



# Accountability and Community Policy

Approved: 17/04/2018

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### 1. Commitment

- 1.1. Kind Space aims to foster an environment in which all individuals are treated with respect and dignity. We uphold our values of building communities of care, sustainable growth, creativity, and transparency, and are committed to accessibility, accountability, building community participation, and self-determination. Breaches of this policy hinder our organizational mission of supporting and celebrating persons of all sexual orientations, gender identities, and gender expressions.

### 2. Scope

- 2.1. This policy applies to all employees, volunteers, board members, contractors, members and service users, as it directly affects organizational programming and operations.

### 3. Policy

- 3.1. The following actions are considered a breach of our Accountability and Community Policy.
- 3.2. **Harassment:** Engaging in a course of vexatious comment or conduct, against an individual or organization that is known or ought reasonably to be known to be unwelcome, in the workplace, in person, or online.
- 3.3. **Sexual harassment:** any conduct, comment, gesture, or contact of a sexual nature that is known or ought reasonably be known to be unwelcome and/or likely to cause offence or humiliation, or create an unsafe environment for others.
- 3.4. **Sexual assault:** any unwanted act of a sexual nature imposed by one person upon another and includes, but is not limited to, activities such as kissing, fondling, oral, anal, vaginal or other forms of penetration, without consent.
  - 3.4.a. "Consent" is defined as the voluntary, informed, sober, and ongoing agreement to engage in the sexual activity in question. There is no consent when a person uses a position of power, trust, or authority to obtain sex.
- 3.5. **Inappropriate Interpersonal Relationships**
  - 3.5.a. "Interpersonal relationships" refers to a relationship between two or more individuals of a romantic, sexual or analogous basis.
  - 3.5.b. Inappropriate Relationships may consist of, but not be limited to, any relationship that impairs, or may be perceived to impair, the functioning of services in an impartial and ethical manner that upholds our policies and values.
  - 3.5.c. Program facilitators, volunteers, and staff members with a role in any Kind Space activities or operations are discouraged from entering into interpersonal relationships with program participants or each other.
  - 3.5.d. In the event such a relationship forms, the facilitator, volunteer or staff member shall inform the Executive Director, or relevant reporting contact, who shall consider the totality of the circumstances, further investigate as may be necessary, and determine whether the facilitator, volunteer, or staff member can continue in their current role without unduly impairing the functioning of services, or perception of Kind Space as an organization.
- 3.6. **Discrimination:** an action or decision that treats a person or a group differently for reasons such as: sex, sexual orientation, gender identity, gender expression, race, ethnicity, age, disability, cultural heritage, religious, political affiliations, social status, financial status, appearance, HIV status, or criminal record. Examples include but are not limited to;
  - 3.6.a. Knowingly misgendering a trans/non-binary person,
  - 3.6.b. Making assumptions about someone's disability, or only providing activities that include persons with certain abilities,
  - 3.6.c. Generalizations on behavior based on race, or sexual orientation,
  - 3.6.d. Using a derogatory term to refer to service users,
  - 3.6.e. Microaggressions - a statement, action, or incident regarded as an instance of indirect, subtle, or unintentional discrimination against members of a marginalized group.
- 3.7. **Violence and weapons use** including;
  - 3.7.a. Threats of violence, or endangerment of others,

- 3.7.b. Inflicting physical or emotional harm on others,
- 3.7.c. Possession of weapons (i.e. firearms, large knives) or displays of any object in a threatening manner (e.g. bats),
- 3.7.d. Glorified discussions of violence and weapons use.
- 3.8. **Substance use** including;
  - 3.8.a. “Substances” in the context of this policy, includes but is not limited to: alcohol, cannabis, tobacco, and other controlled or illicit substances.
  - 3.8.b. Glorified discussions of substance use are prohibited. This does not include discussions for the purpose of harm reduction and education of substance use.<sup>1</sup>
  - 3.8.c. Consumption (unless for medicinal purposes), distribution, or selling of substances, on Kind Space premises is prohibited.
- 3.9. **Theft and Vandalism:** Removing or damaging items of any value from the premise without permission from staff and which are not for distribution or destruction, claiming personal ownership of Kind Space intellectual property, or removing items of Kind Space intellectual property for personal reasons or use.
- 3.10. **Conflicts of Interest:** A conflict of interest is a situation in which an individual has competing interests or loyalties. Persons engaged by Kind Space have an obligation to act in the best interests of Kind Space when performing their duties. They should arrange their personal and private affairs in such a manner that the reputation of Kind Space as an organization is maintained or enhanced.
  - 3.10.a. Conflicts of interest must be disclosed, prior to decisions or actions being taken to the responsible party as described in section 5.1.
  - 3.10.b. Reasonable action taken by employees and volunteers relating to the management and direction of other employees, and volunteers is not considered a breach of this policy.

#### 4. Confidentiality

- 4.1. Kind Space will take reasonable steps to ensure confidentiality of all those who engage with the organization, including keeping records in locked filing cabinets, or under password protection.
- 4.2. Personal or identifying information such as personal contact, financial, medical, social, physiological information, photos, or other pertinent data will not be shared with any other organization or individual without the user’s expressed written permission, unless otherwise required by law.
- 4.3. A break in confidentiality constitutes a breach of this policy as stated in section 3.
- 4.4. Examples include but are not limited to:
  - 4.4.a. Providing personal/contact information of any volunteer to individuals or organizations without permission,
  - 4.4.b. Outing someone’s orientation, transition status, gender identity, etc. without permission, Sharing or taking photos of a person without explicit consent

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<sup>1</sup> Harm reduction: Harm reduction refers to policies, programmes and practices that aim to reduce the harms associated with the use of substances in people unable or unwilling to stop. The defining features are the focus on the prevention of harm, rather than on the prevention of the substance use itself, and the focus on people who continue to use the substance(s).

## 5. Reporting

- 5.1. When reporting a breach of this policy, refer to the following hierarchy: Members and service users, Volunteers, Employees, Executive Director, Human Resources sub-committee, Board of Directors.
- 5.2. Individuals are not to be penalized or disciplined for reporting an incident, or for participating in an investigation.
- 5.3. If any individual engaged by Kind Space witnesses or becomes aware of a breach in this policy, should report the breach to the directed authority as outlined in section 5.1, and are obliged to report if they are a “worker” as defined by the Occupational Health and Safety Act (1990).
- 5.4. If the individual that should be contacted as per section 5.1 is an individual party to the breach contact one step above as directed in section 5.1.
- 5.5. An incident or a complaint of harm or harassment should be reported as soon as possible after experiencing or witnessing an incident. This allows the incident to be dealt with or investigated in a timely manner.
- 5.6. Individuals can report breaches of this policy verbally or in writing. When reporting verbally, the reporting contact, will document information about the incident, as outlined in section 5.7.
- 5.7. The report of the incident should, if possible, include the following information:
  - 5.7.a. Name(s) of the individual who has allegedly experienced a breach of the policy,
  - 5.7.b. Name of the alleged person who breached the policy, position and contact information (if known),
  - 5.7.c. Names of the witness(es) (if any) or other person(s) with relevant information to provide about the incident (if any) and contact information (if known),
  - 5.7.d. Details of what happened including date(s), frequency and location(s) of the alleged incident(s),
  - 5.7.e. Any supporting documents the individual who complains of harassment may have in his/her possession that are relevant to the complaint,
  - 5.7.f. List any documents a witness, another person or the alleged person who breached the policy may have in their possession that are relevant to the complaint.
- 5.8. The reporting contact, with assistance from the Executive Director when necessary, will investigate and deal with potential breaches of this policy in a fair, respectful, and timely manner. Information provided about an incident or about a complaint will not be disclosed except as necessary to protect others within the organization, to investigate the complaint or incident, or to take action or as otherwise required by law. Investigations will only be done at the reporting contacts request – and can be stopped at any time, unless the person who experienced the breach is a “worker” as described by the Occupational Health and Safety Act (1990) in which Kind Space is obliged to conduct and complete an investigation.
- 5.9. If a complaint is not addressed to an individual's satisfaction, they may request a review by the next step of the reporting structure.
- 5.10. If the incident or complaint involves a member of the board, it will be investigated and resolved by the HR sub-committee. If on the HR sub-committee, the accused board member must recuse themselves from the investigation and decision-making process on the grounds of a conflict of interest.

- 5.11. All incidents shall be kept confidential except to the extent necessary to protect individuals, to investigate the complaint or incident, or to take corrective action.
- 5.12. If an individual needs further assistance in reporting, they may contact the Executive Director, or the Human Resource sub-committee of the board.

## 6. Handling Complaints

- 6.1. Welcoming
  - 6.1.a. **Employees, Volunteers, Contractors:** At the initial orientation interview, individuals are given the opportunity to discuss current knowledge, and areas of improvement relating to client group(s) of diverse sexual orientations, gender identities and expressions. Employees, and volunteers who are unfamiliar with a client group will be given the necessary orientation and training. Employees and Volunteers will be asked to sign a copy of this policy to ensure they understand what is expected at Kind Space.
  - 6.1.b. **Service users:** This policy and procedure will be posted in plain language around Kind Space (See Annex A, B), and will be reinforced by volunteers, contractors and employees whenever possible to ensure that the spirit of the Accountable and Respectful Communities policy is maintained.
- 6.2. **Report and incident follow-up:** When a potential breach of this policy is reported, or witnessed, the individual will be notified of the potential violation of the policy and given an opportunity to discuss the situation. If the situation being reported involves a volunteer, or employee, information on the incident will be documented, investigated, and filed by the relevant authority as outlined in section 5.1.
- 6.3. **Incident remedy:** Respondents will be notified of the result of the investigation. Using information collected from the investigation; the appropriate measure listed in section 6.6 as chosen by the relevant authority, the parties involved - with guidance when appropriate from the will be implemented.
  - 6.3.a. Should an individual violate the policy multiple times, disciplinary action will result in measures being taken as outlined below, or immediate dismissal of duties, and/or a ban of attendance to programs and services.
- 6.4. **Severe violations:** When what has deemed to be a severe violation of a policy has been made - immediate threat of violence, or danger to others - disciplinary action will be immediate and can result in a suspension/ban of attendance to all programs and services, and/or immediate dismissal of duties.
- 6.5. The accountability process outlined visually in this diagram below:



- 6.6.** Accountability measures remedy to breaches of this policy by individuals include;
  - 6.6.a.** A discussion and reaffirmation of Kind Space values,
  - 6.6.b.** Mediation by internal or external mediators,
  - 6.6.c.** Referral to contacts for suitable supports, services or resources available within and external to the organization,
  - 6.6.d.** Attendance at educational sessions on the impact of discrimination, violence, harassment etc.,
  - 6.6.e.** Attendance at coaching sessions to improve communication or conflict resolution skills,
  - 6.6.f.** No contact agreements,
  - 6.6.g.** Restricted or prohibited access to Kind Space services,
  - 6.6.h.** Termination or dismissal from duties,
  - 6.6.i.** Another solution identified by the reporting contact, and the parties involved.

**7. Review and Administration**

- 7.1.** The Human Resources Subcommittee will review this policy at least annually.
- 7.2.** Review will seek stakeholder input – stakeholders include those outlined in section 2.
- 7.3.** Copies of this policy will be given, and signed by all volunteers and staff. Kind Space will hold all copies for an indefinite period of time.

Signed and approved by:

Executive Director:	Board Chair:
Date:	Date:

Key sections for volunteers to examine

- 3 - Policy
- 4 - Confidentiality
- 5.1 - Reporting contacts (Who do I report incidents too?)
- 6.5 - Accountability process (What happens if there is an incident?)
- 6.6 - Accountability measures (Consequences)

I agree to abide by the Accountability and Community Policy

Name (please print)	
Signature:	Date

## Annex A: Sharing Space at Kind

- Anonymity of the space is essential. No one but ourselves has the right to disclose when, what, or why we are at Kind.
- When we introduce ourselves we offer our name and pronouns and invite others to do the same. If others do not wish to share their name and/or pronouns we accept that and move on.
- We are the experts of our own lives, experiences, struggles, and achievements. No one knows us better than we know ourselves. Please use 'I' statements.
- Our identities, expressions, and experiences are not debatable and they are not jokes.
- Sometimes we hurt each other and there are many ways that can look and feel. When we hurt someone we apologize and commit to not doing it again.
- We care for one another and do not threaten, harass, or act violently towards each other.
- We keep this a safe space for everyone by not consuming, distributing or selling illegal substances, but we work to reduce harm of these substances.
- We encourage curiosity and learning about and from each other with respect and consent. To the best of our ability, without harming others, we meet people where they are at.
- We offer content/trigger warnings before sharing about things like violence, abuse, suicide, self-harm, assault, death/dying, etc.

## **Annex B: Pro Tips for Kind Beginners**

Kind Space works to make a more accessible space for everyone - especially the most marginalized in our communities, by having clear community standards we can work together to build accountable communities of care.

This applies to all employees, volunteers, members, service users, or people who rent our space.

### **Do this all (or most of) the time – happy faces and happy spaces!**

- Introduce yourself to new people you meet
- If you feel comfortable you can introduce yourself with your name and pronoun
  - Ask people if it is OK before making physical contact, especially if you do not know them
- Use the name and pronoun a person gives you
- Do not ask or question people's gender or sexuality, especially in public spaces
- Take ownership of your words and actions and the effect they may have on others.
- If you are participating in a group for the first time, it is a good rule of thumb to listen and get an understanding of the dynamics and culture of the group
  - Ask clarification questions around sensitive subjects with facilitators or staff
- Give people high fives, hugs and fist bumps if you are comfortable and the other person consents
- Do not give out your personal contact information, especially if you are a counsellor, placement student or doing peer support work

### **Do not do this - sad & angry faces and consequences.**

- Make assumptions about someone's gender, sexuality or relationship status/style
- Consume drugs (that are not medically necessary). Distributing, or selling drugs and alcohol on Kind Space premises.
- Touch people or enter another's personal space without their consent
- Mis-gendering someone (gender identity, expression and perception can be tricky!), it happens, apologize, move on and do better - DO NOT DWELL OR APOLOGIZE PROFUSELY
- Arrive to the centre visibly under the influence of drugs or alcohol to the point that you are unable to be mentally present during programming
- Continually disrespecting, and harassing people, their wishes and/or boundaries
- Assault/abuse/harassment (sexual, physical, emotional, mental)
- Theft from service users, volunteers, staff or Kind
- Intimidation or threats of violence against service users, volunteers, staff or Kind
- \*Kind believes in and operates with harm reduction as a guiding principle.

**Consequences include:**

- A discussion and reaffirmation of Kind Space values,
- Mediation by internal or external mediators,
- Referral to contacts for suitable supports, services or resources available within and external to the organization,
- Attendance at educational sessions on the impact of discrimination, violence, harassment etc.,
- Attendance at coaching sessions to improve communication or conflict resolution skills,
- No contact agreements,
- Restricted or prohibited access to Kind Space services,
- Termination or dismissal from duties,
- Another solution identified by the parties involved, and the volunteer and employee.

## Annex C: Investigation Form

This template may be used for guidance in investigating incidents or complaints. **The investigations goal is not to determine whether or not the situation occurred, rather the harm that exists within the current space.** The person conducting the investigation must not have been involved in the incident or complaint and must not be under the direct control of the person who breached the policy.

Name of investigator: \_\_\_\_\_

Date of investigation: \_\_\_\_\_

Who are the people involved?

\_\_\_\_\_  
\_\_\_\_\_

Are they workers as defined by Occupational Health and Safety Act? **Yes / No**

Who reported and when?

\_\_\_\_\_  
\_\_\_\_\_

Name of person who reported breach.

\_\_\_\_\_

If not the same person as above, name of person who allegedly experienced breach.

\_\_\_\_\_

Date complaint/concern raised and how:

\_\_\_\_\_  
\_\_\_\_\_

Date of first incident:

\_\_\_\_\_

Date of last incident:

\_\_\_\_\_

Date of other incident(s):

\_\_\_\_\_

Describe the Policy Breach (get information from person experiencing breach, witnesses, person who allegedly breached policy etc.) Attach more pages is needed.

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Summary of key evidence:

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Recommended Next Steps, and accountability measures, and resolve:

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