



IHUK & SPORT INTEGRITY SERVICE RULES OF PROCEDURE

(Commencement Date 10.01 2024)

Contents

1	Introduction	3
2	Definitions	3
3.	Ice Hockey UK commitment to Sport Integrity	8
4.	Preliminary Matters	9
5.	How to Make a Complaint.....	11
6.	Preliminary Assessment and Establishing a Prima Facie Case	12
7.	Investigation and Determination	15
8.	Hearings	15
9.	Finalising Complaints	15
10.	Interpretation and Other Information	17
	Schedule 1 – Referral of Complaints to an Independent Panel	19

1 Introduction

- 1.1. The Sport Integrity service is operated by the independent dispute resolution provider Sport Resolutions (“SR”).
- 1.2. It is 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.
- 1.3. The Sport Integrity service aims to fulfil this objective by:
 - 1.3.1. Supporting Relevant Bodies (Ice Hockey UK [IHUK] is a Relevant Body as defined) in establishing and upholding appropriate standards of conduct for Relevant Persons (as defined);
 - 1.3.2. 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
 - 1.3.3. 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:
 - 1.3.3.1. IHUK, within its respective internal dispute resolution processes; or
 - 1.3.3.2. 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 IHUK; or (b) Any policy of IHUK that captures UAB and refers to these Procedural Rules, such as a code of conduct or performance agreement.
Athlete(s)	means players who are selected to or participating in IHUK’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 aa player who are either contracted to the IHUK 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 7.5.
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 5) to the finalisation of the Investigation (Rule 7).
Hearing Bodies	means the disciplinary and/or appeals panel of IHUK (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 three months from the incident (or the last in a series of incidents) complained of. 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 three months either during the Performance Programme or within three 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 6.12.

NGB	means a national governing body of a sport in the United Kingdom and within this Policy, IHUK.
Notice of Charge	means a notification directed at a Respondent by IHUK at the conclusion of the Investigation where there is a case to answer and IHUK decides to determine the matter via an appropriate Hearing Body.
Performance Programme	means IHUK whilst in receipt of UK Sport funding for Progression, Academy and / or Podium (as detailed at https://www.uk sport.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 6.19 - 6.21.
Relevant Body	means IHUK operating as 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 IHUK.
Relevant Matter	Means any of the following conduct: <i>i.</i> Abuse ; namely any form of abuse (including physical, verbal, psychological, emotional, sexual) that causes, has caused, or could cause harm to an individual; <i>ii.</i> 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

	<p>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;</p> <p>iii. Direct Discrimination; namely when a Relevant Person or group of Relevant Persons are treated less favourably because of a personal characteristic;</p> <p>iv. Harassment; namely any type of behaviour that a person does not want that is offensive or threatening and likely to cause harm;</p> <p>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;</p> <p>vi. Sexual Misconduct; namely Sexual Harassment and other conduct of a sexual nature;</p> <p>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;</p> <p>viii. Unlawful Discrimination; namely Direct Discrimination and Indirect Discrimination;</p> <p>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</p>
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	<p>Procedural Rules or under applicable legislation) or for supporting another person to take such action; or</p> <p>x. Breach of an Applicable Policy by a 'Relevant Person'.</p> <p>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, as determined by an Independent Panel.</p> <p>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.</p>
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 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 6.3.
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 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, administered by Crimestoppers UK and 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 IHUK
UK Coaching	means the organisation responsible for representing coaches across the United Kingdom, having its registered office at Chelsea Close, Armley, Leeds LS12 4HP.
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
UAB Policy	means the Unacceptable Behaviour Policy adopted by IHUK, 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. Ice Hockey UK commitment to Sport Integrity

3.1 Ice Hockey UK reserves the right to refer a matter to the Sport Integrity Service under these Rules of Procedure. This may involve the commission of an independent investigation or disciplinary procedure into alleged grievances, or allegations of misconduct involving:

- 3.1.1 athletes;
- 3.1.2 athlete support personnel;
- 3.1.3 or Ice Hockey UK office holders as defined within the Rules of Procedure;

where an individual is deemed a 'Relevant Person' under these Rules of Procedure; and they are a respondent to allegations of misconduct as defined as a 'Relevant Matter' under these same regulations.

- 3.2 In such circumstances they are required to cooperate with any investigation conducted by Sport Integrity.

4. Preliminary Matters

What is a Complaint?

- 1.1. 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 5 of these Procedural Rules.

Who can be a Complainant?

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

Who can be a Respondent?

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

Standard of Proof

- 1.4. 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'.

Confidentiality

- 1.5. 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, IHUK, the BEAA and the Sport Integrity as applicable and will not be disclosed to any third parties except as provided in this Rule.

- 1.6. Sport Integrity may make the following disclosures:

- 1.6.1. to IHUK in accordance with these Procedural Rules;
- 1.6.2. to the parties to a Complaint (Complainant and Respondent) to ensure a fair process;
- 1.6.3. to any person (including the Investigator) to facilitate the proper handling of the Complaint under this Policy;
- 1.6.4. to external agencies so they can deal with the alleged conduct (e.g., without limitation, the police, UK Anti-Doping, the Gambling Commission);
- 1.6.5. to Relevant Bodies; or
- 1.6.6. Relevant Persons to inform them of relevant Sanctions or Provisional Measures recommended;
- 1.6.7. 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:
 - 1.6.7.1. preventing or lessening the risk to the safety, health, or wellbeing of a person; or

- 1.6.7.2. protecting children participating in a sport; or
- 1.6.7.3. protecting the safety of participants in a sport;
- 1.6.8. in response to a request by the UK Parliament; and
- 1.6.9. as required by law, any court or the Hearing Bodies.

1.7. IHUK may make the following disclosures:

- 1.7.1. to external agencies so they can deal with the alleged conduct (e.g., without limitation, the police, UK Anti-Doping, the Gambling Commission);
- 1.7.2. to other Relevant Bodies; or
- 1.7.3. to relevant Persons to inform them of recommended Sanctions or Provisional Measures;
- 1.7.4. to any third party, for the primary purpose of:
 - 1.7.4.1. preventing or lessening the risk to the safety, health, or wellbeing of a person; or
 - 1.7.4.2. protecting children participating in a sport; or
 - 1.7.4.3. protecting the safety of participants in a sport.
- 1.7.5. as required by law, any court or the Hearing Bodies.
- 1.7.6. to Sport Integrity of the decision of a Hearing Body of IHUK in respect of the disciplinary consequences of any Report which determines a finding of UAB.

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

Failure to cooperate

- 1.9. Subject to Rule 1.11, persons bound by these Procedural Rules must cooperate fully with a Complaints Process.
- 1.10. 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.
- 1.11. 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.

Vulnerable Persons

- 1.12. 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).
- 1.13. 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.

5. How to Make a Complaint

Submitting a Complaint

- 5.1 Only a Relevant Person can make a Complaint, the subject of which must be a Relevant Matter.
- 5.2 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.
- 5.3 All Complaints will be treated as confidential and cannot be made anonymously.
- 5.4 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:
 - 5.4.1 Call back to proceed with the Complaint after full disclosure, at a later date, should they so wish; or
 - 5.4.2 Speak to the Complainant and request that the Complainant calls the Sport Integrity Line directly; or
 - 5.4.3 Contact the BEAA or UK Coaching for further support and advice.
- 5.5 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.
- 5.6 Where this has been established, the call handler shall refer the Complaint to Sport Integrity, who will manage the Complaints Process via an Investigator.
- 5.7 Where this is not established, the caller will be advised to contact other organisations, where appropriate.
- 5.8 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.
- 5.9 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.

Withdrawing a Complaint

- 5.10 A Complainant may withdraw their Complaint at any time before an Investigator issues a Report, under Rule 6.
- 5.11 Withdrawing a Complaint must be done by writing to the Investigator, or such other contact address that has been previously notified to the Complainant during the Complaints Process.
- 5.12 Records of all withdrawn Complaints shall be kept by Sport Integrity for a period of three (3) calendar months from the date of withdrawal.

6. Preliminary Assessment and Establishing a Prima Facie Case

Determining whether the Complaint is in-scope

- 6.1 Upon receipt of a Complaint, an Investigator shall initially determine whether:
 - 6.1.1 the Complaint is solely a Personal Grievance;
 - 6.1.2 the Complaint is mischievous, vexatious or knowingly untrue;
 - 6.1.3 the Respondent is not a Relevant Person; and
 - 6.1.4 the Complaint is outside the Limitation Period.
- 6.2 If:
 - 6.2.1 the Complaint does not fall within any of the circumstances set out in Rule 6.1; and
 - 6.2.2 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.

- 6.3 If the Complaint falls within any of the circumstances set out in Rule 6.1, subject to the Review Procedure detailed at Rule 6.6 overturning this decision, the process under these Procedural Rules shall be permanently discontinued. However, an Investigator, via Sport Integrity may refer such Complaints to IHUK or such other appropriate organisation, as the case may be.
- 6.4 Sport Integrity shall determine the manner in which it conducts such assessment, in its absolute discretion.

Prima Facie Case

- 6.5 If an Investigator is satisfied that the Complaint establishes a Prima Facie case for further Investigation, it shall have the ability to either:
 - 6.5.1 notify the parties in accordance with Rule 6.7 and follow an Investigation in accordance with Rule 7; or
 - 6.5.2 notify the parties in accordance with Rule 6.7 and if agreed with the parties to refer the Complaint to Mediation, in accordance with Rule 6.12-6.18.
- 6.6 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.

Notification to Parties

- 6.7 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:
- 6.7.1 notifying the Complainant when the Complaint has been allocated to an Investigator;
 - 6.7.2 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;
 - 6.7.3 agreeing with both the Complainant and the Respondent that the Complaint is referred to Mediation (if appropriate); and
 - 6.7.4 informing the Complainant and Respondent of any relevant additional information that becomes known where appropriate, providing the parties with a reasonable opportunity to respond.
 - 6.7.5 notifying both the Complainant and the Respondent of the Report upon conclusion of the Investigation.

External Referral

- 6.8 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.
- 6.9 If an external referral is made, Sport Integrity may suspend the Complaints Process pending external resolution. Sport Integrity shall inform IHUK and the Complainant of any such decision unless directed not to do so by the external referral organisation.
- 6.10 If the Resolution Process is suspended due to an external referral, it is for IHUK to determine whether to impose Provisional Measures upon the Respondent.
- 6.11 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 IHUK.

Referral to Mediation

- 6.12 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 to this.
- 6.13 The Complainant and the Respondent may alternatively mutually agree to refer a matter to Mediation.
- 6.14 Subject to their consent to mediate, the Complainant and Respondent are required to participate in the Mediation process in good faith.

- 6.15 The Mediation shall be conducted by an independent mediator appointed by Sport Resolutions, on behalf of Sport Integrity.
- 6.16 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.
- 6.17 If the Mediation is not successful, the mediator must refer the Complaint back to Sport Integrity, who will resume the Complaints Process.
- 6.18 Sport Integrity shall inform IHUK of the outcome of any attempted or successful Mediation (but shall not disclose the terms of the Settlement Agreement).

Provisional Measures

- 6.19 Where a Complaint involves an alleged UAB that:
- 6.19.1 It is directed at a Vulnerable Person and/or
 - 6.19.2 has or may result in, Serious Criminal Charges being laid against the Respondent; and/or
 - 6.19.3 suggests there is a further or ongoing risk of harm being suffered by one or more persons involved in the sport, IHUK 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.
- 6.20 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.
- 6.21 IHUK will notify Sport Integrity of any Provisional Measures to be imposed on a Respondent.

Unreasonable demands/behaviour

- 6.22 Where a Complainant makes unreasonable demands or exhibits unreasonable behaviour, such as:
- 6.22.1 raising the same issues, which have previously been reported, without presenting new evidence;
 - 6.22.2 unreasonable persistence regarding outcomes;
 - 6.22.3 unreasonable demands relating to timeframes for resolutions;
 - 6.22.4 being rude, aggressive, or abusive towards an Investigator
- 6.23 Complaints may not be acknowledged and Sport Integrity may exercise discretion to minimise or control its dealings with the Complainant. The Complainant will be given clear advice and reasons why.

7. Investigation and Determination

- 7.1 After notifying the parties in accordance with Rule 6.7, Sport Integrity (through Sport Resolutions) shall assign an Investigator to the Complaint.
- 7.2 The Investigator shall be responsible for investigating the Complaint, being inter alia responsible for the following:
- 7.2.1 conducting initial, and if required, follow-up interviews with the Complainant, Respondent and any person connected with the Complaint;
 - 7.2.2 obtaining submissions from the Complainant or Respondent, together with supporting evidence;
 - 7.2.3 requesting and reviewing further evidence; and
 - 7.2.4 preparing and issuing a final written Report.
- 7.3 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:
- 7.3.1 a case to answer; or
 - 7.3.2 no case to answer.
- 7.4 Where the Report makes a finding of 'no case to answer', the Complainant, Respondent and IHUK shall be notified by Sport Integrity, and the Investigation shall be considered at an end.
- 7.5 Where the Report makes a finding of 'case to answer', IHUK shall be notified by Sport Integrity and shall consider issuing a Notice of Charge. At this stage, the Investigation shall be considered at an end, and the Hearing Bodies shall be tasked with disciplining the Respondent.

8. Hearings

- 8.1 Following the Report, IHUK may choose to discipline the Respondent before one of the Hearing Bodies.
- 8.2 IHUK may elect to use the disciplinary process at the SR Hearing Bodies, which subject to determination by IHUK, may be in accordance with either
- 8.2.1 the SR Arbitration Rules; or
 - 8.2.2 the rules and regulations of IHUK.
- 8.3 In the event that IHUK elects to deal with the Charge internally, this shall be governed by the rules and regulations of the Relevant Bodies.

9. Finalising Complaints

Finalisation

- 9.1 A Complaint will be finalised, and an outcome reached when:

- 9.1.1 a Report determines there is 'no case to answer'. Sport Integrity shall notify IHUK and the relevant parties of the outcome of the Investigation in accordance with Rule 7.3.2;
- 9.1.2 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;
- 9.1.3 the decision of a first instance Hearing Body is appealed and where the parties to the proceeding are notified of the appeal decision;
- 9.1.4 it has been withdrawn in accordance with Rule 5.10 – 5.12; or
- 9.1.5 the parties have successfully settled the dispute through Mediation, in accordance with Rule 6.12 – 6.18.

Notification of outcome and implementation of Sanction

9.2 Upon issuing a decision:

- 9.2.1 the relevant Hearing Body shall notify Sport Integrity, IHUK, the Complainant and the respondent of the outcome in writing, unless otherwise provided for in these Rules of Procedure; and
- 9.2.2 IHUK shall take all necessary steps to implement any Sanction imposed (if applicable).

Recording Decisions and Outcomes

9.3 Subject to paragraph 9.4.1 – 9.4.2, 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 9.1 above, or from the date any sanction expires, whichever is longer. This shall include, at a minimum, a record (including dates, where relevant) of:

- 9.3.1 the Complaint;
- 9.3.2 the Complainant;
- 9.3.3 the Respondent;
- 9.3.4 the Investigation and its outcome (together with any attempted Mediation, notwithstanding success);
- 9.3.5 the hearing process; and
- 9.3.6 any Sanctions and/or Provisional Action imposed.

9.4 Where:

- 9.4.1 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
- 9.4.2 a Complaint is withdrawn in accordance with paragraph 5.10 - 5.12,

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

Commencement

10.1 These Procedural Rules commence on the date printed on the front cover (the “Commencement Date”).

Prior complaints

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

10.2.1 must be dealt with under the policies and processes of IHUK existing at the time the complaint was made, regardless of where that Complaint is at in that process;

10.2.2 cannot be resubmitted to Sport Integrity under these Procedural Rules; and

10.2.3 are not subject to any appeal under this Policy.

Requirements for IHUK

10.3 IHUK 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.

Interpretation

10.4 Unless the context otherwise requires, words in the singular shall include the plural and in the plural shall include the singular.

10.5 Unless the context otherwise requires, a reference to one gender shall include a reference to any gender.

10.6 Any document required to be provided under this Policy may be given by:

10.6.1 sending it to an email or other electronic address, or to a postal address,

10.6.2 nominated by the recipient party; or

10.6.3 email, post, or hand delivering it to that party’s residence, place of work or registered office.

10.7 A document is taken to have been received under this Policy:

10.7.1 if sent by email or other electronic transmission – on the date of transmission; or

10.7.2 if hand delivered – on the date of delivery; or

10.7.3 if sent by post – 5 business days after it was sent.

10.8 Relevant Persons are responsible for keeping their contact details up to date with IHUK. Delivery to the last known address is sufficient in circumstances where the current whereabouts of the Relevant Person are not known.

Amendment

10.9 Sport Integrity may amend these Procedural Rules from time to time and IHUK agrees to apply and implement the Procedural Rules which may be in force at the time a Complaint is received.

10.10 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.

IHUK & Sport Integrity Service Rules of Procedure	
Approved by Governance & Risk Committee	10 January 2024
Review Scheduled	January 2026

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 Breach of confidentiality; and

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

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 of Prima Facie Cases

4.1 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.

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

4.1.2 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.

5. Breach of confidentiality

5.1 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:

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

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

6. Failure to Cooperate

6.1 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:

6.1.1 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.

6.1.2 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.

6.2 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.

7. Appointment and Constitution

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

7.2 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.

8. Meetings, Deliberations and Decisions

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

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

8.3 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.

9. Standard of Proof

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

Ihuk & Sport Integrity Service Rules Of Procedure	
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