

THIRD PARTY COMPLAINTS PROCEDURE

Centre for Sport and Human Rights



Centre for Sport
& Human Rights

1. ABOUT THIS PROCEDURE

- 1.1 The Centre for Sport and Human Rights ("**CSHR**") is committed to ensuring that our mission and values are reflected in *how* we go about achieving our goals.
- 1.2 As set out in our Code of Conduct (the "**Code**"), we aim to promote the highest standards of conduct and demonstrate leadership in transparency, accountability and safeguarding. This extends to how we engage with our stakeholders and the world at large.
- 1.3 If you are an individual or entity that has an ongoing affiliation with us (defined as a Relevant Person in Clause 2.2 of the Code) then you must, in the course of your association with us, comply with the Code and our Policy Handbook.
- 1.4 We recognise however, that even if you do not have any affiliation with us, that you may wish to raise concerns, complaints or grievances with us. We welcome such engagement with us.
- 1.5 This complaints procedure (the "**Procedure**") applies to all individuals or entities who do not have an ongoing affiliation with us and are not Relevant Persons, as defined in Clause 2.2 of the Code (and are therefore "**Third Parties**"). If you are an employee then you should refer to the Employee Grievance Procedure in the Employee Handbook. If you are a Relevant Person as defined in 2.2 of the Code of Conduct but not an employee then you should refer to the Code and to our Complaints and Grievances Policy in our Policy Handbook. Where you have used an incorrect method, we will contact you to redirect your concern accordingly to whomever is best placed to respond to it.
- 1.6 Please note that this Procedure relates only to the conduct of CSHR and is not a mechanism to raise complaints or grievances about human rights cases in the world of sport that are not directly connected to CSHR as an organisation. Unfortunately, we do not have the resources or expertise to take on specific cases or give advice to people who want to report human rights violations. We regret that we are unable to investigate individual cases in this way.

2. COMPLAINTS PROCEDURE

- 2.1 As a Third Party we welcome your concerns, feedback or complaints and will seek to resolve these. We are committed to engaging our stakeholders and providing a means by which individuals and organisations can bring to our attention non-compliance with our own Code or policies, or breaches of any laws or norms that you believe we should be aware of.
- 2.2 We aim to ensure that such complaints are treated and resolved in a manner which is transparent and fair. As such, this Procedure is to provide you with

an understanding of the process which we will follow to manage your complaint and in no way limits or otherwise restricts your statutory rights.

- 2.3 We do not tolerate the victimisation of anyone raising a genuine concern and anyone responsible for such conduct will be subject to disciplinary action. You may decide that you want to raise a concern in confidence. Therefore, if you ask for your identity to be protected, it will not be disclosed without your consent. If a situation arises where it is not possible to deal with the concern without revealing your identity (for instance because your evidence is needed in court or a disciplinary hearing), there will be a discussion as to whether and how we can proceed. This policy does not cover the situation where information about malpractice is received anonymously; however, discretion will be used in the investigation of such information.
- 2.4 For the purposes of making a complaint or raising a grievance our preference is that:
 - 2.4.1 you write to complaints@sporthumanrights.org, where your complaint will be handled by the Chief Executive and Deputy Chief Executive. If you wish to submit your complaint anonymously you may do so at www.sporthumanrights.org/complaints.
 - 2.4.2 where your complaint relates to children or vulnerable adults, please write to safeguarding@sporthumanrights.org, where messages will be conveyed directly to our Head of Safeguarding and Protection. If you wish to submit a safeguarding related complaint anonymously you may do so at www.sporthumanrights.org/safeguarding.
 - 2.4.3 if your complaint relates to the Chief Executive, Deputy Chief Executive or Head of Safeguarding and Protection, then you may write directly to the Chairperson of the Board of Directors at the postal address published on our website or by any other publicly notified means.
- 2.5 Every CSHR Director and member of Staff has a duty to report internally any third-party complaints received in whatever form they arise.
- 2.6 If you contact us by any other means than set out in Clause 2.4 above, for example in person to a CSHR member of Staff, by post to our published office address, or by telephone to our published telephone number (both available on our website), then we cannot guarantee that we will be able to follow this procedure within the timeframes described, but we will make best efforts to do so. We would also prefer that you communicate your complaint to us in English, or if not then in French, but if you contact us in another language we will make best efforts to translate and respond.

- 2.7 If the information you are aware about concerns harassment, bullying, discrimination or abusive conduct we encourage you to:
- 2.7.1 notify the offender that the offending conduct should immediately stop, only if you feel comfortable doing so; and/or
 - 2.7.2 if your request is ignored and the unwanted behaviour continues, or you feel unable to approach the offender, you should immediately contact the relevant contacts detailed outlined in Clause 2.5 to make a formal complaint;
 - 2.7.3 where you wish to remain anonymous, we offer an anonymised complaints form on our website. Please note however, in pursuing this route, that with a lack of information we may be unable to fully investigate and rectify your complaint but will always do our best.
- 2.8 When reporting, if you have a concern about malpractice, it is asked that as much information as possible is provided to us. To the extent known, you should include, the date the alleged wrongdoing was identified, the nature of the concern and any supporting information, the names of any alleged wrongdoers and what action (if any) you are seeking from CSHR. If you have a direct or personal interest in the matter, you should also let it be known at this stage.
- 2.9 Where an affected person makes a request that their complaint be kept confidential you should not agree to this request but make it clear that you cannot promise confidentiality. If the affected person no longer feels comfortable making a complaint once they understand that confidentiality cannot be promised you should direct them to the anonymised complaints procedure. We will endeavour to keep a complaint as confidential as possible where this has been requested but, in all circumstances, we retain all discretionary authority to report the complaint to the relevant authorities including but not limited to situations where we are legally obliged to do so. If we decide to report the complaint in spite of any request to the contrary, we will inform both you and the affected person in writing that we are doing so prior to any notification.
- 2.10 Following the reporting of any information by a Third Party under Clause 2.4, 2.5 or 2.6 of this Policy, the following procedure must be followed:
- 2.10.1 the Chief Executive, Deputy Chief Executive or another Staff member shall consider the complaint and:
 - (a) request further information;
 - (b) open an internal investigation; or
 - (c) dismiss the complaint as vexatious and objectively untrue;

in the case of each event, we will write to you within fifteen days of receiving the complaint to outline the reasons for the decision and explain the process for a further review.

- 2.10.2 if we decide that the information provided reasonably warrants a formal investigation or you have asked for a review of our initial decision, we will appoint and notify to you the details of the investigating member of Staff or external consultant to investigate the information provided by you and detail the process for handling the investigation to you;
- 2.10.3 once notified of who shall be investigating the complaint, if you are unhappy with the choice of Staff as you believe there is a conflict of interest or the complaint will not be investigated fairly you have 3 days to set out in writing your objection to the Staff appointed to investigate the complaint and the reasons why. A decision will be made as to whether to retain that member of Staff to investigate the complaint and will be communicated to you in writing within 7 days of receiving your objection. Any decision CSHR makes on this matter will be final and no further objections on the identity of the member of Staff investigating the complaint can be raised including if a replacement member of Staff is appointed. If CSHR appoints an external consultant this objection process will be unavailable to you.
- 2.10.4 all Relevant Persons have an obligation to comply with and assist fully to the best of their abilities with any investigation CSHR undertakes unless they are restricted from aiding the investigation by law;
- 2.10.5 we shall provide you with updates in writing on the investigation at weekly intervals and will inform you promptly in writing of any decision being made as to the outcome of the investigation, providing reasons for the decision when doing so;
- 2.10.6 in the event that the complaint is dismissed prior to an investigation taking place, you shall have 7 days to appeal the decision in writing. If this period lapses without an appeal being made CSHR will assume the matter resolved. If after an investigation has taken place and you wish to question the decision you are encouraged to consider statutory alternatives; and
- 2.10.7 we retain our discretion as to the appropriate action to take if an investigation finds that there has been a breach of any policy or law. Actions we can take upon the investigation finding that there has been a breach include but are not limited to the termination of employment or other contracts with Staff, or termination of a working relationship with an Associated Individual or Third Party and/or filing a criminal report in accordance with the Criminality Reporting Policy in the Policy Handbook.

3. **AMMENDMENTS**

This Policy is approved and adopted by the Board of Directors and may be amended from time to time by resolution of the Board.

CONTACT

info@sporthumanrights.org

CLIFFORD
CHANCE



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