

ONTARIO CYCLING

WHISTLEBLOWER POLICY

Purpose

1. The purpose of this Policy is to allow people to have a discreet and safe procedure by which they can disclose incidents of alleged wrongdoing without fear of unfair treatment or reprisal.

Application

2. This Policy applies to individuals and organizations that observe or experience incidents of alleged wrongdoing and report such incidents or observations under the expectation of privacy and confidentiality.
3. Matters reported under the terms of this Policy may be referred to be heard under OC's *Discipline and Complaints Policy*, at the discretion of the Compliance Officer.
4. Matters reported under the terms of this Policy may be referred directly to law enforcement agencies.

Wrongdoing

5. In this Policy, wrongdoing refers to:
 - a) Violating the law.
 - b) Intentionally or seriously breaching of Ontario Cycling's *Code of Conduct and Ethics*.
 - c) Intentionally or seriously breaching Ontario Cycling's policies for workplace violence and harassment.
 - d) Committing or ignoring risks to the life, health, or safety of a participant, volunteer, person, or other individual.
 - e) Directing an individual or person to commit a crime, serious breach of a policy of Ontario Cycling, or another wrongful act.
 - f) Fraud.

Pledge

6. Ontario Cycling pledges not to dismiss, penalize, discipline, or retaliate or discriminate against any person who discloses information or submits, in good faith, a report against a person under the terms of this Policy.
7. Any individual affiliated with Ontario Cycling who breaks this Pledge will be subject to disciplinary action.

Reporting Wrongdoing

8. A person who believes an incident of wrongdoing has occurred should prepare a written report that includes the following:
 - a) A description of the act or actions that comprise the alleged wrongdoing, including the date and time of the action(s).
 - b) Identities and roles of other individuals or persons (if any) who may be aware of, affected by, or complicit in, the alleged wrongdoing.
 - c) Why the act or action should be considered to be wrongdoing.

Authority

9. The following is the Compliance Officer to receive reports made under this Policy:

President & CEO (provided that if the report is in relation to the President & CEO, the Compliance Officer shall be the Chair of the Board of Directors)

10. After receiving the report, the Compliance Officer has the responsibility to perform some or all of the following functions, depending on the nature of the report and any legal or procedural requirements impacting the handling of the report:
- a) Assure the person of Ontario Cycling's Pledge.
 - b) Connect the person to the Alternate Liaison if the Compliance Officer feels that they cannot act in an unbiased or discrete manner due to the individual's role with Ontario Cycling and/or the content of the report.
 - c) 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).
 - d) Determine if Ontario Cycling's *Whistleblower Policy* applies or if the matter should be handled under Ontario Cycling's *Discipline and Complaints Policy* or another applicable policy or process.
 - e) Determine if there is need for a relevant police service to be contacted.
 - f) Determine if mediation or an alternate dispute resolution can be used to resolve the issue.
 - g) Determine if Ontario Cycling's President & CEO should or can be notified of the report.
 - h) Begin an investigation.

Alternate Liaison

11. If the person feels that the Compliance Officer is unable to act in an unbiased or discrete manner due to the individual's role with Ontario Cycling and/or the content of the report, the person should contact the following individual who will act as an independent liaison between the person and the Compliance Officer:

Brian Ward, Safe Sport Officer
safesport_wwdrs@primus.ca

12. A person who is unsure if they should submit a report may contact the Alternate Liaison for informal advice about the process.

Investigation

13. If the Compliance Officer determines that an investigation should be launched, the Compliance Officer may decide to contract an external investigator. In such cases, Ontario Cycling's President & CEO and/or Chair may be notified that an investigation conducted by an external investigator is necessary while maintaining confidentiality over the matter to the extent possible. Ontario Cycling's President & CEO and/or Chair may not unreasonably refuse the decision to contract an external investigator.

14. An investigation launched by the Compliance Officer or by an external investigator will generally involve speaking with parties, relevant witnesses and review of any

relevant documents and materials, depending on what is required by the investigator.

15. In all stages of the investigation, the investigator will take every reasonable precaution to protect the confidentiality over the process, the parties involved, the person who submitted the report and the specific nature of the report itself. However, there are some instances where the nature of the report and/or the identity of the persons involved must be disclosed as part of the investigation process or for legal purposes.
16. The investigator will prepare investigation findings, which will be submitted to Ontario Cycling's President & CEO and/or Chair for review and action.

Decision

17. After receiving the Investigation Findings, Ontario Cycling's President & CEO and/or Chair, will take corrective action, as required. Ontario Cycling will comply with any applicable legal requirements following the investigation and in accordance with any applicable policies.
18. Decisions made under the terms of this Policy may be appealed under the terms of Ontario Cycling's *Appeal Policy* provided that:
 - a) If the person who submitted the initial report is appealing the decision, the person understands that their identity must be revealed if they submit an appeal, and
 - b) If the person against whom the initial report was submitted is appealing the decision, that person understands that the identity of the person who submitted the report will not be revealed unless necessary and that Ontario Cycling will act as the Respondent.

Confidentiality

19. Ontario Cycling will take all reasonable steps to maintain confidentiality of information at all stages of the procedures outlined in this Policy to the greatest extent possible – from the initial report to the final decision. Without limitation this includes all aspects of any report made under this policy, the identity of any parties or participants to a report, the investigation process. An individual who intentionally breaches the confidentiality clause of this Policy will be subject to disciplinary action.