

**FIELD HOCKEY ONTARIO**

Box# 80030
Appleby Line, Burlington, ON
L7L 6B1

tel: 1 (877) 605-0855
info@fieldhockeyontario.com

INVESTIGATIONS POLICY

* Indicates a definition adapted from the *Universal Code of Conduct to Prevent and Address Maltreatment in Sport ("UCCMS")*

Determination

1. When a complaint is submitted in accordance with the *Discipline and Complaints Policy*, the Case Manager will determine if such complaint should be investigated.

Investigation

2. Complaints that are investigated will continue to be addressed by the process(es) described in the *Discipline and Complaints Policy*. However, the Case Manager may also appoint an Investigator to investigate the allegations.
3. The Investigator must be an independent third-party skilled in investigating. The Investigator must not be in a conflict of interest situation and should have no connection to either party.
4. 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.
5. 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

6. In accordance with the timelines determined by the Case Manager, who may modify the timelines as described in the *Discipline and Complaints Policy*, the Investigator will prepare and submit a Report.

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7. 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, a breach of the *Code of Conduct and Ethics* occurred.
8. *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.
9. The Investigator's Report will be provided to the Case Manager who will disclose it, at their discretion, to FHO and/or the External Discipline Panel or Internal Discipline Chair (as applicable) or any other third party. A summary of the report may be provided to the parties.
10. 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 FHO that the matter should be directed to the police.
11. The Investigator must also inform FHO of any findings of criminal activity. FHO 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 FHO, or other offences where the lack of reporting would bring FHO's reputation into disrepute.
12. The Internal Discipline Chair, Case Manager or the External Discipline Panel, as applicable, shall consider the Investigator's Report, in addition to submissions from the parties, prior to deciding on the complaint.

Reprisal and Retaliation

13. *A Participant who submits a complaint to FHO 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

14. An individual who submits allegations that the Investigator determines to be false or without merit may be subject to a complaint pursuant to the *Discipline and Complaints Policy*. In such circumstances, FHO or the individual against whom the false allegations were submitted may act as the Complainant.



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Confidentiality

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

