

INTEGRITY UNIT

Terms of Reference

FIH Integrity Unit

March 2019

1. ROLE & RESPONSIBILITIES

- 1.1 The FIH shall establish an FIH Integrity Unit (the "**FIU**") with a standing panel of between five (5) and seven (7) members. Individual panels may be appointed to investigate cases and shall be called '**Integrity Panels**'.
- 1.2 The role of the FIU is to protect the integrity of the sport of hockey. It shall have the following specific responsibilities:
 - (a) to provide assistance on integrity matters and good governance to the FIH;
 - (b) to ensure persons covered by the FIH Integrity Code (the "**Code**") are advised on the proper interpretation and application of the Code (and more generally to raise awareness in respect of integrity matters);
 - (c) to monitor the development of integrity issues and recommend updates to the Code;
 - (d) to appoint panels to carry out investigations into suspected breaches of the Code, and to prepare a Notice of Charge where it determines that a person covered by the Code has a case to answer for breach of the Code;
 - (e) to recommend amendments to the Code with the Executive Board; and
 - (f) to carry out such other responsibilities as may be allocated to it by the FIH from time to time.
- 1.3 The FIU shall operate independently from the FIH, in accordance with the Code (and other applicable regulations). Without prejudice, thereto:
 - (a) the FIH may reimburse FIU members reasonable expenses related to their services as members of the FIU; and

- (b) the FIU will report to the Executive Board annually.

2. MEMBERSHIP

- 2.1 FIU membership shall be comprised of between five (5) and seven (7) independent members recognised for their experience in governance and integrity matters.

3. APPOINTMENT & TERM

- 3.1 The FIH President, CEO and Chair of the Governance Panel will be responsible for recruiting and recommending members (including a chairperson and vice chairperson) to the Executive Board. The Continental Presidents will recommend candidates meeting the required criteria. As part of the recruitment process, vacancies can be publicly advertised (with role descriptions) on the FIH website and/or other recruitment websites.
- 3.2 The Executive Board will formally appoint the members based on the recommendation of the FIH President, CEO and Chair of the Governance Panel.
- 3.3 The Executive Board shall appoint one (1) member as the FIU chairperson and one (1) member as the FIU vice chairperson. .
- 3.4 The Executive Board shall aspire to have 50/50 gender representation on the FIU, in line with the FIH Gender Equality Policy.
- 3.5 Each FIU member (including the FIU chairperson and FIU vice chairperson) will be appointed for a term of four years, save that FIU members may be appointed for fixed terms of less than four years where they are appointed for the sole purpose of assisting with a particular investigation. FIU members may be re-appointed by approval of the Executive Board for a maximum of 3 terms of office.

4. FIU CHAIRPERSON

- 4.1 The FIU chairperson has the following responsibilities:

- (a) to chair meetings of the FIU;
- (b) to analyse all complaints or denunciations brought to his attention via the confidential email whistleblowing@fih.ch or the FIH CEO;
- (c) to appoint FIU members to Integrity Panels (as set out in Article 8.1);

- (d) to co-opt (with Executive Board approval) other persons on to the FIU and/or Integrity Panels when additional skills or resources are required that the standing members of the FIU cannot supply;
- (e) to be the lead representative for the FIU;
- (f) to be a spokesperson for the FIU;
- (g) to cooperate with other sports organisations and authorities in respect of integrity-related matters; and
- (h) to lead the work of the FIU, ensuring that it implements good governance practices, meets its obligations and responsibilities and acts within its powers.

4.2 The FIU chairperson may delegate some of his duties to the vice chairperson.

4.3 In the event that the FIU chairperson is unable or unwilling for any reason to undertake his duties, such duties will be delegated to the FIU vice chairperson.

5. OBLIGATIONS ON MEMBERS

5.1 FIU members agree to be bound by and to comply with the Code, the Committee and Advisory Panel protocols established by the Executive Board, and any other applicable FIH regulations.

5.2 FIU members must disclose without delay any conflicts of interest that they might have in relation to any matter being considered by the FIU or any Integrity Panel. Unless and until the conflict of interest is cleared, the FIU member concerned must not be involved in any discussions, voting or deliberations relating to that matter, and must not receive any information related to that matter. The other FIU members are collectively responsible for determining whether the FIU member has a conflict of interest. Unless the other FIU members unanimously determine that there is no conflict of interest, the person concerned will not be permitted to vote on any resolution of the FIU or sit on the Integrity Panel (as applicable). Any member of an Integrity Panel who is not able to participate in an investigation due to a conflict of interest will be replaced by another FIU member.

6. REMOVAL AND REPLACEMENT

6.1 In the event of death, resignation or inability of a member to perform his or her functions, the Executive Board may designate a replacement member for the remaining period of that member's term. Where possible, the FIH President, CEO

and Chair of the Governance Panel should conduct a formal recruitment for the role, but such process is not required in cases of urgency.

- 6.2 The Executive Board may by a Special Majority remove an FIU member where it considers that the FIU member's conduct has brought the FIH, Hockey or sport generally into disrepute. Where it is alleged that an FIU member has breached the Code or any other relevant FIH regulations, the Executive Board may appoint a temporary FIU member to serve in his/her position until any related proceedings are concluded.
- 6.3 Save as set out in Articles 6.1 and 6.2, an FIU member once appointed may not be removed until the end of his or her term.

7. REFERRAL OF MATTERS TO THE FIU

- 7.1 All complaints or denunciations brought to the FIH's attention via the confidential email whistleblowing@fih.ch that might constitute a breach of the Code, and all acts or information brought to the FIH CEO's attention (or the FIH President's attention if the act or information concerns the FIH CEO) which might constitute a breach of the Code are to be referred to and then analysed first (at a preliminary stage) by the FIU chairperson.
- 7.2 In carrying out a preliminary analysis, the FIU chairperson will assess whether the FIU has *prima facie* jurisdiction to investigate the complaint and whether the complaint has any reasonable prospect of establishing one or more breaches of the Code. Where the FIU chairperson considers that the FIU does not have jurisdiction or where s/he considers that the complaint has no reasonable prospect of establishing one or more breaches of the Code, then the FIU chairperson may determine that the complaint will not be submitted to the FIU for determination in accordance with Article 8.1. Where a complaint is not pursued, the FIU chairperson must provide written confirmation to the FIU of his/her decision with reasons.

8. INTEGRITY PANELS

- 8.1 When the FIU chairperson deems it necessary, including where s/he finds (pursuant to Article 7.2) that the FIU has *prima facie* jurisdiction to hear the complaint and the complaint cannot be said to have no reasonable prospect of establishing one or more breaches of the Code, s/he is responsible for selecting three FIU members (which may include him/herself) to conduct an investigation into a matter arising under the Code, with one panel member being appointed as panel chair (each, an "**Integrity Panel**"). The selection of FIU members for any investigation will be based on a system of rotation and availability.
- 8.2 Decisions of any Integrity Panel to issue a Notice of Charge in relation to a breach of the Code must be unanimous.

- 8.3 Integrity Panels may obtain independent legal advice in respect of any legal matters arising during any investigation. The FIH shall pay the related costs.
- 8.4 All matters relating to ongoing investigations are confidential (save as provided under the Code).
- 8.5 An Integrity Panel shall regulate its own procedures as it sees fit.

9. MEETINGS

9.1 FIU General meetings:

- 9.1.1 Upon request to the FIH , the FIU will hold a general meeting at once every year to discuss developments in sports governance, past cases considered by Integrity Panels, suggested amendments to the Code, and/or any other matters relevant to its responsibilities. Additional general meetings may be called at any time by the chairperson or any two FIU members. Subject to these terms of reference, the FIU shall regulate its own procedure.
- 9.1.2 The required quorum for FIU general meetings is five (5) members, with the majority being independent members.
- 9.1.3 If necessary and/or appropriate, the FIU may invite the FIH President and/or CEO, other FIH Committee members and/or FIH staff to attend general meetings, or parts thereof, provided that they attend in a non-voting capacity and are not present during any discussions relating to ongoing investigations/cases.
- 9.1.4 Each FIU member shall be entitled to one vote on each resolution of the FIU. All resolutions of the FIU shall be carried by simple majority unless expressly specified otherwise in these terms of reference or the Code.
- 9.1.5 The FIU chairperson shall not have a casting vote in the event of a tie in votes and any tied vote on a resolution will not be carried. Voting at FIU meetings shall be by voice. Proxy voting is not permitted.
- 9.1.6 A resolution in writing signed or consented to by email, facsimile or other form of electronic communication by all FIU members shall be valid as if it had been passed at an FIU general meeting.

9.2 Integrity Panel meetings:

- 9.2.1 Members of any Integrity Panel appointed to conduct an investigation into a breach of the Code may meet as often as they deem necessary to fulfil their responsibilities.
- 9.2.2 If necessary and/or appropriate, the Integrity Panel may invite interested parties and/or relevant experts to attend Integrity Panel meetings.

9.3 Location of meetings:

- 9.3.1 Any one or more members of the FIU and any Integrity Panel may participate in meetings without being physically present. Such meetings may be held by telephone or video conference, provided that members participating remotely may be heard effectively.

9.4 Minutes:

- 9.4.1 Minutes of any meetings of the FIU and any Integrity Panel shall be prepared. At a minimum, the minutes shall include the names of attendees and any decisions/recommendations agreed. Unless determined otherwise by the FIU or Integrity Panel (as applicable), the minutes of any such meetings shall remain confidential.

REPORTING TO THE EXECUTIVE BOARD

The FIU must prepare and circulate a written annual report on its activities, and the FIU chairperson shall present that annual report to the Executive Board.

10. ADMINISTRATIVE SUPPORT

- 10.1 The FIH Head of Legal Affairs will be responsible for the administrative organisation of the FIU, as well as providing administrative support to the FIU, as necessary. This includes monitoring the whistleblowing@fih.ch email account for any matters concerning integrity, and forwarding relevant emails to the FIU chairperson/members (as appropriate).