

Independent Investigation into concerns raised during April 2017

Introduction

1. In April 2017, several allegations [the “April Allegations”] were brought to the attention of British Canoeing, including a number of concerns about past failings of the organisation to deal appropriately with matters that had been raised previously, around the conduct and behavior of individuals employed by British Canoeing.
2. British Canoeing acknowledges the seriousness of the April Allegations and has agreed with UK Sport to jointly commission an independent investigation into these allegations.
3. UK Sport and British Canoeing recognise that investigations evolve and if further credible and serious allegations of a similar nature arise, then the Panel may, in its absolute discretion, determine whether or not these should be added to the Investigation.

Purpose of the Investigation

4. The purpose of the investigation is to examine British Canoeing’s governance, corporate responsibility and behaviour with regard to these allegations. Allegations of misconduct may be referred to a separate disciplinary process and where appropriate to the police.

Roles and Responsibilities

5. **UK Sport.** UK Sport, as an investor of public funds into the World Class Programme at British Canoeing, seeks to establish whether the matters set out in the scope of these terms of reference relating to people or programmes are (a) significant governance matters and, noting they predate the Code for Sports Governance, (b) are or have been appropriately addressed. Furthermore, UK Sport wishes to learn about how such matters should be dealt with and to identify any ‘best practice’ that can be developed and shared throughout the high performance system to improve processes and procedures. This will mitigate the risk of such situations arising in National Governing Bodies in the future.
6. **British Canoeing.** British Canoeing’s role is to fulfil its corporate responsibility and fully assist the Independent Investigator and the Panel with regard to this Investigation. Upon receipt of the final report from the Panel detailing their findings and recommendations, British Canoeing will record the findings and will consult with UK Sport with a view to the appropriate actions to take having regard to the Panel’s findings.
7. **Sport Resolutions UK.** Sport Resolutions UK will select and appoint the chair and members of the independent panel, and the independent investigator.
8. **Commissioning Team.** The commissioning team, consisting of an empowered representative of UK Sport (Interim Head Sport Integrity) and British Canoeing (CEO) acting on behalf of their respective Boards, will:
 - a. agree the Terms of Reference, once they have been discussed with the panel chair;
 - b. ensure that there are no conflicts of interest on the panel or the investigator;

- c. monitor progress of the investigation through monthly updates from the panel; and
 - d. oversee the implementation of the recommendations.
9. **UK Sport and British Canoeing Board.** UK Sport and the British Canoeing Board shall:
- a. receive the final report; and in the case of the Board of the British Canoeing
 - b. consult with UK Sport with a view to the appropriate actions to take having regard to the Panel's findings and recommendations.
10. **The Panel.** The Panel is to consist of 3 members and will:
- a. work to the Terms of Reference;
 - b. ensure that all potentially affected persons¹ are accorded the opportunity to give evidence;
 - c. provide monthly updates to the commissioning team; and
 - d. produce the final report detailing their findings and recommendations to UK Sport and the Board of British Canoeing.
11. **The Independent Investigator.** The independent investigator is to:
- a. work to the Terms of Reference;
 - b. gather evidence in relation to this matter (including, but not limited to, conducting interviews with all those individuals (i) making the allegations; (ii) subject of the allegations and (iii) otherwise linked to the allegations
 - c. produce such evidence, together with a report of the same, for the consideration of the panel.

Coordinating Details

12. **Findings and Recommendations.** The Panel shall provide a detailed report on its findings and recommendations to UK Sport and the Board of British Canoeing.
13. **Media Statements** UK Sport and British Canoeing shall liaise and agree in advance any media statements to be made in relation to these Terms of Reference, the Investigation and the key findings and recommendations of the Panel. The key findings and recommendations of the Panel's Report shall be made public at the conclusion of the process, subject to UK Sport and British Canoeing agreeing the content in advance.

¹ An individual who may be criticised in the report.

14. **Limits of the Investigation.** The investigation is confined to the period from 1 Jan 2007 until 30 Apr 2017, but at the panel's absolute discretion allegations dating back to 1 Jan 2000 may be considered if they are credible and serious. Where issues are referred to the police or a disciplinary process, these processes will take precedent over this investigation.
15. **Attendance at Interviews.** All relevant persons, including those specifically identified at paragraph 11(b), above, cannot be compelled to provide interview evidence, but should be encouraged to do so.
16. **Further use of information and documents.** British Canoeing shall be entitled to use all and any such information and documents that may come into the possession of the Panel in any legal, tribunal or regulatory or disciplinary proceedings.
17. **Timing.** The investigation is to begin by 1 Aug 17 and will consider any additional allegations, which are considered relevant by the panel, that are submitted by 8 Sep 17. The Panel's Report aims to be delivered to UK Sport and the Board of British Canoeing Board by end of Oct 17.
18. **Administrative Support.** Sport Resolutions UK will provide the administrative support to the panel and the independent investigator.
19. **Resource.** The cost of this investigation shall be borne equally between UK Sport and British Canoeing.
20. **Confidentiality** UK Sport, British Canoeing, The Panel, The Independent Investigator and Sport Resolutions UK procure to keep confidential all confidential information disclosed as a result of the Investigation and shall not use nor disclose the same save as provided for in these Terms of Reference or as required by law. The parties shall only disclose such confidential information to those of their respective employees, consultants or agents who need to know it for the purposes of the Terms of Reference provided that the recipient of such information is bound by obligations of confidentiality no less onerous than those provided herein and each party shall be responsible to the other in respect of any disclosure to such a person. The obligations of confidentiality shall not extend to any matter which is in or becomes part of the public domain.

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