



Policy and Procedures for Safeguarding Participants from Harassment, Abuse and Poor Practice

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PART 1: TSA SAFEGUARDING POLICY STATEMENT

INTRODUCTION

- 1.1. Safeguarding is considered to be the responsibility of organisations to make sure their members, staff, volunteers, operations, and programs do no harm to children or vulnerable adults, or expose them to harassment, abuse or exploitation. It is, however, increasingly becoming best practice to think about how we safeguard everyone in our organisation at all times, including protecting minors, vulnerable adults, staff, and volunteers from inappropriate behaviour such as bullying and harassment.
- 1.2. Everyone related to the sport of triathlon should know how to keep children and adults safe. They should have appropriate learning opportunities to develop and maintain the necessary attitudes, skills and knowledge to do this. Partners, associates and other organisations that contribute to business operations should have safeguarding measures in place which are consistent with these standards. The communities you work with should understand your commitments to safeguarding and what to do if concerns arise.
- 1.3. Triathlon South Africa (TSA) is committed to safeguarding and protecting all who participate in the sport of triathlon from harassment and abuse and ensuring that all participants are treated with respect and dignity.
- 1.4. Everyone has the right to participate in Triathlon in an environment free from non-accidental harm irrespective of their sex, race, gender, pregnancy, marital status, ethnic or social origin, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth or athletic ability.
- 1.5. TSA recognises that the welfare of all who take part in Triathlon regardless of their role is important and put the safety and well-being of all participants at the centre of everything we do.

- 1.6. TSA recognises that whilst any participant can be subjected to harassment and abuse, certain groups may be more vulnerable to harassment and abuse including but not limited to:
- Children
 - Young adults
 - People with a physical disability
 - Women
 - Elderly persons, and
 - Other vulnerable adults
- 1.7. TSA is committed to implementing robust procedures to safeguard and protect all participants in triathlon, including procedures to address the risks associated with specific vulnerable groups.
- 1.8. TSA recognises that the prevention of harassment and abuse in sport requires a systematic and coordinated approach both nationally and internationally. This includes working with the South African statutory authorities, the South African Sports Confederation and Olympic Committee (SASCOC) and with World Triathlon (WT) to safeguard participants in the sport of triathlon.
- 1.9. TSA recognises that the effectiveness of safeguards is dependent on ensuring members and other participants are involved and engaged and receive appropriate training and support.

BACKGROUND

- 1.10. The Constitution of the Republic of South Africa (1996) includes a Bill of Rights which is a cornerstone of democracy in South Africa. It enshrines the rights of all people in South Africa and affirms the democratic values of human dignity, equality and freedom. The Bill of Rights states that you cannot unfairly discriminate directly or indirectly against anyone on one or more grounds, including race, gender, sex, pregnancy, marital status, ethnic or social origin, race, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth. The Bill of Rights recognises that everyone has inherent dignity and the right to have their dignity respected and protected. That everyone

has the right to be free from all forms of violence from either public or private sources; not to be treated or punished in a cruel, inhuman or degrading way, and that everyone has the right to bodily and psychological integrity, which includes the right to security in and control over their body.

- 1.11. South Africa ratified the United Nations Convention on the Rights of the Child on 16 June 1995. The rights of the child are included in the Bill of Rights of the Constitution of the Republic of South Africa (1996). The Bill of Rights states that the “A child’s best interests are of paramount importance in every matter concerning the child.” Included in the rights of the child is to be protected from maltreatment, neglect, abuse or degradation.
- 1.12. TSA is the recognised national sports federation for the sport of Triathlon and other related multisport recreational activities in South Africa as defined in the National Sport and Recreation Act, 1998 (Act No.110 of 1998) as amended. TSA is recognised by World Triathlon (WT) as the only authority for the administration and control of the sport or recreational activity of triathlon in the republic and is recognised as the sole governing body of Triathlon in the Republic in terms of the constitution of the SASCOC.
- 1.13. TSA recognises its responsibility for safety in the sport of Triathlon as set out in the National Sport and Recreation Act, 1998 (Act No.110 of 1998) as amended, clause 6.1 which reads “National Sports Federations must assume full responsibility for safety issues within their sport and recreation disciplines”.
- 1.14. Clause 2.4.6 of the SASCOC Constitution 2015 requires member organisations “to take action against any form of discrimination and or violence in sport”.
- 1.15. The Children's Act 38 of 2005 as amended requires a person who has no parental responsibilities and rights in respect of a child but who voluntarily cares for the child either indefinitely, temporarily or partially, including a care-giver who otherwise has no parental responsibilities and rights in respect of a child, must, whilst the child is in that person's care-

(a) safeguard the child's health, well-being and development; and

- (b) protect the child from maltreatment, abuse, neglect, degradation, discrimination, exploitation, and any other physical, emotional, or mental harm or hazards.
- 1.16. Forms of harassment and abuse take place worldwide in all cultures and environments. Evidence of recent and non-recent incidents of harassment and abuse indicate it occurs at all levels of sport.
 - 1.17. Although any participant in sport can experience harassment or abuse, sport-based research confirms that athletes are particularly at risk and some groups are more vulnerable than others. This includes elite athletes and athletes with a disability, especially if they are children or young adults.
 - 1.18. The risk of harassment and abuse increases when there is a lack of protective measures in place that may mean that those who could have the motivation to harass or abuse can do so without restriction.
 - 1.19. Harassment and abuse can have significant long-term negative impacts on athlete participation and performance as well as general health and well-being, particularly if the athlete has not been able to disclose their experiences or access support.
 - 1.20. All sports organisations have an important leadership role in embedding a no-tolerance approach towards all forms of harassment and abuse. The International Olympic Committee (IOC) Consensus Statement: Harassment and Abuse in Sport (2016) highlights that “It is incumbent upon all stakeholders in sport both to adopt general principles for safe sport (...) and to implement and monitor policies and procedures for safe sport (...) which state that: all athletes have a right to be treated with respect, protected from non-accidental violence (...)”
 - 1.21. In addition, the IOC Basic Universal Principles of Good Governance encompass safeguarding and makes it compulsory for organisations that belong to the Olympic movement to adopt these principles, implement relevant measures and monitor compliance.

- 1.22. World Triathlon is committed to the principles of safe sport and good governance and has developed a policy for the prevention of harassment and abuse within its members which requires each member federation to adopt and implement their own suitable policy and procedures, either independently or in partnership with the relevant National Olympic Committee (NOC) or the relevant government organisation.
- 1.23. Article 8.17 of the TSA Constitution 2018 enables the federation “to make and pass rules, by- laws or regulations and to, repeal or alter such rules, by-laws or regulations, with or without penalties for the carrying out, administration and implementation of the Constitution and attainment of the aims and objectives of TSA”.
- 1.24. Article 8.18 of the TSA Constitution 2018 enables the federation “to impose fines, to suspend for a period of time, to ban and/or implement any other disciplinary measure on its former members or on any athlete or club or association or organization connected or concerned with triathlon arising out of or connected with any contravention or breach of the provisions of this Constitution, or any rules, by-laws or regulation formally passed by the Exco. TSA will have the powers to ban or suspend any athlete, member or club from participating in any event, championships or competition....”.

DEFINITIONS

The following definitions are used in these policies and procedures:

- 1.25. **Harassment** is defined by the unwanted nature of the action, which could include attention or the provision of items. It is for an individual to determine what he/she considers to be acceptable and what he/she regards as offensive.
- 1.26. **The Protection from Harassment Act 2010**, defines harassment as directly or indirectly engaging in conduct that the respondent knows or ought to know (a) causes harm or inspires the reasonable belief that harm may be caused to the complainant or a related person by unreasonably (i) following, watching, pursuing or accosting of the complainant or a related person, or loitering outside of or near

the building or place where the complainant or a related person resides, works, carries on business, studies or happens to be; (ii) engaging in verbal, electronic or any other communication aimed at the complainant or a related person, by any means, whether or not conversation ensues; or (iii) sending, delivering or causing the delivery of letters, telegrams, packages, facsimiles, electronic mail or other objects to the complainant or a related person or leaving them where they will be found by, given to, or brought to the attention of, the complainant or a related person; or (b) amounts to sexual harassment of the complainant or a related person.

- 1.27. **Sexual harassment** means any unwanted and unwelcome conduct of a sexual nature, whether verbal, non-verbal or physical. Sexual harassment can take the form of sexual abuse.
- 1.28. **Abuse** can be expressed in five forms which may occur in combination or in isolation.
- psychological abuse
 - physical abuse
 - sexual abuse
 - neglect
 - over training
- 1.29. **Psychological abuse** means any unwelcome act including confinement, isolation, verbal assault, humiliation, intimidation, infantilising, or any other treatment which may diminish the sense of identity, dignity, and self-worth.
- 1.30. **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 acts 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.
- 1.31. **Sexual abuse** means any conduct of a sexual nature, whether non-contact, contact or penetrative, where consent is coerced/manipulated or is not or cannot be given.

- 1.32. **Neglect** means the failure of a 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.
- 1.33. **Harassment and abuse** can be based on any grounds including race, religion, race, creed, ethnic origin, physical attributes, gender, sexual orientation, age disability, socio-economic status and athletic ability. It can include a once-off incident or a series of incidents. It may be in person or online. Harassment may be deliberate, unsolicited and coercive. 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.
- 1.34. **Regulated activity** within the context of this policy is defined as regular contact with children, young adults, persons with a mental disability or other adults who may be vulnerable to harassment and abuse. Being an employee (staff or volunteer) of the TSA or its affiliated members and clubs does not imply involvement in regulated activity in itself. It is only when the staff member or volunteer has close contact with children, young adults, adults with a mental disability, or other vulnerable adults that they fall within the scope of regulated activity.
- 1.35. **Regular contact** is defined as more than once per month.
- 1.36. **Children** are defined as young persons under 18 years of age and are protected under the United Nations Convention on the Rights of the Child which has been adopted by 197 nations.
- 1.37. **Young adults** are young persons over 18 years of age transitioning from childhood to adulthood. With limited life experience they may not have developed resilience and may be more at risk of exploitation, harm or abuse.
- 1.38. **Person with a mental disability** can be a child under 18 years of age or an adult over 18 years of age who is, or may be, in need of services by reason of mental disability.

- 1.39. **Person with a physical disability** can be a child under 18 years of age or an adult over 18 years of age who is, or may be, or might not be, in need of services by reason of physical disability.
- 1.40. **Vulnerable adult** is any person aged 18 or over who is, or may be, in need of services by reason of disability, age or illness, and who is, or may be, unable to take care of him or herself, or is a person over 18 years of age who is unable to protect him or herself against significant harassment, abuse or exploitation related to their athletic ability, race, gender, sex, pregnancy, marital status, ethnic or social origin, race, sexual orientation, age, disability, religion, conscience, belief, culture, language or birth. In the context of South Africa where there are high levels of gender-based violence, some women may be considered vulnerable. Other groups who may be vulnerable in a South African context include the LGBTQIAP+ community, marginalised gender identities, refugees and people living with HIV/AIDS.
- 1.41. **Triathlon Regional / Provincial structure** means any organisation providing sport or recreational triathlon activity in South Africa including but not limited to an association of members, a commercial entity, a registered non-profit organisation, company or trust.

PURPOSE

- 1.42. The purpose of the TSA Safeguarding Policy is to ensure that triathletes and others taking part in triathlon can do so without fear of harassment or abuse. The key objectives of the policy are to:
- Ensure everyone in Triathlon understands that all forms of harassment and abuse are unacceptable and will not be tolerated.
 - Enable anyone who has witnessed or experienced harassment or abuse within Triathlon to report the incident without fear of victimisation or retaliation.

- Ensure an appropriate and co-ordinated response to any incidents of harassment or abuse within or connected to participation in Triathlon, irrespective of whether they arise at local, national or international level.
- Implement effective measures that minimise the likelihood of incidents of harassment and abuse arising.

SCOPE

- 1.43. The TSA Safeguarding Policy applies to all TSA members including but not limited to coaches, trainers, chaperones, technical officials, agents, medical personnel and any individuals acting on behalf of TSA such as officials, administrators, and service providers whether employed, contracted or voluntary (herein referred to as a “participants”).
- 1.44. The TSA Safeguarding Policy applies specifically to any incidents of harassment and abuse that occur during or connected to participation in any TSA activities or connected to any activities where the participant is representing TSA.
- 1.45. Where a participant is under a contract of employment with TSA and an incident of harassment or abuse occurs relating to their employed role, the employment procedures will apply. However, where a participant is sanctioned under employment procedures, this can be addressed under these procedures to the extent that it impacts on the participant’s suitability to continue to participate outside of their employment relationship.
- 1.46. TSA will implement safeguards aimed at protecting all participants in Triathlon from harassment and abuse irrespective of their race, gender, sex, pregnancy, marital status, ethnic or social origin, race, sexual orientation, age, disability, religion, conscience, belief, culture, language, birth or athletic ability.
- 1.47. TSA recognizes that in all matters concerning the care, protection and well-being of a child the standard that the child's best interest is of paramount importance. Children are defined as young persons under 18 years of age.

- 1.48. Any incidents of harassment or abuse that are perpetrated against a child must be report to the relevant Child Protection Authorities (South African Police Service (SAPS), Department of Social Development, Registered Child Protection Agency) in accordance with the Children's Act 38 of 2005 as amended and the Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 Of 2007 as amended.
- 1.49. TSA recognises that children and adults may participate in triathlon activity, who are, or may be, in need of services by reason of other disability, age or illness, and who are, or may be, unable to take care of themselves, or unable to protect themselves against significant harm, abuse or exploitation. The TSA will implement safeguards specifically aimed at safeguarding children and adults participating in the sport and recreational activities of Triathlon in need of care and support at related events.
- 1.50. Any incidents of harassment or abuse that are perpetrated against a child or adult with a mental disability must be reported to the relevant Authorities.
- 1.51. The TSA policy and procedures are applicable to all levels of the sport and provides a framework for those involved in triathlon to meet their duty of care towards all who participate in the sport regardless of whether they are a competitive or recreational athlete, staff, volunteers, spectators, or service providers. The policy is mandatory for all TSA members, employees, and volunteers. Any individual or organisation that is providing a service to TSA must also demonstrate that they comply with these standards. Anyone who manages or has overall responsibility for a Triathlon club or organisation must support their Safeguarding Officer to fulfil their role and ensure their organisation is fully compliant with this policy. All TSA members should also read and comply with the policy.

TSA ROLES AND RESPONSIBILITIES

- 1.52. TSA accepts the responsibility to implement safeguarding arrangements and procedures to protect all participants from harassment and abuse and will:

- Provide effective leadership to promote and implement the safeguarding policy and embed a no-tolerance approach to harassment and abuse;
- Identify a competent person(s) to assess and respond to safeguarding concerns;
- Develop and implement codes of conduct which establish behaviours and boundaries by which all participants are held to account;
- Ensure all participants understand and abide by the TSA Safeguarding policy, procedures and codes of conduct;
- Ensure all participants understand and comply with the WT policy, procedures and code of conduct when representing TSA at WT events;
- Ensure all participants are provided with appropriate information and training to recognise, identify and respond to signs of harassment and abuse;
- Share information with relevant stakeholders, including the South African Police Service, Child and Adult Protection Services, SASCO and WT;
- Respond to all incidents or concerns, and provide appropriate support to the individual(s) involved, including the person who reported the concern;
- Ensure that confidential, detailed and accurate records of all concerns are maintained and securely stored;
- Ensure robust safeguarding arrangements and procedures are in place, including background checks to prevent unsuitable individuals from being appointed to a position of authority;
- Ensure all members have effective arrangements in place to protect participants from harassment and abuse; and
- Ensure all participants representing a member or affiliated club at a TSA event understand and comply with TSA policy, procedures and codes of conduct.

PROVINCIAL AND REGIONAL ASSOCIATIONS' ROLES AND RESPONSIBILITIES

- 1.53. The responsibility to lead the implementation of this policy is shared with the Regional and Provincial Associations of TSA, who shall:
- adopt the TSA Safeguarding Policy and Procedures
 - ensure all affiliated clubs that may operate within such Regions / Provinces have adopted TSA Safeguarding Policy and Procedures;
 - ensure all Regions / Provinces within their jurisdiction have a Safeguarding Officer and Safeguarding Policy in place;
 - ensure that all events conducted under their jurisdiction have a Safeguarding Officer in place, that a risk assessment has taken place and that safeguarding measures have been implemented.

PARTICIPANT ROLES AND RESPONSIBILITIES

- 1.54. All participants must comply with TSA safeguarding policy, procedures and codes 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.
- 1.55. Any participant who has reason to believe that another participant has or is experiencing harassment and abuse connected to their role in the sport has a duty to report it to TSA.
- 1.56. Failure to comply with the policy and procedures will be investigated and may ultimately result in disciplinary action against the individuals concerned.

MONITORING AND REVIEW

- 1.57. The TSA Safeguarding policy will be reviewed from time to time to ensure it continues to meet our responsibilities as a national federation and to reflect any relevant changes in the environment in which we operate and any significant incidents in the sport.

REPORTING CONCERNS

- 1.58. The following procedures apply to any incidents, concerns, allegations or disclosures of harassment and abuse brought to the attention of TSA (herein referred to as “complaints”).
- 1.59. If a complaint of harassment or abuse is perpetrated by or against a child or an adult, any action taken must be in accordance with the TSA Safeguarding policy and procedures.
- 1.60. Where the alleged perpetrator is under the jurisdiction of another national federation, the matter will be reported by TSA to WT and the relevant NF or National Olympic Committee.

Reporting

- 1.61. Anyone can report an incident of harassment or abuse. Mechanisms for receiving the information are as follows:
- In writing using the TSA template form;
 - By phone or email to a National, Provincial, Regional structure, or TSA Event Safeguarding Officer(s);
 - In person to a National, Provincial, Regional, or any other appointed Event Safeguarding Officer(s).

Whistleblowing

- 1.62. Although incidents can be reported directly by the affected individual, the term “whistle blowing” is used to describe a complaint relating to the conduct of an individual made by someone other than the affected person.
- 1.63. TSA recognises that some individuals may be fearful of the consequences of making a complaint under these procedures, particularly where the perpetrator is in a position of authority. In these circumstances, where possible, the identity of the whistle blower will remain confidential.

- 1.64. Any person who makes a complaint in good faith must 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 a complaint that is false, vexatious, retaliatory or frivolous.

Assessment of complaints

- 1.65. Any complaint pursuant to this policy received by TSA will be referred to the TSA National Safeguarding Officer(s) who is the first point of contact for complaints and concerns under this procedure.
- 1.66. The TSA Safeguarding Officer(s) will make an initial assessment of the Complaint to determine the nature of the concern and whether the matter relates to a participant under TSA jurisdiction.
- 1.67. If the complaint is believed to be a criminal offence, the TSA Safeguarding Officer(s) will refer the matter to the Police and other relevant authorities and/or regulatory bodies without delay.
- 1.68. If the complaint is not considered to be a matter for the police, the TSA Safeguarding Officer(s) should:
- Refer the complaint to another organisation;
 - Refer the matter to the TSA Case Management Group;
- 1.69. The TSA Case Management Group will consider the complaint and should determine to:
- Proceed with an internal investigation;
 - Resolve the matter informally;
 - Dismiss the complaint as unfounded or as insufficiently serious to require any action by TSA.
- 1.70. The TSA Safeguarding Officer(s) will assess whether any of the affected parties require support and arrange for support to be provided where deemed appropriate.

Interim Measures

- 1.71. TSA may impose interim protective measures, including the suspension of the participant where one or more of the following circumstances applies:
- The participant is believed to present a significant risk to other participants;
 - The reputation of the sport is at risk; and/or
 - The participants ongoing presence may hinder investigations.

Investigation

- 1.72. In most cases, TSA will delay internal investigations until the outcome of a criminal proceedings is known. Once a matter has been referred back from the police, the objective will be to conclude any investigations in a timely manner.
- 1.73. Where an internal investigation is required, TSA shall instruct an independent investigator to carry out the investigation, in accordance with these procedures and to an appropriate timeline agreed by the TSA National Safeguarding Officer(s).
- 1.74. Where relevant, the investigator may request information from the police and any other relevant organizations.
- 1.75. The investigator may require written or oral representations from relevant parties, taking special care if interviewing vulnerable witnesses.
- 1.76. The investigator shall prepare a report and include all relevant evidence for consideration by the TSA Case Management Group who may determine that:
- The matter is referred to an Independent Disciplinary Hearing for consideration;
 - Further investigations are required;
 - A risk assessment is completed;
 - Instructions, advice or guidance is provided to the relevant parties; and/or
 - No further action is taken.

- 1.77. Confidentiality is important factor the reporting, recording and processing of safeguarding concerns. The safeguarding concern should only be disclosed or discussed with those people within TSA, members and affiliated clubs that need to know in order to manage the case and to safeguard the individual(s) from maltreatment.
- 1.78. Individuals receiving or having safeguarding concerns should avoid attempting to conduct enquiries into the concern. Our duty of care is to report the concerns to the appropriate person and/or organisation. This may be the SAPS, social services, or an appropriate Safeguarding Officer(s).

DISCIPLINARY AND APPEALS

- 1.79. Any disciplinary proceeding, including the right of appeal, will be conducted in accordance with the TSA Code of Ethics and Disciplinary Procedure.
180. The standard of proof for such proceedings is the civil standard, namely balance of probabilities. Consequently, TSA may seek to take disciplinary action irrespective of the outcome of any criminal proceedings.
181. TSA will provide appropriate support and guidance to ensure all participants understand the disciplinary and appeal procedures, especially if children are involved.
182. Where a disciplinary matter involves a Child or a Person with a Mental Disability, TSA Safeguarding Officer(s), Investigator(s) and Independent Disciplinary or Appeals Panel must be mindful of the needs of the person in question and take these into account when deciding upon the format of proceedings or indeed whether any action is taken against such a person.

SANCTIONS

- 1.83. Where it is determined that harassment or abuse has been committed, the Independent Disciplinary Panel who dealt with the matter shall impose an appropriate sanction upon the participant.
- 1.84. The Independent Disciplinary Panel may consider, singly or in combination, depending on the nature and severity of the conduct and whether there are any aggravating and mitigating circumstances the following:
- Written or verbal apology;
 - Formal warning;
 - Fine;
 - Risk assessment;
 - Training and/or supervision;
 - Temporary suspension;
 - Termination of membership, license, agreement or contract; or
 - Any other sanction that the Independent Disciplinary Panel considers appropriate in the circumstances.
- 1.85. Anyone who has been found to have harassed or abused another participant will have the right to appeal against the decision. Appeals must be made in writing to the TSA Safeguarding Officer(s) within twenty-one (21) days of receipt of notice of the decision of the Independent Disciplinary Panel.

NON-RECENT INCIDENTS

- 1.86. Serious allegations of sexual abuse may be made some time after the event. Where a non- recent allegation is made, the TSA National Safeguarding Officer(s) should:
- Clarify whether there is a current risk to participants; and
 - Advise the individual of their right to make a formal complaint to the Police.

1.87. This policy does not apply any specific limitations periods for sexual abuse and any serious allegation of non-recent abuse will be treated in accordance with these procedures.

CRIMINAL CONVICTIONS AND FINDINGS OF FACT

1.88. TSA shall establish that an incident of harassment and abuse has occurred where:

- A TSA participant is convicted of a criminal offence; or
- WT or any Regional / Provincial structure affiliated to TSA, or another recognized regulatory body, has determined that an allegation(s) of harassment or abuse against a participant is/are proven.

1.89. The Independent Disciplinary Panel having considered any representations made by the participant and any other affected parties may determine that it is appropriate to impose a sanction relating to TSA activities.

1.90. The Independent Disciplinary Panel may apply the WT or FISAC-IRSF sanction to some or all TSA activities or determine its own sanction(s). Any sanction imposed by TSA shall be subject to a right of appeal in accordance with the TSA Code of Ethics and Disciplinary Procedures.

RETENTION OF RECORDS

1.91. Any information relating to complaints of harassment or abuse will be stored securely and be compliant with the requirements of the Protection of Personal Information Act.

1.92. Any information about poor practice or complaints about harassment and abuse that may indicate that a participant in a position of trust is unsuitable to work or volunteer in the sport will be retained for as long as the participant remains active in the sport or for 10 years, whichever is longer, even if it were not possible at the time that the information was first reported to instigate any formal proceeding.

- 1.93. Any other records relating to other complaints will be retained for a period of 3 years unless a similar complaint arises within that period.
- 1.94. Any records relating to disciplinary action taken by TSA should be retained in accordance with the retention periods set out in the TSA Code of Ethics and Disciplinary Procedure.

PART 2 - SAFE RECRUITMENT OF STAFF AND VOLUNTEERS

The following policies and procedures are aimed ensuring all reasonable steps are taken during the recruitment of staff and volunteers to prevent unsuitable individuals from working in the sport.

INTRODUCTION

- 2.1. TSA must ensure all reasonable steps are taken during recruitment to prevent unsuitable individuals from working with children, young people, persons with a physical disability and other vulnerable adults.
- 2.2. All individuals involved in Triathlon activities who will have significant access to children, young people, persons with a physical disability and other vulnerable adults must be vetted to establish whether they have any criminal convictions or other past behaviour that suggests they are unsuitable to work with children, young people, persons with a physical disability and other vulnerable adults or may present a risk to them. This applies equally to paid staff and volunteers.
- 2.3. All applications for roles in the sport that involve “regular contact” with children, young people, persons with a physical disability and other vulnerable adults should be carefully considered and scrutinised, regardless of whether the application is for voluntary or paid work with the level of checking completed appropriate to the role being applied for.
- 2.4. All existing and new volunteers and employees working in roles that involves “regular contact” with children, young people, persons with a mental and/or physical disability and other vulnerable adults; or where they hold a position of trust; or existing staff or volunteers who change their role to work with these vulnerable groups, are required to complete a vetting process.
- 2.5. Although the vast majority of staff and volunteers that work in triathlon are committed, dedicated people who are motivated to work within the sport for

commendable reasons, it is vital that all reasonable steps are taken to ensure that any unsuitable people or people who may cause harm to children, young people, persons with a physical disability and other vulnerable adults are prevented from working with them.

- 2.6. TSA Safe Recruitment policy and procedures aim to safeguard all participants in Triathlon from harassment, abuse or exposure to poor practice. TSA recognises that the majority of participants in triathlon are children and that the sport also offers programs and activities for children and adults with a physical disability. TSA have a statutory duty to vet staff and volunteers who have regular contact with children and/or persons with a physical disability.

The Children's Act

- 2.7. The CHILDREN'S ACT 38 OF 2005 as amended makes provisions for a National Child Protection Register and states that no person whose name appears in Part B of the Register may manage or operate, or participate or assist in managing or operating, a school, club or association providing services to children. A person who fails to disclose the fact that their name is entered in Part B of the Register is guilty of misconduct and the person's services may be terminated as a result of non-disclosure.
- 2.8. No person managing or operating or who participates or assists in managing or operating an institution providing welfare services to children, including a child and youth care centre, a partial care facility, a shelter or drop-in centre or a school may allow a person whose name appears in Part B of the Register to work with or have access to children at the centre, facility, shelter or school, either as an employee, volunteer or in any other capacity.
- 2.9. All staff and volunteers in Triathlon who have regular contact with children must declare whether or not their name appears in Part B of the National Child Protection Register.

The Criminal Law (Sexual Offences and Related Matters) Amendment Act

- 2.10. The CRIMINAL LAW (SEXUAL OFFENCES AND RELATED MATTERS) AMENDMENT ACT 32 OF 2007 as amended makes provision for a National Register for Sexual Offenders and places responsibilities on employers and employees in respect of the act.
- 2.11. The CRIMINAL LAW (SEXUAL OFFENCES AND RELATED MATTERS) AMENDMENT ACT 32 OF 2007 defines an employer as set out in the act as including any person, organisation, institution, club, sports club, association or body who or which, as the case may be- (i) employs employees who, in any manner and during the course of their employment, will be placed in a position of authority, supervision or care of a child or a person who is mentally disabled or working with or will gain access to a child or a person who is mentally disabled or places where children or persons who are mentally disabled are present or congregate; (ii) owns, manages, operates, has any business or economic interest in or is in any manner responsible for, or participates or assists in the management or operation of any entity or business concern or trade relating to the supervision over or care of a child or a person who is mentally disabled or working with or who gains access to a child or a person who is mentally disabled or places where children or persons who are mentally disabled are present or congregate.
- 2.12. TSA and its affiliated organisations and clubs are employers as defined in the CRIMINAL LAW (SEXUAL OFFENCES AND RELATED MATTERS) AMENDMENT ACT 32 OF 2007 as amended by virtue of the programs and activities they deliver which include programs and activities for children and persons with a mental disability.
- 2.13. The CRIMINAL LAW (SEXUAL OFFENCES AND RELATED MATTERS) AMENDMENT ACT 32 OF 2007 as amended, defines employees as (a) any person who applies to work for or works for an employer, and who receives, or is entitled to receive, any remuneration, reward, favour or benefit; or (b) any person, other than a person contemplated in (a), who in any manner applies to assist or assists in carrying on or conducting the business of an employer, whether or not he or she is entitled to receive any remuneration, reward, favour or benefit.

- 2.14. All staff and volunteers of TSA and its affiliated organisations and clubs with regular contact with children and persons with a mental disability are employees as defined in the CRIMINAL LAW (SEXUAL OFFENCES AND RELATED MATTERS) AMENDMENT ACT 32 OF 2007 as amended.
- 2.15. TSA and its affiliated organisations and clubs cannot employ a person whose name appears on the on the National Register for Sexual Offenders if there is any likelihood they will come into contact with children or persons who are mentally disabled as a consequence of their duties. Failure to check employees against the register and not employ someone on the register is a criminal offence and is liable on conviction to a fine or to imprisonment for a period not exceeding seven years or to both a fine and such imprisonment.
- 2.16. TSA and its affiliated organisations and clubs as employers defined in the Act are required to apply to the Registrar of the National Register for Sexual Offenders for a prescribed certificate, stating whether or not the particulars of an employee as defined by the act are recorded in the Register. All employees (staff and volunteers) of TSA or one of its affiliated organisations or clubs that may come into contact with children or persons who are mentally disabled must be checked against the National Register for Sexual Offenders. Such vetting against the register must be done for all future employees and retrospectively for existing employees.
- 2.17. Employees are required by the act to inform their employers if they have been convicted of a sexual offence against a child or a person who is mentally disabled, or is alleged to have committed a sexual offence against a child or a person who is mentally disabled and who has been dealt with in terms of section 77 (6) or 78 (6) of the Criminal Procedure Act, 1977, irrespective of whether or not such offence was committed or allegedly committed during the course of his or her employment, must without delay disclose such conviction or finding to his or her employer. They must also disclose any conviction or finding when applying for a role within the organisation. Failing to disclose is a criminal offence liable on conviction to a fine or to imprisonment not exceeding seven years or to both a fine and such imprisonment.

- 2.18. TSA and its affiliated organisations and clubs are not a recognised organisations for the purpose of accessing the National Child Protection Register and the onus is on the employee to declare if they named on the register. Where TSA and its affiliated organisations and clubs suspect an employee may have made a false declaration with regard to their name not appearing on the National Child Protection Register, will report the matter to the SAPS or Social Services for them to investigate.
- 2.19. Although TSA and its affiliated organisations and clubs are required to apply to the Registrar of the National Register for Sexual Offenders for a prescribed certificate, stating whether or not the particulars of an employee as defined by the act are recorded in the Register, the Registrar has indicated in writing that the issuing of clearance certificates and verifying of individuals for any purpose is not yet operational. The onus is therefore on the employee to declare if they are named on the register. In addition to obtaining a SAPS clearance certificate, employees must also disclose to their employers (on affidavit) that they have never been convicted of a sexual offence against a child or a mentally disabled person. This affidavit, must be placed in the employee's file to be utilised at a future date once the Register becomes fully operational. Where TSA and its affiliated organisations and clubs suspect an employee may have made a false declaration with regard to their name not appearing on the National Register of Sexual Offenders, they will report the matter to the SAPS or Social Services for them to investigate.

MINIMUM STANDARDS

- 2.20. TSA minimum standards for the vetting of applicants for roles in the sport to be undertaken during the recruitment process for new applicants and retrospectively for all existing employees (staff and volunteers) in order to prevent unsuitable individuals from working with children, young people, persons with a disability and other vulnerable adults are:
- 2.21. That all potential and existing employees (staff and volunteers) must submit a police clearance certificate.

- 2.22. That all potential and existing employees (staff and volunteers) must also disclose to their employers (on affidavit) that they have never been convicted of a sexual offence against a child or a mentally disabled person and that their name does not appear in Part B of the National Child Protection Register as a person deemed unsuitable to work with children.
- 2.23. That all potential and existing employees (staff and volunteers) must provide the names of two referees who must provide a reference using the TSA's employee reference form.
- 2.24. TSA and its affiliated organisations and clubs must implement the minimum standards to check the suitability of individuals from working with children, young people, persons with a mental; disability and other vulnerable adults. Any concerns raised as to the suitability of an individual to work with children, young people, persons with a mental; disability and other vulnerable adults during the vetting of employees (staff and volunteers) must be investigated before a decision is made to appoint a new employee (staff or volunteer); or to continue to employ an existing employee (staff or volunteer).
- 2.25. If a concern has arisen during the vetting of existing employees (staff or volunteers) regarding their suitability to work with children, young people, persons with a physical disability and other vulnerable adults, TSA or its affiliated organisation or club may suspend the employee (staff and volunteer) from all or some of their duties whilst an investigation is conducted.
- 2.26. As people who want to abuse children, young people, persons with a physical disability and other vulnerable adults may seek out various avenues to gain access to children, young people, persons with a mental and/or physical disability and other vulnerable adults, it is important that the minimum standards for vetting are followed at all times, even where there is only one applicant for a position.

Once-off volunteers

- 2.27. All employees whether staff and volunteers of TSA, its affiliated organisations and clubs will be required to complete the TSA vetting procedures. The only current

exception to this is in the case of once-off volunteers who will only have supervised contact with children, young people, persons with a physical disability or other vulnerable adults for a limited period of time.

- 2.28. Where once-off volunteering leads to regular contact with children, young people, persons with a mental and/or physical disability or other vulnerable adults, the minimum standards for vetting employees must be fully applied.

Parents

- 2.29. It is inappropriate to require parents, guardians, or carers to undertake TSA's vetting procedures where their only role is to care for their own child or where they are responsible for an adult who requires support and care. However, in the event that the individual in question wishes to take on a role within the organisation or club that will bring responsibility for other children, young people, persons with a disability or other vulnerable adults, the full vetting procedures must be applied.

ADDITIONAL RECRUITMENT MEASURES

- 2.30. The following additional measures may be implemented when interviewing for a role in the sport to check the suitability of staff or volunteers to work with children, young people, persons with a physical disability or other vulnerable adults:

- Considering the person's qualifications and experience for the role;
- Identifying a timeline of previous roles in triathlon, other sports, and any other role that involved working directly with children, young people, persons with a disability or other vulnerable adults;
- Assessing attitudes and commitment to safeguarding;
- Assessing their previous experience of working with children both inside and outside of triathlon
- Giving the applicant a scenario of a safeguarding nature such as child not being collected after a training session and ask what they do in that circumstance;
- Asking the applicant if they have ever been refused work that involved contact with children, young people, persons with a physical disability or other vulnerable adults or anything that the organisation or club should

know that could affect their suitability to work with children, young people, persons with a physical disability or other vulnerable adults.

- 2.31. In line with best practice, TSA recommends that the minimum standards for the vetting of applicants for roles in the sport in order to prevent unsuitable individuals from working with children, young people, persons with a physical disability and other vulnerable adults are renewed every three years.

PART 3 – SAFE TRIATHLON

The following policies and procedures are aimed at creating a safe environment for participants in the sport of triathlon to take part in the sport free from harassment and abuse.

DUTY OF CARE

- 3.1. All clubs and organisations providing Triathlon activities have a responsibility for the safety and welfare of athletes, coaches, volunteers, officials, visitors and others. This responsibility applies to all TSA members and affiliated clubs, regardless of their size or structure. There is a legal responsibility to ensure that participants are protected from harm whilst taking part in Triathlon. This is legally termed as the 'duty of care' and is of paramount importance when dealing with children or adults with a disability.
- 3.2. In order to fulfil their 'duty of care', TSA members and affiliated clubs providing coaching activities must:
 - Take steps to keep participants safe from harassment or abuse and ensure the welfare of all participants;
 - Ensure that venues, apparatus and equipment for Triathlon (swimming, running, cycling) activities are safe;
 - Ensure the development of Triathlon is pursued through appropriate physical and psychological preparation and progressive skill development;
 - Put in place suitable first aid support and emergency procedures;
 - Exercise reasonable care at all times.
- 3.3. TSA members providing Triathlon activities must ensure that safeguarding policies and procedures are in place and implemented as part of their duty of care. All TSA members must abide by the TSA Safeguarding Policies and Procedures.

3.4. When working with children and vulnerable adults, a person who carries out a supervisory role takes on certain responsibilities while the child or vulnerable adults are in their care. This may include:

- Holding a responsibility for the wellbeing of athletes during training;
- Being responsible for the safe dispersal of children or vulnerable adults after training;
- Providing first aid;
- Providing/consenting to emergency medical treatment;
- Undertaking a supervisory role or being a chaperone;
- Acting as a team manager.

SAFEGUARDING OFFICERS

3.5. Although everyone in triathlon has a duty of care to safeguard participants, an important strategy in safeguarding in sport is the designation of an individual who is responsible for safeguarding and promoting the welfare of participants in the sport. TSA and its Provincial and Regional associations are required to appoint a competent person as their Safeguarding Officer.

3.6. TSA will appoint a competent person(s) as safeguarding officer(s) at a National level.

3.7. Safeguarding Officers are responsible for:

- Responding to harassment, abuse and poor practice concerns;
- Providing support and advice on the implementation of procedures that safeguard and promote the welfare of participants.

3.8. All Safeguarding Officers are required to undertake TSA training on safeguarding participants in Triathlon prior to their appointment and to attend annual updates.

GUIDANCE FOR TRIATHLON COACHES

Good practice

- 3.9. TSA qualified coaches should always maintain high standards of practice as athletes of all ages look to them for guidance and hold them as role models. TSA coaches have a duty of care for the athletes they are coaching; and should always follow good practice guidance to ensure that the triathletes they coach are safeguarded and the coaches are protecting themselves from any allegations.
- 3.10. Good practice includes:
- Endorsing triathlon as a fun and enjoyable sport and promoting fair play;
 - Treating all athletes with respect and dignity and giving similar attention and time to all athletes regardless of their background or level of ability;
 - Keeping coaching qualifications up to date and operating within the level of their coaching qualification;
 - Acting as a role model for athletes, for example not smoking or drinking around the athletes and being mindful of your behaviour at training sessions, events, or social gatherings;
 - Not condoning rule violations or the use of prohibited substances;
 - Ensuring that training sessions are appropriate for the age and stage of development, both physical and emotional, and experience of the athletes they are coaching;
 - Ensuring training and competition schedules are based on the needs and interests of the athlete, not those of parents, coaches, sponsors, or National, Provincial or District Associations;
 - Ensuring that the triathletes wellbeing is paramount and recognising that performance comes after this;
 - Enabling young people to assist in making decisions which relate to them;
 - Maintain a safe and appropriate relationship with athletes; it is not appropriate to have an intimate relationship with a child or young person;
 - Not tolerating any form of bullying or aggression in the sport;
 - Understanding the athletes, you coach and not pushing them too hard and against their will and ability level.
 - Providing feedback to athletes in a constructive and positive manner.

Poor practice

3.11. Coaches who demonstrate poor practice open themselves up to a greater risk of allegations being made against them.

3.12. The following are some examples of poor practice that should be avoided by triathlon coaches and other staff and volunteers:

- Never be alone with a child or vulnerable adult including:
 - Taking them to and from training or an event;
 - Taking them to your home or in your car, where you will be alone with them
 - Sharing a room with them.
- Never allow any form of inappropriate behaviour or language.
- Never be involved in or allow behaviour which causes athletes emotional distress.
- Never spend excessive amounts of time alone with one child or vulnerable adult away from the others.
- Never engage in rough, physical or sexually provocative games.
- Never share a room with a child or a vulnerable adult. Adults should never share a room with children, young or vulnerable adults. It is unacceptable that a number of children and adults share a common sleeping area.
- Never allow or engage in any form of inappropriate touching.
- Never allow athletes (children or adult) to use inappropriate language unchallenged.
- Never make sexually suggestive comments to an athlete (child or adult).
- Never reduce an athlete (child or adult) to tears as a form of control.
- Never allow allegations made by a child or adult to go unchallenged, unrecorded or not acted upon.
- Never do things of a personal nature for children or vulnerable adults that they can do for themselves.
- Never invite or allow children or vulnerable adults to stay with you at your home.

- If cases arise where situations are unavoidable, they should only occur with the full knowledge and consent of the person in charge, and in the case of a child with parental consent.
- If any of the following incidents should occur, you should report them immediately to the TSA safeguarding officer(s), or another colleague, make a written note of the event and inform the parents of the incident:
 - If you accidentally hurt an athlete
 - If a child or vulnerable adult seems distressed in any manner, whilst in your care.
 - If a child or vulnerable adult appears to be sexually aroused by your actions.
 - If a child or vulnerable adult misunderstands or misinterprets something you have done.

Relationships with athletes and position of trust

- 3.13. TSA coaches must ensure that their relationship with any athlete under 18 years of age is professional and appropriate. It must be recognised that the relationship between coaches and triathletes is important for developing athletes' potential and self-esteem, and also in establishing trusting relationships with a responsible adult, which has been identified multiple times as being critical in children divulging disclosures.
- 3.14. Coaches can easily influence the athletes in their care and the resulting power of a professional.
- 3.15. Relationship cannot be overstated. It is the responsibility of the coach to ensure that they do not abuse their position of trust.
- 3.16. Sexual relationships with children under 16 years of age are illegal and as such will lead to disciplinary action as well as being referred to the SAPS/Social Services for investigation.

- 3.17. A sexual relationship between a person with authority over a young person and a child aged 16 or 17 years is not considered appropriate by the TSA. While it may not constitute a criminal offence, coaches and others in positions of authority and trust in relation to athletes aged 16 and 17 years must not engage in sexual relationships with them while that unequal power relationship exists.

Adults in positions of trust in dual roles

- 3.18. Some TSA coaches hold relevant professional accreditations that would enable them to fulfil a range of support roles within the sport. Common examples include coaches who are also trained as physiotherapists, nutritionists and masseurs.
- 3.19. TSA members who wish to make use of their professional qualifications within the sport must first ensure the person being treated is completely clear about the capacity in which they are acting. The adult in the position of trust is ultimately responsible for maintaining appropriate professional boundaries and ensuring that there is a clear separation between their coaching role and any other activities they undertake.
- 3.20. TSA strongly recommends that anyone providing an additional support service within the sport does not treat children that they coach without parental supervision.

The rule of two

- 3.21. TSA recommends that in order to safeguard children and adults that at least two responsible adults are always present during training avoiding situations where a responsible person is alone with a child or vulnerable adult. At least one of the two responsible adults should be the same gender as the athlete(s).
- 3.22. There may be occasions, especially where the athlete is training at a high-performance level, where one-to-one coaching may be appropriate. TSA coaches should only conduct such sessions when there is another responsible adult present or in the case of a child where a parent is present.

Changing room policy

- 3.23. TSA affiliated organisations have a duty of care to safeguard children and vulnerable adults during training sessions, including the wellbeing of children and vulnerable adults in changing rooms.
- 3.24. TSA affiliated organisations must have in place a policy, or rules, relating to the use of changing facilities. Where the organisation or club is operating at a public facility the policy for changing rooms should be developed together with the facility owner.
- 3.25. Separate changing facilities, or times, should be provided for males and females except where there is village-style changing being operated at the facility and no one should enter changing rooms whilst these are being used by members of the opposite sex.
- 3.26. Separate changing facilities should be provided for adults and children; adults should not be permitted to get changed in the same room at the same time as children.
- 3.27. Mobile phones must not be used in changing rooms.
- 3.28. Any concerns or incidents occurring in a changing facility must be reported without delay. Athletes, parents, coaches, volunteers attending the club should know how to report such concerns.
- 3.29. Where clubs are unable to provide safe changing rooms, all members should be advised to arrive wearing their training attire under their clothes.

Missing child guidance

3.30. In the unfortunate incident that a child goes missing during club activities or at events it is important to remember that most children are found within a few minutes of their disappearance. TSA provide the following guidance in relation to the actions that should be taken in this occurrence:

- Ensure any other young people you are responsible for are appropriately looked after while the search is being completed for the missing child.
- Organise all available adults to fully search specified areas, particularly obvious areas of danger.
- If the child cannot be found after a good search of the immediate surroundings, contact the child's parents to advise them of the concern and reassure them that everything is being done to locate the child.
- Ensure that the area in which the child has gone missing is fully searched, including changing rooms, toilets, public and private areas.
- Ensure that there is a single point of contact for all individuals searching to report back to. This individual should record all of the events that have occurred as well as creating a physical description of the young person to include approximate height, build, hair and eye colour in addition to what they were last seen wearing, where and when they were last seen.
- If the young person has not been found within 20 minutes the SAPS should be informed, even if the search has not been fully completed.
- Once you have contacted the SAPS, they will advise if further action is required before their involvement. If the SAPS act upon your report, follow their guidance and requests for progressing the search.
- As soon as the young person is located be sure to communicate this to all individuals involved in the search.

Including children in decision making

3.31. The South African Government ratified in 1995 the UN Convention on the Rights of the Child. South Africa has enshrined children's rights in the Constitution (Act 108 of 1996), the supreme law of the country that was designed to respect, protect, promote, and fulfil the rights of all people in the country.

- 3.32. One of the four core principles of the UN Convention on the Rights of the Child is the need to show respect for the views of the child. Article 12 of the Convention states: 'children have a right to an opinion and for it to be listened to and be taken seriously'.
- 3.33. Clubs should ensure that children have an opportunity to be consulted and, where appropriate, be involved in decisions that relate to their involvement in the sport, as well as within the specific area of safeguarding policy and procedures.
- 3.34. Key principles when involving children:
- The extent that a child can be involved in decision making will depend on their age and level of maturity and understanding;
 - Children and young people's involvement and opinions must be acknowledged and appreciated;
 - Children should be treated honestly. Their expectations need to be managed and boundaries that may limit their involvement explained;
 - Children should be provided with timely feedback about how their involvement has shaped or influenced a policy or approach;
 - All children should be given the opportunity to be involved irrespective of race, religion, culture, disability, age, ethnic origin, language or the area in which they live;
 - Children should always be provided with age-appropriate information to help them understand;
 - Information for children should be clear and accessible and in appropriate language and style of communication;
 - Children and young people should be supported to enable them to make a positive and effective contribution, e.g., by the Safeguarding Officer.

Communicating with children and vulnerable adults

- 3.35. It is important that club officers communicate appropriately with children and vulnerable adults, be that in person, by phone, in writing, text, online, or any other form of communication.

Mobile phone and online guidance

- 3.36. The development and use of cell phones have grown exponentially and communicating by text, email and instant messaging has become the norm. The intention of this guidance is to provide club officers and those in positions of trust with a better understanding of best practice in this area.
- 3.37. If sensitive data is held, then devices (e.g., mobile phones, laptops) should have appropriate security (e.g., passwords).
- 3.38. Additional guidance for coaches includes:
- Avoiding taking calls, texting, or being distracting by your phone, during training sessions. If answering a call is unavoidable it is imperative that there is another individual who can supervise the session during this time.
 - If using the camera function, the coach should have the permission of the young person's parents/carers and should follow the guidelines for photography and videography.
 - If the coach enters the changing facilities for any reason the camera function of their phone should not be used under any circumstances.
 - Photographs of young people under 18 years of age should only be published if the permission of their parents/carers has been given.
 - If a photo is published, the young person's details such as their full name, location of the photograph or any details that would enable them to be found should not be included.
 - If you are shown a message or image that is considered inappropriate for a young person to have, you should inform the TSA Safeguarding Officer as soon as possible.

Social media guidance

- 3.39. Social media websites such as Twitter, Facebook and Instagram are fully integrated into daily life and as such provide a convenient outlet to communicate with both current and potential members. Alongside the positive aspects of these

sites there are the inherent dangers and consequences of misuse including cyber bullying, grooming, identity theft, and viewing unsuitable content.

3.40. These sites are easily accessible and as such, TSA must ensure that all posted messages on TSA sites / pages have suitable content and format to avoid miscommunication of their meanings.

3.41. TSA will need to consider:

- What content is uploaded onto social media – photos, blogs, videos etc.;
- How to manage who can access what information;
- How content will be presented;
- If there will be sanctions for the abuse of the club's social media.

TRAVEL GUIDELINES

3.42. TSA has a duty of care to safeguard athletes which includes having the appropriate levels of supervision in place if athletes are taken to events or camps.

Safeguarding Officer

3.43. TSA supervision will be funded by the athletes (their parents / guardians) without which no supervision will be possible. Parents (and guardians) must be made aware of their responsibility.

3.44. The TSA supervisor (if so appointed) should:

- Undertake a coaching role during the away trip.
- Have been vetted in line with the TSA's Safe Recruitment Policy.
- Have attended some form of safeguarding training.
- Have their role fully explained and the associated expectations outlined to them before commencing the role.
- Meet with other trip leaders in advance of the trip to ensure that all roles and responsibilities are confirmed across the group.

- Be provided with a list of athletes they will be responsible for along with any pertinent information they may require, for example specific medical information or any additional assistance they may require.
- Provide their room number to the athletes they are responsible for and advise them they should only use this information in emergency situations;
- Check all athletes' rooms on arrival to ensure they are secure;
- Check that the in-room telephone is operational;
- Accompany any athlete that they are responsible for, should they require medical attention, ensuring that they take any medical records or information with them.

PHOTOGRAPHY, VIDEO AND USE OF IMAGES

- 3.45. Taking photographs or videoing people in public places in South Africa is legal, whereas consent needs to be given to photograph or video people in a private place. Reproducing and selling photographs of people is legal for editorial and limited fair use commercial purposes. Civil law requires the consent of any identifiable persons for advertorial and promotional purposes.
- 3.46. The sport of triathlon can benefit from the use of images of participants to promote and celebrate activities, events, and competitions. Parents and children generally welcome opportunities to celebrate or publicise their involvement and achievements in the sport through photographs and video recordings. Triathlon coaches also find it helpful to use photographs or videos as a tool to support athletes' skill development.
- 3.47. The guidelines contained in this section have been developed with the aim of increasing the safety and well-being of children, persons with a physical disability, young and vulnerable adults and for the avoidance of the following potential sources of harassment or abuse:
- Using, adapting or modifying images for the purpose of harassing or abusing participants in the sport or to identify persons in-order to harass or abuse them;

- Using images for child abuse purposes, or adapting and modifying them for this purpose;
 - The potential identification of a child from their personal information and the possible grooming which could occur as a result;
 - The potential identification of children that have been recognised as being at risk for reasons including:
 - o Having been removed from their family for their own safety;
 - o Restrictions on parental access following the separation of parents;
 - o Being a witness in legal proceedings.
- 3.48. TSA recognises that photos and videos on websites and social media, and in posters, the press, or other publications, can be misused posing direct and indirect risks to children, persons with a disability, young people, and vulnerable adults. Children in particular, may be subjected to grooming, harassment, abuse and bullying as a consequence of an image recorded on any device.
- 3.49. The following policy and procedures are aimed at safeguarding children and adults participating in triathlon from risks associated with the misuse of images captured through any device.

TSA provincial and district associations and affiliated clubs

- 3.50. TSA recommend the following advice for provincial and district associations and affiliated clubs:
- Provincial and district associations and affiliated clubs should have a policy in place covering the recording of images of athletes. The policy may include a ban on all the recording of images of athletes or the requirement for anyone recording images of athletes to first register with the provincial and district associations or club. This policy to apply to everyone attending club sessions including official photographers/ videographers, athletes, coaches, parents, club officers, staff and spectators.
 - Where the club conducts activities at a public venue they should consult the operators of the facility regarding their policy covering the recording of images.

- The club policy should apply a ban on the recording of images of any form in changing rooms, toilets and first aid areas. The ban should include the use of smart phones, which can take photographs and record video, in changing rooms, toilets and first aid areas.
- If imagery of an athlete under 18 years of age is published or used by the member or affiliated club for any reason the athlete's parents/carers should give consent.
- An athlete's parents/carers should have the opportunity to refuse their child being photographed. This should not exclude the child from any member or club's activities.
- A photography consent form template is available from the TSA website.
- If the club is hosting an event, it should be made clear to all parents/carers if a designated photographer is going to be present and if so, they should be provided with the opportunity to confirm if their child is eligible to be included in photographs. It should also be made clear that there could be other parents/carers taking photographs during the event and in these cases, they will have submitted a registration form and have agreed to only photograph the child(ren) they are responsible for. It is worth remembering that while their child(ren) should be the main focus of any imagery, there is the potential for other children to be in the background of these photographs.
- Care should be taken when using any images showing children or vulnerable adults on their website, social media or other publications.

3.51. Further considerations for capturing images include:

- Action shots should demonstrate the spirit of the sporting activity and should not be taken if the athletes kit / costume is torn or displaced. Only use images of children or vulnerable adults in suitable dress or kit.
- The photographs should focus on the action and, where possible, be a group shot as opposed to focusing on individuals.
- Providing anyone who registers to take photographs either during club activities should be provided with clear guidance as to what images are acceptable to capture.

- If the images are being taken by a member or club appointed photographer for the use of the club it should be agreed who will take charge of the images and manage their use.
- 3.52. TSA, provincial and district associations and affiliated clubs and events should apply a ban on photography of any form in changing rooms, toilets and first aid areas. Where they use another organisation's facilities, they should ask the facility owner to implement a ban on photography in these areas. The ban should apply to all participants, spectators, staff, and volunteers. This includes the use of smart phones which can take photographs and record video.
- 3.53. TSA affiliated clubs should warn parents and spectators that there can be negative consequences to sharing images linked to information about their own or other people's children on social media (Facebook, Twitter) – and care should be taken about 'tagging'.

Recording of images at events

- 3.54. Event organisers should have in place a policy on recording images of athletes at their event. The policy may include a ban on all the recording of images of triathletes or the requirement for anyone recording images of athletes to first register with the member or club. This policy to apply to everyone attending club sessions including official photographers/videographers, athletes, coaches, parents, club officers, staff and spectators. If the event is taking place in a public space, it may be difficult to enforce restrictions on the recording of images except in respect of the competition area.
- 3.55. There should be a ban on all recording of images in changing rooms, toilets and first aid areas. The use of smart phones which can take photographs and record video should be restricted in these areas.
- 3.56. Although parental consent is not required for photography by the public, event organisers should make the photography policy clear to all participants and parents ahead of the event.

- 3.57. Event organisers should use event programs, entry forms, information forms and signage to communicate the event's policy of the recording of images to all participants, officials, parents, spectators.
- 3.58. Where an event organiser requires anyone wishing to take photographs to register. Communicating this to the public is essential, together with establishing a straightforward process for doing so. Individuals will usually register via a basic form and receive a sticker or equivalent to indicate they have undergone the process. Staff, volunteers, participants, parents, spectators and the public need to be both informed about this process and encouraged to report anyone apparently taking photos without the necessary registration.
- 3.59. Any concerns regarding the recording of images at an event should be communicated to the event organiser or the event safeguarding officer(s).
- 3.60. If there are concerns or suspicions about potentially criminal behaviour this should include referral to SAPS.
- 3.61. Event organisers should appoint a safeguarding officer for events that cater for children or vulnerable adults. For club events this may be the club's safeguarding officer.
- 3.62. Where an official or professional photographer/videographer will be attending an event, TSA, members, and affiliated clubs must:
- inform parents/carers and children/vulnerable adults that a photographer will be in attendance;
 - ensure parents/carers and children/vulnerable adults' consent to both the taking and publication of films or photos – see the TSA recording of images consent form;
 - check the photographer's identity, the validity of their role, and the purpose and use of the images to be taken;
 - issue the photographer with identification, which must be worn at all times;
 - provide the photographer with a clear brief about what is considered appropriate in terms of image content and their behaviour;

- clarify areas where all photography is prohibited (toilets, changing areas, first aid areas, and so on);
- inform the photographer about how to identify – and avoid taking images of – children without the required parental consent for photography;
- don't allow unsupervised access to children or one-to-one photo sessions at events;
- don't allow photo sessions away from the event – for instance, at a child or vulnerable adult's home;
- clarify issues about ownership of and access to all images, and for how long they'll be retained and/or used.

Guidance for video recording a child during training sessions

3.63. There should be a clear and valid reason as to why video recording a child during a training session would be necessary, a primary reason for this would be for athlete development and mastering a skill. If there is a valid reason consent would need to be obtained from the athlete's parents/carers before video recording is completed and they should also be offered the opportunity to sit with the child when the video is reviewed. Once the content has fulfilled its purpose it should be deleted unless there is a valid reason for keeping the video recording.

Privacy considerations

3.64. Images or video recordings of children must be kept securely:

- hard copies of images should be kept in a locked drawer
- electronic images should be in a protected folder with restricted access
- images should not be stored on unencrypted portable equipment such as laptops, memory sticks or mobile phones

3.65. Avoid using any personal equipment to take photos and recordings of children – use only cameras or devices belonging to your organisation.

- 3.66. If you're storing and using photographs to identify children and adults for official purposes – such as identity cards – ensure you comply with the legal requirements for handling personal information (Protection of Personal Information Act).

Talented young athletes

- 3.67. As young athletes progress up the competitive ladder, their sporting success can lead to an increased public profile:
- elite-level events are more likely to take place in a public arena;
 - The TSA, its members and affiliated clubs and events will look to positively promote the sport;
 - elite young athletes who receive endorsements or sponsorship may welcome positive media coverage on a local, district, provincial or national level;
- 3.68. In these cases, some aspects of our guidance around the use of images and publishing identifying information are neither practical nor desirable.
- 3.69. Event organisers retain their duty of care to these athletes and a responsibility to safeguard them. They must ensure that children and their parents/carers consent to images being taken and what information will be published alongside them. It is important that good-practice guidance regarding supervision and the nature and use of images are applied.
- 3.70. In addition, athletes, their parents and media representatives need to be clear about appropriate arrangements and ground rules for interviews, and for filming and photo sessions. Sports organisations should help to manage these issues as part of their overall support of elite athletes.

Use of CCTV at Triathlon clubs and facilities

3.71. If a triathlon club or facility intends to use a live video stream of leisure activities for parents to spectate, which is displayed in public areas, facilities should make sure that:

- all customers are aware;
- images are not recorded;
- footage is shown without sound (reduces potential identification of individuals);
- any cameras provide wide-angle, general views of the gymnasium;
- there are arrangements in place to respond to any concerns about anyone watching the stream whose behaviour gives cause for concern.

PART 4 - RECOGNISING AND RESPONDING TO HARASSMENT, ABUSE AND POOR PRACTICE

The following policies and procedures are aimed at guiding participants in the sport of triathlon as to how to recognise and respond to harassment, abuse and poor practice.

INTRODUCTION

- 4.1. All who take part in Triathlon should be able to recognise the signs and indicators of harassment and abuse and know how to respond to these signs. It is not the responsibility of individuals within triathlon to determine if harassment or abuse has, or is, occurring but they should report any concerns/ incidents to a safeguarding officer. It is not an individual's responsibility to approach the person they are worried about themselves.
- 4.2. SA will appoint a National Safeguarding Officer(s) who will lead on all safeguarding matters nationally and will be available to advise and support Safeguarding Officers appointed at provincial and regional levels.

HARASSMENT, ABUSE AND POOR PRACTICE

Harassment

- 4.3. Harassment is defined by the unwanted nature of the action, which could include attention or the provision of items. It is for any given individual to determine what they consider to be acceptable and what they regard as offensive. In some situations, harassment can be considered to be a criminal offence and can lead to a restraining order or prosecution.
- 4.4. The Protection from Harassment Act 2010, defines harassment as directly or indirectly engaging in conduct that the respondent knows or ought to know (a) causes harm or inspires the reasonable belief that harm may be caused to the complainant or a related person by unreasonably (i) following, watching, pursuing or accosting of the complainant or a related person, or loitering outside of or near

the building or place where the complainant or a related person resides, works, carries on business, studies or happens to be; (ii) engaging in verbal, electronic or any other communication aimed at the complainant or a related person, by any means, whether or not conversation ensues; or (iii) sending, delivering or causing the delivery of letters, telegrams, packages, facsimiles, electronic mail or other objects to the complainant or a related person or leaving them where they will be found by, given to, or brought to the attention of, the complainant or a related person; or (b) amounts to sexual harassment of the complainant or a related person.

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

4.6. Harassment can take a variety of forms with the most common being:

- Suggestive sexual comments;
- Racist insults/jokes;
- Verbal abuse;
- Unwelcome attention.

Abuse

4.7. There are 4 categories of abuse: physical, psychological, sexual and neglect.

4.8. 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 acts 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.

4.9. Psychological abuse means any unwelcome act including confinement, isolation, verbal assault, humiliation, intimidation, infantilising, or any other treatment which may diminish the sense of identity, dignity, and self-worth.

- 4.10. Sexual abuse means any conduct of a sexual nature, whether non-contact, contact or penetrative, where consent is coerced/manipulated or is not or cannot be given.
- 4.11. Neglect 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.
- 4.12. Different forms of abuse may constitute criminal activity in South Africa as defined in the Criminal Procedure Act 51 Of 1977 as amended; the Children's Act 38 OF 2005 as amended and the Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 Of 2007 as amended; and the Prevention and Combating of Trafficking in Persons Act 7 of 2013.
- 4.13. Harassment and abuse can be based on any grounds including race, religion, race, 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.
- 4.14. Harassment may be deliberate, unsolicited and coercive.
- 4.15. 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.

Poor practice

- 4.16. Poor practice is behaviour of an individual in a position of responsibility which falls below the organisation's required standard (typically as described in the Code of Conduct). Poor practice may not be immediately dangerous or intentionally harmful to a child or adult, but is likely to set a poor example.

Effects of harassment, abuse and poor practice

- 4.17. The impact of harassment on a child or adult can be profound and can result in the child or adult feeling unhappy, demoralised or undervalued. Harassment is often an ongoing form of abuse which causes extreme distress by the repeated action, usually verbally.
- 4.18. Abuse, whether short-term or prolonged, can be extremely damaging to the child and may affect their relationships and trust in others both currently and in the future. In extreme cases children who have been abused have developed drug and alcohol dependencies, illegal tendencies and in some cases have gone on to abuse children themselves.
- 4.19. Poor practice is potentially damaging to the individual, the organisation and to children or adults who experience it. For example, coaching with alcohol on the breath, smoking, swearing in front of athletes, or not paying due care and attention to participants all constitute poor practice.
- 4.20. Poor practice can sometimes lead to, or create, an environment conducive to harassment or abuse. It may also lead to suspicions about the individual's motivation, even where no harm is intended. For example, if a coach is giving one child too much attention, regularly transports children in their car, or encourages physical contact with children without obvious justification.

Specific forms of abuse

- 4.21. Abuse may occur in different forms and settings including:
- **Domestic abuse** – includes Intimate Partner Violence (IPV) or a child witnessing IPV.
 - **Sexual Exploitation** - where women, children and young adults are sexually exploited for money, power or status.
 - **Bullying and Cyberbullying** – which can occur anywhere, at home, at school, at the sports club, and online. Bullying usually takes place over a long period of time and can cause physical and emotional harm.

- **Grooming** - Children and young people can be groomed online or in the real world, by a stranger or by someone they know - a family member, friend or professional.
- **Trafficking** - where women or children are recruited, moved or transported and then exploited, forced to work or sold. They are often moved away from their homes and forced to work in the sex trade.
- **Hazing** - initiation ceremonies including rituals, challenges, and other activities involving harassment, abuse or humiliation used as a way of initiating a person into a group such as a sports team.
- **Financial Abuse** - misappropriation of financial resources or abusive use of financial control, in the context of a relationship where there is an expectation of trust. Adults at risk, women in unequal relationships and older persons can be at risk of financial abuse.

Bullying

4.22. Bullying can be defined as repeated and deliberate actions or hurtful behaviour that is repeated over a period of time. The damage caused by bullying can frequently be underestimated and cause considerable distress to young people and could result in their health and development being affected.

4.23. Bullying can be:

- Physical: including pushing, kicking, hitting, pinching, and other forms of violence or threats.
- Verbal: name calling, sarcasm, spreading rumours, persistent teasing
- Emotional: Excluding, tormenting, ridiculing, humiliating
- Racial: racial taunts, graffiti, gestures
- Sexual: unwanted physical contact, homophobic taunts, abusive comments

4.24. Bullying can occur between:

- An adult and young person
- A young person and another young person
- A parent and their child

4.25. With Triathlon being competitive the opportunity for bullying may be increased. Examples within Triathlon could include:

- An athlete being picked on for being a weaker competitor;
- Parents pushing their child too hard;
- A coach adopting a win at all costs attitude;
- Officials putting undue pressure on athletes.

Grooming

4.26. Grooming refers to an individual working to create an emotional connection with a child to gain their trust with the distinct purpose of sexual abuse or exploitation.

4.27. Grooming can be undertaken by both males and females and can occur both online and in the real world. It can be undertaken by an individual the child or young person knows or by a stranger.

4.28. Many children and young people will not understand that they have been groomed and that it constitutes abuse. Abusers may invest a lot of time and effort into gaining a child's trust, and possibly the rest of their family's trust, by:

- Offering advice and understanding
- Buying gifts, such as equipment
- Giving the child attention
- Using their professional position or reputation
- Taking them on trips, outings or holidays

4.29. Once they have established trust, groomers will exploit the relationship by isolating the child from friends or family and making the child feel dependent on them. They will use any means of power or control to make a child believe they have no choice but to do what they want. Abusers may introduce 'secrets' as a way to control or frighten the child. Sometimes they will blackmail the child, or make them feel ashamed or guilty, to stop them telling anyone about the abuse.

Trafficking

4.30. The Prevention and Combatting the Trafficking in Persons Act 2013 states that “any person who delivers, recruits, transports, transfers, harbours, sells, exchanges, leases or receives another person within or across the borders of the Republic, by means of (a) a threat of harm; (b) the threat or use of force or other forms of coercion; (c) the abuse of vulnerability; (d) fraud; (e) deception; (f) abduction; (g) kidnapping; (h) the abuse of power; (i) the direct or indirect giving or receiving of payments or benefits to obtain the consent of a person having control or authority over another person; or (j) the direct or indirect giving or receiving of payments, compensation, rewards, benefits or any other advantage, aimed at either the person or an immediate family member of that person or any other person in close relationship to that person, for the purpose of any form or manner of exploitation, is guilty of the offence of trafficking in persons.

RECOGNISING HARASSMENT, ABUSE AND POOR PRACTICE

4.31. Safeguarding concerns may arise as a result of:

- A disclosure from a child, protected adult, athlete or other vulnerable adult;
- Direct or reported observation of possible abuse, neglect, suspicious behaviour or poor practice;
- Significant or multiple changes in behaviour in a child’s or adult’s behaviour, appearance, attitude or relationship;
- Reports from external agencies or individuals.

4.32. Children and vulnerable adults may not find it easy to disclose their concerns, and certain groups will find this more difficult for example, children from different racial groups may find it difficult to find people to tell. There may be language barriers, or children or adults may not be able to communicate due to a disability.

4.33. The majority of referrals will be made by adults who have concerns about a child or a vulnerable adult as identified by their behaviour or appearance.

4.34. It should not be assumed that abuse will be easy to identify as children and vulnerable adults can:

- Be bruised easily in everyday life while practicing, for example falling whilst practicing a routine;
- Be moody and unpredictable, especially during adolescence;
- Experience changes in behaviour as a result of external situations.

4.35. Indicators of abuse could include:

- Unexplained injuries such as burns, bruises or cuts which are on areas of the child's or an adult's body which are not normally prone to injury through playing.
- Inconsistent reasons for a physical injury
- The child or vulnerable adult disclosing a concern which suggests an abusive act
- Another person, such as a parent, coach or teammate, raising concerns about a child's or vulnerable adult's wellbeing
- A child's inappropriate sexual awareness or engaging in sexually explicit behaviour
- Fearing or displaying a lack of trust in adults
- An excessive fear of making mistakes
- Difficulties making friends, or being prevented from doing so or socialising
- A sudden weight loss or gain, or variations in eating patterns that may identify an eating disorder.

4.36. While the above list contains a number of indicators this is not a complete list and there may be other signs that are observed. Further, if a child or vulnerable adult is exhibiting any one of the above it should not be considered proof that they are being abused, however if there are multiple signs being displayed there could be cause for concern.

4.37. It is important to remember it is not your responsibility to determine if abuse has occurred. Your responsibility is to report any concerns that you have.

Responding to disclosure

- 4.38. If a child or adult indicates that they are being harmed, or information is received that gives rise to concern that a child or adult is being harmed, the person receiving the information should:
- Stay calm and ensure the child or adult is safe and feels safe;
 - Listen carefully to what is being said, allowing the child or adult to continue at their own pace;
 - Explain that it is likely that the information will have to be shared with others – do not promise to keep secrets;
 - Keep questions to a minimum to ensure a clear and accurate understanding of what has been said;
 - Reassure the child or adult that they have done the right thing in sharing the information;
 - Show and tell the child or adult that what he/she says is being taken seriously and recognise any difficulties inherent in interpreting what they said;
 - Tell the child or adult what will be done next and with whom the information will be shared;
 - Record in writing what was said using the child or adult's words as soon as possible. Record dates and times; any names mentioned; to whom the information was given; information should be noted as given as facts, hearsay or opinion; record should be signed and dated as a record.
- 4.39. If the child or adult indicates that they do not wish others to be informed about the allegations, carefully and tactfully explain the reasons why it may be in their best interests that the matter is referred to an appropriate person or department (SAPS, social services, sports organisation's safeguarding officer).
- 4.40. Receiving a disclosure places great responsibility on the person to whom the disclosure is made. If there is any uncertainty in what actions to be taken, consult with an appropriate person or organisation (SAPS, social services, sports organisation's safeguarding officer).

4.41. Actions to avoid:

- Dismissing the concern (irrespective of whether you believe what you are being told or not, you should always report the disclosure, untrue disclosures even when the person is anonymous are rare);
- Panicking;
- Allowing shock or distaste to show;
- Probing for more information than is offered;
- Making promises that cannot be kept such as promising not to tell anyone;
- Speculating or making assumptions;
- Approaching the person who is the subject of the allegation or suspicion (this may put the child or adult at risk or jeopardise a criminal investigation);
- Conduct a personal investigation of the case;
- Making negative comments about the accused person.
- best of your ability, and
- you agree to abide by the principles and behaviours as outlined in the Safeguarding Statement below.

APPENDIX 1: TSA SAFEGUARDING INCIDENT RECORDING FORM

TSA Safeguarding Incident Recording Form

If an incident or concern is immediate and there is a risk of significant harm to a child or an adult that they are in need of protection, then call your local SAPS and/or Social Services.

Once the matter has been referred then complete this form and submit to Triathlon South Africa.

This form should be used by club or event officials to record the details of any concerns raised. A copy should be sent to the National Safeguarding Officer(s) at TSA. **[insert email address here]**. All efforts must be made to keep the information confidential. The information should only be shared with those that need to know if it is in the best interest of the child or vulnerable adult. The form should be completed for all levels of concern, even where no immediate action may be necessary.

DETAILS OF PERSON COMPLETING THE FORM

Name: _____

Club Name:

Position Held: (Safeguarding Officer/Coach, etc.)

Address:

Postcode: _____ Contact Numbers:

Name/details of person who raised concern (if different from above): _____

DETAILS OF PERSON CONCERN IS ATTRIBUTED TO

Name: _____

Position: _____

Club Name: _____

Relationship to alleged victim: _____

DETAILS OF ALLEGED VICTIM (if more than one, continue on a separate sheet)

Name: _____

Club Name: _____ Discipline

Date of Birth: _____ Age at time of incident (s) _____

Parent/Carer details:(incl. name and address) _____

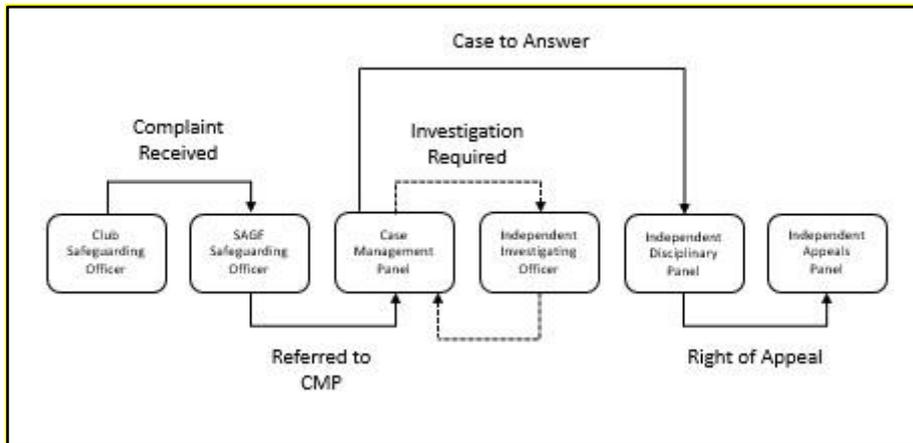
Postcode _____ Email/Contact Number

Any identified special needs or disability? _____

APPENDIX 2: TSA SAFEGUARDING KEY ROLE DESCRIPTIONS

TRIATHLON SOUTH AFRICA

Safeguarding Key Role Descriptions



PROVINCIAL OR REGIONAL SAFEGUARDING OFFICER

The role:

The person within a provincial or district association of TSA with primary responsibility for managing and reporting concerns about children and vulnerable adults and for ensuring clubs and events held in their province or district put into place procedures to safeguard children and vulnerable adults. **Duties and responsibilities**

- Work with others in the province or region to ensure a safe and friendly environment for all participants;
- Assist triathlon clubs and events to fulfil their responsibility to safeguard children and vulnerable adults;
- Ensure all clubs and events in their province or district have in place a safeguarding policy and a safeguarding officer;
- Act as the first point of contact for clubs or events staff, requiring advise on safeguarding policies and procedures;

- Assist the TSA's Safeguarding Officer(s) to promote safeguarding in the province or region;
- Where they receive a complaint or concern regarding safeguarding, report this to the TSA Safeguarding Officer;
- Monitor the implementation of the TSA safeguarding policies and procedures at provincial and regional level;
- Ensure appropriate confidentiality is maintained;
- Promote anti-discriminatory practice.

Skills and abilities:

- An empathy for and person-centred approach to working with children and vulnerable adults;
- Basic administration and computer skills;
- Basic advice and support-provision skills;
- Communication skills, including use of social media;
- Ability to maintain records;
- Ability to provide information about local, district, provincial and national resources;
- Ability to promote the TSA's policies, procedures and resources.

Knowledge required:

- Provincial or Regional association's role and responsibilities to safeguard the welfare of children and vulnerable adults;
- Boundaries of the role of provincial and regional safeguarding officer;
- Basic knowledge of the roles and responsibilities of statutory agencies (Department of Social Development, social services providers, and the SAPS);
- Provincial or district arrangements for managing safeguarding children and vulnerable adults and reporting procedures;
- Poor practice, harassment, and abuse – behaviour that is harmful to children and vulnerable adults.

- TSA policies and procedures relating to safeguarding children and vulnerable adults;
- Core values and principles underpinning practice;
Awareness of equality issues and protecting children and vulnerable adults from harassment and abuse;
- Basic knowledge of legislation, guidance, and national frameworks for safeguarding and promoting the welfare of children and vulnerable adults;
- How adults groom children or vulnerable adults to harass, abuse or exploit.

TSA SAFEGUARDING OFFICER

The role:

The designated person(s) within the TSA with primary responsibility for managing and reporting concerns about children and vulnerable adults and for putting into place procedures to safeguard children and vulnerable adults in TSA, including supporting provincial / regional safeguarding officers, where relevant.

Duties and responsibilities:

- Working with others within the TSA to create a safe and friendly environment for all who participate in the sport of triathlon;
- Play a lead role in developing and establishing the TSA's approach to safeguarding children and vulnerable adults considered a key role within the organisation;
- Manage concerns of poor practice, harassment or abuse that are reported to the TSA including the records system;
- Manage referrals to social services and the SAPS;
- Central point of contact within TSA on safeguarding for both internal or external persons or organisations;
- Represent TSA at external meetings related to safeguarding;

- Coordinate the dissemination of the TSA's safeguarding policy, procedures and resources throughout the organisation;
- Provide advice and support to club safeguarding officers and support triathlon clubs in their recruitment, selection and training of club safeguarding officers;
- Advise on the TSA's safeguarding training needs, development of its training strategy, and provide training where appropriate;
- Play a lead role in maintaining and reviewing the organisation's implementation plan for safeguarding and protecting children and vulnerable adults;
- Ensure safeguarding standards are met and maintained;
- Keep own knowledge and skills up-to-date.

Skills and abilities required:

- An approach that is focused on the needs of children and vulnerable adults;
- Administration and systems (records) management skills;
- Ability to promote and demonstrate anti-discriminatory practice;
- Advice and support-provision skills at all levels within the TSA structure;
- Communication skills;
- Ability to develop and produce national level guidance and resource;
- Influencing skills;
- Ability to work with conflict and emotionally distressing matters; Also recommended:
- Ability to deliver core training through different levels within the organisation.

Knowledge required:

- Role and responsibilities of statutory agencies, including social services and SAPS;
- Planning processes for dealing with enquiries and investigations related to safeguarding children and vulnerable adults;
- Behaviour that is harmful to children and vulnerable adults, thresholds of poor practice in the sport and abusive behaviour;
- TSA's roles and responsibilities

- Boundaries of the lead safeguarding officer role;
- TSA's policy and procedures related to safeguarding children and vulnerable adults;
- Core values and principles of working with children or vulnerable adults;
- Equality issues and safeguarding;
- How abusers target and groom sports organisations in order to abuse children or vulnerable adults;
- Best practice in safeguarding;
- Legislation, government guidance and national frameworks for safeguarding children and vulnerable adults;
- How adults groom children or vulnerable adults for abuse.

CASE MANAGEMENT GROUP

The role:

The role of the Case Management Group is to support the TSA Safeguarding Officer to manage complaints or reported concerns with regard to possible harassment, abuse of participants in triathlon or exposure to poor practice.

Duties and responsibilities:

1. To ratify any actions already taken by TSA Safeguarding Officer.
2. To initially assess and agree immediate response (does there appear to be a case to answer).
3. To manage the TSA's initial response to reported concerns about the welfare or harassment, abuse, or exposure to poor practice of children or vulnerable adults.

This includes deciding whether to:

- i. proceed with an internal investigation;
- ii. resolve the matter informally;
- iii. dismiss the complaint as unfounded or as insufficiently serious to require any action by TSA.

4. To consider relevant evidence collated in respect of complaints in reports prepared by appointed investigators and determine whether:
 - i. the matter is referred to an Independent Disciplinary Panel for consideration;
 - ii. further investigations are required;
 - iii. a risk assessment needs to be completed;
 - iv. instructions, advice, or guidance should be provided to the relevant parties; and/or no further action is taken.
5. To consider the need for a temporary/interim suspension order.
6. To monitor the progress of cases and report to the TSA management or board on issues arising from cases and trends that require management action.
7. To identify/communicate learning from cases and make recommendations to the TSA management or board.

Skills and abilities:

It is essential that the collective experience of the Case Management Group includes:

- operational experience and knowledge of multi-agency safeguarding;
- detailed knowledge of the legislation and guidance relating to safeguarding issues;
- excellent communication and inter-personal skills, and to be able to relate to professionals within the statutory agencies and to members and officials of a triathlon club;
- an understanding of anti-discriminatory practice.

CASE MANAGEMENT

When a safeguarding complaint or concern arises, the three members of the Case Management Group will form the panel to consider the case.

All safeguarding matters must be regarded as highly confidential and not for disclosure outside of the Case Management Group unless so agreed.

Members of the Case Management Group have an overriding obligation to protect children or adults with mental disability at risk of harm and may therefore share information as appropriate with third parties.

Should any member of the Case Management Group discover they are connected, or have an interest in, any referral case which would disqualify them from participating in any matters relating to that particular case, they must recuse themselves from the panel.

The Case Management Group will operate independently of TSA's Board.

The Case Management Group may meet in person or by way of telephone/video conferencing if necessary.

Case management principles:

1. Any issue arises in relation to the protection, safeguarding or welfare of children or vulnerable adults shall be the paramount consideration.
2. Any investigation or inquiry is to proceed upon the basis that the primary consideration will be a determination of the risk posed to children and or vulnerable adults.
3. Unless the determination finds no, or an insignificant, risk, effective steps must be taken to manage or reduce the risk.
4. Individuals about whom there are concerns should be treated fairly and honestly and should be provided with support throughout the process.
5. Any investigation must be sensitive to the welfare of the children and vulnerable adults during its processes and, at all times, hold central the need to keep the interests of children and vulnerable adults as paramount.
6. Where issues other than risk to children and vulnerable adults are under consideration in any investigation such issues must remain subordinate to the requirement to determine the risk posed to children and vulnerable adults.
7. The assessment of risk involves consideration of the actual or potential harm that an individual may pose to children or vulnerable adults in triathlon.

8. The assessment of risk does not involve making a finding based upon either the criminal or civil standards of proof (i.e., certainty or “the balance of probabilities”). The assessment requires a defensible decision that a risk does or does not exist and, where it does, a determination of the extent of such risk.
9. Save in exceptional cases, the assessment will not require the production of a formal risk assessment report.
10. The steps taken to address any perceived risk to children or vulnerable adults must have regard to the nature and extent of the risk as well as to any particular and relevant aspects of triathlon and, in the light of this, must seek to ensure that such steps will be effective.
11. In cases where the perceived risk is low, and no criminal or disciplinary charge could be made out, it may be nonetheless necessary to impose stringent restrictions on an individual or remove his/her ability to participate in the sport of triathlon.

INDEPENDENT INVESTIGATION OFFICER

The role:

To conduct an investigation, gathering and assessing available evidence and information following a decision made by the TSA’s Case Management Panel that an investigation is required as part of its safeguarding case management process.

Knowledge:

- How to gather evidence and information to assist in establishing the facts alleged;
- How to identify witnesses and interview them in order to obtain facts, information and professional opinion pertaining to the case;
- Best practice in interviewing witnesses (particularly children or vulnerable adults) and taking and recording statements;

- A clear understanding of the need to ensure that all material (e.g., information, records, identity of potential witnesses) is collected and retained;
- An understanding of what information/evidence an investigator can obtain;
- Factors that might impact upon the investigation and the impact these might have (e.g., vulnerability of witnesses, language, culture etc.);
- The support available for witnesses and for the person/s accused;
- Familiarity with the preparation of an investigation report following the conclusion of the investigation;
- Knowledge of how statutory investigations are conducted and how sports investigations may link in with these;
- Familiarity with sports organisations disciplinary processes and the purpose of written standards of expected performance and conduct;
- Clarity about the parameters/limits of investigation.

Skills:

- Ability to plan an investigation within appropriate timescales;
- Ability to assess and analyse a variety of evidence both written and in other forms;
- Ability to work independently but within the context of organisational expectation;
- Ability to record decisions and the reasons behind them;
- Ability to work alongside other professionals including the police and social workers;
- Ability to give evidence to disciplinary proceedings and appeals;
- Ability to signpost support for victims/witnesses if a need is identified in conjunction with TSA;
- Ability to recognise that an investigation may need to be referred to the police.

APPENDIX 3: TSA SAFEGUARDING RISK ASSESSMENT

TRIATHLON SOUTH AFRICA

Safeguarding Risk Assessment

Potential risk of harm (harassment, abuse or poor practice) to child or vulnerable adult.	Likelihood of harm occurring – Low/Medium/High	Steps to mitigate identified risk	Responsibility	Further action
Club & Coaching Practice				
Lack of coaching qualifications.	MED	<ul style="list-style-type: none"> ▪ All TSA Coaches to be vetted in line with TSA Safe Recruitment Policy. 	TSA.	<ul style="list-style-type: none"> ▪ Review annually, progress in implementing the Safe Recruitment Policy. ▪ Review annually coach education needs.

Supervision issues	LOW	<ul style="list-style-type: none"> Implement TSA Safeguarding Policy (Supervision). 	TSA. Coaches.	<ul style="list-style-type: none"> Review annually or following a significant event.
Unauthorised photography & recording activities	MED	<ul style="list-style-type: none"> Implement Photography and use of Images guidelines contained in TSA Safeguarding Policy. 	TSA. Coaches.	<ul style="list-style-type: none"> Review annually or following a significant event.
Behavioural Issues	MED	<ul style="list-style-type: none"> Apply TSA Code of Conduct. Ensure all persons with regular 	TSA. Coaches.	<ul style="list-style-type: none"> Review annually or following a significant event.
		<ul style="list-style-type: none"> contact with children and vulnerable adults receive TSA Safeguarding Training. Apply Complaints & Disciplinary procedures. 		

Lack of gender balance amongst coaches.	MED	<ul style="list-style-type: none"> ▪ Address through Coach education policy & programme. ▪ Implement guidelines on supervision in TSA Safeguarding Policy. 	TSA. Coaches.	<ul style="list-style-type: none"> ▪ Review annually or following a significant event.
No guidance for travelling and away trips.	HIGH	<ul style="list-style-type: none"> ▪ Implement guidelines in TSA Safeguarding Policy. ▪ Develop a Safe Travel/Away Trip Guide. 	TSA. Coaches. Officials.	<ul style="list-style-type: none"> ▪ Review annually or following a significant event.

Reporting Concerns				
Lack of knowledge of organisational and statutory reporting procedures.	HIGH	<ul style="list-style-type: none"> ▪ Information on reporting concerns to be published on TSA websites and to be easily accessed. ▪ All persons in triathlon with regular contact with children or vulnerable adults to receive TSA safeguarding training. 	TSA. Event Organisers.	<ul style="list-style-type: none"> ▪ TSA Board to receive progress at regular meetings. ▪ Review reporting procedures annually or following a significant event.
Complaints not being dealt with seriously.	MED	<ul style="list-style-type: none"> ▪ TSA Safeguarding Policies & Procedures signed off at Board level. ▪ Appointment of TSA Safeguarding Officers. All complaints to be reported to TSA and recorded. 	TSA. Safeguarding Officers.	<ul style="list-style-type: none"> ▪ Review complaints received and procedures annually. ▪ Investigate any complaint that concerns raised were not properly dealt with.

Concerns of harassment, abuse or poor practice not reported.	MED	<ul style="list-style-type: none"> ▪ Ensure all children & vulnerable adults are aware of their rights, acceptable versus unacceptable behaviour & how to report concerns. 	TSA. Safeguarding Officers.	<ul style="list-style-type: none"> ▪ TSA to investigate any reported failures in reporting harassment, abuse or poor practice & make recommendations for improvement.
Disciplinary Process				
Lack of awareness of the disciplinary process.	LOW	<ul style="list-style-type: none"> ▪ TSA to ensure members are aware of TSA Safeguarding Policy & Procedures including the Code of Conduct & Disciplinary Procedures. ▪ TSA to provide regular training for Provincial / Regional Safeguarding Officers. 	TSA. Safeguarding Officers.	<ul style="list-style-type: none"> ▪ TSA to provide ongoing information and support on safeguarding matters.

Facilities				
Unauthorised access to areas designated for children or vulnerable adults only.	HIGH	<ul style="list-style-type: none"> Follow guidelines in the TSA Safeguarding Policy & Procedures. 	TSA. Event Organisers.	<ul style="list-style-type: none"> Review safeguarding policy and procedures annually or after a significant event.
Photography, filming or recording in prohibited areas.	MED	<ul style="list-style-type: none"> Follow guidelines in the TSA Safeguarding Policy & Procedures. Create & communicate club specific guidelines for photography, filming & recording. Create & communicate event specific guidelines for photography, filming & recording. 	TSA. Event Organisers.	<ul style="list-style-type: none"> Review safeguarding policy and procedures annually or after a significant event.

Missing or found child on site.	LOW	<ul style="list-style-type: none"> Follow guidelines in the TSA Safeguarding Policy & Procedures. 	Event Organisers	<ul style="list-style-type: none"> Review safeguarding policy and procedures annually or after a significant event.
		<ul style="list-style-type: none"> Create event specific guidelines for such incidents including clear lost child protocols clarity on who is the lead in case of a lost or found child. 		
Children sharing facilities with adults e.g., dressing rooms, showers etc.	HIGH	<ul style="list-style-type: none"> Follow guidelines in the TSA Safeguarding Policy & Procedures. 	Event Organisers	<ul style="list-style-type: none"> Review safeguarding policy and procedures annually or after a significant event.

Recruitment				
<p>Recruitment of inappropriate people into roles in the sport.</p>	<p>HIGH</p>	<ul style="list-style-type: none"> ▪ All potential and existing employees (Staff and volunteers) must complete TSA's safeguarding self- declaration form, must submit a police clearance certificate and must provide the names of two referees who must provide a reference using the TSA's employee reference form. 	<p>TSA Affiliated Clubs</p>	<ul style="list-style-type: none"> ▪ Review Safe Recruitment policy annually in particular the Registrar of the Sexual Offenses Register's capacity to respond to requests for checks.

Lack of clarity on roles	MED	<ul style="list-style-type: none"> ▪ Ensure all persons with a responsibility for safeguarding in triathlon is clear about their roles including Board/Committee Members, Club Owners, Safeguarding Officers. 	TSA. Safeguarding Officers	Review annually.
Unqualified or untrained people in role.	HIGH	<ul style="list-style-type: none"> ▪ Require all persons with regular contact with children or vulnerable adults to undertake TSA Safeguarding Training. 	TSA.	Review Annually.
		<ul style="list-style-type: none"> ▪ Require all coaches working in triathlon to hold a recognised coaching qualification. 		

Communication and use of social media

<p>Lack of awareness of 'risk of harm' with members and visitors.</p>	<p>HIGH</p>	<ul style="list-style-type: none"> ▪ Make Safeguarding Policies & Code of Conduct easily accessible. Display notices at clubs in respect of safeguarding matters. ▪ Provide training and information to club members and parents/carers on safeguarding matters. 	<p>TSA</p>	<p>Review annually.</p>
<p>No communication of Child Safeguarding Statement or Code of Behaviour to members or visitors.</p>	<p>HIGH</p>	<ul style="list-style-type: none"> ▪ Make Safeguarding Policies & Code of Conduct easily accessible. 	<p>TSA.</p>	<p>Review Annually.</p>
<p>Unauthorised photography & recording of activities</p>	<p>HIGH</p>	<ul style="list-style-type: none"> ▪ Implement TSA guidelines at all venues where triathlon activity takes place. 	<p>TSA Event Organisers.</p>	<p>Review Annually.</p>

Inappropriate use of social media and communications by under 18's	HIGH	<ul style="list-style-type: none">▪ TSA develop guidelines for children on the safe use of social media.	TSA.	Review Annually.
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General Risk of Harassment, Abuse or Poor Practice				
Harassment, Abuse or Poor Practice not being recognised.	HIGH	<ul style="list-style-type: none"> Ensure all persons working with children or vulnerable adults receive TSA Safeguarding Training. 	TSA. Safeguarding Officers.	Review annually or after a significant event.
Harm caused by Child, Coach, Volunteer, Official, Office Holder, Parent/Care Giver/Member of Public to a child or vulnerable adult.	HIGH	<ul style="list-style-type: none"> Implement TSA Safeguarding policy and procedures. <p>Make TSA Safeguarding Training widely available & ensure all person with regular contact with children & vulnerable adults undertake training.</p>	TSA. Safeguarding Officers.	Review annually or after a significant event.

<p>General behavioural issues</p>	<p>MED</p>	<ul style="list-style-type: none"> ▪ Publish TSA Code of Conduct & Disciplinary Procedures. ▪ Require persons with regular contact with children & vulnerable adults to sign code of conduct or make it a condition of membership. ▪ TSA to follow complaints and disciplinary procedures in respects of any concerns raised regarding conduct. 	<p>TSA. Safeguarding Officers.</p>	<ul style="list-style-type: none"> ▪ Review Code of Conduct, Reporting and Disciplinary procedures annually or following a significant event.
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