

Whistleblower Policy



May 21, 2018

WHISTLEBLOWER POLICY

Policy Statement

Judo 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.

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

Purpose

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

Application

Judo Canada shall endeavor to make available, always, an ombudsperson to whom those within the field of application identified below may relay complaints or reports of inappropriate, unethical, illegal or fraudulent conduct. The ombudsperson 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.

This Policy ensures that anyone who makes a complaint / report in good faith will be protected from reprisal.

This Policy applies to all National Team Athletes, National Team Coaches, Judo Canada technical support and administrative contractors, Judo Canada volunteers and staff.

Discipline matters and complaints arising with the business, activities or events by entities other than Judo Canada, including its members, will be dealt with pursuant to the policies of those other entities unless requested and accepted by Judo Canada at its sole discretion.

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).

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1. DEFINITIONS

For purposes of this Procedure:

Complainant: The party reporting the alleged infraction / issue.

Respondent: The Respondent is the person or organization that is required to respond to the complaint / report made by the Complainant.

Ombudsperson: The external organization identified to act as the initial liaison for the Complainant.

2. Reporting a Complaint

2.1 The complaint / report will be made on the form provided at Annex 'A' which will be sent to the Ombudsperson at the contact information noted on that form.

2.2 The Ombudsperson will screen the complaint / report and determine if it will be accepted or rejected.

3. Screening a Complaint

3.1 Before any complaint / report proceed to a formal process it will be screened by the Ombudsperson to ensure it falls within the jurisdiction of Judo Canada.

3.2 If the complaint / report is accepted by the Ombudsperson 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 Judo Canada under the CEO
- b) an external investigation by the Ombudsperson
- c) a review by the Board

3.3 Complaints / reports involving the CEO will be forwarded by the Ombudsperson directly to the President, who will determine the nature of the review or investigation in consultation with the Board.

3.4 Complaints / reports involving the President will be forwarded by the Ombudsperson directly to the CEO, who will who will determine the nature of the review or investigation in consultation with the remainder of the Board.

3.5 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.

3.6 If the complaint / report is to be dealt with by Judo Canada, the parties (Complainant and Respondent) will be informed of the process by the Ombudsperson.

3.7 If the complaint is to be handled by the Ombudsperson, the Ombudsperson will initiate and oversee the external investigation. All parties will be informed of the process by the Ombudsperson.

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4. Resolving a Complaint

- 4.1 The Ombudsperson will report to the Judo Canada Board all complaints / reports received and whether the Ombudsperson has accepted or rejected them.
- 4.2 The Board will review any accepted complaints/ reports and determine the specific action required per 3.2 above.
- 4.3 In consultation with the Ombudsperson, the Board may determine, per 3.2 (c), that an investigation into the complaint / report is not warranted and the complaint can be heard under Judo Canada's Code of Conduct Policy and / or the Judo Canada Policy to Address Discrimination and Harassment. The Ombudsperson will inform the Complainant of this decision.
- 4.4 Should the Complainant wish to remain anonymous, the Ombudsperson 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.
- 4.5 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.

5. Decision

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

6. Sanctions

- 6.1 Depending on the findings and decision of the Board, sanctions may be levied that are consistent with those noted in the Judo Canada Code of Conduct Policy and / or the Judo Canada Complaints and Dispute Resolution Policy.
- 6.2 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.
- 6.3 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.

7. Communications

- 7.1 This policy will be communicated to the groups identified in Application section of this Policy to ensure they are aware of this avenue for reporting concerns.
- 7.2 The Ombudsperson 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

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complaint / report.

- 7.3 The complaint / reporting process is confidential and involves only the parties, the Judo Canada Board, the Judo Canada CEO and the Ombudsperson. 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.

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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 Judo Canada's

Whistleblower Policy.

Complainant's Name: _____ Email Address: _____

Role / Position with Judo Canada: _____

Description of the issue:

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

Do you want the Ombudsperson to keep your identity confidential?

Please submit this Form to:

ombudsoffice@sportlaw.ca