



BOWLS CANADA BOULINGRIN

Investigations Policy

* Indicates a definition or section that has been adapted from the UCCMS

Definitions

1. The following terms have these meanings in this Policy:
 - a) *“Independent Safe Sport Officer (ISSO) – An individual appointed by BCB to administer certain complaints under the Discipline and Complaints Policy.*
 - b) *“Discipline Chair” – An individual or individuals appointed by the ISSO to be the first point-of-contact for all discipline and complaint matters reported to BCB, per the Discipline and Complaints Policy*
 - c) **“Maltreatment” – As defined in the Code of Conduct and Ethics*
 - d) **“Participants” – Refers to all categories of individual members and/or registrants defined in the By-laws of BCB who are subject to the UCCMS and the policies BCB, as well as all people employed by, contracted by, or engaged in activities with, BCB including, but not limited to, employees, contractors, Athletes, coaches, instructors, officials, volunteers, managers, administrators, committee members, parents or guardians, spectators, committee members, and Directors and Officers*

Determination and Disclosure

2. When a complaint is submitted per BCB’s *Discipline and Complaints Policy*, the ISSO will determine if the complaint should be investigated.
3. BCB will adhere to all disclosure and reporting responsibilities required by the Minister of Sport and Persons with Disabilities and/or a local police service or child protection agency.

Investigation

4. Complaints that are investigated will continue to be addressed by the process(es) described in the *Discipline and Complaints Policy*. However, the ISSO may also appoint an Investigator to investigate the allegations.
5. The Investigator may be a BCB representative or Director or may be an independent third-party skilled in investigating claims of harassment. The Investigator must not be in a conflict of interest situation and should have no connection to either party.
6. Federal and/or Provincial legislation related to Workplace Harassment may apply to the investigation if Harassment was directed toward a worker in a Workplace. The Investigator should review workplace safety legislation and/or consult independent experts to determine whether legislation applies to the complaint.
7. 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) Complainant interviewed;
 - b) Witnesses interviewed;
 - c) Statement of facts (complainant’s perspective) prepared by Investigator and acknowledged by Complainant;
 - d) Statement delivered to Respondent;
 - e) Respondent interviewed;
 - f) Witnesses interviewed; and
 - g) Statement of facts (respondent’s perspective) prepared by Investigator and acknowledged by Respondent.

Investigator’s Report

8. The Investigator will prepare and submit a Report.

9. The Investigator's Report should include a summary of evidence from the parties (including both statements of facts, if applicable) and recommendations from the Investigator of whether or not, on a balance of probabilities, an incident occurred that breached the *Code of Conduct and Ethics*.
10. *The Investigator must be aware that sport-specific differences exist with respect to such aspects as acceptable levels of touch, physical contact, and aggression during training or competition and will consider such differences during the investigative process.
11. The Investigator's Report will be provided to the ISSO who will determine whether the report, or a summary of the report, will be distributed to the parties and/or the individual(s) making the decision on the complaint.
12. 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 to refer the matter to police. The Investigator will further inform BCB that the matter should be directed to the police.
13. The Investigator must also inform BCB of any findings of criminal activity. BCB may decide whether to report such findings to police but is required to inform police if there are findings related to the trafficking of doping drugs or materials, any sexual crime involving minors, fraud against BCB, or other offences where the lack of reporting would bring BCB into disrepute.
14. The Discipline Chair or the Discipline Panel, as applicable, may consider the Investigator's Report, in addition to submissions from the parties, prior to making a decision on the complaint.

Reprisal and Retaliation

15. *A Participant who submits a complaint to BCB 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 Maltreatment and will be subject to disciplinary proceedings pursuant to the *Discipline and Complaints Policy*.

False Allegations

16. An individual who submits allegations that the Investigator determines to be false or without merit may be subject to a complaint under the terms of BCB's *Discipline and Complaints Policy* with BCB, or the individual against whom the false allegations were submitted, acting as the Complainant.

Confidentiality

17. The Investigator will make every effort to preserve the confidentiality of the complainant, respondent, and any other party. However, BCB recognizes that maintaining anonymity of any party may be difficult for the Investigator during the course of the investigation.

Approved: November 2018

Reviewed and Updated: January 2021