

UIAA SAFEGUARDING POLICY

ANNEX of the UIAA CODE OF ETHICS

COVERING

- All competition sport events sanctioned by the UIAA
- All training, recreational, educational and youth programs
- All other activities as per UIAA strategy
- All UIAA events such as meetings, assemblies

Valid from 1 December 2023

INTRODUCTION

Consistent with the values of UIAA, every member of the UIAA community has a right to respect, safety and protection, including Member Federation delegates, competitors, coaches, officials, staff, or volunteers. The welfare of all members of the UIAA community, particularly children and adults at risk, is of paramount concern. When any member of the UIAA community is subjected to or engages in abuse or harassment, it is inconsistent with the values of the UIAA and undermines the unique character of our sport. All forms of harassment and abuse are prohibited and will not be tolerated by UIAA.

UIAA has developed and adopted this Policy to set out how it will work to promote a safe environment, both independently and in partnership with other necessary parties, including Member Federations, local organisers, competitors, and the UIAA community. UIAA will promote a safe environment by putting in place safeguards for all participants to create an enjoyable and inclusive culture with the aim of preventing all forms of harassment and abuse. Where unacceptable behaviours arise, procedures, structures and systems are in place to allow concerns to be reported and responded to in an appropriate way.

All members of the UIAA community are reminded that where safeguarding concerns arise, it may be necessary to report them not only to UIAA and/or the relevant Member Federation, but also to the relevant local statutory authority/ies (including police and child/adult protection agencies). Making a safeguarding report as detailed below does not preclude or prevent such a report being made. Where an urgent and serious concern is reported then the principle should be one of 'no delay' and relevant statutory agencies contacted immediately.

1. Purpose

1.1. This Policy aims to:

- a. Provide a framework for safeguarding the wellbeing of all members of the UIAA community;
- b. Define harassment and abuse;
- c. Explain to whom the Policy applies;
- d. Set out how harassment and/or abuse can be reported and the process that follows; and
- e. Explain the disciplinary process for cases arising from breaches of this Policy.

2. Definition of Safeguarding, Harassment and Abuse

- 2.1. Harassment and abuse can be related to and can occur regardless of a person's age, race (including skin colour, nationality, ethnic or national origin), gender reassignment, sex, sexual orientation, disability, language, religion or philosophical beliefs or athletic ability. It can include a one-off incident or a series of incidents. It may be in person or online. Harassment is sometimes but not always identified through deliberate, unsolicited, and coercive behaviour.
- 2.2. Harassment and abuse often result from an abuse of authority, meaning the improper use of a position of influence, power, or authority by an individual against another person.
- 2.3. Harassment and abuse can be expressed in five forms which may occur in combination or in isolation. These include psychological abuse, physical abuse, sexual harassment, sexual abuse, and neglect. These forms of abuse are defined here as:
 - a. Psychological abuse: means any unwelcome act including confinement, isolation, verbal assault, humiliation, intimidation, infantilisation, or any other treatment which may diminish the sense of identity, dignity, and self-worth.
 - b. Physical abuse: means any deliberate and unwelcome act, such as for example punching, beating, kicking, biting, and burning, that causes physical trauma or injury. Such act can also consist of forced or inappropriate physical activity (e.g., age- or physique-inappropriate training loads; including when injured or in pain), forced alcohol consumption, or forced doping practices.
 - c. Sexual harassment: means any unwanted and unwelcome conduct of a sexual nature, whether verbal, non-verbal or physical. Sexual harassment can take the form of sexual abuse.
 - d. Sexual abuse: means any conduct of a sexual nature, whether non-contact, contact or penetrative, where consent is coerced/manipulated or is not or cannot be given.
 - e. Neglect: within the meaning of this Policy means the failure of a person with a duty of care towards another Covered Individual as defined below to provide a minimum level of care to the relevant person, which is causing harm, allowing harm to be caused, or creating an imminent danger of harm.
- 2.4. "Safeguarding" at the UIAA means preventing harassment or abuse of any member of the UIAA community in all UIAA activities and responding appropriately where a report of harassment or abuse is made.

3. Scope of Application

- 3.1. This Policy shall apply to all "Covered Individuals" which shall mean:
 - a. Competitors, persons, contract persons, agents, and any member of a member

UIAA Safeguarding Policy

- Federation or body (which for the avoidance of doubt includes any person involved or participating in UIAA activities including officials, federation staff, coaches, volunteers, medical and other support persons, officers and staff, officials and disciplinary personnel);
- b. UIAA and Member Federation employees, officers, volunteers, agents, consultants and/or contractors when involved or participating in UIAA activities;
 - c. Members of UIAA's Executive Committee, Management Board, UIAA Court and any commission or working group appointed by the Executive Committee, Management Board or General Assembly;
 - d. Any elected or appointed member of any commission of a Member Federation or Body, when involved in UIAA activities;
 - e. Any person working or volunteering at any event held by or on behalf of UIAA (including events in relation to which hosting rights were appointed to another party by UIAA).
- 3.2. It shall be the responsibility of every Covered Individual to make himself or herself aware of and to comply with this Policy. Covered Individuals should also be aware that conduct prohibited under this Policy may also constitute a criminal offence and/or a breach of other applicable laws and regulations.
- 3.3. All UIAA activities are covered by the policy, including but not so as to limit the generality of the foregoing:
- a. All competition sport events sanctioned by the UIAA
 - b. All UIAA training, recreational, educational and youth programs/events
 - c. All other activities as per UIAA strategy
 - d. All UIAA events such as meetings and assemblies

4. Breach of Policy

- 4.1. The following conduct constitutes a violation of this Policy:
- a. Psychological Abuse;
 - b. Physical Abuse;
 - c. Sexual Harassment;
 - d. Sexual Abuse;
 - e. Neglect;
 - f. Complicity: assisting, encouraging, aiding, abetting, conspiring to engage in or concealing any violation of this Policy;
 - g. Failure to cooperate/obstruction:
 - i. Failing to cooperate with any investigation carried out by, or on behalf of, UIAA in relation to a potential breach of this Policy, including,

UIAA Safeguarding Policy

without limitation, failing to provide accurately, completely and without undue delay any information and/or documentation and/or access or assistance requested by UIAA as part of such investigation.

ii **O b s t r u c t i n g** or delaying any investigation that may be carried out by, or on behalf of, UIAA in relation to a possible violation of this Policy, including without limitation concealing, tampering with, or destroying any documentation or other information that may be relevant to the investigation.

h. Retaliation: negative treatment of any person because they have made a report under this Policy (or any applicable equivalent safeguarding policy or rule)

5. Mutual Recognition of Decisions and Sharing of Information

- 5.1. Subject to the right of appeal, any decision taken by UIAA pursuant to this Policy must be recognised and implemented by all Member Federations.
- 5.2. Subject to the right of appeal, any decision taken by a Member Federation, pursuant to the member's Safeguarding Policy, which is of similar effect to this UIAA Safeguarding Policy, shall be recognised by UIAA, and each Member Federation.
- 5.3. UIAA shall promptly inform a Member Federation of any allegation and/or sanction imposed on any Covered Individual under their jurisdiction relating to any case involving a breach of this Safeguarding Policy.
- 5.4. Member Federations shall promptly inform UIAA of, if relevant to or affecting UIAA internal matters:
 - a. any allegation regarding, and/or sanction imposed on, any Covered Individual under their jurisdiction relating to any Safeguarding matter; and/or
 - b. any allegation regarding, and/or conviction for a criminal offence imposed on, any Covered Individual which would constitute a violation of this Policy.
- 5.5. UIAA may as appropriate take into account and/or recognise criminal convictions and/or other decisions imposed by public authorities, other sports governing bodies and/or other properly-convened bodies in respect of equivalent offence(s) as defined in this Policy and may impose sanctions accordingly as provided for in this Policy. For the avoidance of doubt there shall be no form or time limit applicable to the recognition of any decision by UIAA pursuant to this paragraph 6.5. Where UIAA recognises such a decision, the decision shall thereafter be recognised automatically (without the need for further formality) by all Member Federations.
- 5.6. The standard of proof in criminal matters is usually beyond reasonable doubt whereas the standard of proof in cases arising from this Policy is the balance of probabilities. For that reason, there may be cases where a Covered Individual is

UIAA Safeguarding Policy

charged but not convicted of a relevant and related criminal offence but yet is found to have breached this Policy.

- 5.7. In respect of non-UIAA cases as set out in paragraph 5.4, where appropriate UIAA reserves the right to open a separate Disciplinary Procedure against the relevant individual(s) in relation to his/her UIAA-related activities.

6. Reporting

- 6.1. For reporting any Harassment or Abuse or any Safeguarding] concerns, UIAA will take a report in the way that is most comfortable for the person submitting the report including (but not limited to):

- a. by email to UIAA's reporting email address: office@theuiaa.org (noting that anonymous reporting although preferable to no reporting may restrict or prevent the proper investigation of incidents);
- b. in-person to the appointed UIAA delegate(s) (which can include a member of the UIAA Athlete Commission, as long as said athlete is not currently involved in the competition), at any UIAA competition, and/or to the designated UIAA's Safeguarding Officer;
- c. by telephone to the appointed UIAA delegate at any UIAA event;
- d. by written report to:

Safeguarding Officer
UIAA
Montbijoustrasse 61
Berne
3007
Switzerland

- 6.2. Regardless of the method of reporting, it would be helpful to UIAA to receive the following information (if possible):

- a. name of the person reporting the concern(s);
- b. type of misconduct alleged;
- c. name(s) of the alleged victim(s) or person(s) impacted;
- d. dates/locations or any other helpful information;
- e. names of any other people who may have witnessed the incidents;
- f. the name(s) of the individual(s) alleged to have committed the misconduct.

- 6.3. Individuals may wish to complete and submit the "Incident(s) Report Form" at Appendix 1 below.

- 6.4. Further details of the reporting procedures relating to this Policy are outlined in Appendix 2.

- 6.5. To the extent permitted by law, and as appropriate, UIAA will handle any report it receives confidentially and discreetly and will not make public the name(s) of the

UIAA Safeguarding Policy

person(s) reporting the concern(s), potential victim(s) or person(s) impacted, person(s) of concern or accused person(s); however, UIAA may disclose such names on a limited basis: when conducting an investigation; or reporting to relevant authorities; or reporting to Member Federations; or when required to do so under applicable law; or if the concerned person gives his/her prior consent. If disclosure is necessary to protect someone from harm or if a potential criminal act comes to the attention of UIAA, the UIAA shall report the matter to the relevant authorities.

- 6.6. Following receipt of an allegation of a breach of this Policy, the UIAA shall consider whether it is appropriate to notify other individuals and/or the parents (or legal guardians) of minors with whom the person of concern may have had contact. As appropriate or required by law, UIAA may notify relevant persons, i.e., Member Federations, competition directors, staff members, contractors, volunteers, parents (or legal guardians), and/or Competitors of any such allegation that (a) law enforcement authorities are actively investigating; or (b) that UIAA is investigating. Advising others of an allegation may lead to additional reports of harassment or abuse and other misconduct.

7. Investigation Procedures

- 7.1. UIAA's designated Safeguarding Officer will investigate any concerns reported in accordance with this Policy. Where appropriate, UIAA may instruct external experts to investigate any Safeguarding issues on its behalf.
- 7.2. UIAA may consult or appoint external independent investigators where appropriate.
- 7.3. The procedures that the Safeguarding Officer (or their nominee) will follow are set out in Appendix 2.

8. Disciplinary Procedure

- 8.1. Where a decision is taken to charge a person with Misconduct for a breach of this Policy, the matter shall be referred to the UIAA Court for consideration. These procedures are summarised in Appendix 2.
- 8.2. Where appropriate, UIAA may wait until the final outcome of any related criminal or civil proceedings is known before deciding whether or not to refer a case to the UIAA Court.
- 8.3. The UIAA Court shall have jurisdiction to make a determination on alleged breaches of this Policy in the first instance (including in respect of provisional suspensions). The UIAA Court may, either on its own initiative or upon the application of one or all of the parties concerned, stay the proceedings before it

UIAA Safeguarding Policy

pending the outcome of any related criminal or civil proceedings.

9. Measures and Sanctions

- 9.1. Where the UIAA Court has determined that a breach of this Policy has taken place, the subject of the misconduct decision shall be sanctioned on the recommendation of the UIAA Court and could include - recall to order, blame, partial suspension of rights for a period of 8 days to 5 years or for life, total temporary suspension, exclusion from positions or functions, publication of the decision. Sanctions can be imposed with partial or total suspension. In the event of recidivism, the penalties may be doubled. The following factors should be included in the consideration by the Court when determining the proportionality of the sanction imposed: the nature and severity of the violations; the number of violations; any other relevant circumstances (e.g., when the abused or harassed person is a minor), any risk that the sanctioned person poses in the future and any other factors considered relevant by the UIAA Court.

10. Appeals

- 10.1. An Appeal may be lodged against a decision of the UIAA Court and such appeals must go to the Court of Arbitration for Sport (UIAA Articles of Association Art. 25).

Information

- A helpful list of services providing support and information international is available here: [Getting Help](#) | [Safe Sport International](#)

This Policy has been approved by the UIAA Executive Committee as at 1 December 2023. It will be reviewed on an ad hoc basis as required and, in any event, every two years by UIAA's Legal Affairs Commission.

Appendix 1

Incident Report Form

This [Safeguarding Incident Report Form](#) may be used to provide information to UIAA in relation to potential safeguarding concern(s). Please provide as much information as you can/wish to. Please note that anonymous reporting is possible but may restrict or prevent the proper investigation of incidents).

Appendix 2

Safeguarding: Summary of Procedures

