

Canada Deaf Sports Association Policy #30-10 – Independent Third Party

Revised by the Executive Director and
approved by the CDSA Board of Directors on May 26, 2026

Updated on May 26, 2026 (#6, #15)

1. Committee name

CDSA independent third party

2. Mandate (role and responsibilities)

The independent third party's primary mandate is to receive, manage, and process, in a confidential manner, allegations of abuse and harassment or violation of CDSA policies (as specified in section 6) or of the Universal Code of Conduct to Prevent and Address Maltreatment in Sport (UCCMS) committed by CDSA members against other CDSA members.

The independent third party is also responsible for assessing the initial complaint. It must take steps and issue recommendations that are appropriate to the nature of the complaints.

As for procedures, the independent third party must ensure the quality and integrity of the complaints process, which should reflect the following values and qualities:

- Ensure a healthy and safe environment for all, free from harassment, abuse and all forms of maltreatment
- Reliability
- Neutrality
- Impartiality
- Confidentiality
- Clear procedures
- Availability of information in LSQ, ASL, English, and French
- Respect for cultural and language differences
- Procedures carried out within reasonable time frames
- An affordable system (within reason)

In addition, the independent third party must provide support to the athlete throughout the complaints process.

3. The independent third party's profile

The committee consists of two persons:

- A deaf person who is an expert in ASL
- A deaf person who is an expert in LSQ

Independent third-party members must have completed mediation training, provided by the CDSA, and must be qualified to handle complaints they may receive at any time.

4. Selection criteria for independent third-party members

Independent third-party members must have the qualifications required to analyze and determine whether complaints are admissible or not. In addition, the members must be familiar with all the policies identified in section 6 of this document and in the CDSA's UCCMS.

Independent third-party members must also be self-governing and external. They must not be directly affiliated with the CDSA. To prevent any actual, potential or perceived conflict of interest, the members should not be:

- An employee of the CDSA
- A member of the board of directors of the CDSA
- Work in the same offices or facilities as the CDSA
- Have a number or extension in the CDSA's telephone system
- Share the same domain name in his/her e-mail address as CDSA members
- A family member of anyone at the CDSA
- A business partner of anyone at the CDSA
- A spouse or friend subject to the appropriate policies

In short, independent third-party members must have no direct interest in protecting the CDSA's reputation or that of its officers or members. Independent third-party members must have in-depth knowledge of deaf culture and the world of sports. In addition, their expertise in ASL or LSQ must meet the highest standards.

5. How the independent third party operates

The independent third party handles complaints by supervising, managing, and processing complaints procedures, while ensuring the confidentiality of documents.

6. The policies and codes of conduct governing the process

The sports safety policies and codes of conduct that support the independent third party's mandate and complaints process are:

- The Universal Code of Conduct to Prevent and Address Maltreatment in Sport (UCCMS)
- CDSA's policies
 - o Discipline policy
 - o Policy on discrimination and harassment (# 30-03)
 - o Equity policy (# 30-04)
 - o Code of conduct ethics (# 30-06)
 - o Policy on appeals (#30-01)

7. Complaints procedures

Complaints procedures

8. How to file a complaint

There are four (4) ways for anyone to file a complaint.

- 8.1 Online
- 8.2 By e-mail
- 8.3 By videoconference (Skype or Zoom)
- 8.4 By written correspondence

The complaints can be filed in either one of these languages: ASL, LSQ, English, or French.

9. Complaints and requirements format

Persons wishing to file a complaint must provide the following information:

- The first and last names of the Complainant
- The first and last names of the person mentioned in the complaint
- A detailed description of the incident (what, who, where, when, how)
- The articles of the policies and code of conduct that are alleged to have been violated by the person involved
- A description of how the person's misconduct affected the situation, the Complainant or the witness
- A list of possible sources of evidence to support the claims:
 - o Witnesses, affidavits
 - o Documentation, correspondence
 - o Video recordings
- A summary of the actions taken before filing the complaint
- The status of the legal steps taken when the complaint was filed, if applicable
- Information about previous incidents concerning this person and experienced by the Complainant if applicable

Complaints should be filed within 120 days (about four months) following the incident. Depending on the gravity of the incident, however, complaints filed beyond this time frame may be admissible.

10. The procedures

Complaints should be directed to the independent third party using one of the three ways to file a complaint outlined in the Section 8 above. The recommended procedure for handling complaints is as follows:

Assessing the admissibility of a complaint

10.1 **Inadmissible** (e.g., administrative in nature, beyond his/her mandate, frivolous, vexatious, abusive or in bad faith): dismissal of the complaint and referral to the human resources committee or the CEO of the CDSA. If applicable, the person who makes a frivolous, vexatious, abusive or bad faith complaint is exposed to the consequences of such acts and therefore to a sanction.

10.1.1 Inform the Complainant and ask for his/her permission to refer the complaint to one of the following resources:

- Executive Director
- Human Resources Committee
- Athlete representative

10.1.2 If the Complainant approves, refer the complaint to the right resource

10.1.3 Resolve the complaint

10.1.4 Close the file

10.2 **Admissible: the process is initiated and the parties involved are informed Preliminary analysis and procedures**

10.2.1 The independent third party performs a preliminary analysis to determine the scope of the mandate to be considered. This includes consulting the parties involved to gather as much information as possible about the incident. When deemed necessary by the independent third party, an investigator from the Sport Dispute Resolution Centre of Canada may be appointed to meet with the persons involved and the witnesses to determine whether there has in fact been a violation of a CDSA policy. The complainant has the right to accept or decline the independent third party members' support through the process. Should the support be declined, the complainant will be directly referred to the SDRCC.

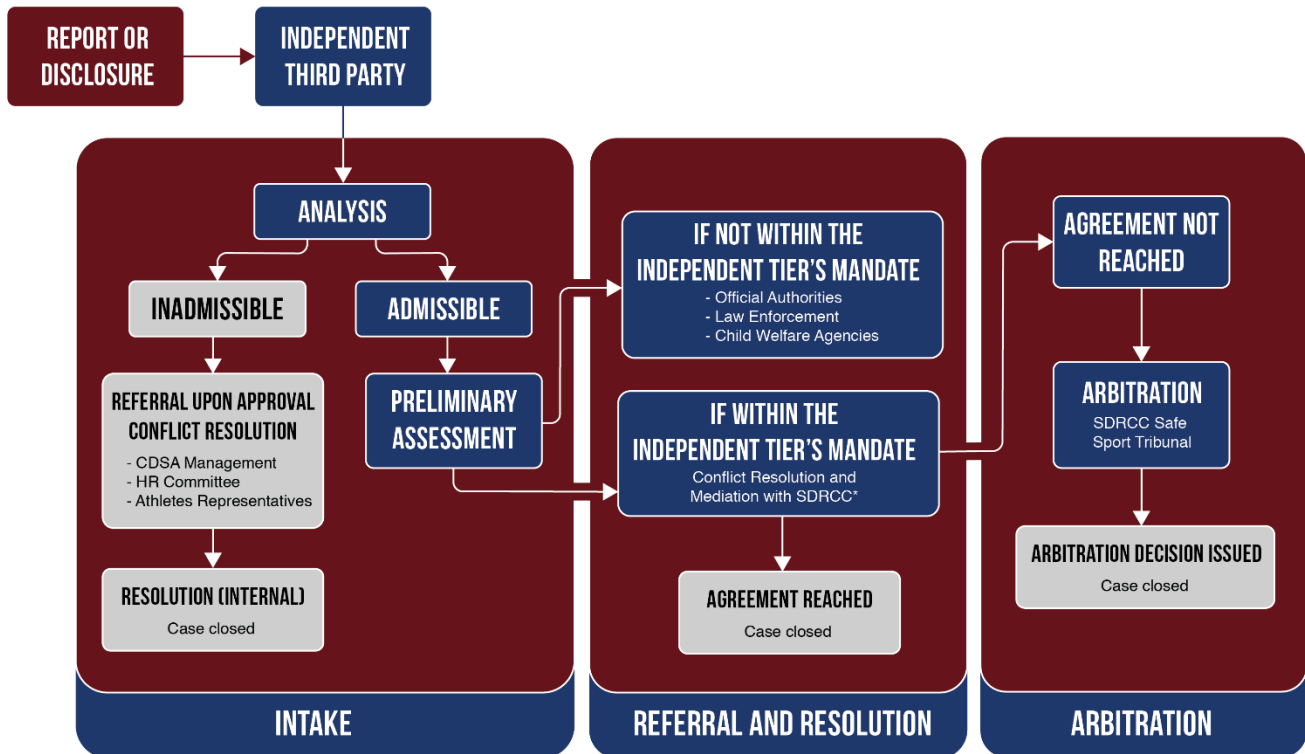
10.2.2 Before or after an investigation is conducted, the independent third party may ask the persons involved if they wish to take part in voluntary mediation. In such cases, mediation services are provided by the Sport Dispute Resolution Centre of Canada (SDRCC). If the parties reach an agreement to resolve the complaint, a settlement agreement will be drawn up by the appropriate person or organization and signed by the parties to end the process and close the file.

10.2.3 If the persons involved do not wish to take part in mediation, or if the mediation efforts have not been successful, the case is brought by the independent third party to the Protection Tribunal of the SDRCC. The Protective Tribunal arbitrator decides whether there has been a violation of a CDSA policy and, if so, what sanctions are justified. The arbitrator’s decision is final and subject only to an appeal to the Appeals Tribunal of the SDRCC.

10.2.4 Complaints beyond the purview of the independent third party (e.g., criminal charges, sexual abuse, etc.):

The independent third party refers the case to official and legal authorities (e.g., police, youth protection directorate, etc.). If it deems it appropriate in the circumstances, the independent third party may impose an interim sanction on the person who has allegedly violated a CDSA policy pending completion of the aforementioned authorities’ procedures. The person who is subjected to such a provisional sanction may challenge this decision before the Protection Tribunal of the SDRCC.

OVERVIEW OF THE COMPLAINTS RESOLUTION PROCESS



*SDRCC: Sports Dispute Resolution Centre of Canada

11. Post-complaint assessment

Following the resolution of the complaint, a report detailing the resolutions and decisions may be prepared by an independent third-party member. The independent third party may, if deemed appropriate, make recommendations to the CEO or directors of the CDSA to prevent further complaints of the same nature, either to clarify policies or improve procedures within the CDSA.

12. Incidents excluded from the process

Complaints relating to incidents that have occurred beyond events organized by the CDSA or events for which the CDSA is in some way responsible are excluded from this process.

13. The persons involved

All persons who have taken part directly or indirectly in the CDSA's activities and events, including, without being limited to:

- Deaf and hard-of-hearing athletes
- Coaches
- Support staff
- Members of the Board of Directors
- Volunteers
- Contractual staff

14. Preferred approach

A non-confrontational and non-aggressive approach that aims, above all, to prevent conflict is to be preferred at all times. The persons involved in the case, including persons who are most vulnerable, are entitled to the customary protections in accordance with the principles of natural justice granted to the person who is the subject of the complaint.

15. Additional information

The complainant has the right to request support from the person of their choice at any time during the process. The person who would be there as support could be from various communities, such as indigenous, Inuits, Black, racialized persons, queer, and others.

Two guidelines were developed for both the complainants and the accused, should any incident occur for which the victim wants to file a complaint. One of the guidelines was designed for the complainant, while the other one was designed for the accused. The purpose of these guidelines is to guide them throughout the complaints process.

Any decision made may be appealed. Policy No. 30-01 sets out the appeal procedures.

Terminology

Appeal	Lodging an appeal - Second degree court, responsible for judging appeals following decisions by lower courts.
Accused	Person to whom one imputes a fault, a misdemeanour, a crime.
Association	Group of people working toward a common goal.
Autonomy	Freedom, material, intellectual or moral independence of a person, a community or an organization.
Board of directors	Group of people empowered by company shareholders to provide management guidance.
Universal Code of Conduct to Prevent and Address Maltreatment in Sport (UCCMS)	The Code of Conduct serves as the basis for the development of a coordinated implementation strategy to prevent and address abuse at all levels of the Canadian sports and for all participants (athletes, coaches, officials, administrators, practitioners, etc.).
Discipline	<ol style="list-style-type: none"> 1. Set of rules of conduct imposed on a person or a group. 2. Punishment imposed on persons who do not observe rules.
Evaluation	Action of evaluating and estimating the seriousness of a situation or the nature of a problem.
Incident	Unforeseen situation that arises during an action or an operation.
Mediation	Intervention designed to help two parties reach an agreement.
Member	Person or subgroup that is part of a group.
Parties	Person or group taking part in legal action or in an agreement.
Person involved	Person involved in the incident that leads to the situation.
Complainant	Person who has filed a complaint.
Complaint	Act by which a person brings to justice an offence of which he or she has been a victim.
Policy	Serves as a framework for an organization's practices.
Proof	What serves to establish that a fact is true.
Admissibility	The quality that makes something receivable or acceptable.
Sanctions	Result of someone's judgment about an issue or matter.
Witness	Person who has seen or heard something.
Independent third party	Group consisting of people who have no conflict of interest.
Sport Dispute Resolution Centre of Canada (SDRCC)	A key source of information regarding prevention and dispute resolution at the highest levels of Canadian sports.