

**WORLD BATON TWIRLING FEDERATION**

**WBTF**

**SAFE SPORT POLICIES**

**SECTION 18**



**2022**

# **SAFE SPORT FOR ALL PARTICIPANTS IN THE WORLD BATON TWIRLING FEDERATION**



## **MISSION STATEMENT**

Everyone in sport has the right to be protected from non-accidental violence, harassment and abuse irrespective of their race, color, sex, sexual orientation, language, religion, political or other opinion, national or social origin, property, birth, disability, physical attributes, athletic ability or other status.

Non-accidental violence includes all forms of harassment and abuse and occurs worldwide. It is important to increase awareness of the indicators and impact of all forms of non-accidental violence.

All participants in WBTF need to know how to raise concerns and be confident that these will be responded to by their National Federation, their National Olympic Committee, Sports Authorities, or the WBTF in keeping with the WBTF Policies and Procedures. Everyone should be aware of the avenues and means open to them for assistance and support.

The WBTF has implemented measures to prevent and respond to incidents of non-accidental violence, harassment and abuse. It is the responsibility of each national federation to adopt and implement such policies and procedures to protect their athletes and other participants in WBTF. They must demonstrate strong leadership by identifying and eradicating unacceptable practices.

# WORLD BATON TWIRLING FEDERATION



## **Policy and Procedures for Safeguarding and Protecting Participants in Baton Twirling**

*This policy is adapted from the policy developed by The International Gymnastics Federation/Fédération Internationale de Gymnastique (FIG) and Sport Ireland. Any WBTF member country wishing to adapt this policy for its own use must acknowledge both FIG, Sport Ireland and WBTF in its policy.*

## **PART 1**

### **WBTF POLICY**

#### **for Safeguarding and Protecting Participants in Baton Twirling**

##### **1. INTRODUCTION**

Sport organizations and everyone in sport, has the responsibility to foster a safe, respectful culture so that athletes can thrive without harassment, abuse, or violence.

WBTF is committed to strengthen the support offered to all its members by putting the athletes, their safety, well-being, and welfare, at the center of everything we do.

Everyone in sport has the right to be protected from non-accidental violence, harassment, and abuse irrespective of their race, color, sex, sexual orientation, language, religion, political or other opinion, national or social origin, property, birth, disability, physical attributes, athletic ability, or other status. Article 19 of the United Nations Convention on the Rights of the Child enshrines the right for all children (defined as anyone under the age of 18) to be safe from violence.

All sport organizations must implement measures to prevent and respond to incidents of non-accidental violence, harassment, and abuse. The effectiveness of such measures depends on the WBTF and its national federations, to increase awareness of the indicators and impact of all forms of non-accidental violence. Everyone in Baton Twirling needs to know how to raise concerns and be confident that these will be responded to in line with their National Federation and/or the WBTF's Policy and Procedures. Everyone should be aware of the avenues and means open to them for assistance and support.

##### **2. CURRENT CONTEXT**

Non-accidental violence includes all forms of harassment and abuse, both physical and psychological, and occurs worldwide. Sport is not immune. Evidence and research of recent and non-recent incidents of abuse and harassment is alarming, and it occurs at all levels of sport.

We all share in the responsibility to identify the problems and to prevent athletes from suffering.

The International Olympic Committee, in its Agenda 2020 has made strong recommendations to international federations and has provided a framework outlining the key components required for athlete welfare.

The IOC has developed two consensus statements related to the prevention of harassment and abuse in sport:

- 1) IOC Consensus statement: Sexual Harassment and abuse in Sport (2007)
- 2) IOC Consensus statement: Harassment and Abuse in Sport (2016)

The WBTF fully endorses this framework and is committed to these principles.

These IOC Consensus Statements and basic universal principles of Good Governance encompass safeguarding. Organizations that belong to the Olympic movement are expected to adopt these principles, implement relevant measures, and monitor compliance by sport organizations.

The IOC has developed the Safeguarding Athletes from Harassment and Abuse in Sport Toolkit for International Federations and National Olympic Committees (NOCs). The International Safeguarding

Children in Sport has also produced guidelines to assist sport organizations. These are valuable tools to assist in the development of policies and procedures for Safeguarding.

To assist the member federations, the WBTF is developing supporting documents, policy and procedures which are intended to serve as the acceptable standards when adopting and implementing national safeguarding systems.

Everyone in Baton Twirling has the responsibility to identify and respond to harassment and abuse. Our national federations must demonstrate strong leadership by identifying and eradicating unacceptable practices and implementing preventative programs.

It will be the responsibility of each national federation to adopt and implement such policies. The WBTF is also developing educational material and providing opportunities to share case studies of best practice to further assist our member federations.

The WBTF will establish an independent Baton Twirling Ethics Committee which will be responsible for receiving and responding to concerns raised under this policy. To this end, the Committee will be organized as follows:

1. An Independent Safeguarding Section with a helpdesk for participants in Baton Twirling (athletes, officials, judges, etc.). This is a responsibility of, and shall be provided by, the country hosting the WBTF event.
2. A Disciplinary Section with two distinct groups (Disciplinary Committee and Appeals Committee) as defined in the policies and Code of Conduct of the WBTF.
3. A Compliance Section responsible to oversee good governance within the WBTF authorities in accordance with WBTF rules and regulations.

The WBTF itself will designate a Safeguarding Manager, as member of staff, who will be responsible for:

- Education resources
- Information and awareness programs
- Support of NFs
- Strengthening WBTF rules and codes concerning safeguarding.

### **3. DEFINITIONS OF NON-ACCIDENTAL VIOLENCE, HARASSMENT AND ABUSE**

Harassment and abuse can be expressed in many forms which may occur in combination or in isolation. The following are based on the IOC Consensus Statement (2016) as follows:

#### **Psychological abuse**

- Any unwelcome act including confinement, isolation, verbal assault, humiliation, intimidation, infantilization, or any other treatment, which may diminish an individual sense of identity, dignity, and self-worth

#### **Physical abuse**

- Any deliberate and unwelcome act – such as punching, beating, kicking, biting, and burning – that causes physical trauma or injury. Such acts include forced or inappropriate physical activity (e.g., age, or physically inappropriate and unreasonable training loads or activities, when injured or in pain), forced alcohol or drug consumption or forced doping practices.

#### **Sexual harassment**

- Any unwanted and unwelcome conduct of a sexual nature, whether verbal, non-verbal or physical. Sexual harassment can take the form of sexual abuse.

## **Sexual abuse**

- Conduct of a sexual nature, whether non-contact, contact or penetrative, where consent is coerced or manipulated, and is not, or cannot be given.

## **Neglect**

- Neglect means the failure of a coach or other person with a duty of care towards the athlete to provide a minimum level of care, which may cause harm, allow harm or create an imminent danger of harm.

Harassment and abuse can be based on any grounds including race or ethnic origin, culture, religion or belief, gender, sexual orientation, age, disability socio-economic status, physical attributes, and athletic ability. It can include a one-off (one time) incident, or a series of incidents. It may be in person or online. Harassment may be intentional, unsolicited, and coercive.

Harassment and abuse often result from an abuse of authority, meaning the misuse of power by people in positions of trust, influence, and authority (perceived or actual), against another individual. Some athletes may also carry out acts of harassment and abuse. For young people under the age of eighteen, peer abuse describes incidents when an athlete is exploited, bullied and/or harmed by another athlete or groups of athletes of similar age.

The means and methods by which harassment and abuse is carried out include: contact, non-contact, verbal and abuse by means of electronic communications.

It may involve deliberate acts as well as failure to act and omissions or may take the form of bullying which is defined as follows:

## **Bullying**

- Intentional behaviour usually repeated over time that hurts another individual or group.

## **4. PURPOSE**

The overall purpose of the policy is to ensure athletes and others taking part in Baton Twirling can do so without fear of harassment or abuse. The key objectives of the policy are to:

- Ensure everyone in Baton Twirling understands that all forms of non-accidental violence are unacceptable and will not be tolerated.
- Enable anyone who has witnessed or experienced harassment or abuse, within Baton Twirling, to report the incident without fear of victimization or retaliation.
- Ensure an appropriate and coordinated response to any incidents of harassment or abuse within or connected to participation in Baton Twirling, irrespective of whether they arise at national or international level.
- Implement effective measures that minimize the likelihood of incidents of harassment and abuse.

## 5. SCOPE

This policy applies to all member federations and their representative athletes, members of the athlete entourage, coaches, judges, medical personnel participating in WBTF activities, as well as WBTF authorities all other persons including officers, directors, agents, honorary members, officials, registered participants, and volunteers acting on behalf of WBTF (all referred to as a “participant”).

The reference to WBTF officials in this Policy only applies to those who are involved in the delivery of Baton Twirling activities.

## 6. ROLES AND RESPONSIBILITIES

### 6.1 WBTF

The WBTF is responsible for ensuring the implementation of this policy including:

- Providing education, tools, and safeguarding information, to the NFs regarding the Baton Twirling Ethics Committee, Constitution, and Operational Rules
- Ensuring all WBTF officials understand and abide by WBTF policy
- Informing all relevant parties of the procedures contained in this policy and that they seek out their rights under the law
- Taking leadership for the development of resources (prevention, awareness, and education)
- Ensuring there is a safeguarding plan and reporting procedure in place based on this policy and according to the laws in each member country and in the host location at all WBTF events.

### 6.2 Baton Twirling Ethics Committee

The Baton Twirling Ethics Committee is responsible for:

- Ensuring concerns and reports about harassment and abuse are assessed and where appropriate investigated, in a fair, sensitive, responsible, and timely manner;
- Putting in place a disciplinary process including a Disciplinary Committee and Appeal Committee to deal with all alleged breaches;
- Imposing appropriate disciplinary or corrective measures when a report of harassment and abuse has been substantiated, regardless of the position or authority of the offender;
- Informing the WBTF of any formal disciplinary sanction imposed by the Disciplinary Committee and the Appeal Committee for implementation;
- Providing advice and support to a participant who experiences harassment and abuse and providing advice to the participant about whom the allegation has been made relating to the procedure and their individual rights;
- Supporting and assisting any participant who experiences harassment and abuse by another individual not associated with WBTF;
- Supporting the individual who reports an allegation of abuse;

### 6.3 National Federations (NF)

Each NF is responsible for:

- Developing and implementing a Policy and Procedures for safeguarding and protecting participants from harassment and abuse;
- Ensuring such policy and procedures are in line with the standards of WBTF Policy and Procedures;

- Ensuring all participants in Baton Twirling are aware and adhere to the WBTF Code of Conduct at WBTF activities;
- Advising the WBTF of any disciplinary sanction imposed by the NF relating to an incident that occurred that was dealt with by the NF.
- Informing the WBTF on a ‘need to know’ basis of any temporary suspension or permanent exclusion of one of their members if it is reasonably believed that he/she could present a risk to participants in Baton Twirling outside the NF concerned.
- Ensuring that such of their members as may be required provide criminal record checks, vulnerable sector checks, police clearance, or such documentation as their country may produce, and to notify WBTF of any persons who do not comply so that WBTF may determine if that person may attend. Any records of same are to be retained as may be permitted by law in the NF’s country.

## **6.4 All Participants**

Everyone has a responsibility to ensure that the baton twirling sport environment is free from non-accidental violence.

All participants must comply with the WBTF Policy and Code of Conduct and specifically not engage in, allow, condone, or ignore incidents of harassment and abuse and be supportive of other participants who report concerns.

Any participant in Baton Twirling who has reason to believe that another participant has or is experiencing harassment and abuse in the sport has a duty to report it to the Baton Twirling Ethics Committee.

Failure to comply with the Policy and procedures will be investigated and may ultimately result in disciplinary action against the individuals concerned.

## **7. MONITORING AND REVIEWING**

The Policy will be regularly reviewed to ensure it adequately meets the WBTF’s responsibilities and as part of an overall case review and information analysis.

**PART 2**  
**WBTF PROCEDURES**  
**for Safeguarding and Protecting Participants in**  
**Baton Twirling**

The following procedures apply to any complaints, allegations or concerns of non-accidental violence, harassment and abuse made against a participant that are brought to the attention of the Baton Twirling Ethics Committee.

If an alleged incident of harassment and abuse is reported involving participants that belong to the same NF, or if the incident involves participant(s) but took place at an activity under NF jurisdiction, the incident shall be dealt with by such NF, according to its policy and procedures for safeguarding participants (in accordance with WBTF Policy).

Where the alleged perpetrator is a member of a NF, the Baton Twirling Ethics Committee may refer the case to be dealt with by the NF under their procedures.

In all other cases, including where:

- i (i) an NF which has a policy and procedures for safeguarding participants, does not, in the opinion of the Baton Twirling Ethics Committee, safeguard such participant (e.g. by taking any disciplinary action); or
- ii (ii) an NF does not have a policy and procedures for safeguarding participants;

The “WBTF Policy and procedures” and the Baton Twirling Ethics Committee’s Constitution and Operational Rules will apply as if they were those of the NF.

Any participant in Baton Twirling who reports an incident of harassment and abuse that involves a person or persons outside WBTF or NF jurisdiction will be provided with support from the Baton Twirling Ethics Committee. In addition, support may be available from the NOC or Human Rights Commission.

### **1. REPORTING PROCEDURES**

The Baton Twirling Ethics Committee can receive reports of an incident of harassment or abuse through:

- The WBTF President
- During World Championship or other major WBTF events, if available, to the Event Safeguarding Officer.

Although incidents can be reported directly by the affected individual, incidents can also be reported by others (whistle blowing) relating to the conduct of an individual or the practices of a National Federation. In such cases, confidentiality relating to the identity of the whistle blower will be respected.

Any person who reports a concern in good faith will not be subject to reprisal or other adverse consequences because of submitting a report. These protections shall not apply to a person who intentionally makes false accusations.

## **1.1 Complaint Review Process**

Any allegation or concern pursuant to this policy received by the WBTF, will be referred to the Baton Twirling Ethics Committee. The latter shall make an initial assessment of the complaint to determine whether the complaint relates to a participant and whether the complaint is under its jurisdiction.

The Baton Twirling Ethics Committee will assess the seriousness of the complaint and may:

- Refer the matter to the police, other relevant authorities and/or regulatory bodies where it meets the relevant criminal threshold; in accordance with the event safeguarding plan
- Refer the matter to an NF;
- Refer the complaint to another organization;
- Proceed with further internal investigation; and
- Either dismiss the complaint as unfounded or as insufficiently serious to require any further action; or

The Baton Twirling Ethics Committee may decide a temporary suspension.

Irrespective of jurisdiction, consideration will be given towards any support required for the affected parties.

Where there is an event safeguarding plan in place, the above steps will be carried out by a team assigned for the event.

## **1.2 Investigation procedure**

The objective will be to conclude all investigations in a timely manner, ideally within two months.

If the allegations are not of a criminal nature but need further investigation, the Baton Twirling Ethics Committee (Safeguarding Section) shall assign an individual or a group who shall be responsible for carrying out the investigation, in accordance with these procedures and to an appropriate timeline agreed by the Committee. Where relevant, the investigator may request information from the police and any other relevant organizations, as may be permitted by law.

The investigator may require written or oral representations from relevant parties, taking special care if interviewing vulnerable witnesses. Failure to co-operate with a request to provide relevant information may itself be considered misconduct, subject to any limitations on release of information as may be permitted by law.

The investigator shall prepare a report and include all relevant evidence for consideration by the Ethics Committee who may determine that:

- The matter is referred to the applicable NF for its procedures and policies to be applied;
- The matter is referred to the Disciplinary Committee for consideration;
- Further investigations are instigated;
- A risk assessment is completed;
- Instructions, advice, or guidance is provided to the relevant parties; or
- No further action is taken.

## **2. DISCIPLINE AND APPEALS**

Any disciplinary proceedings, including the right of appeal will be conducted in accordance with the WBTF Code of Conduct. The standard of proof is as per the determination in the WBTF Code of Conduct. Consequently, the Baton Twirling Ethics Committee may seek to take disciplinary action irrespective of the outcome of any criminal proceedings.

The Baton Twirling Ethics Committee will provide appropriate support and guidance to ensure participants involved in this process understand the disciplinary and appeal procedures, especially if children are involved.

## **3. CRIMINAL CONVICTIONS AND NF FINDINGS OF FACT**

The Baton Twirling Ethics Committee through its Disciplinary Committee, shall establish that an incident of harassment and abuse has occurred where:

- A participant is convicted of a criminal offense; or
- A NF authorized to deal with a complaint under these procedures has determined that an allegation(s) of harassment or abuse against an WBTF participant is/are proven.

The Disciplinary Committee having considered any written representations made by the participant and any other affected parties, may further investigate the case if needed or determine based on the criminal conviction that it is appropriate for the WBTF to impose a sanction relating to WBTF activities. The Discipline Committee may apply the NF sanction to some or all WBTF activities or determine its own sanction(s).

Any sanction imposed by the Baton Twirling Discipline Committee shall be subject to a right of appeal in accordance with WBTF's Safe Sport Policies, Code of Ethics and Code of Conduct.

## **4. NON-RECENT ABUSE CASES / LIMITATION PERIODS**

The limitation periods are set out within each National Federation.

Where a serious allegation of sexual abuse is received within the limitation periods the Baton Twirling Ethics Committee will:

- Clarify whether there is a current risk to participants and may take immediate provisional measures; and
- Advise the individual to make a formal complaint to the police; and
- Provide support and further assistance if deemed appropriate by the Baton Twirling Ethics Committee.

Such allegations must be treated in accordance with WBTF procedures.

## 5. CONFIDENTIALITY AND INFORMATION SHARING

Any information pertaining to an alleged incident of harassment and abuse shall be regarded as confidential.

The Baton Twirling Ethics Committee may disclose confidential information to appropriate individuals, authorities, or other organizations where it is deemed necessary to comply with these procedures or where failure to disclose such information may result in harm to others.

The WBTF will be kept informed by the Baton Twirling Ethics Committee of any relevant decisions and where appropriate will be responsible for implementing the judgements of the Disciplinary Committee or Appeal Committee.

Any affected individual will be notified by the WBTF of the outcome of any disciplinary or appeal panel decisions. The publication of decisions of the Disciplinary Committee and Appeal Committee are set out in the WBTF's Safe Sport Policies, Code of Ethics and Code of Conduct.

## 6. RETENTION OF RECORDS

Any information relating to allegations of non-accidental violence, harassment and abuse will be securely stored and may be retained by the Baton Twirling Ethics Committee in accordance with U.S. Law and until expiry of the limitation periods set out in WBTF's policies, or as may be permitted by law (e.g. subject to GDPR).

## 7. TERMINOLOGY

The terms used in this policy shall be interpreted as follows:

**National Federation (NF)** – shall mean the member federations of the WBTF.

**WBTF Baton Twirling Activity** – shall mean any activities under the direct jurisdiction of the WBTF. It shall not include WBTF sanctioned events run by NFs.

**Baton Twirling Ethics Committee** – shall mean the independent body designated by the WBTF with responsibility for receiving and responding to reports of harassment and abuse.

**Event Safeguarding Officer** – shall mean the individual designated by an NF, responsible for receiving and acting on safeguarding concerns at WBTF Baton Twirling events.