



FIBA SAFEGUARDING POLICY





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INTRODUCTION

Everyone has the right to participate in basketball in an environment that is safe and enjoyable. Equality and diversity are at the heart of FIBA's values. Thus, FIBA is committed to establishing and implementing policies that safeguard player welfare, which includes non-discrimination and the prevention of harassment and abuse.

FIBA has a zero-tolerance stance towards harassment, discrimination or abuse of any kind.

FIBA's commitment to a safe basketball environment is enshrined in FIBA's Internal Regulations:

FIBA bears the responsibility to safeguard the integrity and reputation of the sport of basketball worldwide and is constantly striving to protect its image from jeopardy or harm as a result of immoral or unethical activities, methods, and practices.

- Article 1-16

Inherent in this Code of Ethics is the individual's right to dignity and to being treated with respect. Basketball allows no discrimination between the basketball parties on the basis of race, gender, ethnic origin, religion, philosophical or political opinion, marital status, or other grounds.

- Article 1-19

Ensure that discrimination, harassment, vilification, and/or abuse are not tolerated at any level and that there are appropriate policies and processes in place to deal with such behaviour.

- Article 1-29

Definitions

Adult at risk means any person over the age of 18 that is vulnerable or at risk of abuse or neglect due to their mental or physical incapacity, their age, illness or the need for care or support.

Child or Children mean any person under the age of 18.

Young Person means a Child between the age of 13-17.

Vulnerable Groups means Children and Adults at Risk.

FIBA's Aim

This policy sets out the requirements for FIBA to discharge its duty in protecting Vulnerable Groups. This policy should also be used as a guideline for national member federations to establish their own safeguarding policy.

This policy aims to:

- Clearly set out the legal framework for safeguarding the wellbeing of all participants of basketball.
- Clearly define harassment, discrimination and abuse.
- Sets out how harassment, discrimination or abuse can be reported.
- Establish standards of behaviour that all persons falling within the scope of this policy shall adhere to.
- To establish tools to determine the risks associated with the contact or impact on Vulnerable Groups.
- To establish ways to mitigate or reduce those risks.

The Five Pillars of Safeguarding

Rights of Children and Adults at Risk: all persons to whom this policy applies must respect and promote the rights of Children and Adults at Risk.

Zero Tolerance: FIBA will not tolerate any form of abuse and will take all necessary measures to implement this policy.

Risk management: FIBA ensures that risks are identified and minimised throughout all stages of activity planning.

Collective responsibility: the successful implementation of this policy depends on an individual and shared responsibility of all persons involved in basketball.

Duty of notification: any suspected violation of this policy must be reported immediately through the appropriate reporting channels. Confidentiality will be maintained throughout the entire process.

Does this policy apply to me? When does it apply?

This Policy shall apply at all times and to the following persons and organisations:

- All national member federations of FIBA;
- All clubs participating in competitions sanctioned by a national member federation and/or FIBA;
- Players, coaches, player-support personnel (including team managers, medical staff), officials of all designations, and FIBA accredited players' agents;
- All participants in FIBA and FIBA-recognised events, competitions and tournaments.
- All staff, employees and workers of FIBA, its divisions and any other organisations or individuals with a direct or indirect affiliation with FIBA;
- All staff, employees and workers of national member federations of FIBA;
- All staff, employees and workers of national member federations, leagues, clubs or other organisations affiliated with national member federations of FIBA;
- All organisers of FIBA and FIBA-recognised competitions.

What are my obligations?

You have a responsibility to adhere to expected standards of behaviour.

Relationships of trust

By virtue of the nature of your work, you may have responsibility for and authority over Vulnerable Groups in your care, a relationship of trust. It is therefore imperative that you understand the power and influence you may have over those in your care and the responsibility exercised as a consequence.

Infatuations

Vulnerable Groups may develop an infatuation with people who work with them. Such situations should be handled sensitively to maintain the dignity and safety of all concerned. You should be aware, that in such circumstances, there is a high risk that words or actions may be misinterpreted and that allegations could be made against you. You must therefore ensure that your own behaviour is above reproach. If you become aware that a Child or Adult at Risk may be infatuated with you or with a colleague, this should be discussed immediately with the person in charge of safeguarding or the person in charge of human resources within your organisation, at the earliest opportunity.

Obligations application to all persons

You have the obligation to:

- Familiarise yourself with the requirements of this policy;
- Ensure the safety of Vulnerable Groups in your care;
- Always act in the best interests of Vulnerable Groups;
- Maintain appropriate and professional boundaries at all times;
- Treat all Vulnerable Groups equally, with respect, dignity and fairness;
- Ensure that the same professional standards are applied regardless of ethnic origin, colour, nationality, race, religion, gender, sexual orientation, age or disability;
- Respect views, wishes and feelings of Vulnerable Groups;
- Recognise the development needs of Children and the capacity of Vulnerable Groups;
- Promote an environment where poor practice is challenged and reported;
- Ensure that any concerns or allegations concerning the welfare of Vulnerable Groups are acted upon and recorded in accordance with this policy;
- Empower and educate Vulnerable Groups on their rights.

It is never acceptable to:

- Cause or accept Harm towards Vulnerable Groups;
- Use your position of power or influence to intimidate, threaten, coerce, exploit or undermine Vulnerable Groups;
- Use your position of power or influence to form or promote or engage in inappropriate relationships;
- Use your position of power or influence to gain access to information relating to Vulnerable Groups for their own or others' advantage;
- Carry out duties whilst under the influence of alcohol or drugs;
- Access, make or distribute illegal or indecent content or images of Vulnerable Groups.

RECOGNISING HARM

Identifying an Adult at Risk

An Adult at Risk is a person aged 18 or over, whose exposure to Harm through abuse, exploitation or neglect may be increased by their personal characteristics or life circumstances.

Their personal characteristics may include:

- age
- physical or mental incapacity
- special educational needs
- any illness, mental or physical they may have

Their life circumstances may include:

- isolation or loneliness
- finances and work
- living conditions

Who can be an abuser?

A Child or Adult at Risk may be abused (harmed) by anyone, especially some in a position of trust. This includes but is not limited to:

Within basketball:

- A coach;
- A team doctor;
- A teammate;
- A basketball administrator;
- A basketball official.

Outside of basketball:

- A partner;
- A relative or other family member;
- A person entrusted to act on behalf of the Adult at Risk in some aspect of their affairs;
- A service or care provider;
- A health or social care worker or professional;
- Person or persons who have no previous connection to the victim.

What is Harm?

Harm can occur in many forms and can range in gravity. Not all Harm will be internal to a basketball organisation or be perpetrated by someone within basketball. Nonetheless it is incumbent on all to whom this policy applies to report any abuse that they suspect or become aware of.

Failure by an individual or organisation, e.g., a club to report Harm, will be a violation of this policy.

Abuse

Physical abuse is any deliberate act causing injury or trauma to another person. This includes hitting, slapping, pushing, kicking, burning, giving a person medicine that they do not need and/or that may harm them or the application of inappropriate restraint measures.

Emotional abuse is any act or other treatment that may cause emotional damage and undermine a person's sense of well-being, including persistent criticism, denigration or putting unrealistic expectations on Vulnerable Groups, isolation, verbal assault, humiliation, blaming, controlling, intimidation or use of threats.

Sexual abuse is any act resulting in the exploitation of Vulnerable Groups, whether with their consent or not, for the purpose of sexual or erotic gratification. This may be by an adult or by a Young Person that is intellectually, emotionally, physically or sexually more mature than the victim. The abuser may also be any person who has authority, influence, or moral ascendancy over the victim. This includes non-contact activities, such as indecent exposure, involving Vulnerable Groups in witnessing sexual acts, looking at sexual images/pornography or grooming them in preparation for abuse (including via the internet). Even if Children have legally reached the age of sexual consent in their country, it is unacceptable for anyone to abuse their relationship of trust for sexual gratification.

Child sexual exploitation is a form of child sexual abuse. It occurs where an individual or groups of people take advantage of an imbalance of power to coerce, manipulate or deceive a Child into sexual activity in exchange for something the victim needs or wants and/or for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation can also take place through the use of technology.

Grooming: The process of developing a relationship and trust of an individual, and sometimes their family, to exploit, abuse or traffic them. Grooming can happen both online and in person.

Financial or material abuse: Stealing from a vulnerable person, using them for financial gain, putting pressure on them about wills, property, inheritance or financial transactions, misusing or stealing their property, possessions or benefits. It may include depriving a person of access to their money, property or assets. Financial abuse is something more usually related to adults but where professional (and future professional) basketball players are concerned, this is a significant area of risk.

Neglect

Neglect is the ongoing failure to meet the basic needs of Vulnerable Groups. Neglect may involve the failure to provide adequate food, shelter including exclusion from home or abandonment, failing to protect them from physical and emotional harm or danger, or the failing to ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, basic emotional needs.

Organisational: Neglect and poor care practice within an institution or specific care setting such as a hospital or care home, or where care is provided within an adult at risk's own home. This may range from one-off incidents to ongoing ill-treatment. It can be through neglect or poor professional practice as a result of the structure, policies, processes or practices within an organisation.

Neglect/acts of omission: Ignoring medical, emotional or physical care needs, failure to provide access to appropriate health, care and support or educational services or the withholding of the necessities of life, such as medication, adequate nutrition and heating.

Self-neglect: Neglecting to care for one's personal hygiene, health or surroundings and including behaviour such as hoarding.

Other Categories of Concern

Radicalisation: The process by which a person comes to support terrorism and forms of extremism leading to terrorism. Anybody from any background can become radicalised. The grooming of Vulnerable Groups for the purposes of involvement in extremist activity is a serious safeguarding issue.

Female genital mutilation (FGM): Involves procedures that intentionally alter or injure female genital organs for non-medical reasons. The procedure has no health benefits for girls and women. The Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women and Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa explicitly recognise that practices harmful to women such as FGM are violations of human rights.

Bullying: Repeated or severe behaviour intended to intimidate or upset someone and/or make them feel uncomfortable or unsafe, in their person or property, for example, name calling, exclusion or isolation, spreading rumours, embarrassing someone in public or in front of their peers, threatening to cause harm, physically hurting someone or damaging their possessions or a combination of these actions. Bullying may occur because of an individual's ethnic origin, colour, nationality, race, religion or belief, gender, gender reassignment, sexual orientation or disability. Actions may include unfair or less favourable treatment, culturally insensitive comments, insults and 'banter'.

Cyberbullying is the use of technology to harass, threaten, embarrass, humiliate, spread rumours or target another person. Social media is frequently used as a medium of cyberbullying.

Hazing is any ritual, initiation activity, action or situation, with or without consent, which recklessly, intentionally or unintentionally endangers the physical or emotional well-being of Vulnerable Groups.

Peer-on-peer abuse: Children can be taken advantage of or harmed by adults and by other Children. Peer-on-peer abuse is any form of physical, sexual, emotional and financial abuse, and coercive control, exercised between Children and within Children's relationships (both intimate and non-intimate).

Domestic violence: Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged sixteen or over, who are or have been intimate with partners or family members regardless of gender or sexuality. This can encompass, but is not limited to psychological, physical, sexual, financial, emotional abuse and so called 'honour' based violence.

Coercive control: Coercive or controlling behaviour does not relate to a single incident, it is a purposeful pattern of incidents that occur over time in order for one individual to exert power, control or coercion over another. For example, restricting access to money, restricting movements, isolating the victim from family and friends, intercepting messages or phone calls.

Modern slavery: Encompasses slavery, human trafficking, forced labour and domestic servitude. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment.

Poor practice

Poor practice is behaviour that falls short of abuse but is nevertheless unacceptable. It is essential that poor practice is challenged and reported even where there is a belief that the motives of an individual are well meaning. Failure to challenge poor practice can lead to an environment where abuse is more likely to remain unnoticed. Incidents of poor practice occur when the needs of Vulnerable Groups are not afforded the necessary priority compromising their welfare, for example, allowing abusive or concerning practices to go unreported, placing Vulnerable Groups in potentially compromising and uncomfortable situations, failing to ensure the safety of Vulnerable Groups, ignoring health and safety guidelines, giving continued and unnecessary preferential treatment to individuals.

What are the signs of Harm?

You might become aware that a person in a Vulnerable Group may be at risk of harm when:

- you see or hear something
- they tell you about abuse, exploitation or neglect happening to them
- a friend, family member or somebody tells you something that causes you concern
- you notice injuries or physical signs that cause you concern
- you notice the victim or abuser behaving in a way that alerts something may be wrong

Indicators of harm can be physical and behavioural.

Indicators do not prove that a Child or Adult at Risk has been Harmed. However, it alerts us to the fact that a Child or Adult at Risk may require help or protection.

Signs of possible physical abuse

- Any injuries not consistent with the explanation given for them
- Injuries that occur to the body in places which are not normally exposed to falls or rough games
- Injuries that have not received medical attention
- Reluctance to change for, or participate in, games or practice
- Bruises, bites, burns and fractures, for example, that do not have an accidental explanation
- Inconsistent accounts for the cause of injuries

Signs of possible sexual abuse

- Any allegations made concerning sexual abuse
- A Child's excessive preoccupation with sexual matters and inappropriate knowledge of adult sexual behaviour for their age
- A Child engages in sexual play inappropriate for their age
- A Child is sexually provocative or seductive with adults
- Other inappropriate sexual behaviour
- Inappropriate sexual language
- Not wanting to be touched
- Physical signs:
 - Pregnancy in someone unable to consent to sexual contact
 - Damage, pain or itching in the genital area or difficulty walking or sitting
 - Repeated urinary infections or unexplained stomach pains
 - Infections or sexually transmitted diseases
 - Torn, stained or bloody underwear
- Fear and withdrawal from relationships
- Inappropriate bed-sharing arrangements at home
- Severe sleep disturbances with fears, phobias, vivid dreams or nightmares which sometimes have overt or veiled sexual connotations

- Changes in appearance and eating disorders such as anorexia or bulimia.

Signs of possible emotional abuse

- Depression, aggression, extreme anxiety, changes or regression in mood or behaviour, particularly where a Child withdraws or becomes clingy
- Compulsive behaviour: obsessions or phobias
- Sudden underachievement or lack of concentration
- Seeking adult attention and not mixing well with other Children
- Sleep or speech disorders
- Negative statements about self
- Extreme shyness or passivity and being withdrawn
- Running away, stealing, lying and cruelty to others
- too eager to do everything they are asked

Signs of possible neglect

- Dirty skin, body smells, unwashed, uncombed hair and untreated lice
- Clothing that is dirty, too big or small, or inappropriate for weather conditions
- Frequently left unsupervised or alone
- Frequent diarrhoea
- Frequent tiredness
- Untreated illnesses, infected cuts or physical complaints to which the carer does not respond
- Frequently hungry
- Overeating junk food

Signs of financial abuse

- having unusual difficulty with finances
- not having enough money
- being too protective of money and things they own
- not paying bills
- not having normal home comforts

Signs of institutional abuse

- the person has no personal clothing or possessions
- there is no care plan for them
- they are admitted often to hospital
- professionals having treated them badly or unsatisfactorily or acting in a way that causes harm to the person

DEALING WITH DISCLOSURE

If a Child or Adult at Risk discloses that they have suffered harm, it must be taken very seriously. It is important that any disclosure is dealt with appropriately and that the immediate needs of the Child or Adult at Risk are prioritised.

What should you do if a Child or Adult at Risk comes to you and tells you that they are being abused?

It's normal to feel overwhelmed and confused in this situation. Abuse and other harm are difficult subjects that can be hard to accept and even harder to talk about. Children and adults at risk who are abused are often threatened by the perpetrators to keep the abuse a secret. Thus, telling someone else takes a great amount of courage.

Vulnerable Groups will have to deal with a lot of issues, including the fear that no one will believe them. So, care must be taken to remain calm and to show support throughout the disclosure phase. The following guidelines will help lessen the risk of causing more trauma to the Child or Adult at Risk and/or compromising a criminal investigation during the disclosure phase.

Receive:

Listen to what is being said without displaying shock or disbelief. A common reaction to news as unpleasant and shocking as abuse is denial. However, if you display denial, or show shock or disgust at what they are saying, the Child or Adult at Risk may be afraid to continue and will shut down. Accept what is being said without judgement. Take it seriously.

Reassure:

Reassure the Child or Adult at Risk, but only so far as is honest and reliable. Don't make promises that you can't be sure to keep. Reassure the Child or Adult at Risk that they did nothing wrong and that you take what is said seriously. Don't promise confidentiality – never agree to keep secrets. You have a duty to report your concerns. Tell the Child or Adult at risk that you will need to tell some people, but only those whose job it is to protect Vulnerable Groups. Acknowledge how difficult it must have been to talk. It takes a lot for a Child or Adult at Risk to come forward about abuse.

React:

Listen quietly, carefully and patiently. Do not assume anything – don't speculate or jump to conclusions. Do not investigate, interrogate or decide if the Child or Adult at Risk is telling the truth. Remember that an allegation of abuse or other harm may lead to a criminal investigation, so don't do anything that may jeopardise a police investigation. Let the Child or Adult at Risk explain to you in his or her own words what happened, but don't ask leading questions. Do ask open questions like "Is there anything else that you want to tell me?"

Communicate in a way that is appropriate to their age, understanding and preference. Explain what you have to do next and whom you have to talk to. Refer directly to the FIBA Integrity Officer or other person

designated in your organisation. Do not discuss the case with anyone except as necessary to protect the Child or Adult at Risk.

Record:

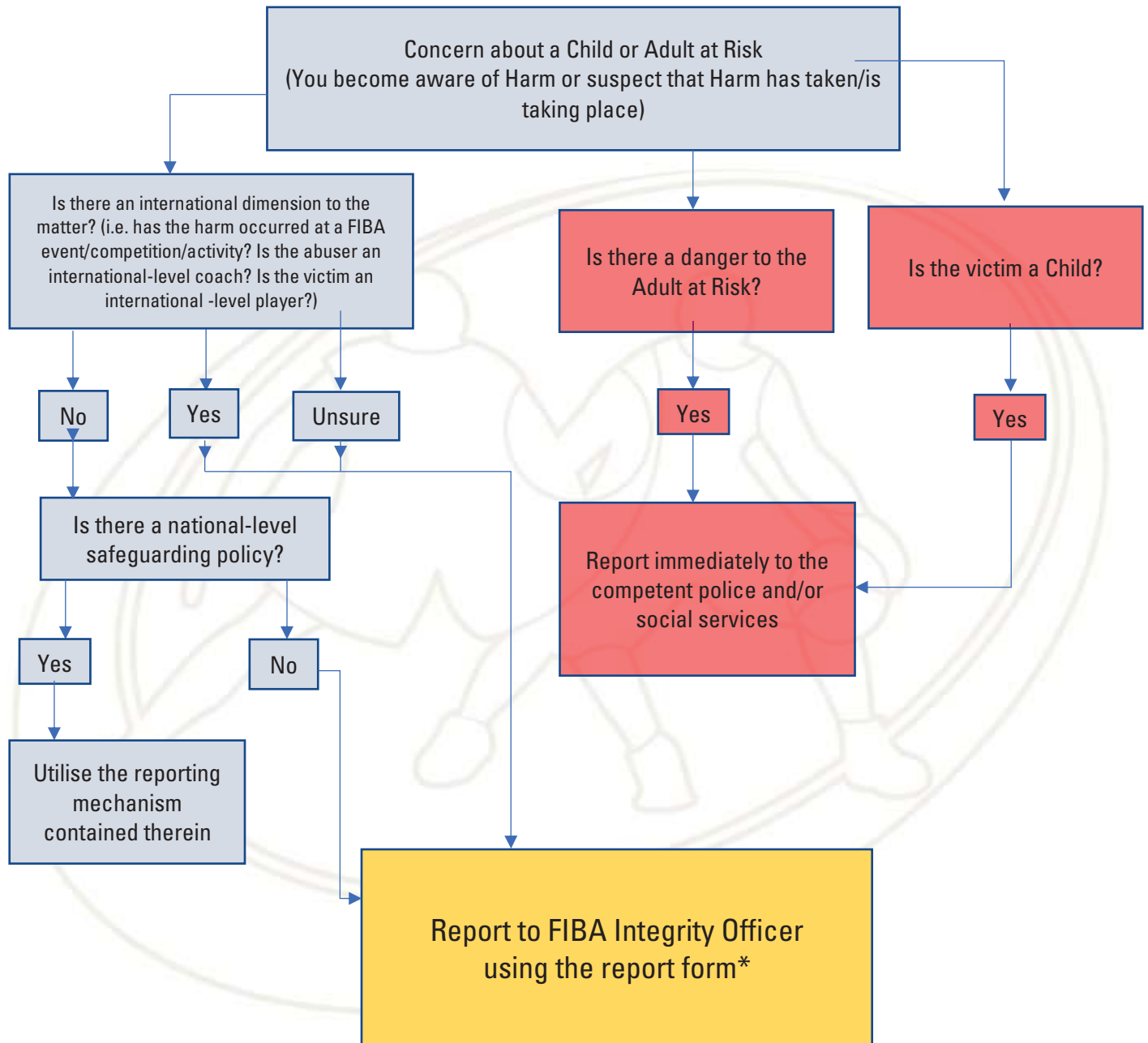
Make some very brief notes at the time and write them up in detail as soon as possible. Do not destroy your original notes in case they are required by the FIBA Integrity Officer or a court of law. Record the date, time, place, words used by the Child or Adult at Risk and how the Child or Adult at Risk appeared to you – be specific. Record the actual words used; including any swear words or slang. Record statements and observable things, not your interpretations or assumptions – keep it factual.

Under no circumstance must you undertake your own investigation.



How do I report any abuse, harm or other violation of this policy?

All behaviour that contravenes the obligations of this policy must be reported immediately to the FIBA Integrity Officer. For certain types of harm, the relevant authorities in your country shall also be notified, in line with the procedure detailed below.



*available at the end of this document and at



What is the role of the FIBA Integrity Officer?

The FIBA Integrity Officer, as defined in the FIBA Integrity Policy, shall:

- Act as a point of contact for anyone who seeks to report a case of Harm;
- Independently review any potential case of Harm;
- Document all reports of Harm;
- Determine whether a follow-up is warranted;
- Keep confidential, also towards FIBA, the identity of any whistle-blower, unless authorised by the whistle-blower himself;
- If necessary, notify relevant public authorities if there is a potential criminal offence;
- Provide support to any concerned persons or refer the concerned persons to the appropriate service provider.
- Endeavour to formulate and implement a Witness Protection Program to protect the safety and identity of the whistle-blower, as well as to encourage other whistle-blowers to report possible cases of Harm, whether or not the whistle-blower is related to the victim in any manner, or is himself a party perpetrator provided he is deemed to be less guilty than the other perpetrators of the Harm.

What happens after I make a report?

All safeguarding reports, however reported, will receive a response from the FIBA Integrity Officer.

The FIBA Integrity Officer will investigate the matter based on the report the received. In all cases, if there is evidence of a potential crime or if the matter is unrelated to basketball (i.e. domestic violence), the FIBA Integrity Officer will refer the matter to the relevant public authorities.

Reports of Poor Practice

If the report form received reveals an instance of poor practice and the FIBA Integrity Officer is satisfied that there is enough evidence, internal disciplinary proceedings, in accordance with Chapter 6 of Book 1 of the FIBA Internal Regulations, will be initiated.

Reports of Harm

If the report form received reveals possible abuse or other harm, the FIBA Integrity Officer will decide on immediate action. The FIBA Integrity Officer, may either coordinate with police or social care in order to gather information, investigate and assess the report of Harm, or conduct his own investigations.

Investigations by the FIBA Integrity Officer may involve:

- direct contact with the alleged victim;
- witnesses and the alleged perpetrators;
- examination of documents and reports;
- contact with statutory agencies or sports bodies.

The FIBA Integrity Officer shall make a report outlining his findings and may conclude that:

- The Child or Adult at Risk has suffered or is likely to suffer abuse or other harm – referral must be made to the relevant public authorities, other necessary bodies (e.g. a National Olympic Committee) and internal disciplinary proceedings will be initiated against the perpetrator.
- A criminal offence may have been committed - referral must be made to the relevant public authorities, other necessary bodies (e.g. a National Olympic Committee) and internal disciplinary proceedings will be initiated against the perpetrator.
- The concerns relate to poor practice – disciplinary proceedings will be initiated;
- The report is, on a balance of probabilities, without foundation – no further action will be taken.

What sanctions can be imposed?

Chapter 6 of Book 1 of the FIBA Internal Regulations outlines the sanctions available to the Disciplinary Panel. Sanctions can be imposed on both organisations and individuals. These range from a warning to a ban on all FIBA-related activities. Any sanction imposed by FIBA will not be a bar to the prosecution of the abuser in a proper court or tribunal with jurisdiction.

Is it possible to appeal a disciplinary decision?

Any disciplinary action taken by the FIBA Disciplinary Panel is appealable to the FIBA Appeals Panel in accordance with Chapter 7 of Book 1 of the FIBA Internal Regulations.

Will my report be kept confidential?

All reports made to the FIBA Integrity Officer will be treated with the utmost confidentiality, save for the need to inform the necessary public or other sporting bodies.

We will maintain confidentiality of all; (i) data collected (in writing or electronically) relating to Vulnerable Groups and (ii) information and documentation relating to safeguarding allegations, concerns and incidents.





Safeguarding Report Form

This Safeguarding Report Form is to be used to record information concerning an allegation, suspicion or disclosure of a potential safeguarding concern.

This form shall be returned by email at the following address: Integrity@fiba.com

Name of the person completing this form (YOU):
Date and time of completing this form:
Your position or relationship to who your safeguarding concern is about:
Your telephone number:
Your Address:
Name(s) of person(s) the safeguarding concern or incident is about:
Address (if known) of person the safeguarding concern is about:
Telephone number (if known) of the person the safeguarding concern is about:
Age and Date of Birth of alleged victim (if known):
Date and time of any incident:
What have you seen or heard?

Has the alleged victim said anything to you? (do not lead or investigate – Just record actual details)
– Continue on another sheet if required

Any other relevant information:

Action taken so far:

Public agencies contacted

Police - yes/no

Name and contact number:

Details of advice received:

Social services - yes/ no

If yes – which:

Name and contact number:

Details of advice received:

Local Authority - yes/no

If yes – which:

Name and contact number:

Details of advice received:

Other – yes/no

Which:

Name and contact number:

Details of advice received:

Signature:

Do not discuss this incident with anyone other than those who need to know.