



Whistleblower Policy

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1. GOAL

- 1.1 To provide guidelines for national team athletes, national team technical support staff, Cycling Canada staff, Cycling Canada Committee members and the Cycling Canada Board of Directors to make complaints related to perceived inappropriate, unethical, illegal or fraudulent conduct associated with Cycling Canada activities.

2. PRINCIPLES

- 2.1 Cycling Canada is committed to providing an environment in which the organization acts within applicable code of conduct policies and applicable laws, and observes the highest standards of business and personal ethics in the conduct of its responsibilities.
- 2.2 Cycling Canada shall endeavour to make available, at all times, an ombudsman to whom those within the field of application identified below may relay complaints or reports of inappropriate, unethical, illegal or fraudulent conduct. The ombudsman shall be a person or organization not involved in the day to day operation of the organization and, if a person, not a member of the Board.
- 2.3 This Policy ensures that anyone who makes a complaint / report in good faith will be protected from reprisal.

3. FIELD OF APPLICATION

- 3.1 This Policy applies to all National Team Athletes, National Team Coaches, Cycling Canada technical support and administrative contractors, Cycling Canada volunteers and staff.
- 3.2 Discipline matters and complaints arising with the business, activities or events by entities other than Cycling Canada, including its members, will be dealt with pursuant to the policies of those other entities unless requested and accepted by Cycling Canada at its sole discretion.
- 3.3 Complaints or reports related to anti-doping matters will not be considered under this policy. Any anti-doping information provided through this policy will be forwarded to the Canadian Centre for Ethics and Sport (CCES).

4. DEFINITIONS

- 4.1 **Complainant:** The party reporting the alleged infraction / issue.

- 4.2 **Respondent:** The Respondent is the person or organization that is required to respond to the complaint / report made by the Complainant.
- 4.3 **Ombudsman:** The external organization identified to act as the initial liaison for the Complainant.

5. POLICY STATEMENT

- 5.1 This Policy is intended to establish the expectations and conditions for inappropriate, unethical, illegal or fraudulent conduct to be reported and addressed.

6. PROVISIONS

6.1 Reporting a Complaint

- 6.1.1 The complaint / report will be made on the form provided at Annex 'A' which will be sent to the Ombudsman at the contact information noted on that form.
- 6.1.2 The Ombudsman will screen the complaint / report and determine if it will be accepted or rejected.

6.2 Screening a Complaint

- 6.2.1 Before any complaint / report proceed to a formal process it will be screened by the Ombudsman to ensure it falls within the jurisdiction of Cycling Canada.
- 6.2.2 If the complaint / report is accepted by the Ombudsman and does not involve the Board or the CEO, the Board will determine if the complaint / report requires specific action, which could include but is not limited to:
- a) an internal investigation by Cycling Canada under the CEO
 - b) an external investigation by the Ombudsman
 - c) a review by the Board
- 6.2.3 Complaints / reports involving the CEO will be forwarded by the Ombudsman directly to the President, who will determine the nature of the review or investigation in consultation with the Board.
- 6.2.4 Complaints / reports involving the President will be forwarded by the Ombudsman directly to the CEO, who will who will determine the nature of the review or investigation in consultation with the remainder of the Board
- 6.2.5 Complaints / reports involving members of the Board will be dealt with by the Board with the involved Board members recused from the Board's discussion.
- 6.2.6 If the complaint / report is to be dealt with by Cycling Canada, the parties (Complainant and Respondent) will be informed of the process by the Ombudsman.
- 6.2.7 If the complaint is to be handled by the Ombudsman, the Ombudsman will initiate and oversee the external investigation. All parties will be informed of the process by the Ombudsman.

6.3 Resolving a Complaint

- 6.3.1 The Ombudsman will report to the Cycling Canada Board all complaints / reports received and whether the Ombudsman has accepted or rejected them.
- 6.3.2 The Board will review any accepted complaints/ reports and determine the specific action required per 6.2.2 above.
- 6.3.3 In consultation with the Ombudsman, the Board may determine, per 6.2.2(c), that an investigation into the complaint / report is not warranted and the complaint can be heard under Cycling Canada's Code of Conduct Policy and / or the Cycling Canada Policy to Address Discrimination and Harassment. The Ombudsman will inform the Complainant of this decision.
- 6.3.4 Should the Complainant wish to remain anonymous, the Ombudsman will be charged with presenting the complaint / report in a manner that will allow the Board to review it and determine the necessary course of action while respecting the anonymity request.
- 6.3.5 The Board will set a timeline for the review of the complaint / report and for submitting a report back to the Board on the findings of any internal or external investigation.

6.4 Decision

- 6.4.1 The Board will review the complaint / report and the findings of any investigation and make a decision in terms of any sanction or change to policy or procedure borne out by the review or investigation.
- 6.4.2 In cases where the Ombudsman investigates and reports on the complaint it is expected that the Ombudsman will provide the Board suggested options for corrective action.

6.5 Sanctions

- 6.5.1 Depending on the findings and decision of the Board, sanctions may be levied that are consistent with those noted in the Cycling Canada Code of Conduct Policy and / or the Cycling Canada Policy to Address Discrimination and Harassment.
- 6.5.2 Where the findings and decision are related to fraud or unlawful acts, the matter may be turned over to the proper authorities to carry out their due diligence.
- 6.5.3 The decision of the Board will be final and binding upon the parties subject to the right of any party to seek a review of the decision pursuant to the rules of the Sport Dispute Resolution Centre of Canada (SDRCC) as amended from time to time.

6.6 Communication

- 6.6.1 This policy will be communicated to the groups identified in Section 3 of this Policy

to ensure they are aware of this avenue for reporting concerns. .

- 6.6.2 The Ombudsman will be the ongoing liaison with any Complainant and ensure that the Complainant is kept abreast of the process and any decision that is rendered in relation to their complaint / report.
- 6.6.3 The complaint / reporting process is confidential and involves only the parties, the Cycling Canada Board, the Cycling Canada CEO and the Ombudsman. Names of persons disciplined may be disclosed to the extent necessary to give effect to any sanction imposed. The Board may determine that disclosing the person's identity would unduly violate the person's privacy and may decide that the decision, or part of the decision, shall be kept confidential.

7. REVIEW AND APPROVAL

- 7.1 Original policy development lead: Greg Mathieu.
- 7.2 Current policy development lead: Bill Kinash, Kevin Baldwin, Greg Mathieu



ANNEX 'A'

Whistleblower Policy Complaint / Report Form

The following Form should be used to make complaints or reports related to perceived inappropriate, unethical, illegal or fraudulent conduct under the terms of Cycling Canada's Whistleblower Policy.

Complainant's Name: _____ Email Address: _____

Role / Position with Cycling Canada: _____

Description of the issue:

Other parties involved in the issue (with contact information, if known):

Do you want the Ombudsman to keep your identity confidential?

Please submit this Form to:

OmbudsOffice@sportlaw.ca
Sport Law & Strategy Group