

## Independent Review of UK Athletics Safeguarding: Terms of Reference (ToR)

### Introduction and Background

1. In 2019, concern was raised to UK Athletics (**UKA**), UK Sport (**UKS**) and in the media about UKA's current safeguarding practices.
2. UK Athletics and the Home Country Athletics Federations publicly announced on 19<sup>th</sup> December 2019, a programme of change to take its welfare and safeguarding procedures to the highest level. The project will involve evaluating the current highest standards of best practice that exist in sport, building systems in athletics to comply to that level and adding an assurance programme to monitor and audit compliance and continued effectiveness.
3. UKA safeguarding procedures are linked to those of the Home Country Athletics Federations (**HCAFs** - England Athletics (**EA**); Scottish Athletics (**SA**), Welsh Athletics (**WA**) and Athletics Northern Ireland (**ANI**)). Therefore, UKA in collaboration with the HCAFs will commission an independent review of their safeguarding arrangements (the **Review**).

### Purpose

4. The purpose of the Review is to: *provide assurance to UKS, SE and other stakeholders that safeguarding is managed effectively at UKA and the HCAFs*. This will be achieved by:
  - a. reviewing the existing welfare and safeguarding governance structure for the sport of athletics in the UK;
  - b. analysing and reviewing current safeguarding policies and processes at UKA and the HCAFs; and
  - c. providing recommendations to improve safeguarding governance and practice at UKA and the HCAFs.

### Roles and Responsibilities

5. **The Reviewer.** The Reviewer (agreed by SE, UKS, UKA, EA, SA, WA and ANI) shall:
  - a. work to these ToR;
  - b. provide regular updates to the Commissioning Body;
  - c. ensure the confidentiality of individuals who are subject to or have raised safeguarding queries is respected;
  - d. from time to time, and with the agreement of the Commissioning Body, engage additional expert assistance as required; and
  - e. produce a final report (the **Report**) containing both the findings and recommendations to be implemented by UKA and the HCAFs. The Report shall be provided to UKA, the HCAFs, SE and UKS.
6. **Commissioning Body.** The Commissioning Body<sup>1</sup>, shall:
  - a. fully co-operate with the Review and provide all information and access required by the Reviewer;
  - b. provide progress updates to SE and UKS at their request; and
  - c. implement agreed recommendations from the Report.
7. **SE and UKS** shall:
  - a. participate in the selection of the Reviewer;
  - b. endorse the ToR; and
  - c. monitor the implementation of the agreed recommendations of the Review.

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<sup>1</sup> Head of Human Resources at UKA and CEO EA, acting as empowered delegates on behalf of the HCAFs.

## Conduct of the Review

8. **Scope.** To ensure the Review achieves the Purposes set out above, it shall consist of:
- (1) **Governance of the sport:** To review the respective roles and responsibilities of both the UK and HCAFs relating to welfare and safeguarding governance and to make recommendations that shall clarify accountability in this respect.
  - (2) **UKA and HCAF Policies and procedures:** Review the policies and procedures below where they are relevant to safeguarding, and where necessary or appropriate make recommendations for improvement:
    - o Safeguarding.
    - o Complaints/grievance.
    - o Disciplinary.
    - o Case management.
    - o Codes of conduct.
  - (3) **Safeguarding cases:** A sample of safeguarding cases (selected by the Reviewer) will be audited (this may involve contact with staff within clubs or organisations affiliated to the HCAFs). The Reviewer and the Commissioning Body shall ensure that the rights of the individuals subject to the reviewed cases are protected.
  - (4) **External support:** Support received from the NSPCC's Child Protection in Sport Unit (CPSU), the Ann Craft Trust<sup>2</sup> (ACT), Children 1 (C1) and Access NI (AcNI).
9. The Reviewer, with the support of the Commissioning Body may arrange such interviews as required.
10. Where the Reviewer identifies areas which are outside the Scope and/or Purpose, and wishes to extend the Scope, the Reviewer shall notify the Commissioning Body in writing. The Commissioning Body shall consult with SE, UKS and respond in writing, to advise the Reviewer whether or not it is agreed that the Scope should be extended. Where the Reviewer identifies matters that may be of a criminal nature, he shall refer them to the relevant statutory authorities without reference to the Commissioning Body.
11. **Representation process (Maxwellisation).** Where the Report makes findings which involve reference to specific individuals, the Reviewer shall ensure those individuals are afforded the right to respond prior to publication through a robust and confidential Maxwellisation process.
12. **Publication.** The Commissioning Body shall publish a summary of the findings and recommendations of the Review. These Terms of Reference will be published on the websites of the Commissioning Bodies.
13. **Timescales.** The Review will commence as soon as possible and the final Report will be provided to the Commissioning Body, UKS and SE by 30<sup>th</sup> June 2020.
14. **Administrative Support.** The Reviewer shall identify and advise the Commissioning Body of any administrative support required to conduct the Review and the Commissioning Body shall facilitate such support.
15. **Resource.** The cost of the Review shall be borne wholly by the Commissioning Body, with support from SE and UKS.
16. **Data Protection.** The Reviewer shall ensure that the requirements of the Data Protection Act 2018 and the General Data Protection Regulation are complied with, in particular the transparency requirements and ensuring individual rights requests are respected.
17. **Confidentiality.**
- a. The Commissioning Body and the Reviewer shall keep confidential all confidential information disclosed as a result of the Review and shall not use nor disclose the same save as provided for in these Terms of Reference or as required by law.

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<sup>2</sup> For Adults at Risk.

- b. The Reviewer shall ensure that all information provided via safeguarding complaints and/or information which was subject to safeguarding investigations is kept confidential and processed in accordance with best practice for such information.
- c. All parties shall only disclose such confidential information to those of their respective employees, consultants or agents who need to know it for the purposes of the Terms of Reference, provided that the recipient of such information is bound by obligations of confidentiality no less onerous than those provided herein and each party shall be responsible to the other in respect of any disclosure to such a person. The obligations of confidentiality shall not extend to any matter which is in or becomes part of the public domain.

Date: 27<sup>th</sup> February 2020