

## Legal Framework

# Building European Safe Sport Together: Safeguarding Operational and Legal Framework for Sports Events

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## Table of contents

<b>Project Introduction</b> .....	<b>5</b>
What is the BESST Project?.....	5
Summary of Project Material .....	5
<b>Context</b> .....	<b>7</b>
Explanations on how to use the Framework.....	8
<b>Part A: Transgressive Behaviour Event Checklist</b> .....	<b>9</b>
<b>Part B: Operational Templates for Events</b> .....	<b>12</b>
a. Guidelines: Roles and Responsibilities .....	12
b. Template: Safeguarding Contact Form .....	17
c. Template: Safe Recruitment Form .....	18
d. Template: Consent Form .....	19
e. Template: Incident Report Form .....	22
f. Guidelines: Online/Cyber Protection and Safety Policy .....	25
<b>Part C: Legal Framework for Events</b> .....	<b>27</b>
Preamble.....	27
Definitions.....	28
Scope.....	30
Violations .....	30
Aid, abetment or attempt.....	31
Retaliation and victimisation .....	31
Cooperation with an investigation .....	31
Obligation to Report .....	31
Obligations of Event Organisers .....	32
Establishment of a Reporting Mechanism .....	32
Establishment of Safeguarding Roles and Responsibilities .....	32
Procedures for Fact-Finding Inquiries .....	32
Safeguarding Committee .....	33
Composition of the Committee.....	34
Coordination with statutory investigations .....	34
Rights of the concerned person .....	35
Burden and standard of proof.....	35

Admissibility of Evidence .....	35
Confidentiality.....	36
Data protection.....	36
Anonymity.....	36
Legal standing .....	36
Protection of Whistleblowers.....	37
Provisional Measures.....	37
Hearing.....	37
Decisions .....	37
Sanctions.....	38
Mutual recognition of sanctions .....	38
Protection and Support .....	39
Statutes of Limitations.....	39
<b>Part D: Investigative Guidance and Templates.....</b>	<b>40</b>
a. Guidance for Interviews.....	40
b. Template: Cautioning a Suspect in a Fact-Finding Inquiry .....	42
c. Template: Cautioning a Witness in a Fact-Finding Inquiry .....	44
d. Template: Written Declaration .....	46

## Project Introduction

### What is the BESST Project?

This document is a part of the project Building European Safe Sports Together (BESST) funded by the Erasmus+ programme from the European Commission.

The BESST project was conducted by a consortium of 7 organisations: European Olympic Academies, IGNITX, NOC\*NSF, Olympic Committee of Slovenia, UEFA Foundation for Children, Windesheim University and Rudi Hiti Academy.

The project aimed:

1. To develop a modern definition of transgressive behaviour in sport, with an extensive literature review of the most recent studies.
2. To assess the statuses level of European sports organisations and event organisers.
3. To develop legal frameworks with policies and procedures proposal for European sports organisations.
4. To provide an awareness and education tool kit, facilitating the entities to use their communications channels to educate their communities about transgressive behaviour.

Visit the project website: [besst-safesport.eu](http://besst-safesport.eu)



### Summary of Project Material

This Legal and Operational Framework for Events is an outcome document of the Erasmus+ programme “Building European Safe Sport Together” (BESST) that provides a **legal and operation framework** for application by sports event organisers, particularly within Europe. An Assessment Report (Benchmark) was undertaken prior to the development of this Legal Framework that served to:

1. analyse regulatory frameworks collected in relation to the management of transgressive behaviour at sports events (including violations, reporting, sanctions, disciplinary procedures etc);
2. identify trends, good practices and challenges.

The Legal Framework for Events outlined below builds on the good practices identified in the Benchmark Report and aims to complement the Legal Frameworks for National Olympic Committees (NOCs) and National Federations<sup>1</sup> and the Legal Framework for Clubs<sup>2</sup> published as part of the BESST Project.

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<sup>1</sup> [WP2-Legal-Framework-for-NOCs-NFs\\_v3.pdf \(besst-safesport.eu\)](#)

<sup>2</sup> [besst-safesport.eu/wp-content/uploads/2024/09/WP2-Legal-Framework-for-clubs\\_v3.pdf](#)

## Context

During events, the pressure is high, there is frequently a lot of media attention with time, resources and capacity stretched thinly to ensure the successful delivery of an event. The Legal and Operational Framework provided below aims to provide template provisions for adaptation and adoption by sports event organisers such as international, regional and national federations and event organising committees in dealing with safeguarding issues specifically, or transgressive behaviour in general. The articles may be part of a risk management framework of an event or sports organisation with the purpose being to prevent others from suffering harm.

When instances of transgressive behaviour occur, it may be that an inquisitorial rather than an adversarial approach is taken, ensuring that a proportionate approach is taken to addressing wrongdoing. An adversarial approach is common in many legal systems, particularly in litigation or disciplinary settings, where there are clear sides (such as the accuser and the accused), and each side argues its case before a neutral party, such as a judge or a panel, who then makes a decision. While most sports organisations operate in this adversarial way, there is a need to integrate a trauma-informed approach that focuses on understanding and responding to the needs and rights of individuals, particularly those affected by harm, in a way that minimises further trauma.

Therefore, this Legal Framework seeks to balance the traditional adversarial process with more humane, rights-respecting practices, providing tools for prevention, response, and remediation in a sensitive manner for all affected parties. By ensuring a risk management approach to transgressive behaviour, the experts involved (such as the Event Safeguarding Officer) will assess the degree of risk posed by the transgressive and determine the appropriate prevention and readiness response.

All sports organisations and their events require a clear operational and legal framework to minimize the risk of transgressive behaviour in sport as well as address any instances of wrongdoing that may occur.

### How should this framework be understood?

The objectives of this Legal and Operational Framework for Events enables sports event organisers to:

- **Harmonise** rules for sports events: provide a framework for self-regulation and regulatory and operational guidance that can subsequently be tailored and adapted to event needs based on legal frameworks, cultural and linguistic requirements.
- **Provide complementarity** to existing standards and regulatory frameworks; provide an event specific framework that may also be used for sports organisations. It should be viewed alongside other relevant standards and regulatory requirements and international best practices.

- **Prevent** cases of transgressive behaviour through:
  - o Clear organisational roles, responsibilities and dedicated resources
  - o Specific templates and guidance.
- **Address** any cases that would occur during an event through clear legal and operational guidelines, including reporting and appeal procedures that ensure cases are dealt with in a proportionate, timely and efficient manner, ensuring that appropriate support is provided to anyone who has been affected by an incident.

## Explanations on how to use the Framework

The following describes the essential elements that all sports events, regardless of their size and nature, are recommended to have in place.

The document is divided into four parts:

### **Part A: Transgressive Behaviour Event Checklist**

### **Part B. Operational Templates for Events** including:

- a. Template: Roles and Responsibilities
- b. Template: Safeguarding Contact Form
- c. Template: Safe Recruitment Form
- d. Template: Consent Form
- e. Template: Incident Report Form
- f. Template: Online/Cyber Protection and Safety Policy

### **Part C: Legal Framework**

Including definitions, violations, burden and standard of proof, confidentiality, anonymity, protection of whistleblowers, appeal, sanctions, mutual recognition of sanctions etc.

### **Part D: Investigative Guidance and Templates**

- a. Guidance for Interviews
- b. Template: Cautioning a Suspect in a Fact-Finding Inquiry
- c. Template: Cautioning a Witness in a Fact-Finding Inquiry
- d. Template: Written Declaration criteria:



## Part A: Transgressive Behaviour Event Checklist

This checklist outlines key requirements to help ensure the safety of Covered Persons at sports events. It is recommended to maintain a Transgressive Behaviour Event Checklist throughout all stages of the event — bidding, planning, implementation, and legacy — to support continuous improvement. This checklist also defines the roles and responsibilities of all involved parties. Each item cross-references relevant sections in the Building European Safe Sport Together (BESST)- Safeguarding Legal Framework for Sports Events, which provides detailed guidance and adaptable templates.

Action	Details	Relevant section in Document	Person Responsible	Phase of completion (Not started, ongoing, completed)
<b>Event Plan</b>	Include safeguarding in the Event Masterplan			
<b>Risk Assessment</b>	Conduct a risk assessment to cover all potential risks that could jeopardise the health, safety, protection, and well-being of Covered Persons. Regularly update the risk assessment and share with all staff involved in the event. Keep a written record of the risk assessment on file.	See p.19 <sup>3</sup> and define Covered Persons, see Part C. Legal Framework		
<b>Safeguarding Legal Framework</b>	Ensure Legal Framework integrated into Event regulatory framework	See Part D: Legal Framework for Events		
<b>Event Safeguarding Plan</b>	Event safeguarding plan approved by the highest level of the Event Organisation and produced in different formats and for different stakeholders, e.g. posters, online; for children, athletes, coaches etc.	See Part B: Operational Framework for Events		

<sup>3</sup> [WP2-Legal-Framework-for-clubs\\_v3.pdf \(besst-safesport.eu\)](#)

<b>Roles and Responsibilities</b>	Define roles and responsibilities and ensure that all staff and volunteers are aware of their specific safeguarding roles and responsibilities at the event.	See, Template: Roles and Responsibilities		
<b>Event Safeguarding Officer</b>	Appoint and train an Event Safeguarding Officer as the first point of contact for advice and to respond to any transgressive behaviour during the event..	See, Template: Roles and Responsibilities		
<b>Safeguarding Contacts</b>	Make public the contact details of the Event Safeguarding Officer.	See, Template: Safeguarding Contact Form		
<b>Safe Recruitment</b>	Apply safe recruitment checks/vetting for all workforce and ensure Safe Recruitment form is signed.	See, Template: Safe Recruitment Form		
<b>Safeguarding Committee</b>	Appoint members of Safeguarding Committee and train all fact-finders/investigators in conducting interviews using a trauma-informed, child centred (as needed) approach.	See, Investigative Guidance and Templates		
<b>Covered Person's Information, Consent Forms</b>	Collect or ensure the collection (e.g. by Heads of Delegations of participating delegations) of essential information for Covered Persons including name, contact number, address, and emergency contact details. Prepare and send Consent Forms to the Covered Persons in advance of the event. If children and young people are involved in the event get consent from parents/guardians (or ensure Forms are sent to delegations for completion).	See, Template: Consent Form		
<b>Special Policies</b>	Write, approve and publish any special policies required for the event such as Online Protection and Safety, Transport, Accommodation etc.	See, Template:Online/Cyb		

		er Protection and Safety Policy		
<b>Safeguarding Sport Event Pack</b>	Prepare a Safeguarding Events Pack that includes all essential safeguarding information. Distribute this to Covered Persons before the event. The pack should include at the very least the safeguarding policy, code of conduct, safeguarding officer contact details, reporting channels, and safeguarding guidelines for the event.	See BESST Project Tools and Resources		
<b>Safeguarding Education</b>	Deliver a pre-event briefing to provide essential safeguarding information and guidance about the event to delegations (depending on size of event- to heads of delegations for larger events or athletes directly for smaller events). The briefing should make sure that everyone is aware of expectations and fully briefed on the safeguarding policy, code of conduct and other guidelines and procedures relevant to the event (e.g., reporting and responding to concerns, guidelines for journalists and media etc).	See BESST Project Tools and Resources		
<b>Reporting</b>	Prepare an Incident Report Form and make it easily available (e.g. on event website). Arrange for clear and accessible reporting channels at the event and inform Covered Persons of what steps to take if they have a concern.	See, Template: Incident Report Form		

## Part B: Operational Templates for Events

The Templates provided below complement Part C: Legal Framework below and aim to enhance the safety and inclusivity of all sports events, with a primary focus on safeguarding athletes and other Covered Persons, especially children and vulnerable groups.

It is recommended that a Transgressive Behaviour Event Checklist (as provided in Part A above) is maintained to ensure continued improvement throughout the planning, implementation and legacy stages of any Event.<sup>4</sup>

### a. Guidelines: Roles and Responsibilities

Understanding, defining and resourcing the roles and responsibilities of individuals before, during and after an Event will contribute to the minimization of risk of transgressive behaviour occurring during an event and clear processes for addressing cases should they arise. The following Roles and Responsibilities may be adapted and used as templates for Job Descriptions.

#### Event organiser

The event organiser (often referred to as the Local Organising Committee) has the overall responsibility for planning and delivering the event, including safeguarding arrangements. For that purpose, each event organiser must:

1. **Risk Management:** Undertake a Risk Assessment<sup>5</sup> to determine what safeguarding arrangements are required based on the nature of the event, and potential risks that could jeopardise the health, safety, protection and well-being along with the age and potential vulnerabilities of Covered Persons (e.g. if children are involved).
2. **Site visit:** If determined that an event requires a specific plan, an inspection visit to potential host countries/event venues may be necessary particularly to check accommodation and facilities for child athletes.
3. **Appoint and train** an Event Safeguarding Officer and a Safeguarding Committee at an early stage in the event planning process to ensure that they are involved in the development and implementation of an event-specific safeguarding framework. Ensure diversity and appropriate expertise in the staffing of these roles.
4. **Contacts:** Make the name and contact of the Officers, his/her roles and responsibilities publicly available (see Template: Safeguarding Contact Form).
5. Identify and follow **Safe Recruitment** procedures.<sup>6</sup>

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<sup>4</sup> See Part A: Transgressive Behaviour Event Checklist.

<sup>5</sup> See p. 19: [WP2-Legal-Framework-for-clubs\\_v3.pdf \(besst-safesport.eu\)](#)

<sup>6</sup> See Template: Safe Recruitment Form and p. 20: [WP2-Legal-Framework-for-clubs\\_v3.pdf \(besst-safesport.eu\)](#)

6. Ensure **Privacy and Personal Data** is collected, stored, processed, and shared carefully.<sup>7</sup>
7. Identify the **staff and volunteers** responsible for safeguarding per **venue**.
8. Where children and youth participate, ensure **supervisors/chaperones** are identified per venue and group. It is recommended that mixed gender groups should be accompanied by at least one male and one female member of staff.
9. Based on the Legal Framework, establish clear **guidelines** about the expected behaviour of Covered Persons and consequences for breaches (e.g. Code of Conduct).
10. Share information on secure, **online platforms** for all participating teams/clubs using communication to empower and provide relevant materials to support all stakeholders in implementing the Framework, creating a harmonised environment to protect Covered Persons.
11. Establish a secure, confidential **reporting mechanism** and support services.
12. **Communicate** the Safeguarding Framework to all Covered Persons and stakeholders through **training** sessions and **awareness campaigns** that are understandable to all Covered Persons, utilizing various formats such as workshops and online courses and that promote a culture of respect, safety, and dignity, empowering individuals and cultivating a culture of trust.
13. **Consult** with stakeholders including athletes, parents/carers and staff as part of the initial development and/or ongoing review of your Safeguarding Framework.
14. During the Event, ensure **'Safe Spaces'** are provided at the venue.

### Event Safeguarding Officer

- **Role:** The Event Safeguarding Officer (also potentially referred to as the Ethics Officer, Welfare Officer, Child Protection Officer, Child and Youth Protection Officer, lead Safeguarding Officer) has overall responsibility for receiving and responding to any concerns or issues concerning transgressive behaviour that may arise during the event. The Officer should be integrated into the Event Organisation.
- **Expertise:** demonstrable experience and competence in safeguarding that may include social work, legal expertise, victim support, investigative skills.
- **Timeframe:** The Officer should be present throughout the event period and have accreditation that enables them to access all areas of the event including training and

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<sup>7</sup> See pp. 21-22: [WP2-Legal-Framework-for-clubs\\_v3.pdf \(besst-safesport.eu\)](#)

warmup areas. If the position is on an ongoing basis and over multiple events, the Officer should provide support on an ongoing basis.

- **Communication:** The Officer's name and contact details should be well-publicised, including in all pre-event information and on prominent display in the Event venue together with any other reporting arrangements that apply at the Event.

### *Key Responsibilities*

#### **Prior to the Event:**

1. **Framework revisions:** Draft and update the Event Safeguarding Legal and Operational Framework including all additional communication materials.
2. **Policies:** draft and oversee the implementation of Event specific policies<sup>8</sup> such as:
  - a. **Consent and Access:**<sup>9</sup> For Events with children, ensure consent is obtained from his/her parents/carers to ensure that the child is properly cared for from the moment they leave their care until they return, that there is a clear system in place should an incident arise and that consent is obtained for the publication of photographs or videos. For adults, insure the Consent form is completed, particularly for medical use and images.
  - b. **Privacy and safe use of changing rooms:** properly supervise access by making changing/locker rooms/bathrooms off-limits for non-authorized individuals and media representatives before, during and after the Event. Mobiles and other equipment capable of taking images should be switched off in this area.
  - c. **Online/Cyber Protection and Safety**<sup>10</sup>
  - d. **Transportation, activities abroad, and overnight stays.**
3. **Education and Awareness:** Provide Briefings to ensure everyone is aware of violations, consequences, how and where to report concerns and seek advice and support. especially for:
  - a. Athletes (or heads of delegation) and coaches;
  - b. Event Organiser's Staff, notably with training provided during their induction;

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<sup>8</sup> See good practice and links to templates provided in: [WP2-Legal-Framework-for-NOCs-NFs\\_v3.pdf \(besst-safesport.eu\)](#) and [WP2-Legal-Framework-for-clubs\\_v3.pdf \(besst-safesport.eu\)](#)

<sup>9</sup> See Template: Consent Form.

<sup>10</sup> See Template: Online/Cyber Protection and Safety Policy and p. 19: [WP2-Legal-Framework-for-clubs\\_v3.pdf \(besst-safesport.eu\)](#) and [CPSU sample online safety policy- NSPCC Child Protection in Sport Unit \(thecpsu.org.uk\)](#)

- c. Event Workforce including Security Staff to ensure they know who the Event Safeguarding Officer is and how to recognise, respond, report, and refer cases that might occur to their line managers.
  - d. Refresher training should be provided annually and may be delivered as e-learning.
4. **Training:** as determined necessary, provide additional specialist training for Case Managers (Fact-Finders) and additional Event Safeguarding staff, volunteers and contractors to ensure they understand their safeguarding responsibilities and know how to respond if concerns or allegations arise at the event.
  5. **Contact:** respond to any questions regarding safeguarding within the Event Organisation.
  6. **Venue planning:** ensure 'Safe Spaces' are identified at the venue where the Event Safeguarding Officer would be based or the venue Safeguarding Officers for Events with multiple venues. It is recommended that the Safe Space is close to the Medical Centre to ensure access to medical support as needed.
  7. **Safeguarding Committee:** identify and establish the Safeguarding Committee (this may be an ad hoc Committee, established only should a case arise).
  8. **Safe recruitment:** support human resources to ensure application of safe recruitment/vetting of all event staff and volunteers including criminal record checks (where applicable).
  9. **Reporting mechanism:** ensure alignment to the legal framework of the host country for reporting. Ensure the mechanism enables multiple options for reporting including in-person, verbal, or a written report (see Incident Report Form<sup>11</sup>). This may include through email-address, telephone hotline, or online reporting platform.
  10. **Protection and Support:** identify special arrangements to support the needs of any Covered Persons who may have additional vulnerabilities e.g. disabilities. Identify local, national and international support services and contacts including child protection services, law enforcement contacts, helplines and those who may provide support should an incident arise.
  11. **Coordination:** with relevant sports organisations (such as International Federations, National Sports Integrity Units) to ensure clear coordination should an incident arise during an event. Conduct Role Play exercises to ensure clarity on roles, responsibilities, and processes.

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<sup>11</sup> See Template: Incident Report Form.

## During the Event

To ensure that transgressive behaviour is addressed, and measures are effective, the following actions are recommended:

1. **Safe Spaces:** ensure a 'Safe Space', a quiet, confidential space is available at all venues for Covered Persons. Ensure Safeguarding Officers and signposting to support services are available at each venue.
2. **Communication:** Ensure the Framework (particularly violations and reporting) is made visible and accessible during the event e.g. through posters.
3. **Respond:** to transgressive behaviour in a constructive way such as through engagement with the relevant international or national federations or clubs. Promptly address and investigate reported concerns or incidents. This may involve Interviews (see Templates below, cautioning witnesses and suspects, and taking written statements).
4. **Confidentiality:** Ensure information about transgressive behaviour issues is only shared with those who need to know and understand their own responsibility to maintain confidentiality.
5. **Case Management:** Consult with the Event Safeguarding Committee as to the referral route for the concern and, where appropriate, report the concern to the relevant legal/safeguarding authorities.
6. **Investigative support:** Assist with any investigations as requested by the umbrella organisations such as the International Sports Federation, National Integrity in Sport Unit etc.

## After the Event

1. **Document:** all cases of transgressive behaviour that arise during the Event, ensuring confidentiality and appropriate security of records is maintained.
2. **Evaluate:** the effectiveness of the Safeguarding Framework implemented, gather feedback from Covered Persons and stakeholders, and review and update the Framework and any other relevant policies, procedures, and training programs based on experiences.



## b. Template: Safeguarding Contact Form

[Download template in .docx](#)

All cases of emergency should be reported to the Event safeguarding lead who will take appropriate action. A list of emergency numbers should be available to all.

	Name	Phone	Address	Email
Event Safeguarding Officer				
Federation/club safeguarding officer				
Child Helpline (if available)				
Ambulance/ Hospital				
Security / Police				
Other				

## c. Template: Safe Recruitment Form

[Download template in .docx](#)

The below form provides a self-declaration of your integrity. This is a form of vetting used by the Event Organiser to safeguard our Event from transgressive behaviour.

All individuals applying to work/volunteer/support the Event must complete this form in full.

<b>Name of event:</b>	
<b>Name of applicant:</b>	
<b>Position applied for:</b>	
1. Have you ever been convicted by the courts or cautioned, reprimanded, or given a final warning by the police? Please give details of any offences or penalties as well as the name of the country and dates: YES / NO.	
If yes, provide details:	
2. Have you ever been subject to disciplinary proceedings or disqualified from work or subject to any other sanctions? YES / NO.	
If yes, provide details:	
3. Are you aware of any reason which might give rise to concerns about your suitability to work with this event? YES / NO.	
If yes, provide details:	
<p>Declaration:</p> <p>I confirm that the information I have given on this form is correct and complete. I am of good character, and that I know of no reason why I would not be considered suitable to work with this event.</p> <p>I confirm that I give my consent for the Event Organiser to carry out the relevant background checks as may be necessary.</p>	
Date:	Signature:

## d. Template: Consent Form

[Download template in .docx](#)

**Note: For large multi-sport events, the below Consent Form may be used by the heads of delegations of those Events (as opposed to the Event Organiser themselves). Note: The below Consent Form may be adapted based on whether the Covered Persons are children or adults.**

The Event Organiser [insert name of event organiser] is organising [NAME OF EVENT] on [DATE] [TIME] in [VENUE, PLACE] and you/ your child has been invited/selected to take part.

We also require additional information to ensure that you/your child can take part safely and your/their welfare can be protected. All information will be kept confidential and shared only with those who need the information to ensure that you/your child is properly cared for.

### For Covered Persons who are minors:

As your child is under 18 years old, and hence a minor under the law, parental/carer consent is required.

We (parent/guardian) give our consent for our child to take part in the aforementioned Event.

### For all Covered Persons:

Covered Person (athlete, coach, volunteer etc)	
Name:	
Date of Birth:	
Address:	
Doctor's Details	
Doctor's Name:	
Doctor's Address:	
Doctor's Phone Number:	
Emergency Contact Details	
Name, Relationship:	
Phone, Email:	
Address:	

Does the Covered Person have any allergies, including medications? YES/NO

If yes, please specify: \_\_\_\_\_

Does the Covered Person have any illness, disabilities or injury relevant to the Event that we should be aware of? YES/NO

If yes, please specify: \_\_\_\_\_

Is the participant currently taking medication? YES/NO

If Yes, please give details, including reason for its use: \_\_\_\_\_

Does the participant self-medicate? YES/NO

**Medication:** Please label young members' medication with their name and provide clear instructions for its use- whether or not they self-medicate, dosage etc.

**Inhalers and EpiPens:** Ensure a spare, clearly labelled inhaler or EpiPen is brought to the event, to be held by a first aider/coach/team manager.

Does the participant have special dietary requirements? YES/NO

If Yes, please give details: \_\_\_\_\_

Please give any further information the organisers should have regarding the participant's health and wellbeing: \_\_\_\_\_

### **For Covered Persons who are minors:**

As the parent/guardian of the above-named Covered Person, who is a minor under the laws of their country of residence and who is participating in activities related to (the "Event"), I acknowledge and agree that the following terms and conditions shall apply to the Covered Person and their participation in activities related to the Event and that I agree to these terms and conditions on behalf of the Covered Person:

### **For all Covered Persons**

I acknowledge and agree that the following terms and conditions shall apply to the Covered Person and their participation in activities related to the Event and that I agree to these terms and conditions:

1. I agree to my participation being photographed, filmed and recorded in any audio, visual and/or electronic form and that such recordings may be used and/or exploited in whole or in part by the Event Organiser (and its licensees and/or assignees) for whatever purpose by any and all means via any and all current and/or future media throughout the world in perpetuity and without restriction.

2. I shall not seek compensation of any kind from the Event Organiser (and its licensees and/or assignees) in connection with my participation or involvement in the Event and/or the exploitation of any of rights and/or the products of my services in connection with my participation via any media.
3. I agree that my participation is at my own risk and that I shall hold the Event Organiser harmless from and against all liability, claims, damages, costs, and expenses (including legal expenses) arising from or in connection with my participation.
4. I acknowledge and agree that my personal data will be collected and processed by the Event Organiser, including its subsidiaries and any third party appointed by the Organiser to assist in the organisation of the Event.
5. I understand that it is prohibited to collect, record, use and/or transmit any sound, image and/or description of the Event (including any results, statistics, information and/or other data of the match(es)) for any commercial purpose.
6. I will comply with all regulations, policies and guidelines relating to the Event, including without limitation all instructions of security, safeguarding or medical personnel and/or any other duly authorised persons.

**For Covered Persons 18 years of age and over:**

I agree to be bound by the terms and conditions hereof. If I require medical care during activity and if, in the opinion of the doctor dealing with the case, medical or surgical treatment is required, then I hereby give the Event permission to sanction such treatment if contact cannot be made with the person mentioned in the emergency contact section.

**For Covered Persons who are minors:**

I certify that I am the parent/guardian of the Covered Person and I have the authority to enter into this agreement on the Covered Person’s behalf, and I agree to be bound by the terms and conditions hereof.

If the Covered Person should require medical care during activity and if, in the opinion of the doctor dealing with the case, medical or surgical treatment is required, then I hereby give the Event permission to sanction such treatment if any of the contact persons cannot be contacted at the time to give the necessary permission.

Covered Person	Parent/Guardian
Name:	Name:
Phone:	Phone:

SIGNED BY:

\_\_\_\_\_  
 Signature of the Covered Person or Parent/Legal Guardian  
 Date, Place:

## e. Template: Incident Report Form

[Download template in .docx](#)

You do not need to fully complete this form for the Event Organisation to open an investigation. However, the more information you provide, the easier it is for the organisation to pursue the Incident.

You should return the Incident Report Form to: EMAIL ADDRESS

Contact Details	
Your name	
Your email address	
Your phone number	
Your relationship to person(s) involved in the incident (if not personally involved)	
Name/contact details of the victim(s) (if not person reporting) e.g. phone, email	
Age of the victim	
Name/contact details of the person(s) accused of the transgressive behaviour	
Relationship between the victim and the person accused e.g. coach, fellow athlete etc.	
Description of the Incident	
<p>Please give as many details as possible about what happened / your concerns e.g.</p> <ul style="list-style-type: none"> <li>- event name:</li> <li>- place:</li> <li>- date/time:</li> <li>- place:</li> <li>- nature of concern (e.g. physical, sexual, bullying, neglect, other):</li> <li>- what happened/reason for concern (any visible injuries):</li> </ul>	

### Additional material / evidence

If available, please add any document, picture or video which may support your report.

### Action taken

What has already been done about the Integrity Incident?

If this report is about a child active in the event, has it been discussed with the child and parents? If yes, what are their views? If not, why not?

Who has already been contacted (police; medical help; other local authorities; people close to the victim etc.)?

Public agencies contacted

Police- yes/no Name and contact number: Details of advice received:

Child Protection service - yes/ no Which: Name and contact number: Details of advice received:

Local Authority- yes/no Which: Name and contact number: Details of advice received:

Other- yes/no Which: Name and contact number: Details of advice received:

Please also include contact details of contacted parties.

Other relevant comments

Date, place:

Signature:

Do not discuss this incident with anyone other than those who need to know.



## f. Guidelines: Online/Cyber Protection and Safety Policy

Online or digital violence, also referred to as cyberviolence or cyberbullying/can be defined as any act of violence that is committed, assisted or aggravated by the use of information and communication technology (such as mobile phones, social media, computer games, text messaging or email). Online violence can include cyberbullying (sending intimidating or threatening messages), non-consensual sexting (the sending of explicit messages or photos without the recipient's consent) and doxing (the public release of private or identifying information about the victim).<sup>12</sup>

In order to safeguard Covered Persons from online abuse and provide guidance for Covered Persons with regards to appropriate online behaviour, the following guidance is provided:

### For Events involving children

1. Ensure parental/guardian consent for the taking and use of their photos/videos, recordings, and to giving interviews and identify any child who have not given permission to the media in advance.
2. Do not allow any photographer or journalist unsupervised access to children or young people, or to conduct one-to-one photo sessions at events, unless explicitly agreed with the child and their parents/guardians.
3. To avoid the inappropriate use of images of children, ensure any images taken convey the best principles and aspects of the event, focusing on the action and not the individual.
4. Take particular care to ensure that images are not sexual or exploitative in nature, nor open to obvious misinterpretation and misuse.
5. Where an event involves children, consider carefully any online connections.
6. To be on the safe side, nothing should be posted on social media without permission. This includes direct messaging with children and posting comments on social media sites that could compromise the well-being of a child, cause him/her harm, or bring the Event/Sports Organisation into disrepute.
7. Staff, volunteers, coaches etc. should not become 'friends' with children online in their teams using their personal social media.
8. All communication should be through parents/guardians where possible and unless agreed otherwise.
9. Use group texts/chat services that include parents or through a club/organisation webpage/online app rather than personal pages. Keep information safe and transparent.

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<sup>12</sup> UN Women: [Frequently asked questions: Tech-facilitated gender-based violence](#) | UN Women – Headquarters

10. Children should not be left on their own or unsupervised during an interview, should the athlete agree to do a media interview.

### **For all Events**

1. Images should only be taken by authorised persons.
2. Images should not be taken in any changing areas or areas deemed private.
3. Messages, images or videos that are abusive, discriminatory or sexually explicit should never be posted online.
4. If transgressive behaviour is posted or received they should be reported to the Event Safeguarding Officer.
5. Anyone behaving in a way that could reasonably be viewed as inappropriate, in relation to filming, photography or the use of social media, should be reported, including any suspicious behaviour.
6. In many cases, the best response is no response, as engaging in replies can escalate the situation.
7. Do not delete messages or other materials until informed that you may do so, as the information may be needed for evidence.
8. Athletes should not be forced to speak to media if they do not wish to do so.
9. Private information, such as addresses and names should not be published.
10. Always keep mobile phone numbers safe and do not share without consent.

## Part C: Legal Framework for Events

The **Legal Framework** below provides a recommended framework for adaptation and adoption by sports event organisers into their regulatory frameworks or for tailoring by the relevant sports organisations for application during their events to ensure that all those participating in the event are kept safe from harm. Many of the articles may be simply copied, while others will require a slight adjustment based on the reality of each sport event. Text in brackets [...] is that which will require a specific adjustment for the event applying the Legal Framework.

[Download template in .docx](#)

### Preamble

This Legal Framework provides a recommended framework to keep sports events free from harm and the legal provisions that would enable the prosecution of transgressive behaviour in an effective and proportionate manner. All persons covered by this Framework must comply with all relevant criminal laws in the Event country with the applicable criminal laws taking primacy over provisions laid out in this Framework.

This Framework recognizes the importance of various international legislation with regards to human rights and equitability such as Article 10.1 of the UN International Charter of Physical Education, Physical Activity and Sport and Article 19 of the UN Convention on the Rights of a Child. This Framework emphasizes that all forms of transgressive behaviour, as outlined below, regardless of cultural setting, contradict sport's vision to safeguard children and adults as a responsibility for all.

Due to the complex nature of the threat of transgressive behaviour during sports events, sports organisations recognise that they cannot tackle this threat alone, and hence cooperation with public authorities, in particular law enforcement and child protection agencies, is crucial.

This Framework recognises that certain sports organisations and their events are bound by the Olympic Charter and the IOC Code of Ethics, as well as the relevant regulatory frameworks of the relevant International, Regional and national sports federations and National Olympic Committees. In the absence of a regulatory framework, this Framework may provide sports event organisers with minimum standards to protect all events from the risk of transgressive behaviour. This does not prevent sports organisations and event organisers from having more stringent regulations in place.

## Definitions

**Affected Persons:** those affected by or involved in the delivery of sports events whose human rights must be protected, respected and fulfilled.<sup>13</sup>

**Anonymity:** It refers to the protection of the identity of the person providing information or reporting an issue. An anonymous individual's name and identifying details are not known or revealed to anyone.

**Child:** Refers to anyone who has not yet reached the age of 18 years,<sup>14</sup> unless the age of majority is attained earlier under a country's own legislation.

**Confidentiality:** It involves keeping the information shared by the individual private and secure. While the identity of the person may be known to certain individuals (and only shared on a "need-to-know" basis), the information is not disclosed to unauthorised parties and is handled with discretion to protect privacy.<sup>15</sup>

**Covered Person:** refers to anyone bound by this Legal Framework.

**Discriminatory Criteria:**<sup>16</sup> or criteria that should be protected from discrimination, such as nationality, alleged race, skin colour, ancestry or national or ethnic origin, age, sexual orientation, religious or philosophical belief, disability, sex and similar criteria for instance pregnancy, childbirth and motherhood, or even gender reassignment, gender identity and gender expression, marital status, birth, wealth, political belief, language, current or future state of health, a physical or genetic characteristic, social origin or union conviction.

**Event:** refers to any organised sports events, tournaments, competitions and/or activities including training sessions organised or sanctioned by the sport.

**Event Organisation/Organiser:** legal entity that organises or sanctions the organisation of the event [enter name of event organiser e.g. local organising committee, club, federation etc.]

**Fact-Finding Inquiry:** establishing the facts of an allegation or suspicious into a breach of sports rules and regulations and to present the outcomes of such inquiries to initiate disciplinary proceedings and, where appropriate, criminal proceedings.

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<sup>13</sup> The 2017 Kazan Action Plan adopted by the Sixth International Conference of Ministers and Senior Officials Responsible for Physical Education and Sports, available at: <https://en.unesco.org/mineps6/kazan-action-plan>

<sup>14</sup> UN Convention on the Rights of the Child (CRC).

<sup>15</sup> For Guidance on Privacy and Personal data, see [WP2-Legal-Framework-for-clubs\\_v3.pdf \(besst-safesport.eu\)](#), pp. 21-22.

<sup>16</sup> Such as defined under national law e.g. UK Discrimination and the Equality Act 2010; French Decree, December 12, 2008 relating to the fight against certain forms of discrimination: [MINISTERE DE LA COMMUNAUTE FRANÇAISE- 12 DECEMBRE 2008.- Décret relatif à la lutte contre certaines formes de discrimination- Publications Office of the EU \(europa.eu\)](#)

**Human Rights:** internationally recognised standards that affirm the inherent dignity and equal worth of all human beings from birth and cannot be taken away. These rights are defined in international human rights instruments as the foundations of freedom, justice and peace in the world, with the expectation that they should be protected under law so that all people are treated fairly, equally, and with respect.

**Protective measures** (also referred to as special measures): Strategies and actions designed to safeguard individuals from retaliation, discrimination, or any harm resulting from their decision to report or share potential misconduct. Such measures may include the taking of testimonies anonymously; if police conduct the first interviews, ensuring that the event/sport has access to the case file to avoid re-interviewing the victims; ensuring clarity and honesty in the what the judicial process involves to ensure that the parties do not need to repeat their testimonies, to avoid retraumatisation; consideration whether oral evidence in a hearing is necessary; use of screens; testimonies being taken remotely through an intermediary; providing aids to communication etc.

**Misuse of relationship of power:** an imbalance of power that may lead to misuse or exploitation for further personal, financial or business interests in a way that causes or would be likely to cause detriment or harm to the best interests of any person. Such is irrespective of whether the relationship is consensual and may include factors such as anonymity (particularly for online abuse), physical, hierarchical or other discriminatory criteria, with the imbalance making such a relationship potentially abusive.

**Remedy:**<sup>17</sup> generally the making good of a wrong, harm or injury to an individual or group of people, by enforcing a right and redressing a wrong. Everyone has a right to remedy if their human rights have been violated. It is defined as a process that seeks to investigate, punish and redress a human rights harm or concern. Remedy mechanisms can exist in different forms- for instance apologies or compensation - and at different levels - as state-based judicial mechanisms, state-based non-judicial grievance mechanisms, and non-state-based grievance mechanisms, and can include opportunities for truth and reconciliation.

**Reporting (or whistleblowing) mechanism:** A structured process or system used for individuals who have witnessed or experienced a potential breach of rules and regulations to communicate with the appropriate organisation.

**Transgressive behaviour:** Any form of misuse or exploitation of a relationship of power through physical (contact and non-contact), psychological (verbal and non-verbal), and/or sexual (contact and non-contact) conduct that violates access to a safe sport environment and that gives reasonable cause to suspect someone has harmed one or more Covered Persons and/or may pose a risk of such harm.

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<sup>17</sup> As defined by: Centre for Sport and Human Rights, 'Introducing a series of guides on engaging Affected Persons & developing effective responses to abuse in sport', [remedy-output-2.pdf \(sporhumanrights.org\)](#)

**Whistleblowing:** The act of exposing wrongdoing, usually significant and serious within an organisation, to an authority able to take action. A whistleblower is an individual who discloses information or activities within an organisation. The whistleblower is typically a member or someone the organisation somehow impacts; its definition can vary according to national legislation.<sup>18</sup>

## Scope

A Covered Person is bound by this Legal Framework and is defined as any person (adult or child) who:

- Receives accreditation or registers for and/or otherwise attends, competes, coaches, officiates, works at, or otherwise participates in the event including athletes, athlete support personnel, competition officials, officials, managers or other members of any delegation, referees, jury members, local organising committee staff, international federation staff.
- Is a parent, legal guardian or chaperone of an athlete.
- Is employed or is contracted in any way to provide services and support for an event including administration, volunteers, suppliers, contractors.

Each of the above Covered Persons is deemed, as a condition of their participation in event, to have agreed to be bound by this Legal Framework, and to have submitted to the authority of the Event Organisation to enforce this Framework, including any consequences for breach thereof, and to the jurisdiction of the disciplinary panels identified in the Case Management Procedures to hear and determine cases and appeals brought under this Legal Framework.

## Violations

The respect of human rights and dignity is a fundamental requirement of all sports events. Any transgressive behaviour that occurs during an event should not be tolerated. The Framework applies to all conduct that infringes upon the human rights of a Covered Person and risks damaging the integrity and reputation of a sports event. A violation is committed under this Framework, for any:

- Any **transgressive behaviour** as defined by this Framework
- Other **human rights breaches** and forms of improper, unfair or unethical conduct.
- Where there is:
  - a. reasonable cause to suspect someone has **harmed** one or more Covered Persons and/or
  - b. May pose a **risk of such harm**.

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<sup>18</sup> As defined in: [WP2-Legal-Framework-for-NOCs-NFs\\_v3.pdf \(besst-safesport.eu\)](#)

### ***Aid, abetment or attempt***

Any form of aid, abetment, attempt, agreement, encouragement, conspiracy, or coverup by a Covered Person that could result in a violation of this Framework shall be treated as if a violation had been committed, whether or not such an act in fact resulted in a violation and/or whether that violation was committed deliberately or negligently.

However, there shall be no violation where the Covered Person renounces their attempt or agreement prior to it being discovered by a third party not involved in the attempt or agreement.

### ***Retaliation and victimisation***

Any retaliation against, or victimisation of, any person involved in bringing a complaint of transgressive behaviour under this Framework will be considered a violation of this Framework.

### ***Cooperation with an investigation***

1. Covered Persons shall cooperate fully with the Event Organisation, the Event Safeguarding Officer, the Safeguarding Committee and any additional person appointed to support the investigation.
2. Refusing or failing without compelling justification to cooperate with any reasonable investigation carried out by the Organisation or other competent authority in relation to a possible violation of this Framework, shall constitute a violation of the Framework, including, without limitation,
  - a. refusing or failing to provide accurately, completely and without any undue delay any information and/or documentation and/or access or assistance requested, including but not limited to records relating to the alleged violation (such as itemised telephone bills, internet service records, computers, hard drives and other electronic information storage devices), and/or a statement setting out the relevant facts and circumstances around the alleged violation;
  - b. obstructing or delaying any investigation;
  - c. concealing, tampering with or destroying any documentation or other information that may be relevant to the investigation.

### ***Obligation to Report***

1. If a Covered Person is aware of any other individual breaching this Framework, then Covered Persons should intervene or challenge the behaviour if safe to do so. Transgressive behaviour should not be allowed to continue.
2. Every Covered Person has an obligation to report, as soon as practicable, any act, thing or information which they become aware of, which may constitute (on its own or with other information) a violation of this Framework, including any approaches or requests to engage in conduct that may constitute a violation of this Framework. Any such

information shall be reported to Event Security staff or police as appropriate if Covered Persons feel the person is in immediate danger or at risk, and/or to the Event Safeguarding Officer or Venue manager or other responsible representative of the Event Organisation.

3. An Incident Report Form may be completed and submitted to the Event Safeguarding Officer, or use of other reporting or whistleblowing mechanisms as established by the Event Organiser, the venue manager, security manager, volunteer manager or other designated event staff who will take proper action.

## Obligations of Event Organisers

### *Establishment of a Reporting Mechanism*

1. The Event shall ensure that an appropriate and safe reporting mechanism is available and that this is duly made known to Covered Persons.
2. The Event must comply with the legal requirements of the host country particularly with regards to reporting incidents to the statutory authorities (e.g. police, child protection), and cooperating with subsequent investigations. This is particularly important if the allegation relates to abuse of a child or children and/or other Covered Persons may be at risk of harm.
3. Events shall encourage a culture where anyone is open to raise concerns or issues about transgressive behaviour all times.
4. Events shall ensure that the information received is promptly transmitted in a secure and confidential manner to the organisations having competence/jurisdiction to handle the case, without any unnecessary delay.

### *Establishment of Safeguarding Roles and Responsibilities*

1. The Event Organiser will appoint an Event Safeguarding Officer, the key point of contact during an event for safeguarding matters.
2. The Officer, with the support of the Event Organiser, will carry out regular and continuous awareness raising and education initiatives notably to inform all Covered Persons of the rules established under this Framework as well as the available reporting mechanisms.
3. The Event Organisation will also establish a Safeguarding Committee to support and adjudicate, where necessary, cases of transgressive behaviour during the Event.

Note: In many events, the Safeguarding Committee may be an ad hoc Disciplinary Committee that hears multiple cases of wrongdoing during the event period.

## Procedures for Fact-Finding Inquiries

1. The Event Safeguarding Officer will undertake the initial fact-finding inquiry. This may involve interviews of affected persons or other evidence for which appropriate cautions



will be given and written statements taken.<sup>19</sup> Appropriate protective measures should be taken at this time. The Officer will make best efforts to ensure that live evidence is only required to be given once throughout the procedure (including appeal).

2. If the Event Safeguarding Officer finds that there is no prima facie case, no further follow-up may be required, and the case may be closed.
3. The Event Safeguarding Officer may refer to the Safeguarding Committee to assess whether a referral to the authorities is required.
4. If a prima facie case is found by the Event Safeguarding Officer, he/she must refer the initial Fact-Finding Report to the applicable responsible body within sport with instructions/advice on how to respond where appropriate e.g. for international events to the National Federation/Team Safeguarding Officer/Head of Delegation; for national events, to the club/team Head of Delegation/Coach.
5. If the Event Safeguarding Officer is satisfied that there has been an appropriate response, no further follow-up may be required, and the case may be closed. The Officer will keep a comprehensive record of all cases, including those that are closed.
6. If the Event Safeguarding Officer is not satisfied by the response, the matter should be escalated to the Safeguarding Committee.
7. If proceedings have been closed, the Event Safeguarding Officer may reopen the inquiry if new facts or evidence come to light that suggest a potential breach.
8. The Event Safeguarding Officer must comply with all relevant regulations, policies and procedures of organisations that have jurisdiction over the Event e.g. International Sports Federations, National Sports Integrity Units.

## Safeguarding Committee

1. The Safeguarding Committee will, amongst other tasks:
  - a. assess the seriousness of an incident and determine what action is required, except in circumstances where police and/or medical intervention is required urgently, and consultation would cause an unacceptable delay upon which immediate action may be taken by the Event Safeguarding Officer.
  - b. assess any risks posed by the accused person and whether there is a need to remove the person from the event or impose other protective measures.
  - c. determine the jurisdiction for the Covered Persons involved.
  - d. determine how reported concerns should be resolved.
  - e. assess whether the responsible sports organisation with jurisdiction has policy in place to respond appropriately and/or whether the response is adequate

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<sup>19</sup> See Template: Interview Guidance

- f. define what, if any, support is required for the affected parties
2. Where the Safeguarding Committee is not satisfied that the matter will be or has been dealt with appropriately by the responsible sports body e.g. by taking necessary disciplinary action or the alleged incident has occurred between Covered Persons belonging to different sports organisations, the Safeguarding Committee will undertake appropriate investigative procedures at its full and independent discretion.
3. The Safeguarding Committee will, where required or requested, assist the alternative sports organisations that have jurisdiction over the event e.g. International Sports Federation, including the implementation of protective measures.
4. The Event Safeguarding Office will support the Committee including in the conduct of further appropriate fact-finding inquiries, including the examination of aggravating and mitigating circumstances equally and the drafting of Committee Reports.

### **Composition of the Committee**

1. The Safeguarding Committee should be composed of ideally three individuals consisting of a Chairperson and two other members appointed by the Chairperson. Members of the Committee shall act independently and shall have no personal involvement in the matter in dispute. In case of a conflict of interests the Chairperson shall be substituted by the Vice-Chairperson.
2. Members of the Committee should have expertise and experience in addressing safeguarding concerns such as through trauma-informed interview training, human rights expertise, child protection expertise and an understanding of the relevant local laws and safeguarding frameworks.
3. Where appropriate, the Committee can include a representative from the venue provider and any relevant local authorities as well as the international sports federation.
4. It is not necessary for all members of the Committee to be present at the event, but they must be contactable during the event period.

### **Coordination with statutory investigations**

1. Conduct which may constitute the commission of a violation of this Framework may also amount to a criminal offence and/or a breach of other applicable laws or regulations. This Framework is intended to supplement such laws and regulations with further rules of conduct for those involved in the Event. It is not intended, and should not be interpreted, construed or applied, to prejudice or undermine in any way the application of such laws and regulations (which must be complied with at all times).
2. The Event Organiser must consider the security and wellbeing of the investigation team and provide relevant support for the team members, including the Event Safeguarding Officer.
3. It is acknowledged that Covered Persons may also be subject to other rules of sports organisations including National and International Federations that govern discipline

and/or conduct and that the same conduct of such persons may constitute not only a violation of this Framework but also such other rules that may apply. This Framework is not intended to limit the responsibilities of any person under such other rules.

4. Regardless of criminal proceedings, Event Organisers may also consider disciplinary measures under this framework, or alternatively to not commence or to suspend an investigation. Whether or not to continue an investigation is a fact specific exercise.
5. The Organisation shall coordinate with law enforcement authorities investigations on the same facts.

## Rights of the concerned person

In all procedures linked to violations of this Framework, the following rights must be respected:

1. The right to be informed that a prima facie case has been found, informed of the alleged violations, details of the alleged acts and/or omissions, and the range of possible sanctions.
2. The right to a fair, timely and impartial hearing either by appearing personally in front of the competent Sports Organisation and/or submitting a defence in writing; and
3. The right to be accompanied and/or represented.
4. Fairness of procedure for all parties must be ensured.

## Burden and standard of proof

The Event Organisation shall have the burden of establishing that a violation has been committed. The standard of proof in all matters under this Framework shall be the balance of probabilities, a standard that implies that on the preponderance of the evidence it is more likely than not that a breach of this Framework has occurred.

## Admissibility of Evidence

1. The Safeguarding Committee shall review any evidence and facts submitted, including but not limited to, admissions, evidence of third parties, witness statements, video or audio evidence, expert reports, journalistic reports, documentary evidence and other analytical information and evidence based on electronic media in any form and any such other form of proof as the Committee may deem to be reliable.
2. The Committee shall have the sole discretion regarding evaluation of the evidence.
3. The Committee shall have the sole discretion to accept any facts established by a decision of a court or professional disciplinary tribunal of competent jurisdiction, which is not subject of a pending appeal, as irrefutable evidence against the parties to whom the decision pertained of those facts.

4. The Committee may draw an inference adverse to a Covered Person, after a reasonable request to attend a hearing, answer specific questions or otherwise provide evidence, refuses to do so.

## Confidentiality

1. The principle of confidentiality must be strictly respected by the Event Organisation during all the procedure; information should only be exchanged with entities on a need-to-know basis, as deemed necessary by the Organisation and permitted by law. Confidentiality must also be strictly respected by any person concerned by the procedure until there is public disclosure of the case.
2. Information can only be shared without consent<sup>20</sup> of a Covered Party where the duty to protect a Covered Person from harm supersedes the Covered Party's right to privacy or else if required by law.
3. The Organisation should also ensure that all Covered Persons affected by the procedure understand the importance of confidentiality and know the consequences of breaching confidentiality.

## Data protection

1. Event Organisers must ensure compliance with national and regional data protection requirements and be aware of exemptions and special category data that may be applicable and all consent that is required.
2. Event Organisers are encouraged to consistently log chains of custody of data, providing a summary of findings and listing all evidence sources including documentation, physical, digital etc.

## Anonymity

Event Organisation will ensure that the identity of affected persons is comprehensively protected through measures such as:

- redacting names and other immediately identifiable details in published materials;
- limiting the number of people within the Organisation/s involved in the procedure from knowing the identity of affected persons.
- Using protective measures such as videos for hearings, screens, voice distortion etc.

## Legal standing

Affected persons are to be considered as parties to the Event Organisation's proceedings, not only as witnesses. The following rights should be accorded to all those with legal standing:

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<sup>20</sup> See Template: Consent Form.

- a. Right to legal representation
- b. Right to ask questions and cross-examine witnesses
- c. Right to appeal decisions
- d. Right to receive a copy of the final decisions

## Protection of Whistleblowers

1. The Event Organiser will provide a confidential channel through which individuals can report instances of transgressive behaviour.
2. Whistle-blowers who report transgressive behaviour through the confidential channel will be provided with anonymity and protection from retaliation.
3. When Covered Persons feel that they have suffered retaliation for making a report, the Event Organiser will investigate and adjudicate the allegation of retaliation and when appropriate, prosecute the offending party.

## Provisional Measures

1. The Safeguarding Committee may impose provisional measures, including a provisional suspension, on the Covered Person where there is a particular risk to the reputation of the sport, or risk of harm.
2. Should an application for provisional measures be filed, the Committee shall invite the parties the opportunity to be heard, in writing or in person, either before any decision on an application for provisional measures, or in a timely manner after imposition of the provisional measures.
3. Where a provisional measure is imposed, this shall be taken into consideration in the determination of any sanction which may ultimately be imposed.

## Hearing

The Committee shall determine in his sole discretion, whether a hearing shall be held by telephone, video conference or in person.

## Decisions

The Committee shall render a written, dated and signed decision with reasons. In urgent matters, it may issue a decision without reasons and provide the reasons at a later date.

## Appeals

**Attention: Paragraph 2 needs to be completed with your own information.**

1. The Event Organisation shall have an appropriate appeal framework in place including provisions such as, but not limited to, the time limit for filing an appeal and the notification procedure for the appeal. The disciplined party must be informed about these appeal rights.
2. Any preliminary decision of the Committee may be appealed to [insert appeal framework. Typically, an event decision would be subject to appeal to the relevant appeal structures of the International, Regional or Nationals Sports Organisation who has jurisdiction over the event].

## Sanctions

1. Where it is determined that a violation of this Framework has been committed, the Committee shall impose an appropriate sanction upon the Covered Person from the range of permissible sanctions, which may range from a minimum of a warning, removal of accreditation to a maximum of life ban.
2. When determining the appropriate sanctions applicable, the Committee shall take into consideration all aggravating and mitigating circumstances and shall detail the effect of such circumstances on the final sanction in the written decision.
3. Substantial assistance provided by a Covered Person that results in the discovery or establishment of an offence by another Covered Person or Covered Persons may reduce any sanction applied under this Code.
4. To ensure transparency, accountability, prevention and offenders moving across sports, events and jurisdictions, the publication of decisions is encouraged, so long as all data protection, confidentiality, anonymity and other ethical and legal considerations are respected.

## Mutual recognition of sanctions

1. Subject to the right of appeal, any decision issued in compliance with this Framework must be recognised and respected by all other sports organisations and Event Organisers.
2. All sports organisations must recognise and respect the relevant decision(s) made by any court of competent jurisdiction which is not a Sports Organisation or Event Organiser as defined under this Framework.
3. A multisport event organiser's disciplinary body's decision does not prevent the respective International Federation from imposing its own sanction.

4. International Federations are encouraged to extend the sanctions imposed by a national member federations to all other national member federations.

## Protection and Support

1. The Event Organiser will provide signposting to protection and support as well as options for remedy, such as:<sup>21</sup>
  - an explanation of the process to avoid further harm through the process;
  - ensuring a trauma informed approach that includes support to victims and considering the potential impact on their wellbeing;
  - appropriate adjustments to the investigative process to ensure individual's safe and effective engagement and ensuring care and attention to those affected;
  - support for the respondent to ensure equality of arms is not infringed through access to legal support;
  - access to support for Affected Persons including counselling and medical assistance, collaborating with mental health professionals and medical practitioners.
2. The Event Safeguarding Officer will liaise with the relevant sports organisations (e.g. international or national federation) and facilitate access to the support.

## Statutes of Limitations

Event Organisers are encouraged to cooperate with the relevant organisations in the case of reporting of historic transgressive behaviour whereby the persons may still be Covered Persons at the Event.<sup>22</sup>

Date: [...]

Approved by: [...]

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<sup>21</sup> See: Centre for Sport and Human Rights, 'BUILDING A TRAUMA-INFORMED APPROACH: Understanding how to take a trauma-informed approach to investigating abuse in sport', [remedy-output-4.pdf \(sporthumanrights.org\)](#)

<sup>22</sup> It is recognised that cases of harassment and abuse should not be subject to a limitation period for prosecution. However, recognising that the legal establishment of Event Organisations is often of limited temporality, cooperation is required on this matter should historical cases be reported during an Event.

## Part D: Investigative Guidance and Templates

The below guidance and templates aim to assist fact-finders when conducting enquiries into cases of transgressive behaviour during events. The templates may be tailored for the specificities of each event.

### a. Guidance for Interviews

One of the key elements of any fact-finding inquiry is interviewing people who may be able to provide information to assist the inquiry and / or who are suspected of breaches of the Legal Framework. The IOC-INTERPOL Handbook on The primary goal of a fact-finder's investigative interview is to obtain accurate, complete and reliable information from interviewees in order to establish the facts about matters under inquiry. Information gleaned from interviewees may help to corroborate information already received or open up new lines of inquiry and determine the facts on which decisions are taken for further action.<sup>23</sup>

The interviewing part of the inquiry usually starts with interviews of witnesses after a risk assessment has been conducted and it only moves to interviewing of suspects when as much information about the event as possible has been gathered.

A skilled interviewer needs to be able to: – Plan interviews;– Provide a continuous explanation regarding the process;– Develop and maintain a rapport;– Maintain a conversational style;– Conduct appropriate / systematic questioning;– Monitor and observe verbal and non-verbal behaviour;– Demonstrate active listening;– Have attention to detail

#### Risk Factors

In conducting interviews regarding transgressive behaviour, and in particular harassment and abuse, particular attention needs to be taken of the following risk factors:

1. Potential imbalance of power and the risk of exploitation,
2. Cultural considerations whereby victims may be ostracised for speaking up or risk further harm.

#### Good Practice

When interviewing affected persons of harassment and abuse, the following considerations are recommended:

1. Interviewers: consider gender, culture, language Ideally always two interviewers (one interviewing, one taking notes).
2. One person should be appointed to communicate with the reporting person/interviewees, requiring skills of empathy, trauma expertise, knowledge of

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<sup>23</sup> See IOC-INTERPOL, 2016, [Handbook on Conducting Fact-Finding Inquiries into Breaches of Sports Integrity \(olympic.org\)](https://olympic.org), p. 47.



available support and processes. Recognition must be made of the impact of trauma on the ability of victims/survivors to recount as well as acknowledging the pain and suffering of victims/survivors.

3. Consider the unique needs, age and perspectives of the victims/survivors.
4. Respect all parties with dignity and integrity.
5. Ensure there is a victim/survivor-centred, trauma-informed, child rights approach in the conducting of the interview recognising the impact trauma has on an individual and avoiding retraumatisation.
6. Inform all parties of their rights, relevant procedures, nature of the interview and the availability of legal aid, assistance (e.g. interpreter) and redress.<sup>24</sup>
7. Coordinate with the support team: e.g. mental health professionals, legal aid.
8. Prioritise the immediate safety of affected persons if they are subject of intimidation, threats or harm.
9. Be aware of conscious and unconscious biases by ensuring that interviews are conducted fairly and objectively.
10. When interviewing children, consider methods such as interviewing the child in a special room by a trained investigative interviewer according to evidence-based protocol and it is adapted to the child's developmental age.
11. Consider the comfort level of witnesses/affected persons and whether special protective measures are required. Consider factors such as the location, room set-up (conversational style for chair set-up, relaxed environment).
12. Provide agency to the affected persons, empowering them to consider remedy options.
13. Ensure any evidence obtained during an interview can be considered reliable.
14. Ensure all interviews are recorded, monitored and stored securely
15. Ensure parties are updated throughout the investigation process.

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<sup>24</sup> See Templates: Cautions and Written Statements.

## b. Template: Cautioning a Suspect in a Fact-Finding Inquiry

[Download template in .docx](#)

At the commencement of the interview of a suspect, the suspect should be given a full caution as follows:<sup>25</sup>

### Introduction

This interview of [insert participant's name] will be conducted by myself, [insert name of the lead interviewer] of [insert name of organisation], and [insert name of the other interviewer] of [insert name of organisation].

The date is [insert date] and time is [insert time], located at [insert details of the location].

Also present are [insert names of any other persons present, if any e.g., interpreter or legal counsel].

### Caution

Please note that you are about to be interviewed pursuant to the [Framework/insert applicable sports regulation] and in respect of an ongoing investigation into a possible breach or breaches of the [Framework/insert applicable sports regulation]. You are bound by these rules and as such, you are reminded that it is an offence to fail to cooperate with such investigations. You are therefore required to provide truthful, accurate and complete responses to any questions asked and to provide all information requested. The answers and information you provide may be used as evidence to support a charge of breach of the [Framework/insert applicable sports regulation] by a third party or they could be used to support a charge against you if they reveal that you may have breached the [Framework/insert applicable sports regulation] either by acting corruptly yourself or by failing to report corrupt advances or corrupt actions by others.

If you fail to answer any questions, any disciplinary body convened under the [Framework/insert applicable sports regulation] to hear a case against you is entitled to draw adverse inference from your failure to answer, i.e., the disciplinary body may infer that any answers you would give would incriminate you.

Following today's interview we will ask you to sign a Written Statement setting out details of the information you provide to us in an interview, which may be used as part of the investigation and/or in any resulting disciplinary proceedings. You will have the opportunity to fully review any draft statement prepared and to amend or correct it as you see fit to ensure that you are happy to sign the statement to confirm that it is true to the best of your knowledge and belief,

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<sup>25</sup> See: IOC-INTERPOL, 2016, [Handbook on Conducting Fact-Finding Inquiries into Breaches of Sports Integrity \(olympic.org\)](#), p. 74-76.

and that you have not wilfully stated in it anything which you know to be false or do not believe to be true.

The interview will be fully recorded and may be produced in any subsequent proceedings. If it becomes necessary, a transcript may be produced and a copy can be furnished to you. If at any time you would like to have a break in the interview or request that the recording is switched off for any reason, please let us know.

Do you understand this caution?

Signature:

Name:

ID Number and Type (passport/ID card):

Date:

Place:

## c. Template: Cautioning a Witness in a Fact-Finding Inquiry

[Download template in .docx](#)

Where a person is being interviewed, over whom the Event Organiser has jurisdiction (i.e. a Covered Person), to ascertain their knowledge of matters being investigated as a witness<sup>26</sup> then that person should be cautioned as follows:

### Introduction

This interview of [insert participant's name] will be conducted by myself, [insert name of the lead interviewer] of [insert name of organisation], and [insert name of the other interviewer] of [insert name of organisation].

The date is [insert date] and time is [insert time], located at [insert details of the location]. Also present are [insert names of any other persons present, if any e.g., interpreter or legal counsel].

### Caution

The [insert Event Organiser] is conducting an investigation into possible breaches of the [insert applicable sports regulation] and, as part of this investigation, the [insert sports organisation] wishes to interview you to see if you can assist the investigation in any way. You are reminded that, as a Participant bound by the [insert applicable sports regulation], you are obliged to cooperate fully with such investigations (including, without limitation, by providing truthful answers to the questions asked of you today) failing which you may be liable to be charged with a breach of the [insert applicable sports regulation].

Following today's interview we will ask you to sign a Written Statement setting out details of the information you provide to us in an interview, which may be used as part of the investigation and / or in any resulting disciplinary proceedings. You will have the opportunity to fully review any draft statement prepared and to amend or correct it as you see fit to ensure that you are happy to sign the statement to confirm that it is true to the best of your knowledge and belief, and that you have not wilfully stated in it anything which you know to be false or do not believe to be true.

For the purpose of our records, we are going to record this interview. If it becomes necessary, a transcript may be produced and a copy can be furnished to you.

If at any time you would like to have a break in the interview or request that the recording is switched off for any reason, please let me know.

Do you understand this caution?

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<sup>26</sup> See: INTERPOL-IOC, [Handbook on Conducting Fact-Finding Inquiries into Breaches of Sports Integrity \(olympic.org\)](#), pp. 74-76.

Signature:

Name:

ID Number and Type (passport/ID card):

Date:

Place:

Note that if during the course of the interview it appears that he / she may have moved from a witness to a suspect, the interview will need to be paused while he / she is warned and given the necessary full caution as in the first one above).

## d. Template: Written Declaration

[Download template in .docx](#)

This Written Declaration<sup>27</sup> should explain what you believe happened during the incident to which you have been called to submit a Written Declaration. You can include any evidence that supports your statement.

This declaration is made by:

Name:	
Residential Address (Street, City, Postal Code, Country):	
Date of Birth:	
ID Number and Type:	

I declare that the foregoing is true and correct.

Signature of Declarant:	
Print Name:	
Date:	
Place:	

<sup>27</sup> See: INTERPOL-IOC, [Handbook on Conducting Fact-Finding Inquiries into Breaches of Sports Integrity \(olympic.org\)](#), p. 78.

## Project BESST – Building European Safe Sport Together

This document is a part of the project Building European Safe Sports Together (BESST) funded by the Erasmus+ programme from the European Commission. The BESST project was conducted by a consortium of 7 organisations: European Olympic Academies, IGNITX, NOC\*NSF, Olympic Committee of Slovenia, UEFA Foundation for Children, Windesheim University and Rudi Hiti Academy.

The project aimed:

1. To develop a modern definition of transgressive behaviour in sport, with an extensive literature review of the most recent studies.
2. To assess the statuses level of European sports organisations and event organisers.
3. To develop legal frameworks with policies and procedures proposal for European sports organisations.
4. To provide an awareness and education tool kit, facilitating the entities to use their communications channels to educate their communities about transgressive behaviour.

### All materials

#### 1. Modern definition of transgressive behaviour:

- [Conceptual Framework of Transgressive Behaviour](#)

#### 2. Assessment of level of organisations' Safeguarding:

- [Key Findings of the Safeguarding Statuses Amongst European Sports Organisations](#)
- [Assessment of Safeguarding Policies and Procedures Implemented in European Sports Organisations](#)
- [Assessment of Safeguarding Policies and Procedures Implemented in European Event Organisers](#)
- [Assessment of Safeguarding Statuses Amongst European National Olympic Committees](#)
- [Assessment of Safeguarding Statuses Amongst European National Federations](#)

#### 3. Legal framework for policies and procedures:

- [Safeguarding Legal Framework for NOCs and NFs](#)
- [Safeguarding Legal Framework for Clubs](#)
- [Safeguarding Legal Framework for Event Organisers](#)

#### 4. Awareness and Education toolkit:

- [Full Toolkit](#)