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SPORT INTEGRITY SERVICE - RULES OF PROCEDURE

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1 Introduction

The Sport Integrity service is operated by the independent dispute resolution provider Sport Resolutions ("SR"). The Sport Integrity service is a pilot project designed to ensure that Relevant Matters (as defined) are reported and dealt with efficiently and effectively and that all involved in high performance sport have the confidence that Relevant Matters will be managed via the most appropriate independent review, resolution and disciplinary mechanism. The Sport Integrity service aims to fulfil this objective by:

- Supporting Relevant Bodies (as defined) in establishing and upholding appropriate standards of conduct for Relevant Persons (as defined);
- Providing an independent, transparent and fair Complaints Process (as defined) for Relevant Persons to report a Complaint (as defined) of Unacceptable Behaviour (as defined) which can then be independently investigated; and
- Where Unacceptable Behaviour is deemed to have been committed by a Relevant Person, the consequences of such Unacceptable Behaviour are to be determined, by either:
    - The Relevant Body concerned, within its respective internal dispute resolution processes; or
    - The independent disciplinary and appeals process run by Sport Resolutions and set out in accordance with the SR Arbitration Rules.

2 Definitions

Applicable Policy means either:

(a) The UAB Policy, as adopted by a Relevant Body; or

(b) Any policy of a Relevant Body that captures UAB and refers to these Procedural Rules, such as a code of conduct or performance agreement.

Athlete(s) means Athletes who are selected to or participating in an NGB's Performance Programme.

Athlete Support Personnel means any coach, trainer, manager, team staff, official, nutritionist, medical, paramedical, personnel or other person working with, treating, and/or

assisting an Athlete who are either contracted to a Performance Programme or contracted directly by Athletes on a Performance Programme.

BEAA means the British Elite Athletes Association, which represents the interests of athletes by providing them with independent, confidential support and expert advice in the areas of mediation, health & wellbeing and integrity issues.

Charge means allegations of any UAB against the Respondent, contained in a Notice of Charge, where the Investigator makes a finding of a 'case to answer' in accordance with Rule 6(e).

Complainant means a Relevant Person who makes a Complaint about a Relevant Matter by a Respondent in accordance with this Policy.

Complaint means a formal notification of a complaint relating to a Relevant Matter committed by a Relevant Person pursuant to an Applicable Policy.

Complaints Process means the process of handling and resolving a Complaint under this Policy, from the point where the Complaint is submitted (Rule 4) to the finalisation of the Investigation (Rule 6).

Hearing Bodies means the disciplinary and/or appeals panel of the Relevant Body (or if appropriate an arbitration panel of SR), tasked with determining whether the Charge is made out and where it is, the appropriate consequences of the Charge in accordance with its own disciplinary regulations.

Investigation means an independent and impartial investigation of the Complaint, conducted by an Investigator.

Investigator means an independent individual, employed or appointed by Sport Resolutions to manage a Complaint and conduct a Preliminary Assessment followed by an Investigation, in accordance with these Procedural Rules.

Independent Panel means an independent individual or panel constituted of suitably qualified individual(s) appointed by Sport Resolutions to make determinations on matters as set out at Schedule 1 of these Procedural Rules.

Limitation Period means twelve months from the incident (or the last in a series of incidents) complained of, or the date of knowledge of the incident or last of a series of incidents, if relevant. If the Complainant is no longer part of a Performance Programme at the time of making the Complaint, provided the incident complained of occurred in the last twelve months either during the Performance Programme or within twelve months of its termination, it will be considered within the Limitation Period.

Mediation is a collective term for processes to resolve disputes by mediation in accordance with Rule 5.5.

NGB means a national governing body of a sport in the United Kingdom.

Notice of Charge means a notification directed at a Respondent by the Relevant Body at the conclusion of the Investigation where there is a case to answer and the Relevant Body decides to determine the matter via an appropriate Hearing Body.

Performance Programme means for summer and winter Olympic and Paralympic sports, any NGB in receipt of UK Sport funding for Progression, Academy and / or Podium (as detailed at https://www.uksport.gov.uk/our-work/investing-in-sport/how-uk-sport-funding-works).

Personal Grievance means any form of grievance between two or more people (including individuals and corporate bodies) that does not concern or allege a breach of an Applicable Policy.

Preliminary Assessment means the assessment conducted by an Investigator to determine whether a Complaint has *prima facie* merit, and therefore warrants an Investigation.

***Prima Facie* Case** means a finding by an Investigator, at the end of the Preliminary Assessment, that there is sufficient evidence that allegations of UAB in a Complaint could be true.

Procedural Rules means these Sport Integrity Service Rules of Procedure, including any schedules and annexures.

Provisional Measure has the meaning given in Rule 5.6.

Relevant Body means an NGB, or an organisation which operates a Performance Programme on behalf of an NGB, or an organisation that provides Athlete Support Personnel to Performance Programmes.

Relevant Person means the following individuals:

i. Athletes;
ii. Athlete Support Personnel; or
iii. Office holders of an Relevant Body.

Relevant Matter means any of the following conduct:

i. Abuse; namely any form of abuse (including physical, verbal, psychological, emotional, sexual) that causes, has caused, or could cause harm to an individual;

ii. Bullying is behaviour by an individual or group that is offensive, intimidating, malicious or insulting, or an abuse or misuse of power, that undermines, humiliates, excludes, or causes physical, emotional or psychological harm to someone. Power does not always mean being in a position of authority, but can include personal strength and the power to coerce through fear or intimidation. Bullying can take the form of physical, verbal or non-verbal conduct. It may be a pattern of behaviour or a one-off incident, and can be deliberate (typically) or inadvertent. It can happen face-to-face, on social media, or via written or oral communications;

iii. Direct Discrimination; namely when a Relevant Person or group of Relevant Persons are treated less favourably because of a personal characteristic;

iv. Harassment; namely any type of behaviour that a person does not want that is offensive or threatening and likely to cause harm;

v. Indirect Discrimination; namely when a rule or policy applies to everyone but has the effect of disadvantaging a Relevant Person or group of Relevant Persons because of a personal characteristic and where such personal characteristics is protected by applicable anti-discrimination laws;

vi. Sexual Misconduct; namely Sexual Harassment and other conduct of a sexual nature;

vii. Sexual Harassment; namely any unwanted or unwelcome sexual behaviour where a reasonable person would anticipate the possibility that the person being harassed would feel offended, humiliated, or intimidated;

viii. Unlawful Discrimination; namely Direct Discrimination and Indirect Discrimination;

ix. Victimisation; namely subjecting a person, or threatening to subject a person, to any unfair treatment because the person has made, or intends to pursue their right to make a Complaint or lawful disclosure (whether under these Procedural Rules or under applicable legislation) or for supporting another person to take such action; or

x. Breach of an Applicable Policy by a 'Relevant Person'.

To qualify as a Relevant Matter, the Complaint must be made within the Limitation Period. However, these time periods may be extended where there are just and equitable reasons.

Where any Relevant Matter is identified to be a safeguarding incident that meets the statutory threshold during the course of an Investigation, the Investigator shall refer the matter to the appropriate statutory authorities.

Report means a report containing the findings of the Investigator's Investigation.

Resolution Process means the chosen process for determining the outcome of the Charge before the Hearing Bodies.

Respondent means the Relevant Person against whom a Complaint has been made.

Review Procedure means the procedure by which Sport Integrity or an Independent Panel undertakes a review of the Preliminary Assessment which does not establish a *Prima Facie* Case, or to consider just and equitable reasons for hearing a Complaint outside the Limitation Period, in accordance with Rule 5.2(b).

Sanction means a sanction imposed on a Respondent for breaching an Applicable Policy as set out in the Applicable Policy.

Serious Criminal Charge means a charge under criminal law in England, Scotland and Wales that is punishable by imprisonment for a period of three years or more.

Sport Integrity means the independent disclosure and investigations process, operated by Sport Resolutions.

Sport Integrity Line means the confidential and independent disclosure helpline, managed by Sport Resolutions as part of the Sport Integrity service.

Sport Resolutions means Sports Dispute Resolution Panel Limited, a UK-based independent, not-for-profit, dispute resolution service for sport operating globally, offering arbitration, mediation, tribunal and expert opinion, having its registered office at 1 Paternoster Lane, St Paul's, London, EC4M 7BQ.

SR Appeals Panel means the appeal panel established by Sport Resolutions to hear appeals from the SR Disciplinary Panel.

SR Arbitration Rules means the Arbitration Rules of Sport Resolutions, as available on www.sportresolutions.com.

SR Disciplinary Panel means the first instance disciplinary panel established by Sport Resolutions.

SR Hearing Bodies means collectively, the SR Disciplinary Panel and the SR Appeals Panel, tasked with hearing and making a binding determination in respect of any consequences resulting from a Report, if elected by a Relevant Body in accordance with Rule 7.1 and 7.2.

UK Coaching means the organisation responsible for representing coaches across the United Kingdom, having its registered office at 2 City Walk, South Bank, Leeds, LS11 9AR.

UK Sport means The United Kingdom Sports Council, the body responsible for allocating Government and National Lottery funds across the high-performance sporting system in the UK, having its registered office at 6th Floor, 10 South Colonnade, London, E14 4PU.

UAB Policy means the Unacceptable Behaviour Policy adopted by a Relevant Body, to be read in conjunction with these Procedural Rules, which defines UAB, and the applicable complaints and sanctioning procedure thereunder.

Unacceptable Behaviour/UAB means conduct described as such in an Applicable Policy.

Vulnerable Person means a person who is (a) under the age of 18; or (b) aged 18 or over, and considered to be an 'Adult at Risk' as defined at Section 42 of the Care Act 2014.

3 Preliminary Matters

3.1 What is a Complaint?

A Complaint means a complaint in respect of a Relevant Matter lodged by a Relevant

Person with Sport Integrity thereby commencing the Complaints Process, in accordance with Rule 4 of these Procedural Rules.

3.2 Who can be a Complainant?

A Complainant is any Relevant Person, who lodges a Complaint in respect of a Relevant Matter.

3.3 Who can be a Respondent?

A Respondent must be a Relevant Person, who is respondent to a Complaint made by another Relevant Person.

3.4 Standard of Proof

Unless otherwise specified, the standard of proof that applies to all decisions made by an Investigator or Independent Panel under these Procedural Rules is the 'balance of probabilities'.

3.5 Confidentiality

(a) All Complaints (and all information disclosed in relation to them), including the outcomes of any Resolution Process, will be kept confidential by the Complainant, the Respondent, Sport Resolutions, the Relevant Body, the BEAA and the Sport Integrity as applicable and will not be disclosed to any third parties except as provided in this Rule.

(b) Sport Integrity may make the following disclosures:

(i) to the NGB in accordance with these Procedural Rules;

(ii) to the parties to a Complaint (Complainant and Respondent) to ensure a fair process;

(iii) to any person (including the Investigator) to facilitate the proper handling of the Complaint under this Policy;

(iv) to external agencies so they can deal with the alleged conduct (e.g., without limitation, the police, UK Anti-Doping, the Gambling Commission);

(v) to:

(A) Relevant Bodies; or

(B) Relevant Persons

to inform them of relevant Sanctions or Provisional Measures recommended;

(vi) to any third party, including international sports federations (and other foreign sporting bodies), law enforcement agencies and government or regulatory authorities, for the primary purpose of:

(A) preventing or lessening the risk to the safety, health, or wellbeing of a person; or

(B) protecting children participating in a sport; or

(C) protecting the safety of participants in a sport;

(vii) in response to a request by the UK Parliament; and

(viii) as required by law, any court or the Hearing Bodies.

(c) The Relevant Body may make the following disclosures:

(i) to external agencies so they can deal with the alleged conduct (e.g., without limitation, the police, UK Anti-Doping, the Gambling Commission);

(ii) to:

(A) to other Relevant Bodies; or

(B) Relevant Persons

to inform them of recommended Sanctions or Provisional Measures;

(iii) to any third party, for the primary purpose of:

(A) preventing or lessening the risk to the safety, health, or wellbeing of a person; or

(B) protecting children participating in a sport; or

(C) protecting the safety of participants in a sport.

(iv) as required by law, any court or the Hearing Bodies.

(v) to Sport Integrity of the decision of a Hearing Body of a Relevant Body in respect of the disciplinary consequences of any Report which determines a finding of UAB.

(d) In the event of a breach of confidentiality, an Investigator my refer the Complaint to an Independent Panel in accordance with Schedule 1 of these Procedural Rules.

3.6 Failure to cooperate

(a) Subject to Rule 3.6(c), persons bound by these Procedural Rules must cooperate fully with a Complaints Process.

(b) In the event of a failure or refusal to cooperate with a Complaints Process, after a request has been made in a reasonable time in advance, to answer any relevant question, provide relevant documentation and/or participate in the Complaints Process, an Investigator may refer the Complaint to an Independent Panel who shall have the power to take steps in accordance with Schedule 1 of these Procedural Rules.

(c) No person bound by these Procedural Rules is required to answer a question or provide information where to do so would be a breach of any applicable law, and no adverse inference may be drawn in such circumstances.

3.7 Vulnerable Persons

(a) Where a Complainant or Respondent is a Vulnerable Person, the parent, guardian, or legally authorised representative of the Vulnerable Person may act on behalf of the Vulnerable Person and accompany them throughout the Complaints Process, including at any interview (save in the event that the parent or guardian is the Respondent).

(b) The Investigator (and if applicable the Independent Panel) shall have regard to applicable laws when managing Complaints made on behalf of or involving Vulnerable Persons.

4 How to Make a Complaint

4.1 Submitting a Complaint

(a) Only a Relevant Person can make a Complaint, the subject of which must be a Relevant Matter.

(b) A Complaint can be made by a Relevant Person, in respect of a Relevant Matter by way of an initial disclosure, by phone or email, to Sport Integrity.

(c) All Complaints will be treated as confidential and cannot be made anonymously.

(d) Where an anonymous Complaint or a complaint by a third party is made to the Sport Integrity Line, the call handler shall record all details of the Complaint, but provide the options for the caller either to:

(i) Call back to proceed with the Complaint after full disclosure, at a later date, should they so wish; or

(ii) Speak to the Complainant and request that the Complainant calls the Sport Integrity Line directly; or

(iii) Contact the BEAA or UK Coaching for further support and advice.

(e) Where a Complaint is made to the Sport Integrity Line, the call handler shall follow protocol to establish whether the Complainant is a Relevant Person and the disclosure is a Relevant Matter.

(i) Where this has been established, the call handler shall refer the Complaint to Sport Integrity, who will manage the Complaints Process via an Investigator.

(ii) Where this is not established, the caller will be advised to contact other organisations, where appropriate.

(f) Where a Complaint is made to the BEAA, UK Coaching or the Relevant Body, such organisations shall assess whether the Complainant is a Relevant Person and the disclosure is a Relevant Matter.

(g) Where this has been established, the BEAA, UK Coaching or the Relevant Body, as the case may be, may refer the Complaint to Sport Integrity to be considered in accordance with these Procedural Rules.

4.2 Withdrawing a Complaint

(a) A Complainant may withdraw their Complaint at any time before an Investigator issues a Report, under Rule 6.

(b) A Relevant Body may request to withdraw a Complaint in circumstances where it is determined a fair investigation cannot reasonably proceed, subject to the approval of an Independent Panel in accordance with Schedule 1.

(c) Withdrawing a Complaint must be done by writing to the Investigator, or such other contract address that has been previously notified to the Complainant or Relevant Body during the Complaints Process.

(d) Records of all withdrawn Complaints shall be kept by Sport Integrity for a period of three (3) calendar months from the date of withdrawal.

5 Preliminary Assessment and Establishing a Prima Facie Case

5.1 Determining whether the Complaint is in-scope

(a) upon receipt of a Complaint, an Investigator shall initially determine whether:

(i) the Complaint is solely a Personal Grievance;

(ii) the Complaint is mischievous, vexatious or knowingly untrue;

(iii) the Respondent is not a Relevant Person; and

(iv) the Complaint is outside the Limitation Period, subject to the provision at 5.1(c) below.

(b) If:

(i) the Complaint does not fall within any of the circumstances set out in Rule 5.1(a); and

(ii) The Investigator is satisfied, on a balance of probabilities, that that the Complainant has established a *Prima Facie* Case

The Investigator will continue the Complaints Process in accordance with these Procedural Rules.

(c) Where a Complaint falls outside the Limitation Period but would have otherwise constituted a *Prima Facie* Case, Sport Integrity may exercise its discretion and accept the referral for just and equitable reasons.

(d)

(i) Where an Investigator determines that the Complaint shall not be taken forward based on any of the circumstances set out in Rule 5.1(a), subject to the Review Procedure detailed at Rule 5.2(b) overturning this decision, the process under these Procedural Rules shall be permanently discontinued. However, an Investigator, via Sport Integrity may refer such Complaints to the Relevant Body or such other appropriate organisation, as the case may be.

(ii) Details of the Complaint are to be kept confidential in accordance with the confidentiality provision set out in Rule 3.5. Disclosures may only be made to third parties with the permission of the Complainant.

(e) Sport Integrity shall determine the manner in which it conducts such assessment, in its absolute discretion.

5.2 Prima Facie Case

(a) If an Investigator is satisfied that the Complaint establishes a *Prima Facie* case for further Investigation, it shall have the ability to either:

(i) Notify the parties in accordance with Rule 5.3 and follow an Investigation in accordance with Rule 6; or

(ii) Notify the parties in accordance with Rule 5.3 and if agreed with the parties to refer the Complaint to Mediation, in accordance with Rule 5.5.

(b) If an Investigator is not satisfied that the Complaint establishes a *Prima Facie* Case for further Investigation, this decision shall mandatorily be reviewed by the Independent Panel in accordance with Schedule 1.

5.3 Notification to Parties

(a) Sport Integrity will communicate with the Complainant and the Respondent at appropriate intervals throughout the Complaints Process to keep them informed until the Complaints Process has completed or is otherwise discontinued, including:

(i) notifying the Complainant when the Complaint has been allocated to an Investigator;

(ii) once allocated to an Investigator and a Prima Facie Case has been established, notifying the Respondent that a Complaint has been made against them, and requesting a response to the Complaint;

(iii) agreeing with both the Complainant and the Respondent that the Complaint is referred to Mediation (if appropriate); and

(iv) informing the Complainant and Respondent of any relevant additional information that becomes known where appropriate, providing the parties with a reasonable opportunity to respond.

(v) Upon conclusion of the Investigation, Sport Integrity to inform the Complainant and the Respondent that the Report has been submitted to the Relevant Body.

5.4 External Referral

(a) Sport Integrity may, at any time before or while dealing with a Complaint under these Procedural Rules, refer the Complaint to a relevant external organisation (this may include a law enforcement agency, government or regulatory authority or child protection agency), informing the Relevant Body where appropriate.

(b) If an external referral is made, Sport Integrity may suspend the Complaints Process pending external resolution. Sport Integrity shall inform the Relevant Body and the Complainant of any such decision unless directed not to do so by the external referral organisation.

(c) If the Resolution Process is suspended due to an external referral, it is for the Relevant Body to determine whether to impose Provisional Measures upon the Respondent.

(d) If the Complaint is not resolved by the external referral organisation and is referred back to Sport Integrity, Sport Integrity may resume the Complaints Process, in consultation with the Complainant and the Relevant Body.

5.5 Referral to Mediation

(a) At any time after determining that the Complaint falls within the scope of these Procedural Rules, but before the conclusion of the investigation Sport Integrity may, where it considers it appropriate to do so, refer the Complainant and the Respondent to Mediation, provided both Complainant and Respondent agree.

(b) The Complainant and the Respondent may alternatively mutually agree to refer a matter to Mediation at any time after the determination that the Complaint falls within the scope of these Procedural Rules.

(c) Subject to their consent to mediate, the Complainant and Respondent are required to participate in the Mediation process in good faith.

(d) The Mediation shall be conducted by an independent mediator appointed by Sport Resolutions, on behalf of Sport Integrity.

(e) If the Mediation is successful, the outcome will be documented in writing by

way of a settlement agreement, which shall be final and binding upon both the Claimant and the Respondent.

(f) If the Mediation is not successful, the mediator must refer the Complaint back to Sport Integrity, which will resume the Complaints Process.

(g) Sport Integrity shall inform the Relevant Body of the outcome of any attempted or successful Mediation (but shall not disclose the terms of the Settlement Agreement).

5.6 Provisional Measures

(a) Where a Complaint involves an alleged UAB that:

(i) is directed at a Vulnerable Person and/or

(ii) has or may result in Serious Criminal Charges being laid against the Respondent; and/or

(iii) suggests there is a further or ongoing risk of harm being suffered by one or more persons involved in the sport,

The Relevant Body after being made aware of the Complaint, shall consider whether any Provisional Measures(s) shall be imposed on the Respondent, pending a resolution of the Complaints Process.

(b) Provisional Measures include, but are not limited to, suspension, restriction of duties or temporary redeployment, suspension or restriction of rights, privileges and benefits, or any other action(s) that the Investigator may consider appropriate in the circumstances.

(c) The Relevant Body will notify Sport Integrity of any Provisional Measures to be imposed on a Respondent.

5.7 Unreasonable demands/behaviour

(a) Where a Complainant makes unreasonable demands or exhibits unreasonable behaviour, such as:

(i) raising the same issues, which have previously been reported, without

presenting new evidence;

(ii) unreasonable persistence regarding outcomes;

(iii) unreasonable demands relating to timeframes for resolutions;

(iv) being rude, aggressive, or abusive towards an Investigator

Complaints may not be acknowledged and Sport Integrity may exercise discretion to minimise or control its dealings with the Complainant which may include suspending any investigation. The Complainant will be notified of such a step and will be given an explanation for the action taken.

6 Investigation and Determination

(a) After notifying the parties in accordance with Rule 5.3, Sport Integrity (through Sport Resolutions) shall assign an Investigator to the Complaint.

(b) The Investigator shall be responsible for investigating the Complaint, being *inter alia* responsible for the following:

(i) conducting initial, and if required, follow-up interviews with the Complainant, Respondent and any person connected with the Complaint;

(ii) obtaining submissions from the Complainant or Respondent, together with supporting evidence;

(iii) requesting and reviewing further evidence; and

(iv) preparing and issuing a final written Report.

(c) The Report will make findings as to whether or not, on a balance of probabilities, the Complainant has substantiated its Complaint and as such the Respondent has:

(i) A case to answer; or

(ii) No case to answer.

(d) Where the Report makes a finding of 'no case to answer', the Relevant Body shall be notified by Sport Integrity, and the Investigation shall be considered at an end. The Relevant Body shall notify the Complainant and the Respondent of the outcome of the Investigation.

(e) Where the Report makes a finding of 'case to answer', the Relevant Body shall be notified by Sport Integrity and shall consider issuing a Notice of Charge. The Relevant Body shall notify the Complainant and the Respondent of the outcome of the Investigation. At this stage, the Investigation shall be considered at an end, and the Hearing Bodies shall be tasked with disciplining the Respondent.

7 Complainant Right of Review

7.1 Following the submission of the Report where there is a finding of a 'case to answer', should the Relevant Body determine not to charge or commence proceedings against the Respondent, the Complainant may appeal this decision if it can be demonstrated that:

(a) The Relevant Body is acting unreasonably or unfairly; or

(b) The Report has failed to include or address important facts or information that may result, if known, in the Relevant Body taking different action.

If a Right of Review application is received, the review will be determined by an Independent Panel, appointed by Sport Resolutions, in accordance with Schedule 1.

8 Hearings

8.1 Following the Report, the Relevant Body may choose to discipline the Respondent before one of the Hearing Bodies.

8.2 The Relevant Body may elect to use the disciplinary process at the SR Hearing Bodies, which subject to determination by the Relevant Body, may be in accordance with either (i) the SR Arbitration Rules; or (ii) the rules and regulations of the Relevant Body.

8.3 In the event that the Relevant Body elects to deal with the Charge internally, this shall be governed by the rules and regulations of the Relevant Bodies.

9 Finalising Complaints

9.1 Finalisation

(a) a Complaint will be finalised, and an outcome reached when:

(i) a Report determines there is ‘no case to answer’. Sport Integrity shall notify the Relevant Body of the outcome of the Investigation in accordance with Rule 6(c)(ii);

(ii) following a Report which determines that there is 'case to answer’ and disciplinary sanctions are imposed by a first instance Hearing Body and no appeal is filed within the prescribed deadline;

(iii) the decision of a first instance Hearing Body is appealed and where the parties to the proceeding are notified of the appeal decision;

(iv) it has been withdrawn in accordance with Rule 4.2; or

(v) the parties have successfully settled the dispute through Mediation, in accordance with Rule 5.5.

9.2 Notification of outcome and implementation of Sanction

(a) Upon issuing a decision:

(i) the relevant Hearing Body shall notify Sport Integrity, the Relevant Body, the Complainant and the Respondent of the outcome in writing, unless otherwise provided for in these Rules of Procedure; and

(ii) the Relevant Body shall take all necessary steps to implement any Sanction imposed (if applicable).

9.3 Recording Decisions and Outcomes

(a) Subject to paragraph 8.3(b), Sport Integrity shall keep records of all Complaints for a maximum period of 6 years and 6 months from the date of finalisation in accordance with Rule 8.1 above, or from the date any sanction expires, whichever is longer. This shall include, at a minimum, a record (including dates, where relevant) of:

(i) the Complaint;

(ii) the Complainant;

(iii) the Respondent;

(iv) the Investigation and its outcome (together with any attempted Mediation, notwithstanding success);

(v) the hearing process; and

(vi) any Sanctions and/or Provisional Action imposed.

(b) Where:

(i) an Independent Panel determines in accordance with paragraphs 1.1.1, 1.1.2 or 1.1.3 of Schedule 1 that the Complaint does not satisfy the requirement of 'Relevant Persons' being involved, the Complaint does not satisfy the requirement of being a 'Relevant Matter', including where the Complaint has not been made within the Limitation Period, or that there is no *Prima Facie* Case; or

(ii) a Complaint is withdrawn in accordance with paragraph 4.2,

Sport Integrity shall keep records of the Complaint for a maximum period of three months from the date of determination or withdrawal.

10 Interpretation and Other Information

10.1 Commencement

These Procedural Rules commence on the date printed on the front cover (the "**Commencement Date**").

10.2 Prior complaints

Complaints relating to conduct which occurred more than three calendar months prior to the Commencement Date:

(a) must be dealt with under the policies and processes of the Relevant Body

existing at the time the complaint was made, regardless of where that Complaint is at in that process;

(b) cannot be resubmitted to Sport Integrity under these Procedural Rules; and

(c) are not subject to any appeal under this Policy.

10.3 Requirements for Relevant Bodies

Relevant Bodies shall adopt and implement these Procedural Rules for complaints arising under all Eligible Policies and shall comply with the requirements of Sport Integrity and any Investigations carried out.

10.4 Interpretation

(a) Unless the context otherwise requires, words in the singular shall include the plural and in the plural shall include the singular.

(b) Unless the context otherwise requires, a reference to one gender shall include a reference to any gender.

(c) Any document required to be provided under this Policy may be given by:

(i) sending it to an email or other electronic address, or to a postal address, nominated by the recipient party; or

(ii) email, post, or hand delivering it to that party's residence, place of work or registered office.

(d) A document is taken to have been received under this Policy:

(i) if sent by email or other electronic transmission – on the date of transmission; or

(ii) if hand delivered – on the date of delivery; or

(iii) if sent by post – 5 business days after it was sent.

(e) Relevant Persons are responsible for keeping their contact details up to date with the Relevant Body. Delivery to the last known address is sufficient in

circumstances where the current whereabouts of the Relevant Person are not known.

10.5 Amendment

(a) Sport Integrity may amend these Procedural Rules from time to time and Relevant Bodies agree to apply and implement the Procedural Rules which may be in force at the time a Complaint is received.

(b) Any Complaint under these Procedural Rules which is not finalised at the time of an amendment to these Procedural Rules will continue to be processed under the substantive provisions of these Procedural Rules in force at the time Sport Integrity received the Complaint, unless Sport Integrity determines that the principle of *"lex mitior"* appropriately applies in the circumstances.

Schedule 1 – Referral of Complaints to an Independent Panel

This schedule sets out the terms on which Complaints will be referred to an Independent Panel and the scope of review of such Independent Panel.

Capitalised terms not expressly defined in this Schedule shall bear the same meanings ascribed to them under *"2. Definitions"* of the Procedural Rules.

1 Scope of Review

1.1 Following the commencement of an Investigation, the Investigator shall submit a Complaint for review to an Independent Panel in the following limited circumstances:

1.1.1 Determination by the Investigator that the Complaint does not satisfy the requirement of 'Relevant Persons' being involved;

1.1.2 Determination by the Investigator that the Complaint does not satisfy the requirement of being a 'Relevant Matter', including where the Complaint has not been made within the Limitation Period;

1.1.3 Determination by the Investigator that there is no *Prima Facie* Case;

1.1.4 Determination by the Investigator that a fair investigation cannot reasonably proceed;

1.1.5 Breach of confidentiality; and

1.1.6 Non-cooperation by any person involved in the Investigation.

1.2 Following the conclusion of an Investigation, Sport Resolutions shall appoint an Independent Panel in the following circumstances:

1.2.1 Where a Right of Review application has been received.

2 Determination of 'Relevant Persons'

2.1 If an Investigator determines that either the Complainant or the Respondent (or both) are not Relevant Persons, its decision shall mandatorily be reviewed by the

Independent Panel, who shall have the ability to either uphold or overturn the Investigator's initial assessment.

2.1.1 If the Independent Panel upholds the Investigator's finding, the Complaint will be discontinued, and the Complainant shall be informed in writing.

2.1.2 If the Independent Panel overturns the Investigator's decision, the Respondent and/or Claimant in question shall be deemed to be a Relevant Person and the Complaint shall be referred back to the Investigator for Investigation.

3 Determination of 'Relevant Matters'

3.1 If an Investigator determines that the Complaint does not relate to a Relevant Matter, its decision shall mandatorily be reviewed by the Independent Panel, who shall have the ability to either uphold or overturn the Investigator's initial assessment.

3.1.1 If the Independent Panel upholds the Investigator's finding, the Complaint will be discontinued, and the Complainant shall be informed in writing.

3.1.2 If the Independent Panel overturns the Investigator's decision, the Complaint shall be deemed to be a Relevant Matter and shall be referred back to the Investigator for Investigation.

3.2 If an Investigator determines that a Complaint relates to a Relevant Matter, but finds that such Complaint has been made outside the Limitation Period, they shall refer the Complaint to the Independent Panel who shall have the ability to determine whether there are just and equitable reasons to extend such Limitation Period.

3.2.1 If the Independent Panel finds that there are no just and equitable reasons to extend the Limitation Period, the Complaint will be discontinued and the Complainant shall be informed in writing.

3.2.2 If the Independent Panel finds that there are just and equitable reasons to extend the Limitation Period:

(i) The Complainant shall be informed in writing; and

(ii) The Complaint shall be referred back to the Investigator to continue the Investigation.

4 Determination by the Investigator that a Fair Investigation cannot Reasonably Proceed

4.1 If an Investigator determines that a fair investigation cannot reasonably proceed, its decision shall mandatorily be reviewed by the Independent Panel, who shall have the ability to either uphold or overturn the Investigator's assessment.

5 Determination of *Prima Facie Cases*

5.1 If an Investigator determines that the Complaint does not establish a *Prima Facie* Case for further Investigation, its decision shall mandatorily be reviewed by the Independent Panel, who shall have the ability to either uphold or overturn the Investigator's initial assessment.

5.1.1 If the Independent Panel upholds the Investigator's finding, the Complaint will be discontinued, and the Complainant shall be informed in writing.

5.1.2 If the Independent Panel overturns the Investigator's decision, a *Prima Facie* Case will be deemed to have been established and the Complaint shall be referred back to the Investigator for Investigation.

6 Breach of Confidentiality

6.1 If an Investigator determines that any person subject to these Rules breaches their confidentiality obligations set out at Rule 3.5 of the Procedural Rules, they shall refer such breach of confidentiality to the Independent Panel, who shall have the ability to:

6.1.1 Uphold the Investigator's finding and discontinue the Complaint, informing the Complainant and/or Respondent in writing; and/or

6.1.2 Issue a report to the Relevant Body which may elect, at its reasonable discretion to charge the party in breach of confidentiality with a breach of the Relevant Body's regulations.

7 Failure to Cooperate

7.1 Subject to Rule 3.6(b) of the Procedural Rules, where either a Complainant or Respondent refuses or fails to cooperate with a Complaints Process, the Investigator shall refer the Complaint to the Independent Panel who shall have the ability to:

7.1.1 In the case of a Complainant:

(i) Recommend that the Investigator draws an adverse inference whilst proceeding with the Investigation; or

(ii) Stop and bring an end to the Complaints Process.

7.1.2 In the case of a Respondent:

(i) Recommend that the Investigator draws an adverse inference whilst proceeding with the Investigation; or

(ii) Recommend the suspension of the Respondent from their position; or

(iii) In the case of an Athlete, recommend removal from the Performance Programme.

7.2 The Complainant or the Respondent as the case may be, shall be made aware of any adverse inferences drawn pursuant to Rule 6.1.1 or 6.1.2 of this Schedule 1 in relation to any particular allegation forming part of a Complaint/Charge.

8 Right of Review

8.1 If a Right of Review application has been received, the review will be determined by an Independent Panel, who shall have the ability to:

8.1.1 Make an independent assessment at their sole discretion; and

8.1.2 Where appropriate, invite the Relevant Body to re-consider their decision; and

8.1.3 Provide written reasons for their decision.

9 Appointment and Constitution

9.1 An Independent Panel shall be appointed by Sport Resolutions from the list of Sport Resolutions Arbitrators.

9.2 Depending on the nature, complexity and urgency (amongst others) of the matter referred to the Independent Panel, the Independent Panel may either comprise a sole panel member or three panel members.

10 Meetings, Deliberations and Decisions

10.1 The Independent Panel shall make a decision based on the written submissions of the parties to the Complaint in question.

10.2 Deliberations may be held electronically or in person and shall be kept confidential.

10.3 Where the Independent Panel comprises three members, all decisions will be passed by a simple majority. If the votes are equal, the chairperson of the Independent Panel in question shall have the casting vote.

11 Standard of Proof

11.1 The standard of proof applicable to all decisions taken by an Independent Panel shall be the balance of probabilities.

Version History

Version	Date	Summary of Changes
3	November 2023	• Definition of Limitation Period • Definition of Review Procedure • Changes to Preliminary Assessments (5.1)
4	September 2024	• Changes to Notification to Parties - 5.3(a)(v) - 6(d) & (e) • Changes to Finalising Complaints - 8.1(a)(i)
5	January 2025	• Changes to Withdrawing a Complaint - 4.2(b) & (c) • Changes to Preliminary Assessments - 5.1 (d) • Changes to Referral to Mediation - 5.5 (b) • Addition of Complainants Right of Review - 7 • Changes to Schedule 1: - 1.1.4 - 1.2 - 4 - 8
6	October 2025	• Definition of Limitation Period • Definition of Performance Programme • Definition of Serious Criminal Charge • Updated address for UK Coaching and UK Sport