



<b>Policy: 1.9.10 Whistleblower Policy</b>
<b>Subsection: (Finance, Governance, HR, etc.): Human Resources</b>
<b>Date of last Review: June 2023</b>
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## **1. Purpose**

- 1.1** The Canadian Paralympic Committee (CPC) is committed to providing a safe welcoming and inclusive environment for everything within its sphere of influence and when carrying out all of its activities. CPC is an athlete-centered organization which has identified the meeting of athlete needs as one of its top priorities. CPC commits to treating all individuals with respect which is characterized by the values of fairness, integrity, and open communication, and without discrimination. CPC is also committed to ensuring safe sport-related policies are well communicated to its stakeholders.
- 1.2** The purpose of the Whistleblower Policy is to encourage and enable CPC staff, volunteers, sports members, and members of the public to report any illegal, unethical, or immoral activity concerning financial or operational matters, pertaining to the CPC, without fear of reprisal.
- 1.3** Employees are strongly encouraged to report unethical acts, dishonesty, illegality, or immorality. They are not required to do so if their personal safety is in jeopardy.
- 1.4** This policy provides direction regarding the process for reporting questionable activity and the resolution of such reports.



- 1.5 The CPC is committed to maintaining a high standard of public trust and confidence with its stakeholders. As a result, the CPC requires the observation of high standards of fiduciary business and personal ethics in the conduct of the duties and responsibilities of all CPC participants.
- 1.6 All CPC participants have a responsibility to report questionable activity regarding financial or operational matters, including violations of federal or territorial/provincial law, and violations of the CPC's policies and/or the CPC bylaws.

## 2. Equity, Diversity & Inclusion

This policy has been assessed for any implications it may have on inclusion, diversity, equity, and accessibility.

*\*DEI Phrase is currently under revision.*

## 3. Scope of Policy

- 3.1 The Whistleblower Policy applies to all CPC participants at all times, during the course of their work in sports and during other activities where their conduct may affect the work and sport environment, whether that be at the CPC offices, at meetings of the CPC, at Games or at any other location, whether in Canada or abroad.
- 3.2 CPC participants include all persons engaged in any paid or volunteer capacity with the CPC or otherwise under the jurisdiction of the CPC. Without limiting the reach of this policy, CPC participants include:
  - a) CPC directors, officers, members, and volunteers;
  - b) CPC employees and persons under contract with the CPC;
  - c) All athletes eligible for nomination to, or forming part of, any team participating in sport competitions over which CPC has jurisdiction; and
  - d) All persons working with those teams or athletes, including coaches, medical and paramedical personnel, sports federation representatives, and other support persons.

## 4. Responsibilities

**The Board of Directors** are responsible for:

- 4.1 Providing oversight of the Policy.
- 4.2 Reviewing and monitoring initial risk assessments and subsequent reviews.

**CEO/Senior Leadership** are responsible for ensuring that:

- 4.3 Providing corporate leadership on implementing this Policy to achieve organizational objectives.



- 4.4 Fostering culture of continuous learning and improvement, training, enhancing capacity, and sharing best practices internally.
- 4.5 Overseeing the implementation of CPC's Whistleblower
- 4.6 Ensuring that this policy and procedure is accessible, available to, and supported by all staff; and
- 4.7 Ensuring CPC staff receives appropriate training on the content of this Policy.

**Employees** are responsible for:

- 4.8 Reporting any questionable activity regarding financial or operational matters, including violations of federal or territorial/provincial law, and violations of the CPC's policies and/or the CPC bylaws.

**HR and Workplace Health Committee** is responsible for:

- 4.8 Annual Review of the Policy

## 5. Definitions

- 5.1 "Whistleblower"- a person who exposes any kind of information or activity that is deemed illegal, unethical, or immoral within an organization that is either private or public.

Please note: Whistleblower **excludes** personal work-related grievances as described below.

"Personal work-related grievances" –is a report of behavior that has implications for the person personally and does not have significant implications for CPC.

Examples include:

- an interpersonal conflict between you and another Employee, or
- a decision relating to your employment or engagement, such as a transfer, promotion, or disciplinary action.

Personal work-related grievances do not qualify for protection under the Whistleblower Policy.

- 5.2 "Investigation" – is a process in which a neutral investigator makes findings as to whether allegations have been proven and makes recommendations relating to the case.

- 5.3 "CPC"-Canadian Paralympic Committee



## 6. Implementation

### Whistleblowers

- 6.1 Concerns should be reported using the CPC's prescribed procedures for filing reports, through written reports and in other forms permitted. CPC may also initiate a written report on behalf of an anonymous Whistleblower when warranted.
- 6.2 If the matter relates to a Maltreatment prohibited behavior as defined under the Universal Code of Conduct to Prevent Maltreatment ("UCCMS"), the whistleblower shall report the matter directly to Office of the Sport Integrity Commissioner ("OSIC").
- 6.3 The CPC shall:
  - a) treat all reported incidents in a confidential manner and with due care to the extent possible, consistent with the need to conduct an adequate investigation. A Whistleblower may provide a report anonymously. The CPC will make its best efforts to protect the identity of a Whistleblower; and
  - b) treat fairly all parties to an investigation.

### Acting in good faith

- 6.4 A person who reports an incident must act in good faith and have reasonable grounds for believing that the information disclosed is true.
- 6.5 Incidents found to have been made in bad faith, maliciously, or which were known to be false when made, will be viewed as a serious offense that could give rise to disciplinary action, up to and including termination of employment with the CPC.

### No Reprisals

- 6.6 Any person who reports a concern in good faith will not be subject to reprisal or other adverse consequences as a result of submitting a report.
- 6.7 Any CPC participant who retaliates against someone who has reported a concern in good faith will be subject to sanctions. Any participant who is found to be in violation of this policy (e.g., harassment of the Whistleblower) shall be addressed under *CPC's Conduct and Discipline Policy*.
- 6.8 Any CPC participant who has reasonable grounds to believe that a reprisal has been taken against them may file a complaint under the *CPC's Workplace Violence and Harassment Policy* and the complaint will be investigated as if the alleged reprisal was a breach of that policy.
- 6.9 None of the protections afforded to a Whistleblower under this policy shall apply to protect a person who intentionally makes false accusations.



## Confidentiality

All Incident reports will be treated as confidential, and each report and the identity of the person will be kept confidential to the extent permissible by law and feasible to permit proper investigation and resolution. Reports will only be accessible to people that the Investigation determines to have a “need to know” and where such access will not otherwise compromise or interfere with the independence, effectiveness, and integrity of the investigation. Ordinarily, a need to know arises from an obligation to investigate or to take remedial action based on the information contained in the Incident report. For clarity, sharing Incident information in a manner required by this Policy will not be considered a breach of confidentiality.

## Procedure

- 6.10** A concern can be reported in confidence using the CPC’s Whistleblower Form and submitting it to the Chief Executive Officer or in the event that the Chief Executive officer (CEO) is in conflict to the Chair of the Human Resources and Workplace Health Committee (HRWHC). The CEO or Chair of the HRWHC will share the form with the utmost confidence to any individual identified as supporting the process (the “Resource Person”).
- 6.11** A concern pertaining to the CPC Workplace Violence and Harassment Policy will be dealt with in accordance with that Policy. All other matters will be reviewed and, if warranted, the CEO or in case the CEO is in conflict, the HRWHC Chair will initiate an investigation, and at the conclusion of that process will make appropriate recommendations to the CPC Board of Directors. The CEO and/or the HRWHC Chair has the authority to retain outside counsel, accountants, investigators, and other resources deemed necessary to conduct a full and complete investigation of the concern.
- 6.12** The Committee Chair may also refer a matter to a more appropriate authority (i.e., WADA (World Anti-Doping Agency), RCMP (Royal Canadian Mounted Police), NSO (National Sport Organization)).
- 6.13** If wrongdoing is found, appropriate remedial actions will be taken and/or sanctions imposed.
- 6.14** Except when a report is anonymous, the Whistleblower will be informed and updated on the progress of the process and advised once the review and/or investigation of a matter has been completed, and if warranted may be provided information about the outcome.
- 6.15** In any year in which a concern has been reported, the CEO and HRWHC Chair will summarize the reported concerns and activities under this policy, and the Human Resource and Workplace Health Committee will receive a report from the CPC Resource Person of any reports, complaints or appeals under the CPC *Workplace Violence and Harassment Policy*. In addition, a quarterly summary report will be provided to the CPC Board of Directors in-camera.
- 6.16** The CEO and the HRWHC Committee Chair and the CPC resource person shall forward to the CPC CEO, the (sealed) documentation resulting from every report received under this policy unless the CEO is in conflict.



**6.17** Questions relating to this Whistleblower Policy should be directed to either the CEO or the HRWHC Chair at the email addresses listed on the form.

## 7. Revision History

This policy was first approved by the Board of Directors in January 2018

Subsequently revised on:

- July 2019
- January 30, 2021

The Policy will be reviewed annually.

### **In-Confidence CPC Whistleblower Form**

Whistleblower Form submitted to:

Chief Executive Officer-Karen O'Neill

or

Chair, Human Resources and Workplace Health Committee -Ellen Waxman

The Canadian Paralympic Committee will treat all disclosures in a confidential, sensitive, and timely manner. CPC will aim to investigate and resolve any whistleblower complaint in a prompt and expedited way. The process was designed to protect your identity when communicating your concern. This Whistleblower Form allows you to provide your name and contact information in confidence, as this information may help us investigate your concern. Should you not wish to provide your name, reported incidents will still be accepted and investigated if sufficient documentation and evidence is provided to substantiate the claim.

#### **Instructions**

Please provide as much detail as possible.

1. Please describe the nature of your concern. Include sufficient information for an independent person



to understand the concern and to enable further investigation.

2. Please provide details with respect to the location and/or date of the incident (e.g., region, event, specific location, department, etc.) and how you became aware of it.
3. Please state the full name, title, and role of each person you suspect of wrongdoing.
4. How many times has this incident taken place (if applicable)?
5. How long has this incident been taking place (if applicable)?
6. Would you be willing to provide your name and contact information? (Please note that this is optional however, as stated in the CPC Whistleblower policy, your identity will be kept confidential to the extent possible and treated with due care, consistent with the need to conduct an adequate investigation.)

No. We may not be able to follow up with you.

Yes. If yes, please provide your name, email, and telephone number for follow up

purposes.

Please return your completed form, in confidence to:

**Chair, CPC Human Resources and Workplace Health Committee**

Ellen Waxman

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