

EXECUTIVE SUMMARY

1. In 2019, concern was raised to UK Athletics ('UKA'), UK Sport ('UKS') and in the media about UKA's current safeguarding practices. On 19 December 2019, UK Athletics and the Home Country Athletics Federations ('HCAFs') publicly announced a programme of change to take its welfare and safeguarding procedures to the highest level.

2. Pursuant to that declaration, on 3 March 2020 UKA, in collaboration with the HCAFs, announced this Independent Review of UK Athletics Safeguarding ('the Review'). To underline and ensure independence, I was appointed not by UKA (or any other interested party) but by Sport Resolutions ('SR') (an expert, independent, not-for-profit, dispute resolution service for sport in the UK). I have acted in accordance with the Terms of Reference ('ToR') prepared by the Review's Commissioning Body. As they make clear, this was a review into safeguarding practices in athletics in the UK. Specifically I:
 - a. reviewed the existing welfare and safeguarding governance structure for the sport of athletics in the UK;
 - b. analysed and reviewed the current safeguarding policies and processes at UKA and the HCAFs¹;
 - c. evaluated those against the current highest standards of best practice that exist in sport; and
 - d. have made recommendations designed to conform with that level and to provide a framework to ensure it is maintained in the future.

3. It is a fundamental responsibility of a national governing body ('NGB'), to make and keep its sport safe for all, including children and adults at risk. That duty should not be devolved or assigned. In that respect, it is no different from, for example, licensing coaches or anti-doping.

¹ The Commissioning Body's view was that a line-by-line analysis of the policies and procedures was neither necessary nor appropriate. In light of my core recommendations that proved wise.

4. UKA and each of the four HCAFs is an NGB in its own right. Each has assigned roles and responsibilities, including safeguarding. For these purposes, UKA sits alongside, not above the HCAFs. The HCAFs enjoy considerable autonomy from UKA. They too have an important safeguarding role.
5. UKA plays a prominent role in safeguarding in athletics. In 2019 the NSPCC Child Protection in Sport Unit ('CPSU') rated safeguarding policies undertaken within athletics in England and Wales as 'Good'. In Scotland, the National Standards for Child Wellbeing and Protection apply, and Scottish Athletics are rated by Children 1st as 100% compliant and considered as innovative and proactive in their approach to safeguarding practice. Athletics Northern Ireland are also assessed as fully compliant through an annual audit with Access NI.
6. During the Review, I interviewed the UKA CEO and Lead Safeguarding and Welfare Officer, as well as at each of the HCAFs. Indeed, I interviewed anyone who came forward to me with an interest in the Review. A recurring theme during my consultations was a lack of precision in respect of the safeguarding lines of responsibility. Many encouraged me to improve this area and bring the clarity they desired. I am confident this stems from the unusual governance structure in UK athletics, with UKA sitting alongside the four autonomous NGBs.
7. In my view, UKA should enhance its safeguarding function in the sport. It should add to its role of drafting and disseminating policies and procedures and licensing, by taking ownership of all cases. UKA should be involved in investigating and managing all safeguarding cases, as well as setting the standards and driving compliance. It has to own all aspects of safeguarding. I have made recommendations for significant change in the safeguarding structure, designed to improve the safeguarding governance and to refine the lines of responsibility. I have done so to ensure that safeguarding sits primarily demonstrably with UKA.

8. In my assessment, the existing policies and the procedures have managed the case studies I have reviewed. However, my Review has highlighted the scope for improvement in the drafting, scope and operation of some of those policies and procedures. To create the clarity and the certainty necessary to guarantee that the fundamental responsibility of safeguarding sits conspicuously with UKA, I have made six core recommendations ('CR'). They are set out at the end of this document. They derive from both principle and practicality.
9. The sport is the same whether in Belfast, Bristol, Cardiff or Edinburgh. The safeguarding issues are the same. To achieve the necessary consistency of standards and approach across the UK, I have recommended that there should be uniformity of policies for children and adults at risk, subject to any necessary deviation required by devolution. Safeguarding cases should be investigated, managed and considered by the same group of people. In my proposed regime, UKA will lead but work together with HCAFs in a combined Case Management Group ('CMG'). Cases will be referred by the CMG to independent expert panels to adjudicate upon them. Safeguarding cases will be processed and decided pursuant to one common bespoke procedure. At the heart of that procedure will be an assessment of risk: does or may the person pose a risk of harm to a child or an adult at risk? I have portrayed my proposed regime in a schematic, at Appendix 1.
10. I am unpersuaded by the alternative proposition, namely that safeguarding is done better, or even as well, by the separate organisations (UKA and HCAFs) working independently but in parallel. Such a system risks confusion, different standards and approaches, duplicates resources and incurs unnecessary costs. HCAFs should deploy their unique knowledge at a national level working more closely with clubs and individuals, driving standards, compliance and training, supported, but also led, by UKA.
11. I necessarily considered UKA and the HCAFs individually. That was necessary as the issues, though similar, are not the same, either in nature or number. The association between UKA and England Athletics ('EA') is

complicated by a contractual relationship. Scottish Athletics ('SA') is impressively and largely self-sufficient. Athletics Northern Ireland ('ANI'), and Welsh Athletics ('WA') appear more dependent upon UKA.

12. Essentially, the HCAF recommendations concern existing policies, procedures, the club affiliation schemes, training, websites and proposals to ensure the changes I advocate are enforced and maintained in the future. They are set out in detail below, but the headlines are:

- a. The executive responsibility for safeguarding at each HCAF should be written in the job description of a full-time member of staff who is a member of the respective senior leadership team.
- b. They create a direct link between HCAF affiliation and safeguarding.
- c. They impose mandatory safeguarding training at a level appropriate for a person's role in athletics.
- d. I recommend improvements to the safeguarding sections of websites, making prominent statements of safeguarding principles and more readily accessible resources, including for children.
- e. I advise that there should be proper recording and auditing of club policies, training and criminal records checks ('CRC') by individuals and clubs, with annual auditing by HCAFs and by UKA.

13. My approach, as evidenced by the recommendations, has been to construct a system which conforms with the highest standards. Thereafter, the recommendations are designed to ensure it is maintained through a number of the compliance measures.

14. Pursuant to paragraph 8.3(c) of the ToR, I asked UKA and each of the HCAFs for details of all safeguarding cases in the last eighteen months. The position was as follows:

- a. UKA - I selected eleven cases from the last few years which were summarised for me. Eight concerned licensed persons, one events at a club, one an athlete, and the other an unlicensed person.
- b. EA - I have had three cases, each relating to unlicensed persons, two of which concerned events at clubs.

- c. ANI - gave me the papers for the two cases it has had. One was not a safeguarding case and the other related to an unlicensed person.
- d. SA – I received two cases. One concerned a licensed person dealt with by UKA. The other is now the subject of appeal so I have not expressed any view upon it.
- e. WA – I have had two cases, both involving licensed persons dealt with by UKA.

15. Therefore, of the seventeen cases I reviewed, seven concerned events at or relating to clubs or unlicensed persons (though one was an athlete). I audited the cases to test the current safeguarding policies and processes. My task was not to re-investigate them nor was it to make any findings of fact, adjudicate or pronounce upon the decisions made. Auditing those cases demonstrated the need for improvement in the process and the desirability of wider 'sanctioning' powers. I was struck by the small number of cases overall and how few there were relating to unlicensed persons.

16. The overall structure of my proposed regime puts UKA at the head of safeguarding. It will issue policies, procedures, but also have lead responsibility for investigating, managing and preparing cases, which will then be decided independently. HCAFs are relieved of much of those burdens. Instead, each has primarily a club and membership facing role, supporting but also guaranteeing the necessary high standards are maintained.

17. Dame Sue Street reported to the UKA Board in early May 2020. On 7 May 2020 a written summary ('the Summary') of her *Independent Review of UK Athletics: Terms of Reference Phase 1* was published. My recommendations resonate with a central theme of Dame Sue Street's review, namely UKA's governance role in the sport. They provide, in my view, a modern fit-for-purpose safeguarding regime consistent with UKA's status as a national governing body.

18. Safeguarding is not glamorous. It is not well resourced. The work can be demanding, emotional, sensitive, difficult and unheralded. The

safeguarding personnel I encountered struck me as serious, industrious and dedicated individuals doing their best in challenging circumstances. It is often their task to make difficult decisions and to deliver the hard or unpopular news. I would encourage UKA and each HCAF to ensure their safeguarding personnel have the support they need.

19. The CEOs and safeguarding personnel I encountered were also helpful. I repeat publicly my hitherto private thanks. I am also grateful to the Commissioning Body for its substantial help. It accommodated my every request, and provided much assistance.

20. I have made a total of twenty-nine recommendations, in addition to the core six. The basis of and reason for each of the core and other recommendations is explained in the body of this Report. In large measure those recommendations address issues relating to clubs, training and compliance. I have placed them together to try to reduce duplication. I have set out the recommendations as follows:

- a. The core recommendations;
- b. Those recommendations which relate to UKA and at least one HCAF, and;
- c. The recommendations which relate only to UKA or to an individual HCAF.

21. I appreciate that implementation will have resource implications, both in terms of personnel and costs. It will also take time to draft the appropriate policies and procedures, cascade them through the sport and then have them adopted and implemented. All of that is exacerbated by the coronavirus pandemic² and problems caused by and associated with it. I have acknowledged those challenges by setting, where appropriate, twelve month timeframes.

² During which the Review has been completed.

CORE RECOMMENDATIONS

CR1: Subject to any necessary variations in consequence of devolution - there should be one single universally applicable safeguarding policy for athletics in the UK for children and another for adults at risk in athletics in the UK.

CR2: The UKA child safeguarding policy should be reviewed and amended in accordance with the recommendations herein.

CR3: The UKA Adults at Risk safeguarding policy should be reviewed and amended in accordance with the recommendations herein.

CR4: UKA should take operational responsibility for safeguarding in the sport of athletics in the UK.

CR5: That responsibility should include (but is not limited to) the following aspects:

- **Subject to any necessary variations in consequence of devolution, the provision of effective universally applicable UK-wide safeguarding policies for children and adults at risk.**
- **Those policies should be enforced by way of a dedicated safeguarding procedure for all safeguarding cases, which has at its heart an assessment of risk.**
- **Safeguarding cases should be managed by the UKA safeguarding team, working with the HCAFs safeguarding leads, assisted by a bespoke case management system.**
- **Safeguarding investigations should be conducted and superintended by the UKA safeguarding team.**

CR6: In furtherance thereof, UKA should establish:

- **A case management group to consider safeguarding cases which includes the UKA and HCAFs lead safeguarding officers.**
- **An Independent Panel of suitably experienced and qualified safeguarding experts to determine safeguarding cases referred to it.**

- **An Independent Appeal Panel.**

RECOMMENDATIONS

The following recommendations are common to UKA and at least one HCAF:

- R1:** The executive responsibility for safeguarding at UKA and each HCAF should be written in the job description of a full-time member of staff who is a member of the respective senior leadership team.
- R2:** EA, ANI & WA should, like SA, adopt a bespoke Code of Conduct for Club Welfare Officers ('CWOs')/'Designated Officers' ('DOs')³.
- R3:** The Codes of Conduct should, like SA, be amended in accordance with the recommendations herein. The amendments should include express reference to safeguarding policies and (but not be limited to) (1) a concise and clear explanation (under heading "*Breach of the Code of Conduct*") setting out what might happen if there is a breach and (2) a section for the coach/volunteer/participant as appropriate to sign.
- R4:** Each person to whom the relevant Codes of Conduct applies should be provided with two copies. One must be signed and returned to the club, which must keep a register of all signed Codes of Conduct. This applies to present and new coaches, volunteers, parents and those with parental responsibility.
- R5:** UKA's "*Photographic Policy Guidance for Athletics Clubs and Stadiums*" adopted by EA, ANI and WA, should be amended in accordance with the recommendations herein.
- R6:** UKA and each HCAF should amend their websites to the extent necessary and in accordance with the recommendations made herein, including dedicated safeguarding links prominent on the

³ The ANI equivalent of a CWO.

homepage, clear statements of key principles of safeguarding and readily accessible resources.

R7: UKA, EA, ANI and WA should, like SA, make mandatory a form of face-to-face safeguarding training (including virtually) for all persons including (but not limited to) coaches, CWOs, Designated Officers ('DOs') and volunteers who work directly with children and/or adults at risk. That should be refreshed at least once every three years.

R8: UKA and each HCAF should make mandatory a form of online basic safeguarding training at a level appropriate to their involvement for all including but not limited to athletes, members, staff, coaches, officials, Board members and the members of affiliated clubs/associations/organisations' committees.

R9: The safeguarding training requirements for and obligation upon all HCAF affiliated clubs/associations/organisations, CWOs/DOs, athletes, members, officials and other participants should be formalised and recorded in writing in publicly available documents.

R10: UKA must inform in writing the relevant HCAF not less than three months before expiry of a coach's or official's licence.

R11: CRC:

R11.1: In addition to the present process a Criminal Records Check, at a level appropriate to their involvement, should be required, and carried out, for all CWOs/DOs, persons who wish to be licensed and/or those coaching or having close and regular supervision of children. It should be renewed every three years. It should have retrospective effect.

R11.2: The Code of Conduct for clubs/associations/organisations should be amended to include a requirement that each must appoint a designated person with responsibility to maintain a register of

Criminal Records Checks for all staff and volunteers and ensure CRC updates are obtained every three years.

UKA

These recommendations relate only to UKA save for R17:

R12: To enhance its CRC process, UKA should deny a licence to any person to coach, or to officiate in the presence of, children or adults at risk who refuses, if asked, to disclose their Criminal Records Check certificate.

R13: At least once annually, UKA should audit each HCAF and ensure that each has in place effective child and adult at risk safeguarding policies, procedures and is complying with its own auditing duties of member clubs/associations/organisations. A written record should be kept thereof.

R14: UKA should devise and implement an auditing system whereby it, with the relevant HCAF will audit annually a sufficient number of member club/associations/organisations. A written record should be kept thereof.

R15: UKA should prepare a schematic representation showing the structure of safeguarding responsibilities across the sport of athletics.

R16: Nomenclature across UKA safeguarding policies and procedures should be consistent.

R17: UKA should consider accepting as satisfactory for licensing and/or training requirements safeguarding courses provided or approved by SA and other HCAFs.

EA

The following recommendations are common to EA and at least one other HCAF:

R18: EA and ANI should ensure the UKA safeguarding policies and procedures upon which they rely have been properly incorporated as part of their regulatory frameworks.

R19: Club affiliation or membership⁴:

R19.1: Effective child and adults at risk safeguarding policies should be a prerequisite of club/association/organisation membership or affiliation to any HCAF.

R19.2: Within twelve months of the date of the Review all of HCAF affiliated member clubs/associations/organisations must, if they have not, put in place effective child and adult at risk safeguarding policies and inform the HCAF safeguarding manager thereof in writing. A written register should be kept by the HCAF thereof.

R19.3: Copies of the HCAF affiliated club's safeguarding policies must be on public display and available to every club member, athlete, coach, official and participant at and user of the affiliated club/association/organisation.

R19.4: As part of the club/association/organisation membership/affiliation procedure, all HCAF clubs/associations/organisations must hitherto adopt a condition which requires all members to read and acknowledge in writing appropriate safeguarding policies and procedures as part of joining/renewing membership.

R19.5: Within twelve months of the date of this Review, all HCAF affiliated clubs/associations/organisations must require all members, staff, volunteers and athletes to read and acknowledge appropriate safeguarding policies and procedures, to keep a

⁴ SA has complied with this.

register thereof and provide the appropriate HCAF safeguarding manager with documentary proof thereof.

R19.6: HCAF member/affiliated clubs/associations/organisations safeguarding policies must be reviewed by the club/association to reflect changes in legislation or guidance, and in any event at least once every three years and the appropriate HCAF safeguarding manager informed in writing of the outcome thereof, which should be recorded in a written register thereof.

R20: CWOs/DOs⁵:

R20.1: At least one⁶ suitably trained CWO/DO should be a prerequisite of all ANI club/association/organisation membership.

R20.2 The appointment of the said suitably trained CWO/DO should be approved by the appropriate HCAF safeguarding manager.

R20.3: No person shall hold the position of CWO/DO without completing an appropriate CRC and disclosing, if asked, their certificate to the said manager.

R20.4: It should be a constitutional requirement of every HCAF member/affiliated club/association/organisation that the CWO reports to every club/association management committee or Board meeting.

R21: Compliance:

R21.1: Within twelve months of the date of the Review each HCAF must audit all of its affiliated/member clubs/associations/organisations and ensure that each has in place effective child and adult at risk safeguarding policies. A written register thereof should be kept by each HCAF.

⁵ R20.1 applies only to ANI

⁶ WA mandates two, one male and one female.

R21.2: Successful completion of all safeguarding training should be documented and notified by the individual concerned in writing to the HCAF which should keep a register thereof.

R21.3: The Code of Conduct for affiliated clubs/associations/organisations must include a requirement to appoint a designated person with responsibility to maintain the training records of those required to undertake such and ensure refresher safeguarding training is attended every three years. UKA and the HCAF must be informed in writing of the identity of that person.

R21.4: Within twelve months of the date of this Review all persons including athletes, designated officers, officials, and coaches who have undertaken safeguarding training must notify in writing the HCAF safeguarding manager of (1) the nature and date of such training and (2) any available documentary evidence to support completion thereof. The HCAF should keep a register thereof.

ANI

In addition to the recommendations above (insofar as they apply to ANI), the following two recommendations relate solely to ANI:

R22: ANI should adopt forthwith an Adults at Risk safeguarding policy.

R23: The ANI child safeguarding policy should be reviewed and amended in accordance with the recommendations herein.