

## DISCIPLINE AND COMPLAINTS POLICY

### Purpose

1. Representatives are expected to fulfill certain responsibilities and obligations including complying with the *Code of Conduct and Ethics* and any other CSCS policies, as are CSCS Clients when using CSCS's services. The conduct of Representatives or Clients that violates the *Code of Conduct and Ethics*, any other CSCS policy that designates this Policy as applicable to manage alleged breaches thereof, or the values of CSCS, may be subject to sanctions pursuant to this Policy.

### Application of this Policy

2. This Policy applies to all Representatives and Clients, as applicable.
3. This Policy applies to discipline matters that may arise during the CSCS's services, business, activities, programming, and Events. Discipline matters and complaints arising within the business, activities, programming or Events organized by entities other than CSCS will be dealt with pursuant to the policies of these other entities unless requested and accepted by CSCS at its sole discretion.
4. This Policy applies to Representatives and Clients who are actively involved with the CSCS's services as well as to Representatives and Clients who are no longer actively involved with CSCS's services when any claim regarding a potential breach of this Code occurred when the Representative or Client was actively involved with CSCS's services.
5. If a complaint is made against a Representative or Client in relation to an incident that occurred at a time during which a different CSCS policy was in force (i.e., *Code of Conduct and Ethics*, *Discipline and Complaints Policy*), the matter will be governed by the substantive rules in the policy in force at the time that the incident occurred to determine whether an offense or breach of the policy has occurred, unless the panel hearing the matter determines that the principle of *lex mitior* applies to the circumstances of the case; however, for such cases, this Policy will apply retroactively, prior to its approval date, as it relates to procedural matters.

Applicability of this Policy will be determined by the Independent Third Party at their sole discretion and shall not be subject to appeal.

6. In addition to being subject to disciplinary action pursuant to this Policy, an employee of CSCS who is a Respondent to a complaint may also be subject to consequences in accordance with the employee's employment agreement, if applicable, or CSCS's Human Resources or other applicable policies.

## **Reporting a Complaint**

### **CSSP Participants**

7. Incidents that involve alleged Prohibited Behaviour involving a CSSP Participant must be reported to Sport Integrity Canada and will be addressed pursuant to the CSSP Rules and any related policies and procedures.
8. Sport Integrity Canada shall determine the admissibility of such complaints in accordance with the CSSP Rules and any related policies and procedures.
9. If the Independent Third Party receives a complaint that they consider would otherwise fall within the above sections, they shall refer the matter to Sport Integrity Canada and notify the individual(s) that made the complaint of such action.

### **Representatives and Clients**

10. Any complaints involving alleged breaches of the CSCS's policies by a Representative or Client that do not fall within Section 7 above may be reported by to the Independent Third Party in writing within 30 days of the occurrence of the incident.<sup>1</sup> For the avoidance of doubt, this includes complaints referred back to the Independent Third Party by Sport Integrity Canada following a determination made by Sport Integrity Canada that a complaint initially reported to it does not fall within its jurisdiction. Sport Integrity Canada is not required to comply with the deadline specified in this section.
11. Notwithstanding any provision in this Policy, the CSCS may, at its discretion, or upon request by the Independent Third Party, act as the Complainant and initiate the complaint process under the terms of this Policy. In such cases, the CSCS will identify an individual to represent the organization.
12. A Complainant who fears retribution or reprisal or who otherwise considers that their identity must remain confidential may file a complaint with the Independent Third Party and request that their identity be kept confidential. If the Independent Third Party considers that the Complainant's identity must remain confidential, the Independent Third Party may ask that the CSCS take carriage of the complaint and act as the Complainant.<sup>2</sup>

### **MINORS**

13. Complaints may be brought by or against a Minor. Minors must have a parent/guardian or other adult serve as their representative during this process.
14. Communication from the Independent Third Party, CSCS Discipline Chair or External Discipline Panel (as applicable) must be directed to the Minor's representative.
15. If the Minor's representative is not their parent/guardian, the representative must have written

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<sup>1</sup> This timeline may be waived at the Independent Third Party's sole discretion if they consider that there were extenuating circumstances that prevented the individual from reporting their complaint within 30 days of the occurrence of the incident. Any such decision by the Independent Third Party is not subject to appeal.

<sup>2</sup> In such circumstances, the Complainant(s) may be required to provide evidence during the disciplinary process.

permission to act in such a capacity from the Minor's parent/guardian.

A Minor is not required to attend or participate in an oral hearing, if held, or participate in an investigation if conducted. In such circumstances, no adverse inference can be drawn against the Minor.

### **Independent Third-Party Responsibilities**

16. Upon receipt of a complaint, the Independent Third-Party has a responsibility to:

- a) Determine whether the complaint is frivolous or made in bad faith,<sup>3</sup> and/or is outside the jurisdiction of this Policy and, if so, the complaint will be dismissed immediately. If the complaint is dismissed, the Independent Third Party will inform the Complainant and provide the reasons for which the complaint was not accepted. The decision to dismiss the complaint may not be appealed.
- b) Propose the use of alternative dispute resolution techniques such as a negotiated settlement or mediation (the Independent Third-Party may act as the mediator or may propose the use of a mediator or facilitator under the *Alternative Dispute Resolution Policy*).
- c) Determine if the alleged incident should be investigated pursuant to **Appendix A – Investigation Procedure**.
- d) Choose which process (Process #1 or Process #2) will be followed, and may use the following examples as a general guideline:

**Process #1** - the Complainant alleges the following incidents:

- i. Disrespectful conduct or behaviour
- ii. Minor acts of physical violence unless the physical violence is between a Person in Authority and a Vulnerable Participant, in which case the matter will fall under Process #2
- iii. Conduct contrary to the values of CSCS
- iv. Non-compliance with the organization's policies, procedures, rules, or regulations
- v. Minor violations of the *Code of Conduct and Ethics*, and/or the *Privacy Policy*

**Process #2** - the Complainant alleges the following incidents:

- i. Repeated incidents as described in Process #1
- ii. Abusive, racist or sexist comments, conduct or behaviour
- iii. Any incident of hazing
- iv. Behaviour that constitutes Prohibited Behaviour, Harassment, sexual harassment, or sexual misconduct
- v. Major incidents of violence (Ex. fighting, attacking)
- vi. Pranks, jokes, or other activities that endanger the safety of others
- vii. Conduct that intentionally interferes with a competition or with any Athlete's preparation for a competition

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<sup>3</sup> For a complaint to be considered to have been made in bad faith, the Independent Third-Party must consider that it was filed consciously for a dishonest purpose or due to the moral underhandedness of the Complainant and that there was an intention to mislead.

- viii. Conduct that intentionally damages CSCS's image, credibility, or reputation
- ix. Consistent disregard for CSCS's bylaws, policies, rules, and regulations
- x. Major or repeated violations of the *Code of Conduct and Ethics*, and/or the *Privacy Policy*
- xi. Intentionally damaging CSCS's property or improperly handling CSCS's monies
- xii. Abusive use of alcohol or any other intoxicating substance, any use or possession of alcohol or any other intoxicating substance by Minors, or use or possession of illicit drugs and narcotics
- xiii. A conviction for any *Criminal Code* offense
- xiv. Any possession or use of Prohibited Substances or Prohibited Methods as listed on the version of the World Anti-Doping Agency's Prohibited List currently in force

### **Process #1 - Handled by CSCS Discipline Chair**

17. Following the determination that the complaint or incident will be handled under Process #1, the Independent Third-Party will ask the CSCS to appoint a Discipline Chair, which by default, will be the CEO of CSCS/Sask Sport. In the event that the CEO is unable to act as the Discipline Chair, due to conflict of interest or for any other reason, the Independent Third-Party will work with the Board to determine a suitable replacement.
18. The CSCS Discipline Chair will ask the Complainant and the Respondent for either written or oral submissions regarding the reported complaint or incident. Both Parties shall also have the right to submit to the CSCS Discipline Chair any relevant evidence, including, but not limited to witness statements, documentary evidence or evidence from other media (i.e., photos, screenshots, videos or other recordings).
19. Each Party shall have the right to receive the other Party's submissions and evidence, including the Complainant's complaint. In the case of oral submissions, each Party shall have the right to be present when such submissions are made, subject to a direction by the CSCS Discipline Chair that a Party should not be present for a reason deemed appropriate by the CSCS Discipline Chair.
20. Following receipt of the Parties' submissions, the CSCS Discipline Chair may convene the Parties to a meeting, either in person or by way of video or teleconference in order to ask the Parties questions and/or to allow the Parties to ask questions of one another.
21. Following their review of the submissions and evidence related to the complaint or incident, the CSCS Discipline Chair shall determine if any of the incidents listed in Process #1 above have occurred and, if so, if one or more of the following sanctions should be applied (see: **Sanctions**).
22. If, after hearing the Parties and reviewing their submissions, the CSCS Discipline Chair considers that none of the incidents listed in Process #1 above have occurred, they shall dismiss the complaint.
23. The CSCS Discipline Chair will inform the Parties of the decision, in writing and with reasons. Any sanction imposed shall take effect upon the Parties' receipt of the decision. Should the circumstances require a decision to be rendered immediately or within a short

timeline, the Discipline Chair may render a short, written decision, either orally or in writing, followed by a written reasoned decision.

24. Any decision rendered by the CSCS Discipline Chair shall be provided to and maintained in the records of the CSCS. Subject to disclosure to other organizations as specified in this Policy, decisions will be kept confidential by the Parties and the CSCS, and shall be retained and discarded in accordance with the relevant and applicable privacy legislation and policies of CSCS.

## **Process #2 - Handled by Case Manager and External Discipline Panel**

25. Following the determination that the complaint or incident will be handled under Process #2, the Independent Third-Party will appoint a Case Manager (who may be the Independent Third-Party but shall not be someone who is affiliated with CSCS). The Case Manager has a responsibility to:
- a) Appoint an External Discipline Panel.
  - b) Coordinate all administrative aspects and set timelines.
  - c) Provide administrative assistance and logistical support to the External Discipline Panel as required.
  - d) Provide any other service or support that may be necessary to ensure a fair and timely proceeding.
26. The Case Manager, in cooperation with the External Discipline Panel, will then decide the format under which the complaint will be heard. This decision may not be appealed. The format of the hearing may be an oral in-person hearing, an oral hearing by telephone or other communication medium, a hearing based on a review of documentary evidence submitted in advance of the hearing, or a combination of these methods. The hearing will be governed by the procedures that the Case Manager and the External Discipline Panel deem appropriate in the circumstances, provided that:
- a) The determination of procedures and timelines, as well as a hearing duration, shall be expedient and as cost-efficient as possible in order to ensure that costs to the Parties and the CSCS are reasonable
  - b) The Parties will be given appropriate notice of the day, time, and place of the hearing.
  - c) Copies of any written documents which the Parties wish to have the External Discipline Panel consider will be provided to all Parties, through the Case Manager, in advance of the hearing.
  - d) The Parties may engage a representative, translator, transcription services, advisor, or legal counsel at their own expense.
  - e) The External Discipline Panel may request that any other individual participate and give evidence at the hearing.
  - f) The External Discipline Panel may exclude any evidence filed by the Parties that is unduly repetitious or otherwise an abuse of process. The External Discipline Panel shall otherwise apply relevant and applicable evidentiary rules in relation to the admissibility and weight given to any evidence filed by the Parties.
  - g) Nothing is admissible in evidence at a hearing that:

- i. would be inadmissible in a court by reason of any privilege under the law of evidence; or
  - ii. is inadmissible by any statute.
- h) The decision will be by a majority vote of the External Discipline Panel (if the Panel consists of three people).
- 27. If the Respondent acknowledges the facts of the incident, the Respondent may waive the hearing, in which case the Discipline Panel will determine the appropriate sanction. The External Discipline Panel may still hold a hearing for the purpose of determining an appropriate sanction.
- 28. If a decision may affect another Party to the extent that the other Party would have recourse to a complaint or an appeal in their own right, that Party will become a Party to the complaint, shall be permitted to participate in the proceedings as determined by the External Discipline Panel, and will be bound by the decision.
- 29. The hearing will proceed in any event, even if a Party chooses not to participate in the hearing.

## Decision

- 30. After hearing the matter, the External Discipline Panel will determine whether an infraction has occurred and, if so, the sanctions to be imposed. If the External Discipline Panel considers that an infraction has not occurred, the complaint will be dismissed.
- 31. Within fourteen days of the hearing's conclusion, the External Discipline Panel's written decision, with reasons, will be distributed to all Parties, the Case Manager, and to CSCS. In extraordinary circumstances, the External Discipline Panel may first issue a verbal or summary decision soon after the hearing's conclusion, with the full written decision to be issued before the end of the fourteen day period.
- 32. The External Discipline Panel's decision will come into effect as of the date that it is rendered, unless decided otherwise by the External Discipline Panel. The External Discipline Panel's decision will apply automatically to the CSCS.
- 33. Subject to Section 34 below, once the appeal deadline in the *Appeal Policy* has expired, the CSCS shall publish on its website the name(s) of the Respondent(s), the provision(s) of the relevant policies that have been violated, and the sanction(s) imposed, if any. If the matter is appealed, the publication provisions in the *Appeal Policy* shall apply. Outcomes and Identifying information regarding Minors or Vulnerable Participants will never be published by the CSCS.
- 34. If the External Discipline Panel dismisses the reported complaint, its decision may be published with the Respondent's consent. If the Respondent does not provide such consent, the decision will be kept confidential by the Parties, the Case Manager, and the CSCS and shall be retained and discarded in accordance with the relevant and applicable privacy legislation and CSCS *Privacy Policy*. Failure to respect this provision may result in disciplinary action being taken pursuant to this Policy.

35. Other individuals or organizations, including but not limited to, national and/or provincial sport organizations, sport clubs, etc., may be advised of any decisions rendered in accordance with this Policy, if appropriate in the circumstances.
36. Records of all decisions will be maintained by the CSCC in accordance with its *Privacy Policy*.
37. When the External Discipline Panel imposes a sanction, the decision shall include, at a minimum, the following details:
- a) Jurisdiction;
  - b) Summary of the facts and relevant evidence;
  - c) The specific provision(s) of the CSCS's policies, bylaws, rules or regulations that have been breached;
  - d) which Party is responsible for the costs of implementing any sanction;
  - e) which organization is responsible for monitoring that the sanction individual respects the terms of the sanction;
  - f) any reinstatement conditions that the sanctioned individual must satisfy (if any);
  - g) which organization is responsible for ensuring that the conditions have been satisfied; and,
  - h) Any other guidance that will assist the Parties to implement the External Discipline Panel's decision.

If necessary, a Party – or the organization that is responsible for implementing or monitoring a sanction – may seek clarifications from the External Discipline Panel regarding the order so that it can be implemented or monitored appropriately.

## **Sanctions**

38. Prior to determining sanctions, the CSCS Discipline Chair or the External Discipline Panel, as applicable, will consider factors relevant to determining appropriate sanctions which include:
- a) The nature and duration of the Respondent's relationship with the Complainant, including whether there is a Power Imbalance.
  - b) The Respondent's prior history and any pattern of misconduct or Prohibited Behaviour.
  - c) The ages of the individuals involved.
  - d) Whether the Respondent poses an ongoing and/or potential threat to the safety of others.
  - e) The Respondent's voluntary admission of the offense(s), acceptance of responsibility for the misconduct or Prohibited Behaviour, and/or cooperation in the process of CSCS.

- f) Real or perceived impact of the incident on the Complainant, sport organization or the sporting community.
  - g) Circumstances specific to the Respondent being sanctioned (Ex. lack of appropriate knowledge or training regarding the requirements in the *Code of Conduct and Ethics*; addiction; disability; illness).
  - h) Whether, given the facts and circumstances that have been established, continued participation in the sport community is appropriate.
  - i) A Respondent who is in a position of trust, intimate contact or high-impact decision-making may face more serious sanctions; and/or
  - j) Other mitigating or aggravating circumstances.
39. Any sanction imposed must be proportionate and reasonable. However, progressive discipline is not required and a single incident of Prohibited Behaviour or other misconduct may justify elevated or combined sanctions.
40. The CSCS Discipline Chair or the External Discipline Panel, as applicable, may apply the following disciplinary sanctions, singularly or in combination:
- a) **Verbal or Written Warning** - A verbal reprimand or an official, written notice and formal admonition that the individual has violated the *Code of Conduct and Ethics*, UCCMS, or other policy and that more severe sanctions will result should the individual be involved in other violations
  - b) **Education** - The requirement that an individual undertake specified educational or similar remedial measures to address the violation(s) of the *Code of Conduct and Ethics*, UCCMS, or other policy
  - c) **Probation** - Should any further violations of the *Code of Conduct and Ethics*, UCCMS, or other policy occur during the probationary period, this will result in additional disciplinary measures, likely including a period of suspension or permanent ineligibility. This sanction can also include loss of privileges or other conditions, restrictions, or requirements for a specified period of time
  - d) **Suspension** - Suspension, either for a set time or until further notice, from participation, in any capacity, in any program, activity, or event sponsored by, organized by, or under the auspices of CSCS
  - e) **Eligibility Restrictions** - Restrictions or prohibitions from some types of participation but allowing participation in other capacities under strict conditions
  - f) **Permanent Ineligibility** - Permanent ineligibility to participate, in any capacity, in any program, activity, or event sponsored by, organized by, or under the auspices of CSCS
  - g) **Other Discretionary Sanctions** - Other sanctions may be imposed, including, but not limited to, other loss of privileges, no contact directives, a fine or a monetary payment to compensate for direct losses, or other restrictions or conditions as deemed necessary or appropriate
41. The CSCS Discipline Chair or the External Discipline Panel, as applicable, may apply the following presumptive sanctions which are presumed to be fair and appropriate for the listed Maltreatment:

- a) Sexual Maltreatment involving a Minor Complainant, or a Complainant who was a Minor at the time of the incidents complained of, shall carry a presumptive sanction of permanent ineligibility.
  - b) Sexual Maltreatment, Physical Maltreatment with contact, and Maltreatment related to interference or manipulation of process shall carry a presumptive sanction of either a period of suspension or eligibility restrictions.
  - c) While a Respondent has pending charges alleging the commission of a crime against a person, if justified by the seriousness of the offence, the presumptive sanction shall be a period of suspension until a final determination is made by the applicable process.
42. Any conviction for certain *Criminal Code* offenses shall carry a presumptive sanction of permanent ineligibility from participating with CSCS. Such *Criminal Code* offences may include, but are not limited to:
- a) Any child pornography offenses
  - b) Any sexual offences
  - c) Any physical violence offense
43. Failure to comply with a sanction will result in automatic suspension until such time as compliance occurs.

### **OSIC and/or CSSP Sanctions**

44. As a Signatory to the Office of the Sport Integrity Commissioner (“OSIC”) until March 31, 2025, and as a Signatory to the CSSP as of April 1, 2025, CSCS will ensure that any sanctions or measures imposed by the OSIC’s Director of Sanctions and Outcomes and/or Sport Integrity Canada (as applicable) will be implemented and respected within CSCS’s jurisdiction, once CSCS receives appropriate notice of any sanction or measure from the OSIC and/or Sport Integrity Canada.

### **Provisional Suspensions**

45. If it is considered appropriate or necessary on the basis of the circumstances, immediate discipline or the imposition of a Provisional Suspension or interim measures may be imposed against any Representative or Client by the Independent Third Party after which further discipline or sanctions may be applied according to this Policy. If an infraction occurs at a competition, it will be dealt with by the procedures specific to the competition, if applicable. When applied at a competition, a Provisional Suspension or sanction may be for the duration of the competition, training, activity, or Event only, or as otherwise determined appropriate by the Independent Third Party.
46. Notwithstanding the above, the CSCS and/or Independent Third Party may determine that an alleged incident is of such seriousness as to warrant the imposition of a Provisional Suspension of a Respondent pending completion of an investigation, assessment and/or investigation by Sport Integrity Canada, criminal process, the hearing, or a decision of the External Discipline Panel.
47. Any Respondent against whom a Provisional Suspension or interim measure is imposed may make a request to the Independent Third Party or External Discipline Panel (if appointed) to

have the Provisional Suspension or interim measure lifted. In such circumstances, CSCS shall be provided with an opportunity to make submissions, orally or in writing, regarding the Respondent's request to have their Provisional Suspension lifted. Provisional Suspensions or interim measures shall only be lifted in circumstances where the Respondent establishes that it would be manifestly unfair to maintain the Provisional Suspension or interim measures against them.

48. Any decision not to lift a Provisional Suspension or interim measure shall not be subject to appeal.

### **Records and Distribution of Decisions**

49. Records of all decisions will be maintained by CSCS. Other organizations may be advised of any decisions. Representatives and Clients recognize that a publicly available searchable database or registry of Respondents who have been sanctioned, or whose eligibility to participate in sport has in some way been restricted, may be maintained and may be subject to provisions in the UCCMS and CSSP Rules.

### **Reprisal and Retaliation**

50. A Representative or Client who submits a complaint or who gives evidence in an investigation may not be subject to reprisal or retaliation from any Representative or Client. Any such conduct may constitute Prohibited Behaviour and will be subject to disciplinary proceedings pursuant to this Policy.

### **Confidentiality**

51. The disciplinary process is confidential and involves only the CSCS, the Parties, the Independent Third Party, the CSCS Discipline Chair, the Case Manager (if different from the Independent Third Party), the External Discipline Panel (as appropriate), and any independent advisors to the External Discipline Panel.
52. None of the Parties (or their representatives or witnesses) or the CSCS will disclose confidential information relating to the discipline or complaint to any person not involved in the proceedings, unless the CSCS is required to notify an organization such as an international federation, Sport Canada or other sport organization (i.e., where a Provisional Suspension or interim measures have been imposed and communication is required to ensure that they may be enforced), or notification is otherwise required by law.
53. Any failure to respect the confidentiality requirement may result in further sanctions or discipline by the CSCS Discipline Chair or External Discipline Panel (as applicable).

### **Timelines**

54. If the circumstances of the complaint are such that adhering to the timelines outlined by this Policy will not allow a just resolution to the complaint, the Independent Third Party may direct that these timelines be revised.

### **Privacy**

55. The collection, use and disclosure of any personal information pursuant to this Policy is

subject to the CSCS's *Privacy Policy*.

56. The CSCS, or any of their delegates pursuant to this Policy (i.e., Independent Third Party, CSCS Discipline Chair, Case Manager, External Discipline Panel), shall comply with the CSCS's *Privacy Policy* in the performance of their services under this Policy.

## APPENDIX A

### INVESTIGATION PROCEDURE

#### Investigation

1. Upon receipt of a complaint, the Independent Third-Party has a responsibility to determine if the alleged incident should be investigated. In making this decision, the Independent Third-Party should consider the seriousness of the allegations, the scope of the complaint, and any other matter that the Independent Third-Party believes may be relevant.
2. Only complaints that will be handled under Process #2 (described in the *Discipline and Complaints Policy*) are eligible to be investigated.
3. When an investigation occurs, the Independent Third-Party shall conduct an investigation and prepare a written Investigation Report. Alternatively, the Independent Third-Party may appoint an external investigator with training or investigation experience to conduct the investigation. The investigator (whether the Independent Third Party or an external investigator) must not be in a conflict of interest situation and should have no connection to any of the Parties.
4. The investigation may take any form as decided by the investigator, guided by any applicable Federal and/or Provincial legislation. The investigation may include:
  - a) Interviews with the Complainant(s) and Respondent(s); and
  - b) Witness interviews
5. For non-employment relationships the investigation will be conducted as soon as possible and ordinarily within 60 days. Investigations involving Respondents who are employees or contractors of CSCS will be conducted within a maximum of 14 business days, unless extraordinary circumstances dictate otherwise.

#### Investigation Report

6. Upon completion of their investigation, the investigator shall prepare a report that includes a summary of evidence from the Parties and any witnesses interviewed. The report shall include an executive summary, which the CSCS may share separately from the full report with the Parties.
7. The investigator's report shall contain a non-binding opinion regarding whether any of the CSCS's policies have been breached, or whether the allegations are frivolous, vexatious or made in bad faith.<sup>4</sup> The investigator may also make non-binding recommendations regarding the appropriate next steps (i.e., mediation, disciplinary procedures, further review or investigation).

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<sup>4</sup> A reported complaint shall not be characterized as vexatious if the evidence demonstrates that there was a reasonable basis for filing and pursuing it. For a complaint to be considered to have been made in bad faith, the investigator must consider that it was filed consciously for a dishonest purpose or due to the moral underhandedness of the Complainant and that there was an intention to mislead.

8. Where necessary to protect the identity of any person that participated in the investigation, the investigator may redact names and anonymize any witness testimony that may result in the identification of the individual.
9. The investigator's report will be provided to the CSCS, which may disclose, at its discretion, either the full report or only the executive summary to the Parties. If necessary, and at the discretion of the Independent Third Party, other relevant Parties may be provided with an executive summary of the investigator's findings.
10. The investigation report and any executive summary shall remain confidential once disclosed to the CSCS, the Complainant and Respondent or any other Party. Any failure to respect this provision may be subject to a complaint and disciplinary measures being taken pursuant to the *Discipline and Complaints Policy*.
11. Should the investigator find that there are possible instances of offence under the *Criminal Code*, particularly related to criminal harassment (or stalking), uttering threats, assault, sexual interference, or sexual exploitation, the investigator shall advise the Complainant or the CSCS to refer the matter to police.
12. The investigator must also inform CSCS of any findings of potential criminal activity. CSCS may decide whether to report such findings to police but are required to inform the police if there are findings related to the trafficking of Prohibited Substances or Prohibited Methods (as indicated in the version of the World Anti-Doping Agency's Prohibited List currently in force), any sexual crime involving Minors, or any suspected abuse of a Minor, fraud against the CSCS, or other offences where the lack of reporting would bring the CSCS into disrepute.

### **Reprisal and Retaliation**

13. An individual who reports a complaint to the Independent Third Party or who gives evidence in an investigation may not be subject to reprisal or retaliation from any individual or group. Any such conduct may constitute Prohibited Behaviour and will be subject to disciplinary proceedings pursuant to the *Discipline and Complaints Policy*.

### **False Allegations**

14. An individual who submits allegations that the investigator determines to be malicious, false or for the purpose of retribution, retaliation or vengeance (or that otherwise fall within the definition of Prohibited Behaviour) may be subject to a complaint under the terms of the *Discipline and Complaints Policy*. The investigator may recommend to the CSCS that the individual be required to pay for the costs of any investigation that comes to this conclusion. Any individual who is liable to pay for such costs shall be automatically deemed to be not in good standing until the costs are paid in full and shall be prohibited from participating in any CSCS Events, activities or business. The CSCS, or the individual against whom the allegations were submitted, may act as the Complainant with respect to making a complaint pursuant to this Section 14.

## **Confidentiality**

15. The investigator will protect confidentiality to the extent possible and shall only share information on a need-to-know basis. However, the investigator may need to share information in order to ensure that natural justice has been served.

## **Privacy**

16. The collection, use and disclosure of any personal information pursuant to this Policy is subject to the CSCS's *Privacy Policy*.
17. The CSCS, or any of their delegates pursuant to this Policy (i.e., Independent Third Party, the investigator), shall comply with the CSCS's *Privacy Policy* in the performance of their services under this Policy.