

## SPORT FOR LIFE SOCIETY PROCEDURE

TITLE: WHISTLEBLOWER	
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## DEFINITIONS

1. **Representatives** - Any individual elected, acclaimed or appointed by Sport for Life Society (the "Society"), or engaged under an executed written agreement with the Society as an employee, volunteer, or independent contractor to provide services on behalf of Sport for Life.
2. **Society** - The Sport for Life Society

## PURPOSE

3. This procedure allows Representatives to have a discreet and safe procedure for disclosing incidents of wrongdoing in the workplace without fear of unfair treatment or reprisal.
4. People other than Representatives do not face as much risk when they make a complaint, so they can submit complaints through the Sport for Life Complaints & Dispute Resolution Procedure.

## APPLICATION

5. This Procedure only applies to Representatives who observe or experience incidents of wrongdoing committed by other Representatives.
6. Incidents of wrongdoing or misconduct observed or experienced by participants, external volunteers, spectators, parents of participants, or other individuals not employed or contracted by the Society can be reported under the terms of the Complaints & Dispute Resolution Procedures and/or reported to the complainants organization's Board of Directors or Chief Executive Officer to be handled under the terms of that individuals Employment Agreement or Contractor Agreement, as applicable, and/or the organization's policies for human resources.
7. Matters reported under the terms of the Whistleblower Procedure will be referred to the Independent Third-Party case administrator to be heard under the Complaints and Dispute Resolution Procedure.

## WRONGDOING

8. Wrongdoing can be defined as, but not limited to:
  - 8.1. Violating the law;
    - 8.1.1. breaches of laws, regulations, and compliance requirements, Violations of contracts, funding agreements, or grant terms
  - 8.2. Intentionally or seriously breaching the *Code of Conduct and Ethics*;
    - 8.2.1. Unethical behaviour, abuse of authority, bribery, corruption, conflicts of interest not disclosed or mismanaged

- 8.3. Health and Safety Risks
  - 8.3.1. Committing or ignoring risks to the life, health, or safety of a participant, volunteer, Representative, or other individual;
- 8.4. Directing an individual or Representative to commit a crime, a serious breach of an organizational policy, falsifying information or other wrongful act; or
- 8.5. Fraud or financial misconduct
  - 8.5.1. Theft, embezzlement, or misuse of funds or resources, accounting irregularities, or falsification of financial statements.

## PLEDGE

- 9. The Society pledges not to dismiss, penalize, discipline, retaliate or discriminate against any Representative who discloses information or submits, in good faith, a report against a Representative under the terms of this Procedure (the “Pledge”).
- 10. Any individual affiliated with the Society who breaks the Pledge will be subject to disciplinary action.

## REPORTING WRONGDOING

- 11. A Representative who believes that another Representative has committed an incident of wrongdoing will be required to complete and submit a complaint form. The form may include the following:
  - 11.1. Written description of the act or actions that comprise the alleged wrongdoing, including the date and time of the action(s);
  - 11.2. Identities and roles of other individuals or Representatives (if any) who may be aware of, affected by, or complicit in the wrongdoing;
  - 11.3. Why the act or action should be considered to be a wrongdoing; and
  - 11.4. How the wrongdoing affects the Representative submitting the report (if applicable)

All Whistleblower complaints will be forwarded to the designated authority for review and processing.

## DESIGNATED AUTHORITY

- 12. The following Independent Third-Party (ITP) case administrator has been appointed to receive reports made under this Procedure. Their involvement is limited to administering an independent process for complaints or reporting incidents, investigations, and discipline proceedings.
- 13. Contact Information:

Jahmiah Ferdinand-Hodkin  
Sport Dispute Management PC  
65 Geneva Street, Ottawa, ON K1Y 3N6 Telephone: 613-298-5425  
[www.sportdispute.com](http://www.sportdispute.com) Email: [jferdinand@sportdispute.com](mailto:jferdinand@sportdispute.com)
- 14. Sport Dispute Management (SDM) will review any report submitted and determine whether it fits within the Society’s scope or within the jurisdiction of the CCES/CSSP or any NSO/PSO. It is often difficult for people to know whether the person they are advancing their complaint about is an Abuse Free Sport participant, and therefore, SDM can assist them in submitting their report to the correct organization.

## INTAKE PROCESS

15. After receiving the report, the case administrator has the responsibility to:
  - 15.1. Assure the Representative of the **Pledge**
  - 15.2. Connect the Representative to an alternative independent third party if the Representative reasonably believes that the case administrator cannot fulfill their duties.
  - 15.3. Determine whether the complaint should be properly within the jurisdiction of the Canadian Centre for Ethics in Sport (CCES) and the Canadian Safe Sport Program (CSSP) or any National Sport Organization (NSO) or Provincial/Territorial Sport Organization (PTSO).
  - 15.4. Review the complaint against the Society's policies and procedures to determine whether it fits within the scope of those policies and procedures
  - 15.5. Determine if the Whistleblower Procedure applies in addition to the Complaints and Dispute Resolution Procedure.
  - 15.6. Determine if the report is frivolous, vexatious, or not submitted in good faith (e.g., the submission of the report is motivated by personal interests and/or the content of the report is obviously false or malicious) and, if so, inform the Representative that no action will be taken on the report and the reasons why the report has been considered frivolous, vexatious, or not in good faith.
  - 15.7. Determine if the local authorities/police services should be contacted
  - 15.8. Determine which alternative dispute resolution process may be used to resolve the issue
  - 15.9. Determine if the Chairperson and/or Chief Executive Officer should or can be notified of the report
  - 15.10. Begin an investigation

## INVESTIGATION

16. If the case administrator determines that an investigation should be launched, the case administrator may decide to engage third-party investigators, adjudicators and/or mediators. In such cases, the Society's Chairperson and/or Chief Executive Officer may be notified that an investigation conducted by an external investigator is necessary without the nature of the investigation, the content of the report, or the identity of the Representative who submitted the report being disclosed. The Society's Chairperson and/or Chief Executive Officer may not unreasonably refuse the decision to contract third-party investigators, adjudicators and/or mediators.
17. An investigation launched by the case administrator or by third-party investigators, adjudicators and/or mediators should generally take the following form:
  - 17.1. Follow-up interview with the Representative who submitted the report
  - 17.2. Identification of Representatives, participants, volunteers or other individuals that may have been affected by the wrongdoing
  - 17.3. Interviews with such affected individuals
  - 17.4. Interview with the Representative(s) against whom the report was submitted
  - 17.5. Interview with the supervisor(s) of the Representative(s) against whom the report was submitted, if applicable

18. Sport Dispute Management (SDM) will provide the Society with a link to a Monday.com broadcast, including live updates on all the Society's files; however, all updates will be fully anonymized. The Society can request updates regarding files at any time, and these updates will be provided by SDM on a timely basis, subject to any confidentiality requirements that may limit the extent of information that may be shared.

## DECISIONS

19. Within fourteen (14) days after receiving the Investigator's Report, the Chairperson and/or Chief Executive Officer will take corrective action, as required. Corrective action may include, but is not limited to:
  - 19.1. Enacting and/or enforcing policies and procedures aimed at eliminating the wrongdoing or further opportunities for wrongdoing;
  - 19.2. Revision of job descriptions; or
  - 19.3. Discipline, suspension, termination, or other action as permitted by the By-laws, provincial/territorial employment legislation, Complaints & Dispute Resolution procedures, applicable human resources policies, and/or the Representative's Employment Agreement or Contractor Agreement.
20. The corrective action, if any, will be communicated to the case administrator, who will then inform the Representative who submitted the report.
21. Decisions made under the terms of this Procedure may be appealed under the terms of the Appeal Procedure, provided that:
  - 21.1. If the Representative who submitted the initial report is appealing the decision, the Representative understands that their identity must be revealed if they submit an appeal, and
  - 21.2. If the Representative against whom the initial report was submitted is appealing the decision, the Representative understands that the identity of the Representative who submitted the report will not be revealed and that the organization will act as the Respondent.

## CONFIDENTIALITY

22. Confidentiality at all stages of the procedures outlined in this Procedure – from the initial report to the final decision – is assured for all individuals (the Representative, the Representative(s), against whom the report is submitted, and the individuals interviewed during the investigation). An individual who intentionally breaches the confidentiality clause of this Procedure will be subject to disciplinary action.
23. In all stages of the investigation, the investigator will take every precaution to protect the identity of the Representative who submitted the report and/or the specific nature of the report itself. However, the Society recognizes that there are some instances where the nature of the report and/or the identity of the Representative who submitted the report will or may be inadvertently deduced by individuals participating in the investigation.