

Terms of Reference relating to independent safeguarding review of Scottish Gymnastics performance programmes



General

- Scottish Gymnastics (SG) is the governing body for gymnastics in Scotland, recognised by **sportscotland**. SG is affiliated to British Gymnastics (BG) as the home country national governing body for Scotland and operates a Working Partnership Agreement with BG, however SG retains autonomy over its structure and governance and for the development and management of gymnastics in Scotland. This includes jurisdiction for safeguarding matters within Scotland including receipt, processing, investigating, and determining and action of any outcome.
- SG is committed to adopting best practice in safeguarding within sport and regularly reviews its approach. This has included independent reviews following serious cases in 2011 and 2018, as well as a review of the SG Conduct in Sport Code in 2019.
- SG has also reviewed the operations and practices of its performance programmes including Commonwealth Games reviews following the Glasgow 2014 and Gold Coast 2018 games. In addition, a Performance Review was conducted in 2018 to inform the next cycle of the SG performance programmes.
- Scottish Gymnastics (the 'Commissioning Body') is now commissioning an independent review with the aim of ensuring the safety and welfare of all involved in our performance programmes is paramount.

Background

- Following the Athlete A documentary in June 2020, Scottish Gymnastics encouraged all members to 'speak up' and report any concerns. This included a direct communication to those within the SG performance programmes.
- A concern was raised in early July by a gymnast.
- Following a meeting with the gymnast and the gymnast's parents an investigation was launched with two external investigators. Concerns were outlined. It was alleged that concerns had been raised previously. Interviews were conducted with a report recently received by SG.
- The report included two recommendations, one of which was that
 - o an independent review be undertaken into the Performance Sport Programmes at SG.
- That recommendation centred around reviewing and ensuring that athlete welfare is central to all programmes and that the platform for gymnasts to raise concerns to SG staff is the best that it can be.
- The recommendation also highlighted the need to clarify the situation with regards previous concerns and any action taken.

The Review Team

The Review Team (agreed by SG) will:

- a. work to these ToR;
- b. provide regular updates to the Commissioning Body;
- c. ensure the confidentiality of individuals who are subject to or have raised safeguarding queries is respected;
- d. from time to time, and with the agreement of the Commissioning Body, engage additional expert assistance as required; and
- e. produce a final report (the Report) containing both the findings and recommendations to be implemented by SG. The Report shall be provided to the Commissioning Body.

Commissioning Body

The Commissioning Body will:

- a. fully co-operate with the Review and provide all information and access required by the Reviewer;
- b. appoint a commissioning panel to meet with and support the review team and discuss the final report prior to completion;
- c. provide progress updates to the SG Board at their request; and
- d. implement agreed recommendations from the Report.

Purpose/Objectives

The overriding objective of the review is to ensure athlete welfare is central to the SG performance programmes and that the platform for athletes to raise concerns to SG staff is the best it can be.

- o Whilst the complaint raised focused solely on one area of the programme, the review will cover all of SG's performance programmes, across all disciplines, to ensure best practice is embedded and assured across all programmes.
- o A performance review was undertaken with a different scope in 2018. The 2018 review and resulting performance plan should be considered as part of this review including action already taken and planned, to provide context to the evolution of the performance programme and the improved arrangements in place that influence this area.
- o Establish the facts around previous complaints, specific to the 2020 investigation including the process that was followed and action taken.
- o Provide recommendations for improvements that should be made to safeguarding procedures within the SG performance programmes.

Scope

- The review should focus on the period from 2016 to present day including recent evolution of the programme, the current arrangements in place and how this can be improved with regards athlete welfare.
- Within SG there are eight disciplines, each with their own tailored performance pathway and programmes. The review will cover all disciplines with a focus on the Performance Pathway Programme (PPP) and National Performance Programme (NPP).
- Several documents will be provided to the review, draft list below, and it is thought this should be the starting point for consideration.
- The review should consider:
 - o an assessment of the current structures and procedures in place, assessing whether there are any gaps, improvements or changes to make in relation to athlete welfare and safeguarding in the performance programmes.
 - o evolution of the programme over recent years, changes made and perceived effectiveness of those changes on athlete welfare and safeguarding
 - o team culture and environment within the performance programmes – is a culture of safeguarding embedded.
 - o the role of the personal coach
 - o recruitment and selection of key staff in performance – what emphasis is placed on welfare and safeguarding
 - o ability and avenues for athletes to raise concerns, including without fear of recrimination, balances in place to ensure processes and systems observe fairness to all involved in procedures once a complaint is received
 - o assessing steps taken and any improvements to take to promote safeguarding knowledge, training and implementation of procedures, across the programme
 - o focusing on all aspects of abuse, particularly emotional abuse, physical abuse in its different forms, to ensure that the review is wide-ranging.
 - o are all necessary arrangements in place to support operational practice and decision-making, whether in relation to in-competition, training, or associated events.
- The review should draw on experiences across elite sport and express an understanding of the performance arena, whilst understanding safeguarding and the duty of care to participants.
- The review is not designed to consider or assess any specific safeguarding complaints. In the event of any safeguarding allegations or disclosures; these should be referred to the SG Safeguarding Manager immediately.
- The review should not further investigate the June 2020 complaint; appropriate separate steps are ongoing in relation to that complaint albeit that complaint may form part of the rationale for subsequent recommendations
- The review will endeavour not to cause any further distress to those involved within the complaint, as the review will commence with and focus on structures within the programme and how those are implemented. Further information will be made available, however, a wide-ranging programme of interviews is not

envisaged as necessary. This can be further agreed in the scope of works to be agreed with the successful party appointed to perform this review.

- The review is not a focused assessment of past or present personalities, competence and/or ability of coaches or persons involved. However, the review should bear in mind that there can be structural and organisational weaknesses and separately there can be weaknesses and difficulties should people not implement, or make poor decisions, in any given situation.

Initial documents to be provided

- SG strategy
- SG Performance Review 2018 – summary report
- SG Performance Review 2018 – anonymous gymnast survey results
- SG Commonwealth Games Review documents
- SG Performance Plan 2019-23
- SG Performance Handbooks
- Applicable corporate procedures
- Parent/Athlete induction presentations
- Investigation Report and witness statements to the extent necessary, anonymized.

Conduct of the Review

- The review should commence immediately with a timeline to be agreed. A target date for delivery up of the report can be agreed, with SG hoping to have an interim report by 18 January 2021 and a final report by 15 February 2021.
- Any suggested changes to TOR and timeline should be agreed with SG.
- All items should be treated confidentially and only disclosed to SG as part of this review.
- Should interviews be required, these will be facilitated and arranged by SG.
- Representation process (Maxwellisation). Where the Report makes critical findings which involve reference to specific individuals and the Reviewer wishes to consider offering Maxwellisation, the Reviewer shall raise with SG his thoughts as to the possibility of affording the opportunity to respond prior to completion through a robust and confidential Maxwellisation process.
- The review should provide an interim report and then final report with its findings, recommendations and suggested actions for improvements that could be made to safeguarding and athlete welfare within the performance programmes and, as appropriate across the sport.

Publication

The Commissioning Body reserves the right to publish a summary of the findings and recommendations of the Review. Similarly, the Commissioning Body reserves the right to publish these Terms of Reference on its website.

Confidentiality

The Commissioning Body and the Review Team shall keep confidential all confidential information disclosed as a result of the Review and shall not use nor disclose the same save as provided for in these Terms of Reference or as required by law. The Reviewer shall ensure that all information provided via safeguarding complaints and/or information which was subject to safeguarding investigations is kept confidential and processed in accordance with best practice for such information. All parties shall only disclose such confidential information to those of their respective employees, consultants or agents who need to know it for the purposes of the Terms of Reference, provided that the recipient of such information is bound by obligations of confidentiality no less onerous than those provided herein and each party shall be responsible to the other in respect of any disclosure to such a person. The obligations of confidentiality shall not extend to any matter which is in or becomes part of the public domain.