



# Safeguarding Rules

## 1. General

World Athletics is committed to protecting all those to whom the World Athletics' Safeguarding Policy applies from abuse, harassment, and exploitation, ensuring everyone is treated with dignity and respect.

These Rules are aimed at protecting the welfare of those to whom Turkish Athletic Federation's safeguarding policy applies from abuse, harassment and exploitation and to establish procedures for concerns, suspicions or allegations to be dealt with.

It should be noted that from time-to-time World Athletics may request information from Turkish Athletic Federation in relation to a particular matter which falls under the scope of these Rules then if so, Turkish Athletic Federation will need to provide such information accordingly.

## 2. Scope

These Safeguarding Rules ("these Rules") apply to the following:

- members of staff of Turkish Athletic Federation and its associated clubs;
- officials on the Board of Turkish Athletic Federation;
- anyone who volunteers for Turkish Athletic Federation and its associated clubs;
- parents of members of Turkish Athletic Federation and its associated clubs who are under the age of 18;
- other individuals who are part of an athlete's entourage or athlete support staff including managers, medical personnel, and family members; and
- anyone else who agrees in writing to be bound by these Rules.

These individuals are referred to in these Rules as “Participants”. Associated clubs of Turkish Athletic Federation are all those clubs which are within the jurisdiction of Turkish Athletic Federation.

All Participants are bound by these Rules and agree:

- not to engage in prohibited conduct as described in section 3 below;
- to comply with the relevant Turkish Athletic Federation’s Code(s) of Conduct;
- to comply with World Athletics’ safeguarding policy;
- to comply with Turkish Athletic Federation’s safeguarding policy;
- to be bound by the terms of these Rules even after they are no longer a Participant in so far as any obligations may continue to exist or for any matters that may arise after they are no longer a Participant but occurred during a period before that date.

It is every Participant’s responsibility to understand and comply with the requirements of these Rules. Ignorance of these Rules is no defense to proceedings for violation of them.

### **3. Prohibited Conduct**

The types of conduct set out below are prohibited:

- any criminal offence or breach of any other applicable laws or regulations;
- any conduct that harms, or attempts or threatens to harm the physical or mental welfare or safety of any other person;
- anything which constitutes a breach of World Athletics’ safeguarding policy or Turkish Athletic Federation’s safeguarding policy or its associated club’s safeguarding policy or codes of conduct;
- failure to take action where any misconduct or suspected misconduct is known about;
- failure to report any concern, suspicion, or allegation in accordance with Turkish Athletic Federation or its associated club’s safeguarding policy; and/or
- assisting, aiding, abetting, conspiring, covering up or engaging in any behaviour which might involve a breach or attempted breach of these Rules.

Prohibited conduct may be a criminal offence and/or a breach of other applicable laws. These Rules are intended to supplement such legislation with further rules of conduct for those involved in the sport of athletics.

The Turkish Athletic Federation must consider whether any prohibited conduct should (or must) be referred to the local law enforcement agency. Such a referral should be considered when the report is first received by Turkish Athletic Federation and whilst the matter is investigated.

Knowingly making a false report of possible prohibited conduct is also a violation of these Rules.

#### **4. Case Management Group**

Turkish Athletic Federation will establish a group of individuals who are able to consider cases which arise under these Rules (“the Case Management Group”). The Case Management Group will meet as often as is necessary and will have written Terms of Reference explaining what their purpose and role is as well as outlining how often they will meet, the format of the meeting and the individuals involved. The Case Management Group is able to meet either in person, via email, remote platforms (such as Zoom, Teams or Google Meet) or by telephone and may have to do so quickly to consider urgent matters. The Case Management Group will consider all instances of potentially prohibited conduct, whether any sanctions should be imposed and any applications from individuals requesting their sanction to be varied or lifted. Minutes of all meetings and decisions will be kept securely and confidentially for at least five years whether in written or digital format.

#### **5. Investigations and Risk Assessment**

If Turkish Athletic Federation is made aware of any Participant engaging in prohibited conduct and there are reasonable grounds to believe that the conduct has occurred, the matter will need to be investigated and the Participant must be referred to the Case Management Group. The Turkish Athletic Federation or Case Management Group will appoint an appropriate person to investigate who must be independent of the incident. The Case Management Group will include at least a pedagogue and/or a psychologist (if requested by the victim) in case there is a concern or suspicion in order to help the victim. The Case Management Group has the power to impose an interim sanction on a Participant alleged to have engaged in prohibited conduct

prior to an investigation being conducted if the Case Management Group believes that the Participant poses in immediate risk of harm to others in athletics.

The Participant must provide information requested by, or on behalf of, the Turkish Athletic Federation (for example by an investigator acting on behalf of Turkish Athletic Federation) and/or the Case Management Group about the conduct which has raised concerns. On occasion, Participants may be interviewed (in person or online) to obtain information directly from them.

The Participant must be provided with details which Turkish Athletic Federation or the Case Management Group has gathered following any investigation that may have been carried out and asked to respond to the concerns, allegations or questions raised as a result of the investigation. The Participant will be provided with the information to be relied on by the Case Management Group in determining what to do. All of this information must be kept confidential by the Participant. They may only share it with professional advisors if it is entirely necessary to do so.

The Participant will be given an opportunity to respond to the concerns following receipt of the information to be relied on by the Case Management Group. Following receipt of the response from the Participant all the information will be put to the Case Management Group to review and decide on the appropriate course of action.

## **6. Sanctions**

The Case Management Group has the power to impose a sanction on a Participant who may have engaged in prohibited conduct (a “Sanction”). When considering whether to impose a Sanction on someone who is considered a potential risk of harm to others involved in athletics, the Case Management Group may only consider information provided to the Participant and their response.

The Case Management Group also has the power to keep a Sanction already imposed in place. If there is already an interim Sanction imposed, it may be that the terms of the Sanction are varied to ensure the appropriate safeguarding measures are in place.

A Sanction may be one of the following:

- removal from some or all athletics events (including competitions, training, governance roles, social activities, club activities, team and/or media occasions) either for an interim period, a set period of time or an indeterminate period;
- a financial penalty;
- training or education requirement(s); or
- any other safeguarding measure which is considered to be appropriate to the situation.

A Sanction may be imposed when Turkish Athletic Federation is notified that a Participant:

- has been charged with a criminal offence;
- is being or has been investigated by law enforcement or any other authority relating to social care of children or adults;
- has been convicted of an offence or been warned about behaviour which would potentially harm an individual; and/or
- has behaved in such a way as to be considered a potential risk to anyone involved in athletics.

A Sanction must be reasonable, proportionate to the conduct that has been alleged and must take the following into account:

- whether any Participant or any other person is, or may be, at risk of harm;
- the seriousness of the conduct alleged to have been committed;
- the potential risk of harm the Participant poses to others, both within the athletics' community and the wider population;
- whether a Sanction is necessary or desirable to allow an investigation to be undertaken by Turkish Athletic Federation, the police or any other relevant agency or authority to proceed unimpeded having regard for the need for any Sanction to be proportionate; and
- any other relevant circumstances.

In considering whether to impose a Sanction or not the above criteria should be assessed, a note made of the decision and the basis of the criteria upon which the Sanction has been imposed.

When the Sanction has been imposed the Participant must be informed of:

- the decision;
- the reasons for its imposition;
- the terms;
- the date it will take effect;
- when it will end (if an end date has been prescribed or if it will remain in place until the end of an investigation, when that will be considered to have ended); and
- the right to appeal against the Sanction within 21 of the date of the Sanction.

The details of the Sanction will also be sent to the Participant's club and any other agencies, authorities or individuals who it is believed should be made aware of the Sanction to ensure its enforcement. See section 8 below for information regarding decisions and how and to whom they should be communicated.

## **7. Appeals**

A decision of the Case Management Group may be challenged by way of an appeal by Turkish Athletic Federation or the Participant who is the subject of the Case Management Group's decision. The decision of the Case Management Group shall remain in place whilst any appeal is being considered.

For the avoidance of doubt an appeal may be brought by either the Turkish Athletic Federation or the Participant against a decision of the Case Management Group to impose an interim Sanction and again following a further decision of the Case Management Group to impose a Sanction for a set period of time or an indefinite period.

Notice of appeal must be sent to Turkish Athletic Federation and received within 21 calendar days of the decision by the Case Management Group. Within 14 calendar days of receipt of notice to appeal Turkish Athletic Federation will appoint an appeal panel with no members of the Case Management Group on it ("the Appeal Panel").

If Turkish Athletic Federation decides to appeal the decision of the Case Management Group, the Participant must be informed by a Notice of Appeal. Turkish Athletic Federation must also notify the appropriate person within the organisation that the decision will be appealed. The

Board of Turkish Athletic Federation may on occasion be required to give permission for the decision to be appealed.

The Appeal Panel will usually consider the appeal on the papers. It will usually be a consideration of whether or not the original Case Management Group considered the information either unfairly or prejudicially to the appellant, misinterpreted or failed to or wrongly applied these Rules or applicable law or came to a decision no reasonable decision-maker could have come to (either in respect of liability, sanction, safeguards or any other relevant matter). In very exceptional cases will the Appeal Panel rule that the appeal shall be a hearing in person. It is only in very exceptional cases that a hearing will be re-heard and considered to be a completely new hearing with new panel members and if the hearing has been held in person the witnesses will need to be heard again by the new panel.

The original decision may be upheld, or a new decision may be issued to replace the original decision either increasing or decreasing the original Sanction or the matter may be referred back to the Case Management Group for further consideration.

If the Sanction is lifted or varied by the Appeal Panel or following referral back to the Case Management Group, the Participant shall be notified and all those who have previously been informed of its existence shall be informed of its variation or lifting within [15 days] of this occurrence.

Appeals will be held expeditiously and unless all the parties agree, or fairness dictates otherwise, the appeal hearing will be started no later than 30 calendar days after the appointment of the Appeal Panel.

Any decision made by the Appeal Panel shall be the full, final and complete disposition of the matter and will be binding on all parties. All parties waive irrevocably any right to any other form of appeal, review or recourse by, or in any court or judicial authority, insofar as such waiver may validly be made.

## **8. Decisions**

Any decisions (whether by the Case Management Group or an Appeal Panel) will be made in writing and sent to all the parties involved.

Only in very extreme cases will the decision be made public. This may only be done with the agreement of the individual who has been harmed by the prohibited conduct and other agencies involved in the matter. Any agencies and individuals who need to know the decision will be informed of the outcome of the matter but with clear rules about confidentiality and disclosure of the information. The manner in which any public disclosure is made must be made clear to the parties to the hearing.

If the Participant is exonerated of all the charges, then the decision may only be made public with the consent of the Participant who is the subject of the decision. The fact that the charge has been dismissed may be made public.

It may be necessary to share the decision with other authorities or agencies if Turkish Athletic Federation is required to inform another authority as a result of local legislation. There may be other authorities who need to be made aware of the outcome of the hearing even if the decision is not to Sanction the individual but to put other safeguards in place.

Turkish Athletic Federation may be required to inform the relevant Area Association and World Athletics about any Sanction imposed.

If World Athletics requests the decision from Turkish Athletic Federation, it must be sent to World Athletics by Turkish Athletic Federation together with any further information requested around the matter.