



## POLICY AND PROCEDURES

### S 040: Investigations Policy

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#### Definitions

a) "*Individuals*" – All categories of membership defined in Cycling BC's Bylaws, as well as all individuals employed by, or engaged in activities with, Cycling BC including, but not limited to, volunteers, managers, administrators, committee members, and Directors and Officers of Cycling BC

**Purpose:** Cycling BC is committed to eliminating all instances of Discrimination, Harassment, Workplace Harassment, Workplace Violence, or Sexual Harassment as recognized by applicable legislation within its operations and activities. This policy describes how Individuals can make complaints regarding instances of such conduct and how Cycling BC will investigate those complaints.

**Determination and Disclosure:** When a complaint is submitted per Cycling BC's *Discipline and Complaints Policy*, the individual handling the complaint will evaluate the complaint for potential complaints of Discrimination, Harassment, Workplace Harassment, Workplace Violence, or Sexual Harassment.

Complaints that are determined to contain an element of Discrimination, Harassment, Workplace Harassment, Workplace Violence, or Sexual Harassment will continue to be addressed by the process(es) described in the *Discipline and Complaints Policy*. Where required by law or otherwise determined appropriate by Cycling BC, an Investigator will be appointed to investigate the allegations.

The Investigator must be independent, not be in a conflict-of-interest situation and have no bias in favour of any party. Cycling BC may, where appropriate (as determined in its sole discretion), elect an external third party to conduct the investigation.

Cycling BC will adhere to all disclosure and reporting responsibilities required by any applicable legislation, government entity, local police force, or child protection agency.

**Investigation and Findings:** The investigation may take any form as the investigator decides, guided by applicable legal requirements. The investigation may include speaking with the complainant and respondent and any relevant witnesses and reviewing relevant documents and materials.

The Investigator may prepare and submit a Report subject to any legal requirements.

Cycling BC will comply with all legal obligations to inform the parties of the investigation findings.

Should the Investigator find possible instances of an offence under the *Criminal Code*, particularly related to Criminal Harassment (or Stalking), Uttering Threats, Assault, Sexual Interference, or Sexual Exploitation, the matter may involve the police. The Investigator will further inform Cycling BC that the matter involves the police.

The Investigator must also inform Cycling BC of any findings of possible instances of criminal activity. Cycling BC may decide whether to report such findings to the police but is required to inform police if there are findings related to possible instances of the trafficking of doping drugs or materials; any



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sexual crime involving minors; fraud against Cycling BC; or other offences where the lack of reporting would bring Cycling BC into disrepute.

Cycling BC will take appropriate corrective action in response to the findings of an investigation. The individual or panel deciding on the complaint shall consider any information or documents necessary to determine appropriate corrective action.

### **Reprisal and Retaliation**

An individual who submits a complaint to Cycling BC or who gives evidence in an investigation may not be subject to reprisal or retaliation from any individual or group. Should anyone who participates in the process face reprisal or retaliation, that individual will have cause to submit a complaint.

### **False Allegations**

An individual who submits allegations that the Investigator determines to be false or without merit may be subject to discipline under the terms of Cycling BC's *Discipline and Complaints Policy*.

**Date Reviewed:** May 2023

**Date approved:** August 2023