



DOCUMENT TITLE: OSIC GUIDELINES REGARDING SPORT ENVIRONMENT ASSESSMENTS

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1. PURPOSE

The purpose of these Guidelines is to outline the approach of the Office of the Sport Integrity Commissioner ("OSIC") regarding Sport Environment Assessments ("Assessments"). Assessments are undertaken to address systemic issues related to the Universal Code of Conduct to Prevent and Address Maltreatment in Sport ("[UCCMS](#)") to improve the sport environment for both current and future participants in a manner consistent with the OSIC [mandate](#) and the Policies & Procedures (as defined below).

2. DEFINITIONS

For the purpose of these Guidelines:

- **Assessment** means a Sport Environment Assessment undertaken by the OSIC in accordance with these Guidelines.
- **Assessment Index** means the Index maintained by the OSIC regarding Requests received and Assessments performed by the OSIC in accordance with the Policies and Procedures, a version of which may be accessible on the OSIC website.
- **Assessment Participant** means any person sharing relevant concerns, experiences, observations and/or recommendations in an Assessment performed under these Guidelines.
- **Assessment Report** means the written report issued in accordance with section 7 of these Guidelines.
- **Assessment Team** means the group of subject matter experts supporting the Assessment, whose role is further described in section 4 below.
- **Independent Assessor** means the independent expert leading the Assessment, whose role is further described in section 4 below.
- **Initial Review** means the review by the OSIC of a Request, in accordance with section 5 of these Guidelines.
- **Policies & Procedures** means the UCCMS, these Guidelines, applicable policies and procedures of the OSIC, and applicable laws.

- **Request** means a duly completed and submitted Assessment Request intake form or a Request initiated by the OSIC in accordance with these Guidelines, regarding alleged systemic issues related to the UCCMS in a designated sport environment.
- **Requester** means any athlete, coach, guardian, volunteer, administrator, Sport Organization and any other interested party identified as Requester in any duly completed and submitted Assessment Request intake form received by the OSIC.
- **Sport Organization** means an organization identified in any Request and/or Assessment, which may or may not be a [Program Signatory](#).
- **Sport Environment Assessment Advisory Committee** (the “Advisory Committee”) means the committee providing advice to the OSIC regarding designated aspects of an Assessment, as further described in section 4 below.

3. SCOPE OF APPLICATION

These Guidelines apply to any Request received and/or Assessment performed by the OSIC.

These Guidelines apply to any person or organization associated with any Request and/or Assessment, including, without limitation, any Requester, Assessment Participant, Sport Organization and/or other third party affected by any relevant Request and/or Assessment.

Any person or organization associated with a Request and/or Assessment is expected to cooperate in good faith with the OSIC, the Independent Assessor(s) and the Assessment Team, as applicable, regarding the application of these Guidelines including:

- Providing, in a timely manner, any documents, materials, or other information that may be requested by the OSIC, the Independent Assessor(s) and/or members of the Assessment Team (as applicable) for the purpose of an Assessment; and
- Facilitating access to relevant venues or persons to conduct interviews or gather information for the purpose of an Assessment.

4. ROLES & RESPONSIBILITIES

OSIC: The Sport Integrity Commissioner (and/or their delegate) may initiate an Assessment in relation to any applicable Request, in accordance with these Guidelines. The Sport Integrity Commissioner (and/or their delegate) is responsible to oversee the Initial Review (see section 5), develop the Scope (see section 6) and Assessment Mandate (see section 7), assign an Independent Assessor, review the Assessment Report to ensure compliance with the Scope and Assessment Mandate and Policies & Procedures, and communicate information regarding the Assessment, in accordance with these Guidelines.

Advisory Committee: The Advisory Committee is responsible for making recommendations in connection with applicable Requests and/or Assessments, in accordance with the Sport Environment Assessment Advisory Committee Terms of Reference.

Independent Assessor(s): The Independent Assessor(s) is responsible for conducting the Assessment and issuing an Assessment Report in accordance with the Scope and Assessment Mandate, the Policies and Procedures, including these Guidelines, and the professional obligations of the Independent Assessor(s).

Assessment Team: means the group of subject-matter experts selected by the OSIC to provide support and/or lead relevant aspects of applicable Assessment(s), under the supervision of the Independent Assessor(s).

5. INITIAL REVIEW

a. Making a Request

Individual Requesters and Sport Organizations must file Requests through a secure, interactive online request form of the OSIC.

The OSIC may, in its discretion, initiate a Request if it becomes aware (e.g. through publicly available information, information obtained during the [Complaint Management process](#) of the OSIC, etc.) of alleged systemic issues related to the UCCMS in designated sport environment(s). In such case, the OSIC will perform an Initial Review as described below to determine applicable next steps, if any.

b. Phase I of the Initial Review

The OSIC will open a case file when it (i) directly initiates a Request and/or (ii) receives a duly completed Request form. A confirmation of receipt will be provided by the OSIC to the Requester, along with applicable information to the Requester(s) (e.g. available resources, information about the Assessment process, etc.)

The OSIC, acting independently, is responsible for receiving and addressing the Request, in accordance with the confidentiality terms of these Guidelines outlined in section 8 below.

During Phase I of the Initial Review, the OSIC will examine the Request :

- to identify any gaps in the information provided in the Request ; and
- to identify whether the next steps may need to be accelerated.

The OSIC will follow up with the Requester in respect of additional required information.

c. Phase II of the Initial Review

During Phase II of the Initial Review, the OSIC will examine the Request to determine whether an Assessment will proceed. Request(s) are evaluated by the OSIC in its discretion. For example, considerations to be addressed as part of Phase II could include, without limitation:

- Does the Request disclose information related to a potential breach of the UCCMS by a UCCMS Participant and should a Complaint instead be initiated in accordance with the [Complaint Management process](#) of the OSIC?
- Would an Assessment constitute a duplication of processes?
- Is another process, such as mediation, best suited to address the concern?
- Would an Assessment support the OSIC's mandate, high-level strategic goals, and priority areas of work (which may change from time to time)?
- Would an Assessment have a broad, systemic impact on the relevant sport environment?
- Does the Request raise significant issues primarily pertaining to the UCCMS?
- Is the Sport Organization(s) identified in the Request a [Program Signatory](#)¹?

¹ Requests may be made/initiated in relation to Sport Organization(s) that are or are not Program Signatories at the time of the Request. The Signatory status of the Sport Organization will be considered by the OSIC in conjunction with other relevant considerations, to determine applicable next steps for the Request.

- Would an Assessment benefit vulnerable or marginalized groups or others involved in the designated sport environment?
- Could an Assessment contribute to clarifying, advancing, and/or addressing issues related to matters under the UCCMS (e.g. maltreatment, discrimination, etc.)?
- Is an Assessment justified because of the seriousness, importance and/or complexity of the issue(s)?
- Are there other particular circumstances in the particular Request justifying an Assessment, in the OSIC's discretion?

The OSIC has discretion to consider any relevant information and/or to consult the Advisory Committee during the Initial Review (Phase I and/or Phase II) of a Request.

d. Outcome of the Initial Review

Possible outcomes to the Initial Review may include, without limitation:

- The Request is accepted and moves to the scoping stage pursuant to section 6 below;
- The OSIC declines to proceed with an Assessment and the Request may be referred to the [Complaint Management process](#) of the OSIC;
- The OSIC declines to proceed with an Assessment and the case is closed.

The Requester(s), the relevant Sport Organization(s) and other relevant party(ies) may be informed by the OSIC, as applicable, of the outcome of the Initial Review and of any next steps. In certain circumstances, the OSIC may also communicate the outcome of the Initial Review in the Assessment Index and/or on its website.

The determination of the OSIC regarding the Initial Review of a Request is not subject to challenge before the [Safeguarding Tribunal](#).

6. SCOPE OF THE ASSESSMENT

The OSIC has the authority to determine the scope of the Assessment (the "Scope"). In determining the Scope, the OSIC may consult with the Advisory Committee. The OSIC has the authority to modify the Scope at any time prior to the completion of the Assessment, and may, in its discretion, consult with the Advisory Committee regarding any such modification.

The Scope should be developed with consideration to the OSIC mandate and the purpose of these Guidelines, as outlined in section 1 above. For example, the Scope may include consideration of assessment objective(s), time frame, groups of participants considered, etc.

7. ASSESSMENT PROCESS

a. Assignment of Independent Assessor(s)

The OSIC is responsible to develop the Assessment mandate and terms of reference ("Assessment Mandate") and to assign the Independent Assessor(s) to perform the Assessment, based on the Scope (as developed per section 6 above). When selecting an Independent Assessor, the OSIC will consider factors including, without limitation:

- Absence of conflict of interest, conflict of duties or reasonable apprehension of bias;
- Availability;
- Geographical location;

- Official languages; and
- Area(s) of experience, expertise, and specific skills desired considering the nature and/or circumstances of the Assessment.

The Independent Assessor(s) must, on an ongoing basis, disclose in a timely manner to the OSIC any conflict of duties, conflict of interest, and/or any circumstances that could create a reasonable apprehension of bias in connection with the Assessment, pursuant to the [Conflict of Interest Policy](#) of the SDRCC.

Upon notification by the OSIC of the appointed Independent Assessor(s), the Requester(s) and the relevant Sport Organization will have the opportunity to raise any concerns of conflict of interest, conflict of duties or a reasonable apprehension of bias with the OSIC. The OSIC will review concerns raised and determine applicable measures in accordance with the [Conflict of Interest Policy](#) of the SDRCC.

The OSIC will provide the Independent Assessor(s) with information and documents at its disposal regarding the Request, Scope of Assessment, Assessment Mandate, as well as other information and documents necessary for the Assessment.

b. Assessment Process

Within the terms of the Assessment Mandate and Scope, the Independent Assessor(s) has the authority to make decisions around gathering information, including whom to interview, the location of interviews, which relevant documents to request and review, whether it is necessary to conduct a site visit, and when to seek additional expertise to inform the process and their own knowledge in the Assessment. The Assessment process may include, for example:

- Small group discussions;
- Document review;
- Anonymous surveys;
- Conducting interviews;
- Inviting written submissions;
- Conducting site visits; and
- Consulting with experts recommended by the Assessment Team.

c. Representatives or Other Support Persons

Assessment Participants can seek the assistance of a representative (e.g. legal counsel, paralegal, HR professional, etc.), and/or a support person (a parent, spouse, counsellor, etc.) at any point during their participation in the Assessment, and should notify the Independent Assessor(s) if they wish to include a representative and/or support person in applicable interview(s).

d. Assessment Report

Following review and analysis, the Independent Assessor(s) will provide a written Assessment Report. For example, an Assessment Report may include, without limitation :

- The Assessment Mandate and Scope;
- An overview of the process used to perform the Assessment;

- Questions asked to Assessment Participants;
- A summary of the information gathered from Assessment Participants;
- Documents the Independent Assessor determines are relevant (redacted if necessary to preserve anonymity);
- Analysis of the information gathered and concerns highlighted relating to the UCCMS;
- Identification of any systemic or other issues identified;
- Recommendations to address the identified issues;
- Recommendations to improve the experience for current and future participants;
- Other observations and recommendations supporting the objectives of the Assessment Mandate; and
- Any observations supporting the OSIC mandate as determined by the Independent Assessor.

The Assessment Report will preserve the anonymity of Assessment Participants, and not identify the Assessment Participants as sources of information, unless an Assessment Participant has given specific instruction and written consent that their name can be used. The Assessment Report will also clearly state that the Independent Assessor does not make findings of fact or assess credibility.

e. Review of the Assessment Report

The Independent Assessor also has the authority to determine, in appropriate circumstances and when reasonably feasible, relevant ways to (i) follow up with relevant Participants to confirm factual accuracy of certain information shared by Assessment Participants (e.g. sharing interview notes, etc) and/or representatives of impacted Sport Organization(s) and/or (ii) provide an opportunity to relevant Requester(s), Participant(s) and impacted Sport Organization(s) to preview certain section(s) of the draft Assessment Report for factual accuracy of information directly provided by any such Requester(s), Participant(s) and/or impact Sport Organization.

The OSIC will review the Assessment Report to validate that it contains the elements identified under the Assessment Mandate and Scope. The OSIC may consult and share the Assessment Report with the Advisory Committee as part of its review. The OSIC may, in its discretion, take further steps as required to address any concerns arising from its review. However, neither the OSIC nor the Advisory Committee will review or make an assessment on the merits of the observations, conclusions and/or recommendations included in the Assessment Report.

f. Communication of the Assessment Report

The Requester(s) and the relevant Sport Organization(s) will be provided a copy of the final Assessment Report by the OSIC. Full disclosure of the Assessment Report will be made, unless redactions are required to comply with privacy obligations and/or with the requirement that the Assessment Report be anonymized according to the Assessment Mandate and Scope.

The OSIC will publish the Assessment Report on its website unless a different process is mandated in the Assessment Mandate or Scope. If necessary to comply with law and/or to protect the anonymity of Assessment Participants, the OSIC may publish a redacted version of the Assessment Report.

g. Monitoring Phase and Monitoring Report

Within twenty-one (21) business days following communication of the Assessment Report as outlined in section 7f. of these Guidelines, the impacted Sport Organization(s) will be expected to issue a commitment statement regarding their planned implementation of the Assessment Report. Applicable commitment statement(s) may also be published on the relevant OSIC website/index.

In addition, the OSIC, whether directly, through the Independent Assessor and/or through another independent agent, will perform monitoring with both the impacted Sport Organization(s), the Requester(s) if applicable, and invited Assessment Participants.

This monitoring process will be facilitated, through a number of periodic engagements defined by the OSIC following communication of the Assessment Report (e.g. 3 months, 6 months) to gather information regarding progress and effective implementation of the Assessment Report within the impacted sport environment.

A monitoring report will be prepared by the Independent Assessor and/or another independent third party appointed by the OSIC on a case-by-case basis, containing observations and gaps analysis regarding progress and effective implementation of the Assessment Report within the impacted sport environment (“Monitoring Report”). Such Monitoring Report will be communicated in the manner described at section 7f. above no later than one (1) year following communication of the Assessment Report.

This post-Assessment monitoring phase and the communication of the Monitoring Report (together the “Monitoring Phase”) described herein will constitute the final outcome of the Assessment under these Guidelines.

The OSIC will not oversee or participate in other actionable items identified in the Assessment Report, and/or the Monitoring Report unless such action(s) directly require the application of other procedures under the OSIC’s mandate (e.g. Complaint Management process, Sport Organization Excellence Framework with Program Signatories, etc.).

h. Concern Regarding the Assessment

As no findings of fact are made in the Assessment, neither the Assessment process, nor the contents of the Assessment Report or the Monitoring Report, are subject to challenge before the [Safeguarding Tribunal](#).

At any point of the Assessment, any Requester, Assessment Participant, Sport Organization or other interested party who has a concern regarding non-compliance with these Guidelines should promptly advise the OSIC of their concern, and may also advise the Independent Assessor. The OSIC will take reasonable steps to evaluate and, to the extent it deems appropriate in its discretion, address applicable concerns directly and/or together with the Advisory Committee and/or Independent Assessor.

8. CONFIDENTIALITY

- a. This section supplements the *Protection of Privacy Policy of the Sport Dispute Resolution Centre of Canada* (“SDRCC”), which establishes how the SDRCC (which includes the OSIC) collects, uses, and discloses Personal Information during the course of its activities.
- b. Over the course of a Request and/or Assessment, Requester(s) and Assessment Participant(s) may communicate as they wish regarding their personal experiences, but should not disclose any information received directly through their participation in an Assessment and which has been indicated as confidential by the OSIC and/or Independent Assessor(s) (e.g. content and questions of an interview), in order to preserve the integrity of the Assessment process.
- c. The identity of the Requester(s) (unless anonymous), Assessment Participant(s) (unless anonymous), and/or information about the Request and/or Assessment may be disclosed by the OSIC to individuals who are appropriately involved in the process (which may include OSIC personnel, agents and delegates, SDRCC personnel and agents, the Advisory Committee, the Independent Assessor(s), the members of the Assessment Team, etc.), on an ‘as needed’ basis.
- d. The OSIC, the Independent Assessor, and/or Members of the Assessment Team may also communicate information about a Request and/or Assessment as follows:
 - To report information obtained in a Request if there is a legal obligation to do so under legislation regarding Duty to Report²;
 - To disclose information as required by law or an order of the courts;
 - To discuss the Request and/or Assessment and to disclose related information, as necessary to administer the Request and/or conduct the Assessment;
 - To disclose general information about a Request and/or Assessment in order to invite participation to the Assessment and/or to provide updates about the status of a Request and/or Assessment (including in the Assessment Index and, if considered appropriate, on the OSIC website); and
 - To disclose and/or publish Assessment Report(s) and/or Monitoring Report(s) consistent with these Guidelines.
- e. The OSIC may also use information for statistical or educational purposes on an anonymous basis.

9. RECORD KEEPING

Records of all Requests received by the OSIC and all Assessments performed under the OSIC, including information received by the OSIC in the context of a Request and/or Assessment, will be maintained by the OSIC indefinitely. The Independent Assessor will provide the OSIC with the Assessment Report (and Monitoring Report, if applicable) and all de-identified and anonymized materials and notes related thereto. Records of the Assessment will be

² For more information and resources regarding Duty to Report: <https://www.cybertip.ca/en/child-sexual-abuse/duty-to-report/#>

maintained by the Independent Assessor(s), in accordance with applicable law and professional regulations. All records (other than the Assessment Report(s) and Monitoring Report(s) communicated in accordance with section 7f) and section 7g)) will be kept confidential to the extent possible, subject to the Policies and Procedures, and as required by law.

10. DOCUMENT REVIEW & DISCLAIMER

These Guidelines may be amended and updated from time to time at the discretion of the OSIC. These Guidelines will be applied and interpreted by the OSIC in its reasonable discretion.