

FÉDÉRATION INTERNATIONALE DE GYMNASTIQUE



Guidelines for the National Federation Template Safeguarding Policy and Procedures

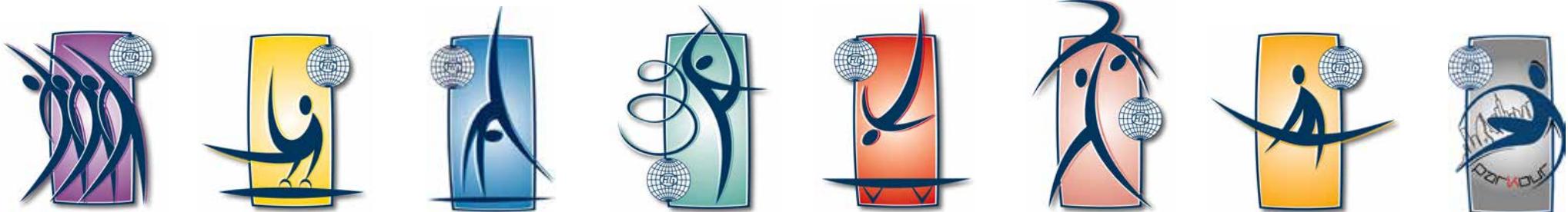




These Guidelines have been developed to assist the member federations of the FIG to develop and implement their own policy and procedures for Safeguarding and should be used in conjunction with the NF Policy Template. We have also included a “Key stages in reviewing and implementing a safeguarding policy” document to assist you in the development of your policy.

The Working Group appointed by President Watanabe have authored this document and presented this and other key information at the Safeguarding Workshop of the 82nd Congress held in Baku, Azerbaijan, Dec. 2-3, 2018.

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Context and Explanation

The FIG Policy for Safeguarding in Gymnastics, approved by the Executive Committee requires that all National Federations (NF's) develop and implement Policies and Procedures for Safeguarding and Protecting Participants from Harassment and Abuse, that are in line with the standards of FIG Policy and Procedures.

The **FIG Policy and Procedures** indicate that the National Federations, as members of FIG in good standing are responsible for:

- Developing and implementing a Policy and Procedures for safeguarding and protecting participants from harassment and abuse;
- Ensuring such policy and procedures are in line with the standards of FIG Policy and Procedures;
- Ensuring all participants in gymnastics, are aware and follow the FIG Code of Conduct;
- Advising the Gymnastics Ethics Foundation and the FIG of any disciplinary sanction imposed by the NF relating to an incident that occurred at a FIG event that was dealt with by the NF or where an NF has suspended or expelled an NF member who has or may participate in FIG or other NF activities
- Informing the Gymnastics Ethics Foundation and the FIG on a 'need to know' basis of any NF suspensions if it is reasonably believed that the individual could present a risk to participants in gymnastics outside the NF concerned.

The National Federation (NF) guidelines and template are designed to assist NF's. Many federations have some policy in place and may add aspects contained in this document. It is particularly intended for those federations without any existing policy, to enable all members to meet this requirement.

If the NF operates under the jurisdiction of a National Olympic Committee (NOC), it is likely that it will be required to comply with their rules.

For smaller federations, it may be more appropriate to develop a general policy as an NF which includes statements that NOC policies and procedures are being followed in response to safeguarding concerns which should be in line with IOC Policy and Procedures.

It is also acceptable for NOC's to take responsibility for some elements of the procedure e.g. disciplinary and appeals.

This guideline and template are developed to point out any essential legal requirements to which they are subject. The template includes suggested wording for NF's that wish to integrate existing policy and procedures. Federations should edit as required by their laws and culture.

The template wording is split into the sections set out below. As further guidance to assist federations to understand this document, to align it with the national sporting context, legal authorities or cultural requirements, explanations and suggestions are made in the boxes right beside the actual policy and procedure statements.

Spheres of Responsibility for Athlete Protection



Part 1 - Policy

1.0 INTRODUCTION

1.1 [Insert name of NF] is committed to safeguarding and protecting our athletes from harassment and abuse (described collectively as non-accidental violence) and ensuring that all participants are treated fairly and respectfully. We recognise that the welfare of our gymnasts is paramount and put their safety and well-being at the center of everything we do.

1.2 Everyone has the right to participate in gymnastics in an environment free from non-accidental violence irrespective of their race or ethnic origin, religion or beliefs, culture, gender, sexual orientation, age, disability socio-economic status, physical attributes, and athletic ability. Article 19 of the United Nations Convention on the Rights of the Child enshrines the right for all children (defined as anyone under the age of 18) to be safe from violence.

[Optional]

1.3 Although [Insert name of NF] has robust procedures in place to safeguarding and protect children from abuse, it is now well established that elite athletes, irrespective of their age, are particularly vulnerable to all forms of non-accidental violence.

1.4 [Insert name of NF] recognises that the prevention of harassment and abuse in sport requires a systematic and coordinated approach both nationally and internationally, working together with [insert details of any relevant professional bodies and public authorities]. The effectiveness of safeguards is dependent on ensuring athletes and other participants are involved and engaged and receive appropriate training and support.



The policy sets out your NF's commitment to safeguarding and the specific action that your NF and its participants will take.

You need to ensure you are clear about what the policy is for and your NF position. You should set out why the policy is required and include the following:

- The importance of Safeguarding (1.1).*
- The right to be protected from harassment and abuse (the wording used is in accordance with the Universal Declaration of Human Rights) and specific rights of children. (1.2)*
- Reference to any existing safeguarding children policy organisations that already have a policy in place.*
- You may also wish to make reference to the benefits of having safeguarding policy in place such as retention of participants in the sport, improved performance, confidence and self-esteem.*
- An official endorsement and commitment from the highest level of your organisation and the need to involve everyone. (1.4)*

2.0 BACKGROUND

- 2.1 Non-accidental violence includes all forms of harassment and abuse and takes place worldwide in all cultures and environments. Evidence of recent and non-recent incidents of harassment and abuse indicate it occurs at all levels of sport.
- 2.2 Although any sport participant can experience non-accidental violence, sport-based research confirms that athletes are particularly at risk and some groups are more vulnerable than others. This includes elite athletes and disabled athletes, especially if they are children.
- 2.3 The risk of harassment and abuse increases when there is a lack of protective measures in place that may mean that those who could have the motivation to harass or abuse can do so without restriction.
- 2.4 Abuse and harassment can have significant long-term negative impacts on athlete participation and performance as well as general health and well-being, particularly if the athlete has not been able to disclose their experiences or access support.
- 2.5 All sports organisations have an important leadership role in embedding a no-tolerance approach towards all forms of harassment and abuse. The International Olympic Committee (IOC) Consensus Statement: Harassment and Abuse in Sport (2016) highlights that “It is incumbent upon all stakeholders in sport both to adopt general principles for safe sport (...) and to implement and monitor policies and procedures for safe sport (...) which state that: all athletes have a right to be treated with respect, protected from non-accidental violence (...)"
- 2.6 In addition, the IOC Basic Universal Principles of Good Governance encompass safeguarding and makes it compulsory for organisations that belong to the Olympic movement to adopt these principles, implement relevant measures and monitor compliance.
- 2.7 The Federation Internationale de Gymnastique (FIG) is committed to the principles of safe sport and good governance and has developed policy for the prevention of abuse and harassment within gymnastics which requires each member federation to adopt and implement their own suitable policy and procedures, either independently or in partnership with the relevant National Olympic Committee (NOC) or the relevant government organisation.

Optional

What you decide to include in 2.2. may depend on your legal and national context. You may wish to expand on the groups who may be particularly vulnerability to harassment and abuse. Research also confirms that lesbian, gay, bi-sexual and transgender (LGBT) athletes and minority ethnic communities are also more vulnerable to abuse.

This section sets out the key background to harassment and abuse in sport. You can find the specific references to key research in the [IOC Safeguarding Athletes from Harassment and Abuse in Sport Toolkit](#) (pp. 12-13)

This section should reference any relevant organisations that have an influence on your NF policy. The policy template refers to the work of the IOC in this area but you can add/amend as required to include any NOC or applicable laws or government guidance that are relevant to your country.

3.0 DEFINITIONS

3.1 Harassment and abuse can be expressed in five forms which may occur in combination or in isolation. These are defined in the IOC Consensus Statement (2016) as follows:

3.1.1 Psychological abuse

Any unwelcome act including confinement, isolation, verbal assault, humiliation, intimidation, infantilization, or any other treatment, which may diminish an individual sense of identity, dignity and self-worth

3.1.2 Physical abuse

Any deliberate and unwelcome act – such as punching, beating, kicking, biting, and burning – that causes physical trauma or injury. Such acts include forced or inappropriate physical activity (e.g. age, or physically inappropriate training loads, when injured or in pain), forced alcohol consumption or forced doping practices.

3.1.3 Sexual harassment

Any unwanted and unwelcome conduct of a sexual nature, whether verbal, non-verbal or physical. Sexual harassment can take the form of sexual abuse.

3.1.4 Sexual abuse

Conduct of a sexual nature, whether non-contact, contact or penetrative, where consent is coerced/ manipulated or is not or cannot be given.

3.1.5 Neglect

The failure of a coach or other person with a duty of care towards the athlete to provide a minimum level of care, which may cause harm, allow harm or create an imminent danger of harm.

3.2 Harassment and abuse can be based on any grounds including race or ethnic origin, culture, religion or belief, gender, sexual orientation, age, disability socio-economic status, physical attributes and athletic ability. It can include a one-off incident or a series of actions. It may be in person or online. Harassment may be intentional, unsolicited and coercive.



You must include the definitions used in the FIG Policies as a minimum to ensure a consistent interpretation across gymnastics but you can expand this section to reference specific national legal definitions.

- 3.3 Harassment and abuse often results from an abuse of authority, meaning the misuse of power by people in positions of trust, influence or authority (perceived or actual) against another individual.
- 3.4 Some athletes may also carry out acts of harassment and abuse. For young people under the age of eighteen, peer abuse describes incidents when an athlete is exploited, bullied and/or harmed by another athlete or group of athletes of similar age.
- 3.5 The means and methods by which harassment and abuse is carried out include: contact, non-contact, verbal and via electronic communications. It may involve deliberate acts as well as failure to act and omissions or may take the form of bullying or hazing which are defined as follows:

3.5.1 Bullying

Intentional behaviour usually repeated over time that hurts another individual or group.

3.5.2 Hazing

Hazing behaviours are known to occur in many different types of social groups, including sports teams as a way of initiating a new person when they join the group or want to be socially accepted by their peers.

- 3.6 Both bullying and hazing may take many forms and involve various mechanisms as outlined above.
- 3.7 Harassment and abuse is more likely to occur in an environment where poor practice, which is defined below, is not immediately challenged.

3.7.1 Poor Practice

Behaviours or inaction which may not always be immediately harmful, but which fall below the required standards and/or code of conduct and should be addressed. Some poor practice may lead to suspicions about an individual's motivation, even where no harm is intended e.g. being alone with a child, excessive or inappropriate touching etc.





4.0 PURPOSE

4.1 The overall purpose of the policy is to ensure athletes and others taking part in gymnastics can do so without fear of harassment or abuse. The key objectives of the policy are to:

- 4.1.1 Ensure everyone in gymnastics understands that all forms of non-accidental violence are unacceptable and will not be tolerated.
- 4.1.2 Enable anyone who has witnessed or experienced harassment or abuse within gymnastics to report the incident without fear of victimisation or retaliation.
- 4.1.3 Ensure an appropriate and co-ordinated response to any incidents of harassment or abuse within or connected to participation in gymnastics, irrespective of whether they arise at national or international level.
- 4.1.4 Implement effective measures that minimise the likelihood of incidents of harassment and abuse arising.





5.0 SCOPE

- 5.1 This policy applies to all athletes, members of the athlete entourage including but not limited to coaches, trainers, judges, agents, medical personnel and any individuals acting on behalf of **[Insert name of NF]** such as directors, officials, administrators or members whether employed, contracted or voluntary (herein referred to as a “participants”).
- 5.2 The policy applies specifically to any incidents of harassment and abuse that occur during or connected to participation in any **[Insert name of NF]** regulated activities or connected to any activities where the participant is representing **[Insert name of NF]**.



This section identifies the specific groups of people and the activities to which the policy applies. You may wish to reflect any specific exclusions that apply in to your NF context.

You may wish to limit the policy to the protection of athletes, particularly if other participants are covered by relevant legislation or other NF policy e.g. equality or employment law or child protection policies.

If you do decide to limit protection to a specific group, you must still ensure your policy applies to anyone involved with your NF that might attend an FIG event in an official capacity so that you establish jurisdiction to take disciplinary action, where required.

As a minimum your policy needs to protect all athletes that are part of your national programmes who could participate in FIG events. You may wish to cover other groups e.g. clubs, or reference the specific needs of different groups e.g. women or children etc.

[Optional]

5.3 Where a participant is under a contract of employment with [Insert name of NF] and an incident of harassment or abuse occurs relating to their employed role, the employment procedures will apply. However, where a participant is sanctioned under employment procedures, this can be addressed under these procedures to the extent that it impacts on the participant's suitability to continue to participate outside of their employment relationship.

5.4 Any incidents of harassment or abuse that are perpetrated against a child must be report to [insert details of the relevant Child Protection Authorities] in accordance with [insert any legal requirements relevant to your county or relevant NF policy for safeguarding children].

5.3 Provides suggested wording to NFs that have existing procedures in place for employees. It is essential that you always conclude your decision-making under this policy, even if an employee offers to resign.

5.4 provides suggested wording for NFs where there are different procedures which they must follow relating to allegations of child abuse



6.0 ROLES & RESPONSIBILITIES

6.1 [Insert name of NF] accepts our responsibility to implement safeguarding arrangements and procedures to protect all participants from harassment and abuse and will:

- 6.1.1 Provide effective leadership to promote and implement the policy and embed a no-tolerance approach to harassment and abuse;
- 6.1.2 Identify a competent person(s) to assess and respond to safeguarding concerns;
- 6.1.3 Develop and implement a code of conduct which establishes behaviours and boundaries by which all participants, no matter how senior, are held to account;
- 6.1.4 Ensure all participants understand and abide by [Insert name of NF] policy, procedures and code of conduct;
- 6.1.5 Ensure all participants understand and comply with the FIG policy, procedures and code of conduct when representing [Insert name of NF] at FIG events;
- 6.1.6 Ensure everyone is provided with appropriate training to recognise, identify and respond to signs of harassment and abuse;
- 6.1.7 Share information with relevant stakeholders, including [insert details of relevant law enforcement and child protection agencies in your country] and the FIG;
- 6.1.8 Respond to all incidents or concerns, and provide appropriate support to the individual(s) involved, including the person who reported the concern;
- 6.1.9 Ensure that confidential, detailed and accurate records of all concerns are maintained and securely stored; and
- 6.1.10 Ensure robust safeguarding arrangements and procedures are in place (see check-list) including background checks to prevent unsuitable individuals from being appointed to a position of authority.



This section identifies who is responsible for what.

6.1 *sets out the roles and responsibilities of the NF. It covers the steps the NF will take to put policy into practice within all levels of the organisation and within all policies and procedures. You should ensure this aligns with any legal requirements to which your NF is subject.*



[Optional]

Clubs

6.2 Each Club should/must ensure:

- 6.2.1 Effective arrangements are in place to protect participants from harassment and abuse within the club environment;
- 6.2.2 Everyone involved is aware of the reporting procedures harassment and abuse concerns and any concerns are reported to [insert details]
- 6.2.3 Any participant who is representing the club at an [Insert name of NF] event understands and complies with [Insert name of NF] policy, procedure and code of conduct.

Optional

If you have clubs or other gymnastics associations that affiliate to you, you can include any specific responsibilities for these organisations. 6.2 provides some examples.



All Participants

- 6.3 All participants must comply with [Insert name of NF] policy and code of conduct and specifically not engage in, allow, condone, or ignore incidents of harassment and abuse and be supportive of other participants who report concerns.
- 6.4 Any participant who has reason to believe that another participant has or is experiencing harassment and abuse connected to their role in the sport has a duty to report it to [insert name of national federation].
- 6.5 Failure to comply with the policy and procedures will be investigated and may ultimately result in disciplinary action against the individuals concerned.

6.3 sets out the specific responsibilities that apply to all participants (or members).

7.0 MONITORING & REVIEW

- 7.1 The policy will be reviewed to ensure it continues to meet our responsibilities as a national organisation and to reflect any relevant changes in the environment in which we operate and any significant incidents in the sport.

This section sets out how the policy will be monitored and when it needs to be reviewed to ensure it is effective in achieving its core purpose and remains relevant/current and in line with any legal and regulatory requirements.

Part 2 - Procedure for reporting and responding to abuse

1.0 INTRODUCTION

1.1 The following procedures apply to any incidents, concerns, allegations or disclosures of harassment and abuse brought to the attention of [Insert name of NF] (herein referred to as “complaints”).

The procedures should set out what to do in the event of a concern/allegation, both in and outside the sport/activity.

You must ensure your procedure is transparent, fair and reasonable in line. The right to a fair hearing is often enshrined in human rights legislation.

[Optional]

1.2 If a complaint of harassment or abuse is perpetrated by or against a child, any action taken must be in accordance with the [Insert name of NF safeguarding children policy and procedures]

[Optional]

1.2 provides suggested wording if you have a different procedure for child abuse concerns.

1.3 Where the alleged perpetrator is under the jurisdiction of another national federation, the matter will be reported by [Insert name of NF] to the FIG and the relevant NF or National Olympic Committee.

1.3 and 1.4 relate to incidents that may arise at international events that involve participants from different federations.

1.4 Any participant who has reported or experienced harassment or abuse involving a person or persons belonging to another organization or unconnected to the sport will be provided with support from [Insert name of NF].

1.4 highlights the NF responsibility to ensure NF participants are provided with support by their NF if they are affected by an incident of abuse at an NF regulated activity or when representing the NF.

2.0 REPORTING

2.1 Anyone can report an incident of harassment or abuse. Mechanisms for receiving the information are as follows:

2.1.1 In writing using the **[Insert name of NF]** template form

2.1.2 By phone or email to the NF

2.1.3 In person to the responsible person



This section sets out the how complaints/concerns can be made/raised e.g. by phone, in person, in writing (letter, email etc).

It is important that you identify at least one person with the overall responsibility for responding to concerns. The responsible person (or Safeguarding Officer) needs to have the appropriate experience and training in harassment and abuse.

Unless the NF has an established safeguarding team, the responsible person/safeguarding officer should ideally be independent from the organisation. If this is not achievable, they must be impartial and be empowered to act in accordance with the policy to fulfil their duties.

The responsible person/Safeguarding Officer should work closely with law enforcement and child protection authorities (where relevant), in cases where a criminal offence is suspected.

The NF may establish a group of people with relevant knowledge, skills and experience who are neutral and unbiased. This group is responsible for advising the person/Safeguarding Officer in the assessment of the incident and determining the jurisdiction, referral route and approach.

This approach offers a fair, open and transparent system that minimises the possibility of conflict of interest or bias affecting decision making.

3.0 WHISTLEBLOWING

- 3.1 Although incidents can be reported directly by the affected individual, the term “whistle blowing” is used to describe a complaint relating to the conduct of an individual made by someone other than the affected person.
- 3.2 **[Insert name of NF]** recognises that some individuals may be fearful of the consequences of making a complaint under these procedures, particularly where the perpetrator is in a position of authority. In these circumstances, where possible, the identity of the whistle blower will remain confidential.
- 3.3 Any person who makes a complaint in good faith must not be subject to reprisal or other adverse consequences because of submitting a report. These protections shall not apply to a person who intentionally makes a complaint that is false, vexatious, retaliatory or frivolous.



Whistleblowing guidelines encourage individuals to raise concerns of abuse and poor practice. They provide reassurance that the individual will be protected and supported by the organisation. The inclusion of such guidelines is important to support individuals with legitimate concerns who may be fearful of reprisals. Some NFs have or may wish to develop separate whistleblowing policies.



4.0 ASSESSMENT

- 4.1 Any complaints pursuant to this policy received by [Insert name of NF] will be referred to the responsible person(s) who is the first point of contact for complaints and concerns under this procedure.
- 4.2 The responsible person(s) will make an initial assessment of the Complaint to determine the nature of the concern and whether the matter relates to a Participant under [Insert name of NF] jurisdiction.
- 4.3 If the complaint is believed to be a criminal offence, the responsible person(s) will refer the matter to the Police and other relevant authorities and/or regulatory bodies without delay.
- 4.4 If the complaint is not considered to be a matter for the police, the responsible person(s) should:
 - 4.4.1 Refer the complaint to another organisation;
 - 4.4.2 Proceed with an internal investigation;
 - 4.4.3 Resolve the matter informally;
 - 4.4.4 Dismiss the complaint as unfounded or as insufficiently serious to require any action by [Insert name of NF].
- 4.5 The responsible person(s) will assess whether any of the affected parties require support and arrange for support to be provided where deemed appropriate.



This section should describes how a complaint/concern is assessed and how support can be accessed, which should be made available to all affected parties.

There is a NF template flowchart that illustrates the process from report to conclusion (ref. attached National Federation Flow Chart Template).

Both the procedure and flowchart can be adapted to reflect other related NF policy and procedures e.g. for child safeguarding or employment.

Some complaints or concerns that do not meet a criminal threshold can be resolved without recourse to formal procedures. If appropriate, you may wish to reference any available mechanisms/support to facilitate an early resolution in lower level concerns. (ref. 4.4.3)

5.0 INTERIM MEASURES

5.1 [Insert name of NF] may impose interim protective measures, including the suspension of the participant where one or more of the following circumstances applies:

- 5.1.1 The participant is believed to present a significant risk to other participants;
- 5.1.2 The reputation of the sport is at risk; and/or
- 5.1.3 The participants ongoing presence may hinder investigations.

This section sets out when it is appropriate to put in place a protective or 'without prejudice' suspension pending the outcome of the case.



6.0 INVESTIGATION

6.1 In most cases, [Insert name of NF] will delay internal investigations until the outcome of a criminal proceedings is known. Once a matter has been referred back from the police, the objective will be to conclude any investigations in a timely manner.

6.2 Where an internal investigation is required, the [Insert name of NF] shall instruct an independent investigator to carry out the investigation, in accordance with these procedures and to an appropriate timeline agreed by responsible person(s).

6.3 Where relevant, the investigator may request information from the police and any other relevant organizations.

6.4 The investigator may require written or oral representations from relevant parties, taking special care if interviewing vulnerable witnesses.

6.5 The investigator shall prepare a report and include all relevant evidence for consideration by the responsible person(s) who may determine that:

- 6.5.1 The matter is referred to an independent NF disciplinary panel for consideration;
- 6.5.2 Further investigations are instigated;
- 6.5.3 A risk assessment is completed;
- 6.5.4 Instructions, advice or guidance is provided to the relevant parties; and/or
- 6.5.5 No further action is taken.

This section sets out the procedure for investigations. You can adapt it to reflect your NF circumstances. It is important to be clear that your investigation should not compromise any ongoing criminal investigations. It is often appropriate to await the outcome of criminal investigation before proceeding with internal investigations (ref. 6.1).



7.0 DISCIPLINARY & APPEALS

- 7.1 Any disciplinary proceedings, including the right of appeal will be conducted in accordance with the [Insert name of NF] Code of Discipline/Complaints and Disciplinary Procedure].
- 7.2 The standard of proof for such proceedings is the civil standard of balance of probabilities. Consequently, [Insert name of NF] may seek to take disciplinary action irrespective of the outcome of any criminal proceedings.
- 7.3 The NF will provide appropriate support and guidance to ensure all participants understand the disciplinary and appeal procedures, especially if children are involved.

A disciplinary code/procedure sets out the process to manage alleged breaches of codes of conduct, policy/rules and/or poor performance. Disciplinary procedures must be fair and reasonable. The key points of a fair process are that the individual should understand the case against him/her, have an opportunity to state their case and should be given an opportunity to appeal the decision.

A disciplinary code/procedure would normally set out the type of conduct that might lead to disciplinary action and may include possible sanctions/actions.

If you do not have a code of discipline in place, the FIG Code of Discipline can be used as a guide.

8.0 SANCTIONS

- 8.1 Where it is determined that harassment and abuse has been committed, the [insert name of disciplinary body who dealt with the matter] shall impose an appropriate sanction upon the Participant.
- 8.2 [Insert name of disciplinary body] may consider, singly or in combination, depending on the nature and severity of the conduct and whether there are any aggravating and mitigating circumstances the following:
 - 8.2.1 Written or verbal apology;
 - 8.2.2 Formal warning;
 - 8.2.3 Fine;
 - 8.2.4 Risk assessment;
 - 8.2.5 Training and/or supervision
 - 8.2.6 Temporary suspension
 - 8.2.7 Termination of [membership, licence, agreement or contract]; or
 - 8.2.8 Any other sanction that the [insert the name of the disciplinary body] considers appropriate in the circumstances.



- 8.3 Anyone who have been found to have harassed or abused another participant will have the right to appeal against the decision. Appeals must be made in writing to the [insert title] within [insert permissible time-period for appeal].

You may not need to specify sanctions in this policy if appropriate sanctions and the right of appeal are set out in your disciplinary code/procedure.

If you have a disciplinary code/procedure, this will usually set out the period in which an appeal must be submitted e.g. the FIG Code of Discipline requires appeals to be submitted in writing within 21 days of the decision.



9.0 NON-RECENT INCIDENTS

- 9.1 Serious allegations of sexual abuse may be made some time after the event. Where a non-recent allegation is made, the safeguarding manager should:
 - 9.1.1 Clarify whether there is a current risk to participants; and
 - 9.1.2 Advise the individual of their right to make a formal complaint to the Police.
- 9.2 This policy does not apply any specific limitations periods for sexual abuse and any serious allegation of non-recent abuse will be treated in accordance with these procedures.

This section reflects that allegations of sexual abuse are often reported many years after the actual incident(s). You may wish to reflect any applicable time limits for bringing criminal charges in your country which may not apply if the incident took place abroad.



10.0 CRIMINAL CONVICTIONS & FINDINGS OF FACT

- 10.1 [Insert name of NF] shall establish that an incident of harassment and abuse has occurred where:
 - 10.1.1 An NF participant is convicted of a criminal offence; or
 - 10.1.2 The FIG [or a gymnastics organization affiliated to the NF or another recognized regulatory body] has determined that an allegation(s) of harassment or abuse against an NF participant is/are proven.
- 10.2 The [Insert name of NF] Disciplinary body] having considered any representations made by the participant and any other affected parties may determine that it is appropriate to impose a sanction relating to NF activities.
- 10.2 The [Insert name of NF] Disciplinary body] may apply the FIG sanction to some or all NG activities or determine its own sanction(s). Any sanction imposed by the NG shall be subject to a right of appeal in accordance with the NF Code of Discipline/Disciplinary procedures.

This section enables you to determine sanctions without need for a full disciplinary hearing. You should reference your own or NOC disciplinary code/procedures.



11.0 CONFIDENTIALITY

11.1 [Insert name of NF] recognizes the sensitive and serious nature of harassment and abuse and will strive to keep all matters relating to a complaint confidential. Information will only be disclosed to those organisations and individuals on a “need to know” basis. Anyone who is party to information involved must also ensure that confidentiality is maintained unless the information becomes a matter of public record.



It is important to ensure that your policy meets the requirements of any applicable law in respect of confidentiality and data protection.



12.0 RETENTION OF RECORDS

- 12.1 Any information relating to complaints of non-accidental violence will be stored securely.
- 12.2 Any information about poor practice or complaints about harassment and abuse that may indicate that a participant in a position of trust is unsuitable to work or volunteer in the sport will be retained for as long as the participant remains active in the sport or for 10 years, whichever is longer, even if it were not possible at the time that the information was first reported to instigate any formal proceeding.
- 12.3 Any other records relating to other complaints will be retained for a period of [3 years] unless a similar complaint arises within that period.
- 12.4 Any records relating to disciplinary action taken by [Insert name of NF] should be retained in accordance with the retention periods set out in the [Insert name of NF] [insert name of Code of Discipline/Complaints and Disciplinary Procedure].



It is important to ensure you maintain appropriate records irrespective of the decision as they may be important if additional concerns are reported in the future. The retention of records is subject to applicable data protection law.



13.0 INTERDEPENDENT/RELATED POLICIES

13.1 The following are the key policies that are directly relevant to the provisions contained in this policy:

- 13.1.1 Safeguarding and Protecting Children Policy
- 13.1.2 Code of Ethics
- 13.1.3 Safe Recruitment/Use of Criminal Record Checks
- 13.1.4 Health, Safety & Welfare Policy
- 13.1.5 Equality Policy
- 13.1.6 Complaints and Disciplinary Policy
- 13.1.7 Data Protection Policy
- 13.1.8 Employee Handbook]

*The policies set out in the template are included as examples.
You should amend this to align with your organisation policies.*



14.0 TERMINOLOGY

The terms used in this policy shall be interpreted as follows:

Balance of probability – means that it is more likely than not that a particular event or set of events occurred. This standard of proof is lower than the standard required from criminal conviction which usually requires proof beyond reasonable doubt.

Regulated activity – means any activities or events under the direct jurisdiction of [\[Insert name of NF\]](#).

Risk Assessment – shall mean the assessment of the risk posed to participants by individuals who have been alleged or proven to have committed harassment and abuse and considering the capacity of the [insert the name of the NF and the club (if relevant)] to protect participants. In more generally terms, risk assessment involves identifying ways that people can be harmed and deciding what are the reasonable steps that need to be taken to prevent that harm.

Stakeholder – means a person, group or organization that has interest or can affect or be affected by the policy and procedures. Key stakeholders include gymnasts, parents, clubs and coaches.

*This section explains the key terms used in the policy.
You should include any other additional terminology referenced in your document.*



National Federation Flow Chart

