



## **PART I: GENERAL**

### **1. INTRODUCTION**

The Badminton World Federation (“**BWF**”) believes that it is a fundamental right of all individuals involved in the badminton community, whether they are an athlete, employee, or a volunteer, to be able to participate in a nonviolent, safe, and respectful environment.

In that spirit, the BWF will make all reasonable efforts to create and support an environment and a culture free from harassment and abuse. The welfare of all individuals involved in the badminton community is paramount. Behaviour and actions that constitute harassment and abuse will not be tolerated.

### **2. PURPOSE**

In order to promote a safe environment for all those involved in badminton, this Safeguarding Policy (the “**Policy**”) aims to:

- 2.1. Provide a framework and assign responsibilities for preventing harassment and abuse in the badminton community.
- 2.2. Raise awareness of, and provide clarity on, what constitutes harassment and abuse.
- 2.3. Outline the process for reporting incidents and managing cases of harassment and abuse.

### **3. DEFINITIONS & INTERPRETATION**

#### **Definitions**

3.1. “**Harassment and Abuse**” are defined in accordance with the definitions set out in the IOC Consensus Statement 2016 ([www.olympic.org/athlete365/safe-sport/](http://www.olympic.org/athlete365/safe-sport/)):

3.1.1. Harassment and abuse can be expressed in five forms which may occur in combination or in isolation. These include a) psychological abuse, b) physical abuse, c) sexual harassment, d) sexual abuse, and e) neglect.

- a) **Psychological abuse** — means any unwelcome act including confinement, isolation, verbal assault, humiliation, intimidation, infantilisation, or any other treatment which may diminish the sense of identity, dignity, and self-worth.
- b) **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.
- c) **Sexual abuse** — any conduct of a sexual nature, whether non-contact, contact or penetrative, where consent is coerced/manipulated or is not or cannot be given.
- d) **Neglect** — within the meaning of this document means the failure of a coach or another person with a duty of care towards the athlete to provide a minimum level of care to

the athlete, which is causing harm, allowing harm to be caused, or creating an imminent danger of harm.

- e) **Physical abuse** — means any deliberate and unwelcome act – such as for example punching, beating, kicking, biting and burning – that causes physical trauma or injury. Such act can also consist of forced or inappropriate physical activity (e.g., age, or physique inappropriate training loads; when injured or in pain), forced alcohol consumption, or forced doping practices.

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

3.1.3. Harassment and abuse often result from an abuse of authority, meaning the improper use of a position of influence, power, or authority by an individual against another person.

3.1.4. The IOC Consensus Statement 2008 considers that harassment and abuse are on a continuum; and therefore should not be separated.

3.2. **“Participant”** means the same as “Covered Person” as defined in the Judicial Procedures. This includes:

3.2.1. Players and their Related Persons;

3.2.2. Officials of the BWF and its Affiliates; and

3.2.3. Any other person that has accepted this Policy and BWF’s jurisdiction.

3.3. **“Vulnerable Person”** means children under 18 years old and vulnerable adults.

3.4. **Interpretation**

3.4.1. In the event of conflict between this Policy and the Judicial Procedures, the provisions of this Policy shall prevail.

3.4.2. The Judicial Procedures shall apply on any question where this Policy is silent.

#### 4. APPLICATION AND SCOPE

4.1. Every Participant is bound by this Policy and is deemed to have read and understood it.

4.2. Participants should also be aware that conduct prohibited under this Policy may also constitute a criminal offence and/or a breach of other applicable laws and regulations including other regulations of the BWF.

#### 5. OFFENCES

5.1. The following conducts are breaches of this Policy:

5.1.1. Any form of “Harassment and Abuse” in relation to the badminton community;

5.1.2. Complicity: assisting, encouraging, aiding, abetting, conspiring to engage in or concealing any violation of this Policy;

- 5.1.3. Failure to cooperate/obstruction, as described in the Judicial Procedures (BWF Statutes, Section 3.1.);
- 5.1.4. Retaliation against reporting, as described in the Badminton Code of Ethics (BWF Statutes, Section 2.1); and
- 5.1.5. Intentionally providing incorrect information, or failing to report circumstances relevant to the prevention of harassment and abuse.

## **6. ROLES AND RESPONSIBILITIES**

- 6.1. The BWF shall be responsible for:
  - 6.1.1. Implementing this Policy.
  - 6.1.2. Creating a Safeguarding Plan that includes appropriate operational measures to prevent the occurrence of harassment and abuse, based on a documented risk assessment.
  - 6.1.3. Promoting implementation of this Policy amongst its Affiliates.
  - 6.1.4. Raising awareness of this Policy and the procedure for reporting an incident of harassment and abuse, across all Participants of BWF activities.
  - 6.1.5. Ensuring that reports of harassment and abuse that are brought to its attention are managed in a timely manner, fairly and responsibly.
  - 6.1.6. Providing appropriate support to concerned Participants of an alleged incident of harassment or abuse.
  - 6.1.7. Imposing appropriate disciplinary or corrective measures when there has been a breach of this Policy.
  - 6.1.8. Ensuring that there is a safeguarding plan and reporting procedure in place at all BWF-sanctioned tournaments.
  - 6.1.9. Providing and raising awareness of suitable educational resources and training opportunities for Affiliates and Participants.
  - 6.1.10. Updating the Policy and related procedures from time to time.
- 6.2. Continental Confederations shall be responsible for:
  - 6.2.1. Implementing this Policy.
  - 6.2.2. Creating a Safeguarding Plan that includes appropriate measures to prevent the occurrence of Harassment and Abuse, based on a documented risk assessment.
  - 6.2.3. Raising awareness of this Policy and the procedure for reporting an incident of Harassment and Abuse, across all Participants of their activities.
  - 6.2.4. Ensuring that there is a safeguarding plan and reporting procedure in place at all their tournaments.
  - 6.2.5. Providing and raising awareness of suitable educational resources and training opportunities for Participants within their jurisdiction.
- 6.3. Member Associations shall be responsible for:
  - 6.3.1. Implementing this Policy.

- 6.3.2. Putting in place appropriate measures to prevent the occurrence of Harassment and Abuse.
  - 6.3.3. Raising awareness of this Policy and the procedure for reporting an incident of Harassment and Abuse, across all Participants of their activities.
  - 6.3.4. Providing and raising awareness of suitable educational resources and training opportunities for Participants within their jurisdiction.
- 6.4. Participants shall be responsible for:
- 6.4.1. Taking action to safeguard others against harassment and abuse in badminton and for taking immediate action once it has been identified, whether or not a complaint has been made.
  - 6.4.2. Reporting their concerns where they have reason to believe that another Participant has experienced or is experiencing harassment and abuse. Information should be shared on a 'needs to know' basis only. The person making a report should keep a confidential note of the information they have passed on and to whom.
  - 6.4.3. Informing the BWF of any formal disciplinary sanctions relating to harassment and abuse that they have received.

## 7. CONFIDENTIALITY

- 7.1. Any information pertaining to an alleged incident of harassment and abuse shall be regarded as confidential and shall be shared on a strictly 'needs to know' basis. In particular, reports shall be treated confidentially, and information shall not be disclosed, except, for example, if prior consent is given by that individual; if disclosure is necessary to protect someone from harm; or if a potential criminal act comes to the attention of the BWF.
- 7.2. However, those receiving a disclosure from a Vulnerable Person or regarding an incident in which the victim may be a Vulnerable Person should inform the Vulnerable Person that they have a duty to share information with appropriate persons to ensure that action is taken where abuse may have occurred.
- 7.3. In cases where a Vulnerable Person is involved, in any capacity, it is important that the best interests of the Vulnerable Person are of primary consideration throughout the case management process.

**PART 2: PREVENTING HARASSMENT AND ABUSE****8. Preventive measures**

- 8.1. The BWF, Continental Confederations, and Member Associations shall put in place appropriate measures to prevent the occurrence of harassment and abuse. Such measures can include a combination of:
  - 8.1.1. Educational programmes;
  - 8.1.2. Due diligence processes (background checks);
  - 8.1.3. Systematic risk assessment of activities; and
  - 8.1.4. Any other measure deemed relevant for the prevention of harassment and abuse.
- 8.2. The BWF Secretariat shall be responsible for creating a Safeguarding Plan that includes appropriate operational measures to prevent the occurrence of harassment and abuse, based on a documented risk assessment

**9. Educational resources**

- 9.1. The IOC Safeguarding Toolkit has been created to assist the Olympic Movement to develop and implement athlete-safeguarding policies and procedures ([www.olympic.org/athlete365/safeguarding/](http://www.olympic.org/athlete365/safeguarding/)).
- 9.2. To complement the toolkit and ensure that athletes, their entourage and other individuals understand the core components of this sensitive topic, the IOC Athlete Safeguarding elearning course has been developed and launched on the IOC Athlete Learning Gateway and is free and accessible to all. (<http://onlinecourse.olympic.org/course/baseview.php?id=39>).

**PART 3: REPORTING, INVESTIGATING AND DISCIPLINARY PROCEDURES****10. REPORTING**

- 10.1. Anyone who has a concern about a potential incident of harassment or abuse that relates to badminton activities should report it.
- 10.2. Reports should be made in accordance with the BWF Whistleblowing Policy (BWF Statutes, Section 3.3).
- 10.3. The Head of Integrity shall be responsible for:
  - 10.3.1. Managing and coordinating reports received with the Safeguarding Officer.
  - 10.3.2. Investigating potential breaches of this Policy, and managing their prosecution.
- 10.4. The Safeguarding Officer shall be responsible for:
  - 10.4.1. Documenting all reports of harassment and abuse within BWF's jurisdiction.
  - 10.4.2. Sharing information with outside parties, including law enforcement, within the parameters of Article 7 (Confidentiality).

**11. INVESTIGATIONS & DISCIPLINARY PROCEDURES**

- 11.1. Investigations, disciplinary proceedings, hearings, and appeals shall be conducted in accordance with the Judicial Procedures.
- 11.2. The Independent Hearing Panel shall be competent to hear and decide cases arising from breaches of this Policy.
- 11.3. As an exception to the above provisions, potential breaches of this Policy committed by employees of the BWF or its Affiliates may be handled as employment-related disciplinary matters within the relevant organisation.
- 11.4. Any action taken under this Policy shall be without prejudice to any other type of legal action that a person may initiate under criminal or civil law.

**12. SANCTIONS****12.1. General**

Where it is determined that a violation has been committed, the BWF Independent Hearing Panel shall impose an appropriate sanction upon the Participant from the range of permissible sanctions, which may range from a minimum of a warning to a maximum of life ban, and may include a Fine.

**12.2. Aggravating Circumstances**

When determining the appropriate sanctions applicable, the BWF Independent Hearing Panel shall take into consideration all aggravating and mitigating circumstances and shall detail the effect of such circumstances on the final sanction in the written decision. Such circumstances include:

- 12.2.1. The general aggravating and mitigating circumstances listed in the Judicial Procedures (BWF Statutes, Section 3.1).
- 12.2.2. The age of the person who is subject to Harassment or Abuse.
- 12.2.3. Whether the person is a Vulnerable Person.

- 12.2.4. Whether the breach of this Policy resulted from an abuse of authority, i.e., the improper use of a position of influence, power, or authority.

### **13. MUTUAL RECOGNITION**

- 13.1. Any decision reached under this Policy which has become final shall be recognised and respected by the BWF and all its Affiliates.
- 13.2. The BWF shall recognise final decisions outside its jurisdiction (including outside sports) provided that:
- 13.2.1. The decision was rendered by a competent court of justice or disciplinary tribunal,
- 13.2.2. The BWF is satisfied that the defendant's right to due process was respected,
- 13.2.3. The offence, whether criminal or disciplinary, would have constituted a breach under this Policy.
- 13.3. Subject to the right of appeal, any decision in compliance with this Policy by any other sporting organisation or court of competent jurisdiction will be recognised and respected by the BWF.