



# **Whistleblower Policy**

## **UCCMS Compliant**

**ALPINE CANADA ALPIN**

**DECEMBER 2022**

## **Whistleblower Policy**

- a. It is in the interest of all Registered Participants that concerns regarding Registered Participants' conduct at ACA Activities (as defined below) be reported so that they can be properly investigated.
- b. The ACA Whistleblowing Policy ("Policy") is in place:
  - i. To encourage and enable Registered Participants to raise any concerns about behaviour, to report any prohibited behaviour, or any breach, or potential, or suspected breach of the ACA Conduct of Conduct Policy without fear of reprisal; and
  - ii. To provide for anonymous reporting.
- c. All Registered Participants are expected to promptly report any behaviour of which they become aware that may constitute a breach of the ACA Code of Conduct Policy or contravenes the law. This duty to report includes situations where the breach is suspected, provided the Registered Participant has reasonable grounds to believe such suspicion is true. No person who is the subject of the report, or who has a material interest in the matter shall participate in the initial review and assessment procedure described below (except as a party, if applicable).

### **1.0 – Confidentiality**

- a. The ACA will use reasonable efforts having regard to the circumstances, to conduct the initial review and assessment in confidence, including where reasonably possible, protecting the anonymity of the Whistleblower. Confidentiality will no longer apply when the ACA may be required by law to produce information or reveal the identity of the Whistleblower.
- b. To the extent possible, reports, complaints, witness statements and other documents produced under this Policy or shared in an investigation, shall be held in confidence by the ACA. The ACA cannot and does not guarantee confidentiality but will use its best efforts to maintain confidentiality. Circumstances in which information may be shared include, without limitation:
  - i. When criminal conduct may be involved;
  - ii. When it is felt to be necessary to protect others from harassment, discrimination, violence or any other potential breach of the Conduct Policy;
  - iii. When required to ensure fairness or natural justice in the procedures contemplated by this Policy;
  - iv. In the course of an investigation by a law enforcement agency;

- v. To protect the interests of the ACA; and
- vi. When required by law.

### **1.1 – Reprisals**

- a. Any person who reports a concern in good faith will not be subject to reprisal or other adverse consequences because of submitting a report. Any Registered Participant who has reasonable grounds to believe that a reprisal has occurred may file a Complaint under the ACA Code of Conduct Policy. Any Registered Participant who retaliates against someone who has reported a concern in good faith will be subject to sanctions in accordance with the ACA Code of Conduct Policy.
- b. For the purpose of this ACA Code of Conduct Policy, knowingly making a groundless or false allegation, or knowingly providing false information shall also be deemed a reprisal and may be subject to sanctions under the ACA Code of Conduct Policy.

### **1.2 – Procedure**

- a. A concern can be reported in confidence using the ACA's online Whistleblower Form (See **Appendix C: Alpine Canada Alpin Whistleblower Form**), by calling the confidential ITP hotline or by emailing the ITP. If the latter two options are used, a request for anonymity may be made to the ITP to remain anonymous throughout any procedures or investigations to follow the disclosure. All reporting information is outlined on the attached Whistleblower Form.
- b. The Whistleblower Form will be received by the ITP for initial review and assessment. Following the initial review and assessment, if it has been determined that the matter merits further review and action, the ITP will so advise the ACA's CEO and the matter shall thereafter be handled in accordance with the Conduct Policy. If the CEO is the subject of the report or has a material personal interest in the matter, the ITP will turn the matter over to the Chair of the Board and the matter shall thereafter be handled in accordance with the Conduct Policy.
- c. As part of the initial review and assessment, the ITP shall have the following rights and authority:
  - i. To retain outside counsel, accountants, investigators, and other external resources or engage or inform internal resources, as deemed necessary to conduct an appropriate initial review and assessment to determine whether the matter necessitates a more fulsome review as outlined in the ACA Code of Conduct Policy or to otherwise manage the situation;
  - ii. To share such information as is deemed necessary to ensure the effective resolution of any complaint in the most appropriate forum;

- iii. To refer a matter to a more appropriate authority (e.g., WADA, RCMP, NSF, Sport Canada); and
  - iv. In the absolute discretion of the ITP a Complaint may be held in abeyance pending the resolution of a similar or other related Complaint.
- d. Except when a report is anonymous, the Whistleblower will be advised once the initial review and assessment of a matter has been completed, and if the matter has been provided to the CEO or Chair of the Board for further investigation in accordance with the Conduct Policy. In such circumstances, the Whistleblower shall be directed to the Conduct Policy.
  - e. In any year in which a concern has been reported through the Whistleblower mechanisms, a summary of the reports filed, and actions taken under this Policy will be provided by the ITP.
  - f. The ITP shall forward to the CEO or Chair of the Board the documentation resulting from every report received under this Policy, which may include a written report initiated by the ITP on behalf of an anonymous Whistleblower, when warranted. If the CEO is the subject of the report or has a material personal interest in the matter, the ITP shall forward the documentation resulting from such report received under this Policy to the Chair of the Board. Similarly, if the Chair of the Board is the subject of the report or has a material personal interest in the matter, the ITP shall forward the documentation resulting from such report received under this Policy to the CEO and the Safe Sport Manager.
  - g. Any incidents or events that may be considered “Prohibited Behaviour” or “Maltreatment” (as defined in the UCCMS and/or the Code of Conduct and Ethics) when the Respondent is a Registered Participant who has been designated by ACA as a UCCMS Participant, must be reported and handled pursuant to the policies and procedures of the Office of the Sport Integrity Commissioner (“OSIC”).