



**Squash Canada Whistleblower Policy**  
Amended March 31, 2023

**Definitions**

1. The following terms have these meanings in this Policy:
  - a) *Director* – An individual appointed or elected to Squash Canada’s Board of Directors
  - b) *Worker* – An individual who has signed an Employment Agreement or Contractor Agreement with Squash Canada
  - c) “UCCMS” – The Universal Code of Conduct to Prevent and Address Maltreatment in Sport, as amended from time to time by the Sport Dispute Resolution Centre of Canada.

**Purpose**

2. The purpose of this Policy is to allow Workers to have a discreet and safe procedure by which they can disclose incidents of wrongdoing in the workplace without fear of unfair treatment or reprisal.

**Application**

3. This Policy only applies to individuals who observe or experience incidents of wrongdoing committed by Directors or by other Workers.
4. Incidents of wrongdoing or misconduct observed or experienced by participants, volunteers, spectators, parents or guardians of participants, or other individuals not employed or contracted by Squash Canada can be reported under the terms of Squash Canada’s *Discipline and Complaints Policy* and/or reported to Squash Canada’s Chief Executive Officer (or designated Staff Member) to be handled under the terms of the individual Worker’s Employment Agreement or Contractor Agreement, as applicable, and/or Squash Canada’s *Human Resources Policy*.
5. Matters reported under the terms of this Policy may be referred to be heard under Squash Canada’s *Discipline and Complaints Policy*, at the discretion of the Compliance Officer.
6. Additionally, Squash Canada has adopted the UCCMS which applies to all individuals designated by Squash Canada as UCCMS Participants (as defined in the *Discipline and Complaints Policy*). Any alleged breaches of the UCCMS by a UCCMS Participant should be reported to the Office of the Sport Integrity Commissioner (OSIC), in which case the policies and procedures of the OSIC will govern.

**Wrongdoing**

7. Wrongdoing can be defined as:
  - a) Violating the law;
  - b) Intentionally or seriously breaching of Squash Canada’s *Code of Conduct*;
  - c) Intentionally or seriously breaching Squash Canada’s policies for workplace violence and harassment;
  - d) Committing or ignoring risks to the life, health, or safety of a participant, volunteer, Worker, or other individual;
  - e) Directing an individual or Worker to commit a crime, serious breach of a Squash Canada policy, or other wrongful act; or
  - f) Fraud.

**Pledge**

8. Squash Canada pledges not to dismiss, penalize, discipline, or retaliate or discriminate against any Worker who discloses information or submits, in good faith, a report against a Worker under the terms of this Policy.
9. Any individual affiliated with Squash Canada who breaks this pledge will be subject to disciplinary action, up to and including termination of employment.

**Reporting Wrongdoing**

10. A Worker who believes that a Director or another Worker has committed an incident of wrongdoing should prepare a report that includes the following:
  - a) Written description of the act or actions that comprise the alleged wrongdoing, including the date and time of the action(s);



- b) Identities and roles of other individuals or Workers (if any) who may be aware of, affected by, or complicit in, the wrongdoing;
- c) Why the act or action should be considered to be wrongdoing; and
- d) How the wrongdoing affects the Worker submitting the report (if applicable).

#### **Authority**

11. Squash Canada has appointed the following Compliance Officer to receive reports made under this Policy: current Squash Canada, Chief Executive Officer (or designated Staff Member).

In the event the complaint is against the Chief Executive Officer (or designated Staff Member) the report should be sent to the current President of the Squash Canada national board.

12. After receiving the report, the Compliance Officer has the responsibility to:
- a) Assure the Worker of Squash Canada's **Pledge**
  - b) Connect the Worker to the Alternate Liaison if the individual feels that he or she cannot act in an unbiased or discrete manner due to the individual's role with Squash Canada and/or the content of the report
  - c) Determine if the report is frivolous, vexatious, or not submitted in good faith (e.g., the submission of the report is motivated by personal interests and/or the content of the report is obviously false or malicious)
  - d) Determine if Squash Canada's *Whistleblower Policy* applies or if the matter should be handled under Squash Canada's *Discipline and Complaints Policy*
  - e) Determine if the local police service should be contacted
  - f) Determine if mediation or alternate dispute resolution can be used to resolve the issue
  - g) Determine if Squash Canada's President and/or Chief Executive Officer (or designated Staff Member) should or can be notified of the report
  - h) Determine whether an investigation is required and, if so, facilitate an investigation that is appropriate in the circumstances

#### **Alternate Liaison**

13. If the Worker feels that the Compliance Officer is unable to act in an unbiased or discrete manner due to the individual's role with Squash Canada and/or the content of the report, the Worker should contact the following individual who will act as an independent liaison between the Worker and the Compliance Officer:

**Steven J. Indig, LLB • Sport Law & Strategy Group • [SJI@sportlaw.ca](mailto:SJI@sportlaw.ca)**

14. The Alternate Liaison will not disclose the Worker's identity to the Compliance Officer or to anyone affiliated with Squash Canada without the Worker's consent.

15. A Worker who is unsure if he or she should submit a report, or who does not want to have his or her identity known, may contact the Alternate Liaison for informal advice about the process.

#### **Investigation**

16. If the Compliance Officer determines that an investigation should be launched, the Compliance Officer may decide to contract an external investigator. In such cases, Squash Canada's Chief Executive Officer (or designated Staff Member) Officer and/or President may be notified that an investigation conducted by an external investigator is necessary without the nature of the investigation, content of the report, or identity of the Worker who submitted the report being disclosed. Squash Canada's Chief Executive Officer (or designated Staff Member) Officer and/or President may not unreasonably refuse the decision to contract an external investigator, but may negotiate or limit the costs of such investigation.
17. Where an external investigator is appointed, the Compliance Officer shall take into consideration the nature of the allegations and the financial resources of Squash Canada.
18. An investigation launched by the Compliance Officer or by an external investigator should generally take the following form:
- a) Interview with the Worker who submitted the report
  - b) Identification of Workers, participants, volunteers or other individuals that may have been affected by the wrongdoing and, where appropriate, interviews with such affected individuals



- c) Interview with the Director(s) or Worker(s) against whom the report was submitted
- d) Interview with the supervisor(s) of the Director(s) or Worker(s) against whom the report was submitted, where necessary and appropriate

19. In all stages of the investigation, the investigator will take every precaution to protect the identity of the Worker who submitted the report and/or the specific nature of the report itself. However, Squash Canada recognizes that there are some instances where the nature of the report and/or the identity of the Worker who submitted the report will or may be inadvertently deduced by individuals participating in the investigation.
20. The investigator will prepare an Investigator's Report – omitting names whenever possible and striving to ensure confidentiality – that will be submitted to Squash Canada's President and/or Chief Executive Officer (or designated Staff Member) to determine whether further action pursuant to Section 21 below should be taken.

#### **Decision**

21. Within fourteen (14) days after receiving the Investigator's Report, Squash Canada's President and/or Chief Executive Officer (or designated Staff Member) will take corrective action, as required. Corrective action may include, but is not limited to including:
- a) Enacting and/or enforcing policies and procedures aimed at eliminating the wrongdoing or further opportunities for wrongdoing
  - b) Revision of job descriptions
  - c) Discipline, suspension, termination, or other action as permitted by Squash Canada's Bylaws, Ontario's *Employment Standards Act*, Squash Canada's *Human Resources Policy*, and/or the Worker's Employment Agreement or Contractor Agreement.
22. The corrective action, if any, will be communicated to the Compliance Officer who will then inform the Worker who submitted the report.
23. Decisions made under the terms of this Policy may be appealed under the terms of Squash Canada's *Appeal Policy* provided that:
- a) If the Worker who submitted the initial report is appealing the decision, the Worker understands that his or her identity must be revealed if he or she submits an appeal, and
  - b) If the Director or Worker against whom the initial report was submitted is appealing the decision, the Worker or Director understands that the identity of the Worker who submitted the report will not be revealed and that Squash Canada will act as the Respondent

#### **Confidentiality**

24. Confidentiality at all stages of the procedures outlined in this Policy – from the initial report to the final decision – is assured for all individuals (the Worker, the Worker(s) against whom the report is submitted, and the individuals interviewed during the investigation) to the greatest extent possible. Information will only be disclosed for the purpose of fully investigating the report or where required by law (including, but not limited to, where the disclosure of information is necessary to ensure the safety of any Worker). An individual who intentionally breaches the confidentiality clause of this Policy will be subject to disciplinary action.

#### **Privacy**

25. The collection, use and disclosure of any personal information pursuant to this Policy is subject to Squash Canada's *Privacy Policy*.
26. Squash Canada or any of its delegates pursuant to this Policy (i.e., Compliance Officer) shall comply with Squash Canada's *Privacy Policy* in the performance of their services under this Policy.