

## IFA SAFE SPORT POLICY SAFEGUARDING ATHLETES AND PARTICIPANTS FROM DISCRIMINATION, HARASSMENT AND ABUSE

### Introduction

Any form of discrimination, harassment, or abuse – be it physical, mental, professional or sexual – is completely incompatible with the intrinsic values of sports. Within IFA, there is zero tolerance for discrimination, harassment, or abuse (collectively, “Misconduct”), irrespective of race or ethnic origin, culture, religion or belief, gender, sexual orientation, language, age, political or other opinion, disability, socio-economic, or other status.

IFA believes that all athletes, staff, volunteers, officials, entourage, and other participants have the right to participate and develop in sport, in a safe and inclusive environment, free from all forms of Misconduct, as well as from violence, neglect, and exploitation.

It is in such conditions that athletes are most likely to flourish and optimize their sporting performance. Misconduct damages both individual and organizational health. While it is well-known that sport offers significant potential for personal and social benefits, this potential is undermined where Misconduct occurs.

Zero tolerance means that IFA will not stand for any Misconduct, regardless of form. Therefore, all organizations and people within the Fistball community have a shared responsibility to eliminate

Misconduct and any culture within their organizations that may encourage or tolerate any Misconduct.

It is a prerequisite that all athletes, staff, volunteers, officials, entourage, and other participants within sports follow these guidelines, and that the appropriate officials are notified upon suspicion of Misconduct, and that any such situations are resolved proactively.

Research has shown that no sport is exempt from Misconduct, and no country or region of the world is exempt. In sport, this can give rise to suffering for athletes and others, and to legal, financial, and moral liabilities for sport organizations. All ages and types of athletes are susceptible to the various forms of Misconduct. Studies have confirmed that elite, disabled, child and lesbian/gay/bisexual/trans-sexual (LGBT) athletes are at highest risk, that psychological abuse is at the core of all other forms and that fellow athletes can also be perpetrators. There are particular risks in dealing with young people, and children, and evidence also suggests that female athletes have an enhanced risk.

The impacts of all forms of Misconduct on the athlete are often extensive and may be long-term. They may persist long after the athlete has left the sport and may lead to damage within family or other relationships. Sport organizations, in particular, are gatekeepers to safety and should demonstrate strong leadership in identifying and eradicating these practices. Everyone in sport shares the



facebook.com/IFA.Fistball

President: Jörn Verleger | Secretary General: Christoph Oberlehner  
Vice Presidents: Giana Hexsel, Vikki Buston, Steve Schmutzler  
Treasurer: Franz Peter Iten | Chair of the Sports Commission: Winfried Kronsteiner  
ZVR 071465855/Bank Account IBAN: AT41 2032 0321 0039 5106 | BIC/SWIFT: ASPKAT2LXXX  
Institut Name: Sparkasse Oberösterreich, Promenade 11-13, 4020 Linz, Austria



responsibility to identify and prevent Misconduct and to develop a culture of dignity, respect and safety in sport.

## **Purpose**

The purpose of this IFA Safe Sport Policy is to:

- outline IFA's policy on safeguarding athletes and participants from Misconduct;
- describe the processes that are in place to help prevent Misconduct from occurring and the responsibilities of IFA participants to achieving a work and sport environment free of Misconduct;
- define the procedures available to IFA participants to bring forward a complaint related to an IFA Event;
- describe the consequences of a breach of this policy, including interim measures and specific sanctions; and
- outline the record-keeping procedures when a complaint is received.

IFA is committed to creating and maintaining a sport/work environment that is free from, among other things:

- Misconduct – be it physical, mental, professional or sexual; and
- violence, bullying, hazing, and other forms of abuse.

## **Scope**

This IFA Safe Sport Policy outlines its approach related to Safe Sport issues of Misconduct by or against any Participant (as defined below). In applying this Policy, investigations or reviews are limited to issues arising at IFA Sanctioned Events (“IFA Events”) or that involve IFA staff, consultants, officials, or volunteers (each, “IFA Personnel”) in connection with their IFA duties.

In addition, IFA acknowledges the duty of care by all Member federations (“MFs”) to protect Participants from any forms of Misconduct. IFA therefore strongly encourages all MFs to accept and adopt the general principles of safe sport, defining their own policies and procedures, modifying as necessary to fit with their own applicable legal framework.

For purposes of this IFA Safe Sport Policy, “Participant” means any individual – including athletes, staff, volunteers, officials, entourage, and other participants – who is seeking to be, currently is, or was at the time of the alleged violation: (a) a member or license holder of IFA, a Continental Association (CA), or a MF; (b) an employee of IFA, a CA, or a MF; (c) within the governance or disciplinary jurisdiction of IFA, a CA, or a MF; or (d) authorized, approved, or appointed by IFA, a CA, or a MF to have regular contact with athletes.

## **PART 1**

### **IFA SAFE SPORT POLICY FOR IFA EVENTS AND IFA PERSONNEL**

The following policy governs alleged Misconduct (a) at or related to IFA Events and/or (b) involving IFA Personnel. MFs or other parties shall have jurisdiction over other reports of Misconduct. Notwithstanding the foregoing, IFA may, but shall not be obligated to, investigate misconduct by any managers, officers or employees of MFs.

#### **1. Prevention and Intervention**

Prevention and intervention are key to achieving a work and sport environment free of Misconduct. IFA must present a positive role model. Participants should communicate IFA's objective to create and maintain a sport and work environment free of discrimination, harassment, and abuse, and are expected to intervene when it appears that discrimination, harassment, or abuse is occurring, or may have occurred.

##### **a. Integrity Officers**

IFA shall appoint two individuals, which two individuals shall not be of the same gender, designated as the IFA Integrity Officers (the “Integrity Officers”) for the purpose of this Policy.

The role of the Integrity Officers shall be:

- to receive information about reports brought forward relating to Misconduct and initiate investigations related to allegations involving IFA Events or IFA Personnel;
- to facilitate the process for bringing forward reports of misconduct at IFA Events or involving IFA Personnel;
- to provide support to individuals who have questions or concerns about the application of this IFA Safe Sport Policy; and
- to report on a regular basis to the IFA Ethics Commission and the IFA Board of Directors.

#### **b. Duty to Report**

All Participants are expected to promptly report any behavior at or related to a IFA Event, or involving any IFA Personnel, of which they become aware, which may constitute Misconduct. This includes situations where Misconduct is suspected or rumored, appreciating that victims of Misconduct are often reluctant to report it. IFA will support “whistle blowers” by providing a confidential reporting system which also can be used for anonymous reports of misconduct at IFA Events or involving IFA Personnel. IFA encourages anyone who has such concerns to “blow the whistle” early, to prevent continuing or future harm to Participants.

Notwithstanding the foregoing, nothing in this Policy shall be construed to require a victim of Misconduct to self-report.

#### **c. Receiving Reports**

Reports of suspected Misconduct at or related to a IFA Event, or involving IFA Personnel, may be made to one or both of the Integrity Officers or to any member of the IFA Ethics Commission.

All such reports shall be brought promptly to the attention of the Integrity Officers by whoever receives the report (except when the report implicates one of them, in which case it will be brought to the attention of the other, or, in the case where both are implicated, then to the Secretary General). In addition, any reports arising from the conduct of a Participant at a IFA Event shall also be promptly brought to the attention of the Competition Manager unless the complaint involves the conduct of the Competition Manager.

Reporting conduct to IFA does not satisfy any obligation to report any alleged Misconduct to law enforcement or other appropriate authorities where required by applicable law.

#### **d. Confidentiality**

Reports may be made anonymously to IFA. Anonymity means that IFA will not know the personally identifying information of the reporter. It does not mean that the underlying information will be protected.

It should be noted, however, that an anonymous report may limit IFA’s ability to investigate and respond to a report. Consequently, IFA strongly encourages adult reporters to provide their name and contact information when reporting.

Unless necessary to IFA’s investigation or resolution of a matter, IFA does not disclose a thirdparty reporter’s personally identifying information.

A claimant may request that personally-identifying information not be shared with a respondent. IFA will seek to honor such a request if it is possible to do so while also protecting the health and safety of the claimant and the IFA community. IFA will make reasonable efforts to protect the privacy of a claimant. Actions that may be required as part of any investigation, however, could involve speaking with a respondent and others who may have relevant information, in which case the claimant’s identity may have to be disclosed.

Although IFA is committed to protecting the privacy of all individuals involved in the investigation and resolution of reported allegations, information will be shared as necessary with IFA Personnel, and counsel, witnesses, and the parties. It may also be necessary for IFA to notify one or more MFs or other member

organizations (a) of an allegation involving a participant from that MF or member organization; (b) if IFA implements a temporary measure; (c) of procedural status updates; and (d) of any sanctions.

IFA reserves the right to notify guardians of claimants regarding any health or safety risk.

## **2. Complaint Procedure**

### **a. Assistance to Complainants**

A complainant may request the assistance of the Integrity Officers in understanding these guidelines, in pursuing resolution short of lodging a complaint, if appropriate, and in formulating the written complaint. Should a complainant choose to retain legal counsel at any stage of a complaint or appeal, it shall be at the complainant's own expense.

### **b. The Complaint**

Although anyone may report alleged Misconduct, a complaint may be made only by (i) persons affected by the alleged Misconduct, or (ii) the Secretary General or the Integrity Officers, on behalf of IFA. A complaint shall be in writing, and signed by the complainant, or by the Secretary General or Integrity Officers (as applicable), if the complaint is brought on behalf of IFA. The complaint shall be submitted to the Secretary General and/or the Ethics Commission Chair, and a copy shall be provided to the Integrity Officers.

The complaint should include particulars of the alleged Misconduct, including details of the incident or incidents, including dates, times, locations, description of action, account of dialogue, the name of the alleged perpetrator(s) and any witnesses or names of other individuals who may also have experienced the alleged Misconduct. The complaint should detail any corrective action taken to date. The parties to a complaint are IFA, the respondent(s) and the complainant(s), if any. Where there is a complainant, the complainant may withdraw the complaint at any time. However, such a complaint may be continued as a complaint by the Secretary General on behalf of the IFA, at IFA's discretion.

### **c. Processing the Complaint**

The person responsible for processing the complaint (hereinafter the "IFA Official") may vary, as follows: (i) where a complaint involves conduct by IFA Personnel, other than the Executive Director, the IFA Official shall be the Secretary General; and (ii) in all other cases, the IFA Official shall be the Ethics Commission Chair (or where a complaint involves conduct by the Ethics Commission Chair, an alternate member of the Ethics Commission). The Ethics Commission Chair or, in the case of a complaint involving the Ethics Commission Chair, the alternate, may delegate part or all of the responsibilities of the Ethics Commission Chair (or alternate) under these guidelines to the Secretary General, except where a complaint is by or against the Secretary General.

## **3. Investigation**

The IFA Official may decide not to take further action on a complaint if: (i) in the opinion of the IFA Official, the facts alleged in the complaint would be insufficient, if proven, to establish Misconduct under the IFA Safe Sport Policy; (ii) in the opinion of the IFA Official, the investigation of the complaint would not advance the purpose of the IFA Safe Sport Policy in the circumstances, either because of an impossibility to investigate the case due to significant delay between the alleged events and the time of the complaint or for any other reason; and (iii) if the complaint is made anonymously and cannot be otherwise corroborated. In the case of (i) or (ii) above, the IFA Official must provide the reasons for the decision not to investigate the complaint, in writing to the complainant.

If the IFA Official decides not to take further action on a complaint, the complainant may make an appeal to have the case pursued by the IFA Conduct Committee, in accordance with the IFA Conduct Policy. In all other cases, the IFA Official shall investigate the complaint or appoint and provide terms of reference to an investigator ("Investigator") who shall investigate the complaint and make findings of fact. At the discretion of the IFA Official, the Investigator may be a paid or unpaid individual or a professional firm.

Before the Investigator's final report is issued, each respondent shall have a reasonable opportunity to respond to the allegations. If a respondent declines to do so, or does not respond within the timeframe provided, the Investigator's report may nonetheless be issued.

The IFA Official may consult with the Investigator during the course of the investigation, may review the Investigator's report in draft, and may provide additional terms of reference to, or request clarification from, the Investigator.

The Competition Manager shall be consulted throughout any investigation involving conduct at a IFA Event unless the complaint involves conduct by the Competition Manager.

A copy of the investigation report shall be provided to the IFA Board of Directors, the complainant(s), and the respondent(s), as well as to the Competition Manager if the complaint involves conduct at a IFA event.

#### **4. Assistance to Respondents**

A respondent may request the assistance of the Integrity Officers in understanding these guidelines.

Should a respondent choose to retain legal counsel at any stage of a complaint or appeal, it shall be at the respondent's own expense.

#### **5. Standard of Proof**

The complainant bears the burden of gathering sufficient evidence to reach a determination, based on the preponderance of the evidence, that a respondent(s) violated the IFA Safe Sport Policy.

#### **6. Temporary Measures**

IFA may, at any point before a matter is final, impose temporary measures. Generally, such temporary measures are implemented based on the severity of the allegations, the evidentiary support for the allegations, and/or the perceived risk to Participants. Temporary measures may include, without limitation: altering training schedules, providing or requiring chaperones, implementing contact limitations, implementing measures prohibiting one-on-one interactions, and suspensions from participation in some or all aspects of IFA-related sport activity. If measures require monitoring or chaperoning, the respondent(s) may be required to locate, arrange and/or pay for some or all of those services as a condition of continued participation pending completion of the investigation.

A temporary measure shall be effective immediately upon notice, unless stated otherwise. Temporary measure(s) will remain in effect until IFA expressly removes the temporary measure(s).

A temporary measure may be modified by IFA at any time.

#### **7. Methods of Resolution**

##### **a. Administrative Closure**

The IFA Official, in its discretion, may administratively close a matter. This may be done as a result of insufficient evidence, a claimant(s) who elects not to participate in the resolution process, or other factors as determined by the IFA Official. IFA may, upon receipt of new information or evidence, or a change in circumstances, reopen the matter for further investigation.

##### **b. Informal Resolution**

A respondent may, at any time before a matter is final, elect to resolve allegations of Misconduct by accepting responsibility for a policy violation. A participant's doing so provides for the opportunity to informally resolve the matter, and IFA will determine the appropriate sanction. An informal resolution is not a settlement, but does constitute a final and binding decision of the matter. The outcome and/or sanctions of an informal resolution may be published by IFA.

### **c. Formal Resolution**

A formal resolution occurs after IFA has completed an investigation and either closes the matter or, if a violation is found, issues its decision.

## **8. Participation**

The parties to an investigation are IFA and the respondent. During an investigation, the claimant(s) and respondent(s) will have an opportunity to submit information and relevant evidence, to identify witnesses who may have relevant information, and to submit questions that they believe should be directed by the Investigator to each other or to any witness.

Neither the claimant(s) nor the respondent(s) are required to participate in the investigation nor any form of resolution under these procedures. However, full cooperation and participation in the resolution process is important to ensure that all relevant information and evidence are presented so that IFA can determine whether a violation occurred. If a claimant(s) or respondent(s) declines to cooperate or participate in an investigation, IFA will make its decision based on the available evidence; alternatively, IFA may, in its discretion, choose not to proceed.

Witnesses who are members of a MF are expected to participate and cooperate in IFA's investigation and any associated proceedings.

## **9. Determinations Following Investigation**

The IFA Official shall determine whether Misconduct has been established by a preponderance of the evidence in light of the findings of fact contained in the Investigator's report and, if so, the nature and particulars of the Misconduct. The IFA Official's determinations shall be communicated to the IFA Board of Directors, the complainant(s), the respondent(s), and the Integrity Officers, as well as to the Competition Manager if the complaint involves conduct at an IFA event.

## **10. Decision**

IFA will determine whether there is sufficient information, by a preponderance of the evidence, to support a finding that respondent(s) violated IFA policies. If there is a finding that respondent(s) committed a violation(s), the decision will note the violation and identify an appropriate sanction(s).

The claimant and respondent will be notified of the decision. Such notice of decision will set forth any violation(s) of IFA policies, as supported by the rationale set forth in the IFA Official's report; the sanction(s) imposed against respondent(s) (if applicable); and the rationale for any sanction(s) imposed. The notice of decision is considered confidential; however, the outcome reflected in the decision – including whether a violation was found, the nature of the underlying misconduct, and any sanctions imposed – is not.

## **11. Sanctions**

The IFA Official shall have the authority to impose sanctions, if warranted, subject to approval by the IFA Board of Directors. When the complaint arises from conduct at a IFA Event the IFA Official shall consult with the Competition Manager before imposing sanctions, unless the complaint involves conduct by the Competition Manager.

One or more of the following sanctions may be imposed singularly or in combination:

- *Written Warning* – An official, written notice and formal admonition that a Participant has violated the IFA Safe Sport Policy and that more severe sanctions will result should the Participant be involved in other violations.
- *Probation* – A specified period of time during which, should *any* further violations of the IFA Safe Sport Policy occur during the probationary period, it will result in additional disciplinary measures, likely including a period of suspension or permanent ineligibility. This sanction can also include loss of privileges or other conditions, restrictions, or requirements.
- *Suspension or Other Eligibility Restrictions* – Suspension for a specified period of time from participation, in any capacity, in any IFA Event or at an event or facility under the jurisdiction of IFA.

In IFA's discretion, a suspension may include restrictions or prohibitions from some types of participation but allowing participation in other capacities. A suspended Participant is eligible to return to active status after the suspension lapses, but reinstatement may be subject to certain restrictions or contingent upon the Participant satisfying specific conditions noted at the time of suspension.

- *Ineligibility* – Ineligibility to participate until further notice, in any capacity, in any IFA Event or at an event or facility under the jurisdiction of IFA. Ineligibility is typically imposed when a respondent has pending criminal charges.
- *Permanent Ineligibility* – Permanent ineligibility to participate, in any capacity, in any IFA Event or at any event or facility under the jurisdiction of IFA.
- *Other Discretionary Sanctions* – IFA may, in its discretion, impose other sanctions for Misconduct, including without limitation, other loss of privileges, no contact directives, requirement to complete educational or other programs, and other restrictions or conditions as deemed necessary or appropriate.

Factors relevant to determining appropriate sanctions include, without limitation:

- Respondent's prior history;
- A pattern of inappropriate behavior or misconduct;
- The ages of individuals involved;
- Whether the respondent poses an ongoing and/or potential threat to the safety of others;
- Respondent's voluntary disclosure of the offense(s), acceptance of responsibility for the Misconduct, and/or cooperation in IFA's process;
- Real or perceived impact of the incident on the claimant, IFA or the IFA community;
- Whether given the facts and circumstances that have been established, continued participation in IFA sports is appropriate; and/or
- Other mitigating and aggravating circumstances.

Any single factor, if severe enough, may be sufficient to justify the sanction(s) imposed.

## **12. Appeals**

An appeal of a decision made under these guidelines will be heard and determined by the IFA Conduct Committee. Any initial or subsequent appeal shall be in accordance with the Conduct Policy.

The notice of appeal must be made in writing to the IFA Secretary General, within fourteen days of the appellant receiving notice of the IFA Official's decision with respect to sanctions and must state the specific grounds for the appeal. A copy of the notice of appeal shall be promptly provided to the IFA Official, the Integrity Officers, the Competition Manager if the appeal involves conduct at sanctioned events, and to every person entitled to participate as a respondent in the appeal.

The IFA Conduct Committee is authorized to modify the sanction only upon finding that the IFA Official abused its discretion.

## **13. Misconduct**

This Section 13 sets forth expectations for Participants related to Misconduct in sport, including bullying, hazing, and harassment.

The privilege of participation in IFA Events may be limited, conditioned, suspended, terminated, or denied if a Participant's conduct is or was inconsistent with IFA policies and/or the best interests of sport and those who participate in it.

It is a violation of the IFA Safe Sport Policy for a Participant to engage in or tolerate: (i) Prohibited Conduct, as defined below, (ii) any conduct that would violate any current or previous IFA standards analogous to Prohibited Conduct that existed at the time of the alleged conduct; or (iii) any conduct that would violate community standards analogous to Prohibited Conduct that existed at the time of the alleged conduct, including then applicable criminal and/or civil laws.

**“Prohibited Conduct” includes:**

- Criminal Charges or Dispositions
- Child Abuse
- Sexual Misconduct
- Emotional and Physical Misconduct
- Aiding and Abetting
- Misconduct Related to Reporting
- Misconduct Related to IFA’s Process
- Other Inappropriate Conduct

#### **a. Criminal Charge or Disposition**

It is a violation of the IFA Safe Sport Policy for a Participant to have a Criminal Charge or Disposition.

Criminal Conduct is relevant to an individual’s fitness to participate in sport. The age of a Criminal Charge or Disposition is not relevant to whether a violation of the IFA Safe Sport Policy occurred, but may be considered for sanctioning purposes.

#### **i. Definitions**

**Criminal Disposition** – It is a violation of this IFA Safe Sport Policy to be or have been subject to any disposition or resolution of a criminal proceeding, other than an adjudication of not guilty, including without limitation: an adjudication of guilt or admission to a criminal violation, a plea to the charge or a lesser included offense, a plea of no contest, the disposition of the proceeding through a diversionary program, deferred adjudication, deferred prosecution, disposition of supervision, conditional dismissal, juvenile delinquency adjudication, or similar arrangement.

**Criminal Charge, including Warrant for Arrest** – It is a violation of this IFA Safe Sport Policy for a Participant to have any pending criminal charge(s) or warrant(s) for arrest.

When assessing whether conduct constitutes a Criminal Charge or Disposition, IFA may assess and rely upon the original charges, amended charges, or those to which a plea was entered.

#### **ii. Sex Offender Registry**

A Participant who is currently on any sex offender registry is ineligible to participate.

#### **iii. Hearing Related to Criminal Charge or Disposition**

A Participant who wishes to challenge IFA’s decision related to a Criminal Charge or Disposition may request a hearing concerning the sanction with the IFA Conduct Committee.

If IFA renders a decision regarding a Participant’s Criminal Charge or Disposition, and that Charge or Disposition is subsequently modified by a criminal court, the Participant may request that the matter be reopened by IFA. In instances where a pending criminal charge(s) resolves, in that the charge(s) is eventually dismissed, results in an acquittal, or results in a Criminal Disposition as defined above, a respondent’s request to reopen will always be granted and a new decision issued.

#### **b. Child Abuse**

It is a violation of this IFA Safe Sport Policy for a Participant to engage in Child Abuse. “Child Abuse” means the physical or mental injury, sexual abuse or exploitation, or negligent treatment of a child.

Notwithstanding the foregoing, “Child Abuse” shall not include discipline administered by a parent or legal guardian to his or her child provided it is reasonable in manner and moderate in degree and otherwise does not constitute cruelty.

#### **c. Sexual Misconduct**

It is a violation of this IFA Safe Sport Policy for a Participant to engage in Sexual Misconduct. More information about Sexual Misconduct is included in Appendix A.



#### **d. Emotional and Physical Misconduct**

It is a violation of this IFA Safe Sport Policy for a Participant to engage in emotional and/or physical misconduct, when that misconduct occurs within a context that is reasonable related to sport, including without limitation:

- Emotional misconduct
- Physical misconduct
- Bullying behaviors
- Hazing
- Harassment

#### **e. Aiding and Abetting**

It is a violation of this IFA Safe Sport Policy for a Participant to aid and abet any Misconduct. Aiding and abetting is any act taken with the purpose of facilitating, promoting, or encouraging the commission of Misconduct by a Participant.

#### **f. Misconduct Related to Reporting**

It is a violation of this IFA Safe Sport Policy for an adult Participant to fail to report actual or suspected Sexual Misconduct or Child Abuse to IFA or a MF and, when appropriate, to law enforcement.

It is also a violation of this IFA Safe Sport Policy to file a knowingly false allegation that a Participant engaged in Misconduct.

#### **g. Misconduct Related to the Process**

The behaviors identified below constitute Prohibited Conduct. In addition, a Participant also commits Prohibited Conduct if someone acts on behalf of the Participant and engages in any of the following:

- i. *Abuse of Process* – A Participant, or someone acting on behalf of a Participant, engages in Prohibited Conduct by directly or indirectly abusing or interfering with IFA's process by: (1) falsifying, distorting, or misrepresenting information, the resolution process, or an outcome; (2) destroying or concealing information; (3) attempting to discourage an individual's proper participation in or use of, IFA's Safe Sport processes; (4) harassing or intimidating (verbally or physically) any person involved in IFA's Safe Sport processes before, during, and/or following proceedings; (5) publicly disclosing a claimant's identifying information; (6) failing to comply with a temporary measure or other sanction; (7) distributing or otherwise publicizing materials created or produced during an investigation as part of these policies or procedures, except as required by law or as expressly permitted by IFA; or (8) influencing or attempting to influence another person to commit abuse of process.
- ii. *Retaliation* – Retaliation against anyone for engaging in IFA's Safe Sport processes is prohibited.

## **APPENDIX: FURTHER GUIDELINES ON SEXUAL HARASSMENT AND SEXUAL ABUSE**

### **A. Introduction**

Sexual harassment and sexual abuse are a particularly pernicious form of harassment and abuse. This appendix attempts to provide a clearer understanding of the issue and further guidance in addressing this issue.

Sexual abuse of minors will always be considered a criminal action and upon notification to IFA will be turned over to the relevant local authorities.

### **B. Defining the Issue of Sexual Harassment and Sexual Abuse**

By sexual harassment we mean unwelcome sexual attention. It refers to behavior towards an individual or group that involves sexualized verbal, non-verbal or physical behavior, whether intended or unintended, legal or illegal, that is based upon an abuse of power and trust and that is considered by the victim or a bystander to be unwanted or coerced.

By sexual abuse we mean to trick or coerce a person into a sexual relationship the person does not want or is not sufficiently mature to consent to. In sport, it often involves manipulation and entrapment of the athlete.

Sexual harassment and abuse occur within an organizational culture that facilitates such opportunities. Indeed, they are symptoms of failed leadership in sport.

Gender harassment, hazing and homophobia are also regarded as forms of sexual harassment and abuse. Gender harassment consists of derogatory treatment of one gender or another which is systematic and repeated but not necessarily sexual. Hazing involves abusive initiation rituals that often have sexual components and in which newcomers are targeted. Homophobia is a form of prejudice and discrimination ranging from passive resentment to active victimization of lesbian, gay, bisexual and transgender people.

### **C. Prevalence, Risks, and Consequences**

Research indicates that sexual harassment and abuse happen in all sports and at all levels, but prevalence appears to be higher in elite sport. Members of the athlete's entourage who are in positions of power and authority appear to be the primary perpetrators. Peer athletes have also been identified as perpetrators.

There is no evidence that the amount of clothing cover or the type of sport are risk factors: these are myths. Research identifies risk situations as the locker-room, the playing field, trips away, the coach's home or car, and social events, especially where alcohol is involved. Team initiations or end-of-season celebrations can also involve sexually abusive behavior against individuals or groups.

Sexual harassment and abuse in sport seriously and negatively impact on athletes' physical and psychological health. It can result in impaired performance and lead to athlete drop-out. Psychosomatic illnesses, anxiety, depression, substance abuse, self-harm and suicide are some of the serious health consequences of sexual harassment & abuse. Passive attitudes/non-intervention, denial and/or silence by people in positions of power in sport (particularly bystanders) increases the psychological harm of sexual harassment and abuse. Lack of bystander action also creates the impression for victims that sexually harassing and abusive behaviors are legally and socially acceptable and/or that those in sport are powerless to speak out against it.

Openness, bringing the problem into the open and raising awareness of the consequences that sexual harassment may have for those exposed to it, for the environment and for the club and for sports as an organization are therefore important.

When it comes to sports as an organization, highly publicized cases in the media, where there have been complaints and/or judgments, may lead to clubs/leagues experiencing problems with sponsors. Thus, in the wider perspective, cases involving sexual harassment and abuse may lead to financial

consequences for the sports in general.

Studies show that very few persons report incidents when they are exposed to sexual harassment and abuse. It is important that the one who is the object of sexual harassment has a place to turn to with the problem. This will be an acknowledgment that the problem exists in the organization. A system with clear and simple reporting processes must be in place, where complaints can be handled fast and with discretion. It is important that the organization tackles the problem and does not trivialize it, so that the person concerned has confidence that the problem will be dealt with in a proper way, and not be afraid of informal reprisals. While it is essential to have procedures to deal with issues once they have arisen, it is still more important to create an environment where sexual harassment does not occur in the first place.

#### **D. Relationships in Sport**

There is always a power difference in an athlete's relationships with members of their entourage (coaches, scientific and medical staff, administrators etc.). This power difference, if misused, can lead to sexual harassment and abuse.

These relationships require that a significant amount of time be spent together in the emotionally intense environment of competitive sport. All adults in an athlete's environment must adopt clear guidelines about their roles, responsibilities and appropriate relationship boundaries. It is essential that each member of the entourage, and any other authority figure, stays within the boundaries of a professional relationship with the athlete.

Individuals in sports, as elsewhere in society, may have different opinions as to what harassment and abuse constitute, and how it can be countered. This is especially so because to show emotion, often in the form of physical body contact, when someone wins or loses, is part of sports behavior. The same applies to body contact when learning new movements and techniques. It is therefore important to be open regarding the issue and to discuss and agree on "where the limits" should be for what is termed acceptable behavior, as well as to develop guidelines to prevent discrimination, harassment and abuse.

#### **E. Prevention Strategies**

Sexual harassment must be regarded as a collective structural and cultural problem, and not as an individual problem. The occurrence of sexual harassment indicates something about the environment within a club and/or a league and is a breach of the basic values of sports.

Accepted prevention strategies include policies with associated codes of practice, education and training, complaint and support mechanisms and monitoring and evaluation systems. Regardless of cultural differences, every sport organization should have these provisions in place.

The policy is a statement of intent that demonstrates a commitment to create a safe and mutually respectful environment. The policy should state what is required in relation to the promotion of rights, well-being and protection. It allows the organization to generate prompt, impartial and fair action when a complaint or allegation is made. It further allows it to take disciplinary, penal and other measures, as appropriate.

Codes of practice describe acceptable standards of behavior that, when followed, serve to implement the policy. Standards of behavior set a clear benchmark for what is acceptable and unacceptable. They can help to minimize opportunities for sexual harassment and abuse and unfounded allegations.

An open, sound and safe sporting environment will, in itself, serve as a protection against harassment, and also against false accusations. But it may be difficult to put this in place if knowledge is lacking as to what constitutes harassment and which consequences it may have both for athlete, club and associations. Understanding of harassment and sexual abuse should therefore be included in the education of all managers, coaches and active athletes.

A condition for maintaining and strengthening a sound sporting environment is that the management agrees on what constitutes a sound environment. A discussion as to which attitudes and values should characterize a club or association is therefore important. This concerns questions on how to interact with one another, which expectations and requirements one places on parents, coaches and managers, how the club should be managed, etc. Relevant issues in relation to children and young people may be showering and bathing, the general tone amongst children and young people, sleeping over (are boys

and girls to share the same room or have separate sleeping quarters on trips, and if so, are adults to stay with them, and what does age mean in this connection?). Some sports clubs and many national sport federations have ethical guidelines, written or non-written, but these are primarily linked to alcohol and drug abuse.

There are however a number of awareness raising measures within IFA which may also have a preventative effect on sexual harassment and abuse. These relate to bullying, racism, fair play and language use. Member federations, clubs, and teams that do not have ethical guidelines, or policies which do not include a ban on sexual harassment, should refer to the IFA guidelines. Ethical guidelines should be referred to in employment contracts for coaches and managers. The boundaries for acceptable behavior should thus be apparent from the ethical guidelines, and it is important that this is discussed openly in the boardroom, the support network and with the active athletes. Ethical guidelines may also be termed rules for daily interaction or rules of conduct. These will vary somewhat depending on whether it concerns a club or an association, in addition to the level of performance of the athletes.

Examples of such rules could be:

- There is never consumption of alcohol or drugs together with the players on trips to and from national and international events
- There should always be representatives of both genders in the support network
- The coaches shall not have discussions with the players in the players' room, but in meeting rooms or other more "public" arenas
- In our club we sleep together in a dormitory when we attend cup tournaments – no adult sleeps alone together with the members
- In our club the coaches do not shower alone together with individual athletes
- In our club there is a minimum of two athletes at every training session together with the coach
- In our club the coaches/representatives do not invite individual athletes to their homes without several others also being around

The management, with the support network, is responsible for creating a safe environment for the athletes.

Athletes should be aware of which boundaries are acceptable to them and be able to make others aware of what their boundaries are, and last but not least, be able to adhere to the limits and speak out when someone oversteps them. This is difficult for children and young people, but also for young adults if they do not find themselves in a secure environment. This is especially the case if a respected adult person, for instance the coach, is the one committing the violation.

Adults must therefore respect the athlete's personal space and never overstep the limits for acceptable behavior.

## **F. Procedure when Sexual Harassment or Sexual Abuse Occurs**

### **1. If you are the object of sexual harassment or sexual abuse:**

- Get in touch/seek help from someone you trust
- Contact the management of the club/sports association, or the sports division, the national sports association, or IFA

### **2. If you have a suspicion of sexual abuse or sexual harassment:**

To achieve a better sports environment and prevent sexual harassment and abuse it is important that the person who is the object of this dares to raise the matter. This may be difficult, especially for children and young people.

Athletes who, for instance, are the object of sexual harassment by somebody in the support network may be afraid of reprisals or retribution, feel uncertainty, shame and guilt or fear of not being believed. It is therefore important to emphasize that if anyone within the sports environment has a suspicion of sexual harassment or sexual abuse, they should give notice of this, either as a parent, part of the support network or athlete. For young athletes it is often easier to talk with

another person than directly confronting the person whose behavior is felt to be harassing.

### **3. Sexual abuse**

- If one discovers or suspects that someone is exposed to sexual abuse the suspicion should be taken up with the management of the organization. It is up to the management to decide whether the suspected person should be reported to the police, or whether other follow-up measures should be implemented, such as termination of contract, withdrawal of tasks or sports-related sanctions. The decision will have grave consequences for the suspect and the minor. It is therefore important that the management, which has the formal responsibility for the organization, reaches the decision.
- If the management, after thorough considerations – and preferably in cooperation with the person harboring the suspicion – feels that the suspicion is unfounded, it must be decided not to go further with the case and try to stop any gossip and rumors from spreading.
- If the management has reason to believe that there are grounds for the suspicion, the matter is no longer a case for the management. The parents should be informed immediately about the suspicion and should, in agreement with the organization, report the matter to the police. It is the police who, through questioning and examinations assess the case. The organization shall themselves not act as investigators. Nevertheless, it may be important to follow up such cases internally in the club/or association also during a possible court case in order to “take care of” other members both in the support network and amongst the athletes. The organization must also decide if the case should be reported to the Integrity Officer or other official of IFA.
- The management must ensure that professional secrecy is complied with. This concerns both the one being the target of sexual abuse and the one accused of such behavior, as well as in relation to possible sanctions.

### **4. Sexual harassment**

- If one discovers or suspects that anyone is exposed to sexual harassment, the suspicion must be taken up with the organization management. It is the responsibility of the management to counter and to try and prevent sexual harassment from occurring in the organization.
- If the management, after deliberations – and preferably in cooperation with the person harboring the suspicion – thinks that the suspicion is unfounded, it must be decided not to go further with the case and attempts must be made to stop any gossip and rumors from spreading.
- If the management finds that there are grounds for the suspicion, it must act. Which procedure or line of action is taken will depend on the character of the case. In any case the management must have separate meetings with both parties. Depending on the results of the discussions, the management must consider whether to implement any reactions against the person concerned.
- The management must ensure that professional secrecy is complied with. This applies both to the one who is target of sexual harassment and the one being accused of such behavior, as well as in relation to possible sanctions.
- The organization must also decide if the case should be reported to the Integrity Officer of IFA.

## **PART 2**

### **GUIDELINES FOR MEMBER FEDERATIONS (MFs) ON DEVELOPING A POLICY FOR SAFEGUARDING PARTICIPANTS FROM MISCONDUCT**

All MFs providing services or activities for athletes should have a written safe sport policy that is accessible to and easily understood by all, and actively promoted. The safe sport policy should be approved and endorsed by the relevant management body of the MF and reviewed appropriately. MFs should research what their obligations are in relation to mandatory reporting to public authorities or duty to warn within their country/region. In compiling their safe sport policies, MFs should include clear and easily understood procedures relating to:

- a. Expected standards of behavior towards athletes, participants and volunteers (including a Members' code of conduct, an explanation of discrimination and abusive behavior, how to deal with unacceptable behavior by or towards athletes, the use of sanctions/discipline and positive ways of managing the behavior of athletes that do not involve physical punishment or any other form of degrading or humiliating treatment, and are age and gender appropriate).
- b. Identifying signs of abuse, bullying, psychological stress, burnout and dropout (including appropriate definitions and/or indicators of such behavior).
- c. Taking athletes (especially young athletes) away on trips, tours or to competitions (including in relation to transport arrangements, insurance cover, venue safety).
- d. The use of mobile equipment, information technology and social media (such as email and other online communications such as social media or messaging on platforms such as Facebook, Twitter, Instagram etc.).
- e. The actions that should be taken on a step by step basis in the event of any incident, report or grounds for concern about abuse (including any relevant contact details for local police, social services departments, etc.).
- f. Identifying applicable laws regarding disclosure of information – reporting of suspicions of abuse is a legal requirement in some nations.
- g. Making and dealing with complaints about abuse by individual(s) subject to clear timescales and incorporating any disciplinary procedures (where appropriate) as well as appeal procedures.
- h. Providing appropriate support to the individual(s) who raise, report or disclose concerns or incidents of abuse (on an anonymous basis or otherwise).
- i. Ensuring the appointment of a Safe Sport Officer for the implementation and subsequent management and review of the safe sport policies and procedures; also ensuring that every group and individual member is aware who this person is and how to contact them.
- j. Assessing the suitability of all individuals that have contact with athletes through selfdeclarations and references, and specifically address how it will address individuals who have been convicted of sexual abuse or be under trial.
- k. Ensuring that all individuals acting for and on behalf of and/or with support staff (whether as an employee, event official, coach, volunteer, parent helper, contractor, agent or otherwise) understand their role and responsibilities in respect of safe sport and any code of conduct and are provided with appropriate training opportunities regarding the policy, the code of conduct and how to recognize, identify and respond to signs of abuse, neglect and other safe sport concerns relating to athletes.
- l. Ensuring that staff and volunteers with special responsibilities in relation to safe sport athletes receive appropriate training on recruitment practice, complaints and disciplinary processes and update their knowledge and understanding generally.
- m. The secure storing of confidential, detailed and accurate records of all safe sport concerns.
- n. Ensuring that all safe sport arrangements (including training), procedures and policies are monitored, reviewed and updated as appropriate including where there is a major change in any relevant law or customs, guidance, experience or needs.
- o. Amending, as necessary, its constitution to reflect its responsibility for overseeing the adoption and implementation of these Guidelines and ensuring its members are fully signed up to its constitution.

### 3. IFA Recommendations

The IFA recommends that all Member Associations should:

- a. Develop policies and procedures for the prevention of sexual harassment and abuse;
- b. Monitor the implementation of these policies and procedures;
- c. Evaluate the impact of these policies in identifying and reducing sexual harassment and abuse;
- d. Develop an education and training program on sexual harassment and abuse;
- e. Promote and exemplify equitable, respectful and ethical leadership; and
- f. Foster strong partnerships with parents/guardians in the prevention of sexual harassment and abuse.

The policy on safeguarding athletes and participants from discrimination, harassment and abuse should:

- a. identify and address these issues
- b. be clear and easily understood
- c. involve consultation with athletes
- d. be widely communicated through publication and education
- e. be approved by the relevant management body (e.g. Management Board or Executive Committee) and incorporated into its constitution and/or regulations
- f. apply to all involved in the organization
- g. be supported by a comprehensive education and training strategy
- h. be reviewed and updated on a regular basis, particularly when there is a major change in the constitutional regulations or bylaws of the organization or in the law.

The policy should have the following core components:

- a. Describe what is considered by the organization to be harassment and abuse (compliant with IFA policies and any applicable laws).
- b. Identify to whom the policy applies (e.g., anyone affiliated with the organization).
- c. Define a reporting procedure that is reliable and secure and ensures confidentiality, where reasonably possible.
- d. Appoint a person who is responsible for following up on all alleged incidents. This person should be trained and experienced in the field of safe sport, and this person's responsibilities should, in particular, include playing a central role in: (i) the reporting and investigation procedures, (ii) determining whether information of a case should be disclosed to local authorities, and (iii) providing support to any concerned persons throughout the reporting and investigation process.
- e. Outline an established investigation procedure to respond to alleged incidents of harassment and abuse.
- f. Outline an established disciplinary procedure.
- g. Establish guidelines on measures and sanctions detailing how incidents of harassment and abuse should be sanctioned, taking into consideration: the nature and severity of the violations; the number of violations; any other relevant circumstances.
- h. Highlight the importance of providing the responding party with a fair process, including providing notice to the individual(s) concerned and the right to be heard before any measure or sanction is applied.
- i. Explain how and when to inform relevant public authorities and other organizations about potential criminal cases.
- j. Establish a confidentiality policy related to reports of harassment and abuse and ensure that it is communicated to all parties, understanding that reports of harassment and abuse often contain extremely sensitive information.

The policy should:

- a. state that all members have a right to respect, safety and protection
- b. state that the welfare of members is paramount
- c. identify who has responsibility for implementing and upholding it
- d. specify what constitutes a violation
- e. specify the range of consequences for such violations

- f. specify procedures for reporting and handling complaints
- g. provide details of where to seek advice and support for all parties involved in a complaint
- h. specify procedures for maintaining records
- i. provide guidance for third party reporting ('whistleblowing').

There should be codes of practice on sexual abuse and harassment for specific member roles in a sport organization. The code of practice on sexual harassment and abuse should:

- a. provide guidance on appropriate/expected standards of behavior from all members
- b. set out clear processes for dealing with unacceptable behaviors, including guidance on disciplinary measures and sanctions.

#### **4. Education**

The IOC has developed a number of educational tools related to athlete safe sport. They are free and accessible for all athletes and entourage members. IFA encourages all athletes and entourage members of our MFs to work through the following module:

<https://www.olympic.org/athlete365/safe-sport/>

MFs are advised to read and utilize the IOC Toolkit "Safeguarding Athletes from Harassment and Abuse in Sport" when drafting their policies and procedures.

[http://d2g8uwgn11fzhj.cloudfront.net/wpcontent/uploads/2017/10/18105952/IOC\\_Safesport\\_Toolkit\\_ENG\\_Screen\\_Full1.pdf](http://d2g8uwgn11fzhj.cloudfront.net/wpcontent/uploads/2017/10/18105952/IOC_Safesport_Toolkit_ENG_Screen_Full1.pdf)