

SAFEGUARDING CRICKET - GUIDANCE FOR MEMBERS

Executive Summary:

In May 2019, the ICC adopted the ICC Safeguarding Regulations (the “Regulations”) which prohibit participants at an ICC Event from behaving in any way that directly or indirectly harms or poses a risk of harm to the physical or mental welfare or safety of a child, adult at risk¹ or another person at an ICC Event.

The introduction of the Regulations followed a number of high profile and public cases involving incidents of child abuse by coaches and team staff in other sports. Further, the ICC became aware of a number of incidents of alleged inappropriate behaviour, including alleged incidents of sexual harassment, that have occurred in the cricketing world.

The ICC Board agreed that all participants have a right to be protected from abuse and harm when participating in the sport, and therefore such incidents cannot be tolerated. This is especially so where either (i) the incident suggests that the wrongdoer is a risk to other participants within the sport; or (ii) the incident brings the sport into disrepute (for example where the wrongdoer has a prominent, influential, decision-making or officiating role or is in a position of power within the sport).

As such, the Regulations were adopted in recognition of the ICC’s duty to protect the welfare of, and provide a safe environment for, all participants in ICC Events. The introduction of the Regulations was the first step in the establishment of a safeguarding framework within cricket which is aimed at ensuring a safe environment for all involved in cricket, whether at the international or domestic level.

The responsibility for ensuring the welfare of, and providing a safe environment for, all participants in cricket outside of the ICC Events structure lies with each Member Board.

It is acknowledged that some Members already have an established and detailed safeguarding framework in place at the domestic level, however, for others this may be a relatively new concept.

As part of this framework, the ICC has now produced the attached guidance for Members (at [Appendix A](#)) to assist them in building a safeguarding framework within their jurisdiction with a view to finalising and implementing their own Safeguarding Policy at the national level (where an existing framework is not already in existence). The introduction of such a policy will allow a Member to build awareness of safeguarding, manage the risk of harm occurring and ultimately, where necessary, take action against those who behave inappropriately, or who harm or who pose a risk of harm, to participants within that Member’s jurisdiction.

Combined with the introduction of a Safeguarding Policy, Members are encouraged to engage with safeguarding experts and relevant local law enforcement agencies within their territory in order to educate themselves about the local legislative position (including to consider, where appropriate, incorporating applicable local laws/byelaws into the Safeguarding Policy) and to build awareness and education of the subject within the Member Board.

¹ Defined as “Any person aged 18 or older who is engaged in activities in connection with an ICC Event (whether as a Participant or otherwise) and who is, or may be, vulnerable to or unable to protect himself or herself against harm or the risk of it (whether generally or a result of circumstances in which they find themselves at the relevant time)”.

1. INTRODUCTION

- 1.1 The purpose of a Safeguarding Policy is to provide a framework of rules and regulations which are aligned to moral principles that a Member wishes to apply to its members, officials, staff and volunteers (and anyone else that falls under the Member's jurisdiction) to remind, guide, and govern the behaviour of those directing or supporting the Member in its activities as the national governing body for cricket in its territory.
- 1.2 It is based on the underlying principle that all those who are participating or involved in cricket have the right to train, compete and work in environments which respect, protect, support, and promote their well-being. This requires measures to be embedded to prevent all forms of harassment or abuse (be that physical, psychological, sexual or as a result of neglect), disseminate education and awareness, and to appropriately respond to any concerns.
- 1.3 This is also in line with ICC Safeguarding Regulations² which state that *"No Participant may (i) engage, or attempt, or threaten to engage, in conduct that directly or indirectly harms the physical and/or mental welfare and/or safety of one or more Protected Persons, and/or (ii) pose a risk of harm to the physical and/or mental welfare and/or safety of one or more Protected Persons"*.
- 1.4 A Safeguarding Policy should *protect* and *support* every participant, member, official and staff member, and anyone else that falls under the Member's jurisdiction whom the Member deems appropriate that the Safeguarding Policy should apply to.
- 1.5 The Safeguarding Policy should be embraced, understood and adopted by all participants, members, officials and staff members (and anyone else that falls under the Member's jurisdiction), and be equally applied to all. That said, it should be incumbent on the most senior leadership (including, without limitation, the President/Chairman, members of the Board, CEO (or equivalent) and other senior management of the Member) to ensure the development, implementation, monitoring and evaluation of measures outlined in the Safeguarding Policy, and equally importantly, to be *seen* to apply it unwaveringly, robustly and scrupulously in order to set the leadership example that others can follow.
- 1.6 A Safeguarding Policy should be seen as a living document which should be regularly reviewed, evaluated and updated. It should not be seen as highly restrictive, but rather as guidelines to support good practice, mitigate the risk for poor practice, related to maltreatment and help to nurture safe, supporting environments in which all persons can thrive. It should, where possible, align and reflect the evidence base related to the prevention of harassment and abuse in sport, and fostering safe and inclusive sporting environments.
- 1.7 Safeguarding Policies should be adapted to fit local context and align with applicable laws and regulations of the Member Organisation, particularly guidelines and frameworks which encompass safeguarding, working with children, etc. It is recommended that Members liaise with, and develop close lines of communication with, local law enforcement and agencies involved in safeguarding within their territory, and keep the Policy under regular review (for example on a yearly basis and/or after any safeguarding incident), to ensure that it reflects the up-to-date local legal position and/or any learnings from previous incidents.
- 1.8 Members will note that the framework refers to the appointment of a Safeguarding Officer or a Safeguarding Focal Point. The Safeguarding Officer or Focal Point should have access to training in Safeguarding in Sport. It should further be noted that the responsibility for Safeguarding should be an organisation-wide responsibility and not fall solely on the Safeguarding Officer or Focal Point, recognizing that all parties across an organisation will have a clear role and responsibility to implement and uphold the Policy.

² At [ICC-Safeguarding-Regulations.pdf \(icc-static-files.s3.amazonaws.com\)](https://www.icc-cricket.com/media/2018/01/icc-safeguarding-regulations.pdf)

2 DEFINITIONS

- **Safeguarding** “The proactive action to protect people from harm or abuse through appropriate prevention and response measures and promoting their well-being. It means doing everything possible to identify and address risks and to prevent any kind of harm or abuse from happening such as physical, sexual, emotional abuse and neglect, trafficking and exploitation. It also means having appropriate systems in place to adequately address and respond to concerns”³.
- **Safeguarding policy** - “A statement of intent that demonstrates a commitment to safeguard children [or all participants] involved in sport from harm and provides the framework within which procedures are developed”⁴.
- **Safeguarding procedures** - Clear step-by-step guidance on responding to concerns. Safeguarding procedures should clarify the roles and responsibilities of different parties, for example related to intelligence gathering and investigation, and providing support to concerned persons as well as the lines of communication. The existence of safeguarding procedures is crucial in ensuring that when cases are reported, all parties are aware of next steps, helping to guarantee a timely, appropriate and informed approach to case management and investigation
- **Trauma-informed** - Recognising that when responding to reports, support for concerned persons should be a principal priority; Acknowledging the impacts of trauma and ensuring all interventions appropriately reflect and account for this; Working with athletes and experts with lived experience to develop and implement safeguarding policies, procedures, and processes.
- **Harassment and abuse** - as defined by the *IOC consensus statement: Harassment and abuse in sport (2016)*⁵
 - **Psychological abuse** — 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.
 - **Physical abuse** — any deliberate and unwelcome act, 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; training when injured or in pain), forced alcohol consumption or forced doping practices.
 - **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.
 - **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.
 - **Neglect** — within this document, neglect is defined as the failure of a coach (or another person with a duty of care towards the athlete) to provide a minimum level of care to

³ As defined by fifa.com, (2021). FIFA Guardians - Safeguarding and Child Protection. [online] Available at: <https://www.fifa.com/social-impact/fifa-guardian>

⁴ See footnote 3 above.

⁵ Mountjoy, M., Brackenridge, C., Arrington, M., Blauwet, C., Carska-Sheppard, A., Fasting, K., Kirby, S., Leahy, T., Marks, S., Martin, K., Starr, K., Tiivas, A. and Budgett, R. (2016). International Olympic Committee consensus statement: harassment and abuse (non-accidental violence) in sport. *British Journal of Sports Medicine*, 50(17), pp.1019–1029. Available at: <https://bjsm.bmj.com/content/50/17/1019>

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

The consensus statement further notes that: “*Harassment and abuse can be... a one-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.*”

3 KEY ISSUES TO INCLUDE IN SAFEGUARDING POLICY AND RELATED PROCEDURES

- 3.1 Set out in Appendix A are Guidelines which are intended to serve as minimum standards that Members can use as a basis for creating their own Safeguarding Policy and related procedures, to be adapted to the Members' local context. Any queries on the framework should first be raised by Members with the ICC's safeguarding officer, at safeguarding@icc-cricket.com, or the ICC's legal department.
- 3.2 When developing the Safeguarding Policy, the following non-exhaustive issues should be considered by the Member Board:
 - 3.2.1 the potential risks to children, young people and adults at risk involved;
 - 3.2.2 identifying those who pose a risk to children, young people and adults at risk;
 - 3.2.3 situations that may increase the risk and how they can be mitigated against;
 - 3.2.4 the process that is in place in respect of vetting and regular monitoring of the policy;
 - 3.2.5 especially for smaller Members, risks to confidentiality in how a concern may be raised in light of sensitivities within the country; and
 - 3.2.6 the linking up of the Safeguarding Policy to other policies and procedures in place within the Member Organisation.

APPENDIX A

GUIDELINES FOR A SAFEGUARDING POLICY AND RELATED PROCEDURES

1 DEFINITION

Clearly define what constitutes harassment and abuse. This definition should be consistent with the definition in Section 2, national legislation, and your organisation's regulatory obligations, where applicable.

2 PURPOSE, SCOPE AND APPLICATION

Clearly state your organisation's commitment to safeguarding. Indicate when your policy applies [for example is it specific to an event(s) or is it an organisation-wide policy which applies all year round, what is its effective date? As a general recommendation, the policy should not be limited solely to particular events but should be all encompassing], and clearly state who your policy applies to (for example, all persons affiliated to your organisation).

3 ALIGNMENT AND SUPPORT

Outline how your policy is linked to, aligned with and/or informed by wider national and international frameworks and strategies related to safeguarding in sport, as applicable. If your policy includes collaboration with competent existing national, regional or international sporting organisations such as NGOs with a mandate related to the protection of children and adults from harassment and abuse in sport to support your work, ensure this is clearly stated.

4 IDENTIFICATION AND TRAINING OF KEY PERSONNEL

Clearly outline the role and responsibilities of the Safeguarding Officer (or Safeguarding Focal Point). The Safeguarding Officer should be trained in the field of safeguarding, and their responsibilities should include playing a central role in the development, implementation, monitoring and evaluation of prevention and response mechanisms. Note that:

- *If the responsibilities of your Safeguarding Officer include playing a central role in receiving and investigating reports and determining whether information of a case should be disclosed to the competent local authorities, then ideally this role should be filled by an independent person. If for some reason this is not possible a Member could appoint an existing official or staff member who has the relevant training and experience, however care should be taken to minimise the risk of conflicts of interest/potential for interference. Such measures should be clearly stated.*
- *If the existing official or staff member does not have training and/or experience in safeguarding in sport, care should be taken to ensure that training is completed prior to the commencement of the role. Opportunities for continuing professional development should also be ensured as well as access to experts to support them in their role.*
- *Whilst trained safeguarding officers may lead the development and implementation of your safeguarding policy, the responsibility to uphold the policy is everyone's responsibility, starting with the executive structures of the organisation. This commitment should be reflected in the safeguarding policy.*

5 PREVENTION

Your policy should include mechanisms and measures to prevent harassment and abuse in sport. This may include:

5.1 EDUCATION AND TRAINING

Inform all players, their entourages, player support personnel, officials and all other relevant persons what constitutes harassment and abuse and where they may seek further information, advice and support (e.g., by organising trainings or by making educational material available). They should also be made aware of what procedures exist for raising and having their concerns addressed, what type of risk assessments are conducted, and what is done in order to seek to prevent harm occurring. Training and education should start at the executive board level and continue throughout the organisation and involve all key stakeholders. This might include, for example, training and education for communications departments related to trauma-informed communication in the event that a concern arises which garners media interest. Training should focus on the rights and responsibilities of all stakeholders as well as their role in upholding your safeguarding policy. Training and education should be provided by persons with a background and expertise in safeguarding or evaluated by experts in the field.

Consider the depth and frequency of education and training. All staff, volunteers and relevant people with special responsibilities for safeguarding should be trained on safeguarding and child protection including how to report concerns, and have access to regular additional training and specialist support. Persons working with more vulnerable groups will require further, more frequent, targeted training.

5.2 RISK ASSESSMENTS

Risk assessments should cover all areas of your organisation both at a strategic level and at an operational level, identifying where safeguarding risks may arise and how these may be mitigated. They also help to identify existing frameworks to protect individuals. A commitment to periodically conduct and review risk assessments, particularly related to any aspect of your organisations' operations or activities that involve more vulnerable groups such as children, should form a key stage of the development and implementation of your policy.

5.3 SAFE RECRUITMENT PRACTICES

Your safeguarding policy should include mechanisms which aim to prevent the involvement of people who may pose a risk to children or adults. Safe recruitment practices act as the first barrier of preventative measures in promoting the safety of all participants, and should be established across all stakeholders, especially those working with children or vulnerable groups including coaches, members of your administration, and volunteers. Safe recruitment practices should include:

- Clearly stating the expectation to treat people with dignity, respect, sensitivity and fairness in job descriptions, staff regulations, personnel contracts etc.
- Criminal record/background checks, in line with local legislation

Note: whilst effective, it should be clarified within your national legislation as to whether your organisation would be permitted to request this information. Asking applicants to volunteer this information is another form of obtaining the data, however, it should not define eligibility criteria for a position if national or regional laws do not allow it. It is recommended that should you wish to embed this in your recruitment process, you seek professional guidance on the matter.

- Interview, character/employment references

It may be the case that a person of concern spends many years in a position, so asking for references from their last 2 to 3 employers can be a valuable exercise to limit risk and should be integrated into your safe recruitment practices. This exercise can also help identify or validate any gaps within their employment history. Questions could also be asked about an individual's previous work (if any) with children or other vulnerable groups, and their experience of that.

5.4 CODES OF CONDUCT

Codes of Conduct can reduce the risk of poor practice by clearly outlining what standards of conduct are expected from those affiliated with your organisation. It is recommended that all stakeholders are required to abide by your Code of Conduct. This Code should be linked to your Safeguarding Policy and include a clear disciplinary path in the case of a Code violation. Ensure that all persons to whom the Code of Conduct applies formally state that they will abide by the Code, for example, through an official signature either on the Code itself or on another official legal document such as an employment contract. Violations may lead to disciplinary action depending on the specific provisions included.

5.5 RELATIONSHIPS OF TRUST

Your Safeguarding Policy could include a statement on relationships of trust (e.g. coach/player) and acknowledge that all such relationships should maintain clear boundaries at all times. Further, that all such relationships should be supportive and aimed at improving the child / adult at risk's skills, development and progress. No intimate or sexual relationship should take place between someone in a position of trust and a child / adult at risk.

5.6 ONLINE / SOCIAL MEDIA

Abuse and harm does not always take place in person and can take place remotely. Increasingly it can also be perpetrated online, e.g. through social media, messaging apps, emails or video game chats. Victims can be revictimised when abusive content is recorded, uploaded or shared by others. Using online resources, potential victims can also be groomed.

Examples of different types of online abuse include, without limitation, bullying/cyberbullying, emotional abuse, sexting, sexual abuse or sexual exploitation.

Given our ever increasing reliance on digital resources, you should include something in your Safeguarding Policy to address online harm and abuse.

6 RESPONSE

Your policy should outline procedures and mechanisms related to responding to any concern. This must include:

6.1 REPORTING PROCEDURES

Establish a reporting procedure for alleged incidents of harassment and abuse. This reporting procedure should consider how allegations of harassment/abuse may be reported to your organisation and how the report will be followed-up (including who will be responsible and timeframes). Care should be taken to ensure a trauma-informed response. The reporting procedure should include links to disciplinary processes and relevant local authorities (see section 6.4 and 6.7).

The reporting procedure should further detail who should report incidents of harassment and abuse including mandatory obligations to report where relevant, as well as what should be reported.

6.2 INVESTIGATION PROCEDURES

Establish an investigation procedure to respond to alleged incidents of harassment and abuse which aims to assemble comprehensive information on the alleged incident and includes a phase of preliminary inquiry. Clearly indicate who is responsible for the investigation procedure. Ideally the responsible body should be independent or at arms length from your organisation. Should this not be possible, steps should be implemented to ensure impartiality, transparency, and decrease the risk of conflicts of interest. Best practice would state that care should be taken to make certain that the investigation procedure includes steps to ensure a trauma-informed approach.

6.3 SUPPORT FOR CONCERNED PERSONS

Establish appropriate mechanisms to provide support and information to concerned persons involved in an alleged incident of harassment and abuse (including both the victim and the alleged perpetrator). The individual providing support to concerned persons should be trained and experienced in case management responses to harassment and abuse (e.g., trained in trauma-informed care). Their role should include providing support to any concerned persons throughout the reporting and investigation process. If a suitable person cannot be identified, a link should be made to qualified persons within competent local authorities or competent organisations to address such cases in the capacity detailed above.

6.4 DISCIPLINARY PROCEDURES

Establish a disciplinary procedure for alleged incidents of abuse and harassment which includes in particular disciplinary decisions, measures and sanctions. Ensure that principles of natural justice and procedural fairness are incorporated.

6.5 MEASURES AND SANCTIONS

Establish measures and sanctions guidelines detailing how incidents of harassment and abuse should be sanctioned. Measures and sanctions must respect the principle of proportionality, be in proportion to the severity of the behaviour, and be consistent with relevant applicable law. The following factors should be taken into consideration when determining proportionality: the nature and severity of the violations; the number of violations; any other notable circumstances (e.g., the abused or harassed person is a minor).

6.6 FAIR PROCESS

Provide the responding party with fair process including notice and the right/opportunity to be heard before applying any measure or sanction.

6.7 INFORMATION TO COMPETENT LOCAL AUTHORITIES

Consistent with relevant law, inform relevant local authorities about potential criminal cases.

6.8 CONFIDENTIALITY

Establish a confidentiality policy in line with applicable local law, which states that an alleged incident of harassment and abuse be regarded as confidential and personal information (including name, date of birth, address, any identification number, etc.) should not be disclosed, except, for example, on a need to know basis, or if the concerned person gives their prior consent or if disclosure is necessary to protect someone from harm or if a potential criminal act comes to the attention of the organisation.

7 MORE VULNERABLE GROUPS

Specific, targeted measures should further be adopted for more vulnerable groups, such as children, elite players, LGBTQI+ individuals, refugees, ethnic minorities, those whose first language is not that of the country they reside in and persons with disabilities.

8 MONITORING AND EVALUATION

State how the implementation of your policy and compliance with your policy will be monitored and evaluated. Clearly define how often your policy will be reviewed and assessed for required amendments, adaptations or amendments to its scope, and indicate who has responsibility for this.

9 INVOLVEMENT OF PLAYERS

Involve players in the development of safeguarding policies. It is strongly recommended that this includes experts with lived experience of harassment and abuse in sport.

10 COMMUNICATION

Ensure that your policy is widely communicated and is both easy to find and to understand. Communication of your safeguarding initiatives should clearly indicate the roles and responsibilities of different stakeholders in upholding them. This reinforcement as well as transparent, consistent application of the policy will help to ensure the integrity of, and trust in your safeguarding initiatives.

CHECKLIST

Your Safeguarding Policy should:

- Have a clearly defined scope, including clearly stating who it applies to and when.
- Tailor the policy and procedures to suit the needs of the organisation.
- Align with applicable laws, including general and criminal law, as well as normative frameworks that apply to your organisation such as your Code of Ethics. It should also clearly link to your organisation's disciplinary / integrity processes.
- Clearly define and describe forms of harm covered by the policy.
- Be clear, easy to read, understandable and readily available. Policies should avoid complex jargon and promote a values-based approach to preventing and responding to concerns.
- Have been developed in collaboration with different parts of the organisation and be fully endorsed by your organisation to ensure that the policy is relevant for everyone.
- Detail who in the organisation is responsible for receiving, handling, and reacting to reports.
- State how reports can be made and who they will be received by – best practice would be ensuring that the receiving person/body has training in safeguarding and trauma-informed practice.
- Build on existing systems and highlight how it aligns to relevant national systems and legislation.
- Outline each and every step of the procedure beginning with receiving a report and includes all personnel involved - those investigating the reports will be different from the personnel supporting concerned persons, or responsible for disciplinary hearings.
- Define investigation and disciplinary procedures as well as the inclusion of any external organisations -be it police, medical etc.
- Detail how support for concerned persons will be provided and by whom.
- Detail timelines for responding to concerns, and include provisions to ensure due process.
- Consider and detail provisions related to confidentiality and protection of reporting persons.
- Outline how the process for investigating and responding to concerns will be impartial and independent.