two-Year Term, maximum four years)**

Responsible to:

- Sit as a voting member of the Board with full rights.
- Attend quarterly board meetings and others as required.
- Provide quarterly updates to the Board from their province/territory.
- Forward items for discussion/action each year.
- Read all board reports and previous minutes ahead of each meeting.
- Chair and/or serve as a voting member of a PHE Canada board committee as designated.

**2.6. Appointed Board Members (Two-Year Term, maximum six years)**

Responsible to:

- Sit as a voting member of the Board with full rights.
- Attend quarterly board meetings and others as required.
- Provide quarterly reports to the Board from their respective appointee perspective/committee.
- Forward items for discussion/action each year.
- Read all board reports and previous minutes ahead of each meeting.
- Chair and/or serve as a voting member of a PHE Canada board committee as designated.

**2.7. Ex-Officio Board Members – Secretary of the Board (ED&CEO or designee)**

Responsible to:

- Schedule and provide due notice of all board meetings - 14 days in advance for in-person meetings, 2 days for electronic/phone meetings, or otherwise agreed.
- Attend quarterly board meetings and others as required.
- Maintain up-to-date confidential records of any Board Directors declared conflicts of interest.
- Ensure that board discussions/decisions exclude any Board Director in a conflict situation.
- Faithfully record AGM and board meeting minutes and distribute to all Board Directors.
- Act as a resource to the Board on compliance with laws, bylaws, board policies, and meeting/decision-making processes.
- Keep custody of the corporate minute books, documents, and registers.
- Certify all corporate documents requiring certification.

**2.8. Board Treasurer (Two-Year Term, maximum six years)**

Responsible to:

- Sit as a voting member of the Board with full rights.
- Attend quarterly board meetings and others as required.
- Chair the Finance and Audit Committee to ensure fulfillment of financial oversight obligations, including planning, audit, reporting, internal controls, and risk management.
- Make recommendations to the Board.
- Present audited financial statements to the membership at the AGM.
- Ensure accurate financial records, review statements, budgets, and audits, and provide financial insights.

**2.9.** All Board Directors must declare conflicts; the Secretary records them; conflicted Board Directors abstain from discussions/decisions and do not count towards quorum.

**2.10.** The President monitors attendance and initiates resignation discussions where the threshold is exceeded.

**2.11.** Board Directors must complete required training within the timeframe specified.

**2.12.** Board Directors submit expense claims in accordance with the expense guidelines in the Board of Directors Handbook.

**2.13.** The President, with the Nominations Committee, plans for board succession and fills vacancies.

**2.14.** Board Directors are expected to provide as much advance notice to the President as possible of their intention to seek an additional term or to conclude their service on the Board. Ideally, notice should be given no later than three months prior to the end of their current term.

## 3. DEFINITIONS

- Audited Financial Statements
- Fiduciary Duties
- Quorum

## 4. RELATED FORMS / RESOURCES

- Board Composition Review (Appendix B)
- Board of Directors Handbook

| SPP 3.25: Board Processes | 26-02-02 |
|---|---|
| Purpose | This Statement of Policy and Procedure provides guidance to the Board of Directors with respect to meetings and committee processes. |
| Scope | This Statement of Policy and Procedure applies to all Board Directors, including Officers, namely the Executive Director & Chief Executive Officer, Treasurer and Secretary of the Board. |

## 1. POLICY (what we do)

**1.1.** The PHE Canada Board of Directors, Executive Director & Chief Executive Officer, and the Secretary of the Board conduct regular meetings.

**1.2.** The Board is required to set and meet quarterly, but at a minimum twice annually.

**1.3.** Notice of meetings must be provided at least 14 days in advance for in-person meetings, and 2 days for electronic/phone meetings, or otherwise agreed.

**1.4.** The Board of Directors may approve matters without a meeting by means of a secure electronic vote on a tabled resolution. If a secure electronic vote is held outside a meeting, instructions to directors regarding the rules of debate and the methods of voting shall be communicated. The outcome shall be announced as soon as possible after the conclusion of voting, recorded in a manner similar to that of an in-meeting vote, and recorded in the minutes of the following meeting. Any electronic vote will normally remain open for at least 24 hours. Electronic voting shall not take place on weekends.

**1.5.** While transparency and openness are priorities in governance, certain matters require confidential discussion. Meetings or portions of meetings may be held in camera (closed to non-Board members and invited participants) when the subject matter is sensitive and disclosure could be harmful to the organization, its employees, or individuals.

**1.6.** Quorum for board meetings, as defined in the organization's bylaws, is a majority (50% plus one) of those entitled to be present and vote, which must include the President or the Past-President-Elect or the Executive Director & Chief Executive Officer. Board Directors who declare a conflict of interest shall not be counted in determining quorum.

**1.7.** The Board of Directors shall maintain the following three standing committees to uphold its fiduciary responsibilities: Executive Committee, Nominations Committee, and Finance and Audit Committee.

**1.8.** The Executive Committee shall be comprised of the President and the Past-President-Elect and is responsible for conducting the search for the Executive Director & Chief Executive Officer, approving their appointment, setting annual remuneration and benefits, conducting an annual performance review, and ensuring the development and review of policies and procedures.

**1.9.** The Nominations Committee shall be comprised of the Past-President-Elect, Executive Director & Chief Executive Officer, Secretary of the Board (can be combined with the Executive Director & Chief Executive Officer role), and up to two PHE Canada members at large. The committee is

responsible for ensuring, on a continuing basis, that the PHE Canada Board is composed of eligible and qualified individuals capable of, and committed to, providing effective governance leadership to the organization.

**1.10.** The Finance and Audit Committee shall be comprised of the President, Past-President-Elect, Treasurer (can be combined with the Finance Committee Chair role), Finance Committee Chair, Executive Director & Chief Executive Officer. The committee is responsible for providing advice, recommendations, and oversight on matters pertaining to the organization's efficient and effective financial management, reviews and presents quarterly financial statements to the Board for discussion and approval, approves all expenses over established control limits submitted by the Executive Director & Chief Executive Officer, and acknowledges the integrity of audited financial statements.

**1.11.** The Board may establish or appoint other committees, advisory or ad hoc, as it deems necessary or appropriate by resolution of the Board. To do so, the Board must receive a proposal or request from a voting or non-voting Board Director at least one (1) week prior to the decision stating a rationale supporting the creation (e.g., to enhance governance, improve decision-making, and provide focused oversight on specific areas of responsibility) or the dissolution (e.g., the mandate of the committee has been filled, the need for this committee has expired).

**1.12.** All board committees shall have a clear and approved purpose that upholds the fiduciary responsibilities of the Board. Each committee will have a defined overview, a specified composition including the proportion of Board Directors and any required expertise, an identified term for the committee and its members, and a clear method for selecting the Chair and members at large.

**1.13.** A board committee may require particular expertise, community representation or lived experience, in the performance of its duties and may add members at large that it believes are necessary.

**1.14.** Members at Large must sign the Code of Conduct and Ethics, a confidentiality agreement, and declare any conflicts of interest.

**1.15.** The Board shall appoint a Board Director as a liaison to the committee who is responsible for maintaining records of the committee's activities and presenting any recommendations to the Board or the committee, as appropriate.

**1.16.** The Executive Director & Chief Executive Officer, in their role as Secretary of the Board (or their designee), organizes all standing committee meetings, circulates the agenda, keeps minutes, and distributes minutes to all standing committee members.

**1.17.** The Executive Director & Chief Executive Officer is responsible for assigning an employee as liaison to support any advisory, working or ad hoc committee. The Executive Director & Chief Executive Officer, in their role as Secretary of the Board (or their designee), keeps minutes as part of the corporate record.

## 2. PROCEDURES (how we do it)

**2.1.** Board meeting minutes from the previous meeting, the meeting agenda, and reading or presentation material for all items on the agenda shall be provided to Board Directors a minimum of one (1) week prior to the scheduled meeting.

**2.2.** Meetings shall be chaired by the President, or if the President is absent, by the Past-President-Elect, or in exceptional circumstances, the Executive Director & Chief Executive Officer.

**2.3.** Meetings will be recorded by the Secretary of the Board. If the Secretary is not present at a meeting, the Board shall appoint a temporary secretary for that meeting. The Secretary, whether permanent or temporary, does not hold voting rights.

**2.4.** The Executive Director & Chief Executive Officer is responsible for recording the official minutes of the organization.

**2.5.** At the start of each meeting, the Chair or their designee will deliver a land acknowledgement that recognizes the Indigenous Peoples whose traditional and/or treaty territory the meeting is taking place upon. The acknowledgement will occur before the agenda is adopted, using language appropriate to the location. A standard acknowledgement text may be provided, and the statement will be reviewed annually to ensure accuracy and respect.

**2.6.** The Chair will call the meeting to order and declare quorum or lack thereof.

- Where there is a quorum, the meeting will proceed as per the agenda.
- Where there is no quorum, agenda items may be covered and issues discussed, but no formal decisions may be taken by the Board.

**2.7.** The names of all those present at the meeting shall be recorded by the Secretary.

**2.8.** The Chair will ask for approval of the agenda.

- Any changes, additions, or business arising to the agenda will be made prior to approval.
- The Secretary will record the approval of the minutes.

**2.9.** The minutes of the previous meeting shall be presented for a motion to approve or amend, with a seconder, and any amendments will be recorded by the Secretary. Once approved by the Board, the minutes will attest to accurately reflect the meeting's contents and shall be filed with the corporate records on the board portal.

**2.10.** Board meetings shall contain regular informative reports from its Board Directors and the Executive Director & Chief Executive Officer, which include a summary of related activities undertaken in their roles, and any recommendations or requests for action or decision from the Board.

**2.11.** All regular informative reports shall be motioned for approval and formally approved by the Board with a seconder and recorded by the Secretary.

**2.12.** Board meetings shall contain regular committee reports from all standing committees' chairs, ad hoc or advisory committee liaisons, and shall include the names of the committee members, dates of all meetings held, a summary of activities undertaken and any recommendations or requests for action from the committee to the Board on which the committee would like a Board decision.

**2.13.** When no activities have taken place, the report is termed a nil report and shall be placed in the consent agenda, and shall be motioned for approval and formally approved by the Board with a seconder and recorded by the Secretary.

**2.14.** All regular committee reports shall be motioned for approval and formally approved by the Board with a seconder and recorded by the Secretary.

**2.15.** If a Board Director is not able to present their or their committee reports, it is moved to the consent agenda of the next meeting for approval.

**2.16.** Items for brief discussion and/or analysis from regular informative reports shall be considered by the Board as business arising.

**2.17.** Where action is identified, the Secretary will record the action and include who is responsible. Feedback or actions to the committees regarding both directions and decisions shall be carried to the committee by the board committee liaison or, in their absence, by the Executive Director & Chief Executive Officer.

**2.18.** The Chair will introduce any new business arising, and it shall be dealt with it.

- Each Board Director can forward items for discussion or action each year.
- If required, the Board Director can send a briefing note to the Secretary, a minimum of one (1) week before the board meeting. The Secretary will then provide the briefing note to all directors, placing it in the board portal.
- At the meeting, the Board Director bringing the item forward will summarize it and invite the other Board Directors to request more information, give input, and share ideas on actions that could be taken or ways to move forward.
- Absent Board Directors forfeit the opportunity for further input.
- Minutes are taken, but names are not assigned.
- If an action is required, the Chair will ask to ensure consensus on it. No other formal approval is required.
- All new business shall be motioned for approval and formally approved by the Board with a seconder and recorded by the Secretary.

**2.19.** It is the responsibility of the Executive Director & Chief Executive Officer to adhere to any direction provided by the Board.

**2.20.** If conflict of interest situations occur as part of a board meeting, the conflict shall be recorded in the minutes of the board meeting, and quorum will be recalculated.

**2.21.** The President, in their role as Chair, may move the meeting in camera, or a Board Director may request it with a majority support of those present.

**2.22.** Only Board Directors, Ex-Officio officers and individuals specifically invited by the Chair may attend in camera sessions.

**2.23.** The Secretary will record when the Board moved in camera and returned to the regular session.

**2.24.** Detailed notes of in camera discussions will be kept confidential and securely stored, with access restricted to the Board.

**2.25.** All participants of an in camera session are bound to maintain the confidentiality of the discussion, decisions, and any documents shared.

**2.26.** The President will request a motion for adjournment and shall adjourn the meeting.

## 3 DEFINITIONS

- Audited Financial Statements
- Conflict of Interest
- Eligible Individuals
- Ex-Officio
- In Camera
- Members at Large
- PHE Canada Board
- Qualified Individuals
- Resolution

## 4 RELATED FORMS / RESOURCES

- Sample Board Meeting Agenda

# SPP 4.25: Board and Executive Director & Chief Executive Officer Roles and Responsibilities

**26-02-02**

| | |
|---|---|
| Purpose | This Statement of Policy and Procedure articulates clear expectations, responsibilities, and processes governing the relationship between the President and the Executive Director & Chief Executive Officer of PHE Canada. Its intent is to ensure effective governance, leadership, and accountability across the organization. |
| Scope | This Statement of Policy and Procedure applies to the President, Board of Directors, and the Executive Director & Chief Executive Officer. It governs the hiring, orientation, support, performance evaluation, and overall working relationship between the Board and the Executive Director & Chief Executive Officer. |

## 1. POLICY (what we do)

**1.1.** Relationship between the Board and Executive Director & Chief Executive Officer:

- The Executive Director & Chief Executive Officer and the President will establish a relationship that enables the smooth functioning of the organization and its board, including ongoing clarification of responsibilities, accountabilities, and mandates.
- The Board provides insight and direction to the Executive Director & Chief Executive Officer.
- The Executive Director & Chief Executive Officer communicates and provides direction to employees.
- The Board does not provide direction to employees except through the Executive Director & Chief Executive Officer.

**1.2.** The President is accountable to the Board to:

- Lead the recruitment and hiring of the Executive Director & Chief Executive Officer, including negotiating and approving the initial compensation package.
- Oversee and support the orientation of the incoming Executive Director & Chief Executive Officer to ensure a smooth and successful transition.
- Support and evaluate the ongoing performance of the Executive Director & Chief Executive Officer through regular feedback.
- Negotiate and approve any subsequent changes to the Executive Director & Chief Executive Officer's salary and benefits based on performance evaluations, market considerations, and organizational capacity.
- Serve as the primary liaison between the Board and the Executive Director & Chief Executive Officer.
- Provide mentorship and advice to the Executive Director & Chief Executive Officer, particularly regarding Board expectations and strategic direction.
- Ensure clarity of roles - the Board governs (sets policy and direction), and the Executive Director & Chief Executive Officer manages operations.
- Coordinate the Executive Director & Chief Executive Officer's performance evaluation, typically on an annual basis, using agreed-upon goals and metrics.

- Provide unified and clear feedback and guidance on behalf of the Board.
- Support the Executive Director & Chief Executive Officer by fostering a strong, fair, and respectful relationship between Board oversight and employees' leadership.
- Exercise responsibility for disciplinary action related to the Executive Director & Chief Executive Officer, in consultation with the Board as appropriate.

**1.3.** The Executive Director & Chief Executive Officer is accountable to the Board to:

- Hold full executive accountability for the leadership, strategy, and performance of the entire organization.
- Develop, implement, and execute current and long-range objectives, operating plans, and policies, including establishing controls for effective operations.
- Direct and oversee organization-wide resources, operations, and initiatives to achieve strategic outcomes and impact.
- Develop the strategic plan with board input, and translate it into operational metrics and plans.
- Provide financial leadership, including development and approval of the annual budget, oversight of resource allocation, and stewardship of financial reporting and accountability.
- Manage relationships with government, media, stakeholders, and strategic partners to advance the organization's mission and reputation.
- Lead decision-making, design, implementation, and evaluation of programs, communications/knowledge mobilization, community engagement, events, research, and advocacy to ensure alignment with organizational goals and stakeholder needs.
- Establish, measure, and monitor performance standards to drive excellence and long-term organizational success.
- Serve as the primary communicator and directional link between the Board of Directors and employees, ensuring alignment on priorities, expectations, and outcomes.
- Serve as Secretary, or designee this role, to the Board of Directors, ensuring effective governance support and accurate record-keeping.
- Ensure legal and regulatory compliance and lead risk management planning and mitigation.

## 2. PROCEDURES (how we do it)

### 2.1. Hiring of the Executive Director & Chief Executive Officer

- The President establishes an ad hoc search committee with board approval.
- The committee develops a position profile, recruitment plan, and selection process with input from the Board.
- The President negotiates the initial compensation package within parameters approved by the Finance and Audit Committee.
- The ad hoc search committee formally approves the appointment of the Executive Director & Chief Executive Officer and informs the Board.

### 2.2 Orientation

- The President coordinates a structured orientation plan for the incoming Executive Director & Chief Executive Officer - organizational overview, governance expectations, key contacts, policies, and strategic priorities.

- The Executive Director & Chief Executive Officer and President jointly identify short-term transition goals.
- The Executive Director & Chief Executive Officer meets with each Board Director as part of orientation to build relationships, clarify roles and responsibilities, provide organizational context, and answer questions to support effective governance.

### 2.3 Performance Evaluation

- The President coordinates an annual performance review of the Executive Director & Chief Executive Officer, using goals and metrics agreed upon at the start of the review period.
- The evaluation process includes:
  - Self-assessment by the Executive Director & Chief Executive Officer.
  - Board input (via survey or interviews).
  - President's input.
  - Compilation of feedback into a single report.
- The President presents the evaluation findings and recommendations to the Executive Director & Chief Executive Officer on behalf of the Board.
- Any changes to compensation or contract terms are recommended by the President and approved by the Executive Committee, and then confirmed by the Board as part of the annual budget.

### 2.4 Disciplinary Action

- Concerns regarding the Executive Director & Chief Executive Officer's conduct or performance are raised with the President.
- The President investigates, consults with the Executive Committee (or board, if required), and determines next steps as per PHE Canada's Discipline and Appeal Policy.
- Disciplinary measures, up to and including termination, are recommended by the President and must be approved by the Board.

### 2.5 Communication

- All directions from the Board to the Executive Director & Chief Executive Officer shall be communicated through board meetings or directly through the President to ensure accountability, and adherence to governance roles - the Board roles (governance) and the Executive Director & Chief Executive Officer (management).
- The Executive Director & Chief Executive Officer keeps the President informed of significant developments, issues, or risks.

## 3 DEFINITIONS

- PHE Canada Board

## 4 RELATED FORMS / RESOURCES

- Discipline and Appeal Policy
- Executive Director & Chief Executive Officer Job Description

| SPP 5.25: Risk Management and Mitigation | 26-02-02 |
|---|---|
| **Purpose** | This Statement of Policy and Procedure articulates PHE Canada's commitment to proactive risk management to protect the organization's assets, reputation, operations, and ability to achieve its mission and outlines a framework (Appendix A) to provide a consistent method to identify, assess, respond to, and monitor risk. |
| **Scope** | This Statement of Policy and Procedure applies to the Board of Directors, Officers, the Executive Director & Chief Executive Officer, employees, and volunteers across all areas of PHE Canada. |

## 1. POLICY (what we do)

**1.1.** The Board holds ultimate accountability for PHE Canada's risk management practices.

**1.2.** The Executive Director & Chief Executive Officer holds accountability for implementing and maintaining risk management systems, identifying and evaluating financial, operational, legal, and reputational risks, ensuring compliance with all relevant laws and regulations, and reporting regularly to the Board on risk status and mitigation efforts.

**1.3.** To retain, reduce, transfer or avoid risk and protect the organization, the Board will:

- Ensure that financial, operational, legal, and reputational risks that could impact the organization are identified, evaluated, and monitored annually.
- Oversee financial controls through budget monitoring, review of financial risk ratios, and regular reports from management.
- Confirm that management has implemented systems to ensure compliance with all relevant legal and regulatory requirements.
- Approve and monitor appropriate insurance coverage for major organizational assets, including physical and data assets.
- Ensure that employees, volunteers, and Board Directors receive necessary training on risk management, legal obligations, and best practices.

**1.4.** To retain, reduce, transfer or avoid risk and protect the organization, the Executive Director & Chief Executive Officer will:

- Identify, evaluate, and manage financial, operational, legal, and reputational risks on a day-to-day basis.
- Implement and maintain financial controls, including proactive financial management, and provide reports to the Board and external auditors.
- Ensure full compliance with all relevant legal and regulatory requirements, including privacy laws, employment standards, and sector-specific regulations.
- Protect sensitive and personal data through robust cybersecurity protocols, encryption, and regular system audits to mitigate potential data breaches or cyberattacks.
- Ensure that employees, volunteers, and Board Directors receive training on risk management, legal obligations, and best practices.
- Maintain comprehensive insurance coverage for all major assets and ensure policies are up-to-date and appropriate.
- Maintain the Board and Employee Handbooks.

**1.5.** When a risk is identified, risk mitigation strategies will be prudent, responsible, and consistent with the organization's fiduciary duty and risk tolerance levels.

**1.6.** All Board Directors, the Executive Director & Chief Executive Officer, and employees have an ongoing responsibility to take appropriate measures within their scope of authority and to identify, assess, manage, and communicate risks to those they report to.

**1.7.** PHE Canada maintains a comprehensive insurance program that provides Commercial Liability, Directors and Officers, Errors and Omissions, and Cyber Liability coverage. The insurance program is renewed each year following an assessment to determine if there are gaps, issues, or deficiencies as a result of programming or industry changes.

## 2. PROCEDURES (how we do it)

**2.1** Following the AGM, the Executive Director & Chief Executive Officer shall present to the Board a comprehensive update on the organization's risk profile.

**2.2** The Board shall:

- Annually review, appraise, and update the Risk Management and Mitigation Tables

  to ensure PHE Canada maintains an appropriate balance between mission-driven goals and responsible risk-taking, protecting people, assets, and reputation.
- Regularly receive and review reports and updates to confirm that the organization is operating within acceptable risk thresholds.
- Hold the Executive Director & Chief Executive Officer accountable for the effective identification, mitigation, and management of organizational risks.

**2.3** The Executive Director & Chief Executive Officer shall:

- Ensure all business activities align with the approved strategy, risk appetite, and established limits.
- Establish and maintain effective controls to ensure operations stay within approved policies and risk limits.
- Identify potential risks across all aspects of PHE Canada's operations.
- Assess the likelihood and impact of identified risks and prioritize them for action.
- Develop and implement strategies to mitigate risks and safeguard organizational assets, reputation, and relationships.
- Promptly report and escalate emerging risks and concerns to the Board or the appropriate employee for decision-making and response.
- Hold employees accountable for mitigating and managing risks effectively and timely corrective action.

**2.4** All PHE Canada employees are responsible for acting in alignment with the organization's risk management and mitigation policy, and shall:

- Recognize potential risks across all aspects of PHE Canada's operations using the risk management and mitigation tables as a guide.
- Recognize that risk tolerance and responses vary by category, review each risk and identify risk tolerance using the PHE Canada risk management and mitigation resources (Appendix A) as a guide.

- Apply an appropriate mitigation strategy to safeguard organizational assets, reputation, and relationships.
- Take immediate corrective action when risks are identified within their area of responsibility using the PHE Canada risk management and mitigation resources as a guide.
- Report high and very high risks to the Board, Executive Committee, or escalate emerging risks or concerns promptly to the appropriate manager, team, or stakeholder for decision-making and response.
- Regularly re-evaluate and adjust actions to ensure compliance with risk limits and strengthen risk mitigation efforts.

## 3 DEFINITIONS

- Commercial Liability Insurance
- Cyber Liability Insurance
- Directors and Officers Liability Insurance
- Errors and Omissions Liability Insurance
- Risk Profile
- Risk Tolerance

## 4 RELATED FORMS / RESOURCES

- Risk Management and Mitigation Tables (Appendix A)

# SPP 6.25: Strategic, Operational and Succession Planning

**26-02-02**

| | |
|---|---|
| Policy | This Statement of Policy and Procedure institutionalizes regular strategic planning, establishes and describes organizational operational planning processes, and ensures an organized and systematic succession planning process for leadership continuity. |
| Scope | This Statement of Policy and Procedure applies to the Board of Directors and the Executive Director & Chief Executive Officer. |

## 1. POLICY (what we do)

**1.1.** The Board of Directors is responsible for setting PHE Canada's direction by establishing the mission, vision, and strategic plan and reviews and renews these every four (4) years.

**1.2.** The President is responsible for leading any proposed changes to PHE Canada's mission and vision, ensuring that the Board of Directors and membership are consulted throughout the process.

**1.3.** Changes to PHE Canada's mission and vision must be approved by the membership at the Annual General Meeting (AGM).

**1.4.** The Executive Director & Chief Executive Officer, with the President-Elect, is responsible for leading the strategic planning process every four (4) years.

**1.5.** Strategic plans must be approved by the Board of Directors.

**1.6.** The Executive Director & Chief Executive Officer is responsible for translating the approved strategic plan into an annual operational plan and budget and disseminating it to employees.

**1.7.** The Board of Directors will receive a copy of the annual operational plan and budget for oversight and alignment monitoring, and approval within 45 business days of the fiscal year start (July 1st).

## 2. PROCEDURES (how we do it)

**2.1.** The Executive Director & Chief Executive Officer is responsible for initiating the strategic planning process and collaborating with the President-Elect every four (4) years.

**2.2.** The Executive Director & Chief Executive Officer will conduct an environmental scan, risk ratio assessment, survey the membership, and review program evaluations to assess external and internal factors that may influence PHE Canada's future direction.

**2.3.** The President-Elect is responsible for leading the strategic planning engagement process activities, ensuring the engagement of standing committees, advisory councils, members and the Board to identify any specific areas of concern, opportunity, or desired future state of PHE Canada.

**2.4.** The President-Elect may engage a consultant or facilitator to assist with the planning process, subject to available resources.

**2.5.** The President-Elect and Executive Director & Chief Executive Officer will review the environmental scan, risk ratio assessments, membership surveys and program evaluations to identify and prioritize strategic directions and develop a limited number of high-level strategic objectives that guide organizational priorities.

**2.6.** A draft strategic plan will be prepared and reviewed by the Board. Following any required amendments, the strategic plan will be formally approved by the Board of Directors within 6 months of the AGM.

**2.7.** If changes to the mission or vision are suggested, the President will be engaged and changes will be brought to the Board, then for membership approval at the AGM.

**2.8.** The approved strategic plan will be brought forward at the AGM to members and posted on the PHE Canada website.

**2.9.** Annually thereafter and following the AGM, the Executive Director & Chief Executive Officer will translate the strategic directions into an annual operational plan that aligns resources and activities to support the strategic plan. From this, departmental plans will be developed, and all employees will develop individual and measurable workplans.

**2.10.** Following the same timeframe, the Executive Director & Chief Executive Officer will develop an annual budget using the approved strategic plan as the foundation for planning.

**2.11.** The annual operational plan will be presented to the Executive Committee ahead of the corporate fiscal year-end (June 30th) for review and presented to the Board of Directors for approval thereafter

**2.12.** The annual budget will be presented to the Finance and Audit Committee ahead of the corporate fiscal year-end (June 30th) for review and presented to the Board of Directors for approval thereafter.

**2.13.** The Executive Director & Chief Executive Officer is accountable for achieving direction as outlined in the strategic plan, and meeting the performance objectives as outlined in the operational plans and budget.

**2.14.** The Executive Director & Chief Executive Officer may designee senior employees to monitor departmental performance against the operational plan and budget. These employees are responsible for documenting significant milestones and achievements, highlighting and explaining any variances from planned progress, identifying problems or barriers to achieving performance targets, and summarizing departmental performance for reporting to the Executive Director & Chief Executive Officer.

**2.15.** The Executive Director & Chief Executive Officer shall provide the Board of Directors with quarterly reports on progress toward strategic plan objectives, including any emerging risks that could affect successful plan execution, fourteen (14) days prior to scheduled board meetings.

**2.16.** Each Board Director is responsible for reviewing organizational performance against the strategic plan ahead of the meeting, and for providing timely feedback and recommendations for

corrective action at the board meeting to the Executive Director & Chief Executive Officer, as necessary. Limitations on financing capability, potential revenue generation, or an overall deficit position may necessitate multiple cycles of review and revision of both the operational plan and its related budget until a balanced and realistic alignment is achieved.

**2.17.** The Executive Director & Chief Executive Officer shall develop, maintain, and annually review a comprehensive succession plan for their role, as well as for other key organizational leadership roles, including both planned and emergency scenarios. This plan shall be presented to and reviewed with the Executive Committee each year to ensure leadership continuity and organizational stability.

**2.18.** The Nominations Committee is responsible for overseeing succession planning for key members of the Board.

**2.19.** Upon completion, the Executive Director & Chief Executive Officer will present the finalized operational plan and associated budget to the Board for review, discussion, and approval.

**2.20.** If significant changes occur in the external environment or internal operations that materially impact the strategic plan, the Board may elect to revisit and revise the strategic vision, mission, strategic objectives, tactics, or associated timelines.

**2.21.** Similarly, if significant changes impact the operational plan, the Board may direct the Executive Director & Chief Executive Officer to review and adjust operational objectives, tactics, resource allocations, or timelines as necessary.

**2.22.** Revised operational plans and their associated budgets must be presented to the Board of Directors for review, discussion, and approval.

## 3 DEFINITIONS

- None

## 4 RELATED FORMS / RESOURCES

- Executive Director & Chief Executive Officer Succession Plan

# SPP 7.25: Inclusion, Diversity, Equity, and Access (IDEA)

**26-02-02**

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|---|---|
| Purpose | This Statement of Policy and Procedure is to define and support a caring and inclusive culture in the workplace, to foster creativity and openness, to embrace diverse backgrounds, languages, strengths, ideas, contributions, and perspectives, and, as a result, to ensure PHE Canada is more relevant and valuable to PHE Canada members. |
| Scope | This Statement of Policy and Procedure applies to everyone working with, member of, or participating in PHE Canada programs and activities, and they are to adhere to both the principles, particulars, and spirit of this policy. |

## 1. POLICY (what we do)

**1.1.** PHE Canada will be diverse in its Board and employee demographics, leadership, experiences, and perspectives.

**1.2.** PHE Canada is committed to substantive equity in its governance structure.

**1.3.** PHE Canada will uphold the human rights of individuals and groups as expressed in the United Nations Declaration on the Rights of Indigenous Peoples (2007), the Canadian Charter of Rights and Freedoms (1982), the United Nations Universal Declaration of Human Rights (1948), and the Convention on the Rights of the Child (1991), specifically:

- **Respect for Human Dignity and Diversity:** PHE Canada and its members will respect the inherent value and dignity of all individuals, honouring differences, diversity, and fundamental human rights.
- **Commitment to a Safe Environment:** PHE Canada will pursue a safe, inclusive learning and working environment, free from maltreatment, and will actively promote equal opportunities while prohibiting discriminatory practices.
- **Honouring Truth and Reconciliation:** PHE Canada acknowledges the Truth and Reconciliation Commission of Canada's Calls to Action as a legal and moral obligation. PHE Canada specifically commits to advancing the Calls to Action related to education (Calls to Action 62 and 63) and Physical Education and Sport (Calls to Action 87 to 90).
- **Provision of Quality Education:** PHE Canada will promote meaningful participation and safeguard protection measures, always acting in the best interests of the child and in a way that helps them fully develop their talents and abilities.

**1.4.** This policy includes not engaging in, allowing, condoning, or ignoring behaviour that violates this policy.

**1.5.** No personal reason or perspective shall exempt any individual from their duty to adhere to this policy.

**1.6.** To foster cultural safety and belonging, where possible, individuals from equity-deserving groups will not be placed or recruited as a single representative but within a group of three or more. This practice reduces isolation, distributes responsibility for cultural representation, and strengthens the collective voice and divergent decision-making.

## 2. PROCEDURES (how we do it)

**2.1.** It is the responsibility of the President to ensure that each Board Director and the Executive Director & Chief Executive Officer are aware of this policy and adhere to it in their respective roles, duties, decision-making, and conduct.

**2.2.** It is the responsibility of the Executive Director & Chief Executive Officer to ensure that all members of PHE Canada are aware of this policy, agree to adhere to both the principles and particulars and spirit of this policy, and articulate a clear and accessible complaints process.

**2.3.** All Board Directors, Officers, the Executive Director & Chief Executive Officer, employees and members are expected to:

- Exercise the duty of care and demonstrate empathy and responsiveness in the spirit of peace, dignity, tolerance, freedom, equality, and solidarity toward all.
- Consider the present and long-term effects that settler-colonial actions have on people and educational practices and spaces.
- Demonstrate respect to individuals regardless of race, national or ethnic origin, colour, religion, age, sex, sexual orientation, gender identity or expression, marital status, family status, genetic characteristics, and/or disability.
- Make decisions in a manner that respects the dignity and independence of all individuals and promotes cultural safety.
- Seek learning/unlearning and capacity-building opportunities that increase understanding the impact of colonial actions, intergenerational trauma, and the role that physical and health education can play in walking the path of reconciliation. (TRC Calls to Action 92iii and 62i).
- Practice cultural humility by exploring their perspectives, privileges, biases, and assumptions and how they impact their interactions with others.
- Ensure that all PHE Canada products, services, and individual behaviours uphold child rights for quality education and engage children and youth as active participants in their K-12 and post-secondary learning.

**2.4.** The Nominations Committee and the Executive Director & Chief Executive Officer will:

- Advance the participation of disadvantaged groups in both membership and leadership to reflect the communities served.
- Continuously identify and address possible systemic barriers embedded within the recruitment and selection of new members and employees.
- Investigate how they can personally create opportunities for historically underrepresented groups and contribute to PHE Canada's transformation into a more equitable, diverse, and inclusive environment.
- Acknowledge contributions fairly, respecting people's rights and responsibilities, and ensuring equitable treatment.

**2.5.** The Executive Committee and the Executive Director & Chief Executive Officer, and any person involved in recruitment, will use recruitment practices that are culturally safe and inclusive. This includes inclusive job postings, culturally safe recruitment practices, training and awareness, representation in hiring panels, confidentiality and respect, and continuous improvement.

**2.6.** It is the responsibility of the Executive Director & Chief Executive Officer to ensure that all employees of PHE Canada, including full-time, part-time and temporary employees, contractors,

interns, and co-op placements, are aware of this policy and adhere to it in their respective roles, duties, decision-making, and conduct.

**2.7.** All employees are expected to:

- Review and uphold Indigenous, Human, Child Rights and the Truth and Reconciliation calls to action.
- Incorporate equity, diversity and inclusion matters into programs, resources, services, and events.
- Ensure that equity-deserving groups are portrayed equitably in promotional materials and official publications.
- Ensuring that people-first and identity-first language is used in all communications.
- Address possible systemic barriers embedded within administration, policies, communications, resources, programs, events, and other activities that inadvertently exclude individuals.
- Include educational and training programs within their annual workplans to build awareness and respect among individuals, teams, leaders, and organizations.
- Share responsibility for seeking and holding meaningful and sustained relationships with Indigenous communities and organizations, nationally and locally, based on equality, good faith, and mutual respect, to work collaboratively towards equitable, accessible, and culturally relevant and responsive learning opportunities for Indigenous children, youth, and families. (TRC Call to Action 66).
- Assess and modify how they work and make decisions, considering how habits or practices, particularly the impact of unconscious biases, may exclude people from opportunities to contribute and participate.
- Explore ways that they personally can open doors for people who have been historically underrepresented, and help PHE Canada become a more equal, diverse, and inclusive environment.
- Make decisions in a manner that respects the dignity and independence of all individuals and promotes cultural safety.
- Acknowledge contributions fairly, respect their rights and responsibilities, and ensure equitable treatment and remuneration for all employees, including full-time, part-time, and temporary employees, contractors, interns, and co-op placements.
- Practice cultural humility by exploring their perspectives, privileges, biases, and assumptions and how they impact their interactions with others.

## 3. DEFINITIONS

- Diversity
- Equity
- Equality
- Equitable
- Inclusion
- Cultural Humility
- Cultural Safety
- Substantive Equity

## 4. RELATED FORMS / RESOURCES

- None

# SPP 8.25: Workplace Harassment and Violence

**26-02-02**

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|---|---|
| Purpose | This Statement of Policy and Procedure is to prevent discrimination, harassment, violence and any form of maltreatment in the workplace. The purpose of this Statement of Policy and Procedure is to outline how PHE Canada will respond to allegations or incidents of discrimination, harassment, violence and any form of maltreatment in the workplace. |
| Scope | This Statement of Policy and Procedure applies to all PHE Canada designeed organizational representatives. This includes employees, Board Directors, Officers, identified volunteers, consultants and active event participants inside and outside the workplace. |

## 1 POLICY (what we do)

**1.1** PHE Canada is committed to providing a supportive, respectful and safe work environment for all employees, volunteers, student volunteers, Board Directors and independent contractors (collectively organizational representatives).

**1.2** PHE Canada will not tolerate, ignore or condone workplace discrimination, harassment, violence, any form of maltreatment or prohibited behaviour by or against any organizational representative.

**1.3** Every organizational representative has a responsibility to help promote a safe working environment. This means not engaging in, allowing, condoning or ignoring behaviours that violate this policy.

**1.4** All organizational representatives have a responsibility for minimizing the risks of workplace discrimination, harassment, violence, any form of maltreatment or prohibited behaviour.

**1.5** PHE Canada will treat all incidents or reports of workplace discrimination, harassment, violence, any form of maltreatment or prohibited behaviour confidentially to the extent possible.

**1.6** The Nominations Committee will aim to recruit multiple individuals from equity-deserving groups to the Board, rather than relying on a single representative from any community, to promote cultural safety and ensure a diversity of perspectives.

**1.7** Workplace discrimination, harassment, violence, any form of maltreatment or prohibited behaviour, as well as deliberately making false accusations related to these situations, will not be tolerated and may result in disciplinary and remedial action up to and including termination of employment or cancellation of contract. A violation of this policy may result in PHE Canada contacting law enforcement officials or taking legal action where necessary.

**1.8** PHE Canada will not tolerate any form of reprisal against an organizational representative who, in good faith, reports a workplace discrimination, harassment, violence, any form of maltreatment or prohibited behaviour, or participates in any investigation under this policy.

**1.9** If, in good faith, an organizational representative believes that they, or any other organizational representatives, have engaged in, or have been subject to workplace discrimination, harassment, violence, any form of maltreatment or prohibited behaviour, or they witness such acts are required to report all of the facts of the incident.

**1.10** Teachers' professional conduct is governed by provincial/territorial education acts, regulatory colleges, and school board policies. However, for teachers who serve in dual roles, such as coaching school sport teams, PHE Canada encourages alignment between school sport policies and the Universal Code of Conduct to Prevent and Address Maltreatment in Sport (UCCMS) to ensure quality, inclusive, accessible, welcoming and safe sport experiences.

**1.11** Incidents that involve alleged workplace discrimination, harassment, violence, any form of maltreatment or prohibited behaviour involving any individual who is subject to the UCCMS (i.e. athletes, coaches, officials, volunteers, administrators, directors, employees, trainers) will be subject to processes and enforcement pursuant to UCCMS policies as set out by the Canadian Centre for Ethics in Sport [https://cces.ca/report-safe-sport].

**1.12** All incidents or complaints of workplace discrimination, harassment, violence, any form of maltreatment or prohibited behaviour shall be kept confidential except to the extent necessary to protect organizational representatives, to investigate the complaint or incident, to take corrective action, or otherwise as required by law.

## 2 PROCEDURES (how we do it)

**2.1** The Board of Directors is collectively responsible for cultivating an environment that is safe, inclusive, and respectful for all members. The Board shall support Board Directors in drawing strength from their identities, cultures, and communities. This commitment enables a broader understanding and appreciation of different cultural identities and backgrounds, enhancing the Board's collective decision-making and governance practices.

**2.2** The Executive Director & Chief Executive Officer is responsible for cultivating an environment that is safe, inclusive, and respectful for all employees, and will:

- Promote, advance, support and ensure effective implementation of this policy.
- Support employees in drawing strength from their identities, cultures, and communities.
- Take appropriate preventive or corrective action and put a stop to any workplace discrimination, harassment, violence, any form of maltreatment or prohibited behaviour they are aware of, whether or not a complaint is filed.
- Intervene immediately when threats or incidents of workplace discrimination, harassment, violence, any form of maltreatment or prohibited behaviour occur.
- Ensure all complaints or incidents of workplace discrimination, harassment, violence, any form of maltreatment or prohibited behaviour are investigated and dealt with in a fair, respectful and timely manner.
- Designee a Health & Safety Representative (or committee) and ensure that they are sufficiently empowered to carry out their responsibilities.

**2.3** All organizational representatives will:

- Not to engage in any behaviours that may be considered discrimination, threats, or acts of violence or harassment of any kind, and any form of maltreatment.
- Report acts of workplace discrimination, harassment, violence, any form of maltreatment or prohibited behaviour immediately.
- Read and abide by this policy.
- Inform the health and safety representative (or committee) if they are at risk, and assist the representative (committee) in developing a safety plan.

**2.4** The Health & Safety Representative (or committee) is to:

- Intervene immediately when threats or incidents of workplace discrimination, harassment, violence or any form of maltreatment occur.
- Conduct initial and thereafter annual risk assessments in any workspace in which a risk of injury to organizational representatives from violence or harassment arising out of their employment may be present.
- Provide training on this policy to all organizational representatives, and ensure all organizational representatives complete and maintain mandatory certification on workplace safety and UCCMS, as applicable.
- Provide impartial advice to employees concerned about discrimination, a threat of or actual harassment, or violent situations.
- Ensure that all organizational representatives are aware of and have access to the contact information of PHE Canada's External Investigator.
- Post this policy on the PHE Canada website.
- Post the contact information for PHE Canada's External Investigator on the PHE Canada website.
- Prevent and terminate workplace discrimination, harassment, violence, any form of maltreatment or prohibited behaviour by:
    - Communicating and supporting PHE Canada's objective to provide and maintain a workplace free of discrimination, harassment, violence, and any form of maltreatment.
    - Not ignoring or condoning behaviour that is contrary to this policy.
    - Taking all complaints impartially, seriously, conducting an initial assessment of the situation, and reporting as required by this policy.

**2.5** In the event of an immediate threat to an organizational representative's physical safety or that of someone else, the organizational representatives should seek a safe location and call 911 immediately. Once the call has been made, the organizational representatives should report to the Executive Director & Chief Executive Officer and the Health & Safety Representative (or committee).

**2.6** Organizational representatives who experience workplace harassment may address the incident informally or formally:

- Informally by direct oral or written communication with the subject of a complaint, explaining why the behaviour is unwelcome, and encouraging change through education or counselling when possible
- Consider having another person present and document details of the event, date, time and persons involved, for example.
- If the conflict is resolved satisfactorily at this stage, an occurrence or complaint report may not be required. However, if it remains unresolved, the organizational representatives must escalate the issue as described below.
- Formally through a written report of the incident(s) to the Executive Director & Chief Executive Officer and the Health & Safety Representative (or committee).
- In the case that the organizational representative is not comfortable, or safe, or the Executive Director & Chief Executive Officer or Health & Safety Representative (or committee) is the person named in the complaint, the report may be sent directly to PHE Canada's External Investigator.

- Reports shall be made immediately upon the organizational representative becoming aware of the incident.
- Reports must be submitted in writing and include, to the extent known, the names of the individuals involved, the person(s) named in the complaint, as well as the dates, times, locations, and names of any witnesses.
- If a report is made verbally, the person receiving it shall prepare a complete written account of the report and review it with the informant for accuracy and signature.

**2.7** Organizational representatives may report a potential threat of harassment or violence from a third party, such as in the case of domestic violence. In this case, the identity of the third party and identifying features will be communicated to all employees, contractors, subcontractors and others who may need to be aware in order to attempt to protect the organizational representative. While individual privacy will be respected to the extent possible, communication will be required as is necessary in order to address the threat.

**2.8** Once the report has been received and if the person(s) named in the complaint are organizational representatives, the Executive Director & Chief Executive Officer will investigate, looking at the following, where applicable:

- The nature of interactions.
- The nature of the work environment.
- The attributes of organizational representatives.
- Past history of incidents of violence in your workplace and in similar operations.

**2.9** If the report names the Executive Director & Chief Executive Officer in the complaint, an PHE Canada's External Investigator will be engaged.

**2.10** To conduct the investigation, the Investigator should consider:

- A work site walk-about with affected organizational representatives, if applicable.
- Selected interviews with organizational representatives.
- A review of crime or incident reports.

**2.11** The investigation will be completed in a timely manner and generally within sixty (60) days or less unless there are extenuating circumstances (e.g., illness, complexity) warranting a longer investigation.

**2.12** The person(s) named in the complaint will be sent a notice by the Investigator that an investigation has been initiated. This notice will include the particulars of the incident reported and indicate that they will have an opportunity to respond to the allegations.

**2.13** Where the person(s) named in the complaint are organizational representatives and evidence to support the complaint is found, the Executive Director & Chief Executive Officer will keep records of the investigation in both the complainant's, the person(s) named in the complaint's employee file and corporate records indefinitely, including:

- A copy of the complaint, concern, allegation, or grievance regarding behaviour, misconduct, or violation of a policy.

- A record of the investigation, including notes.
- A copy of the Investigator's report.
- A summary of the results of the investigation that was provided to the persons involved (if different from the Investigator's report)
- A copy of any corrective action taken.

**2.14** If the investigation does not find evidence to support the complaint, no record will be kept in the file of the person(s) named in the complaint.

**2.15** Frivolous or vexatious complaints will be dealt with seriously and subject to disciplinary actions. However, there will be no consequences for reports made in good faith.

**2.16** PHE Canada has adopted the Universal Code of Conduct to Prevent and Address Maltreatment in Sport (UCCMS). The UCCMS names the following prohibited behaviours:

- Physical Maltreatment
- Psychological Maltreatment
- Neglect
- Sexual Maltreatment
- Grooming
- Boundary Transgressions
- Discrimination
- Failing to Report
- Aiding and Abetting
- Retaliation
- Interference with or Manipulation of Process
- False Reports

**2.17** Incidents that involve alleged maltreatment or prohibited behaviour involving a UCCMS participant (e.g. athlete, coach, etc.) must be reported to the Canadian Centre for Ethics in Sport (CCES) [https://cces.ca/report-safe-sport]. Once received, an Investigator from CCES will be assigned and will address the report pursuant to its policies and procedures as follows:

- The Investigator will ensure the investigation is kept confidential and that identifying information is not disclosed except as necessary to conduct the investigation.
- The Investigator will interview the complainant, harassment and the person(s) named in the complaint, if the person(s) named in the complaint is an organizational representative of PHE Canada.
- If the person(s) named in the complaint is not an organizational representative, the Investigator will make reasonable efforts to interview the person(s) named in the complaint.
- The person(s) under investigation will be given the opportunity to respond to the specific allegations raised.
- The Investigator will interview any relevant witnesses employed by PHE Canada who may be identified as necessary to conduct a thorough investigation.
- The Investigator will make reasonable efforts to interview any relevant witnesses who are not organizational representatives, if there are any identified.
- The Investigator will collect and review any relevant documents.
- The Investigator will take appropriate notes and statements during interviews with the complainant, the person(s) named in the complaint, and any witnesses.

- The Investigator will provide the person(s) named in the complaint with a reasonable opportunity to respond in writing or orally to the complaint. If the response is oral, the Investigator will confirm the details shared in writing following the interview. If they do not respond to confirm these written details within ten (10) business days, or choose not to participate in the investigation, the Investigator may proceed in the absence of their confirmation of details.
- The Investigator will prepare a written Investigator's report summarizing:
    - Steps taken during the investigation, the complaint, the response of the person(s) named in the complaint, the evidence of any witnesses, and any other relevant evidence gathered as part of **2.8 and 2.10 above**.
    - Findings of fact.
    - Conclusion whether or not, on a balance of probabilities, workplace discrimination, harassment, violence, any form of maltreatment or prohibited behaviour occurred.
- While the investigation is ongoing:
    - The complainant, the person(s) named in the complaint harassment, and any witnesses must not discuss the incident or complaint or the investigation with each other or other organizational representatives or witnesses unless necessary to obtain advice about their rights.
    - The Investigator may discuss the investigation and disclose the incident or complaint-related information only as necessary to conduct the investigation or as required by law. All records of the investigation will be kept confidential.
    - The Executive Director & Chief Executive Officer or PHE Canada's External Investigator will consider whether interim measures are necessary to minimize contact between the complainant and the accused harasser. Interim measures will be reasonable for the circumstances and may include, but are not limited to, granting time off, suspension, or assigning different shifts.
- Information about complaints will be kept confidential to the extent possible. Information obtained about an incident or complaint of workplace discrimination, harassment, violence, any form of maltreatment or prohibited behaviour, including identifying information about any individuals involved, will not be disclosed unless disclosure is necessary to protect organizational representatives, to investigate the complaint or incident, or to take corrective action or otherwise as required by law. The police will be notified in all instances of reported behaviour which may constitute criminal activity, or which, following an investigation, is believed to constitute criminal activity.
- After receiving the results of the investigation, the Investigator will consider the evidence, the nature of the discrimination, harassment, whether physical contact was involved, whether the situation was isolated, and whether there was an abuse of power to determine what is the appropriate corrective action.
    - Workplace discrimination, harassment, violence, any form of maltreatment or prohibited behaviour by an organizational representative is a serious offense. If an accusation is substantiated, the harasser will be subject to immediate disciplinary action, up to and including dismissal.
    - Disciplinary actions may include verbal or written apologies, a letter of reprimand or suspension, a referral to counselling, remedial training, schedule changes, termination of employment, and/or referral to police or other legal authorities.
    - Within ten (10) business days of the investigation being completed or unless there are extenuating circumstances warranting a longer notification period, the complainant and person(s) named in the complaint, if they are an organizational representative of PHE Canada, will be informed in writing of the outcome.

**2.18** Intentionally accusing someone of workplace discrimination, harassment, violence, any form of maltreatment or prohibited behaviour, known to be false, is a serious offense and may be subject to disciplinary action. PHE Canada reserves the right to discipline those whose complaints are frivolous or vexatious. Any interference with the conduct of an investigation, or retaliation against the organizational representative filing the complaint, the alleged harasser, or witness, may itself result in disciplinary action, per the code of conduct and ethics.

**2.19** The collection, use and disclosure of any personal information pursuant to this policy is subject to PHE Canada's privacy policy. PHE Canada, or any of their delegates pursuant to this policy (i.e., independent third party, discipline panel), shall comply with PHE Canada's privacy policy in the performance of their services under this policy.

**2.20** Other individuals or organizations, including but not limited to national sport organizations, provincial sport organizations, sport clubs, etc., may be advised of any decisions rendered in accordance with this policy.

**2.21** A number of government agencies have been established to prevent and redress discrimination, harassment and violence. Implementation of these procedures does not prohibit employees from reporting incidents to their respective provincial government bodies.

## 3 DEFINITIONS

- Aiding and Abetting
- Boundary Transgressions
- Complainant
- Disclosure
- Discrimination
- External Investigator
- Failing to Report
- False Report
- Grooming
- Harassment
- Investigator
- Interference with or Manipulation of Process
- Neglect
- Organizational Representatives
- Physical Maltreatment
- Psychological Maltreatment
- Retaliation
- Reporting (or Report)
- Sexual Maltreatment
- UCCMS
- UCCMS Participant
- UCCMS Prohibited Behaviours
- Workplace

## 4 RELATED FORMS / RESOURCES

- Discipline and Appeal Policy
- Workplace Discrimination, Harassment, Violence and Maltreatment Complaint Form | *Formulaire de plainte de discrimination, de harcèlement, de violence ou de maltraitance en milieu de travail*

| SPP 9.25: Code of Conduct and Ethics | 26-02-02 |
|---|---|
| Purpose | This Statement of Policy and Procedure promotes and ensures a safe and positive environment within PHE Canada's programs, activities, and events by making all organizational representatives and members aware that there is an expectation, at all times, of appropriate behaviour consistent with PHE Canada's values. It reinforces that PHE Canada supports equal opportunity, prohibits discriminatory practices, and is committed to providing an environment in which all individuals are treated with respect and fairness. |
| Scope | This Statement of Policy and Procedure applies to those engaging directly or indirectly in PHE Canada business, programs, activities, conferences and events. More so, it applies to the organizational representatives and members to ensure that we are collectively supporting children, youth, young adults, our colleagues, and the reputation of our practice. |

## 1. POLICY (what we do)

**1.1.** PHE Canada upholds 5 core principles:

- Respect for inherent value and dignity of all, respecting differences, intersectionality and fundamental human rights.
- The pursuit of a learning environment and opportunities free of maltreatment - one that promotes equal opportunity and prohibits discriminatory practices.
- Service towards individual and collective health and well-being.
- Integrity of the PHE practice.
- Competence in PHE practice.

**1.2.** Every organizational representative and member has a responsibility to uphold these principles. This means not engaging in, allowing, condoning or ignoring behaviours that violate this code.

**1.3.** PHE Canada will not tolerate, ignore, or condone any form of discrimination, harassment, violence, any form of maltreatment or prohibited behaviour perpetrated by a representative against another representative, within the scope of application of this code. It is a violation of this code for organizational representatives and members to engage in maltreatment.

**1.4.** PHE Canada will ensure that an investigation is conducted when it becomes aware of any form of discrimination, harassment, violence, any form of maltreatment or prohibited behaviour involving an organizational representative or member.

**1.5.** While PHE Canada has adopted the Universal Code of Conduct to Prevent and Address Maltreatment in Sport (UCCMS), it does not automatically apply to teachers in their role as classroom educators. However, teachers who serve in dual roles—such as coaching school sport teams under a body that has adopted the UCCMS—are bound by the UCCMS in their capacity as coaches. PHE Canada encourages alignment between school sport policies and the UCCMS to ensure safe, inclusive, and respectful environments for all students and participants. The UCCMS names the following prohibited behaviours:

- Physical Maltreatment
- Psychological Maltreatment
- Neglect
- Sexual Maltreatment
- Grooming
- Boundary Transgressions

- Discrimination
- Failing to Report
- Aiding and Abetting
- Retaliation
- Interference with or Manipulation of Process
- False Reports

**1.6.** Any modifications or amendments made to the UCCMS will come into effect immediately upon their adoption and automatically, without the need for any further action by PHE Canada.

**1.7.** It is a violation of this code for any organizational representative or member to place another individual in a situation that makes them vulnerable to discrimination, harassment, violence, any form of maltreatment or prohibited behaviour.

**1.8.** An organizational representative or member who violates this code may be subject to sanctions pursuant to PHE Canada's Discipline and Appeal Policy.

**1.9.** An employee of PHE Canada found to have engaged in discrimination, harassment, violence, any form of maltreatment or prohibited behaviour against any other employee, organizational representative, contractor, member, customer supplier, client, or third-party during business hours, or at any PHE Canada sanctioned event, will be subject to appropriate disciplinary action subject to the terms of PHE Canada's human resources policy as well as the employee's employment agreement (if applicable).

**1.10.** It is a breach of this policy for any organizational representative or member to engage in any act that threatens or seeks to intimidate another individual with the intent of discouraging that representative from filing, in good faith, a complaint pursuant to any organization policy.

**1.11.** It is a breach of this policy for an organizational representative or member to file a complaint for retaliation, retribution, or reprisal against any other representative. Any organizational representative or member 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.

**1.12.** The collection, use and disclosure of any personal information pursuant to this policy is subject to PHE Canada's privacy policy.

## 2. PROCEDURES (how we do it)

**2.1.** PHE Canada organizational representatives and members have a responsibility to maintain and enhance the dignity and self-esteem of PHE Canada and its members by:

- Demonstrating respect to individuals regardless of race, national or ethnic origin, colour, religion, age, sex, sexual orientation, gender identity or expression, marital status, family status, genetic characteristics, or disability.
- Focusing comments or criticism appropriately, and avoiding public criticism of organizers, volunteers, employees, or members.
- Consistently demonstrating ethical conduct as defined in the Code of Conduct and Ethical Practice Guidelines.
- Acting, when appropriate, to correct or prevent practices that are unjustly discriminatory.
- Consistently treating individuals fairly and reasonably.

- Refrain from any behaviour that constitutes harassment, workplace harassment, sexual harassment, workplace violence, discrimination, or any form of maltreatment, or prohibited behaviour under this policy and the UCCMS.
- Know what actions or behaviours constitute harassment, workplace harassment, sexual harassment, workplace violence, discrimination, any form of maltreatment, or prohibited behaviour.
- Refrain from the use of power imbalance or authority in an attempt to coerce another person to engage in inappropriate activities.
- Not consume substances in the workplace (subject to any requirements for accommodation), not consume substances in situations where minors are present, and take reasonable steps to manage the responsible consumption of substances in adult-oriented social situations associated with PHE Canada-sanctioned events.
- Respect the property of others and do not wilfully cause damage.
- Report any concerns, incidents and/or knowledge of maltreatment, including threats of maltreatment.
- Cooperate fully with any PHE Canada investigation, and the discipline and appeal process.
- Adhere to all federal, provincial, municipal and host country laws.
- Comply, at all times, with PHE Canada's bylaws, policies and procedures, as adopted and amended from time to time.

**2.2** Organizational representatives will have the additional responsibilities to:

- Function primarily as a director or committee member of PHE Canada, not as a member of any other particular membership or constituency.
- Act with honesty and integrity, and conduct themselves in a manner consistent with the nature and responsibilities of PHE Canada's business and the maintenance of individuals' confidence.
- Ensure that PHE Canada's financial affairs are conducted responsibly and transparently with due regard for all fiduciary responsibilities.
- Conduct themselves openly, professionally, lawfully and in good faith in the best interests of PHE Canada.
- Be independent and impartial and not be influenced by self-interest, outside pressure, expectation of reward, or fear of criticism.
- Behave with decorum appropriate to both circumstance and position.
- Keep informed about PHE Canada's activities and general trends in the sectors in which they operate.
- Exercise the degree of care, diligence, and skill required in the performance of their duties pursuant to the laws under which PHE Canada is incorporated.
- Respect the confidentiality appropriate to issues of a sensitive nature.
- Respect the decisions of the majority and resign if unable to do so.
- Commit the time to attend meetings and be diligent in preparation for, and participation in, discussions at such meetings.
- Have a thorough knowledge and understanding of all PHE Canada governance documents.
- Adhere to the bylaws, policies and procedures approved by PHE Canada.

## 3 DEFINITIONS

- Aiding and Abetting
- Boundary Transgressions
- Disclosure
- Discrimination
- Employee
- Failing to Report
- False Reports
- Grooming
- Interference with or Manipulation of Process
- Maltreatment
- Neglect
- Organizational Representative
- Physical Maltreatment
- Power Imbalance
- Psychological Maltreatment
- Retaliation
- Sexual Maltreatment
- UCCMS

## 4 RELATED FORMS / RESOURCES

- Discipline and Appeal Policy

# SPP 10.25: Conflict of Interest and Whistleblowing

**26-02-02**

| | |
|---|---|
| Purpose | This Statement of Policy and Procedure is to uphold PHE Canada's Code of Conduct and Ethics Policy, which represents the collective values of the PHE Community shares regarding the integrity of the PHE profession and the inherent dignity, worth, respect, fairness, and right to health and well-being for all.<br><br>This policy applies to real or perceived conflicts of interest and behaviour addressed by the Code of Conduct and Ethics Policy. Any reports should comply with the terms of the Discipline and Appeal Policy. |
| Scope | This Statement of Policy and Procedure applies to all organizational representatives and members. |

## 1. POLICY (what we do)

**1.1.** To uphold PHE Canada's Code of Conduct and Ethics Policy, PHE Canada's organizational representatives will not:

- Engage in any business or transaction, or have a financial or other personal interest, that is incompatible with their official duties with PHE Canada, unless such business, transaction, or other interest is properly disclosed to PHE Canada and approved by PHE Canada.
- Knowingly place themselves in a position where they are under an obligation to any person who might benefit from special consideration or who might seek preferential treatment.
- In the performance of their official duties, give preferential treatment to family members, friends, colleagues, or organizations in which their family members, friends, or colleagues have an interest, financial or otherwise.
- Derive personal benefit from information that they have acquired during the course of fulfilling their official duties with PHE Canada, if such information is confidential or not generally available to the public.
- Engage in any outside work, activity, or business or professional undertaking that conflicts or appears to conflict with their official duties as a representative of PHE Canada, or in which they have an advantage or appear to have an advantage based on their association with PHE Canada.
- Without the permission of PHE Canada, use PHE Canada's property, equipment, supplies, or services for activities not associated with the performance of their official duties with PHE Canada.
- Place themselves in positions where they could, by being an organizational representative, influence decisions or contracts from which they could derive any direct or indirect benefit.

**1.2** All organizational representatives must formally disclose in writing any actual or potential conflicts of interest before taking up their duties or as soon as they arise.

**1.3** Organizational representatives are expected to excuse themselves from taking part in any discussions and decisions in which they have an actual or potential conflict of interest, whether pecuniary or non-pecuniary.

**1.4** Employees must report any actual or potential conflicts of interest that arise during their work with PHE Canada or as soon as they arise.

**1.5** Confirmation of such contrary conduct must come in the form of public records, press reports, personal accounts about criminal or unethical conduct, or an admission by the member.

**1.6** If contested, PHE Canada will engage an independent legal advisor. The independent legal advisor will connect with the member and will be given the opportunity to submit a written response for consideration.

**1.7** Should it become known that organizational representatives or members are engaged in conduct contrary to PHE Canada's Code of Conduct and Ethics Policy, the Board may revoke membership.

## 2. PROCEDURES (how we do it)

**2.1.** It is the responsibility of the President to ensure that all Board Directors, Officers and the Executive Director & Chief Executive Officer are aware of this policy.

**2.2.** It is the responsibility of the Executive Director & Chief Executive Officer to ensure that all employees and members are aware of this policy.

**2.3.** It is the responsibility of all organizational representatives who believe that some other organizational representative(s) or member(s) is in an undeclared conflict of interest, or that their conduct contravenes PHE Canada's Code of Conduct and Ethics Policy, to report such action.

**2.4.** PHE Canada is committed to treating such allegations seriously and confidentially.

**2.5.** All allegations that an organizational representative(s) or member(s) is acting in an undeclared conflict of interest, an illegal, or an unethical manner will be investigated confidentially and dealt with expeditiously.

**2.6.** PHE Canada will ensure that the individual(s) reporting is protected from harassment by treating their report and any subsequent action confidentially. However, individuals are reminded that reports are taken seriously and are not to be made lightly. An individual who uses this whistle-blowing provision frivolously will be subject to disciplinary action.

**2.7.** On an annual basis, all organizational representatives will complete an annual acknowledgement form confirming that they do not have any actual or apparent conflicts of interest with PHE Canada.

**2.8.** Decisions or transactions that involve a conflict of interest that have been proactively disclosed by organizational representatives will be considered and decided with the following additional provisions:

- The nature and extent of the organizational representative's interest have been fully disclosed to the body that is considering or making the decision, and this disclosure is recorded or noted.
- The organizational representative does not participate in the discussion on the matter.
- The organizational representative abstains from voting on the decision.
- For board-level decisions, the Board Director does not count towards quorum for deciding on that matter.
- The decision is confirmed to be in the best interests of PHE Canada.

**2.9.** As situations arise, organizational representatives shall disclose real or perceived pecuniary or non-pecuniary conflicts of interest to the Executive Director & Chief Executive Officer or Board immediately upon becoming aware that a conflict of interest may exist.

**2.10.** Any real or perceived conflict of interest, whether pecuniary or non-pecuniary, between an organizational representative's personal interest and the interests of PHE Canada, shall always be resolved in favour of PHE Canada.

**2.11.** For any real or potential conflicts of interest involving employees, the Executive Director & Chief Executive Officer will determine whether there is a conflict and, if one exists, the employee will resolve the conflict by ceasing the activity giving rise to the conflict.

**2.12.** PHE Canada will not restrict employees from accepting other employment contracts or volunteer appointments, provided these activities do not diminish the employee's ability to perform the work described in the employee's job agreement with PHE Canada or give rise to a conflict of interest.

**2.13.** The Executive Director & Chief Executive Officer or Board Directors may apply the following actions singly or in combination for real or perceived conflicts of interest:

- Removal or temporary suspension of certain responsibilities or decision-making authority.
- Removal or temporary suspension from a designeed position.
- Removal or temporary suspension from certain events and/or activities.
- Expulsion.
- Other actions as may be considered appropriate for the real or perceived conflict of interest.

**2.14** Any person who believes that a Board Director or committee member has made a decision that was influenced by real or perceived conflict of interest may submit a complaint, in writing, to the Executive Director & Chief Executive Officer or President.

**2.15** The Executive Committee may determine that an alleged real or perceived conflict of interest, or behaviour is of such seriousness as to warrant suspension of designeed activities pending a meeting and a decision of the Board.

**2.16** Failure to comply with an action as determined by the Board will result in automatic suspension from PHE Canada until compliance occurs.

**2.17** All actions taken as a result of the allegation will take place under conditions of the strictest confidence. Individuals reporting the behaviour will not necessarily be informed of the action taken due to the confidential nature of such situations.

**2.18** Failure to adhere to this policy may permit discipline in accordance with PHE Canada's Discipline and Appeal Policy.

## 3. DEFINITIONS

- Conflict of Interest
- Non-Pecuniary Interest
- Organizational Representative
- Pecuniary Interest
- Whistleblowing

## 4. RELATED FORMS / RESOURCES

- Code of Conduct and Ethics Policy
- Annual Acknowledgement Form: Directors, Officers, Senior Management and Employees | *Formulaire d'attestation annuel : Administrateurs, représentants, cadres supérieurs et employés*
- Declaration of Conflict of Interest: Directors, Officers, Members and Employees | *Déclaration de conflit d'intérêts : administrateurs, représentants, membres et employés*

| SPP 11.25: Discipline and Appeal | 26-02-02 |
|---|---|
| Purpose | This Statement of Policy and Procedure is to ensure that organizational representatives receive a fair, affordable and expedient discipline and appeal process, and outlines the process for complaints, decisions, sanctions, reconsiderations, and appeals. |
| Scope | This Statement of Policy and Procedure applies to organizational representative conduct inside and outside of PHE Canada business, programs, meetings, activities, and sanctioned events when such conduct adversely affects PHE Canada and is detrimental to the governance, management, image and reputation of PHE Canada. |

## 1. POLICY (what we do)

**1.1.** PHE Canada is committed to providing organizational representatives with a fair, affordable and expedient discipline and appeal process.

**1.2.** Organizational representatives, as defined, who express any concerns, lodge a formal complaint under this policy, or who provide information regarding a complaint under this policy may do so without fear of retaliation or reprisal. Any such conduct of retaliation or reprisal will be subject to immediate corrective action.

**1.3.** The President responds to concerns related to Board Directors and the Executive Director & Chief Executive Officer.

**1.4.** The Executive Director & Chief Executive Officer responds to the concerns of the employees and members.

**1.5.** Any potential or actual breaches of PHE Canada policies shall be handled in accordance with this policy and include warning, reprimand, restrictions, suspension, or other disciplinary actions up to and including termination of employment or membership.

**1.6.** The Executive Director & Chief Executive Officer and President apply disciplinary and appeals action as per this policy.

**1.7.** This policy does not prevent immediate discipline or sanction from being applied as reasonably required. Further and swift discipline may be applied according to this policy.

## 2. PROCEDURES (how we do it)

**2.1.** Organizational representatives have the responsibility to, and are expected, encouraged and enabled to report any activity which:

- They believe it contravenes the law.
- Represents a real or apparent conflict of interest or a breach of a PHE Canada policy.
- Represents a misuse of PHE Canada funds or assets.
- Represents a danger to public health, safety, and/or the environment.

**2.2.** Any complaints involving alleged breaches of PHE Canada's policies that involve a UCCMS participant may be reported in writing or orally directly to the Canadian Centre for Ethics in Sport (CCES) .

- Incidents that involve alleged Maltreatment or Prohibited Behaviour (as those terms are defined in the UCCMS) will be addressed pursuant to CCES policies and procedures.
- CCES shall determine the admissibility of such complaints in accordance with the relevant and applicable CCES guidelines regarding the initial review and preliminary assessment, and the matter may only proceed pursuant to the CCES's procedures with the express consent of the parties involved where the parties have not been designeed by PHE Canada.

**2.3** Any complaints involving alleged breaches of PHE Canada's policies that do not fall within UCCMS may be reported by any individual to PHE Canada in writing or orally to the Executive Director & Chief Executive Officer.

**2.4** If the complaints involve the Executive Director & Chief Executive Officer and/or the Board of Directors, the report may be made in writing or orally to a designeed External Investigator.

**2.5** At PHE Canada's discretion, PHE Canada may act as the complainant and initiate the complaint process under the terms of this policy. In such cases, the Executive Director & Chief Executive Officer will identify an individual to represent PHE Canada.

**2.6** The complainant may contact the Executive Director & Chief Executive Officer for direction in writing the report, or may report orally and have the Executive Director & Chief Executive Officer complete the report on their behalf based on their oral report. If the later, the complainant will receive a copy of the draft report and has ten (10) business days to confirm its accuracy.

**2.7** This policy does not prevent PHE Canada having authority from taking immediate, informal or corrective action in response to a complaint. Further sanctions may be applied in accordance with the procedures set out in this policy.

**2.8** Once a complaint is received the Executive Director & Chief Executive Officer, as the Investigator has a responsibility to:

- Determine whether the complaint is frivolous, and/or not within the jurisdiction of this policy and therefore dismissed - this decision is not appealable.
- Propose to resolve the complaint by alternative dispute resolution.
- Determine if an investigation is required.

**2.9** The Investigator shall be free from any real, potential, or perceived conflict of interest and shall operate at arm's length from both the complainant and the person(s) identified in the complaint to ensure impartiality and fairness in the investigative process.

**2.10** When an investigation is required, it may take any form as decided by the Investigator, guided by any applicable federal and/or provincial legislation. The investigation may include:

- Complainant interviewed.
- Witnesses interviewed.

- Statement of facts (Complainant's perspective) prepared by Investigator and acknowledged by Complainant.
- Statement delivered to person(s) identified in the complaint.
- Person(s) identified in the complaint interviewed.
- Witnesses interviewed; and
- Statement of facts (person(s) identified in the complaint's perspective) prepared by Investigator and acknowledged by the person(s) identified in the complaint.

**2.11** Following the investigation, the Investigator will provide an Investigator's report to the complainant and the person(s) identified in the complaint.

**2.12** 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, a breach of a governing document including, but not limited to, the code of conduct and ethics occurred.

**2.13** If the complaint falls under UCCMS (discrimination, harassment, violence, sexual harassment, or abuse of a participant), the Investigator will engage CCES to assist in the decision-making on the reported complaint and to produce the report.

**2.14** The CCES 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, violence, sexual harassment, or abuse and will be disclosed to PHE Canada.

**2.15** Once a complaint is validated, the Investigator (in connection with CCES if appropriate) chooses which process should be followed and may use the following examples as a general guideline.

- **Process #1 - The Complaint alleges the following incidents**:
  - Disrespectful, abusive, racist, or sexist comments or behaviour
  - Disrespectful conduct
  - Minor incidents of violence (e.g., tripping, pushing, elbowing)
  - Conduct contrary to the values of PHE Canada
  - Non-compliance with PHE Canada's policies, procedures, rules, or regulations
  - Minor violations of the Code of Conduct and Ethics
- **Process #2 - The Complaint alleges the following incidents**:
  - Repeated minor incidents
  - Any incident of hazing
  - Behaviour that constitutes harassment, sexual harassment, or sexual misconduct
  - Major incidents of violence (e.g., fighting, attacking, punching)
  - Pranks, jokes, or other activities that endanger the safety of others
  - Conduct that intentionally damages PHE Canada's image, credibility, or reputation
  - Consistent disregard for PHE Canada's bylaws, policies, rules, and regulations
  - Major or repeated violations of the Code of Conduct and Ethics

- Intentionally damaging PHE Canada property, committing financial misconduct (i.e., fraud), or improperly handling PHE Canada monies
- Abusive use of alcohol, any use or possession of alcohol by minors, or use or possession of illicit drugs and narcotics
- A conviction for any Criminal Code offense
- Any possession or use of banned performance-enhancing drugs or methods

**2.16** Following the determination that the complaint or incident should be handled under Process #1, the Investigator (in connection with CCES if appropriate) will determine one or more of the following sanctions:

- Verbal or written reprimand
- Verbal or written apology
- Service or other contribution to PHE Canada
- Removal of certain privileges
- Suspension from certain events and/or activities
- Suspension from all PHE Canada activities for a designeed period of time
- Any other sanction considered appropriate for the offense

**2.17** The Investigator will inform the complainant and the person(s) named in the complaint of the sanction (the parties), which will take effect immediately.

**2.18** Records of all sanctions will be maintained by PHE Canada.

**2.19** If there is no sanction, the complainant may contest the non-sanction by informing the Investigator, within five (5) days of receiving the decision, that the complainant is not satisfied with the decision. The initial complaint or incident will then be handled under process #2 of this policy.

**2.20** If there is a sanction, the person(s) named in the complaint may contest the sanction by submitting a request for reconsideration within five (5) days of receiving the sanction. In the request for reconsideration, the respondent must indicate:

- Why the sanction is inappropriate.
- Summary of evidence that the person(s) named in the complaint will provide to support the respondent's position; and
- What penalty or sanction (if any) would be appropriate.

**2.21** Upon receiving a request for reconsideration, the Investigator may decide to accept or reject the person(s) named in the complaint's suggestion for an appropriate sanction.

- Should the Investigator accept the person(s) named in the complaint's suggestion for an appropriate sanction, that sanction will take effect immediately.
- Should the Investigator not accept the person(s) named in the complaint's suggestion for an appropriate sanction, the initial complaint or incident will be handled under process #2 of this policy.

**2.22** Following the determination that the complaint or incident should be handled under process #2, the Investigator will oversee the management and administration of the complaint or incident.

- The Investigator has a responsibility to:
  - Determine whether the complaint is frivolous and/or within the jurisdiction of this policy.
  - Propose to resolve the complaint using alternate dispute resolution.
  - Work with the CCES, if appointed, to receive the Investigator's report.
  - Appoint the panel, if necessary.
  - Coordinate all administrative aspects and set timelines.
  - Provide administrative assistance and logistical support to the panel as required.
  - Provide any other service or support that may be necessary to ensure a fair and timely proceeding.

**2.23** The Investigator will establish and adhere to timelines that ensure procedural fairness and that the matter is heard in a timely fashion.

**2.24** After notifying the parties that the complaint has been accepted, the Investigator may propose using alternate dispute resolution with the objective of resolving the dispute. If all parties to a dispute agree to alternate dispute resolution, a mediator or facilitator, acceptable to all parties, shall be appointed to mediate or facilitate the dispute. The mediator or facilitator shall decide the format under which the dispute shall be mediated or facilitated and shall specify a deadline before which the parties must reach a negotiated decision. Any negotiated decision will be binding on the parties. Negotiated decisions may not be appealed.

**2.25** If the dispute is not resolved via alternate dispute resolution, the Investigator may appoint a panel to hear the complaint. In extraordinary circumstances, and at the discretion of the Investigator, a panel may be extended to a committee of three independent people appointed to hear the complaint. In this event, the Investigator will appoint one of the panel's members to serve as the chair.

**2.26** The Investigator, in cooperation with the panel, will then decide the format under which the complaint will be heard. This decision may not be appealed. The format of the hearing may be an oral in-person hearing, an oral hearing by telephone or other communication medium, a hearing based on a review of documentary evidence submitted in advance of the hearing, or a combination of these methods. The hearing will be governed by the procedures that the Investigator and the panel deem appropriate in the circumstances, provided that the parties are given appropriate notice of the day, time, and place of the hearing, in the case of an oral in-person hearing or an oral hearing by telephone or other communication medium.

**2.27** Copies of any written documents which the parties wish to have the panel consider will be provided to all parties, through the Investigator, in advance of the hearing.

**2.28** The parties may engage a representative, advisor, or legal counsel at their own expense.

**2.29** The Investigator or panel may request that any other individual participate and give evidence at the hearing.

**2.30** The Investigator or panel may allow as evidence at the hearing any oral evidence and document or thing relevant to the subject matter of the complaint, but may exclude such evidence that is unduly repetitious, and shall place such weight on the evidence as it deems appropriate.

**2.31** The decision will be made by a majority vote of the panel.

**2.32** If the person(s) identified in the complaint acknowledges the facts of the incident, they may waive the hearing, in which case the panel will determine the appropriate sanction. The panel may still hold a hearing for the purpose of determining an appropriate sanction.

**2.33** The hearing will proceed in any event, even if a party chooses not to participate in the hearing.

**2.34** The following disciplinary sanctions, singularly or in combination, may be applied:

- Verbal or written reprimand
- Verbal or written apology
- Service or other contribution to PHE Canada
- Removal of certain privileges
- Suspension from certain events and/or activities
- Suspension from all PHE Canada activities for a designeed period of time
- Payment of the cost of repairs for property damage
- Suspension of funding from PHE Canada or from other sources
- Expulsion from PHE Canada
- Any other sanction considered appropriate for the offense

**2.35** Unless the panel decides otherwise, any disciplinary sanctions will begin immediately, notwithstanding an appeal. Failure to comply with a sanction as determined by the panel will result in an automatic suspension until such time as compliance occurs.

**2.36** Records of all decisions will be maintained by PHE Canada.

**2.37** If a decision may affect another party to the extent that the other party would have recourse to a complaint or an appeal in their own right, that party will become a party to the current complaint and will be bound by the decision.

**2.38** In fulfilling its duties, the panel may obtain independent advice.

**2.39** After hearing and/or reviewing the matter, the panel will determine whether an infraction has occurred and, if so, the sanctions to be imposed. Within twenty (20) days of the hearing's conclusion, the panel's written decision, with reasons, will be distributed to all parties, the External Investigator, and PHE Canada. In extraordinary circumstances, the panel may first issue a verbal or summary decision soon after the hearing's conclusion, with the full written decision to be issued before the end of the twenty (20) day period. The decision will be considered a matter of public record unless decided otherwise by the panel.

**2.40** A decision made by a panel on a complaint may be appealed. Decisions made by PHE Canada related to conflicts of interest and membership may also be appealed. A party that wishes to appeal a decision has five (5) days from the date on which they received notice of the decision to submit, in writing to PHE Canada, the following:

- Notice of the intention to appeal
- Contact information and status of the Appellant
- Name of the respondent and any affected parties, when known to the Appellant
- Date the appellant was advised of the decision being appealed
- A copy of the decision being appealed, or a description of decision if a written document is not available
- Grounds for the appeal
- Detailed reasons for the appeal
- All evidence that supports these grounds
- Requested remedy or remedies
- An administration fee of one hundred dollars ($100), which will be refunded if the appeal is successful

**2.41** A decision cannot be appealed on its merits alone. An appeal may only be heard if there are sufficient grounds for appeal. Sufficient grounds include the respondent:

- Decided that it did not have the authority or jurisdiction (as set out in the respondent's governing documents) to make
- Failed to follow its own procedures (as set out in the respondent's governing documents)
- Made a decision that was influenced by bias (where bias is defined as a lack of neutrality to such an extent that the decision-maker appears not to have considered other views)

**2.42** The Appellant must demonstrate, on a balance of probabilities, that the respondent has made a procedural error and that this error had, or may reasonably have had, a material effect on the decision or decision-maker.

**2.43** PHE Canada will appoint an External Investigator from the original who has the following responsibilities:

- Determine if the appeal falls under the scope of this policy
- Determine if the appeal was submitted in a timely manner
- Decide whether there are sufficient grounds for the appeal

**2.44** If the appeal is denied on the basis of insufficient grounds, because it was not submitted in a timely manner, or because it did not fall under the scope of this policy, the appellant will be notified, in writing, of the reasons for this decision. This decision may not be appealed, and the administration fee will not be refunded.

**2.45** If the External Investigator is satisfied there are sufficient grounds for an appeal, the External Investigator will appoint a panel which shall consist of a single arbitrator, to hear the appeal. In extraordinary circumstances, and at the discretion of the External Investigator, a panel of three persons may be appointed to hear the appeal. In this event, the External Investigator will appoint

one of the panel's members to serve as the chair. The panel will be free from bias and conflict of interest.

**2.46** The appeal hearing will have a format as determined by the panel and the External Investigator and may be similar in format to hearings on complaints. The External Investigator will engage with PHE Canada to determine if there are any affected parties that should participate in the appeal hearing.

**2.47** The panel shall issue its decision, in writing and with reasons, within twenty (20) days after the hearing's conclusion. In making its decision, the panel will have no greater authority than that of the original decision-maker. The panel may decide to:

- Reject the appeal and confirm the decision being appealed
- Uphold the appeal and refer the matter back to the initial decision-maker for a new decision
- Uphold the appeal and vary the decision

**2.48** The decision of the panel will be binding on the parties and on all PHE Canada representatives, subject to the right of any party to seek a review of the panel's decision pursuant to the rules of the CCES.

**2.49** The External Investigator may determine that an alleged incident is of such seriousness as to warrant suspension of an individual pending completion of a criminal process, the hearing, or a decision of the panel.

- **Criminal Convictions:** A representative's conviction for a criminal code offense, as determined by PHE Canada, will be deemed an infraction under this policy and will result in expulsion from PHE Canada. Criminal code offenses may include, but are not limited to:
    - Any child pornography offenses
    - Any sexual offenses
    - Any offense of physical violence
    - Any offense of assault
    - Any offense involving the trafficking of illegal drugs

In appropriate situations, the External Investigator may, upon receiving a complaint, contact law enforcement officials as part of their duty to report.

The discipline process and appeal process are confidential and involve only PHE Canada, the Parties, the External Investigator, the Panel, and any independent advisors to the Panel. Once initiated and until a decision is released, none of the Parties will disclose confidential information relating to the discipline or appeal to any person not involved in the proceedings.

**2.50** The collection, use and disclosure of any personal information pursuant to this Policy is subject to PHE Canada's privacy policy. PHE Canada, or any of their delegates pursuant to this Policy (i.e., Independent Third Party, Discipline Panel), shall comply with PHE Canada's privacy policy in the performance of their services under this Policy.

**2.51** If the circumstances of the complaint are such that adhering to the timelines outlined by this Policy will not allow a timely resolution to the complaint, the Panel may direct that these timelines be revised.

**2.52** Other individuals or organizations, including but not limited to national sport organizations, provincial sport organizations, sport clubs, etc., may be advised of any decisions rendered in accordance with this Policy.

**2.53** A number of government agencies have been established to prevent and redress discrimination, harassment and violence. Implementation of these procedures does not prohibit employees from reporting incidents to their respective provincial government bodies.

## 3. DEFINITIONS

- Affected Party
- Appellant
- Complainant
- Days
- External Investigator
- Investigator
- Organizational Representative
- Panel
- Respondent

## 4 RELATED FORMS / RESOURCES

- None

| SPP 12.25: Anti-Doping Sport Policy | 26-02-02 |
|---|---|
| Purpose | The Statement of Policy and Procedure confirms PHE Canada's commitment to anti-doping and dope-free sport, and adopts the 2021 Canadian Anti-Doping Program (2021 CADP) as the anti-doping policy for the organization.<br>PHE Canada will adopt the principles of the anti-doping policy in the delivery of its core services and programs where applicable. |
| Scope | The Statement of Policy and Procedure applies to organizational representatives: employees, volunteers, Board of Directors, and participants. |

## 1. POLICY

**1.1.** PHE Canada is committed to anti-doping and dope-free sport in developing and implementing programs and services for all individuals, where appropriate and feasible.

**1.2.** PHE Canada will respect any penalty enacted pursuant to the breach of the Canadian Anti-Doping Program, whether imposed by World Anti-Doping Code (WADA) or the Canadian Centre for Ethics in Sport (CCES).

**1.3.** It is the responsibility of the President to ensure that each Board Director and the Executive Director & Chief Executive Officer are aware of this policy and adhere to it in their respective roles, duties, decision-making, and conduct.

**1.4.** PHE Canada will adopt the principles of WADA in the delivery of its core services and programs, and will work with the CCES, WADA, and other anti-doping experts to ensure the application of the policy within its core services and programs to ensure that they take a proactive stance against anti-doping in Canada, where appropriate and feasible.

**1.5.** PHE Canada will respect the sanctions applicable due to anti-doping rule violations, whether imposed by WADA, the CCES, or any national or provincial sport organization.

**1.6.** PHE Canada will comply with the Canadian Anti-Doping Program with respect to public announcements of positive test results.

**1.7.** All Individuals and persons sanctioned by virtue of the Canadian Anti-Doping Program will be ineligible to participate in any sport organized, convened, held, or sanctioned by PHE Canada as per the penalties imposed.

**1.8.** In the event of a conflict between other anti-doping policies established by PHE Canada and the 2021 CADP, the 2021 Canadian Anti-Doping Program shall prevail.

## 2. PROCEDURES (how we do it)

**2.1.** It is the responsibility of the President to ensure that all Board Directors are aware of this policy and adhere to it in their respective roles, duties, decision-making, and conduct.

**2.2.** It is the responsibility of the Executive Director & Chief Executive Officer to ensure that all employees are aware of this policy and adhere to it in their respective roles, duties, decision-making, and conduct.

**2.3.** It is the responsibility of all employees to identify and implement instances for this policy in their roles and responsibilities, and to bring opportunities for the implementation of this policy to the attention of the Executive Director & Chief Executive Officer.

## 3. DEFINITIONS

- Doping

## 4 RELATED FORMS / RESOURCES

- None

# SPP 13.25: Responsible Conduct of Research

**26-02-02**

| | |
|---|---|
| Purpose | This Statement of Policy and Procedure promotes and protects the quality, accuracy, and reliability of research and scholarly activities conducted by, or in collaboration with, PHE Canada and establishes a fair process for addressing allegations of research misconduct. |
| Scope | This Statement of Policy and Procedure applies to all members conducting research under the auspices, or within the jurisdiction of, PHE Canada - that is, any research contracts and/or projects undertaken:<br>• by PHE Canada personnel.<br>• in collaboration with PHE Canada personnel.<br>• with PHE Canada resources. |

## 1. POLICY

**1.1.** All members engaged in research and scholarly activities on behalf of, or in conjunction with, PHE Canada shall strive to follow the best research practices honestly, accountably, openly, and fairly in the search for and in the distribution of knowledge. In addition, researchers shall follow the requirements of applicable PHE Canada policies and professional or disciplinary standards, and shall comply with applicable laws and regulations.

**1.2.** PHE Canada holds all researchers responsible for conducting their research in strict observance of ethical standards, and for:

- Using a high level of rigour in proposing and performing research: in recording, analyzing, and interpreting data and in reporting and publishing data and findings.
- Keeping complete and accurate records of data, methodologies, and findings, including graphs and images, in accordance with the applicable funding agreement, related policies and/or laws, regulations, and professional or disciplinary standards in a manner that will allow verification or replication of the work by others.
- Respecting The First Nations Principles of OCAP® (ownership, control, access and possession) when working with and in indigenous communities and committing to use and share information in a way that brings benefit to the community, while minimizing any possible harm regarding why, how and by whom information is collected, used or shared.
- Referencing and, where applicable, obtaining permission for the use of all published and unpublished work, including data, source material, methodologies, findings, graphs, and images.
- Including as authors, with their consent, all those and only those who have materially or conceptually contributed to, and share responsibility for, the contents of the publication or document, in a manner consistent with their respective contributions, and authorship policies of relevant publications.
- Acknowledging, in addition to authors, all contributors and contributions to research, including writers, funders, and sponsors.
- Providing true, complete, and accurate information in their funding applications and related documents and representing themselves, their research, and their accomplishments in a manner consistent with the norms of the relevant field.

- Appropriately managing any real, potential, or perceived conflict of interest, in accordance with PHE Canada's Conflict of Interest Policy, as well as revealing in writing to PHE Canada any material financial interest in a company that contracts with PHE Canada to undertake research, particularly research involving the company's products or services.
- Seeking and obtaining approval from applicable research ethics boards before engaging in any research involving human participants, and then complying fully with the approved research protocols in the performance and distribution of the research.
- Complying with external grant regulations as they relate to the operational and financial terms of research grants and/or contracts awarded to the researcher.

**1.3** PHE Canada recognizes the authority of the Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans (TCPS2) and the Tri-Agency Framework: Responsible Conduct of Research.

## 2 PROCEDURES (how we do it)

**2.1** The Executive Director & Chief Executive Officer is responsible for receiving and responding to all allegations of misconduct in research.

**2.2** The Executive Director & Chief Executive Officer may designee another senior research administrator on its Board of Directors to whom responsibilities under this policy are delegated.

**2.3** When the Executive Director & Chief Executive Officer is a party to the alleged misconduct, then the President will appoint a senior research administrator on its Board of Directors to assume in that instance the role of the Executive Director & Chief Executive Officer under this policy.

**2.4** Misconduct in research, depending on its severity, is subject to a range of disciplinary measures, up to and including dismissal or expulsion.

**2.5** Allegations of misconduct shall be dealt with in a fair, unbiased, and timely manner, with due regard to the privacy and confidentiality rights of all parties involved. All parties shall be advised of the procedures available to them, and persons against whom allegations of misconduct have been made shall be advised of the allegations against them and shall be accorded the opportunity to respond.

**2.6** Upon receipt of an allegation of misconduct in research, the Executive Director & Chief Executive Officer will promptly request in writing an informal meeting with the person(s) named in the allegation to determine whether a formal investigation is warranted. Notice of this meeting shall inform the person(s) named in the allegation that an allegation of misconduct has been received and that the purpose of the meeting is to help determine whether a formal investigation is warranted. The notice should include a summary of the allegation and inform respondents of their right to be accompanied by a person of their choice in this and any future meetings, hearings, or other sessions related to a formal investigation.

- During the informal meeting with the person(s) named in the allegation or their representative, any and all statements made will be without prejudice and no formal record will be kept of its proceedings.
- Following the informal meeting with the person(s) named in the allegation, the Executive Director & Chief Executive Officer will decide whether or not a formal investigation is warranted and so inform the person(s) named in the allegation and the complainant(s) in writing, normally within thirty (30) working days of receipt of the allegation.

- The Executive Director & Chief Executive Officer may accept an admission of misconduct by the person(s) named in the allegation, provided that it is made in writing and reflects the facts of the case as revealed by the complainant and understood by the Executive Director & Chief Executive Officer. In such cases, the Executive Director & Chief Executive Officer may immediately proceed to take appropriate action to respond to the allegation that was admitted to by the person(s) named in the allegation.

**2.7** When the Executive Director & Chief Executive Officer finds that a formal investigation is warranted, the notice to the person(s) named in the allegation shall enclose a full copy of the signed allegation and an invitation to respond to it in writing. If a complainant or the person(s) named in the allegation believes that the decision of the Executive Director & Chief Executive Officer was reached improperly or disagrees with that decision, an appeal or grievance, as appropriate, may be filed, according to the terms of the appeal or grievance mechanism applicable to that person. If no such mechanism is in place, an appeal may be filed with the President.

**2.8** The Executive Director & Chief Executive Officer may designee a panel to investigate the allegations promptly, fairly, judiciously, and confidentially. The panel will consist of up to three (3) individuals appointed from a roster of PHE Canada research experts with suitable expertise and experience in conducting research, and who are without conflict of interest, whether real or apparent, and at least one (1) external member who has no current affiliation with PHE Canada.

**2.9** The procedures to be followed by the panel must be guided by the principle of fairness, applicable to all parties. The person(s) named in the allegation and the complainant(s) will have adequate opportunity to know any evidence presented by any party and to respond to that evidence if they so choose. The purpose of the investigation shall be fact-finding and formulation of a conclusion as to whether misconduct in research occurred and the responsibility, if any, of the respondent(s). The appropriate criterion for a decision is the presence of clear and convincing evidence.

**2.10** The panel should communicate its decision and recommendations in writing to the Executive Director & Chief Executive Officer within thirty (30) working days after the start of the investigation. An extension of this time period may be granted by the Executive Director & Chief Executive Officer if justified by the circumstances and the complexity of the investigation.

**2.11** The report of the investigation panel shall include a copy of the allegation signed by the complainant(s), the written response of the respondent(s), if any, the findings and decisions of the panel and its recommendation for any action to be taken.

**2.12** After receiving the report of the investigation panel, the Executive Director & Chief Executive Officer shall reach a decision within twenty (20) working days and determine what actions, if any, are to be taken, which may include, but are not limited to:

- Dismissal of the allegation.
- A formal warning.
- Sanctions against a respondent found to have engaged in misconduct.
- Actions to protect or restore the reputation of the respondent, if wrongfully accused.
- Actions to protect a complainant found to have made a responsible accusation.
- Sanctions against a complainant found to have made an irresponsible or malicious allegation.

**2.13** The Executive Director & Chief Executive Officer will communicate the decision in writing, confidentially, to the complainant(s) and respondent(s).

**2.14** At the conclusion of the proceedings, the Executive Director & Chief Executive Officer will produce a final report, with a copy sent confidentially to the complainant(s) and the respondent(s), containing: a summary of the specific allegation(s); the findings and reasons for the findings and recommendations of the investigation panel, the researcher's response to the allegation(s), investigation and findings, and any measures the researcher has taken to rectify the breach of policy, the decision of the Executive Director & Chief Executive Officer; the outcome of an appeal, if one was made; and the final outcome, including sanctions imposed and/or actions taken by the university.

**2.15** The final report will be submitted to the President.

## 3 DEFINITIONS

- Complainant
- Misconduct
- Research
- Respondent
- Tri-Council Agencies

## 4 RELATED FORMS / RESOURCES

- None

| SPP 14.25: Membership | 26-02-02 |
|---|---|
| Purpose | This Statement of Policy and Procedure is to ensure that conditions of membership are clearly communicated and applied by the organization. |
| Scope | This Statement of Policy and Procedure applies to all employees, members, and the Board of Directors. |

## 1. POLICY

**1.1.** PHE Canada values, embraces and is committed to promoting the principles of inclusion, diversity, equity and accessibility, and will ensure that these principles are adhered to in all its membership activities.

**1.2.** Member classes shall be established by the Board of Directors. Changes must be approved by a resolution of the Board of Directors and ratified by a special resolution of the members.

**1.3.** Member fee schedules and dues shall be established by the Executive Director & Chief Executive Officer in consultation with the Executive Committee. Changes must be approved by a resolution of the Board of Directors.

**1.4.** Once a membership is purchased, there will be no refunds.

**1.5.** PHE Canada will collect from members only that personal information for which it has obtained consent, and PHE Canada will use personal information only for those purposes for which consent has been obtained.

**1.6.** PHE Canada will maintain its database of personal member information in a secure fashion.

**1.7.** PHE Canada will not sell or trade member information to an external party unless consent for this purpose has been obtained from the members.

**1.8.** Members are expected to adhere to PHE Canada's Code of Conduct and Ethics Policy. Failure to adhere may result in suspension or expulsion from membership in accordance with the Discipline and Appeal Policy.

**1.9.** A membership with PHE Canada is non-transferable.

**1.10.** A membership with PHE Canada is terminated when: a) the member dies, b) the member resigns by delivering a written resignation to the President or Secretary of PHE Canada, c) the member is expelled, d) the member's term of membership expires, or e) PHE Canada is liquidated or dissolved.

**1.11.** The Executive Director & Chief Executive Officer is responsible for receiving and responding to all allegations of misconduct.

**1.12** After receiving a complaint, the Executive Director & Chief Executive Officer will forward the complaint to the Executive Committee, who will determine what actions, if any, are to be taken, which may include, but are not limited to:

- Dismissal of the allegation.
- A formal warning.
- Termination of membership

**1.13** All such decisions will be communicated to the affected member within 20 days of the decision.

**1.14** Members have a right to 20 days' written notice of suspension or expulsion, formal notification of suspension or expulsion and a right to know the basis upon which suspension or expulsion has been executed.

**1.15** PHE Canada reserves the right to refuse membership to any applicant for any reason.

## 2 **PROCEDURES** (how we do it)

**2.1** The Executive Director & Chief Executive Officer is responsible for:

- Reviewing and approving the consent statement for member information collection.
- Recommending to the Board of Directors membership rights and benefits.
- Recommending to the Board of Directors the code of conduct and ethics.
- Reviewing and recommending the suspension of any member for a period of up to one year.
- Reviewing and recommending for approval the suspension of any member for a period of more than one year or the expulsion of a member.

**2.2** PHE Canada employees are responsible for:

- Administering the responsible collection, storage, and use of private member information.
- Administering the application of member consent.
- Ensuring that PHE Canada meets all of its commitments and obligations to members in good standing.
- Receiving and providing to the Executive Director & Chief Executive Officer or the External Investigator any complaints or information received related to members not adhering to the code of conduct and ethics without prejudice.
- Recommending to the Executive Director & Chief Executive Officer and the Board the suspension or expulsion of any members.
- Providing formal communications to the member of any suspension or expulsion being applied.

**2.3** The Executive Committee is responsible for:

- Reviewing and approving the membership rights and benefits.
- Reviewing and approving the suspension of any member for a period of up to one year.
- Reviewing and approving all member suspensions longer than one year.
- Reviewing and approving all member expulsions.

- Informing the Board of Directors.

**2.4** Membership enrolment information, including rights, member benefits, schedules, and dues, will be readily accessible on the PHE Canada website.

**2.5** Prospective members can acquire their membership through PHE Canada's online commerce system or through direct communication with PHE Canada employees.

**2.6** Within the registration process, prospective members will be asked to provide contact information and to provide consent to receive further information from the organization in the future.

**2.7** Upon receipt of a membership application, PHE Canada employees will:

- Communicate with the applicant about the decision and any fees due.
- Establish a receivable for the member's fees.
- Provide the member with any further information or materials, such as the code of conduct and ethics, or links to such information or materials, as their membership makes appropriate.

**2.8** The need underlying a proposed expansion of member-related personal information must be approved by the Executive Director & Chief Executive Officer and should incorporate the needs of all departments, and may include, but are not limited to:

- Email and street addresses.
- Telephone numbers.
- Demographic information.
- Responses to questions related to preferences for services.
- Responses to questions related to preferences for frequency and types of communication with the member.

**2.9** The request for additional information from members must be accompanied by a statement about the types of things that PHE Canada intends to use it for, and a consent mechanism for the use of the information (e.g. check box, click on an Internet site button, signature or other).

**2.10** If the member's personal information will be used for the trade or sale of membership lists, this intention must be clearly stated, and the member must be allowed to positively consent to this use.

**2.11** Electronic or physical records of member consents will be maintained for the duration of the membership and a period of six years following the termination of the membership.

**2.12** A member resigns by delivering a written resignation, by mail or electronic communication, to the President or Secretary of PHE Canada.

**2.13** The resignation becomes effective when received or at the time specified in the resignation, whichever is later.

**2.14** Membership for Life status will be terminated when: a) upon receiving notification of a member's death, or b) there is no appropriate forwarding mailing or electronic communication service for a two (2) year period.

**2.15** Members who violate PHE Canada's articles, bylaws, code of conduct and ethics, or policies may be recommended for suspension or expulsion by an organizational representative or any member.

**2.16** Reports of violations should be forwarded to the Executive Director & Chief Executive Officer, who will investigate, compile facts and make recommendations to the Executive Committee regarding disciplinary measures based on the level at which the violation places PHE Canada at risk using the established risk management and mitigation resources (Appendix A).

- High-risk violations will trigger a suspension of the member.
- Low to medium risks will trigger a warning to the member.

**2.17** The Executive Director & Chief Executive Officer will submit a report to the Executive Committee with a record of the violation, its implications, and the recommendation for risk mitigation strategy and disciplinary action for review and approval.

**2.18** For high-risk violations and upon approval by the Executive Committee, the President, or Executive Director & Chief Executive Officer, shall engage a legal representative to provide in writing or electronically a twenty (20) day notice of suspension to the member and shall provide reasons for the proposed suspension and the period of the suspension.

**2.19** For low to medium risk violations and upon approval by the Executive Committee, the warning will be made in writing or electronically, by the President, or other such officer, or legal representative as may be designeed by the Board and will indicate the violation in question, as well as the potential consequences of continued violation, vis, suspension and/or expulsion. It will also clearly indicate a date by which the violation is expected to be remedied to avoid further action. After this period, if no remedy has been forthcoming, the process for suspension will be the same as in 2.18 above.

**2.20** The member may make written submissions to PHE Canada in response to the notice received within such twenty (20) day period.

**2.21** In the event that no written submissions are received, the member is suspended from the membership of PHE Canada.

**2.22** If written submissions are received within such twenty (20) day period, the Executive Committee will consider such submissions in arriving at the final decision and shall notify the member concerning such final decision. The Executive Committee's decision shall be final and binding on the member, without any further right of appeal.

**2.23** If the member has remedied the violation, the Executive Committee may withdraw the suspension at any time they are satisfied in this regard, and the member may apply to be reinstated as a member in good standing.

**2.24** A record of the request, the facts of the suspension and the recommendation to reinstate the member will be reviewed and approved by the Executive Committee.

**2.25** Upon approval by the Executive Committee, the member will be informed in writing or electronically of their reinstatement by the Executive Director & Chief Executive Officer.

**2.26** A member will be expelled if the violation is not remedied. Notification of expulsion for cause will be in writing by the Executive Director & Chief Executive Officer and will state the date of the expulsion. The Executive Committee will be copied, and the Board will be notified via email within five (5) working days.

## 3 DEFINITIONS

- None

## 4 RELATED FORMS / RESOURCES

- Code of Conduct and Ethics Policy
- Discipline and Appeal Policy

# Appendix A: Risk Management and Mitigation Tables

**PHE Canada Risk Category Table**

| Risk Category | Subcategory / Type | Description |
|---|---|---|
| Internal Risks | Operational and Program Risks | Development and delivery of programs; management of employees and volunteers; organizational capacity to meet member and stakeholder expectations. |
| | Governance Risks | Clarity of roles and responsibilities, decision-making and oversight, structure and performance, disputes and conflicts of interest, diversity and succession planning for the board and committees, retention of corporate knowledge, and adaptation to sector trends. |
| | Financial Risks | Financial monitoring, reporting, and flexibility; sponsorship attraction and retention; currency exchange fluctuations; investment management; protection of revenue streams; and long-term financial sustainability. |
| | Human Error Risks | Mistakes or lapses in judgment, execution, or communication by employees, leadership, or volunteers that could negatively impact operations, credibility, or reputation. |
| | Physical Risks | Physical safety and well-being of participants, employees, volunteers, and stakeholders during events, activities, or work — including injuries, accidents, inadequate safety protocols, insufficient training or supervision, unsafe environments, or lack of emergency preparedness. |
| | Compliance Risks | Failure to comply with applicable laws and regulations (employment standards, privacy legislation, workplace safety, corporations' legislation, tenant obligations, anti-doping policies, funder requirements). |
| | Artificial Intelligence Risk | Ethical concerns, privacy issues, bias, misinformation, and over-reliance. |
| | Technology and Intellectual Property Risks | Acquisition, leasing, use, and protection of hardware, software, programs, data, records, and information, including safeguarding PHE Canada's intellectual property assets. |
| | Communication Risks | Internal and external communications, information management systems, crisis and issues management, media relations, brand image and reputation, missed opportunities for promotion, management of intellectual property, social media use, and confidentiality breaches. |
| External Risks | External Risks | Changes to government funding frameworks, relationships with governments, partners, and federations, security threats, partnership involvement, hosting obligations, and shifts in political priorities. |
| | Environmental Risks | Natural disasters, climate change, environmental accidents, or changes in regulatory or political environments affecting the organization's ability to operate, potentially disrupting programs and stakeholder relationships. |
| Mission and Values Risks | Inclusion Risks | Programs, policies, communications, leadership structures, or activities not being fully inclusive, equitable, or reflective of the diverse communities PHE Canada serves, harming the organization's mission, reputation, relationships, funding, or impact. |
| | Reputational Risks | Damage to credibility, public trust, and standing with members, partners, funders, and the broader community, including negative media coverage, controversies, ethical breaches, or failure to uphold values and commitments. |

### PHE Canada Risk Mitigation Strategy

| Strategy | Description | Examples / Actions |
|---|---|---|
| Retain the Risk | Accept the risk without taking corrective action because the likelihood and consequences are low or the risk is inherent and acceptable. | • Minor risks with low potential impact. |
| Reduce the Risk | Implement measures to decrease both the likelihood of the risk occurring and its potential consequences. | • Improving planning and procedures<br>• Enhancing oversight and monitoring<br>• Providing additional training and support<br>• Regularly reviewing and updating processes and controls |
| Transfer the Risk | Share or transfer the risk to other parties. | • Insurance policies<br>• Waivers of liability and indemnity clauses in contracts<br>• Partner agreements, subcontracts, or service-level agreements (SLAs) |
| Avoid the Risk | Eliminate the risk entirely by discontinuing or not engaging in the activity or initiative that created it. | • Halting certain operations or pursuing alternatives to high-risk ventures<br>• Membership termination<br>• Clear policy |

### PHE Canada Risk Tolerance and Response Table

| Rating | Risk Tolerance | Risk Response |
|---|---|---|
| Very High | PHE Canada takes caution and is not willing to accept high-risk | Immediate action required by Executive Director & Chief Executive Officer. The Executive Committee and Board of Directors are informed and engaged as required. |
| High | PHE Canada is willing to accept a small amount of negative impact to pursue strategic intentions | Urgent action is required by Executive Director & Chief Executive Officer, the executive committee, and the board liaison (if in place). The board is informed and engaged as required. |
| Medium | PHE Canada is willing to accept or reduce risk through internal measures | Urgent action required by the Executive Director & Chief Executive Officer, managing employees, and leads as required |
| Low | Risk is accepted to pursue strategic intentions | Managed by managing employees, and leads, response actions are based on cost-effectiveness, management priorities, and potential outcomes. The employees managing director was informed and engaged as required. |
| Very Low | Minimum, if any, risk response actions are taken | Monitor |

**PHE Canada Risk Response Table**

| Risk Category | General Risk Tolerance | Typical Response | Mitigation Measures |
|---|---|---|---|
| Operational/ Program Risks | Medium to High | Reduce | Accept some risk to pursue innovation, but reduce risks to delivery and reputation through improved planning and program delivery enhancements.<br>Clear procedures for addressing concerns, complaints, conflicts, and disputes.<br>Ensure procurement of comprehensive insurance coverage with regular reviews and updates. |
| Artificial Intelligence Risks | Very low | Avoid | Employees receive training and direction on responsible AI use through the employee handbook and are held accountable for ensuring all work has a human-in-the-loop to eliminate errors, remove bias, and uphold privacy and security concerns. |
| Technology and Intellectual Property Risks | Low to Medium | Avoid | Avoid risks to protect systems, data, and IP through monitoring and rules; take urgent action on cybersecurity threats. Implement regular maintenance, inspection, repair, and replacement schedules for equipment. |
| Compliance Risks | Very Low | Avoid | There is no tolerance for breaches of law or regulation; immediate corrective action is required to eliminate the risk and removal of.<br>Active supervision, work-from-home agreements, and monitoring of employees, volunteers, programs, and activities. |
| Communication Risks | Medium | Retain | Accept calculated risk for greater reach and engagement; development of media and crisis communication plans; and education, instruction, professional development, and specialized training for employees, volunteers, and partners. Implement warning systems, signage, participant agreements, and waivers of liability where appropriate. |
| External Risks | Medium | Reduce | Reduce the risk and adapt to external shifts; build flexible strategies to manage unpredictability.<br>Utilize robust and legally sound contracts (e.g., employment agreements, contractor agreements, codes of conduct, partnership agreements) to ensure compliance and mitigate risks. |
| Governance Risks | Very Low to Low | Avoid | Maintain strong governance structures, very low tolerance for role confusion or conflicts of interest.<br>Clarify roles and responsibilities with detailed position descriptions and, where appropriate, committee terms of reference. |
| Inclusion Risks | Medium to Low | Transfer | Transfer the risk to the code of ethics and conduct guidelines; immediate corrective action is required.<br>Employees, volunteers, and partners must receive education, instruction, professional development, and specialized training. The training also includes emergency response and crisis management protocols |
| Financial Risks | Low to Medium | Avoid | Monitor and reduce risk to protect the organization through internal accounting controls, documentation and reporting and approval processes; only accept financial risks that support strategic goals and are well-managed.<br>Ensure that mandatory qualifications and clearances are maintained for key employees, volunteers, and leaders.<br>Ongoing risk reporting, tracking, and communication internally and to the board to protect against misuse of funds, fraud, or other. |
| Reputational Risks | Very Low | Transfer | Prioritize organizational values, trust, and integrity; take immediate action to address any threats to reputation.<br>Identify, define, and consistently communicate core organizational values and the code of conduct across PHE Canada. |
| Environmental Risks | Low to moderate | Transfer | Develop and maintain an emergency response plan covering natural disasters, security threats, and crises.<br>Establish clear communication protocols for emergency situations.<br>Ensure key personnel are trained in emergency procedures and first aid.<br>Regularly review and update emergency plans based on lessons learned. |
| Human Resource Risks | Medium | Reduce the Risk | The Executive Director & Chief Executive Officer will develop and maintain a succession plan for their role and review this annually.<br>The President will conduct an annual performance assessment of the Executive Director & Chief Executive Officer.<br>The Executive Director & Chief Executive Officer will ensure all employees have annual performance assessments and establish annual workplans. |

# Appendix B: Board Composition Review Template

| PHE Canada Board Composition Review | |
|---|---|
| PHE Canada is committed to maintaining a board that reflects:<br>• Provincial and territorial representation.<br>• 51% inclusion of equity-deserving or minority communities.<br>• Expertise in governance, legal, financial, human resources or other matters required to support the achievement of the strategic plan. | |
| Conducted by: | |
| Conducted on: | |
| **Profile** | |
| Board Position | PHE Member in good standing |
| Board Role | Board Appointment |
| Initials | Professional Sector<br>(e.g., school system leadership (SSL), PHETE, PE, Gov) |
| Pronouns | |
| **Inclusion - Use legend** | |
| Gender identity | First Language - EN, FR, other + (name language) |
| Indigenous | Racial identity |
| Disability | Sexual orientation |
| **Expertise (expertise is being a leader with skills beyond just knowing)** | |
| Advocacy | Fundraising |
| PHE Knowledge | Event Management |
| Health Education Specialization | French Language (oral, written, and listening fluency) |
| Physical Education Specialization | Risk Management |
| General Management | Community Engagement |
| NFP Bylaws / CRA Compliance | Parliamentarian |
| Financial Management | Government Relations |
| Strategic Planning | Funder Relations |
| Program Development / Management | Public Speaking |
| Accounting | Partnership Development |
| Procurement | Human Resources |
| Strategic Development | Communications / Marketing |
| Equity, Diversity, Inclusion, Accessibility | Social Determinants of Health |
| Governance | Innovation |
| Legal | |

| Alignment to Strategic Plan | |
|---|---|
| 1. Drive Program Innovation & Activation | |
| 2. Strengthen Healthy, Active, Educational, and Sustainable Learning Environments | |
| 3. Grow Research, Advocate & Mobilize Knowledge | |
| 4. Champion Equitable & Holistic Well-Being | |
| **Legend** | |
| Gender identity | Sexual orientation |
| Cisgender Man | Heterosexual |
| Cisgender Woman | Lesbian |
| Non-Binary | Gay |
| Transgender Man | Bisexual |
| Transgender Woman | Queer |
| | Additional Orientation Not Listed: |
| Disability | |
| Mobility | |
| Sensory | |
| Mental health | |
| Environmental sensitivity | |
| Intellectual/developmental | |
| Communication | |
| Other | |
| Racial Group | |
| Black (African, Afro-Caribbean, African-Canadian descent) | |
| East Asian (Chinese, Korean, Japanese, Taiwanese, and/or other East Asian population descent) | |
| First Nations | |
| Métis | |
| Inuit | |
| Latino/Latina/Latinx (Latin America, Hispanic descent) | |
| Middle Eastern (Arab, Persian, West Asian descent, e.g. Afghan, Egyptian, Iranian, Lebanese, Turkish, Kurdish, and/or other Middle Eastern population) | |
| South Asian (Indian, Pakistani, Bangladeshi, Sri Lankan, Indo-Caribbean, and/or other South Asian population) | |
| Southeast Asian (Filipino, Vietnamese, Cambodian, Thai, Indonesian, and/or other Southeast Asian descent) | |
| White (European descent) | |
| prefer not to respond for all of the above | |
| if not listed, please use other or self-describe | |

# Appendix C: Definitions

| Key Terms | Definition | SPP usage |
|---|---|---|
| **Diversity** | Diversity has many facets that intersect, such as race, ethnicity, gender, gender identity and expression, socio-economic status, nationality, citizenship, sexual orientation, ability, age, family status, religion, and language. It also refers to the unseen dimensions of identity — beliefs, ideologies, worldviews, and knowledge systems. | SPP 1.25 |
| **Directors and Officers Liability Insurance** | Directors and Officers (D&O) Liability Insurance is a type of insurance coverage designed to protect the personal assets of directors, officers, and sometimes senior employees of an organization in case they are personally sued for decisions or actions taken in their official capacity. Its purpose is to protect the Board Directors and senior executives from personal financial loss if they are sued for alleged wrongful acts while managing the organization. Specifically, it covers legal defense costs, settlements, or judgments arising from claims.<br>What It Typically Covers:<br>• Wrongful acts – Errors, omissions, neglect, misstatements, or breaches of duty.<br>• Employment-related claims – Wrongful termination, discrimination, harassment.<br>• Financial mismanagement – Alleged mishandling of funds, failure to comply with laws or regulations.<br>• Breach of fiduciary duty – Decisions that allegedly violate the duty to act in the organization's best interest.<br>What It Usually Does NOT Cover:<br>• Fraud or illegal personal gain (intentional wrongdoing).<br>• Claims outside the scope of official duties.<br>• Prior known claims or situations before the policy started.<br>Why It's Important for Boards:<br>• Board members could be held personally liable even if they acted in good faith.<br>• Encourages qualified individuals to serve on the Board without fear of personal financial loss.<br>Supports organizational risk management by protecting governance leaders. | SPP 1.25 |
| **Eligible Individual** | An individual is eligible if they:<br>• Have no record of criminal or relevant non-criminal offenses under provincial or federal legislation, in Canada or elsewhere.<br>• Have not served as a Director, Trustee, Officer, or similar official—nor directly or indirectly controlled or managed—any registered organization whose charitable registration was revoked for a serious breach of registration requirements.<br>• Have not acted as a promoter of a tax shelter involving a registered organization where participation caused the organization's charitable registration to be revoked.<br>• Are not considered by the Canada Revenue Agency (CRA) to be an ineligible individual.<br>From Income Tax Act, 149.1(1), Definition of ineligible individual; Income Tax Act, 149.1(4.1)(e), 149.1(4.2)(e), Revocation of registration; Income Tax Act, 149.1(425), Refusal to register and https://www.canada.ca/en/revenue-agency/services/charities-giving/charities/policies-guidance/ineligible-individuals.html#toc23. | SPP 1.25 |
| **Equity** | Equity is a just, fair, and principled approach to uphold equal treatment for all. It does not just mean equal treatment for all; it means acknowledging and dismantling the barriers that cause people to experience things differently. | SPP 1.25 |

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| **Fiduciary Duties** | The legal and ethical obligation to act in the best interest of another party, such as a beneficiary, client, or organization. This relationship requires a fiduciary to prioritize the beneficiary's needs, act with loyalty and good faith, and avoid conflicts of interest. Key aspects usually include a duty of care, a duty of loyalty, a duty of loyalty, a duty to act in good faith, and a duty to disclose all relevant information. | SPP 1.25 |
| **Inclusion** | Inclusion means that all people have the right to be valued, appreciated, and respected as members of your classroom and school community. Fostering a sense of inclusion is critical for supporting all students. | SPP 1.25 |
| **PHE Canada Member** | Any individual who has paid the membership fee and agrees to abide by the Code of Conduct and Ethical Practice. | SPP 1.25 |
| **Qualified Individual** | A member of the PHE Canada community in good standing, up-to-date membership, and in accordance with PHE Canada's Code of Conduct and Guidelines for Ethical Practice. | SPP 1.25 |
| **Substantive Board** | To ensure diverse perspectives and equitable participation in decision-making, a minimum of 51% of the board shall reflect intentional inclusion of individuals from underrepresented groups. Simply appointing one equity-deserving group does not satisfy this policy. The goal is to ensure that voices from multiple underrepresented equity-deserving groups are represented so that the board benefits from a range of lived experiences, perspectives, and identities. For this policy, equity-deserving groups include: Indigenous peoples, women, persons with disabilities, members of racialized or visible minority communities, 2SLGBTQIA+ individuals experiencing systemic barriers, and the intersecting identities within these groups. | SPP 1.25 |
| **Terms of Reference** | A document that sets out the terms under which a particular committee is expected to operate. | SPP 1.25 |
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| **Audited Financial Statements** | An organization's financial records that have been independently reviewed and verified by a certified public accountant (CPA) to provide an opinion on their accuracy. This process offers the highest level of assurance, confirming that the statements are free from material misstatement and fairly present the organization's financial position, cash flow, and profitability. Audits are often required for public companies or by banks and investors, and they involve a thorough examination of financial data and internal controls. | SPP 2.25 |
| **Fiduciary Duties** | The legal and ethical obligation to act in the best interest of another party, such as a beneficiary, client, or organization. This relationship requires a fiduciary to prioritize the beneficiary's needs, act with loyalty and good faith, and avoid conflicts of interest. Key aspects usually include a duty of care, a duty of loyalty, a duty of loyalty, a duty to act in good faith, and a duty to disclose all relevant information. | SPP 2.25 |
| **Quorum** | The minimum number of members of an assembly that must be present at its meetings to make the proceedings of that meeting valid. | SPP 2.25 |
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| **Audited Financial Statements** | An organization's financial records that have been independently reviewed and verified by a certified public accountant (CPA) to provide an opinion on their accuracy. This process offers the highest level of assurance, confirming that the statements are free from material misstatement and fairly present the organization's financial position, cash flow, and profitability. Audits are often required for public companies or by banks and investors, and they involve a thorough examination of financial data and internal controls. | SPP 3.25 |
| **Conflict of Interest** | A situation where an individual has some personal stake in a discussion or decision, and therefore may be perceived as not acting objectively (free from bias) or may in fact not act objectively. | SPP 3.25 |
| **Eligible Individual** | An individual is eligible if they:<br>• Have no record of criminal or relevant non-criminal offenses under provincial or federal legislation, in Canada or elsewhere. | SPP 3.25 |

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|---|---|---|
| | • Have not served as a Director, Trustee, Officer, or similar official—nor directly or indirectly controlled or managed—any registered organization whose charitable registration was revoked for a serious breach of registration requirements.<br>• Have not acted as a promoter of a tax shelter involving a registered organization where participation caused the organization's charitable registration to be revoked.<br>• Are not considered by the Canada Revenue Agency (CRA) to be an ineligible individual.<br>From Income Tax Act, 149.1(1), Definition of ineligible individual; Income Tax Act, 149.1(4.1)(e), 149.1(4.2)(e), Revocation of registration; Income Tax Act, 149.1(425), Refusal to register and https://www.canada.ca/en/revenue-agency/services/charities-giving/charities/policies-guidance/ineligible-individuals.html#toc23. | |
| **Ex-Officio** | It is used in situations where an individual is not elected or appointed to an office but rather holds it by virtue of a position they already hold. | SPP 3.25 |
| **In Camera** | In-camera sessions are a standing agenda item for all board meetings and are held at the discretion of the chair or at the request of any board member with the support of a majority vote to move in and out of in-camera sessions. Employees and non-director participants shall be excused unless otherwise invited for specific agenda items. A separate record of motions or decisions made in camera will be maintained as required. In camera sessions are appropriate for matters including, but not limited to:<br>a) Personnel issues (e.g., hiring, performance, discipline, or termination)<br>b) Contract negotiations or legal matters<br>c) Financial issues requiring confidentiality<br>d) Sensitive governance discussions (e.g., Board evaluation, leadership performance)<br>e) Matters involving personal privacy or security | SPP 3.25 |
| **Members at Large** | Individuals elected or appointed to represent a group, jurisdiction, organization or qualities. | SPP 3.25 |
| **PHE Canada Board** | The organization's governing body that represents members' and stakeholders' interests and oversees the organization. Their main duties include setting organizational strategy, hiring and supervising executives, and ensuring the organization is managed responsibly, though they are not involved in day-to-day operations. The Board's powers and responsibilities are defined by government regulations and the organization's own bylaws. | SPP 3.25 |
| **Qualified Individual** | A member of the PHE Canada community in good standing, up-to-date membership, and in accordance with PHE Canada's Code of Conduct and Guidelines for Ethical Practice. | SPP 3.25 |
| **Resolution** | A direction or decision that will be put before the Board or Members as a motion at a Board or Members' meeting. | SPP 3.25 |
| | | |
| **PHE Canada Board** | The organization's governing body that represents members' and stakeholders' interests and oversees the organization. Their main duties include setting organizational strategy, hiring and supervising executives, and ensuring the organization is managed responsibly, though they are not involved in day-to-day operations. The Board's powers and responsibilities are defined by government regulations and the organization's own bylaws. | SPP 4.25 |
| | | |
| **Commercial Liability Insurance** | Insurance protecting commercial insureds from most liability exposures other than automobile and professional liability. | SPP 5.25 |
| **Cyber Liability Insurance** | Insurance protecting companies from liability to others and reimburses companies for expenses related to a data breach. | SPP 5.25 |

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|---|---|---|
| **Directors and Officers Liability Insurance** | Directors and Officers (D&O) Liability Insurance is a type of insurance coverage designed to protect the personal assets of directors, officers, and sometimes senior employees of an organization in case they are personally sued for decisions or actions taken in their official capacity. Its purpose is to protect the Board Directors and senior executives from personal financial loss if they are sued for alleged wrongful acts while managing the organization. Specifically, it covers legal defense costs, settlements, or judgments arising from claims.<br>What It Typically Covers:<br>• Wrongful acts – Errors, omissions, neglect, misstatements, or breaches of duty.<br>• Employment-related claims – Wrongful termination, discrimination, harassment.<br>• Financial mismanagement – Alleged mishandling of funds, failure to comply with laws or regulations.<br>• Breach of fiduciary duty – Decisions that allegedly violate the duty to act in the organization's best interest.<br>What It Usually Does NOT Cover:<br>• Fraud or illegal personal gain (intentional wrongdoing).<br>• Claims outside the scope of official duties.<br>• Prior known claims or situations before the policy started.<br>Why It's Important for Boards:<br>• Board members could be held personally liable even if they acted in good faith.<br>• Encourages qualified individuals to serve on the Board without fear of personal financial loss.<br>• Supports organizational risk management by protecting governance leaders. | SPP 5.25 |
| **Errors and Omissions Liability Insurance** | Insurance protecting companies against claims of professional negligence, inadequate work, inaccuracies, misrepresentation, or similar allegations that result in financial losses. | SPP 5.25 |
| **Risk Profile** | An assessment of an individual's or organization's willingness and ability to take on risk. It helps determine strategies by considering factors like risk tolerance, financial goals, time horizon, and capacity to withstand losses. For individuals, it usually guides investment decisions, while for organizations, it assesses threats and supports strategic planning. | SPP 5.25 |
| **Risk Tolerance** | An individual's or organization's willingness and ability to handle uncertainty, potential losses or fluctuations in the value of their investments in exchange for a possible higher return. | SPP 5.25 |
| | | |
| **Diversity** | Diversity has many facets that intersect, such as race, ethnicity, gender, gender identity and expression, socio-economic status, nationality, citizenship, sexual orientation, ability, age, family status, religion, and language. It also refers to the unseen dimensions of identity — beliefs, ideologies, worldviews, and knowledge systems. | SPP 7.25 |
| **Equity** | Equity is a just, fair, and principled approach to uphold equal treatment for all. It does not just mean equal treatment for all; it means acknowledging and dismantling the barriers that cause people to experience things differently. | SPP 7.25 |
| **Equality** | Equality is the state of being equal, especially in status, rights, and opportunities. It means that all people enjoy the same conditions and treatments without discrimination, regardless of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed (religion), gender, pregnancy, sexual orientation, disability (physical or mental), age, marital status, family status, and other diversities. | SPP 7.25 |
| **Equitable** | Equitable is being fair and reasonable in consideration of the facts and circumstances. | SPP 7.25 |

| | | |
|---|---|---|
| **Inclusion** | Inclusion means that all people have the right to be valued, appreciated, and respected as members of your classroom and school community. Fostering a sense of inclusion is critical for supporting all students. | SPP 7.25 |
| **Cultural Humility** | A lifelong journey of self-reflection and learning. It involves listening without judgment and being open to learning from and about others. It involves learning about our culture and our biases. Cultural humility is a building block for cultural safety. | SPP 7.25 |
| **Cultural Safety** | Ensures that all individuals feel respected and secure during their interactions with PHE Canada. Cultural interactions are free of racism and discrimination. Where possible, individuals within PHE Canada board, committees and from marginalized groups should not be alone but in groups of three or more.<br>People are supported to draw strengths from their identity, culture, and community. The journey often starts with cultural awareness—recognizing that differences and similarities exist between cultures. Learning about the histories that impact Indigenous peoples in Canada is an important part of developing cultural awareness. | SPP 7.25 |
| **Substantive Equality** | Is achieved when the differences in characteristics and circumstances of minority communities are taken into account to ensure that the minority receives services of the same quality as the majority. To ensure diverse perspectives and equitable participation in decision-making, a minimum of 51% of the board shall reflect intentional inclusion of individuals from underrepresented groups. Simply appointing one equity-deserving group does not satisfy this policy. The goal is to ensure that voices from multiple underrepresented equity-deserving groups are represented so that the board benefits from a range of lived experiences, perspectives, and identities. For this policy, equity-deserving groups include: Indigenous peoples, women, persons with disabilities, members of racialized or visible minority communities, 2SLGBTQIA+ individuals experiencing systemic barriers, and the intersecting identities within these groups. | SPP 7.25 |
| | | |
| **Aiding and Abetting** | Doing anything to help maltreatment take place. This includes directly assisting, furthering, facilitating, promoting, or encouraging it. It can also include allowing someone who is suspended to participate in the adopting organization's activities. | SPP 8.25 |
| **Boundary Transgression** | Boundary transgressions are interactions or communications that go beyond what is expected or appropriate. A boundary transgression can be difficult to identify. It depends on context, including the age of the people involved and whether there is a power imbalance. It may not be maltreatment but is still inappropriate under the circumstances. | SPP 8.25 |
| **Complainant** | The party submitting a complaint. | SPP 8.25 |
| **Disclosure** | The sharing of information by an individual regarding an incident or a pattern of Maltreatment experienced by that individual. Disclosure does not constitute a formal report that initiates a process of investigation to address the Maltreatment. | SPP 8.25 |
| **Discrimination** | Unfair or improper behaviour, whether intentional or not, that results in differential treatment of an individual based on one or more of any grounds of discrimination prohibited by human rights legislation, including, but not limited to: race, citizenship, national or ethnic origin, colour, religion, age, sex, sexual orientation, gender identify or expression, marital status, family status, genetic characteristics or disability. A person does not have to intend to discriminate for the behaviour to be discrimination. It is enough if the person knew or ought reasonably to have known that their behaviour would be inappropriate or unwelcome. | SPP 8.25 |
| **External Investigator** | An independent third party, or independent case manager, used to conduct impartial investigations into sensitive matters, such as workplace harassment or misconduct claims. They are used to ensure neutrality, bring specialized expertise, and help organizations fulfill their legal obligations. | SPP 8.25 |
| **Failing to Report** | A legal, moral or professional duty to report information that has not been disclosed. | SPP 8.25 |

| | | |
|---|---|---|
| **False Report** | A false statement knowingly made to authorities with the intent to mislead or accuse someone.<br>This is different from an unsubstantiated allegation, where there isn't enough evidence to determine whether it's true or not. Reporting an unsubstantiated allegation is not necessarily a violation, unless it's made in bad faith. | SPP 8.25 |
| **Grooming** | Grooming involves conduct that makes someone more vulnerable to sexual maltreatment. The grooming process is often gradual and involves building trust and comfort with a person, and sometimes also with the trusted adults and peers around the person. It may begin with subtle behaviours that may not appear to be inappropriate but that can serve to sexualize a relationship, reduce sexual inhibitions, or normalize inappropriate behaviour. It may include the testing of boundaries (like seemingly accidental touching) that gradually escalates to sexual maltreatment (for example, sexualized touching). Repeated boundary transgressions might be grooming. | SPP 8.25 |
| **Harassment** | A course of vexatious comment or conduct against an individual or group, which is known or ought to reasonably be known to be unwelcome. Types of behaviour that constitute Harassment include, but are not limited to:<br>• Written or verbal abuse, threats, or outbursts.<br>• Repeated offensive or intimidating emails, phone calls, remarks, jokes, comments, innuendos, or taunts.<br>• Racial harassment, which is racial slurs, jokes, name-calling, or insulting behaviour or terminology that reinforces stereotypes or discounts abilities because of racial or ethnic origin.<br>• Leering or other suggestive or obscene gestures.<br>• Condescending or patronizing behaviour, which is intended to undermine self-esteem, diminish performance or adversely affect working conditions.<br>• Pranks, hazing or practical jokes which endanger a person's safety, or may negatively affect performance.<br>• Unwanted physical contact, including, but not limited to, touching, petting, pinching, or kissing.<br>• Deliberately excluding or socially isolating a person from a group, team or work-related social gatherings.<br>• Deliberately withholding information that would enable a person to do his or her job, perform or train.<br>• Sabotaging someone else's work or performance.<br>• Gossiping or spreading malicious rumours.<br>• Persistent sexual flirtations, advances, requests, or invitations.<br>• Physical or sexual assault.<br>• Displaying or circulating offensive pictures, photographs or materials in printed or electronic form.<br>• Words or actions which are known or should reasonably be known to be offensive, embarrassing, humiliating, or demeaning.<br>• Behaviours such as those described above that are not directed towards a specific person or group but have the same effect of creating a negative or hostile environment; and<br>• Retaliation or threats of retaliation against a person who reports harassment to PHE Canada. | SPP 8.25 |
| **Investigator** | A person who carries out a formal inquiry or investigation. | SPP 8.25 |
| **Interference with or Manipulation of Process** | Action taken to directly or indirectly subvert or interfere with an investigation or disciplinary process. That could include interfering with evidence, harassing or intimidating anyone involved, failing to comply with sanctions, or publicizing information that should be confidential. However, it is not a violation if a survivor of abuse hides information, whether out of embarrassment or shame, or to protect the perpetrator. | SPP 8.25 |
| **Neglect** | Any pattern or a single serious incident of lack of reasonable care, inattention to an individual's needs, nurturing or well-being, or omissions in care. Neglect | SPP 8.25 |

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| | is determined by the objective behaviour, but the behaviour must be evaluated with consideration given to the individual's needs and requirements, not whether harm is intended or results from the behaviour. | |
| **Organizational Representative** | Individuals employed by, or engaged in activities with PHE Canada, including, but not limited to, volunteers, managers, administrators, committee members, and Directors and Officers of PHE Canada. | SPP 8.25 |
| **Physical Maltreatment** | Any pattern or a single serious incident of deliberate conduct, including contact behaviours and non-contact behaviours, that has the potential to be harmful to a person's physical or psychological well-being. Physical Maltreatment includes, without limitation, contact or non-contact infliction of physical harm. Physical Maltreatment is determined by the objective behaviour, not whether harm is intended or results from the behaviour. | SPP 8.25 |
| **Psychological Maltreatment** | Any pattern or a single serious incident of deliberate conduct that has the potential to be harmful to the psychological well-being of a person. Psychological Maltreatment includes, without limitation, verbal conduct, non-assaultive physical conduct, and conduct that denies attention or support. Psychological Maltreatment is determined by the objective behaviour, not whether harm is intended or results from the behaviour. | SPP 8.25 |
| **Retaliation** | An act of harm, revenge or aggression committed as a response to an actual or perceived harm.<br>Retaliation includes, without limitation, threatening, intimidating, harassing, or coercing anyone who is participating in the process. Discouraging someone from reporting, or from participating in the process, is also a violation. If retaliation occurs, it can and should be reported. | SPP 8.25 |
| **Reporting (or Report)** | The provision of information in writing by an individual to a relevant independent authority (the independent person or position charged with receiving a report and determining next steps) regarding Maltreatment. Reporting may occur through either: (i) the Complainant (of any age) or the one who experienced the Maltreatment, or (ii) a witness – someone who witnessed the Maltreatment or otherwise knows or suspects Maltreatment. In either case, the intention of Reporting is to initiate an independent investigative process, which could result in disciplinary action being taken against the Respondent. | SPP 8.25 |
| **Sexual Maltreatment** | A course of vexatious comment or conduct against an individual because of sex, sexual orientation, gender identify or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome; or making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advance to the individual and the person knows or ought reasonably to know that the solicitation or advance is unwelcome. Types of behaviour that constitute Sexual Harassment include, but are not limited to:<br>• Sexist jokes.<br>• Threats, punishment, or denial of a benefit for refusing a sexual advance.<br>• Offering a benefit in exchange for a sexual favour.<br>• Demanding hugs and physical contact.<br>• Bragging about sexual ability.<br>• Leering (persistent sexual staring).<br>• Sexual assault.<br>• Display of sexually offensive material.<br>• Distributing sexually explicit messages or attachments such as pictures or video files.<br>• Sexually degrading words used to describe an individual.<br>• Requiring identification of gender identity, unwelcome inquiries into or comments about an individual's gender identity or physical appearance.<br>• Inquiries or comments about an individual's sex life.<br>• Persistent, unwanted attention after a consensual relationship ends. | SPP 8.25 |

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| | • Persistent unwelcome sexual flirtations, advances, or propositions; and persistent unwanted contact. | |
| **UCCMS** | Universal Code of Conduct to Prevent and Address Maltreatment in Sport, https://sportintegritycommissioner.ca/uccms | SPP 8.25 |
| **UCCMS Participant** | A representative affiliated with the organization who has been a) designeed by the organization and b) who has signed the required consent form. UCCMS Participants may include an employee, a contractual employee, an administrator, or a volunteer acting on behalf of, or representing the organization in any capacity. | SPP 8.25 |
| **UCCMS Prohibited Behaviours** | Include, but are not limited to:<br>(i) Physical Maltreatment<br>(ii) Psychological Maltreatment<br>(iii) Neglect<br>(iv) Sexual Maltreatment<br>(v) Grooming<br>(vi) Boundary Transgressions 5 of 12<br>(vii) Discrimination (viii) Failing to Report<br>(ix) Aiding and Abetting<br>(x) Retaliation<br>(xi) Interference with or Manipulation of Process<br>(xii) False Reports.<br>In addition to the Prohibited Behaviours as defined by the UCCMS, this Code sets out other expected standards of behaviour and conduct for all representatives, and any failure to respect these expected standards of behaviour by a representative may constitute a breach of this Code. | SPP 8.25 |
| **Workplace** | Any land, premise or location at, in or near which organizational representatives perform their job duties or where activities related to work take place – including travel and social activities – and in some cases, online spaces. | SPP 8.25 |
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| **Aiding and Abetting** | Doing anything to help maltreatment take place. This includes directly assisting, furthering, facilitating, promoting, or encouraging it. It can also include allowing someone who is suspended to participate in the adopting organization's activities. | SPP 9.25 |
| **Boundary Transgression** | Boundary transgressions are interactions or communications that go beyond what is expected or appropriate. A boundary transgression can be difficult to identify. It depends on context, including the age of the people involved and whether there is a power imbalance. It may not be maltreatment but is still inappropriate under the circumstances. | SPP 9.25 |
| **Disclosure** | The sharing of information by an individual regarding an incident or a pattern of Maltreatment experienced by that individual. Disclosure does not constitute a formal report that initiates a process of investigation to address the Maltreatment. | SPP 9.25 |
| **Discrimination** | Unfair or improper behaviour, whether intentional or not, that results in differential treatment of an individual based on one or more of any grounds of discrimination prohibited by human rights legislation, including, but not limited to: race, citizenship, national or ethnic origin, colour, religion, age, sex, sexual orientation, gender identify or expression, marital status, family status, genetic characteristics or disability. A person does not have to intend to discriminate for the behaviour to be discrimination. It is enough if the person knew or ought reasonably to have known that their behaviour would be inappropriate or unwelcome. | SPP 9.25 |
| **Employee** | Individuals employed by, or engaged in activities with PHE Canada, including independent contractors. | SPP 9.25 |

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| **Failing to Report** | A legal, moral or professional duty to report information that has not been disclosed. | SSP 9.25 |
| **False Report** | A false statement knowingly made to authorities with the intent to mislead or accuse someone.<br>This is different from an unsubstantiated allegation, where there isn't enough evidence to determine whether it's true or not. Reporting an unsubstantiated allegation is not necessarily a violation, unless it's made in bad faith. | SSP 9.25 |
| **Grooming** | Grooming involves conduct that makes someone more vulnerable to sexual maltreatment. The grooming process is often gradual and involves building trust and comfort with a person, and sometimes also with the trusted adults and peers around the person. It may begin with subtle behaviours that may not appear to be inappropriate but that can serve to sexualize a relationship, reduce sexual inhibitions, or normalize inappropriate behaviour. It may include the testing of boundaries (like seemingly accidental touching) that gradually escalates to sexual maltreatment (for example, sexualized touching). Repeated boundary transgressions might be grooming. | SPP 9.25 |
| **Interference with or Manipulation of Process** | Action taken to directly or indirectly subvert or interfere with an investigation or disciplinary process. That could include interfering with evidence, harassing or intimidating anyone involved, failing to comply with sanctions, or publicizing information that should be confidential. However, it is not a violation if a survivor of abuse hides information, whether out of embarrassment or shame, or to protect the perpetrator. | SSP 9.25 |
| **Maltreatment** | A volitional act and/or omission that results in harm or has the potential for physical or psychological harm. | SSP 9.25 |
| **Neglect** | Any pattern or a single serious incident of lack of reasonable care, inattention to an individual's needs, nurturing or well-being, or omissions in care. Neglect is determined by the objective behaviour, but the behaviour must be evaluated with consideration given to the individual's needs and requirements, not whether harm is intended or results from the behaviour. | SPP 9.25 |
| **Organizational Representative** | Individuals employed by, or engaged in activities with PHE Canada, including, but not limited to, volunteers, managers, administrators, committee members, and Directors and Officers of PHE Canada. | SPP 9.25 |
| **Physical Maltreatment** | Any pattern or a single serious incident of deliberate conduct, including contact behaviours and non-contact behaviours, that has the potential to be harmful to a person's physical or psychological well-being. Physical Maltreatment includes, without limitation, contact or non-contact infliction of physical harm. Physical Maltreatment is determined by the objective behaviour, not whether harm is intended or results from the behaviour. | SPP 9.25 |
| **Power Imbalance** | A power imbalance may exist when, based on the circumstances, a teacher, coach, or other adult holds supervisory, evaluative, caregiving, or disciplinary authority over a student or athlete. This imbalance can arise in classroom, extracurricular, and school sport settings where the adult is responsible for instruction, assessment, mentorship, or safety. Maltreatment occurs when this power is misused.<br>Once a teacher–student or coach–athlete relationship is established, a power imbalance is presumed to exist throughout the relationship, regardless of the student's or athlete's age. For minors, this presumption continues after the relationship has ended or until the individual reaches 25 years of age.<br>A power imbalance may exist—but is not presumed—where an intimate relationship existed prior to the educational or coaching relationship (e.g., between spouses, life partners, or consenting adults in a pre-existing relationship). | SPP 9.25 |
| **Psychological Maltreatment** | Any pattern or a single serious incident of deliberate conduct that has the potential to be harmful to the psychological well-being of a person. Psychological Maltreatment includes, without limitation, verbal conduct, non-assaultive physical conduct, and conduct that denies attention or support. Psychological Maltreatment is determined by the objective behaviour, not whether harm is intended or results from the behaviour. | SPP 9.25 |

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| **Retaliation** | An act of harm, revenge or aggression committed as a response to an actual or perceived harm.<br>Retaliation includes, without limitation, threatening, intimidating, harassing, or coercing anyone who is participating in the process. Discouraging someone from reporting, or from participating in the process, is also a violation. If retaliation occurs, it can and should be reported. | SSP 9.25 |
| **Sexual Maltreatment** | A course of vexatious comment or conduct against an individual because of sex, sexual orientation, gender identify or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome; or making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advance to the individual and the person knows or ought reasonably to know that the solicitation or advance is unwelcome. Types of behaviour that constitute Sexual Harassment include, but are not limited to:<br>• Sexist jokes.<br>• Threats, punishment, or denial of a benefit for refusing a sexual advance.<br>• Offering a benefit in exchange for a sexual favour.<br>• Demanding hugs and physical contact.<br>• Bragging about sexual ability.<br>• Leering (persistent sexual staring).<br>• Sexual assault.<br>• Display of sexually offensive material.<br>• Distributing sexually explicit messages or attachments such as pictures or video files.<br>• Sexually degrading words used to describe an individual.<br>• Requiring identification of gender identity, unwelcome inquiries into or comments about an individual's gender identity or physical appearance.<br>• Inquiries or comments about an individual's sex life.<br>• Persistent, unwanted attention after a consensual relationship ends.<br>Persistent unwelcome sexual flirtations, advances, or propositions; and persistent unwanted contact. | SPP 9.25 |
| **UCCMS** | Universal Code of Conduct to Prevent and Address Maltreatment in Sport, https://sportintegritycommissioner.ca/uccms | SPP 9.25 |
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| **Conflict of Interest** | A situation where an individual has some personal stake in a discussion or decision, and therefore may be perceived as not acting objectively (free from bias) or may in fact not act objectively. | SPP 10.25 |
| **Non-Pecuniary Interest** | An interest that an individual may have in a matter which may involve family relationships, friendships, volunteer positions or other interests that do not involve the potential for financial gain or loss. | SPP 10.25 |
| **Organizational Representative** | Individuals employed by, or engaged in activities with PHE Canada, including, but not limited to, volunteers, managers, administrators, committee members, and Directors and Officers of PHE Canada. | SPP 10.25 |
| **Pecuniary Interest** | An interest that an individual may have in a matter because of the reasonable likelihood or expectation of financial gain or loss for that individual, or another person with whom that individual is associated. | SPP 10.25 |
| **Whistleblowing** | Reporting any kind of information or activity that is deemed illegal, unethical, or incorrect within PHE Canada. | SPP 10.25 |
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| **Affected Party** | Any individual, group, organization, or entity that is impacted or infringed upon by another's actions. | SSP 11.25 |
| **Appellant** | The party submitting an appeal. | SSP 11.25 |

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| **Complainant** | The party submitting a complaint. | SSP 11.25 |
| **Days** | Days including weekends and holidays. | SSP 11.25 |
| **External Investigator** | An individual appointed by PHE Canada to address complaints or appeals under this policy. The External Investigator shall not be a member of, or affiliated with, PHE Canada. | SSP 11.25 |
| **Investigator** | A person who carries out a formal inquiry or investigation. | SSP 11.25 |
| **Organizational Representative** | Individuals employed by, or engaged in activities with PHE Canada, including, but not limited to, volunteers, managers, administrators, committee members, and Directors and Officers of PHE Canada. | SSP 11.25 |
| **Panel** | Shall be appointed at the discretion of the External Investigator and consist of a single Arbitrator or a committee of three independent people, as determined by the External Investigator, who are free from a conflict of interest. | SSP 11.25 |
| **Respondent** | The party responding to the complaint or appeal. | SSP 11.25 |
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| **Doping** | The use of substances or methods used to affect performance which are prohibited by the World Anti-Doping Code (Code, 2021). Specifically, World Anti-Doping Agency (WADA) states that doping is defined as the occurrence of one or more of the anti-doping rule violations set forth in Article 2.1 through Article 2.11 of the Code. | SPP 12.25 |
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| **Complainant** | The person making an allegation of misconduct in research, and who may or may not be directly affected by the alleged misconduct | SPP 13.25 |
| **Misconduct** | In research, this refers to, but is not limited to, any breach of the present policy and includes fabrication, destruction of research records, plagiarism, redundant publications, invalid authorship, inadequate acknowledgement, mismanagement of Conflict of Interest, and mismanagement of Research Funds. | SPP 13.25 |
| **Research** | Broadly construed within this policy to include all research activity undertaken under the auspices or within the jurisdiction of PHE Canada, whether funded or unfunded. | SPP 13.25 |
| **Respondent** | The person accused by the complainant of misconduct in research. | SPP 13.25 |
| **Tri-Council Agencies** | Recognized as the Canadian Institutes of Health Research (CIHR), Natural Sciences and Engineering Research Council of Canada (NSERC), and Social Sciences and Humanities Research Council of Canada (SSHRC). | SPP 13.25 |
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# Appendix D: Prior Amendment Record

| Date / Board Motion | SPP # | Change | Replaces |
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