

INVESTIGATIONS POLICY

* Indicates a definition or section that has been adapted from the Universal Code of Conduct to Prevent and Address Maltreatment in Sport (“UCCMS”)

Purpose

1. The purpose of this policy is to describe how Ringette New Brunswick will investigate certain incidents and reports submitted under Ringette New Brunswick’s *Appeals and Complaints Policy*.

Process

2. When a complaint is submitted per Ringette New Brunswick’s *Appeals and Complaints Policy*, the Independent Case Manager shall determine if the complaint should be investigated.
3. Ringette New Brunswick will adhere to all disclosure and reporting responsibilities required by the federal/provincial government and/or Sport Canada.

Investigation

4. Complaints and incidents that are investigated will continue to be addressed by the process(es) described in the *Appeals and Complaints Policy*. However, the Independent Case Manager will also appoint an Investigator to investigate the allegations.
5. The Investigator may be a Ringette New Brunswick 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 applicable Federal and/or Provincial legislation. The investigation may include:
 - a) Complainant interviewed;
 - b) Complainant 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) Respondent witnesses interviewed; and
 - g) Statement of facts (respondent’s perspective) prepared by Investigator and acknowledged by Respondent.

Investigator’s Report

8. Per timelines determined by the Independent Case Manager, who may modify the timelines as described in the *Appeals and Complaints Policy*, 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, a breach of the *Code of Conduct and Ethics* occurred.

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 parties with the names and identifying details of any witnesses redacted. The provision of the Investigator's Report is conditional on the parties not distributing the Report to any third party without the written permission of Ringette New Brunswick.

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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 Ringette New Brunswick that the matter should be directed to the police.
13. The Investigator must also inform Ringette Brunswick of any findings of criminal activity. Ringette Canada 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 Ringette New Brunswick, or other offences where the lack of reporting would bring Ringette New Brunswick into disrepute.
14. The Discipline Chair or the Discipline Panel, as applicable, shall 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 Ringette New Brunswick 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*.

Confidentiality

16. The information obtained about an incident or complaint (including identifying information about any individuals involved) will remain confidential, unless disclosure is necessary for the purpose of investigating or taking corrective action, or is otherwise required by law.
17. The Investigator will make every effort to preserve the confidentiality of the complainant, respondent, and any other party. However, Ringette New Brunswick recognizes that maintaining anonymity of any party may be difficult for the Investigator during the course of the investigation.

<p>This Policy is subject to review at least once every three years Date of last review: January 20, 2022</p>
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