

Policy Name	Safeguarding Policy
Policy Owner	Legal & Governance Department
Approved	July 2025
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PREAMBLE

Consistent with the Mission and Vision of the Commonwealth Games Federation ('CGF') and its core values, the welfare of the Commonwealth Sport community, especially minors, is of paramount concern. The CGF takes its responsibilities for creating safe and positive environments for all participating in and involved with any Commonwealth Sport Programme very seriously.

All forms of Harassment and/or Abuse are prohibited and will not be tolerated by the CGF.

The CGF has developed and adopted this Policy to set out the measures it will take to promote a safe and positive environment, both independently and in partnership with other necessary parties, including CGAs, International Federations, parents (or legal guardians), Athletes, and others involved in all Commonwealth Sport Programmes.

This Policy gives the CGF the power to investigate Safeguarding Concerns and impose Provisional Safeguarding Measures on individuals, and for the Federation Court to impose sanctions. This will enable the CGF to fulfil its commitment, ensuring that safe, happy and positive environments are created for individuals to participate in Commonwealth Sport Programmes.

ARTICLE 1 - Definitions and Application

1.1 Definitions

1.1.1 **Adult** means any person aged 18 years and over.

1.1.2 **Case Management Team ('CMT')** means the CGF Case Management Team, as appointed under this Policy.

1.1.3 **Child(ren)** means any person aged 17 years and under.

1.1.4 **Covered Person** means any person in one or more of the following categories, as defined in the CGF Code of Ethics and Conduct:

- a) Accredited Persons
- b) Athlete;
- c) Athlete Support Personnel;
- d) CGAs
- e) CGOCs
- f) CGA Officials
- g) CGF Officials
- h) CGOC Officials
- i) Bid Committee Members
- j) Any other person from time to time involved in the governance, administration and/or participation of a Commonwealth Sport Programme.

1.1.5 **Commonwealth Sport Programme** means the Commonwealth Games, the

Commonwealth Youth Games, GAPS Camps, eqUIP, any other programmes or activities governed, organised and/or administered by the CGF.

1.1.6 Federation Court means the CGF Federation Court as established under the CGF Code of Ethics and Conduct, and includes such other tribunal as the CGF may designate from time to time to hear cases under this Policy.

1.1.7 Harassment and/or Abuse. Harassment and/or abuse can be expressed in five forms which may occur in combination or in isolation. These include i) psychological abuse, ii) physical abuse, iii) sexual harassment, iv) sexual abuse, and v) neglect.ⁱ

These forms of abuse are defined as:

- (i) **Psychological abuse** — means any unwelcome act including confinement, isolation, verbal assault, humiliation, intimidation, infantilisation, or any other treatment which may diminish the sense of identity, dignity, and self-worth.
- (ii) **Physical abuse** — means any deliberate and unwelcome act – such as for example punching, beating, kicking, biting and burning – that causes physical trauma or injury. Such act can also consist of forced or inappropriate physical activity (e.g., age- or physique-inappropriate training loads; when injured or in pain), forced alcohol consumption, or forced doping practices.
- (iii) **Sexual harassment** — any unwanted and unwelcome conduct of a sexual nature, whether verbal, non-verbal or physical. Sexual harassment can take the form of sexual abuse.
- (iv) **Sexual abuse** — any conduct of a sexual nature, whether non-contact, contact or penetrative, where consent is coerced/manipulated or is not or cannot be given.
- (v) **Neglect** — within the meaning of this Policy means the failure of a coach or another person with a duty of care towards the Protected Person to provide a minimum level of care to the Protected Person, which is causing harm, allowing harm to be caused, or creating an imminent danger of harm.

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

Harassment and/or Abuse often result from an abuse of authority, meaning the improper use of a position of influence, power or authority by a Covered Person over or against a Protected Person.

1.1.3 Prohibited Conduct means conduct described in Article 2 of this Policy.

1.1.4 Provisional Safeguarding Measure means the Covered Person is barred temporarily from their role within the Commonwealth Sport Movement and/or from participating in any Commonwealth Sport Programme.

1.1.5 Protected Person means any Person who is a Covered Person and is the subject of Prohibited Conduct by a Covered Person.

1.1.6 Safeguarding means the measures taken to protect individuals from Harassment and Abuse.

1.1.7 Safeguarding Concern(s) means any concern of or related to Prohibited Conduct, which may include but is not limited to a report of a concern, incident, suspicion, action, behavior or failure to act in a way which has caused or which causes or which may cause Harassment and/or Abuse.

1.2 Application

1.2.1 This Policy shall apply to all Covered Persons and is established to deal with Safeguarding Concerns.

1.2.2 It shall be the personal responsibility of every Covered Person to make themselves aware of this Policy including, without limitation, what conduct constitutes Prohibited Conduct under this Policy, and to comply with its requirements. Covered Persons should also be aware that Prohibited Conduct under this Policy may also constitute a criminal offence and/or a breach of other applicable laws and regulations including other regulations of the CGF or any other sports organisations. Covered Persons must comply with all applicable laws and regulations at all times.

1.2.3 Save for the application of this Policy, CGAs are responsible for managing Safeguarding Concerns reported in their country or territory and for dealing with Safeguarding Concerns relating to their Officials, Athletes and Athlete Support Personnel in their jurisdiction under their own safeguarding policies and procedures. The CGF requires CGAs to adopt and implement procedures for the investigation and prosecution of reported Safeguarding Concerns in their territories.

1.2.4 Where the responsible CGA is unwilling or unable to investigate and/or prosecute a Safeguarding Concern under their applicable safeguarding policy, the CGF shall, at the sole discretion of the CGF CMT, investigate the matter under this Policy.

ARTICLE 2 – Prohibited Conduct

2.1 The following conduct constitutes Prohibited Conduct under this Policy¹:

2.1.1 Harassment and/or Abuse, which shall include:

- a. Psychological Abuse;
- b. Physical Abuse;
- c. Sexual Harassment;
- d. Sexual Abuse;
- e. Neglect;

2.1.2 Engaging, or attempting or threatening to engage, in conduct that directly harms the physical and/or mental welfare and/or safety of one or more Protected Person(s);

2.1.3 Complicity, i.e. assisting, encouraging, aiding, abetting, conspiring, covering up or any other type of intentional complicity involving Harassment and/or Abuse;

2.1.4 Retaliation which includes any adverse action taken or threatened to be taken by

¹ IOC Consensus Statement (2016).

a Covered Person against a person participating in any investigation or proceedings under this Policy;

- 2.1.5 Failing to cooperate with any investigation carried out by, or on behalf of, the CGF in relation to a possible breach of this Policy, including but not limited to accurately, completely and without undue delay providing any information and/or documentation and/or access or assistance requested by the CGF as part of such investigation;
 - 2.1.6 An abuse of process and/or breach of confidentiality in relation to a Safeguarding Concern;
 - 2.1.7 Failing to comply with a Provisional Safeguarding Measure imposed by the CMT or with a sanction imposed by the CGF Federation Court;
 - 2.1.8 Knowingly making or encouraging someone else to make a false or misleading report of a Safeguarding Concern;
 - 2.1.9 A breach of a CGA's safeguarding policy, code of conduct or relevant policy; and/or
 - 2.1.10 Failure to report any Safeguarding Concern in accordance with Article 3 of this Policy;
- 2.2 For the avoidance of doubt, it is not necessary for Prohibited Conduct (or attempted or threatened Prohibited Conduct) to take place in the context of a Commonwealth Sport Programme for an investigation to be carried out under this Policy.
- 2.3 Prohibited Conduct which may constitute a breach of this Policy may also amount to:
- 2.3.1 A criminal offence and/or a breach of other applicable laws and/or regulations. This Policy is intended to supplement such laws and regulations with further rules of conduct for those involved in Commonwealth Sport Programmes. This Policy is not intended and should not be interpreted to prejudice or undermine in any way the application of such laws and regulations which must be complied with at all times; and/or
 - 2.3.2 A breach of a CGA's safeguarding policy or the safeguarding policy of another organisation in relation to Harassment and/or Abuse in Commonwealth Sport Programmes. This Policy is not intended to limit the responsibilities of Covered Persons under those policies. Nothing in those policies will be effective to limit the application of this Safeguarding Policy or to remove, supersede or amend in any way the jurisdiction of the CGF Safeguarding Officer, or Federation Court under this Policy.

ARTICLE 3 – Reporting, and Confidentiality

- 3.1 At the first available opportunity, full details of any incident, fact or matter that may amount to Prohibited Conduct under this Policy should be reported to the CGF.
- 3.2 In addition to any reported Safeguarding Concern, the CGF Safeguarding Officer may consider any information that has come to their attention by whatever means that indicates (on its own or with other information) a possible Safeguarding Concern.
- 3.3 The CGF will report any behaviour, which in the reasonable opinion of the CGF, may amount to criminal behaviour to the appropriate legal authorities.
- 3.4 Reporting a Safeguarding Concern

- 3.4.1 The CGF will take a report of a Safeguarding Concern in the way that is most comfortable for the person initiating the report including an anonymous, in-person, verbal, or written report.
- 3.4.2 Regardless of the method of reporting, it is helpful to the CGF to be given the following information: (1) the name of the complainant(s); (2) the type of misconduct alleged; (3) the name(s) of the alleged victim(s); and (4) the name(s) of the Person(s) alleged to have committed the misconduct.
- 3.4.3 Persons may complete an Incident Report Form, which is available on the CGF Website [Link] and at Appendix 1 of this Policy, to report a Safeguarding Concern.

3.5 Anonymous Reporting

- 3.5.1 The CGF recognises it can be difficult to report a Safeguarding Concern and strives to remove as many barriers to reporting as possible. Anonymous reports may be made without the formality of completing an Incident Report Form by:
 - 3.5.1.1 Completing the CGF Incident Report Form without including their name; or
 - 3.5.1.2 Expressing concerns in writing or verbally to a member of the CGF team.
- 3.5.2 Individuals reporting concerns anonymously should be aware that anonymous reporting may make it difficult to investigate or properly address Safeguarding Concerns in some circumstances.

3.6 Confidentiality

- 3.6.1 To the extent permitted by law, and as appropriate, the CGF will handle any Safeguarding Concern it receives confidentially and discretely and will not make public the names of the complainant(s), Protected Person(s) and/or Covered Person(s)).
- 3.6.2 However, during the investigation, at any stage, the CGF Safeguarding Officer may in their absolute discretion, decide that information should be shared in order to ensure the proper effective discharge of the CGF's legal responsibilities, functions and/or to protect the integrity and reputation of the CGF.

ARTICLE 4 – Management of Safeguarding Concern

4.1 The CGF Safeguarding Officer is responsible for managing all Safeguarding Concerns.

4.2 The CGF Safeguarding Officer may, at their sole discretion, appoint an independent investigator, where deemed appropriate.

4.3 Following an initial assessment of a reported Safeguarding Concern, the CGF Safeguarding Officer will:

- 4.3.1 Review whether the information should be referred to the relevant police, law enforcement agency and/or relevant body in the country or territory in which the Safeguarding Concern arose;
- 4.3.2 Review whether there are any other mandatory reporting requirements relating to the Safeguarding Concern;
- 4.3.3 Review whether a recommendation should be made to the CMT to impose a Provisional Safeguarding Measure
- 4.3.4 Review whether the matter should be dealt with by a CGA rather than the CGF; and/ or

4.3.5 Investigate the Safeguarding Concern under this Policy.

- 4.4 The CGF Safeguarding Officer does not need to give a reason for the initiation of an investigation into a Safeguarding Concern and the decision to do so cannot be contested.
- 4.5 4.5 As soon as reasonably practicable, following the commencement of an investigation, the CGF Safeguarding Officer shall take reasonable steps to inform the alleged victim of the process and the confidentiality requirements under this Policy. The CGF Safeguarding Officer will take reasonable steps to keep the Protected Person apprised from time to time of the progress of the matter during the investigation.
- 4.6 Investigations conducted by the CGF Safeguarding Officer may be conducted in conjunction with, and/or information obtained in such investigations, may be shared with relevant authorities or bodies.
- 4.7 If at any time during the investigation, the CGF Safeguarding Officer considers that a Safeguarding Concern would be more appropriately investigated and dealt with by a CGA, the CGF's investigation shall be stayed and the CGF Safeguarding Officer shall refer the matter to the relevant CGA to investigate and manage the matter appropriately. The CGA must keep the CGF informed of the progress of the matter as required by the CGF. At any time, the CGF Safeguarding Officer may decide that the matter should be referred back to the CGF to be dealt with under this Policy.
- 4.8 In the course of an investigation, the CMT may consider whether it is necessary to notify any other individual with whom the Covered Person may have or had contact. At the CMT's discretion, and as appropriate or required by law, the CGF may notify relevant persons of any such allegation that (a) law enforcement authorities are actively investigating; or (b) that the CGF is investigating.

ARTICLE 5 – CMT

5.1 The CGF shall recruit and appoint suitable persons to the CMT who are independent of the CGF and its CGAs.

5.2 The role of the CMT, in accordance with its Terms of Reference is to:

5.2.1 Provide oversight and support to the CGF Safeguarding Officer in managing investigations under this Policy;

5.2.2 Impose Provisional Safeguarding Measures pursuant to Article 6 of this Policy;

5.2.3 Determine whether there is a case to answer in respect of a Safeguarding Concern; and

5.2.4 Implement any other measures where appropriate in order to manage safeguarding risks.

ARTICLE 6 – Provisional Safeguarding Measures

6.1 If the CGF Safeguarding Officer determines that a Covered Person poses or may pose a risk of harm to a Protected Person under this Policy, they may ask the CMT to impose a Provisional Safeguarding Measure.

6.2 The CMT may impose a Provisional Safeguarding Measure by a majority decision.

6.3 In determining whether a Provisional Safeguarding Measure is warranted, the CMT will

consider the following factors, without limitation:

- 6.3.1 Whether the Covered Person and/or a Protected Person is or may be at risk of harm if the Covered Person continues to participate in a Commonwealth Sport Programme;
 - 6.3.2 Whether the Safeguarding Concern is of a serious nature;
 - 6.3.3 Whether a Provisional Safeguarding Measure is necessary or desirable to allow the conduct of any investigation by the CGF Safeguarding Officer or any other authority or body to proceed unimpeded.
- 6.4 The CGF shall also be entitled to recognise and apply provisional suspensions and/or provisional measures imposed by other bodies, such as CGAs, NOCs, International Federations or safeguarding authorities.
- 6.5 The CGF Safeguarding Officer will promptly notify the Covered Person in writing of the terms of any Provisional Safeguarding Measure imposed by the CMT.
- 6.6 Subject to clause 6.8 of this Policy, the Covered Person may lodge an appeal against a Provisional Safeguarding Measure within fourteen (14) days of receipt to the CGF Federation Court in accordance with the CGF Federation Court Procedural Rules
- 6.7 An appeal against a Provisional Safeguarding Measure can only be brought by the Covered Person on the following grounds:
- 6.7.1 The assertion that the alleged Prohibited Conduct has no reasonable prospect of being upheld; or
 - 6.7.2 The assertion that that it is clearly unfair in all of the circumstances to impose a Provisional Safeguarding Measure prior to a final hearing in accordance with the Federation Court Procedural Rules.
- 6.8 If a Provisional Safeguarding Measure will be in place for more than six months, the CMT must review and ratify the measure remaining in place at the expiry of the six month period. The CGF Safeguarding Officer will notify the Covered Person of the decision of that review and the Covered Person shall have the same rights of appeal following a decision to ratify a Provisional Safeguarding Measure as they had following the original imposition of the Provisional Safeguarding Measure.
- 6.9 Where a Provisional Safeguarding Measure is imposed, this shall be taken into consideration in the determination of any sanction which may ultimately be imposed in relation to the Safeguarding Concern.

ARTICLE 7 – Referral to Federation Court

- 7.1 Following an investigation by the CGF Safeguarding Officer under this Policy, the CMT shall evaluate all the evidence and shall decide whether there is a case to answer and therefore refer the matter to the CGF Ethics Officer to prosecute the matter before the Federation Court.
- 7.2 Any case referred to the Federation Court pursuant to this Policy will be dealt with according to the procedures set out in the Procedural Regulations of the Federation Court.
- 7.3 Jurisdiction & Appeal

7.3.1 The Federation Court shall have jurisdiction to decide on alleged breaches of this Policy in the first instance. The Federation Court may, either on its own initiative or upon the application of one or all of the parties concerned, stay the proceedings before the Federation Court pending the outcome of any related criminal or civil proceedings.

ARTICLE 8 – Sanctions

8.1 Where it is determined that Prohibited Conduct has been committed, the Federation Court shall impose an appropriate sanction upon the Covered Person from the range of permissible sanctions set out in the Federation Court Procedural Rules, including a lifetime ban.

8.2 When determining the appropriate sanctions applicable, the Federation Court shall take into consideration amongst other things:

8.2.1 all aggravating and mitigating circumstances; and

8.2.2 the risk posed to Protected Persons by the Covered Person based upon a degree of likelihood that Prohibited Conduct will or may happen in the future, which is sufficient to justify preventative action.

8.3 The detail of the effect of such circumstances on the final sanction will be set out in the written decision.

ARTICLE 9 – Mutual Recognition

9.1 Subject to the right of appeal, any decision taken by the CGF pursuant to this Policy must be recognised and respected by all CGAs.

9.2 Where the CGF is informed that a Covered Person has been:

9.2.1 convicted of a criminal offence which would amount to Prohibited Conduct under this Policy; or

9.2.2 held by their CGA, International Federation or any other competent sports governing body to which the Covered Person is subject, to have committed a violation which would constitute a violation under this Safeguarding Policy,

the CGF shall recognise the applicable conviction/decision imposed.

ARTICLE 10 –Duty to inform

10.1 CGAs shall promptly inform the CGF of any allegations (where possible) and/or sanction(s) imposed on any person under their jurisdiction relating to any Safeguarding Concerns.

10.2 The CGF shall promptly inform the CGAs of any allegations (where possible) and/or sanction(s) imposed on any person under their jurisdiction relating to any Safeguarding Concerns.

Safeguarding Incident Report Form

How to use this form

Please use this form to provide details of a safeguarding concern which you wish to report. Please fill in as much of the detail as you can but don't worry if you can only provide partial information. Any information provided will be kept confidential in accordance with the CGF Safeguarding Policy.

When you have finished please forward the form to safeguarding@commonwealthsport.com.

Report Submitted By*	
Name	
Phone Number	
Email Address	
Role within Commonwealth Sport (if applicable)	

**It is not compulsory to fill in this information. However, it may be more difficult for Commonwealth Sport to deal with an incident if the report is made anonymously.*

Please tick one:

- I am reporting my own concern
- I am reporting concerns raised by someone else

Details of Person(s) whose behaviour has given rise to the concern	
Name	
Contact Number	
Email Address	
Role within the Commonwealth Sport movement (if applicable)	

Details of Person(s) who you consider has been put at risk because of that behaviour (if known)	
Name	
If under 18 - Age (or approx.)	
Parent/ Guardian Details (if applicable)	
Role within the Commonwealth Sport movement (if applicable)	
Contact Number	
Email Address	

Details of Concern

Please provide details of your concern, with as much detail as possible, including; location, people involved, timing and date of incident.

Has any action been taken yet?

Please detail any action which you are aware has already been taken in respect of this concern (e.g. Police report/ CGA investigation).

Details of anyone else involved who may have additional information

Additional information

Any other information that you think would be helpful in investigating your concerns