



British Triathlon Safeguarding Disciplinary Policy



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1. Introduction

- 1.1. British Triathlon and the Home Nations are firmly committed to creating and maintaining safe, fun and positive environments for all Children and Adults at Risk to take part in triathlon.
- 1.2. As part of this commitment, and alongside the British Triathlon Safeguarding and Protecting Children Policy and Safeguarding Adults at Risk Policy, British Triathlon has published this Safeguarding Disciplinary Policy, which provides a framework for the investigation and resolution of safeguarding matters.
- 1.3. The approach adopted by British Triathlon when applying the Safeguarding Disciplinary Policy and in relation to safeguarding matters will focus entirely on the need to protect the health and welfare of Children and Adults at Risk, which is of paramount importance and must be prioritised at all times.
- 1.4. The British Triathlon Safeguarding Disciplinary Policy is adopted by:
 - 1.4.1. British Triathlon
 - 1.4.2. Triathlon England
 - 1.4.3. Triathlon Scotland
 - 1.4.4. Welsh Triathlon

2. Terminology

Adult at Risk	any person who is aged 18 years or over and at risk of abuse or neglect because of their needs for care and/or support.
Appellant	the person appealing a decision by the Lead Safeguarding Officer or Safeguarding Case Management Group.
British Triathlon	the National Governing Body for the sport of triathlon in Britain.
British Triathlon Disciplinary Policy	means the British Triathlon Disciplinary Policy and any amendments or updated versions thereof that may be made from time to time.
Child/Children	anyone under the age of 18.
Complainant	a person who makes an allegation or submits a complaint under the Safeguarding Disciplinary Policy.
Decision	a written or oral decision of the Lead Safeguarding Officer, Safeguarding Case Management Group, or Safeguarding Appeals Panel.

Home Nation	means Triathlon England, Triathlon Scotland, and Welsh Triathlon respectively, or any successor body in each case, being the bodies responsible for Triathlon in their respective country.
Interim Suspension	means a suspension, restriction or condition put in place by the Lead Safeguarding Officer until the conclusion of all proceedings under the Safeguarding Disciplinary Policy.
Lead Safeguarding Officer	the individual employed by British Triathlon, Triathlon Scotland, Welsh Triathlon and/or Triathlon England with primary responsibility for receiving, managing, and investigating safeguarding concerns within their organisation and any other responsibilities as set out in the Safeguarding Disciplinary Policy.
National Safeguarding Panel (NSP)	An independent panel for management of safeguarding complaints, investigations, appeals and reviews.
Respondent	the person or entity who or which is the subject of a Complaint under the Safeguarding Disciplinary Policy.
Safeguarding Appeal Panel	a panel drawn from the British Triathlon Safeguarding Case Management Group and register established to hear and determine appeals under the Safeguarding Disciplinary Policy.
Safeguarding Case Management Group	a group established by British Triathlon responsible for safeguarding cases at Level 2 of the Safeguarding Disciplinary Policy and any other responsibilities as set out in the Safeguarding Disciplinary Policy.
Safeguarding Disciplinary Policy	means the Safeguarding Disciplinary Policy and any amendments or updated versions thereof that may be made from time to time.
Sanction	means a penalty, restriction or condition imposed on a Respondent by a Lead Safeguarding Officer, Safeguarding Case Management Group, or Safeguarding Appeals Panel.
Sport Integrity Service	means the independent disclosure, reporting line and investigation service for all relevant persons (Athletes, Athlete Support Personnel, Office holders of a Relevant Body) as defined under the Rules of Procedure of Sport Integrity.

3. Jurisdiction

- 3.1. The Safeguarding Disciplinary Policy applies to:
- 3.1.1. everyone involved in activities governed by British Triathlon and Home Nations, whether they are members or not;
 - 3.1.2. all individuals, clubs, associations, and other organisations involved in any capacity in the sport of triathlon, whether or not members of British Triathlon or Home Nation. For the avoidance of doubt, this includes all athletes and anyone working within the sport of triathlon (in a paid or voluntary capacity, and whether as an employee or on a self-employed basis or otherwise) including but not limited to all coaches, technical officials, and volunteers;
 - 3.1.3. anyone (including coaches, technical officials, participants, athletes on the world class program) involved in competitions and events permitted by British Triathlon; and
 - 3.1.4. all members of British Triathlon or Home Nation involved in competition and/or training camps outside of the United Kingdom.
- 3.2. British Triathlon will have the jurisdiction under this Safeguarding Disciplinary Policy to consider any matter which comes to our attention by any means (including, without limitation, via the media) relating to the safety and/or welfare of Children or Adults at Risk.
- 3.3. British Triathlon reserves the right to refer a matter to the Sport Integrity Service under the Rules of Procedure of that service. This may involve the commission of an independent investigation or disciplinary procedure into alleged grievances, or allegations of misconduct involving: i) athletes; ii) athlete support personnel; or iii) British Triathlon and/or Home Nation office holders, who are either members of the British Triathlon World Class Programme; or funded through the UK Sport grant the following circumstances:
- 3.3.1. where an individual is deemed a 'Relevant Person' under the terms of the Independent Disclosure and Complaints Service Pilot Regulations; and
 - 3.3.2. they are a respondent to allegations of misconduct as defined as a 'Relevant Matter' under the same regulations.
 - 3.3.3. In such circumstances they are required to cooperate with any investigation conducted by the Sport Integrity service, where the investigation is covered by terms of reference agreed by British Triathlon.

- 3.4. The Safeguarding Disciplinary Policy shall be in force from the date that it is published on British Triathlon's website and shall replace any previous safeguarding disciplinary policies published by British Triathlon or any Home Nation.

4. Grounds for action under the Safeguarding Disciplinary Policy

- 4.1. Disciplinary action may be taken under the Safeguarding Disciplinary Policy where it is suspected that the conduct of an organisation, club, or individual, whether within or related to the sport of triathlon or not:
- 4.1.1. caused harm to a Child or an Adult at Risk, or was likely to have caused harm to a Child or an Adult at Risk; and/or,
 - 4.1.2. that they pose an actual or potential risk of harm to Children or Adults at Risk; and/or,
 - 4.1.3. may not be suitable to work with Children or Adults at Risk,
 - 4.1.4. an investigation conducted through the Sport Integrity Service has substantiated the allegations.
- 4.2. In deciding whether there are grounds for action to be taken in accordance with the above paragraph, consideration will be given to any failure to comply with British Triathlon and Home Nations policies, guidelines and procedures including, but not limited to:
- 4.2.1. Safeguarding and Protecting Children Policy
 - 4.2.2. Safeguarding Adults at Risk Policy
 - 4.2.3. Child Safeguarding Reporting Procedures and Guidelines
 - 4.2.4. Adult Safeguarding Reporting Procedures and Guidelines
 - 4.2.5. The Codes of Ethics, Practice, and all Coaching Guidelines
 - 4.2.6. The Assessing Disclosures on Criminal Record Checks Policy

5. Interim Suspension

- 5.1. The Lead Safeguarding Officer has the power to impose an Interim Suspension if it is considered appropriate to suspend the individual concerned from any involvement in the sport of triathlon which might involve access to Children or Adults at Risk until the conclusion of all proceedings under the Safeguarding Disciplinary Policy.

- 5.2. In determining whether an Interim Suspension is appropriate and should be imposed, the Lead Safeguarding Officer shall consider the following factors:
- 5.2.1. whether the safety and/or welfare of Children or Adults at Risk is, or may be, at risk of harm;
 - 5.2.2. whether the complaint or matter is of a serious nature;
 - 5.2.3. protection of the individual subject to the concerns from the risk of further allegations;
 - 5.2.4. whether an Interim Suspension is necessary or proportionate to allow the conduct of any proceedings, investigation, or risk assessment (carried out by the Lead Safeguarding Officer or any other authority/body);
 - 5.2.5. where a failure to suspend may impede internal investigations or prejudice investigation by external organisations; and
 - 5.2.6. where a statutory agency has issued instructions to British Triathlon or a Home Nation that an interim suspension is necessary.
- 5.3. Where the Lead Safeguarding Officer decides to impose an Interim Suspension, they shall seek ratification of the Interim Suspension from the appointed Safeguarding Case Management Group prior to notifying the respondent.
- 5.4. Where an Interim Suspension is imposed, the Lead Safeguarding Officer shall notify the Respondent immediately following the Decision to impose an Interim Suspension.
- 5.5. The Lead Safeguarding Officer shall consider which other individual(s) or organisation(s) should be notified of the Interim Suspension in accordance with paragraph 15.
- 5.6. A Decision to impose an Interim Suspension by the Lead Safeguarding Officer under this policy is not open to appeal. However, the Interim Suspension will be reviewed regularly (at least every eight weeks) by the appointed Safeguarding Case Management Group and they shall take into consideration the factors set out above in determining whether the continuation of the Interim Suspension is justified.
- 5.7. Where an Interim Suspension is imposed pending investigation by the statutory safeguarding agency or organisations, or in circumstances where a criminal charge has been brought, the Lead Safeguarding Officer shall ensure ongoing liaison with the relevant investigating body to ensure continuation of the Interim Suspension is justified and relevant.
- 5.8. If a Respondent has an Interim Suspension imposed on them and during the course of the suspension British Triathlon or Home Nation is informed of any breach or abuse of the suspension the Respondent will be issued with a written warning requiring immediate compliance with the terms of their suspension. Failure to

adhere to the terms of the written warning shall constitute grounds for disciplinary action under the British Triathlon Disciplinary Policy.

6. Safeguarding case management levels

- 6.1. All safeguarding concerns, complaints and general safeguarding queries will be referred in the first instance to the Lead Safeguarding Officer of the appropriate Home Nation for initial review and investigation and determination as to the appropriate case management level. Such Decisions of the Lead Safeguarding Officer will be periodically reviewed by the Safeguarding Case Management Group.
- 6.2. Under this policy there are two levels of safeguarding cases Level 1 and Level 2.
- 6.3. Safeguarding Case Management level one is any conduct or behaviour which the Lead Safeguarding Officer determines can be satisfactorily dealt with without the need for further substantive investigation by way of;
 - 6.3.1. advice & guidance;
 - 6.3.2. additional training and education;
 - 6.3.3. a written warning;
 - 6.3.4. or monitoring of the individual concerned.
- 6.4. Level one resolution is only suitable for complaints or concerns which are assessed as being non-complex, and which can be resolved without further substantive investigation.
- 6.5. Safeguarding Case Management level two is:
 - 6.5.1. All Safeguarding cases which are assessed as complex or a serious breach of the safeguarding policies and procedures.
 - 6.5.2. The Lead Safeguarding Officer may decide a case is to be handled at level two if they determine that further investigation is necessary.
 - 6.5.3. All safeguarding cases which are assessed and investigated though the Sport Integrity Service and the allegations are substantiated.
- 6.6. The Lead Safeguarding Officer may escalate a case initially assessed for resolution at level one to level two should it be determined during enquiries that the case should be referred for consideration by a Safeguarding Case Management Group.

7. Action taken following receipt of a safeguarding concern, allegation, referral, or complaint

- 7.1. Upon receipt of a safeguarding concern, allegation, referral or complaint, the Lead Safeguarding Officer shall decide whether to:
- 7.1.1. refer the matter to any of the relevant Statutory Safeguarding Agencies for further consideration (and to review the matter following consideration by such a relevant statutory agency); and/or
 - 7.1.2. refer the matter to the Sport Integrity Service under the Rules of Procedure of that service; and/or
 - 7.1.3. deal with the case under the Safeguarding Case Management level one; or
 - 7.1.4. instigate an investigation under the Safeguarding Case Management level two.
- 7.2. Where an individual has been charged with a criminal offence, or is the subject of an investigation by the Statutory Safeguarding Agencies, in respect of conduct which is, or may be, grounds for action under this Safeguarding Disciplinary Policy, the Lead Safeguarding Officer may:
- 7.2.1. postpone consideration of the matter pending the outcome of any such proceedings/ investigations; and/or,
 - 7.2.2. impose an Interim Suspension in accordance with paragraph 5 pending the outcome of any such proceedings / investigation.
- 7.3. If a Complainant makes an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against them. If, however it is established that they have made malicious or frivolous allegations, or for personal gain, disciplinary action may be taken against them. In such cases, the British Triathlon Disciplinary Policy will apply.
- 7.4. British Triathlon will do its utmost to protect the identity of the Complainant when they raise a concern and do not want their name to be disclosed. However, it must be appreciated that an investigation may reveal the source of the information and a statement by the Complainant may be required as part of the evidence. They will be given prior notice of this and a chance to discuss the consequences. It will be at the discretion of the Lead Safeguarding Officer, with the agreement of the Safeguarding Case Management Group, whether to commence or continue with

an investigation under this Safeguarding Disciplinary Policy where the Complainant does not consent to their identity being disclosed to the Respondent.

- 7.5. British Triathlon will respect the right to anonymity by a Complainant where it is requested but encourages the Complainant to put their name to the safeguarding concern, allegation, referral or complaint. Concerns expressed anonymously may not provide all the relevant information. However, all reports will be considered by the Lead Safeguarding Officer based on the seriousness of the issues raised, the credibility of the concern and the likelihood of confirming the allegation from attributable sources or factual records.

8. Criminal conviction and statutory lists

- 8.1. Where a person has been:
- 8.1.1. convicted of a criminal offence against or concerning a Child or an Adult at Risk, or recorded a caution in respect of an offence against a Child or an Adult at Risk; and/or
 - 8.1.2. included, or placed, on any statutory list barring, or restricting, them from working with Children or Adults at Risk,
- 8.2. This shall constitute grounds for disciplinary action to be taken against that person by British Triathlon under level two of the safeguarding case management levels.
- 8.3. The Lead Safeguarding Officer (subject to ratification by the Safeguarding Case Management Group) or the Safeguarding Case Management Group shall be entitled to impose an immediate sanction which it considers to be commensurate and proportionate to the severity of conviction, caution and/or the inclusion on a statutory barring list. The Respondent has the right to appeal the decision in accordance with and on the grounds listed in paragraph 13.

9. Level one safeguarding case management procedure

- 9.1. Where the Lead Safeguarding Officer has determined in accordance with paragraph 6.3, that the safeguarding concern, allegation, referral or complaint shall be dealt with as a level one case the following procedure shall apply.
- 9.2. The Lead Safeguarding Officer shall, within 21 days:

- 9.2.1. send written notice to the Respondent to include a summary of the safeguarding concern, complaint, charge or allegation together with any further supporting facts and evidence;
 - 9.2.2. ask the Respondent to indicate whether the conduct or behaviour is admitted by the Respondent; and
 - 9.2.3. provide the Respondent with an allocated point of contact that is not the Lead Safeguarding Officer or appointed Investigator.
- 9.3. The Lead Safeguarding Officer will invite the Respondent to submit not later than 21 days after the written notice a response confirming whether the conduct or behaviour is admitted or denied and any further written material that the Respondent wishes to be considered by the Lead Safeguarding Officer in determining the appropriate action and outcome.
- 9.4. The Lead Safeguarding Officer shall then consider the case based on the documents and any additional information submitted by the Respondent. The Lead Safeguarding Officer shall then decide the appropriate action and/or Sanction that reflects the harm caused, or was likely to have been caused, and/or which addresses the identified risks. An outcome at level one may include (but is not limited to) the following;
- 9.4.1. a written warning outlining the areas of concern which must be addressed by the Respondent (to the satisfaction of the Lead Safeguarding Officer) before they can return to triathlon activity;
 - 9.4.2. a requirement on the Respondent to undertake training, be supervised and/or work with a mentor for a specified period of time or permanently;
 - 9.4.3. an extension of an Interim Suspension until such time as the Respondent has complied with any aspect of the outcome as determined by the Lead Safeguarding Officer under level one of this Safeguarding Disciplinary Policy;
 - 9.4.4. a requirement on the Respondent to complete a probationary period; and/or
 - 9.4.5. any other Decision which the Lead Safeguarding Officer deems is appropriate at level one having regard to the circumstances of the case.
- 9.5. The Lead Safeguarding Officer shall (as soon as reasonably practicable but not more than 14 days after the Decision has been made) notify the Respondent of their Decision in writing.
- 9.6. The Lead Safeguarding Officer shall consider which other individual(s) or organisation(s) should be notified of the Decision in accordance with paragraph 15.

- 9.7. The Lead Safeguarding Officer may, in their sole discretion, appoint an internal or external advisor which may include the Safeguarding Case Management Group to assist and advise them on a specific issue.
- 9.8. A Sanction imposed by the Lead Safeguarding Officer under level one shall be final and binding on all parties save that the Respondent may appeal on the grounds set out in paragraph 13.
- 9.9. Any individual subjected to a permanent ban or other permanent Sanction may at any time adduce evidence to the Safeguarding Case Management Group for review where such evidence is pertinent to the Sanction.

10. Level two safeguarding case management procedure

- 10.1. Where the Lead Safeguarding Officer decides to conduct an investigation under level two of safeguarding case management procedure as set out in this Safeguarding Disciplinary Policy, the following process applies.

11. Level two safeguarding case management procedure – Investigation

- 11.1. All investigations will be overseen by the Lead Safeguarding Officer or the Sport Integrity Service who will ensure that all enquiries necessary to establish the facts and circumstances of the safeguarding concern, allegation, referral or complaint are undertaken.
- 11.2. The Lead Safeguarding Officer may at their discretion allocate the investigation to an investigating officer (either from the British Triathlon or Home Nation, or an external investigator or investigation service such as the Sport Integrity Service and as such the rules of this Procedure will apply until conclusion of the of the process under Sport Integrity). Any Decision of the Lead Safeguarding Officer as to the identity of the investigating officer is not subject to challenge.
- 11.3. The Lead Safeguarding Officer or investigating officer will inform the Respondent in writing that they are the subject of a safeguarding investigation and provide an outline of the allegation and an allocated point of contact that is not the Lead Safeguarding Officer or appointed Investigator.

- 11.4. This shall normally be within 14 days of the Lead Safeguarding Officer determining that the case is a level two case. However, the Lead Safeguarding Officer may obtain the agreement of the Safeguarding Case Management Group to delay this notification if it is considered to be in the best interests of the Complainant or the investigation.
- 11.5. The Lead Safeguarding Officer or investigating officer will thereafter conduct an investigation that is thorough, proportionate, relevant and transparent (to the extent possible in the circumstances of the case). Contact with the Respondent and all witnesses will usually be via telephone, a video conferencing service, email, or face-to-face meetings.
- 11.6. In conducting the investigation the Lead Safeguarding Officer or investigating officer may contact and obtain information from the following (non-exhaustive) list of individuals and relevant sources:
- 11.6.1. the Complainant and the Respondent;
 - 11.6.2. identified witnesses;
 - 11.6.3. the police;
 - 11.6.4. children's services or adult care services;
 - 11.6.5. any other relevant public investigating authority;
 - 11.6.6. any authority involved in the protection and welfare of Children and Adults at Risk; and/or
 - 11.6.7. any other person or party as deemed appropriate in the discretion of the Lead Safeguarding Officer or Investigating Officer.
- 11.7. The Respondent and any witnesses shall give the Lead Safeguarding Officer or investigating officer all reasonable assistance with the investigation, including promptly supplying signed statements if necessary, making themselves available for interview, answering any questions and supplying documentary evidence or other information requested.
- 11.8. The Respondent shall not approach (whether directly or indirectly), intimidate, or influence any witness involved in the investigation. A failure to adhere to this requirement may amount to grounds for disciplinary action under the British Triathlon Disciplinary Policy.
- 11.9. Any failure to comply with a reasonable request or requirement as part of the investigation carried out under the Safeguarding Disciplinary Policy may amount to grounds for disciplinary action under the British Triathlon Disciplinary Policy and an Interim Suspension under the British Triathlon Disciplinary Policy may be imposed until that person, club or organisation has complied with any outstanding requests.
- 11.10. In circumstances in which the investigation involves communicating with, taking evidence from, or interviewing a Child or an Adult at Risk, and the issues to be

investigated are of a sensitive nature, the Lead Safeguarding Officer or investigating officer shall deal with the investigation in a way that is appropriate in all of the circumstances and given the sensitive nature of the subject matter.

- 11.11. Investigations conducted by the Lead Safeguarding Officer or investigating officer will be undertaken as soon as reasonably practicable.
- 11.12. The Lead Safeguarding Officer or investigating officer will at their discretion advise the key parties involved in a case (including the Respondent and Complainant) as to anticipated timescales for the investigation to be undertaken and the likely timescales for case completion, and provide periodic updates during the course of the investigation where appropriate.
- 11.13. Upon conclusion of an investigation the Lead Safeguarding Officer or investigating officer shall submit a report to the Safeguarding Case Management Group for consideration and determination as to the appropriate action to take.

12. Level two safeguarding case management procedure - Decision

- 12.1. A meeting of the Safeguarding Case Management Group will be convened to consider the report submitted by the Lead Safeguarding Officer or investigating officer following the investigation.
- 12.2. The Lead Safeguarding Officer shall provide the Respondent with a copy of the report given to the Safeguarding Case Management Group. The information provided is strictly confidential and may be redacted by the Lead Safeguarding Officer to protect private, sensitive and/or confidential information. Any breach of confidentiality may result in separate proceedings under the British Triathlon Disciplinary Policy.
- 12.3. The information provided to the Respondent shall include:
 - 12.3.1. details of the safeguarding charge, concern, allegation, referral or complaint;
 - 12.3.2. a list of witnesses named in support of the case, along with emailed or signed witness statements that have been collected during the investigation;
 - 12.3.3. any other documents or evidence collected during the investigation that British Triathlon or the Home Nation considers should be provided to the Respondent; and
 - 12.3.4. guidance on what steps the Respondent must take as set out in paragraph 12.4.

- 12.4. Not later than 21 days after receipt of copy of the information gathered during the course of the investigation, the Respondent shall send to the Lead Safeguarding Officer a written response outlining:
- 12.4.1. whether the safeguarding charge, concern, allegation, referral or complaint is admitted or denied;
 - 12.4.2. any written submissions in support of the Respondent's position;
 - 12.4.3. if they wish to make any representations to the Safeguarding Case Management Group in person; and
 - 12.4.4. any additional evidence that the Respondent seeks to rely upon.
- 12.5. If the Respondent does not respond or fails to adhere to the requirements, as set out above, within the specified time period, the Safeguarding Case Management Group shall determine the matter, taking into consideration the report and case papers submitted by the Lead Safeguarding Officer or Investigating Officer and any other evidence it thinks appropriate.
- 12.6. The Safeguarding Case Management Group will schedule a date for a meeting to hear any representations from the Respondent and to determine the case following submissions from the Respondent.
- 12.7. The Safeguarding Case Management Group shall have the discretion to set directions generally as to the conduct of the proceedings. They may, upon receipt of the case papers, request further information or ask the Lead Safeguarding Officer or Investigating Officer to conduct further investigations as appropriate.
- 12.8. The Safeguarding Case Management Group shall have the power to make any other directions it deems necessary. The Safeguarding Case Management Group will consider the case based on the evidence submitted.
- 12.9. The Safeguarding Case Management Group drawn from members on the British Triathlon Safeguarding Case Management register and shall consist of:
- 12.9.1. an independent chair;
 - 12.9.2. three additional independent members;
 - 12.9.3. Lead Safeguarding Officers of British Triathlon/Triathlon England, Triathlon Scotland and Welsh Triathlon (in an observer/non-voting capacity)
- 12.10. The standard of proof shall be a balance of probabilities throughout the proceedings of the Safeguarding Case Management Group.
- 12.11. If the case is denied by the Respondent, the Safeguarding Case Management Group shall consider whether on the balance of probabilities there is sufficient evidence to substantiate that;
- 12.11.1. the case is proven; and

- 12.11.2. the Respondent's conduct caused harm to a Child or an Adult at Risk, or was likely to have caused harm to a Child or an Adult at Risk;
 - 12.11.3. the Respondent's conduct indicates that they pose an actual or potential risk of harm to a Child or an Adult at Risk; and/or,
 - 12.11.4. the Respondent's conduct indicates they may not be suitable to work with Children or Adults at Risk in a triathlon setting.
- 12.12. If the case is admitted by the Respondent, or the Safeguarding Case Management Group concludes that the case is proven on the balance of probabilities, the Safeguarding Case Management Group shall decide upon an appropriate outcome which suitably reflects the seriousness of the case and the harm caused, or that was likely to have been caused, and/ or addresses the identified risks. The outcomes available include (but are not limited to) the following:
- 12.12.1. banning the Respondent from any or all triathlon activities, on any terms considered appropriate, including for a specified period of time or permanently;
 - 12.12.2. suspending, revoking or placing any restrictions on a club or organisation for a specified period of time or permanently;
 - 12.12.3. suspending, revoking or terminating the Respondents membership if the Respondent has been suspended or banned from any triathlon activity;
 - 12.12.4. refusing to grant membership requested by the Respondent, if the Respondent has been suspended or banned from any triathlon activity;
 - 12.12.5. suspending a Respondent from carrying out a role such as but not limited to coach, official, activator, either on a temporary or permanent basis or imposing conditions on carrying out the role;
 - 12.12.6. preventing the respondent from holding office, paid or otherwise, within the jurisdiction of British Triathlon or the relevant Home Nation for a specified or indefinite period of time. This includes volunteer officer roles held at a club, region or centre;
 - 12.12.7. disqualifying the Respondent from competition or from taking part in any other capacity in any events sanctioned by British Triathlon or a Home Nation for a specified period of time or permanently;
 - 12.12.8. requiring the Respondent to complete a probationary period;
 - 12.12.9. imposing a written warning outlining the areas of concern which must be addressed by the Respondent before they can return to triathlon;
 - 12.12.10. requiring the Respondent to undertake training, be supervised and/or work with a mentor for a specified period of time or permanently;
 - 12.12.11. referring the Respondent to the DBS/PVG;

- 12.12.12. an extension of an Interim Suspension until such time as the Respondent has complied with any aspect of the outcome as determined by the Safeguarding Case Management Group in determining the case at level 2 under this Safeguarding Disciplinary Policy; and/or
- 12.12.13. reaching any other Decision which the Safeguarding Panel deems is appropriate having regard to the circumstances of the case.
- 12.13. Any individual subjected to a permanent ban or other permanent Sanction may at any time adduce evidence to the Safeguarding Case Management Group for review where such evidence is pertinent to the Sanction.
- 12.14. The Safeguarding Case Management Group may at any stage, and in its absolute discretion, request that the case be referred to any of the relevant statutory safeguarding agencies.
- 12.15. Proceedings of the Safeguarding Case Management Group shall take place in private. The Safeguarding Case Management Group shall not issue any press statement, social media posts, or conduct any press conferences. All announcements in relation to any Decision of a Safeguarding Case Management Group shall be made by British Triathlon or the relevant Home Nation in accordance with paragraph 15.
- 12.16. The Safeguarding Case Management Group shall notify its Decision to the Lead Safeguarding Officer and the Lead Safeguarding Officer shall notify the Respondent of the Decision within 7 days of the Safeguarding Case Management Group meeting.
- 12.17. The notification shall advise the Respondent that they have 28 days in which to appeal the Decision. The appeal shall be conducted in accordance with the procedure set out in this policy in paragraph 13.
- 12.18. Where the Decision involves a Sanction and an Appeal against that Sanction is made in accordance with paragraph 13, the Sanction will be stayed pending the determination of the Appeal.
- 12.19. The Lead Safeguarding Officer and/or the Safeguarding Case Management Group shall determine which other individual(s) or organisation(s) should be made aware of the Decision (once the period for an appeal has passed) and having made such a determination shall inform such other individuals or organisations accordingly in accordance with paragraph 15.
- 12.20. British Triathlon accepts that the Complainant may need to be assured that the matter has been properly addressed. Subject to any confidentiality requirements in connection with legal proceedings, they will receive if appropriate, information about the outcome of the case.

- 12.21. Proceedings, findings or Decisions of the Safeguarding Case Management Group shall not be invalidated by reason of any minor defect, irregularity, omission, or technicality unless it raises a material doubt as to the reliability of the proceedings, findings, or Decisions.

13. Appeal

- 13.1. Subject to 13.2 below, a Respondent, British Triathlon and/or a Home Nation may appeal a finding of the Lead Safeguarding Officer or Safeguarding Case Management Group to the Safeguarding Appeal Panel. However, in any case where an appeal is made, the Lead Safeguarding Officer of British Triathlon or Home Nation shall have the power to direct that the appeal be dealt with by Sport Resolutions UK under the NSP Rules, as amended from time to time, if he or she believes that it is in the best interests of any party that the appeal be dealt with by the NSP.
- 13.2. A Respondent may appeal a finding of the Lead Safeguarding Officer in a level one case, or where a sanction was imposed pursuant to paragraph 8 above, only on the basis that the sanction imposed was grossly disproportionate.
- 13.3. Any appeal must be submitted within 28 days of receipt of the Decision by the Lead Safeguarding Officer or Safeguarding Case Management Group.
- 13.4. The appeal shall be in writing and sent to the Lead Safeguarding Officer and shall include:
- 13.4.1. the identity of the Appellant;
 - 13.4.2. details of the Decision appealed against;
 - 13.4.3. full details of the grounds of appeal; and
 - 13.4.4. copies of any documents or other material referred to or intended to be relied on in the appeal, including statements of any witnesses.
- 13.5. Unless ordered to be heard by the NSP, any appeal shall be heard by a Safeguarding Appeal Panel.
- 13.6. Members of the Safeguarding Appeal Panel have a duty to declare any potential or actual conflict of interest.
- 13.7. No member of the Safeguarding Appeal Panel may be involved in the case if they have an actual or potential conflict of interest or any previous knowledge of or involvement with the case under consideration.
- 13.8. The Safeguarding Appeal Panel drawn from members on the British Triathlon Safeguarding Case Management register and shall consist of:
- 13.8.1. an independent chair; and

- 13.8.2. three additional independent members.
- 13.9. The procedure to be followed by the Appeal Panel shall be at the discretion of the chair, provided always that the hearing is conducted in a fair manner, with a reasonable opportunity provided for each party to present evidence (including the right to call and to question witnesses), address the appeal panel and present their/its case. The appeal shall consist of an oral hearing unless the parties agree that the appeal should be determined by the Safeguarding Appeal Panel without an oral hearing. The hearing may (at the discretion of the Safeguarding Appeal Panel) be held virtually or in person.
- 13.10. Unless the Safeguarding Appeal Panel determines otherwise an appeal shall take the form of a hearing de novo of the issues raised in the proceedings and the Safeguarding Appeal Panel shall hear the matter without being bound in any way by the decision being appealed. The Safeguarding Appeal Panel shall have the following powers to:
- 13.10.1. dismiss the appeal and confirm the Decision;
 - 13.10.2. alter or vary the original Decision;
 - 13.10.3. quash any case outcome or Sanction and/or substitute it for any other penalty;
 - 13.10.4. remit the case to the Safeguarding Case Management Group for further consideration; and/or
 - 13.10.5. make any such other order or determination as it may think right or just.
- 13.11. The deliberations of the Safeguarding Appeal Panel will be held in private.
- 13.12. The Decision of the Safeguarding Appeal Panel will be communicated in writing to the Lead Safeguarding Officer and the Appellant within 7 days of the Safeguarding Appeal Panel Decision.
- 13.13. The Decision of the Safeguarding Appeals Panel will be final and binding and there shall be no further right of appeal.
- 13.14. An appeal can be withdrawn by the Appellant by notifying the Lead Safeguarding Officer in writing of their wish to withdraw.

14. Implementation of Decisions

- 14.1. Respondents, Complainants, members, clubs and organisations must take all steps necessary to ensure compliance with any Interim Suspension, and any Decision (whether the Decision is made by the Lead Safeguarding Officer, Safeguarding Case Management Group or the Safeguarding Appeal Panel) made

under this policy. Failure to comply shall itself be grounds for disciplinary action under the British Triathlon Disciplinary Policy.

15. Publication and communication

- 15.1. In exceptional circumstances, British Triathlon and/or a Home Nation may publish summaries of Decisions and Sanctions made or imposed under the Safeguarding Disciplinary Policy (whether by the Lead Safeguarding Officer, Safeguarding Case Management Group and/or the Safeguarding Appeals Panel) or where the matter has been put into the public domain, in such form and manner, and to such extent as it deems necessary, for the purposes of safeguarding Children and Adults at Risk and to enforce compliance with Decisions and Sanctions.
- 15.2. British Triathlon may at any time during the process notify UK Sport, the British Olympic Association, World Triathlon, European Triathlon Union, or any other relevant body of Decisions and Sanctions made or imposed under the Safeguarding Disciplinary Policy, including any details relating to the safeguarding concern as such body may need to know for the proper exercise of its functions.
- 15.3. For the avoidance of doubt, in addition to providing notice to the Respondent, the Lead Safeguarding Officer will, at their discretion, advise the relevant Safeguarding Officer for the club, or Home Nation with which the Respondent is associated, or through which the Respondent is known, or reasonably believed, to have access to Children or Adults at Risk of any Interim Suspensions, or case related Decisions and Sanctions.

16. Confidentiality

- 16.1. All matters considered under the Safeguarding Disciplinary Policy will be regarded as confidential (to the extent possible in the circumstances of each particular case) and used only for the purposes of the Safeguarding Disciplinary Policy. However, there remains an overriding obligation to protect the health, wellbeing and safety of Children and Adults at Risk and therefore there may be a requirement to share information as appropriate with third parties. This could include the police, LADO, Children's Services or Adult Care Services, LEA, and those working in triathlon and other sports for the protection of Children and/or adults at risk.
- 16.2. All parties considering or making a complaint under the Safeguarding Disciplinary Policy or part of any investigation or proceedings under this policy will be required

to keep all matters confidential and may be subject disciplinary action for failure to adhere to this requirement under the British Triathlon Disciplinary Policy.

17. Retention

- 17.1. The Decisions and information pertaining to a case dealt with under this policy, including appeals, shall be recorded and retained indefinitely. Supporting documentation shall also be retained in the same fashion.

18. Contact Details

British Triathlon Lead Safeguarding Officer (LSO):

07793 647578

concern@britishtriathlon.org

Triathlon England Lead Safeguarding Officer:

07793 647578

concern@britishtriathlon.org

Welsh Triathlon Lead Safeguarding Officer:

0300 300 3128 / 07587 038156

welfare@welshtriathlon.org

Triathlon Scotland Lead Wellbeing & Protection Officer:

07860 716 418

welfare@triathlonscotland.org

Policy Name: British Triathlon Safeguarding Disciplinary Policy

Policy ID: FRG034

Version: 1.1

**Date Created /
Reviewed:** May 2022

Editor: Sport Integrity and Inclusion Manager

Approved By: British Triathlon Board
Triathlon England Board
Triathlon Scotland Board
Welsh Triathlon Board

Date approved May 2022

Next review due February 2024

Version Control

Version: 1.0

**Date Created /
Reviewed:** February 2022

Editor: Sport Integrity and Inclusion Manager

Update: May 2022

Date approved February 2022

Version: 1.2

**Date Created /
Reviewed:** May 2022

Editor: Sport Integrity and Inclusion Manager

Update: To include route into UKS Sport Integrity service

Date approved May 2022

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