

**Parks, Recreation & Cultural Services Respectful Customer Conduct**

<b>Effective Date</b>	January 15, 2016
<b>Approving Authority</b>	Executive Leadership Team
<b>Policy Owner</b>	Director, Parks, Recreation & Cultural Services

**PURPOSE & SCOPE****Purpose**

- 1 The purpose of this policy is to:
  - (a) provide a safe, positive, and inclusive environment for patrons and employees in Parks, Recreation & Cultural Services (PRCS) facilities and programs,
  - (b) outline the expectations and responsibilities of patrons when they interact with PRCS facilities, programs and employees,
  - (c) establish a process for managing a patron's inappropriate behaviours and actions, and
  - (d) enable PRCS to deliver quality services effectively and efficiently, while protecting the rights, safety, and overall well-being of its employees and patrons.
- 2 This policy aligns with provincial and federal legislation, *The Saskatchewan Human Rights Code, 2018*, the *Criminal Code*, City bylaws, as well as the City's Harassment Policy, Respectful Workplace Policy, Violence Policy, and Anti-Bullying Resource Manual.

**Scope**

- 3 This policy applies to:
  - (a) City employees and patrons,
  - (b) any site or space, whether owned by the City or external, where PRCS programs and/or services are being delivered,
  - (c) physical, verbal and electronic (i.e., telephone, text, email, social media) communication, and
  - (d) City property and the property of our patrons and on-site partners.

## **POLICY PROVISIONS**

### **Definitions**

- 4 The following definitions apply to this policy:
- 4.1 Ban notice means a document issued to a patron restricting or prohibiting the patron from accessing PRCS facilities and/or programs for a specified length of time.
  - 4.2 City means the City of Regina
  - 4.3 Disability means any impairment that, in interaction with a barrier, hinders an individual's full and equal participation in society, and includes:
    - (a) a physical, mental, intellectual, cognitive, learning, communication or sensory impairment, and
    - (b) a functional limitation, whether permanent, temporary or episodic in nature, or evident or not.
  - 4.4 Employee means for the purposes of this policy only:
    - (a) all City employees,
    - (b) volunteers working on behalf of the City,
    - (c) individuals or organizations in fee for service contracts with the City,
    - (d) program partners (non-profit organizations and schools that provide a sport, culture, recreation or social program for the benefit of the community and are identified on the City of Regina program partner list such as community associations and zone boards) of the City, and
    - (e) any others conducting work on behalf of the City.
  - 4.5 Inappropriate behavior and actions means, but is not limited to:
    - (a) violating City policies, guidelines or facility rules,
    - (b) threats, discrimination, harassment, bullying or disrespectful behavior of any kind.
    - (c) interfering with another person's use and enjoyment of sites and spaces in a safe and respectful manner,
    - (d) interfering with the performance of an employee's duties, and
    - (e) any illegal activity.

Examples include trafficking, consuming or being under the influence of alcohol, drugs or another substance, possession of dangerous or unauthorized material, use

of recording devices in the washroom or changeroom and verbally insulting or threatening an employee or patron.

4.6 On-site partner means:

- (a) volunteers working on behalf of the City,
- (b) individuals or organizations in fee for service contracts with the City,
- (c) program partners, and
- (d) user groups.

4.7 On-site supervisor means the highest-ranking City employee working on-site, such as but not limited to:

- Cashier
- Centre Administrator
- Leadperson
- Neighbourhood Centre Programmer
- Program Specialist
- Program Coordinator
- Aquatic Training Specialist
- Assistant Supervisor Leisure Centres
- Cemeterian II
- Cemetery Clerk
- Lead Guard
- Facility Attendant
- Program Leader
- Greenskeeper
- Neighbourhood Centre Supervisor
- Program Technician
- Supervisor of Leisure Centres
- Facility Supervisor
- Foreperson
- Supervisor Golf Courses

4.8 Patron means any individual who is accessing PRCS department facilities, programs and services. The individual does not have to be a paying customer to be considered a patron.

4.9 PRCS means the Parks, Recreation & Cultural Services department of the City of Regina.

### **Patron Expectations**

- 5 All patrons of PRCS facilities and programs are expected to treat employees and other patrons with the utmost respect and dignity while on City property or attending a City program.
- 6 Patrons are subject to City policies, guidelines, and facility rules.
- 7 The City strictly prohibits violence, threats, discrimination, harassment, bullying or disrespectful behavior of any kind.

## **Restriction and Removal of Facility Privileges**

- 8 Inappropriate behaviours and actions may result in a ban notice being issued to restrict or remove access to facility programs.
- 9 In deciding to issue a ban notice, employees shall consider the ban notice guidelines set out in Appendix A, the results of the investigation and any other relevant information regarding the inappropriate behaviours and actions or as set out in this policy.
- 10 The rationale for issuing a ban notice is to foster an active, engaged and healthy community by providing a safe and positive environment for both patrons and employees.
  - 10.1 The safety and wellbeing of patrons and employees is of utmost importance to the City; safety, including the prevention of unsafe situations, will be a primary factor in issuing ban notices.
- 11 City employees, as authorized in the table set out in section 37, shall have the authority to determine the appropriate length of ban notice and the conditions thereof.
- 12 The employees will consider factors which may offer further context or explanation for the behavior or may impact the length or type of Ban Notice (as in section 11) such as the affected patron's circumstances, age, financial circumstances, understanding of English, ability to communicate, houselessness, visible or invisible disability, etc.
- 13 A ban notice may:
  - (a) apply to all PRCS property, programs or only to a specified portion thereof,
  - (b) apply to electronic and phone interactions with employees, including who a patron may communicate with and how, and
  - (c) include exceptions to permit a patron to access PRCS property for mental health and addictions programs or for warming and cooling access.

## **Ban Notice Process**

- 14 Following an alleged inappropriate behavior or action, the on-site supervisor will perform an initial onsite investigation into the incident. The initial investigation may include speaking to the patron, bystanders and other onsite employees to gain an understanding of the inappropriate behavior or action.
- 15 Should the initial investigation determine that the patron behaved or acted inappropriately, the on-site supervisor will fill out the required forms, and provide the patron with a copy of the one-day or one-day and a meeting ban notice. Further ban notices may be issued by authorized City employees as set out in this policy as a result of the meeting held pursuant to the one-day and a meeting notice.
- 16 The ban notice form will outline the reason for the restriction or removal or privileges. Should the patron's behaviour warrant a one-day and meeting ban notice, the ban notice form will outline who to contact to schedule the required meeting.

- 17 The responsible operating area supervisor or coordinator will review all ban notice forms and, if necessary, investigate the incident further which may lead to further restrictions.

### **Ban Notice Meeting Process**

- 18 Allegations of inappropriate behavior and actions will be fully investigated. If the allegation is determined to be true, a patron's access will be restricted or removed, and a meeting will be scheduled at the earliest convenience of the patron and City staff involved.
- 19 The meeting will be held in person with at least two City staff. Should a safety concern exist, the meeting will be held over the phone or virtually. One staff member must have the appropriate level of authority to issue a ban notice for the length of time commensurate with the patron's inappropriate behaviour or action. The second City staff person will be from the relevant program or operating area.
- 20 Meeting minutes will be taken.
- 21 Any employee with a real or perceived conflict of interest (i.e. a personal relationship with the patron, not limited to family) shall not participate in any aspect related to the ban notice, including the meeting, or the decision to issue a ban notice and any exceptions.
- 22 One-day and a meeting ban notice meetings will be held over the phone unless the patron has indicated a preference for an in-person meeting.
- 23 The purpose of the meeting is to:
  - (a) outline the City's rules, policies, and expectations for patrons visiting PRCS facilities and programs,
  - (b) outline the term of the ban notice and any exceptions, and
  - (c) advise the patron that if inappropriate behavior or actions continues, the patron will be prohibited from accessing any PRCS facilities, programs and sites for a longer period of time.
- 24 A letter outlining the ban notice conditions, length, appeal process and the return to facility or program requirements will be provided to the patron following the meeting.
- 25 For all ban notices longer than one month, the patron will be required to schedule a follow-up meeting with the operating area supervisor (Supervisor Leisure Centres, Supervisor Neighborhood Centres, etc.) before returning to the facility or program.

### **Right to Appeal**

- 26 A patron who is issued a ban notice with a duration of greater than 30 days has the right to appeal the ban notice and any conditions therein.
- 27 Appeals must be made in writing and received by the PRCS department within 14 days of the date the ban notice was issued. Appeals must be sent by mail, email or hand delivered to the PRCS department.

- 28 The patron seeking the appeal must provide reasons for the appeal and state what outcome the patron is requesting.
- 29 Upon receipt of the appeal, the management team will review the request and either approve or refuse the appeal or, if further information is required, schedule an appeal meeting.
- 30 If an appeal meeting is held, the City shall take minutes of the meeting and render a decision within 10 business days of the appeal meeting.
- 31 Any notifications required to be given regarding the appeal will be given within 10 business days via registered mail or hand delivered. Decisions will include the reasons for the decision.

### **Appeal Meetings**

- 32 Banned individuals may request additional third parties to be present, such as their lawyer.
- 33 Bans will not be suspended during the appeal process, but every effort will be made to hold the appeal meeting as soon as possible after receiving the request. An attempt will be made to schedule the meeting on a date and time that works for all parties. Once set, requests to change the date and/or time of the meeting may be considered upon application by any of the parties with reasonable grounds.
- 34 Appeal meetings, ban notice decisions and minutes will not be completed by those employees who issued the ban notice. Any employee with a real or perceived conflict of interest (i.e. a personal relationship with the patron, not limited to family) will not be part of the ban notice or appeal processes, including decision making, taking minutes at the appeal meeting, or other administration actions related to the ban notice.
- 35 The decision maker for ban notice appeals is as follows:
  - (a) the PRCS director or delegated manager will be the decision maker for ban notice appeals where the ban notice is one month in length,
  - (b) the PRCS director will be the decision maker for ban notice appeals where the ban notice is greater than one month but less than six months in length,
  - (c) the PRCS executive director will be the decision maker for all ban notice appeals where the ban notice is one year or greater in length, and
  - (d) the City Manager or delegate will be the decision maker for all permanent ban notice appeals.
- 36 In addition to the initial appeals, any patron who has been issued a ban notice for one year in length or longer may contact the PRCS department in writing and request that the ban notice be varied or revoked based on a change in the person's circumstances after one year. The PRCS executive director will review the request and provide the patron with a decision by registered mail.

## City Authority

- 37 The chart below identifies the length of the ban notice that employees are authorized to issue:

Length of Ban Notice	Authorized City Employee
1 Day	On-Site Supervisor
1 Day & Meeting (no access until meeting occurs)	On-Site Supervisor
Duration of investigation	Supervisor
Up to 7 days	Supervisor
Up to 1 month	Coordinator
Up to 6 months	Manager
Up to 12 months	Director
Permanent	Executive Director

## Related Materials

- 38 The following materials relate to this policy:
- (a) City of Regina Anti-Bullying Resource Manual,
  - (b) City of Regina Harassment Policy,
  - (c) City of Regina Respectful Workplace Policy,
  - (d) City of Regina Violence Policy,
  - (e) *Criminal Code*,
  - (f) PRCS Respectful Customer Conduct Standard Operating Procedure, and
  - (g) *The Saskatchewan Human Rights Code, 2018*

<b>Date Approved</b>	January 15, 2016
<b>Date of Last Review</b>	November 29, 2023
<b>Date of Next Review</b>	November 29, 2025

## Appendix A: Ban Notice Guidelines

Ban Notice	Incident Description	Example
<b>1 Day</b>	Isolated inappropriate behaviour or actions resulting in a minor public nuisance.	Repeated failure to follow facility rules.  Non-photo and video use of smartphones in the changeroom.
<b>1 Day &amp; Meeting</b>	An individual who has already been issued a one-day ban notice within the past year.	
	Isolated minor violations of the City's Anti-Bullying Resource Manual, Respectful Workplace, Customer Conduct, Smart Phone, Harassment and Violence Policies.	Sarcasm, insults or minor intimidation in the attempt to bully or coerce such as making unreasonable demands, not accepting outcomes of decisions or service, not allowing employees to speak or respond. Making derogatory comments such as threats to an employee's job.
	Isolated minor violation of the City's violence policy.	A fight between children and youth.
	To remove and prevent the patron from returning to the facility or program for a more significant inappropriate behavior or action when the on-site supervisor doesn't have the authority to issue a longer ban notice. The resulting follow-up meeting will be led by a City staff person with the required level of authority to issue a longer Ban Notice in line with the Ban Notice guidelines.	Bear mace used at an evening program.  A fire started in a neighbourhood centre washroom.  Theft of sports equipment from a school during a City afterschool program.
<b>Up to 7 Days</b>	An individual who has already been issued two 1 day and a meeting ban notices within the past year.	
	A second minor violation of the City's Anti-Bullying Resource Manual, Respectful Workplace, Customer Conduct, Smart Phone, Harassment and Violence Policies.	
	Isolated minor violation of the City's Violence Policy.	A physical confrontation between adult patrons.
<b>Up to 1 Month</b>	An individual who has already been issued a seven-day Ban Notice within the past year.	
	A moderate or severe violation of the City's Anti-Bullying Resource	Behaviours that are discriminatory, prejudiced against or antagonistic



	Manual, Respectful Workplace, Customer Conduct, Smart Phone, Harassment and Violence Policies.	towards others related to a protected ground under the Human Rights Act (for example: their race, religious belief, age, gender, sexual orientation or disability). Behaviours may include negative comments, jokes, innuendos, or the displaying of hurtful or inappropriate messaging through symbols, body art, words/phrases spoken or in music, or videos.
	Continued or unwelcome physical or verbal behaviour towards others that offends, humiliates or causes someone to feel uncomfortable, including unwanted advances.	An adult patron continues to ask another adult patron on a date despite previous declines.
	Behaviors and actions that cause significant operational disruption, and/or unintended alarm and distress to others.	Drug poisoning Illegal drug use.
	An offence under the criminal code where police are involved in the investigation.	Police involved theft. Violence. Property damage.
	Threats or behaviour that endangers the safety of patrons or employees.	Possession of a weapon. Threats of violence.
<b>Up to 1 Year</b>	An individual who has already been issued a one-month ban notice within the past year.	
	An offence resulting in a conviction under the criminal code involving an assault or use of force against a patron or employee or causes damage to property with a value greater than \$10,000.	
	Where a relevant public safety notice, warning or order has been issued by a police service or court regarding the individual.	
	Threats or behavior of increased severity that endangers the safety of patrons or employees.	Threatened use of a weapon.
	Serious unwelcome physical or verbal behaviour towards others that offends, humiliates or causes	Inappropriate behaviour or actions towards children or vulnerable persons by an adult.

	someone to feel uncomfortable, including unwanted advances.	
<b>Permanent</b>	An individual who has already been issued an up to one-year Ban Notice.	