

# “SAFE POLICY” MODEL

**Applied to the sports sector, in particular to five-a-side football Teams**

**Project acronym: SAFE**

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**SAFE POLICY MODEL**

**Description:** the document contains "SAFE -POLICY MODEL", that aims at developing, designing and testing an innovative Model of Child (6-18) Protection Policy applied to Futsal Clubs' environment, and at forming their staff members. A specific section will be dedicated to rules for intellectual-disabled children.

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## **EXECUTIVE SUMMARY**

This document, prepared within WP2 – Preparatory Activities and Design of the Model, contains the "SAFE –POLICY MODEL", that aims at developing, designing and testing an innovative Model of Child (6-18) Protection Policy applied to Futsal Clubs' environment, and at forming their staff members. A specific section will be dedicated to rules for intellectual-disabled children.

The "SAFE Policy" Model's aim is to codify and standardize behavioural rules and implement policies and procedures to protect and safeguard minors in the sports sector, with specific attention to the context of Futsal teams.

Furthermore, within sport environments there may be the presence of children with intellectual disabilities, who are particularly vulnerable. Thus, the Model will be provided with a specific section with particularly targeted rules to safeguard rules for intellectual-disabled children.

According to what was initially established by the project, the deadline for loading the SAFE Policy Model (Deliverable 2.4 - Milestone n.4) was set by 31 December 2019. Despite this, factors of a different nature, which overlapped each other, have caused the deadline to be postponed.

In fact, the Model realized was not compliant with the high quality standards required by the Lazio Region and therefore it required a further revision in order to increase the scientificity and value of the final product.

Both the late contracting of the psychologists experts, scheduled in September and completed in mid-November 2019 for the completion of the selection procedures, and the Covid-19 epidemic and subsequent lockdown, which imposed an online reorganization of all project activities, have further aggravated the delay in the reissue of the Model.

Therefore, the present version of the Model represents a new version, in line with the quality standards established in agreement with the partner Regione Lazio.

## **SAFE POLICY MODEL**

### **Introduction to SAFE project**

"SAFE - Safe and Accountable Futsal Environment for Children" project aims to code and standardize, in line with the EU "Keeping Children Safe" Standards, and test an innovative Model of Child Protection Policy applied to the sport sector, more specifically in the field of five-a-side football.

This sector, indeed, requires special attention to be paid: sport environment is particular susceptible because of the peculiar tightness of the relationship between coaches and children. This could imply a strong idealization of coaches by children (which invests coaches with enormous powers and corresponds to a greater vulnerability of children to unsuitable acts) and a potential physical proximity, functional to teaching of the specific sport activity but also needing to be regulated to keep children safe. Moreover, sport environments are often lacking in standardized safeguarding children procedures, and coaches are generally trained mainly in sport subjects, with the consequence that children may be victims of abuse (especially emotional) also in cases of good faith behaviours by staff members with good intentions but not properly trained. The lack of an adequate policy leads, thus, into leaving children safety to the possible specific personal preparation of each coach and, therefore, to fortuity.

Furthermore, within sport environments there may be the presence of children with intellectual disabilities, who are particularly vulnerable. Thus, the Model will be provided with a specific section with particularly targeted rules to safeguard rules for intellectual-disabled children.

Briefly, SAFE project aims (a) at developing, designing and testing an innovative Model of Child (6-18) Protection Policy applied to Futsal Clubs' environment, and (b) at forming their staff members.

**LAZIOcrea S.p.A.**, Coordinator, will handle all management issues, Model's design activities and will take care of Futsal related issues.

**Lazio Region** will take care of promoting the Model at local, regional, national and European level.

SAFE Objectives are:

- ✓ Child (6-18) Safeguarding Policy Model applied to Futsal sector, designed and validated, for preventing child from being abused and/or harmed
- ✓ Sports organizations, relevant stakeholders and Public Institutions sensitized on the need for more effective child protection measures, offering a new replicable Model Activities
- ✓ Design and testing of the Model (including a special part tailored on intellectual-disabled children)
- ✓ Training of Futsal Clubs' staff members
- ✓ Dissemination, Advocacy and Networking activities

The overall work plan consists of the following five work packages:

### **WP1 – Management and Coordination of the Project**

The aim of WP1 is to provide the internal project management and the overall coordination of activities with technical and financial planning and control, to achieve project's expected results effectively.

### **WP2 – Preparatory Activities and Design of the Model**

The aim of WP2 is to focus on the preliminary activities to realize “SAFE-Policy” Model and to allow its implementation.

### **WP3 – Testing and Validation of the Model**

The aim of WP3 is to apply and validate “SAFE-Policy” Model in Futsal Clubs and Special Teams through formative activities for Futsal teams' staff and the Model testing.

### **WP4 – Networking and Advocacy**

The aim of WP4 is to promote “SAFE-Policy” Model as a good practice to protect children from abuses within Futsal Organizations' environments.

### **WP5 – Communication and Dissemination Activity**

The aim of WP5 is to disseminate “SAFE-Policy” Model and project results in order to allow it to be replicated and to guarantee visibility to this significant initiative for children protection.

## **INTRODUCTION**

The SAFE Policy Model aims to codify and standardize some rules of conduct, implementing policies and procedures for the protection and safeguard of minors in the sports sector, in particular in the Futsal Teams (Five-a-side football); the sports environment is very delicate due to the particular relationship between coaches and minors, which could imply a strong idealization of coaches by minors themselves and a potential physical proximity, functional to the teaching of the specific sport activity. Moreover, sports environments often are not provided of standards and procedures to protect minors, because coaches are generally only trained on sports subjects.

The main consequence is that children can be abused, especially emotionally, by members of the sports staff, even unintentionally. This happens because they are not adequately trained in aspects aimed at ensuring the children's protection. The latter is not only aimed at the achievement of educational objectives but is also a functional tool for the realization of the right to play, which is fundamental, as well as a regular physical activity, for a correct psycho-physical, social and cultural development of minors from childhood to adolescence.<sup>1</sup>

The "SAFE-Policy" Model aims to offer minors a protected environment from which they can benefit from sport, e.g. learn important values such as tolerance, fair play, social inclusion, being able to set a goal and achieve it, and train and strengthen their individual growth in a complete safety way, safeguarding them from anyone who comes into direct contact with them. To ensure that the ideal conditions for building a kid-friendly environment are created, Futsal club staff will be trained based on the "SAFE-Policy" model.

The final aim is to validate and disseminate the Model in order to facilitate its wide adoption and raise about awareness of effective rules regarding minors protection in this particular area.

### **Problems's analysis**

According to the Report "Terre des Hommes" (2018), in 2017 at least 5.788 children in Italy have been abused - 8% more than in 2016, and at least 43% more than 10 years ago, in 2010. But this phenomenon has a much wider extension: Pietro Ferrara - national contact person of the Italian Society of Paediatrics - estimated at least 80,000 cases per year, but many of them have not been reported. This reporting, therefore, is not sufficient because of the phenomenon is strongly connected to the following elements:

- a) Children's inability to defend themselves against adult abuse: some children are unable to recognise abuse because of their youth or disability; they may feel guilty; they do not know who can help them; most cases are linked to abuse of power and trust: between 70% and 85% of children know and trust of their own abuser;
- b) the frequency of abuses within contexts considered as protected (family, school and sports environment);
- c) lack of safeguard policies that entrust children's safety to chance.

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<sup>1</sup> Unicef and sport for children's rights - <https://www.unicef.it/doc/446/unicef-e-sport-per-i-diritti-dei-bambini.htm>

The sports sector is very vulnerable, as it is difficult to make an accusation if there is no incontrovertible evidence and, at the same time, to identify whether or not there are abuses: they can assume a number of forms including sexual, physical, emotional, negligence<sup>2</sup> and the culture of sport in general can standardise certain behaviours, rendering it very difficult, then, to identify any well-founded accusations<sup>3</sup>.

A study carried on in Netherlands and Belgium showed that 9% of adults who had already participated in sports activities, at the age of 18, suffered serious psychological violence, 8% serious physical violence and 6% sexual violence in various sports contexts.

A UK study in 2009 reported that 29% of the sample of young athletes representing all competitive levels had been sexually harassed (34% of women and 17% of males) while 3% had been sexually abused (5% of males and 2% of females).<sup>4</sup>

A study carried out in Denmark on 250 sports students showed that about 25 % were aware or had experienced episodes where an athlete under the age of 18 had been sexually harassed by the coach<sup>5</sup>.

Another important research identified and analysed all children abuse in the sports reports of five British newspapers (*The Sun, Daily Mail, Daily Mirror, The Times and The Guardian*) between 1995 and 2008. In 13 years 462 articles have been published in these newspapers referred to 24 individual cases of children abuse that led to legal proceedings (and certainly there were others that did not lead to proceedings)<sup>6</sup>. Among these cases, 72% referred to coaches abuse, while 28% concerned overtraining and verbal bullying by coaches.

The European Commission's Expert Group on Good Governance has estimated that between 2% and 8% of athletes (both minors and young adults) are victims of sexual violence in the sport environment<sup>7</sup>.

There are therefore many reasons for creating a very sensitive environment in the sport sector, reasons which are mostly due:

- tolerance to physical violence and injury;
- authoritarian leadership and unequal power relations between coaches and athletes;
- the gender differences dominated by men;

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<sup>2</sup> Raakman, E. Dorsch, K. Rhind, D. 2010, *The development of a typology of abusive coaching behaviours within youth sport*. International Journal of Sports Science and Coaching 5: Volume 5 pp. 503–515

<sup>3</sup> Alexander K, Stafford A. Lewis R, 2011. *The experiences of Children participating in organized sport in the UK*-NSPCC-London, p 204

<sup>4</sup> Alexander K. Stafford A. and Lewis. 2011, *The experiences of Children participating in organized sport in the UK*-NSPCC-London, pp 204-207

<sup>5</sup> Nielsen, J. T. 2001, *The Forbidden Zone*, International Review for the Sociology of Sport, vol. 36, no. 2, pp. 165-182

<sup>6</sup> Nash, D. 2010. *The social construction of the issue of child abuse in sport*, Unpublished Master's Thesis, University of Kent, Canterbury

<sup>7</sup> European Commission – Expert Group on Good Governance, 2016, *Recommendations on the protection of young athletes and safeguarding children's rights in sport*

- the fact that physical contact and the close proximity of coaches to children is often necessary, also with the intense and competitive atmosphere of sport, which means that children often find themselves in vulnerable situations<sup>8</sup>;
- the fact that an inappropriate sexual behaviour is often tolerated, discrimination and gender inequality are often accepted;
- potential risk situations (such as changing rooms, showers, car-sharing, overnight stays).

However, the link between sport and child abuse is still unexplored and insufficiently studied. As also noted by the European Commission - Group of Experts on Good Governance - these studies are too few and focus essentially on sexual violence against women and girls<sup>9</sup>, ignoring other possible forms of "harm" and the male victim. In addition, some studies deal with abuse in general in the sports environment<sup>10</sup> and others consider the sectoral aspects of child abuse in that environment,<sup>11</sup> or in youth organizations<sup>12</sup> which are certainly important but can remain unimplemented if not coordinated within a cohesive system; today it seems obvious that violence against minors in sport requires special attention.

If, even in the absence of an integrated study of the phenomenon, at an international level the theme of the relationship between children - sport - abuse is discussed, in Italy this research and study branch is still rather lacking, generating a wide gap in terms of child protection among professionals: the coaches, who had been incarcerated, returned to coaching in the sports environment where they committed child abuse. There are 64 Italian Sports Federations that regulate certain behaviours, but they do not refer to children abuse, although they are prevalent. In 2017, CONI examined 44 cases of children abuse; among these, 12 occurred in the football sector, including 2 in the Lazio Region. Moreover, considering the unregulated nature of sport and the large number of volunteers involved, sport provides an easy channel for anyone who wants to harm children<sup>13</sup>.

## Regulations

In accordance with the Resolution of the Council and of the Government Representatives of the Member States, meeting within the Council of 21 May 2014, about the European Union Work Plan for Sport (2014-2017), the protection and preservation of children in sport is one of the five issues identified as priorities in terms of the integrity of

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<sup>8</sup> Sport England, 2000, *Child Protection in Sport Action Plan*. London: Sport England

<sup>9</sup> V. see the *Pro Safe Sport + project (PSS+)*.

<sup>10</sup> Mountjoy, M. Brackenridge, C. Arrington, M. 2016, *International Olympic Committee consensus statement: harassment and abuse (non-accidental violence) in sport, 2016;50:1019-1029, Br J Sports Med.*

Marks, S. Mountjoy, M. Marcus, M. *Sexual harassment and abuse in sport: the role of the team doctor, 2012;46:905-908.* Stirling, A. E. *Definition and constituents of maltreatment in sport: establishing a conceptual framework for research practitioners, 2009;43:1091-1099, Br J Sports Med.*

<sup>11</sup> Brackenridge, C. 1998, *Healthy Sport for Healthy Girls? The Role of Parents in Preventing Sexual Abuse in Sport*, Sport, Education and Society, 3:1, 59-78, Vertommen, T. Kampen, J. Schipper-van Veldhoven, N. Uzieblo, K., Van Den Eede, F. *Severe interpersonal violence against children in sport: Associated mental health problems and quality of life in adulthood*, in Child Abuse & Neglect, Volume 76, February 2018, Pages 459-468, Donnelly, P. Kerr, G. Di Carlo A. H. and D. (2016), *Protecting youth in sport: an examination of harassment policies*, International Journal of Sport Policy and Politics, 8:1, 33-50

<sup>12</sup> Wurtele, S.K. 2012, *Preventing the sexual exploitation of minors in youth-serving organizations*, in Children and Youth Services Review, Volume 34, Issue 12, pp 2442-2453

<sup>13</sup> Sport England 2000, *Child Protection in Sport Action Plan*. London, Sport England

sport by the Member States and the European Commission. This priority is supported by numerous sources both at European level<sup>14</sup> than international level<sup>15</sup>.

### **In particular, some examples:**

- the UN Convention on the Rights of the Child, approved in 1989, recognizes that children also enjoy civil, social, political, cultural and economic rights; therefore, thanks to the adoption of this Convention, children were no longer seen as passive objects to be cared for, but rather as people who actively participated in the decisions to be taken and as holders of inalienable rights. Since 1989, the Convention has become the human rights treaty with the highest number of ratifications: today 196 States have committed themselves to respect the rights recognised in it. The four fundamental principles of the Convention on the Rights of the Child are: a) Non-discrimination (Article 2): the rights enshrined in the Convention must be guaranteed to all children, without distinction of race, sex, language, religion, opinion of the child/adolescent or parents; b) superior interest (art. 3): in every law, measure, public or private initiative and in every problematic situation, the interest of the child/adolescent must have priority; c) the right to life, survival and development of children and adolescents (Article 6): States shall use all available resources to protect life and healthy development of children, including through cooperation among States; d) listening to the child's opinions (art. 12): provides for the right of children to be heard in all decision-making processes concerning them, and the corresponding duty for adults to take their opinions into proper consideration;
- The European Convention on the exercise of the rights of the child, which was adopted in Strasbourg by the Europe Council on 25 January 1996 and entered into force on 1 July 2000. It contains a number of procedural measures enabling children to assert their rights and provides for the establishment of a Standing Committee to deal with the issues raised by the Convention. The text provides for measures to promote the rights of minors, particularly in family proceedings before the courts. The Strasbourg Convention is complementary to the New York Convention, because it facilitates the exercise of the material rights contained in the UN Convention, either by strengthening the procedural rights that children can exercise independently or through their representatives, or by creating new ones;
- The European Parliament resolution on women and sport, adopted in Strasbourg in 2003, urges *"the Member States and sports federations to take measures to prevent and eliminate harassment and sexual abuse in sport by applying legislation on sexual harassment at work, to inform athletes and their parents about the risks of abuse and the legal means of action"*

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<sup>14</sup> Treaty on European Union, art. 3: "The Union [...] shall promote protection of the rights of the child".

Communication from the Commission to the European Parliament, the Council, The European Economic and Social Committee and the Committee of Regions, *"An EU Agenda for the rights of the Child"*, which reaffirms *"the strong commitment of all EU institutions and of all Member States to promoting, protecting and fulfilling the rights of the child in all relevant EU policies and to turn it into concrete results"*.

Council of Europe, *"Resolution on the prevention of sexual harassment and abuse of women, young people and children in sport"* (3/2000); Committee of Ministers, *"Code of Sports Ethics"*, which defines fair play as "much more than playing within the rules. It incorporates issues concerned with [...] violence (both physical and verbal), sexual harassment and abuse of children".

<sup>15</sup> As the UN Convention on the Children Rights (UNCRC): none of its provisions explicitly refers to sport, but many substantive provisions are directly applicable to sport. as art. 3 (the principle of best interests of the child); art. 19 (everyone has the responsibility to protect all children from all forms of harm, abuse, neglect and exploitation"; art. 31 (every child's right to participate in play and recreational activities).

*available to them, to provide sports organisation staff with specific training and to ensure that disciplinary provisions will be applied to criminals";*

- The Treaty on the Functioning of the European Union (TFEU), most recently amended by Article 2 of the Treaty of Lisbon in 2007, states in Article 165 that in the sport sector *"Union action shall be aimed at [...] protecting the physical and moral integrity of sportsmen and sportswomen, in particular the youngest among them;"*
- The Charter of Fundamental Rights of the European Union (CFREU), which became legally binding on the EU institutions and national governments with the entry into force of the Lisbon Treaty in December 2009, which provides in Article 24 that *"Children have the right to the protection and care necessary for their well-being. They can freely express their opinion that is taken into consideration about what concerns them according to their age and maturity. In all actions relating to children, performed by public Authorities or private Institutions, the children's best interests must be a primary consideration..."* while Article 26 recognises the right of people with disabilities to benefit from measures designed to ensure their integration and participation in life of Community;
- The European Commission's White Paper on Sport, presented by the European Commission to the Council, the European Parliament, the Committee of the Regions and the European Economic and Social Committee on 11 July 2007, recognises the need for *"Member States and sport organisations to cooperate in protecting the moral and physical integrity of young people by disseminating information on existing legislation, setting minimum standards and exchanging best practice"*;
- The Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, signed in Lanzarote on 25 October 2007<sup>16</sup>, states, as a preventive measure, that *"each Party shall take the necessary legislative or other measures to encourage awareness of the protection and rights of children among people who have regular contact with children in [...] sports-related areas"*. The stated aim of the Convention was to preserve the health and psycho-social development of children seriously threatened by sexual exploitation in the form of pornography and child prostitution. The Convention preamble states that the sexual exploitation and abuses of children have assumed enormous proportions *"particularly with regard to the increasing use of information and communication technologies by children and offenders"*<sup>17</sup>;
- At national level, the Italian Constitution favours the practice of sport according to the Article 32, relating to the right to health, coordinated with Article 3, paragraph 2, in order to allow the full development of the individual's personality. Unlike other more recent European Constitutions, the Italian Constitution does not contain an express recognition of the right to practice sport, but it can certainly be considered that it has assumed, at least implicitly, an interest worthy of protection. It is clear, in fact, how sport has a significant influence on what the Constitution indicates as fundamental rights of citizens, *primarily the right to health*, personal and social training, cultural and educational activities.

The Council of Europe also identifies many tools that help to stop child abuse in sport, such as better legislation and policies, in particular:

- establishing child protection strategies for sports facilities, activities and events;

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<sup>16</sup> Also known as "Lanzarote Convention".

<sup>17</sup> Live law "Criminal Law - What is the Lanzarote Convention" at the following link <http://www.modernlaw.it/content/articoli/diritto-in-diretta/penale-cos-e-la-convenzione-di-lanzarote>

- developing codes of conduct;
- training sports professionals (coaches, sports managers and policy makers) and empowering parents and children.

These tools are better identified by *the E.C. Expert Group on Good Governance*<sup>18</sup>, which formulated recommendations to Public Authorities and Sports Organizations/Associations in order to provide a high level of protection of children's rights "to protect them from physical and mental harm in the context of sporting activities".

Specifically, the recommendations of the SAFE project are as follows:

- for Public Authorities: (a) support sports organisations in the development of child protection measures, including guidelines, codes of conduct and awareness campaigns;(b) Promote special training for physical education teachers to ensure that their work is suitable for children; (c) Encourage national sports management bodies to develop and promote child protection strategies as one of their priorities;
- for sports organizations/associations: (a) adopt child protection policies when staff members and volunteers come into direct contact with minors;(b) Promote ethical guidelines and codes of conduct as part of the prevention system;(c) Organize training for sports coaches and managers who come into direct contact with minors;(d) Organize awareness campaigns;(e) Raising awareness and informing children about their rights to be protected from violence in all its aspects and how to effectively communicate any incidents in which they may be victims or of which they may be aware; (f) Provide the development of a risk analysis for minors within the framework of sports associations.

## **Scientific background**

This manual is the result of an important study of the most accredited scientific bibliography as concern child abuse in sport. Here are some examples that the scientific direction of this project wants to inspire:

### **Keeping Children SAFE**

Keeping Children SAFE, KCS, is an independent organization that established recognized standards at international level for the protection of children. These standards represent a commitment to those who work with children and thus ensure that their organizations respect the responsibilities set out in the United Nations Convention on the Rights of the Child to protect children from all forms of abuse, neglect, exploitation and violence.

The standards are based on the following set of principles:

- all children have equal rights to be protected from abuse;
- everyone has a responsibility to support the protection of children;
- organizations have the duty to take care of the children they work with;
- if organizations work with partners, it is their responsibility to help them meet minimum child protection requirements;

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<sup>18</sup> European Commission – Expert Group on Good Governance, *Recommendations on the protection of young athletes and safeguarding children's rights in sport*, July 2016.

- all actions on child protection are undertaken in the best interests of the child.<sup>19</sup>

## FA Football Association (UK)

In England in the year 2000, the English National Football Association has adopted a document with principles and objectives in relation to cases of abuse in football in order to prevent and combat a phenomenon that had never before been regulated, despite the fact that numerous cases of abuse had been reported in previous years.

The following are the fundamental principles chosen:

- the well-being of the child is fundamental;
- all children have the right to be protected from abuse regardless of age, gender, disability, culture, language, racial origin, religious belief or sexual identity;
- all suspicions and allegations of abuse will be taken seriously and will be answered promptly and appropriately;

And the objectives set:

- to develop a positive and proactive policy to protect all children and young people who play or participate in football, allowing them to live in a pleasant and safe environment;
- provide a quality training for the protection of children and build a network of accredited tutor for child protection to achieve this goal, with the support (where appropriate) of the National Coaching Foundation (NCF);
- implement best practice in child protection;
- promote high standards of ethics in football<sup>20</sup>.

## NASPE Sport Coach Association(USA)

In United States of America, in 2001, the National Association of Sports Coaches (NASPE), adopted a code of conduct for coaches with the following aims:

- to have the knowledge and preparation to lead their teams within the references of the National Standards for Sports Coaches;<sup>21</sup>
- to assume responsibility for the well-being and development of the athletes;
- to accept the reality that they serve as models and as such, their actions must live up to their position;
- provide athletes with a physically and emotionally secure environment during training and competition;
- convey ethical behavior, including honesty, integrity, *fair play and sportsmanship*;
- maintain professional behavior in relations with athletes, officials, colleagues, administrators and the community.

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<sup>19</sup> Keeping Children Safe, 2014, *Understanding child safeguarding*, CAN Mezzanine, London.

<sup>20</sup> The Football Association, 2000, *Child Protection Strategy*, London, The Football Association, National Standards for Sport Coaches

<sup>21</sup> Ibidem

These are life-long lessons that take precedence over any emphasis on winning.

Coaches recognize the power and influence of their position towards athletes.

Therefore, coaches are careful to avoid and refrain from exhibiting behavior that could develop interpersonal relationships, or even create the perception or desire for intimacy - with athletes and, therefore, coaches are committed to:

- refrain from direct contact physical contact with players (e.g. pats on the buttocks) that could be interpreted as sexual in nature;
- working in the best interests of their athletes, understanding confidentiality issues and avoiding situations that could create conflicts of interest or exploitation of athletes;
- are committed to the academic achievements of their athletes;
- discourage the use of chemicals and encourage athletes, in collaboration with their families, to seek advice from a qualified professional doctor regarding food supplements;
- prohibit the use of alcohol, tobacco and any illegal or recreational drugs;
- are aware of nutrition, hydration, healthy weight loss or gain and healthy eating behaviors. When a situation goes beyond the coach's knowledge, he or she should refer the athlete to a competent medical professional for obtaining more and accurate information;
- practice safe and up-to-date training and conditioning techniques;
- adopt risk and injury management practices;
- practice safe and up to date training and conditioning techniques;
- demonstrate an understanding of the growth and development of their athletes;
- encourage their athletes to adopt a physically active lifestyle;
- put the needs and interests of athletes before their own, as the competition must be healthy and enjoyable<sup>22</sup>.

## **Health & Injury Prevention for Young Athletes (HIP Ya!)**

This is a project that aims to prevent injuries and protect the health of young athletes at grassroots level through the involvement of coaches with extensive experience in youth training. Among its main aspects there is the exchange of good practices to improve the training methodology to prevent injuries and protect the health of young athletes through collaboration with medical professionals. It also provides for the production of training tools aimed at exchanging good practices collected in a manual.

## **Pro Safe Sport**

Pro Safe Sport, acronym, (PSS), is a project that aims to promote a safe and healthy environment for young athletes, through the following ways:

- raise awareness of the athletes' entourage on the importance of protecting and promoting the physical and mental well-being of young athletes;
- establish relevant mechanisms to introduce and maintain the highest levels of safety and health.

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<sup>22</sup> American Sport Education Program, 1994, Sport parent Campaign, Illinois., Human Kinetics

## **Pro Safe Sport +**

This implementation of the PRO Safe Sport project was born to improve the commitment of governmental organizations to sexual violence against children in sport through:

- awareness-raising tools;
- capacity building resources;
- creation of materials to provide support to public authorities and relevant organisations (such as national sports federations) in developing measures to address the problem.

## **I SPORT (Inclusive Sport Project Opposed to Radicalization Tenets)**

This project aims to combat the phenomenon of radicalization starting from the most difficult contexts of the city of Palermo (Italy), promoting the inclusion and enhancement of cultural differences through the practice of sport (Futsal, Athletics and Volleyball) among young people (16-25). Inclusion through sport is a tool that allows young people to feel integrated in society even where there are complex backgrounds of marginalization and youth difficulties.

## **“SAFE-Policy” Model structure**

SAFE Policy Model consists of five sections:

- \_ Policy,
- \_ People,
- \_ Procedures,
- \_ Accountability

and the section dedicated to children with intellectual disabilities.

**The Policy** guideline aims to develop to five-a-side Football teams a policy describing how they are committed to adequately prevent or otherwise minimise potential risks to children, with the aim of protecting children's rights and preventing abuse and exploitation in line with the UN Convention on the Rights of the Child.

The second section **People** aims to identify the key personnel of the Sports Association to whom the code of conduct is addressed. Key personnel can be identified in staff members, parents, as well as minors who are members of the Association. The code of conduct is therefore placed within this section. In this regard, both people to whom the code is addressed and the code itself have been included in the same section so that the protection of minors can be effective, since people involved are aware of the problems that may arise and have the necessary skills to keep children safe, preventing risks.

The third section **Procedures** aims to structure legal protection for abused or suspected abused children depending on the context in which they find themselves. In particular, the purpose of the procedures contained in this Model is to ensure that the reporting and management of any suspicion or certainty of non-compliance with the Code of Conduct takes place as soon as possible, in accordance with best and effective practices and in compliance with all the principles contained in the Policy. This section also includes a section dedicated to safety regulations applicable in the Italian context and regulations concerning health protection in the sports sector.

The fourth section **Accountability** aims to provide for appropriate measures to monitor compliance and implementation of the policy and procedures provided in the present Model for the protection of minors, also to assess and understand whether the protection measures are effective.

The specific section dedicated **to the protection of children with intellectual disabilities** aims to safeguard the welfare of children with disabilities also through adequate procedures of social inclusion, given their peculiar vulnerability.

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## **Nomenclature**

**Minor:** this term refers to both the child and the adolescent, so the code covers the protection of all minors, up to the age of 18.

**Child abuse:** any act, which physically or psychologically harms a child, which directly or indirectly causes harm or precludes the prospects of healthy and safe development into adulthood. The main categories of abuse are defined by the World Health Organization as physical violence, emotional violence, neglect and negligent treatment, sexual abuse and sexual exploitation.

**Sexual exploitation of a child:** any act that takes advantage of a condition of vulnerability, a power differential or trust in a child for sexual purposes, including - though not exclusively - the making of economic, social or political gains.

**Abuse:** use or treatment of something (person, animal, thing) that causes some kind of damage or is illegal. Its synonym is mistreatment.

**Sexual abuse:** involvement in sexual acts, physical or psychological, of a person unable to choose.

**Physical abuse:** actual or potential physical harm perpetrated by another person, adult or child that may result in bumps, shocks, poisoning, drowning and burns. Physical harm can also be caused when a parent or caregiver generates symptoms or deliberately induces the disease in a child.

**Emotional abuse:** persistent emotional abuse that has an impact on a child's emotional development. Acts of emotional abuse include restriction of movement, degradation, humiliation, bullying (including cyberbullying), and threatening, scaring, discriminating, ridiculing, or other non-physical forms of hostile treatment or rejection.

**Active listening:** the psychological ability to understand the indirect meaning of the messages of the one who speaks to us.

**Attitude:** the willingness of each person to produce responses, determined by family or social environment, to situations, groups or objects.

**Bullying:** overbearing and aggressive behavior completely unmotivated, against a weaker peer, often repeatedly attacked and humiliated, verbally and physically. Bullying is characterized by violent and intimidating actions carried out by a bully, or a group of bullies, on a victim.

**Cyber-bullying:** the manifestation on the Net of a wider phenomenon better known as bullying.

**Behaviour:** the way an organism acts and reacts in relation to other objects, organisms or simply the environment. Any given behaviour can be voluntary or involuntary, conscious or unconscious.

**Culture:** all the knowledge learned through the experience of each individual during his or her life, shared by the group to which he or she belongs and transmitted from generation to generation through language.

**Consent:** in this area must be informed, voluntary and active, clearly demonstrated with words and actions, current and not related to past events, and not obtained by force by taking advantage of situations of inferiority, either of the ability to understand and want, or of role (*power imbalance*).

**Negligence:** neglect and negligence in treatment refers to a persistent inability to meet a child's basic physical and/or psychological needs, which can lead to a serious deterioration in his or her healthy physical, spiritual, moral and mental development. It includes the inability to adequately supervise and protect children from harm and to provide them with safe food, housing and living and working conditions. It may also involve maternal neglect during pregnancy due to drug or alcohol abuse and the neglect and maltreatment of a disabled child.

**Discrimination:** treatment, unequal distinction of an individual on the basis of a particular social group/class or category in which the person is perceived as belonging, rather than on the basis of his or her individual attributes different from that applied to other individuals or groups of individuals.

**Disability:** The ICDH (International Classification of Impairments, Disabilities and Handicaps) and the World Health Organization (O.M.S), define "disability" as any limitation or loss of ability to perform an activity in the manner considered "normal" for a human being. Disability can be the consequence of physical, sensory, intellectual or other impairments and is often associated with psychological complications.

**Physical disability:** disability (or handicap) is the condition of those who, as a result of one or more impairments, has a reduced ability to interact with the social environment compared to what is considered the norm, and are therefore less autonomous in carrying out daily activities and often at a disadvantage in participating in social life.

**Intellectual Disability:** intellectual disability (DI), is an evolutionary disorder characterized by deficits in cognitive and scholastic skills (*reasoning, problem solving, planning, abstract thinking, judgment and difficulty in learning from experience*), which compromises adaptive functioning, quality of life and the area of autonomy. Intellectual disability is considered as a neurological developmental disorder. Neurological developmental disorders are conditions that neurologically appear in early childhood, usually before entering school and impair the development of personal, social, school and/or work functioning. They generally include difficulties with the acquisition, retention, or application of specific skills or sets of information. Neurodevelopmental disorders may involve alterations in attention, memory, perception, language or social relationships. Other frequent neurological developmental disorders include attention deficit hyperactivity disorder, autism spectrum disorders, and learning disorders (e.g., dyslex).

*Empathy*: the ability to identify with the suffering person in order to transmit trust and hope; it is typical of a group that acts with common intent and shared strategies. It is a therapeutic technique used by humanistic models to identify with the role of others.

*Empowerment*: spiritual, political, social or economic growth of an individual or community. Often the concept refers to the development of confidence in one's own abilities.

*Gender mainstreaming*: it consists in the adequate consideration of the differences between the life situations, needs and interests of men and women respectively. In all areas, economic, social, and in the specific case of football, differences between boys and girls can never be exploited as grounds for discrimination.

*Educational intentionality*: motivation to participate in the educational process; it is essential that participation is active on the part of both the student and the teacher in order to learn.

*Power imbalance*: is determined each time one person exercises a power of supervision, evaluation or otherwise authority over the other. In the relationship between athlete and coach, this imbalance is always presumed, regardless of age and, in the case of minors, it remains until the athlete reaches the age of majority, although it can find a balance - to be carefully assessed on a case-by-case basis - if there have been personal emotional relationships prior to and unrelated to the sporting relationship.

*Educational relationship*: relationship that is established between those who educate (parent, teacher, etc.) and those who are educated (child, pupil, etc.), on the cognitive and affective level.

## **CHAPTER 1 - POLICY**

### **Introduction**

The aim of this chapter is to develop a policy for the Sports Association to describe how it is committed to preventing or otherwise minimising potential risks to children, with a view to safeguarding children's rights to protection from abuse and exploitation, as outlined in the United Nations Convention on the Rights of the Child (UNCRC).

Child protection policies are concerned to reduce the risk of all types of abuse (sexual, physical, emotional), bullying and neglect <sup>23</sup>.

### **1.1 Policy Statement: commitments and values of the Five -a-side football**

After being drafted, the Policy must be approved by the Board of Directors of the Sports Association and applies to all staff and collaborators of the organization; it must be properly publicized, promoted and widely disseminated.

The Association must expressly identify the Executives who have the specific responsibility of:

- supervising the implementation of the Policy;
- understand the level of contact or impact on children that the organisation has with its activities and the associated risks;
- identify which policies and procedures are already in place to support child protection, such as good recruitment practices, and define any gaps;
- determine what the policy should include so as to reduce risks to children and strengthen organisational policies and procedures;
- identify key stakeholders and who should be involved in the development, implementing the effectiveness of the policy.

Policy must contain four dimensions of protection and the following Procedures:

- 1) protection through the recognition of an athlete who has been subjected to misconduct, both inside and outside the sports environment;
- 2) protection through leadership, which means observing and encouraging good practice when training or working with athletes to avoid abuse;
- 3) protection against false accusations, i.e. taking precautions to avoid false accusations by athletes, their fellows or their families;
- 4) the protection of sport in the sense of safeguarding the good name and integrity of sport.

The development of such policies for the protection of children in sport has only begun in the last twenty years following the emergence of cases of complaints, disputes, usually against sports coaches accused of abuse.<sup>24</sup>

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<sup>23</sup> Brackenridge, C. H., 2001, *Spoilsports: Understanding and preventing sexual exploitation in sport*, London: Routledge.

<sup>24</sup> Kirby, S. L., Greaves, L. and Hankivsky, O., 2000, *The Dome of Silence: Sexual harassment and abuse in sport*, London, Zed Books.

Through the comparison and study of different models of policies, codes of ethics and conduct adopted in different sports contexts, we report some examples of identification of behaviors that are considered abuses that the scientific direction of this project intends to consider in the drafting of this manual.

## 1.2 What is the problem you are trying to address?

The scientific literature on child violence<sup>25</sup> analyzed, shows that there are four main categories in which the most part of abuses have been perpetrated: sexual abuse (e.g. forcing or encouraging a child or a young person to participate in sexual activities); physical abuse (e.g. when a child is forced to train and compete excessively, is affected or encouraged to participate if harmed); emotional abuse (e.g. communication to children that is unnecessary or unloved, inadequate or valued only if they satisfy the needs of another person) negligence (e.g. persistent inability to meet a child's basic physical and/or psychological needs, which can cause serious damage to the child's health or development).

**Physical abuse:** physical abuse means actual or potential physical harm perpetrated by another person, adult or child. It may involve blows, shocks, poisoning, drowning and burns. Physical harm can also be caused when a parent or a caregiver causes the symptoms or deliberately induces the disease in a child<sup>26</sup>.

**Emotional abuse:** means persistent emotional abuse that has an impact on a child's emotional development. Emotional abuse include acts of restriction of movement, degradation, humiliation, bullying (including cyber-bullying), and threatening, scaring, discriminating, ridiculing, or other non-physical forms of hostile treatment or rejection<sup>27</sup>. Emotional abuse, defined as a relationship between a child and the caregiver, is characterized by patterns of harmful non-physical interactions<sup>28</sup> and has been an emerging focus of sports research in recent years and is the most commonly experienced form of relational abuse in the coach-athlete relationship<sup>29</sup>.

**Sexual abuse:** The term sexual abuse is intended to force or entice a child to participate in sexual activities that he or she does not fully understand and has little choice of consent. This may include, but is not limited to: raping, oral sex, penetration or non-penetrative acts such as masturbation, kissing, rubbing and contact. It may also include involving children in watching or producing sexual images, watching sexual activities, and encouraging children to behave in sexually inappropriate ways.<sup>30</sup> Over the last twenty years there has been extensive research into this form of abuse and many studies have focused on this issue. The results show that up to 48% of female athletes have experienced harassment and/or sexual abuse.<sup>31</sup> For male athletes, estimates are around 6%<sup>32</sup>. The psychological and physical consequences of

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<sup>25</sup> Rhind, 2015, A Review of Safeguarding Cases in Sport. *Child Abuse Rev.* Vol. 24: 418–426

<sup>26</sup> Keeping Children Safe Standard, 2014, *Child Safeguarding Standard and how to implement them*, pp 40-44.

<sup>27</sup> Keeping Children Safe, 2014, *Child Safeguarding Standard and how to implement them*, pp 38-44.

<sup>28</sup> Glaser 2002, Glaser, D., 2002. *Emotional abuse and neglect (psychological maltreatment): a conceptual framework.* *Child abuse neglect*, 26, 697–714.

<sup>29</sup> Gervis, M. and Dunn, N., 2004, *The emotional abuse of elite child athletes by their coaches.* *Child abuse review*, 13, 215–223. Stirling, A.E. and Kerr, G.A., 2008, *Defining and categorizing emotional abuse in sport.* *European journal of sport science*, 8, 173–181.

<sup>30</sup> Keeping Children Safe Standard 2014, *Child Safeguarding Standard and how to implement them*, pp 38-48.

<sup>31</sup> Brackenridge, C. H., Bisshop, D. Moussalli, S & Tapp, J. 2008, Marks, Mountjoy & Marcus, 2012; Stirling, Bridges, Cruz & Mountjoy, 2011.

<sup>32</sup> Brackenridge, C.H., Bisshop, D., Moussalli, S., Tapp, J. 2008, *The characteristics of sexual abuse in sport: A multidimensional scaling analysis of events described in media reports.* *International Journal of Sport and Exercise*

harassment in sport are similar to those reported outside of sport. However, the specific nature of the context causes different dynamics, characteristics and manifestations of abuse than non-sporting contexts.<sup>33</sup>

**Negligence:** negligence refers to the consideration of context, resources and circumstances, neglect and negligence in treatment refers to a persistent inability to meet a child's basic physical and/or psychological needs, that can lead to a serious deterioration of his/her healthy physical, spiritual, moral and mental development. It includes the inability to adequately supervise and protect children from harm and to provide them with food, housing and safe living and working conditions. It may also involve maternal neglect during pregnancy due to drug or alcohol abuse and the neglect and maltreatment of a disabled child.<sup>34</sup>

Furthermore, it is considered fundamental to maintain the focus on bullying and cyber-bullying: although it is not one of the main areas of abuse, as these are phenomena studied in recent times and of which there is no extensive bibliography.

### 1.3 Risks and psychological consequences in victims of abuse and harassment

The clinical and psychosocial interpretative model of the conditions of abuse and serious neglect that currently offers the most scientific evidence is represented by Developmental Psychopathology<sup>35</sup>. Developmental Psychopathology consists in the study of the origins and the course of the individual variables (patterns) of behavioural maladaptation, whatever the age of initiation, whatever the causes, whatever the transformations in behavioural manifestations, and how complex is the course of developmental pathways. This multidisciplinary and multi-contextual approach allows to take into account the emerging behavioral repertoire in children, cognitive and linguistic functions, social and emotional processes, and changes in anatomical structures and physiological processes of the brain, through the course of existence.<sup>36</sup>

The consequences concern psychological and adaptive functions such as the organization of themselves, the regulation of affections, the development of attachment patterns, the development of self-esteem, relationships with peers and social adaptation<sup>37</sup>.

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Psychology, 6(4), 385-406. Marks, S., Mountjoy, M., Marcus, M. 2012, *Sexual harassment and abuse in sport: the role of the team doctor*. British Journal of Sports Medicine, 46, 905-908.

Stirling, A.E., Bridges, E.J., Cruz, E.L., Mountjoy, M.L. 2011, Canadian Academy of Sport and Exercise Medicine Position Paper: Abuse, Harassment, and Bullying in Sport. Clinical Journal of Sport Medicine, 21 (5), 385-391.

Parent, S., Bannon, J., 2012, Sexual abuse in sport: what about boys? Children and Youth Services Review, 34, 354-359.

<sup>33</sup> Brackenridge, C.H., 2008, *The characteristics of sexual abuse in sport: A multidimensional scaling analysis of events described in media reports*. International Journal of Sport and Exercise Psychology, pp. 64-65.

<sup>34</sup> Keeping Children Safe Standard 2014, *Child Safeguarding Standard and how to implement them*, pp 30-40.

<sup>35</sup> Cicchetti and Rizley, 1981; Cicchetti and Toth, 1995; Cohen and Caffo, 1998; Rutter, 2002/2005, "Development perspectives on the etiology, intergenerational transmission, and sequelae of child maltreatment" pp. 31-55,

<sup>36</sup> Cicchetti, D. and Rizley, R., "Developmental perspectives on the etiology, intergenerational transmission, and sequelae of child maltreatment." New Directions for Child and Adolescent Development, 1981: 31-55. Cicchetti, Dante, Sheree, L. T. and Lynch, M., "Bowlby's dream comes full circle." Advances in clinical child psychology. Springer, Boston, MA, 1995. 1-75. Cohen, J. D., and Ernesto Caffo, "Developmental psychopathology and Child mental health services. Risk and protective factors in Children, families and Society", 1998: 3-14. Rutter, Michael, and Barbara Maughan. "School effectiveness findings 1979-2002." Journal of school psychology 40.6 (2002): 451-475. Drawn from "Linee guida in tema di abuso sui minori" - Revision approved by CD SINPIA on 15 February, 2007.

<sup>37</sup> Cicchetti and Rizley, 1981 - Drawn from "Linee guida in tema di abuso sui minori" - Revision approved by CD SINPIA on 15 February, 2007.

Cause of the psychological consequences of harassment and abuse are difficult to observe, identifying the possibility of abuse requires awareness that such problems occur in the world of sport and are in line with the possible consequences of abuse as in other contexts.

Some of the more observable symptoms may include weight loss/weight gain,<sup>38</sup> increased fatigue/diminution of energy,<sup>39</sup> acting with behaviour that causes physical harm and bring to sexually transmitted infections.<sup>40</sup> In addition, external symptoms of abuse may include risky or self-inflicted activities, which can also be observed by the doctor (e.g. too strict and poor diet or excessive doses of food, limited use of condoms).<sup>41</sup> There may also be various other social or behavioural problems,<sup>42</sup> including violence against others (e.g. pets, bullying of peers, schoolmates or neighbours, and violence against family members).<sup>43</sup> People who have been abused in sport can also have poor interpersonal relationships and have difficulty trusting.

#### **1.4 What are you intending to do about it? Elaboration and development of the SAFE Policy Model Code based on the Community guidelines Keeping Children Safe**

In the process of developing the model, a code of conduct was drawn up, developed and structured on the basis of the guidelines of the community document Keeping Children Safe adapted to the reality of five-a-side football, also in compliance with current Italian regulations.

Moreover, the development of the code has been based on numerous studies and experiments starting from the concept of ethics, applying it first to sport in general and then to five-a-side football in particular.

Ethics is the branch of philosophy that deals with how we should live, with the idea of 'good' and concepts like 'right' and 'wrong'<sup>44</sup>. Ethics also deals with standards of morality, questions of value and the concepts of rectitude and wrong that should guide the lives of individuals<sup>45</sup>.

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<sup>38</sup> Kearney-Cooke A. Ackard DM., 2000, *The effects of sexual abuse on body image, self-image, and sexual activity of women*. J Gend Specif Med 2000;3:54–60. Bagnare il letto, Davila GW. Bernier F. Franco J. et al. Bladder. Dysfunction in sexual abuse survivors, J. Urol, 2003;170:476–9.

<sup>39</sup> Browne, A. Finkelhor, D. *Impact of child sexual abuse: a review of the research*. Psychol Bull 1986;99:66–77. Tyler KA., 2002, Social and emotional outcomes of childhood sexual abuse: a review of recent research. Aggress Violent Behav, 2002;7:567–89.

<sup>40</sup> Zierler, S. Feingold, L. Laufer, D. et al. *Adult survivors of childhood sexual abuse and subsequent risk of HIV infection*. Am J Public Health 1991;81:572–5.

<sup>41</sup> Beer, M.D., Muthukumaraswamy, A. Khan, A.A., et al. *Clinical characteristics of patients with self harming behaviour in a low secure mental health unit*. Journal of Psychiatric Intensive Care 2010;6:15–21. 42

<sup>42</sup> Dube, S.R., Anda R.F., Whitfield C.L., et al. Long-term consequences of childhood sexual abuse by gender of victim. Am J Prev Med 2005;28:430–8. Kearney-Cooke A. Ackard D.M., *The effects of sexual abuse on body image, self-image, and sexual activity of women*. J. Gend Specif Med 2000;3:54–60

<sup>43</sup> Swanston H.Y. Parkinson P.N. O'Toole BI. et al. *Juvenile crime, aggression and delinquency after sexual abuse: a longitudinal study*. Br. J. Criminol, 2003;43:729–49.

<sup>44</sup> Loland, 2002, *Fair Play in sport. A moral norm system*. Routledge, New York.

<sup>45</sup> Loland, S. 2002, *Fair Play in Sport: a moral norm system*, Psychology Press, p. 175

Babiak, K., & Wolfe, R. 2009, *Determinants of Corporate Social Responsibility in Professional Sport: Internal and External Factors*, Journal of Sport Management, 23, pp.717-742.

Chadwick, S., 2009, *From outside lane to inside track: sport management research in the twenty-first century*. Management Decision, 47(1), 191-203.

Regarding the ethical discourse, it should first be noted that sports organisations have special characteristics that make them different from other organisations. For this reason, ethical issues play a central role in this area: sports organisations can deal with feelings, such as passion and interest, transport and participation for the product (the team, the game) generated among fans/consumers <sup>46</sup>.

Sport has a deep moral essence due to intrinsic values such as "Fair Play" and "sportiness" and is often seen as a tool for moral development and ethical education.<sup>47</sup>

There are numerous definitions of codes of ethics and conduct based on the inspiring principles of experts in the field on which they are developed and elaborated.

The more elaborate and detailed definition is offered by Kaptein and Schwarz <sup>48</sup> who argue that a code of ethics is a distinctive and formal document containing a set of regulations developed by and for a company to guide present and future behavior on multiple issues for its managers and employees towards each other, the company, external stakeholders and/or society in general. This definition differentiates ethical codes from external guidelines (e.g. laws) and other internal documents (e.g. declarations of intent).

And it is precisely the abovementioned definition of Kaptein and Schwarz<sup>49</sup> that inspires our policy model built and developed through a path supported by the various sports clubs and all individuals (managers, coaches, parents, athletes) in various capacities involved in the project. The scientific literature has provided us some factors that could be of great relevance in structuring an effective code in a sports organisation, such as the importance of the participation of members of the organisation in the development of ethical standards.<sup>50</sup>

This involvement makes the relevance of the code clearer to them, in particular it is considered essential to include coaches in this process to improve collective moral judgement in the organisation.

The reason why the codes are more effective when coaches are involved is perhaps because they are in a good position to sensitize the groups that need to carry out the desired actions.

Coaches are perhaps the most suitable people to know what are the risks and ethical challenges to consider in the code of ethics of the sports club, as they personally experience the daily problems, and therefore could act as an antidote to the risk that the code becomes too abstract. This continuous challenge to continuously improve safety standards is addressed by the Medical Commission of the International Olympic Committee, which affirms the "right

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<sup>46</sup> Babiak, K., & Wolfe, R. 2009, *Determinants of Corporate Social Responsibility in Professional Sport: Internal and External Factors*, Journal of Sport Management, 23, pp.717-742.

Chadwick, S., 2009, *From outside lane to inside track: sport management research in the twenty-first century*. Management Decision, 47(1), 191-203. Babiak, K., & Wolfe, R. 2009, *Determinants of Corporate Social Responsibility in Professional Sport: Internal and External Factors*, Journal of Sport Management, 23, pp.717-742. Chadwick, S., 2009, *From outside lane to inside track: sport management research in the twenty-first century*. Management Decision, 47(1), 191-203.

<sup>47</sup> Boxill, J. (Ed.) 2003, *Sport Ethics*. An anthology. Oxford UK: Blackwell Publishing.

<sup>48</sup> Kaptein, M., Schwartz, M.S. 2008. *The effectiveness of business codes: a critical examination of existing studies and the development of an integrated research model*. Journal of Business Ethics, 77, 111-127

<sup>49</sup> Ivi

<sup>50</sup> Frankel, M.S., 1996, *Guidelines/codes of ethics: merging process and content*. *The Science of the Total Environment*, 184, 13-16.

of athletes to enjoy a safe and supportive sporting environment" and that "everyone in sport shares responsibility for identifying and preventing cases of abuse and harassment"<sup>51</sup>. A first step to achieve these goals is to educate everyone involved: athletes, parents, coaches, board members and medical staff.<sup>52</sup>.

In order the Code becomes effective, certain conditions must be present:

Motivation: motivation to really promote ethical behaviour;

Engagement: the involvement of the coaches in designing the code;

Responsibility: clarity of responsibilities for the application of the policy as regards the Code;

Notification: the announcement of the existence of the code and training on it both for new members and for those who are already members.

All these conditions can create an educational purpose that is able to transmit the values of the code and transform them into processes and behaviours that put the protection of minors at the first place.

Very importance is also the dissemination of the code, both for members of companies and stakeholders.

The function of the reporting of the presence of a code of ethics could have an impact on ethical behaviour in sports clubs, as it becomes relevant and central to it. People are explicitly told that this topic is important. Rather than literally telling people how to (not) behave, it appeals to their sense of responsibility and encourages them to behave ethically, avoiding misconduct that could be punishable.

## 1.5 Ethical principles of the SAFE model

In order to facilitate a conduct with a view to preventing and combating child abuse, the ethical principles on which the SAFE Policy model's conduct is based are described below, addressed to three categories: staff, parents and minors (i.e. athletes). These principles are the basis for the conduct that the model aims to promote within five-a-side football clubs where sports activities are practised.

### 1.5.1 Principles to be followed by key personnel

**Staff members**, in the performance of their functions, must observe the following principles:

- Teaching through my example the values of sport.
- Building an adequate educational and relational environment.
- Building an atmosphere of welcome and friendship within the club.
- Avoiding overlapping and interference that confuses the child and puts him in a conflicting position with respect to the understanding of the reference figures.
- Do not express behaviour that can be considered a form of physical or psychological abuse.
- Do not encourage or promote aggressive behaviour or bullying towards or between children and report any accusations of physical or psychological abuse to the child safety officer.

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<sup>51</sup> Mountjoy, M., Brackenridge, C. Arrington, M. Blauwet, C. Carska-Sheppard, A. Fasting, K. & Starr, K. 2016 "International Olympic Committee Consensus Statement: Harassment and abuse (non-accidental violence) in sport" Br J Sports Med, 50(17), 1019-1029.

<sup>52</sup> Stirling, A.E. Bridges, E.J. Cruz, E.L. Mountjoy, M.L. 2011. Canadian Academy of Sport and Exercise Medicine Position Paper: Abuse, Harassment, and Bullying in Sport. Clinical Journal of Sport Medicine, 21 (5), 385-391.



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- Respect the rights and religious confessions of each child entrusted to him/her, participating and respecting differences without discriminating against gender, race, sexual orientation and disability.
- Use positive pedagogical methods to help children developing their skills without ever humiliating them physically and psychologically.
- Put the safety of children during training sessions at the top of the priorities, with particular attention to their equipment, facilities, equipment.
- Interrupt the game in case of accident to allow rescue.
- Encourage the building of positive relationships with the parents of the children in their care.
- Use the internet and social media responsibly.
- Solicit and encourage the greeting ceremony between the participating teams at the beginning and end of each match.
- Report to the appropriate person in accordance with the procedures set out in this Code if a child reveals abuse or brings evidence that he or other children are experiencing abuse or exploitation.
- Report to the appropriate person, in accordance with the procedures set out in this Code, if it is known or suspected that a child has been abused/exploited or is at risk of being abused/exploited.
- Do not prevent the presence of female colleagues, both as trainers and in decision-making.

**Parents** should observe the following behaviours:

- Teach through my example the values of sport.
- Know and promote the club policies and code and the values associated with it and share them with my child.
- Know the training and qualifications of the staff members looking after my child, particularly those of the security manager and ask to be given the opportunity to contact them.
- Encouraging my son to respect the rules.
- Being informed about my son's issues.
- Do not interfere in technical-sporting decisions.
- Be sure that my child complies with the requirements of the sporting and medical regulations and carries out his training with safe equipment.
- Respect the rights and religious confessions of each child attending the sports club, participating and respecting differences without discriminating against gender, race, sexual orientation and disability.
- Use the internet and social media responsibly.
- Be a positive example in the stands during matches by accepting the decisions of the match judges and respecting the players and parents of the opponent's team.
- Encourage the development of a positive relationship with the staff members who care for my son.
- Ensure the safety of children when travelling.
- Report to the appropriate people, in accordance with the procedures set out in this code, if it becomes known that harm has been done to a minor or that there is a risk that this may happen.
- Teaching your children that gender difference is not a barrier but a resource.

**Minors** should observe the following behaviours:

- Listen and follow the safety instructions given to me by my coach.
- Respect the rules on the correct use of sports equipment and the time of training.
- Respect gender, ethnicity, religious and sexual orientation differences within the club and not discriminate against others.
- Report situations of physical or psychological abuse to a staff member, even if you realize that someone close to you is being or has been abused or discriminated.
- Respect the fact that each child has a different skill level.
- Respect your rivals and their staff.
- Respect the referee and his decisions.
- Use the internet and social media responsibly.
- Encourage teammates when they are in trouble and don't shout at them if they make a mistake.

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## **CHAPTER 2- People**

### **Introduction**

This section identifies the key personnel of the Sports Association and contains the code of conduct of the Staff Members, parents, as well as registered minors of the Association, as all those who come into contact with the minors themselves have a pre-established role to play in their protection. This can be safely and effectively done only if stakeholders involved are aware of the problems that may arise and have the necessary knowledge and skills to keep children safe and prevent risks. Association must ensure that all members understand what is meant by harm to minors, which are their obligations to prevent it and what to do in this case. The first five articles deal with the Association Bodies at statutory level and therefore with those who, in this specific case, may decide to adopt this Model. The following articles, on the other hand, identify the staff members who come into or may come into contact with minors and to whom this Model applies if it is adopted.

### **2.1-Identification of key personnel**

#### **2.1.1 Amateur sports association**

The Sports Association of Five-a-side Football is constituted as an amateur sports association (asd), which is defined as an organization of several people who decide to associate permanently and agree to achieve a common interest: the management of one or more sports activities, non-profit and for purposes of an ideal nature, i.e. practiced in an amateur form.

#### **2.1.2 ART. 1-Association Bodies**

Bodies of the Sport Association:

- a) the Assembly of Associates;
- b) the President;
- c) the Board of Directors;
- d) the Board of Auditors (if elected).

#### **2.1.3 ART.2 -The Assemblies of Associates**

Assemblies are ordinary and extraordinary. Their convocation must be made by notice to be posted at the company's registered office and where the activities take place at least twenty days before the meeting, containing the agenda, the place (at the company's registered office or elsewhere), the date and time of the first and second convocation.

The notice of the convocation is also communicated to the individual members by such means as publication in the association newspaper, sending a simple letter, fax, e-mail or telegram, in any case at least eight days before the notice.

#### **2.1.4 ART.3-The President**

The President has the legal representation and signature of the Association.

The President has the power of ordinary administration and, after deliberation of the Board of Directors, the power of extraordinary administration. In case of absence or impediment, his duties are carried out by the Deputy Chairman. In the event of resignation, it is up to the

Deputy Chairman to convene the Shareholders' Meeting within twenty days for the election of the new President.

#### **2.1.5 ART.4 – The Board of Directors**

The Board of Directors routinely deals with the organizational and administrative management of the Association and in particular prepares the annual accounts.

The Board of Directors consists of a minimum of three to a maximum of seven members chosen from the members of age who do not have causes of incompatibility in carrying out these functions, as provided in the sporting regulations.

The Board of Directors is convened by the President whenever there is a matter on which to deliberate, or when at least 1/3 of the members presents a request.

The members of the Council remain in charge for four years and can be re-elected. Their main task is to decide the long-term strategies, the tactics to apply and the immediate operational objectives to pursue.

#### **2.1.6 ART.5 - The Board of Auditors**

The Board of Auditors may be elected by the Shareholders' Meeting. It consists of three full members and two alternates, also chosen from non-members. It remains in charge for four years and elects the Chairman from among its members. The Board of Auditors must check the administration of the Association, the correspondence of the financial statements to the accounting records and ensure compliance with the Statute. It participates in the meetings of the Board of Directors and in the Assemblies, without voting rights, where it presents its annual report on the final balance.

#### **2.1.7 ART. 6 – The Sport Manager**

He is identified as a Sports Manager who, in the performance of his duties, brings together both a specific responsibility within the team and an explicit representation outside the team. It deals with relations with managers (if there are more than one), any dedicated tasks, transfers of members, of projects development or initiatives agreed with the management, relations with external clubs, with existing sports institutions and must always report to the management what has been done and what could not be implemented. He represents, therefore, the reference person of the managers, technicians and members of the Board of Directors of which, it is presumed, he is also a member.

#### **2.1.8 ART. 7 – The Secretary**

The Secretary follows daily the implementation of the decisions taken at the top, transmits the necessary "inputs" to the management, coordinates and unifies their activities. He is responsible for the organizational management of the Association; he organizes its daily activities; he takes care of the organization and training of the managers; he takes care of the relations with the other Associations, with the federations, with various bodies and with the parents of the members.

#### **2.1.9 ART. 8 – The Coach**

The coach carries out an internal activity with the team, but he has not external representativeness, he cannot therefore commit the Association with his declarations and he is responsible only for the technical aspects of his work, according to the directives received from the Association itself, for which he is not responsible.

### **2.1.10 ART. 9 - Responsible for the youth sector**

A Youth Sector Manager is designated within the Sports Association, who has also the role of Head of the Children Safety as in the following article.

His tasks are essentially the following:

- The organizational structure of the Football School;
- to create a Football School Secretariat that manages all non-technical aspects of the activity;
- to find suitable instructors to transmit the work programmes to the children;
- identify and aggregate homogeneous groups of children and only then divide them into age groups;
- promote special "promotional campaigns" to bring children closer to football;
- report periodically to the Board of Directors on the life, sporting and otherwise, of the Football School, as a trait-d'union with the Company so that the Football School does not isolate itself from the rest of the club;
- create and organize the various youth categories that participate in the competitive activity of the Association, as well as prepare individual athletes for the passage "in the first team".

### **2.1.11 ART. 10 - Responsible for the safety of children**

A Child Safety Officer is designated within the Sports Association, who may coincide with the Head of the Youth Sector, provided he or she is reliable.

The Manager is formally appointed by a written act with a majority of the votes of the staff members and must be properly trained on the protection of minors and the prevention of related risks.

In case of absence of the same, the Association guarantees the presence of a substitute with the same training.

The Manager is responsible for supervising and verifying that all the safeguards and all the provisions of the code of conduct described in this section are implemented.

If the structure allows it, he or she may use other resources to support him or her in order to best carry out his or her duties.

### **2.1.12 ART. 11 - Action**

The Sports Association guarantees that the Head referred to in the previous article and in any case all staff members receive a copy of this Code, with particular reference to the Policy for the Protection of Minors.

In case of new employment, this copy will be delivered before or at the time of the issue of the employment contract.

They must read, sign and return a declaration of their willingness to act in accordance with the Code of Conduct.

Signed copies must be included in their personal file.

The Association ensures that all staff have relevant and appropriate training.

## 2.2 – Code of conduct for staff members, parents and children

### 2.2.1 Code of conduct for staff Members

As a member of the staff of this sports club I am committed to:

- **Teaching through my example the sport values.**

The coach or manager of the youth sector has the primary role of educator towards his students, in particular his main effort must be to help them growing following the principles of loyalty and fair play in sport by rejecting all forms of cheating, doping or illegal betting<sup>53</sup>.

***In case of:** a coach proposes doping substances to his players.*

***What to do:** report the incident to the safety officer as soon as possible in order to take action against the author.*

***What not to do:** support this type of fraud, do not report it, act on your own initiative or do not inform the security manager and the company doctor.*

- **Building an appropriate educational and relational environment.** The coach or manager of the youth sector, using active listening and effective communication, promotes respect among people and encourages collaboration, mutual help, team spirit, personal discipline, sharing, respect for rules, tolerance and inclusion among all the people who rotate within the Five-a-side football school.

***In the case of:** one or more minors during sports activities make it clear that they perceive a tense and unpleasant climate in which they have no opportunity to express themselves.*

***What to do:** propose to the person in charge of their activity to attend courses on communication and pedagogy.*

***What not to do:** impose through their role the maintenance of the current state of the situation and without listening to the emotional difficulties of minors*

- **Building an atmosphere of welcome and friendship within the club.** The youth coach or the Manager uses his or her interpersonal and educational skills to convey within the club the values of friendship and welcome to all and to combat any kind of abuse or discrimination.

***In case of:** a new child recently placed on a team feels isolated or mocked.*

***What to do:** point out the wrong behaviour and through active listening try to understand the discomfort of the child in difficulty and help him/her in the complex phase of integration in a group.*

***What not to do:** leave it in the background as a normal child's attitude.*

- **Avoid overlapping and interference that confuses the child and puts him/her in a conflicting position with respect to the understanding of the reference figures.** The coach or youth sector manager plays his or her role clearly by explaining the

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<sup>53</sup> Gambling

responsibilities that characterize his or her position in the Club organigram with each child or parent.

***In case of:*** An administrative manager gives technical instructions to a player during the absence of his coach.

***What to do:*** Propose a comparison in which the role and skills of each player can be explained.

***What not to do:*** Ignore overlapping skills that can put minors in trouble.

- **Do not express behaviour that can be considered a form of physical or psychological abuse.** The coach or youth sector manager undertakes to maintain a balanced behaviour suitable for a context in which there are minors using a language and attitude respectful of others.

***In case of:*** a coach slaps his own player.

***What to do:*** report the incident immediately to the person responsible for safety and have the child's parents contacted for a confrontation.

***What not to do:*** protect this attitude or ignore it.

- **Do not pander to or incite aggressive behaviour or bullying towards or between children and report any allegations of physical or psychological abuse to the child safety officer.** The coach or youth sector manager shall oppose any kind of verbal or physical assault among minors by using his or her authority in case of abuse and reporting the facts of the incident to the appropriate person.

***In case of:*** a child is repeatedly mocked by some of his companions for a physical defect.

***What to do:*** Underline the offensive behaviour by expressing your disappointment. In case of extreme seriousness, contact the person in charge of safety and following the appropriate procedures contact the parents of the bullies and the bullied person to investigate the situation and to remedy the situation also through temporary or definitive removal from the group.

***What not to do:*** minimize what has happened, support this behaviour.

- **Respect the rights and religious confessions of each child entrusted to him/her, participating and respecting differences without discriminating against gender, race, sexual orientation and disability.** The coach or manager of the youth sector adopts the same behaviour towards each person, therefore nationality, age, gender, sexual preferences, social belonging, political and religious orientation must not be prejudicial elements.

***In the case of:*** a staff member expresses racist behaviour and phrases towards a minor belonging to an ethnic minority.

***What to do:*** report the incident as soon as possible to the safety officer.

***What not to do:*** support or reduce the incident.

- **Using positive pedagogical methods to help children develop their skills without ever humiliating them physically and psychologically,** building sports proposals that are really adapted to the physical and motor skills, but also psychological and mental possibilities of the young athletes. The coach or manager of the youth sector creates an environment and an atmosphere suitable to stimulate the learning processes, helping the

students to set themselves short and medium term goals and to correctly evaluate their potential. It integrates as much as possible into the psychological world of its learners, offering them support and a valuable help.

***In case of:** a coach of a very young group proposes exercises that are too complex for the psychophysical development of the players.*

***What to do:** propose a technical meeting in which to highlight what happened and propose to replace the overly complex exercises that can cause frustration and loss of motivation.*

***What not to do:** insist and frustrate the players.*

- **Safety of children during training sessions must be at the first place or when they are entrusted to them first, with particular attention to the equipment and facilities.** The coach or manager of the youth sector promotes the psychophysical well-being guaranteed only by a sporting activity carried out in healthy structures and by submitting or otherwise ensuring that the students have undergone the medical-sporting fitness check; with the use of training methods, suitable for the subject, which should not create imbalances to the growing apparatus, but rather beneficial adaptations.

***In case of:** one of the doors is dangerous, unstable or excessively worn.*

***What to do:** suspend training and prohibit access to the area around the unsafe area.*

***What not to do:** continue to use the field by repairing the door in an inaccurate and unprofessional manner.*

- **Interrupt the game in case of injury to allow rescue.** The coach or youth sector manager has the obligation to protect the health and physical condition of every minor in the event of a clash during training or matches.

***In case of:** A player falls to the ground banging his head during a game.*

***What to do:** Stop the game.*

***What Not to Do:** Wait for someone else to stop the game or wait for the action to end.*

- **Encourage the building of positive relationships with the parents of the children entrusted to them.** The coach or youth sector manager is the person to whom the parents entrust their child and has a friendly relationship with them; in case of need he can share information with them.

***In case of:** a parent requests an interview with their child's coach.*

***What to do:** the security manager or manager requests information about the topic of the interview and contacts the coach to arrange a private meeting.*

***What not to do:** deny the possibility to communicate with the coaches by personally assessing the situation without a confrontation on the specific situations.*

- **Use the internet and social media responsibly.** The coach or manager of the youth sector in the use of the internet and social media avoids any kind of externalization regarding the minors he coaches, the opposing teams, the parents of minors, the competitions in which he participates, except to promote tournaments or events in general, always after obtaining parental consent. In any case, the use of social media or communications via computer/computer systems must be limited to professional factors, must be transparent

and verifiable by other adults, and must take place during daylight hours except in cases of force majeure.

***In case of:*** a coach contacts his players through social media at inappropriate times.

***What to do:*** build together with the staff members a common regulation on communication with members and parents.

***What not to do:*** allow communications or comments that are not respectful of education and cultural and social behaviours accepted in the reference context.

- **Solicit and encourage the greeting ceremony between the participating teams at the beginning and end of each match.** At the end of each match the managers and the technicians will have to solicit the participants to greet each other, shaking hands, both at the beginning and at the end of each match, using the same ceremony. On both occasions the participants must line up in midfield together with the referee or the referee manager, greeting the public and the opposing team<sup>54</sup>.

***In case of:*** a player refuses to greet his opponents and the referee at the end of an official match.

***What to do:*** point out what happened and in case of serious opposition punish severely.

***What not to do:*** justify what happened because the player was wronged during a game action.

- **Report to the appropriate person in accordance with the procedures set out in this Code if a child reveals abuse or brings evidence that he or she or other children are experiencing abuse or exploitation.** Staff members must report any form of abuse and/or harassment and/or bullying of which they become aware in some way as these episodes can seriously compromise the serenity of athletes and have serious consequences both on the person and on sports performance, also causing the abandonment of sport *in its entirety*.

***In case of:*** a staff member notices aggressive attitudes towards a minor belonging to a religious minority.

***What to do:*** Report the case urgently to the safety officer.

***What not to do:*** ignore what happened, intervene spontaneously without informing the incident.

- ***Encourage the presence of female colleagues, both as trainers and in decision-making.*** In order to achieve gender balance and strengthen the presence of women in decision-making roles in sport, it would be essential to broaden the range of targeted measures, for example by organising public debates, providing training and mentoring programmes and launching proactive policies to encourage young women to stay in sport. The eradication of gender stereotypes is crucial for the removal of barriers that limit women's access to top positions in sport.

***In case of:*** a staff member addresses a colleague using discriminatory terms alluding to a different sports performance due to gender difference.

***What to do:*** condemn "also publicly" a similar attitude and try to spread the principle of equality of women in football as much as possible.

***What not to do:*** support and publicly share your colleague's discriminatory behaviour.

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<sup>54</sup> FIGC C.U: N°1 of 02.07.2019 Section 1 Point G

## 2.2.2 Code of Conduct for Parents

As a parent of a child registered for this Sports Club i am committed to:

- **Teaching through my example the values of sport.** Parents help their children to understand the right motivations to practice sport. They provide, through their example of correct conduct, both during training and during competitions, fundamental principles such as civil coexistence, respect for themselves, others and the rules, the value of commitment, sharing the spirit of the game, cooperation and acceptance of defeat.

***In case of:** a parent reacts inadequately not accepting the defeat of the child's team.*

***What to do:** emphasize the message that is conveyed to children about that behavior and provide help to change it and achieve a positive impact on the child.*

***What not to do:** justify the behaviour by ignoring what happened.*

- **Know and promote the club bylaws and code and the values associated with it and share them with my child.** Parents assume, during competitions and training, attitudes and behaviours in line with the rules and principles of this Ethics Code so that they can represent a positive and consistent model to follow for their children.

***In case of:** a parent does not adopt a behaviour in line with the principles of the code of ethics.*

***What to do:** Facilitate knowledge of the code through clear and simple materials and through a discussion with properly trained staff members.*

***What not to do:** Disregard and not be up to date on rules and procedures.*

- **Know the training and qualifications of the staff members dealing with my child, especially those of the security manager and ask to have the opportunity to contact them.** Parents are aware of and interested in everything related to the professional figures who come into contact with their children, including the persons responsible for security issues, asking that all possible ways of contacting them will be available if necessary;

***In case of:** a parent needs to get in touch with the safety officer to discuss an urgent issue regarding the safety of his child and does not know how to do it and where to turn.*

***What to do:** look for the information and contacts needed to manage the situation in the best possible way and in the shortest possible time, asking the relevant staff for help.*

***What not to do:** contact unqualified and inadequately trained people.*

- **Encouraging my son to play by the rules.** Parents support their children in respecting the commitments and priorities of the Sports Club. They educate them to respect the rules of the game and the match director. They work with coaches to make their children understand the work of others, respecting their roles and skills.

***In case of:** your child is criticized for not respecting the rules or for using inappropriate behaviour towards the competition judge.*

***What to do:** investigate what happened trying to understand what really happened and taking into account the different points of view; collaborate with the other adult figures of reference.*

***What not to do:** apologize or support your child if he made a mistake.*

**Being informed about my son's issues. Parents adopt a participatory attitude, taking a personal interest and/or asking to be constantly updated about any problems, whether physical, emotional or relational, of their child.** Parents strengthen this communicative exchange with the professionals of the sports club, through a constant presence and the development of a common goal, so that their children have a formative experience in harmonious continuity and a sharing of values by the coach and the family.

***In the case of:*** a parent is disinterested and not very participative with respect to his or her child's sports practice and possible problems.

***What to do:*** try to be more present and collaborate more with the coach and the various figures of the sports club.

***What not to do:*** totally delegate sports training and the management of your child's growth and problems to the members of the relevant staff.

- **Do not interfere in technical-sporting decisions, in particular with regard to: convocations, roles, team groupings, methods used and anything else that belongs exclusively to the technical relationship between instructor and student.** Parents accept the decisions of the technical staff avoiding any form of interference in the choices made. They do not interfere in any way with the work of the coaches, who must be able to work with due serenity and freedom. They respect the officials and judges in the certainty that every decision is made in good faith and objectively.

***In case of:*** a parent does not accept that their child is left on the bench during a game.

***What to do:*** respect the roles and the various decisions, not meddling in the coach-player relationship. If deemed necessary, make your disappointment known at the end of the match and in a civil and constructive way.

***What not to do:*** give rise to controversy during matches or training.

- **Be sure that the child complies to the requirements of the sporting and medical regulations and carries out his training with safe equipment.** Parents are informed about the required medical sports regulations and make sure that their children carry out regular checks within the prescribed time limits. They ensure that each training session, match or other sporting event, is adequate and complete.

***In case of:*** a parent does not present the required medical certificate by the deadline or does not check that the child arrives at training with the full sports supply.

***What to do:*** make sure that your child arrives at the sports centre equipped with all the technical equipment and has complied with the mandatory formal health requirements.

***What not to do:*** ignore the inadequacy of the behaviour in the primary interest of protecting the child and the image of the sports club.

- ***Respect the rights and religious confessions of each child attending the sports club, participating and respecting differences without discriminating against gender, race, sexual orientation and disability.*** Parents shall refrain from making public judgments that are detrimental to the reputation of the image and personal dignity of other persons or bodies operating in the sporting system. They shall reject all forms of violence, both physical and verbal, and any discriminatory behaviour in relation to race, ethnic origin, gender, age,

religion, disability and others, both towards minors and other people present during sporting events.

***In the case of:** a parent who during a match or training phase makes discriminatory comments regarding skin colour or other personal aspects.*

***What to do:** immediately report the incident to the safety officer.*

***What not to do:** manage the situation independently or respond in the same way.*

- **Use the internet and social media responsibly.** Parents favour a correct use of social networks, not publishing content that could be interpreted, directly or indirectly, as defamatory or offensive, and that contains discriminatory comments, insults or obscenities, towards minors, coaches or anyone else. They use social media, including Whatsapp groups, exclusively as a communication tool with respect to invitations, information, sports-related events.

***In case of:** a player writes offensive phrases about a teammate on social media.*

***What to do:** report the incident to the security manager.*

***What not to do:** respond to online comments.*

- **Be a positive example in the stands during matches by accepting the decisions of the match judges and respecting the players and parents of the opposing team.** Parents behave in a manner inspired by civil coexistence, respect for the opponent and sharing the spirit of the game. They avoid making negative and disrespectful judgements about their children, their teammates and making comparisons between them. They do not behave and comment inappropriately towards the professional figures in the field and the other parents present.

***In case of:** a parent becomes offensive to another parent or a third person.*

***What to do:** report the incident to the competent figures and discuss it at the end of the game, in a respectful and civilized manner, with those directly concerned.*

***What not to do:** do not engage in inappropriate verbal or physical response behaviour*

- **Encourage the building of a positive relationship with the staff members who care for my son.** Parents build a constructive and positive relationship with the instructor and the reference staff, so that consistent signals are given to their children by the reference adults. They never criticize the coach or the club's managers in the presence of their children and other parents. They never take the place of the coaches by giving suggestions contrary to the instructions given, reducing their authority and inevitably risking limiting their child's performance in the team.

***In case of:** a parent who discredits the technical choices of a coach during a match or training phase trying to impose his vision.*

***What to do:** understand and ensure that the roles and tasks involved are re-established.*

***What not to do:** support this behaviour putting your child in difficulty.*

- **Ensure the safety of children when travelling.** In the case of national or international travel, individual or group travel, travel with third parties must be avoided and parents must be informed and their prior consent guaranteed.

***In case of:** a parent complains during a trip that he or she has not been properly informed about it.*

***What to do:** ask the sports club for all the information necessary to reassure them about this.*

***What not to do:** put in place inappropriate request methods, attacking the relevant staff.*

- ***Report to the appropriate person in accordance with the procedures set out in this Code if he/she becomes aware that harm has been done to a minor or that there is a risk of such harm happening.*** Parents must report to those responsible any form of abuse and/or harassment and/or bullying of which they become aware in some way because these episodes can seriously compromise the serenity of athletes and they could have serious consequences both on the person and on sports performance, also causing the abandonment of sport in its entirety.

***In the case of:** a parent knows of incidents of abuse or bullying of his or her child or a partner and does not report it.*

***What to do:** notify the person responsible for safety immediately.*

***What not to do:** blame the parent in question.*

- ***Teaching your children that gender difference is not a barrier but an asset.*** Parents, in the education of their children, should help them to understand the added value that can arise if the football team is mixed and therefore composed of boys and girls.

***In case of:** a parent notices his or her child's offensive attitude towards a teammate.*

***What to do:** talk to your child about the value of gender difference both in terms of team spirit and in life.*

***What not to do:** support such behaviour even in a playful way.*

### 2.2.3 Minors Code of Conduct

As a Member of this Sports Club I am committed to:

- ***Listen and follow the safety instructions given to me by my coach.*** The athlete complies with the rules and standards of conduct that are set by the sports club. Respect the role of the coach and always act in accordance with the deliveries entrusted by him, in the light of the principle of collaboration.

***In case of:** a player/boyfriend is criticized by his coach for not respecting the instructions given to him or the rules of conduct.*

***What to do:** respect the rules and your coach, accept his reprimands and use what you are told as advice to reflect on your behaviour.*

***What not to do:** react acting in opposition*

- ***Observe the rules on the correct use of sports equipment and training time.*** The athlete makes proper use of and takes care of the sports equipment and equipment provided, both during the course of sporting events and during training. The use of balls and equipment in the absence of the trainer or instructor is not permitted. At the end of each training session he respects and leaves clean the equipment, locker rooms and all materials used for training and matches. Respect the set timetables and inform the coach if you are not present

at training sessions well in advance. He also makes sure to increase the coach's confidence through a constant commitment to training and a positive attitude.

***In case of:** a boy or player often arrives late or not properly dressed.*

***What to do:** Know and keep up to date with the team's schedule, take care of the club's technical equipment and wear it in a dignified manner.*

***What not to do:** In case of deterioration or destruction of a part of the training kit, do not ask for a replacement.*

- **Respect gender, ethnicity, religious and sexual orientation differences within the club and not discriminate against others.** The athlete shall refrain from making public judgments that are detrimental to the reputation of the image and personal dignity of other persons or organizations operating in the sporting system. He rejects all forms of violence, both physical and verbal, and any discriminatory behaviour in relation to race, ethnic origin, gender, age, religion, disability and others.

***In case of:** a player/boyfriend who is humiliated and put in trouble based on his diversity.*

***What to do:** Report the incident to the Security Manager.*

***What not to do:** show indifference or complicity in the incident.*

**Report situations of physical or psychological abuse to a staff member, even if you notice that someone close to you is being or has been abused or discriminated against.**

The athlete undertakes to report and share any situation of abuse and discrimination of which he or she becomes aware directly or indirectly, whether internal or external to the sports club in question, with the relevant reference figures and/or professionals.

***In case of:** a player reports to a teammate that he has been verbally, emotionally or physically abused or discriminated against.*

***What to do:** support your teammate and help him/her report the incident or report the incident to the security manager for him/her.*

***What not to do:** Ignore, do not take seriously or normalize the incident.*

- **Respect the fact that each child has a different skill level.** The athlete contributes and allows the development of a positive emotional climate within the group. He accepts his teammates with their characteristics, their way of seeing and feeling. He values his teammates by respecting and accepting their thoughts, attitudes and behaviour. Respects the identity, dignity and skill level even if different from each partner's own.

***In the case of:** a player who does not respect a partner because the latter has inferior sports skills or is unable to perform a full activity.*

***What to do:** to compare and encourage integration and respect for existing differences.*

***What not to do:** ignore or encourage these attitudes during training or matches*

- **Respect your opponents and their staff.** The athlete uses an appropriate and respectful language of the other, shows tolerance and solidarity towards his group and his coaches. He refrains from any conduct likely to harm the physical and/or moral integrity of his opponents, to respect them, their technical and managerial staff.

***In case of:*** a player engages in inappropriate and provocative behaviour towards the opposing team during a match.

***What to do:*** point out to the boy the inadequacy and unsporting nature of his behaviour and take action if necessary.

***What not to do:*** leave the matter out without providing an alternative way of behaviour.

- **Respect the referee and his decisions.** The athlete respects the officials and judges in the certainty that their decisions are made in good faith and objectively. You have to accept serenely their responses, even when unfavourable and not shareable, referring to venues and more appropriate times the exposure of your point of view.

***In case of:*** not sharing a decision by a competition officer.

***What to do:*** accept the referee's disposition, even if not shared, looking for a comparison with the latter, in a constructive way, after the match is over.

***What not to do:*** go to the referee in question using aggressive and provocative methods that can damage the team.

- **Use the internet and social media responsibly.** The athlete is not allowed to use his mobile phone during training and matches. The use of the mobile phone and other devices must only be permitted in case of extreme necessity. He also favours the correct use of social networks, including Whatsapp, by not publishing content that could be interpreted, directly or indirectly, as disparate, defamatory or offensive, and that contains discriminatory comments, insults or obscenities, against his teammates, coaches or anyone else.

***In case of:*** a staff member writes offensively on social media about club activities involving minors.

***What to do:*** Report the incident to the safety officer.

***What not to do:*** Respond to online comments.

- **Encourage teammates when they are in trouble and don't rage against them if they make a mistake.** The athlete strives to contribute to the achievement of common goals and to form a correct team spirit, refraining from criticizing his teammates and pointing out their faults and mistakes in the game and committing himself, rather, to always support them, especially in times of difficulty even with corrections and constructive suggestions. He knows how to be supportive, helpful to anyone who presents any condition of difficulty and considers respect for sporting values more important than achieving personal success.

***In case of:*** a teammate in difficulty, who is not performing properly, compromises the result of a match.

***What to do:*** confront the latter and support him in the moment of crisis. Support each other and don't fight back.

***What not to do:*** get angry with him, highlight his difficulties, make the situation more complicated, worsen his mood and final performance.

- **Do not have discriminatory and offensive attitudes towards teammates.** Since football is considered in the common feeling purely masculine, registered minors must learn to consider teammates as an added value for the team and not be prejudiced about a girl's sporting abilities within the team.

***In case of:*** a teammate misses a pass causing the loss of the ball.

***What to do:*** continue the game focusing on recovering the ball.

***What Not to Do:*** Distract yourself by offending your teammate using arguments about gender difference.

In order to ensure that the principles described above are respected, the Sports Association guarantees that anyone who comes into contact with minors, each for his or her role to play with competence and conscience, has the task of safeguarding and protecting them.

For this reason, the Association undertakes to carry out the following actions:

- to make children fully understand what is meant by harm, what are their obligations in preventing harm and what to do in case of harm;
- provide training for staff on safeguard measures, which must be adapted according to their role and responsibilities, starting with the induction/orientation phase;
- to develop a kind of partnership with children and families as a support for the protection of children themselves;
- develop a complaints procedure with children and families, making sure everyone knows about it;
- commit to encouraging the involvement of parents/guardians as much as possible, including involvement in daily activities;
- make sure you know who is responsible for caring for a child in any program or project and have a record of their contact details;
- ensure that staff are easily identifiable at work, for example by wearing a T-shirt that identifies them as members of the Association;
- always obtain parental consent for children's participation in activities;
- involve parents, as well as children, in the development of codes of good conduct for staff and children themselves, such as drawing up anti-bullying guidelines;
- develop ways to obtain feedback from parents/guardians in order to have both positive and negative feedback on the Association's actions;
- discuss with minors about what makes them safe and what does not make them safe and agree with them how to report a complaint if they have concerns about themselves or their friends;
- develop a process to ensure that children are consulted and heard, to ensure that their voices are heard, so that their views inform and influence the development of safeguards within the Association.

## **CHAPTER 3- Procedures**

### **Introduction**

The aim of this section is to analyse the legal protection and social well-being of children in relation to the context in which they find themselves. In particular, an appropriate process has to be outlined in order to report and respond to incidents and concerns for the protection of children, adapted to the individual context through systems for the management of incidents of child abuse. The identification and mitigation of the risk of protecting minors are incorporated into the risk assessment processes at all levels, i.e. from the identification of risks through the planning of an activity that involves or may have an impact on minors. Clear procedures should therefore be established to ensure that detailed instructions and guidance are provided on how to safely report cases related to the Associations' policy and disciplinary procedures. Guarantees for minors must be integrated and actively managed in the Association's existing processes and systems (strategic planning, *budgeting*, recruitment, programme cycle management, performance management, etc.).

As far as the judicial protection of the child is concerned, it is not only the protection of the subjective rights he or she is entitled in the same way as any natural person, but also "protection of his or her existential interest" in the formation of his or her personality and therefore a "superior interest". Only in this way is it possible to configure a comprehensive protection of the child, which includes both the judicial protection of the subjective rights he or she enjoys and the implementation of the interest in the development of his or her personality. In this way the child is not a dependent, passive or invisible contact person, but an active interlocutor, to be involved through dialogue, participation, information and listening <sup>55</sup>.

The Italian legal system does not assign jurisdiction in matters concerning juveniles to a single judicial body but to a plurality of bodies: **Juvenile Court, Ordinary Court both civil and criminal, Protective Judge, Attorney General at the Ordinary Court, Public Prosecutor at the Juvenile Court**. In the framework of the System of Sports Justice, which is complementary to the ordinary one and which regulates the order and conduct of justice proceedings before the National Sports Federations and associated Sports Disciplines, the following bodies have jurisdiction: National Sports Judge, Territorial Sports Judges and Sports Court of Appeal; Federal Prosecutor's Office and General Sports Prosecutor's Office; Federal Court and Federal Court of Appeal; Sports Guarantee Board.

### **3.1 Scope of the procedure**

#### **3.1.1 ART. 1 -Who to address the procedures**

The Procedures contained in this section shall apply:

- to the members of the Board of Directors and the Head of the Youth and Security Sector;
- to the staff of the Sports Association employed with contracts of any kind;

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<sup>55</sup> Mengarelli. M., *La tutela del minore*, in *Cittadini in crescita*. Il garante: promozione e protezione, op. cit., pp. 56-57.

- to any other individual, group or organisation with which the Association has relations or which involve direct contact with minors;
- minors who are members of the Sports Association;
- to the parents of registered minors.

### 3.1.2 ART. 2 – Guiding principles <sup>56</sup>

In order to better protect minors, the Procedures are applied according to the following guiding principles.

**Responsibility of all with regard to the protection of minors:** the safety and well-being of minors is a priority, so that no child should be in danger by the action you decide to take. The best interests of the child are consistently pursued throughout the reporting, analysis and case management process.

**Confidentiality and professionalism throughout the process:** all reports are handled professionally, confidentially and quickly.

The Sports Association undertakes to treat all concerns and reports (including those that may be received anonymously) with the highest seriousness and to ensure that all parties involved are treated appropriately. Child victims of abuse, witnesses and those against whom accusations are made, have the right to confidentiality, therefore reports within the organization should be communicated only to the subjects of the Association indicated in this Procedure, so as to minimize the potential leakage of information and the resulting breach of confidentiality. Confidentiality and confidentiality must be ensured at every stage, from reporting, to the secure recording of data, to the application of any disciplinary measures against staff.

**Respect of all parties involved:** any member of staff who maliciously or untruthfully reports maltreatment or abuse may be subject to disciplinary action. All persons concerned, including the accused person, must be handled with respect, dignity and sensitivity throughout the process. The suspect or accused person must be informed as soon as possible of the opening of an internal procedure against him/her and must be updated at all times, unless different indications are received from the Law Enforcement Agencies, from the Judicial Authority or in any case it is considered that it is not in the best interest of the minor to do so.

**Dissemination and awareness of reporting procedures:** minors are made aware, in the most appropriate manner, that there are procedures in place to report any concerns or suspicions of abuse and exploitation, particularly sexual abuse, whether it concerns the staff of the Sports Association or its volunteers, or others.

**Use of good practices in receiving a report of suspected abuse and in its reporting:** listening to and collecting testimony, especially from a minor, is a delicate process that requires attention, respect for certain basic rules, professionalism and specific training. To this purpose, the Sports Association guarantees staff members adequate training, as specified in art. 3 below. During the reporting process, essential information are reported in a precise

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<sup>56</sup> Save the Children - General procedure for reporting and managing suspected mistreatment, abuse or exploitation of girls, boys or adolescents: <https://s3.savethechildren.it/public/files/uploads/pubblicazioni/adulti-posto-procedura-generale-la-segnalazione-e-la-gestione-di-un-sospetto-maltrattamento.pdf>

and immediate manner to activate an effective and rapid analysis. To this aim, a Reporting Form (Annex 1) has been prepared to guide the information gathering process, which should be used internally to record and report any allegations, complaints or doubts about possible child abuse.

**Access to the competent authorities:** in any case where there is a suspicion of a crime, the child victim has the right to have a police investigation or criminal prosecution carried out.

**Prevention for the safeguard and protection of minors:** internal communication, which vehicles policies and procedures to combat abuse and harassment, is very important and must be planned in such a way as to reach all stakeholders, especially before competitions; this is also important to contribute to prevention policies effective, making them perceived as concrete by athletes and other stakeholders, and not as abstract statements of principle.

In the interests of prevention, particular attention should be paid to behaviour in situations of:

- direct and exclusive interpersonal interaction, which must be avoided if possible or otherwise be observable or in the presence of adult and interruptible witnesses;
- massages must take place in open and observable spaces and be interruptible; in the case of minors, always in the presence of at least one other adult;
- locker rooms must not have systems that allow remote viewing and must not see the presence of strangers, including parents, or other adults except for emergency reasons and the presence of athletes during competitions or training must be monitored for unjustifiably long periods of time.

### **3.1.3 ART. 3 - Training**

The Sports Association undertakes to carry out a training course once a year through an expert in developmental psychopathology, aimed at the prevention of abuse against all adults, including those in technical and managerial roles, together with the necessary and appropriate action of awareness raising / training / education for children, which, being minors, must be carried out with the consent of parents.

This action must also be aimed at increasing everyone's awareness of the phenomenon, the importance of reporting in any case the facts of which they have become aware in any way, the figures responsible for receiving and transmitting reports, how to find information on the subject and the procedures to be applied.

The training must be aimed at overcoming:

- the fear of denunciation;
- the lack of confidence in the effectiveness of reporting procedures;
- lack of information about the phenomenon and what constitutes abuse, harassment or bullying;
- the belief that the assumption of responsibility concerns only others;
- the cultural heritage that encourages abuse, harassment or bullying.

The training must consider the context of reference, the different characteristics of the recipients and the methods of administration according to the beneficiaries themselves.

### **3.1.4 ART. 4 - Dissemination and awareness**

The Sports Association guarantees a wide dissemination of the procedures and the policy and code of conduct contained in the previous sections. The dissemination must necessarily include the staff of the Association, any volunteers and in particular the registered minors and those who take care of them. Dissemination shall be managed in such a way as to ensure that procedures are fully understood; this may involve the use of language translations and the production of child-friendly materials.

### **3.1.5 ART. 5- Forbidden conduct**

It is clearly defined what constitutes prohibited conduct, which is such and takes the form of membership and participation in the official sports world not constituting a right but a privilege and, as such, may be subject to limitations, prescriptions or prohibitions.

Prohibited conduct may include:

- criminal record, even more so if specific;
- having previously committed child abuse;
- having previously engaged in sexual misconduct or acts of harassment and/or bullying;
- having previously engaged in emotional or physical misconduct;
- having previously tolerated or encouraged the inappropriate conduct described above;
- engaging in other types of inappropriate conduct, such as: having engaged in romantic relationships in a constant imbalance of roles, exposing minors to inappropriate images, intentionally planning intimate situations, making inappropriate physical contact, not respecting the rules of prevention of abuse/harassment/bullying, not respecting the rules of prevention of abuse/harassment/bullying.

### **3.1.6 ART. 6 – Risk prevention**

The risk and how to avoid it must be a focal factor of the Association's strategy: staff members and parents of registered minors talk about it in order to recognize and to prevent it. In particular, activities involving children must be evaluated in advance to ensure that any risk for the protection of minors is identified and appropriate control systems are developed.

The risk assessment is made in approximately six steps:

- 1) Establish the context, scope and approach of your Association.
- 2) Identify the potential impact or contact of the Association on children.
- 3) Identify and analyse the potential risks of such impact or contact.
- 4) Assess the risks in terms of probability of their occurrence and the severity of the risk and impact on children.
- 5) Implement strategies to minimize and prevent the risks.
- 6) Implement a review of risks and preventive measures.

### **3.1.7 ART. 7- Strategies to prevent/minimize risks**

The Association adopts a strategy to encourage a culture of safety in its structure to prevent or reduce the risk of harm to children.

Actions to be taken are the following:

- Declare themselves open and transparent with regard to the measures to be used to address worries and possible incidents.
- Define roles and responsibilities: if necessary, changes should be made to existing roles and responsibilities to ensure that responsibilities are clearly articulated for staff with specific safeguarding roles.
- Existing policies and procedures should be adapted to protect minors, including recruitment and selection policies and procedures and the code of conduct for staff. New policies and procedures may need to be introduced as a whistleblowing policy to support staff raising concerns.
- Where they do not exist, systems and processes will have to be adapted, as is the case for risk assessment and quality assurance systems, processes for design and implementation of programmes, projects and annual reporting processes, as provided in section four (Accountability).
- Develop new processes, such as trials for reporting suspicions or real concerns about children.
- Contributing to the development of children's skills by providing a range of initiatives to develop the skills of staff and staff in general with regard to their responsibilities and obligations to protect children.

### **3.1.8 ART. 8 – Safe Recruitment Procedure - Criminal Records Certificate**

At the time of signing an employment contract and therefore for the recruitment of a new employee, the Sports Association must request, with the consent of the person concerned, to the competent Public Prosecutor's Office the Criminal Records Certificate, except in Volunteering and Internship relationships.

This certificate issued, in order to protect the privacy of the employee, must only and exclusively report the crimes expressly provided by art. 25-bis of Presidential Decree 313/2002.

The criminal record certificate of criminal record for employment is a document issued by the Public Prosecutor's Office that attests the possible presence of final sentences or civil or administrative measures against the future employee or collaborator intended to have regular and direct contact with minors.

Specifically, the certificate lists sentences for crimes such as:

- Child prostitution;
- Child pornography;
- possession of pornographic material;
- virtual pornography;
- child sex tourism;
- solicitation of minors.

This document shall also certify any such document:

- perpetual disqualification from any assignment in schools of any order and grade;
- perpetual disqualification from any office or service in public or private institutions or facilities frequented mainly by minors;
- restrictions (or disqualification sanctions) on the exercise of activities in direct and regular contact with Minors;
- no habitual contact with minors.

Moreover, a letter of reference on the suitability to work with minors is a prerequisite for safe recruitment and the employer must include specific questions when conducting the recruitment interview, confirming the suitability to work with minors and to safeguard them in a conscious and correct manner.

### **3.1.9 ART. 9 - Information and consent**

The Sports Association, when registering a new member, provides the Information and consent on privacy pursuant to the **GDPR - EU Regulation no. 679/2016**, by means of a special form with which it informs that the Association will process the personal data of the member, identification and personal data in accordance with Article 13 of the GDPR, describing how and precautions. By consenting the processing of personal data, the member, after reading the above information, consents to the processing of their personal data in the manner and for the purposes described in the above information. The declarant, moreover, may also express consent for commercial communications.

## **3.2 – Procedure within the Sports Association**

### **3.2.1 ART. 1 - Report**

Reluctance to complain is an important negative factor and often found as regards complaints, it must be countered and overcome by establishing clear and secure complaint procedures.

Early reporting in sport is also important for:

- to affirm the autonomy of sporting justice from ordinary justice;
- to allow, during the sporting process, precautionary measures to be taken and the facts to be judged in a timely manner;
- possibly contribute to the construction of the ordinary criminal accusatory castle with the results of the sports investigation.

The report of inappropriate sexual conduct on minors must be reported immediately to the Head of Security and be reported also to the ordinary Justice.

The reporting of other types of conduct may follow more articulated internal channels.

Complaints should, as far as possible, be treated confidentially and anonymously in order to protect all those involved.

In general, but especially in the case of abuse involving minors, the person who receives the complaint, which corresponds to the figure of the Head of Security, must refrain from carrying out preliminary assessments of reliability and immediately activate the ordinary and sports authorities, limiting himself only to the assessments necessary for the complaint.

In some cases it may be necessary to inform others close to the victim if the accused also has contact with them.

However, it is, in general, appropriate to ensure a context of confidentiality.

Reporting management systems should be developed by trained and dedicated staff who respect gender quotas and are able to manage both the reporter and the case and its victim. Furthermore, any form of revenge against those who report abuse must be seriously opposed, which, if carried out, constitutes a serious breach of sporting rules.

### **3.2.2 ART. 2 - General Procedure**

The Sports Association defines the General Procedure for the appointment of the Head of Safety and for the reporting and management of suspected mistreatment, abuse or exploitation of children.

In particular, the Safety Manager, designated in accordance with art. 10 of the previous section, acts as an intermediary between the victim of the abuse (being a minor, who takes his place) and the Ordinary and/or Sporting Authority (the Federal Prosecutor's Office), taking an active part - only if necessary - towards the abused person to make a complaint.

It can only launch an internal investigation to establish that the suspected abuse has occurred and takes any appropriate measures. The Board of Directors will be properly informed in case of confirmation of abuse.

Any violation of the Policy constitutes a disciplinary offence that may be sanctioned, in the most serious cases, even with the cancellation of the employment contract in accordance with the applicable labour regulations.

### **3.2.3 ART. 3 - Report modes**

The person who witnesses the abuse can report the incident with a written document - report form attached, with a phone call, an e-mail, an interview, a letter and any other valid way.

The modalities are facilitated so that minors are also able to make a report. If it is directly the child who makes the abuse report, the Safety Manager will fill in the report form and start the response procedure.

The suspicion or certainty of abuse should be reported as soon as possible to the aforementioned Manager on a confidential basis. If you are not able to use the report form immediately, you can fill it in later.

If the suspected abuser is directly responsible, then the matter should be discussed and reported to the highest level of responsibility.

### **3.2.4 ART. 4 - Methods of dealing with abuse<sup>57</sup>**

The Sports Association operates on two levels: on the one hand it is committed to creating the conditions to prevent cases of abuse through precautionary control, on the other hand it creates a support system for the management of abuse.

In cases where a report of presumed abuse is made, the following steps are taken: reporting, documentation, investigation and action to be taken following confirmed abuse.

Independently of whom it is reported, the report will be communicated directly to the Security Manager providing information on what happened, the date, place and name of the witness, using the reporting form attached to this Model, copies of which are kept by the Manager himself.

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<sup>57</sup> FCSIV - Volunteers Worldwide - "Policy on the Protection of Vulnerable Children, Girls and Adults".

Once a complaint has been reported, the Security Officer must ensure that a confidential, immediate and impartial fact-finding investigation is carried out.

## CASE

**Abuse suspect:** Association staff member

**Who reports:** anyone who has knowledge of or suspicion of abuse

**What to report:** a concern, suspicion or certainty of child abuse or maltreatment or abuse or failure to comply with the Code of Conduct

**When to report:** as soon as possible (by telephone, in person or in writing in confidence using the attached report form), but no later than 12 hours.

**To whom to report:** to the Security Manager in the event that the Manager is the suspected abuser

**What happens:** the Security Manager will act on the information already in his or her possession or will decide to plan an initial internal investigation.

**Possible outcomes:** 1) Mitigation of the concerns; 2) Initiation of a disciplinary measure, subject to authorization by the Manager; 3) Reporting the case to the Judicial Authorities, Forces of the Order and Social Services. The victim's safety needs are met.

**Follow up of the case:** feedback to be given if possible to the people involved, respecting confidentiality and privacy.

The Security Manager shall handle the case as follows:

- 1) collect information and documentation about what happened;
- 2) to conduct an initial internal investigation in the strictest confidence;
- 3) suspend for a period the reported person from his/her activities, if they relate to contact with minors, during the course of the investigation;
- 4) inform the person concerned of the alerts that have been issued against him;
- 5) give the suspect the opportunity to present his or her version of the events in question, before any decision on guilt or innocence is reached;
- 6) ensure that the victim receives protection and psychological and socio-economic support (if and to the required);
- 7) ensure that the person issuing the alert is informed of the progress of the activated procedure;
- 8) where there is a hypothesis of a crime, refer the report to the competent authorities, both of ordinary justice and of sports justice.

All people to whom the rules contained in this Model are addressed have an obligation to report abuses and no form of coercion, intimidation, revenge or reprisal against them is tolerated, even in cases where information or assistance is provided in an investigation.

### 3.3 State Legal Order

#### 3.3.1 Legal definitions relating to children's justice <sup>58</sup>

There is a significant difficulty in defining exactly what is meant by sexual abuse against minors, but certainly each statement is connected to two contexts: the legal-judicial side and the clinical and psycho-social aspects. Cause of the multiple forms and categories in which abuse occurs, a guideline is given by the law, also because any action, treatment and procedure related to child victims always depends on what is established by the terms of the law. The national legislation on child sexual abuse, moreover, consists of a series of laws and articles of the Criminal and Civil Code which - also on the basis of European and international legislation - try to protect the minor person and indicate the sanctions for offenders.

In Italy the main reference is Law no. 66 of 15 February 1996 "*Regulations against sexual violence*" which not only transformed the crime of sexual abuse from a crime against "*public morality and morality*" into a crime against the person, but also introduced the crimes of sexual violence (*Article 609 bis of the Penal Code*), sexual acts with minors (*Article 609 quater of the Penal Code*), bribery of minors (*Article 609 quinquies of the Penal Code*) and group sexual violence (*609 octies of the Penal Code*).

In particular, art. 609 bis specifies who the abuser is: "*Whoever with violence or threat or through abuse of authority, forces someone to perform or suffer sexual acts*"; and adds that the seriousness increases if he takes advantage of the physical or psychological inferiority of the offended person at the time of the fact, or deceives the offended person for having the culprit replace another person.

#### 3.3.2 Institutions of the state legal system involved

In any case where there is a suspicion of a crime, the child victim has the right to have a police investigation or prosecution carried out. The involvement of the competent authorities should always be considered. The best interests of children and adolescents who are victims of abuse and the ability to meet their health and safety needs can only be guaranteed through cooperation between national authorities.

The best interests of children and adolescents who are victims of abuse and the ability to meet their health and safety needs can only be guaranteed through cooperation between national authorities.

The institutional figures involved are:

- Law Enforcement and Judicial Authority: they investigate the abuse of children and adolescents, they set up the facts, they prosecute the perpetrators;
- Social Services, Government or NGOs: focus on the protection of children and adolescents;
- Personal Healthcare personnel (doctors or psychologists): intervenes for the health of the child or adolescent and the care/treatment.

The evaluation and intervention, therefore, in case of abuse must be based on a "networked" collaboration between the various institutions that are involved in different ways (*family, school, sports associations, Ordinary Court, Juvenile Court, social and health institutions, Public Safety Authority*). The main objective is the best interests and psychological health of the child.

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<sup>58</sup> Judex - judicial procedures in cases of sexual violence against children: the experience of the child report Italy June 2016 <https://cesie.org/media/judex-country-report-italy-it.pdf>

It is appropriate that any psychiatric-forensic (criminal and civil) counselling evaluations should be carried out in a coordinated manner with the psychosocial interventions carried out by the Social and Health Services.

The action of evaluation and intervention by the Social and Health Services, in a "network" perspective, can be carried out on two levels. The first level includes an initial analysis of the situations received by the Service by the minor himself, his family, school, sports association and is carried out through an assessment of the environmental context, possibly extended to listening to the minor; in this case, the *assessments* must be carried out in collaboration with the Judicial Authority and the Public Safety Authority. Following this first analysis, it is possible, in some cases qualifying as emergencies, and with the involvement of the Juvenile Court (second level), to urgently implement psychosocial interventions such as removal from the family environment, with placement in a protected environment, pursuant to Article 403 of the Civil Code. These decisions must be based both on feedback extended to the family and social context (collected promptly at the request of the Judicial Authority), and on any psychological assistance and/or therapy for the child and his/her family<sup>59</sup>.

In case of a complaint, the general procedure for *the presumed sex offender* is as follows:

- if the accused offender is a minor, a file is opened to the Public Prosecutor's Office for Minors and investigations are initiated;
- if the presumed offender is of legal age, a file is opened with the Public Prosecutor's Office and investigations are initiated.

For the child whose violence has been reported:

when the complaint is made, a file is opened for the minor at the Public Prosecutor's Office of the Juvenile Court, Civil Chamber. The following steps are:

- 1) the reporting to the Social Service of the Local Authority;
- 2) reporting to the Juvenile Court.

### 3.3.3 Repression

For an effective repressive activity in the sport sector, it is extremely important that there is an early report to the Federal Prosecutor's Office by the victims or by anyone who becomes aware of facts of disciplinary relevance; at the same time - and in the absence of reports to the sports investigating authorities - it is useful to constantly monitor the media which, often, convey news of judicial initiatives taken against those responsible for sports disciplinary violations that also constitute a criminal offence.

The role of impulse and support of the General Sports Prosecutor's Office, in coordination with the sensitivity on the matter shown by the individual Federal Prosecutors' Offices, can be particularly useful, also in relation to the forms of collaboration that can be achieved with the ordinary Judicial Authority.

Still in a repressive manner, early reporting and proper investigation and investigation activities are particularly important to request and support the adoption of precautionary measures for the purpose of preventive protection against recurrence of behaviour, in the presence of current and concrete circumstantial elements.

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<sup>59</sup> S.I.N.P.I.A. Working Group on abuse in developmental age "Linee guida in tema di abuso sui Minori"

### 3.4 Sport Legal System

The Italian Legal order recognises the autonomy of the Sport Legal System. Therefore, organisations such as CONI (*The Italian National Olympic Committee*), the Sports Federations, the Associated Sports Disciplines and the sports promotion bodies can regulate certain aspects of the life of sports associations and clubs, both from the point of view of the sports disciplines promoted and from the point of view of the management of associations.

The definition of what qualifies as a professional or amateur sporting activity is remitted to the sport regulation. Amateur sports associations can obtain sporting recognition from the CONI (Italian National Olympic Committee), which consists in the registration in a special computer register (*National Register of Amateur Sports Associations and Societies*), through FSN, DSA or EPS, recognized by the CONI to which the asd or ssd are affiliated.

CONI is the only body certifying the actual sporting activity carried out by the clubs and by amateur associations. The recognition of amateur sports by CONI certifies, in favour of the asd registered in the appropriate register, the right to enjoy the benefits provided in the employment sector.

Autonomy, moreover, is realized in the recognition of a specific subject as part of the sporting order. In fact, the state system prescribes the statutory and management requirements that must be in possession of associations and amateur sports clubs in order to benefit from tax breaks, but it is then the Sports Federations, the Associated Sports Disciplines and Sports Promotion Bodies to assess their affiliation, eventually subject to the implementation of additional statutory and management constraints, and thus ensure the possibility of registration in the CONI Register.

The constitution and management of an amateur sports association is therefore conditioned by the constraints provided by sector legislation and those deriving from the rules of the sports regulations, i.e. the rules of the IOC, CONI and the body to which it is affiliated. The prerequisite for recognition as an amateur sports association and for access to the related benefits, including tax benefits, lies in the fact that the association is not profit and therefore does not distribute, even indirectly, income or profits.

#### 3.4.1 The Italian Football Federation

The Italian Football Federation (FIGC) is an association recognized as a legal entity under private law and federated to the Italian National Olympic Committee (CONI) with the aim of promoting and regulating the activities of football games and related aspects.

The FIGC is the association of sports clubs and associations (the "clubs") that pursue the aim of playing football in Italy and other bodies affiliated to it that carry out activities instrumental to the pursuit of this aim.

The FIGC maintains loyal relationships with the public authorities and cooperates with them in programmes to promote and support football, safeguarding its autonomy. Within the scope of its competences, it promotes the maximum diffusion of the practice of football in every age group and population, with particular reference to youth football. This principle ensures that every young athlete trained for the purpose of high sports competition receives educational and work training complementary to his or her sports training. It reconciles the professional and economic dimension of the game of football with its amateur and social dimension.

The FIGC also promotes the exclusion from football of all forms of social discrimination, racism, xenophobia and violence.

The FIGC has regulatory and guarantee functions, with particular reference to sports justice, referees and club controls.

### 3.4.2 The National Amateurs League

The National Amateurs League (L.N.D.), associates in a private, non-profit form the clubs and sports associations affiliated to the Italian Football Federation that participate in the National, Regional and Provincial Amateur Football Championships using exclusively the performances of non-professional football players.

The L.N.D. coordinates, directs and develops the football sports activities of the clubs and sports associations associated with it and promotes the competitive events directly organized by it.

To achieve its objectives, the L.N.D.: a) contributes to the regulation and development of amateur football activity; b) issue general rules on matters of competence, in accordance with the C.O.N.I. and F.I.G.C. directives; c) represents the associated companies in relations with the F.I.G.C., with the other Leagues, with the Sectors and with third parties, as well as for the protection of any collective interest of an economic and non-economic nature; d) establishes its own operational and organizational structure, as well as that of the Committees of the Divisions, Departments and Provincial, District and Zonal Delegations; e) disciplines and coordinates the organisation of the competitive activity delegated by the F.I.G.C. and organises the relevant Championships; f) carries out any activity instrumental to the achievement of its own purposes, including any equity, economic and financial transaction, and takes any other necessary or appropriate initiative in the interest of the associated companies; g) promotes, organizes and manages, through its operational and organizational structure, also through the Committees and Divisions, training activities for the Managers of companies associated with the L.N.D. who, for various reasons, perform their work within the structure; h) performs any other function assigned by the F.I.G.C.

### 3.4.3. Sports justice system<sup>60</sup>

Sport justice is regulated at national level by the Code of Sport Justice, which regulates the ordering and conduct of justice proceedings before national sporting federations and associated sporting disciplines (Federations).

The Code also regulates the order and conduct of legal proceedings before the Sports Guarantee Board set up at the CONI as well as the relations between the federal prosecutors' offices and the General Sports Prosecutor's Office set up at the CONI.

It remains the competence of each Federation to define the types of conduct relevant from a disciplinary point of view, also in accordance with any provisions of the international Federations to which it belongs.

In the Sport Justice System the National Sport Judge and the Territorial Sport Judge (1st degree), as well as the Sport Court of Appeal (2nd degree) are competent for the facts occurred during the sport competition; the Federal Public Prosecutor's Office (and, consequently, the General Public Prosecutor's Office) are not invested with these facts unless the GSN/GST<sup>61</sup> or the Sporting Court of Appeal formally establish the transmission of the documents to the Federal Public Prosecutor's Office for the assessment of competence (and, therefore, the registration of a proceeding).

The Federal Court (1st instance) and the Federal Court of Appeal (2nd instance), on the other hand, constitute the so-called '*disciplinary justice*' and the procedure is as follows:

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<sup>60</sup> Art. 1 of the Code of Sport Justice

<sup>61</sup> National Sport Judge/Territorial Sport Judge

E.g.: 1) i'm a registered member, and i report to the Federal Prosecutor's Office another registered member because i hold him responsible for having accepted money to sell a match; 2) the Federal Prosecutor's Office registers the proceedings and informs the General Sports Prosecutor's Office; 3) once the investigation has been concluded, the Federal Prosecutor may decide whether to close the proceedings or refer the person to the Federal Court (1st instance); 4) the Federal Court condemns the person; 5) the person or the Federal Public Prosecutor's Office may appeal in 2nd instance before the Federal Court of Appeal; 6) the person or the Federal Public Prosecutor's Office may appeal before the Sports Guarantee Board "for violation of the rules of law, as well as for failure or insufficient motivation regarding a decisive point in the dispute that has been the matter of dispute between the parties".

#### **3.4.4 Sport judges<sup>62</sup>**

At each Federation there are Sports Judges, which are divided into National Sports Judges, Territorial Sports Judges and Sports Court of Appeal.

The National Sports Judge and the territorial Sports Judges pronounce in first instance, without a court of law and with immediacy, on all matters related to the conduct of the competitions and in particular on those relating to:

- a) the regularity of the procedures and the approval of their results;
- b) the regularity of the areas or installations and their equipment;
- c) the regularity of the status and position of athletes, technicians or other participants in the competition;
- d) the behaviour of athletes, technicians or other registered personnel at or during the competition;
- e) any other fact relevant to the sporting order of the competition.

The Sports Court of Appeal judges in second instance on appeals against decisions of the National Sports Judge and Territorial Sports Judges. It is also competent to decide on the applications for objection of the same judges.

#### **3.4.5 Federal Judges<sup>63</sup>**

Federal Judges are instituted in every Federation.

The Federal Judges are divided into the Federal Supreme Court and the Federal Court of Appeal; both have their offices at the Federation. The Federal Supreme Court shall judge at first instance on all facts relevant to the sporting order in relation to which no proceedings have been instituted or are pending before national or territorial sports judges. The Federal Court of Appeals judges in second instance on appeals against decisions of the Federal Supreme Court. It is also competent to decide on applications from members of the same Court.

#### **3.4.6 Federal Prosecutor<sup>64</sup>**

In each federation there is a federal prosecutor's office to promote the repression of offences sanctioned by the statute and federal regulations. The Federal Prosecutor's Office carries out its functions before the Justice Bodies of the respective Federation.

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<sup>62</sup> Articles 13-14 of the Code of Sport Justice

<sup>63</sup> Articles 24 and 25 of the Sports Justice Code.

<sup>64</sup> Articles 40 and 44 of the Sports Justice Code.

The functions of the Federal Public Prosecutor's Office are exercised in preliminary investigations, proceedings at first instance and appeals; they are carried out either personally or by assignment of matters to one or more persons employed by the same Office. By issuing the assignment, the Attorney General may determine the criteria to be followed by the Office of the Attorney General in the course of the proceedings.

The Statute of the Federation ensures the independence of the Federal Prosecutor and his Substitutes and guarantees that the Federal Prosecutor and his Substitutes under no circumstances attend the deliberations of the judge in which they perform their respective functions or that they may enjoy, after the exercise of the action, of powers or faculties which are neither reasonable nor equivalent to those of the defence representatives.

The Federal Prosecutor shall have exclusive right of disciplinary action against members, affiliates and other legitimate subjects according to the rules of each Federation, in the forms and within the time limits provided by these, when the conditions for archiving are not satisfied.

The Federal Prosecutor's Office will dismiss the case if the news of a sports offence is unfounded; it may also be dismissed when, within the time limit for the preliminary investigation, the elements acquired are not suitable to support the accusation in court or the offence is extinguished or the fact does not constitute a disciplinary offence or the author remains unknown.

The Federal Prosecutor takes notice of the offences on his own initiative and receives the notifications presented or otherwise submitted. Disciplinary action is exercised automatically; its exercise may not be suspended or interrupted, unless otherwise agreed.

Where the case does not have to be dismissed, the Federal Prosecutor shall inform the person concerned of the intention to proceed with the submission and the elements justifying it, giving him a deadline to request to be heard or to submit a statement. If the Federal Prosecutor deems it is necessary to confirm his or her intention, he or she shall exercise disciplinary action by formulating, in the cases provided by the Statute or federal rules, the blame by notice of indictment communicated to the accused and to the judge and any other persons indicated by the regulations of each Federation. The report describes the facts that are assumed to have occurred, sets out the rules that are presumed to have been violated and indicates the sources of evidence acquired, and the request for fixing the disciplinary proceedings is issued.

After the decision to close the case, the investigation may be resumed automatically if new facts or relevant circumstances come to light of which the Federal Public Prosecutor was not aware. If such facts or circumstances are derived from a measure ordering a criminal prosecution, the right to sanction is in any case prescribed by the end of the eighth football season following that in which the last act aimed at committing the violation was committed.

### **3.4.7 General Attorney and Sports Prosecutor's Office**

The General Attorney for Sport and the National Sports Attorneys, under the supervision of the former, constitute the General Attorney for Sport in accordance with Article 12b of the CONI Statutes.

The General Sports Attorney is in charge of the National Sports Attorney, who appoints, according to the procedures established by the Regulations referred to in paragraph 8 of art. 12 ter of the CONI Statutes, one or more national sports attorneys for the exercise of the functions related to the individual affair <sup>65</sup>.

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<sup>65</sup> Art. 51 of the Sport Justice Code

The task of the General's Attorney Office of Sport is to coordinate and supervise the investigative activities and requirements carried out by the Federal Public Prosecutor's Office, in order *"to protect the legality of the sporting order"*<sup>66</sup>.

The General's Attorney Office of Sport ensures a coordinated and consistent approach in defining the hypotheses of conclusion of the investigation in case of confirmation of the existence of the accusatory hypotheses.

The General Sports Prosecutor's Office, moreover, constantly plays a role in supporting the Federal Prosecutors' Offices in relations with the ordinary Public Prosecutor's Offices in order to obtain judicial acts useful in supporting sports disciplinary action, as well as in supporting the Federal Prosecutors' Offices in more complex investigations<sup>67</sup>.

### 3.4.8 Board of Guarantee for Sport

It is instituted at the CONI, in a position of autonomy and independence, the College of Guarantee of Sport, a body of last degree of sports justice, which is responsible for the knowledge of the disputes finally decided at federal level, with the exception of those concerning doping and those that involved the imposition of technical and sporting sanctions of duration of under ninety days or monetary sanctions up to 10,000 euros<sup>68</sup>.

The action is admissible only on the basis of an infringement of the rules of law and insufficient reasoning as to a decisive point in the dispute which has been the subject of dispute between the parties. An appeal may be brought by the parties against whom the decision has been made and by the General Attorney of sports. The Sports Guarantee Board shall also judge the disputes referred to it by the other provisions of this Code, as well as by the Statutes and Federal Regulations on the basis of special procedural rules defined in agreement with CONI. In such cases the judgement may also be of merit and in a single instance. The Sports Guarantee Board also performs the consultative functions as per paragraph 5 of art. 12 bis of the CONI Statutes. In this case, the relative request is proposed by CONI or, through it, by the Federations<sup>69</sup>.

## 3.5 Applicable legislation as regards health, safety and liability

### 3.5.1 ART. 1 - Safety regulations

The Sports Association, regardless of its hierarchical and organisational structure as well as its size and role as manager or user of sports facilities, is subject to the application of Legislative Decree no. 81/2008 and s.m.i. with the identification of risk factors related to five-a-side football within the framework of the sports venue.

The owner of the facility must guarantee to the operator the traceability of all the documentation related to the legislative compliance of the facility itself and of the relevant installations (e.g. premises, installations compliance, reporting and verification of earthing and atmospheric discharge installations, CPI, etc.) and must also make it available, during the safety audit (initial and periodic), by the operator.

The manager must ensure that safety is respected both in terms of the operation of the sports facility and the protection of health and safety in the workplace; if the manager employs

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<sup>66</sup> Art. 12 ter of the Statute of CONI

<sup>67</sup> PROCURA GENERALE DELLO SPORT *"SAFEGUARDING POLICY"* Luca Taucer's speech on the occasion of the Italian Fencing Federation Workshop "FederScherma 4.0 - Valori oltre le medaglie" Sala Polifunzionale della Presidenza del Consiglio dei Ministri- Rome, 8 november 2019

<sup>68</sup> Art. 12 bis of the Statute of CONI

<sup>69</sup> Art. 54 of the Sport Justice Code

employees and/or de facto employees (volunteers), he must comply with the requirements of Legislative Decree no. 81/08 as amended and supplemented.

### 3.5.2 ART. 2 - Risk assessment

The risk assessment allows the "Employer" to take the appropriate measures to safeguard, first of all, the health and safety of "workers" in the "workplaces" and, at the same time, the health and safety of the employees who work within the same and, more generally, the spectators.

To this purpose, risk assessment performs the essential function of risk prevention through its preliminary and permanent implementation during all phases of "work activity".

### 3.5.3 ART. 3 -Risk identification

The Sports Association observes and studies the activities and the connection of risks (e.g. falls from a height, slips, level falls, impacts, exposure to biological agents, chemical agents, etc.) considering:

- the general characteristic of "workplaces" (hygiene requirements, installations, air conditioning, etc....);
- the relationship between man/equipment (equipment, means, etc.);
- the man/environment relationship (violent weather events such as wind, lightning, falling trees; substances and preparations, biological agents, etc.);
- the analysis of jobs and tasks;
- the reference regulation.

### 3.5.4 ART. 4 - Assessment of the level of risk

In chronological order, the obligations that must be fulfilled by the Sports Association under Legislative Decree no. 81/2008 as amended and supplemented are:

- the identification of the "employer" in the figure of the President or the Delegate appointed by the Board of Directors, or by the Member appointed by the Shareholders' Meeting, and in any case according to the specific organisation;
- the designation of the person in charge of the prevention and protection service (RSPP), who according to art. 2 paragraph 1f of Legislative Decree 81/08 s.m.i. is the person "in possession of the professional skills and requirements as per article 32 designated by the employer, to whom he or she responds, to coordinate the prevention and protection service against risks; the Employer may also assume the role of RSPP and therefore DL/RSPP";
- the identification of the "worker", who according to art. 2 paragraph 1a of Legislative Decree 81/08 s.m.i. is the "person who, regardless of the type of contract, carries out a work activity within the organization of a public or private employer, with or without pay even for the sole purpose of learning a trade, an art or a profession, excluding domestic and family services workers ...Within the Sports Associations there is also the worker who carries out voluntary work";
- the identification of subjects with "first aid" and "emergency management" tasks;
- the securing of "workplaces" (equipment, installations, furniture, fire-fighting equipment, etc.);
- information, training and education of the operators involved in the activities.

### **3.5.5 ART. 5 - Health protection in the Sports Association**

The objectives of health protection are as follows:

- to minimise the possibility of accidents;
- activate the compensation procedures required by law;
- ensure the right to psychophysical integrity in those who submit to physical effort, such as the practice of football at competitive level;
- to inform themselves and study the subject.

### **3.5.6 ART. 6 - Italian legislation on health protection**

Health is protected in the Italian legal system primarily by Article 32 of the Constitution according to which the Republic protects health as a fundamental right of the individual and in the interest of the community. The Ministerial Decree of 18 February 1982 does not make any distinction between amateurs and professionals, so for the purposes of health protection, those who practice competitive sports must undergo prior and regular checks on the specific suitability of the sport they intend to play or perform.

### **3.5.7 ART. 7 - Certificate of suitability for amateur activity**

It is obligatory for the sports physician to issue a certificate of fitness to practice sport, as it is not sufficient for the doctor in charge to issue a certificate of healthy and robust constitution. The duration of eligibility, except in exceptional and justified cases, is one year. The certificate is a privileged means with a dual purpose: preventive (screening and suitability) and welfare (periodicity).

The Athlete may submit an appeal to the regional medical appeal committee within 30 days from the notification of the denial.

### **3.5.8 ART. 8 - Duty of information and responsibility**

With regard to health, every child/athlete must be informed of the risks he or she faces before starting competitive practice, so there is an obligation to provide adequate information, which must also be signed by the parents.

The criterion of suitability (art. 71 code of medical ethics) must be based on exclusive criteria of health protection and physical and mental integrity with adequate information on risks.

It is the responsibility of the athlete (and his family members) if they fail to provide anamnestic information and symptoms relevant to obtaining certification (from a doctor or other centre) or if pharmacological therapies are omitted, if consent is not given for the involvement of family members in the case of hereditary diseases and if consent is not given for a specialist consultation and further instrumental examinations.

### **3.5.9 ART. 9 - Excessive training damage (overtraining)<sup>70</sup>**

The term overtraining is used to describe a range of symptoms caused, essentially, by an altered relationship between training and recovery<sup>71</sup>.

Overtraining is a fairly frequent condition, a rather complex syndrome whose causes have to be found in several triggering factors.

The results, understood as the improvement in athletic performance, depend essentially on:

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<sup>70</sup> Rif. link <https://www.my-personaltrainer.it/sovrallenamento.htm>

<sup>71</sup> Term introduced by Hatfield, 1988

- training: causes stress to the body and stimulates it to adapt by improving its performance;
- nutrition: provides the energy substrates needed during training and recovery;
- rest or recovery: a set of modifications and physiological adjustments that allow the body to restore the psycho-physical balance that a stressful situation (training) has altered.

Only one of these three elements needs to be altered to adversely affect the results. If these deficiencies persist over time, you may enter the so-called overtraining phase, with stagnation or even involution of performance.

### 3.6 ART. 10 - Overtraining causes <sup>72</sup>

Overtraining causes are the following:

- overtraining and inappropriate for one's lifestyle;
- overly standardized training;
- insufficient sleep;
- too stressful lifestyle;
- too frequent competitions;
- health issues;
- inadequate and/or unbalanced power supply;
- food poisoning from excess of certain supplements;
- psychological problems (relational, family, social, work, etc.).

Overtraining can manifest itself through one of the following symptoms:

- accelerated resting heartbeat;
- excessive fatigue during training even at low to medium heartbeats;
- difficulty getting your heart rate up during training;
- difficulty getting your heart rate down to normal during recovery;
- apathy, insomnia, irritability, depression;
- excessive weight loss;
- loss of appetite, uncontrollable craving for sweets;
- recurrent infections, lowering of the immune system;
- hormonal changes: excess cortisol, ACTH and prolactin;
- chronic muscle soreness, tendinitis and joint problems.

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<sup>72</sup> Rif. link <https://www.my-personaltrainer.it/sovrallenamento.htm>

**Adequate rest:** allow yourself a fairly long period of rest between training sessions; sleep at least 7-8 hours a night; improve the quality of sleep (controlled temperature and humidity, suitable mattress, etc.); encourage recovery with massages, creams or salt and hot water baths.

**Positive mental approach:** accepting our limits, facing them with the conviction that with commitment and willingness we can overcome them.

**Don't work out too long:** cortisol levels start to increase significantly after 40-50 minutes from the start of the exercise and at the same time testosterone levels decrease.

**Follow a balanced diet:** take the various nutrients in the right proportions (varying from sport to sport); if you follow a hyper-protective diet, allow yourself days in which to decrease the protein supply and increase the glucidic one; do not demonize fats, but take them in the right proportions; allow yourself days in which to take high quantities of calories.

**Allow yourself periods of periodic regeneration:** within your training programme, plan a week of unloading at the end of each mesocycle<sup>73</sup>; at the end of each micro-cycle<sup>74</sup>, suspend the main activity for a few weeks and allow yourself a period of rest characterised by the practice of playful activities.

### 3.6.1 ART. 11 - Head of the Sports Association

The Head of the Sports Association, independent of the presence or absence of workers, is under the regulation of articles 2043 and 2050 of the Italian Civil Code and is therefore personally responsible for the protection of all the people present in the sports venue and therefore including the athletes (*defined by the Ministerial Decree of 17.12.2004*), who are not equated with employees, but have the right to the same form of protection reserved for spectators.

### 3.6.2 ART. 12 - Responsibility of natural people

The natural people subjected to the application of this code, except where specified differently, are liable for violations, committed intentionally or negligently, of the rules applicable to them. Juvenile athletes are responsible, through their parents/supervisors or coaches depending on the specific case, for acts of violence committed<sup>75</sup>, during the football match, against the referees or team mates or adversaries.<sup>76</sup>

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<sup>73</sup> The mesocycle is the unit of time measurement usually used in sport to identify the various periods into which the annual training macrocycle is divided.

<sup>74</sup> Microcycles are composed of numerous training units that generally range from a few days up to a maximum of one week; microcycles can be adapted more precisely to existing conditions such as the physical condition of the moment, any physical problems that arises during the week but also any prohibitive weather conditions. In the microcycle the various training units must be organized in a logical way with the creation of an "*ideal rhythm*" of training where the work necessary for the development of performance is ordered in the right sequence during the week.

<sup>75</sup> According to the Court of Cassation (*Judgment No 1197 of 19 January 2007*), due to the parents' duty of supervision and education of their children, the question is whether and when the responsibility of the instructors excludes that of the parents. In fact, pursuant to art. 2048 of the Italian Civil Code, parental responsibility should be excluded when the child has acted during a competition or during training, having been assigned to the instructor. In particular, it is discussed whether and when the parents should be held liable for the illegal act committed by the minor child, for example with reference to cases in which the fact appears to be completely abnormal in relation to the child's character and habitual tendencies, to the education received and the normal vigilance due; i.e. in all those cases where the fact of the child is not ex ante preventable by people exercising parental authority over him/her. This refers to an assessment in the concrete case, so the judge will have to assess the degree of maturity of the child.

<sup>76</sup> Idibem

### **3.6.3 ART. 13 - Responsibilities of the Sports Association**

The Sports Association is responsible for:

- directly for the actions of those who represent it in accordance with federal regulations. In particular, it is responsible for the disciplinary actions of managers and members;
- of the work and behaviour of its employees, of the persons in charge of the Association's services, both in their own field, which means also the neutral field, and in that of the host company, without prejudice to the duties of the latter;
- of the violation of the rules of order and safety for events that occurred before, during and after the competition, both inside the sports venue and in the immediately adjacent external areas.

The failure to request the intervention of the competent authorities shall, in any case, result in increased penalties.

The Association shall be held responsible for sports offences committed for its benefit by people who are not among the abovementioned authorities and who have not relationship with the Association itself.

Liability is excluded when it appears or there is reasonable doubt that the Association has not participated in the illicit act.

### **3.6.4 ART. 14 - Directors' Responsibilities**

The liability of the administrators towards the association is regulated with a reference to the rules on the mandate (art. 1710 Civil Code). Therefore, the administrators are liable towards the association if the damages caused by them are directly attributable to their conduct and if they derive from the non-fulfilment of an obligation provided for by law or by the Association Statute.

*According to art. 38 of the Civil Code*, for obligations, i.e. debts or contractual commitments, assumed by the people representing the association, third parties can assert their rights on the common fund (i.e. the patrimony) of the association.

People who have acted in the name and on behalf of the Association are also personally and jointly liable for the obligations themselves.

As regards the debts of the Association, the Association is liable with the common fund, but if this is insufficient, the President, the members of the Board of Directors or those who have acted in the name and on behalf of the Association are also liable jointly and severally with their personal assets.

In order to avoid such inconveniences, the Sports Association is committed to a correct management of the Association itself, so as to commit only what has been collected, making sure not to incur debts.

The Chairman and the Board members are only responsible for the acts and debts performed in the course of their management, and not for the debts that have arisen before or afterwards. Moreover, the counsellor who did not take part in the act that caused the damage or the economic inclination is free from liability, unless, being aware of the act that was about to be carried out or approved, he did not express his disagreement.

The administrators of the association, moreover, could be called to civil responsibility in case of damage to members caused by accidents attributable to organizational deficiencies or activities managed without the minimum precautions. To this end, the Association stipulates a basic insurance policy.

### 3.6.5 ART. 15 - Main obligations of the Association

The main obligations of the Sports Association, for a correct and safe management of the body and activities, are:

- take out an insurance policy to cover possible injuries to members during sports activities;
- make sure that all members undergo a medical check-up every year and obtain a sports medical certificate. A copy of the certificate must be kept by the association;
- make sure that the sports equipment is working properly and that the sports facilities are properly maintained and check the preparation of the coaches. In the case of sporting events, the organizers must comply with safety regulations and take the normal precautions to limit the risk of damage to spectators;
- follow the main requirements of the *"Unified Text on Health and Safety at Work"* (Legislative Decree no. 81/2008) described in the previous articles.

### 3.6.6 ART. 16 - Sport Insurance

Sports insurance is an insurance contract that can be concluded with any insurance agency. The insurance can be stipulated:

- by all sportsmen and women, even occasional sportsmen and women, who practice a sport at a qualified facility and in the presence of instructors;
- by all professional athletes, for whom it is mandatory;
- by all minors who play sports, with the signature of the parent or representative.

The sports insurance serves to protect both the underwriter of the contract and third parties or the facilities used to practice sport.

The sports insurance generally covers all situations of damage or accident caused while practising sport and in particular can cover:

- personal damage to the sportsman, such as injuries and accidents;
- damage caused by the sportsman to third parties, especially in team sports.

It is common for a team sport such as football to accidentally harm a teammate or an adversary during a match. The insurance company reimburses the victim's medical expenses in such cases.

The insurance policy for sports activities is, in some cases, required in order to be able to access the services of the sports facility, in accordance *with the decree of 3 November 2010* for professional and amateur sportsmen and sportswomen with membership card of any Sports Federation, as well as for technicians and managers of Sports Federations.

For those who practise sport at an amateur level, insurance is not compulsory, but recommended. Especially with regard to children and young people, it is generally recommended to think about their safety and protect themselves in case they could cause an accident or incident.

## **CHAPTER 4- Accountability**

### **Introduction**

The purpose of this section is to provide for appropriate measures to monitor compliance and implementation of the policy and procedures set out in this Code for protection of minors, including to assess and find out whether the safeguards are effective.

#### **4.1 ART. 1 – Specific measures**

The Sports Association provides, in relation to its characteristics and peculiarities, specific measures and/or additions to existing ones through quality assurance systems, risk management, internal *audit*, monitoring and review.

#### **4.2 ART. 2 – Periodic Report**

The Sports Association shall create an annual reporting system to keep track of progress and performance in protecting minors in line with the provisions contained in this Model, including information on matters concerning the protection of minors.

To reach this aim, Association undertakes to make agreements with external or independent bodies for the supervision and monitoring of performance by Managers and the Head of Safety who has a fundamental role within the Sports Association itself.

#### **4.3 ART. 3 – Model dynamics**

This model must be considered dynamic in the sense that the rules and safeguards contained herein must be periodically reviewed respecting experiences and events over time.

Considering that it is important to learn from real experiences and events, practical and useful lessons for the development of the Association, the policy and procedures are reviewed at regular intervals and formally evaluated every three years.

The results, performance and experience acquired are reported and included in the annual reports referred in the previous article.

#### **4.4 ART. 4 - Monitoring**

Active monitoring involves regular checks to ensure that standards are being implemented and security measures are working. This can be done in a variety of ways, including surveys with staff and associates on how respecting standards, whether they are effective and if they are not what needs to be improved.

The so-called reactive monitoring, on the other hand, in case of accidents or when things go wrong, involves learning from mistakes. Good case management can provide valuable insight into why the abuse took place and whether the Association could have done something to prevent it.

#### **4.5 ART. 5 – Mode of action**

Regular reports should not only focus on the number of cases that have been processed, but should also include how systems and processes work to prevent the risk of abuse: a risk register is a good starting point.

The Sports Association must undergo *internal audits*. If the protection of minors has been integrated into the Association's own systems and processes, these should be checked together with other areas of activity audited.

The first phase is an internal self-assessment that can be used by the Association to check progress in the safety and security of children.

An external certification system verifies whether the child protection measures that have been examined within the Association are effective or not.

Evidence may be provide as follows:

- to have a risk register;
- have an instrument of self-control;
- compiling internal audit reports;
- maintain child safety certification.

*What to do and what not to do to meet this standard:*

- be transparent with information on child protection, as the credibility of an organisation is based on being transparent and responding adequately to all concerns;
- feel responsible for ensuring that the policy is implemented through a range of child protection measures;
- engage in monitoring and review as much as in implementation to find out whether the efforts made through the adoption of the model have been successful.

## **CHAPTER 5 SPECIAL PART dedicated to children with intellectual disabilities**

### **Introduction**

The importance of dedicating a specific part of this model comes from the need to study in depth a very delicate issue in which the main international sports institutions have invested a lot in recent years. The great social, rehabilitative and relational value of sport has been recognized as a tool that allows the individual to improve physical qualities, to enhance cognitive and psychic aspects and to develop very valuable social-relational skills, especially in the case of people with disabilities. Sport produces positive effects on a psychological level, leading to an improvement in social skills, learning, mood, sleep and therefore the health of the individual in general. Desirable effects have also been found with regard to socialisation, health, self-esteem and family functioning. As regards Intellectual Disabilities, sport in general and five-a-side football in this specific case, can and should contribute to the development of the physical and psychosocial well-being and motor skills of these children. Through involvement and inclusion in an encouraging and qualified sports environment, these children develop cognitive and environmental exploration skills, improve their self-control, as well as a reduction of the often present emotional disorders. All this can contribute, as already pointed out above, to an improvement of the quality of child's life and also a reflection of his family and a reduction of stress related to his own life conditions. Sporting activity represents a new experience to be faced independently, without the help of parents, on which they usually depend. Being a part of a sports community like other children also means being inserted in a social context, where you can experience a wide range of feelings and emotions, manage possible relational conflicts and learn to relate to others. The child with disabilities is also given a purpose and a specific role, thus enhancing the process of building his or her personal identity.

The practice of sport teaches acquisition and respect for the rules. The athlete with disabilities through sport, learns to respect his fellow coaches and opponents, to engage in training as in the game, to achieve a common goal. Specifically, in team sports such as five-a-side football, you become part of a group in which you share needs, motivations and values and in which the other constitutes a resource. Through motor activity the condition of these children can be reversed, improving their psychomotor functioning, cognitive and affective processes and interaction with others. Motor activity allows the athlete with disabilities to acquire greater self-awareness, on the one hand through an increase in confidence in his potential, and on the other hand through the acceptance of his own limits. The project and the above mentioned Code of Ethics should lead to widen and facilitate the access of the disabled person to sport and the achievement of a vision of "disability" as one of the possible characteristics of the human being.

Through motor activity it is possible to overturn the condition of these children. Sporting helps people with disabilities to develop greater balance, which is useful when walking, to strengthen muscle tissue, to improve endurance, speed and strength, and finally it facilitates the decrease in heart rate and optimizes breathing rhythm. A disabled athlete will therefore be able to move correctly in space, acquiring and increasing space-time organization skills and will achieve an excellent level of voluntary motor autonomy. The motor activity allows the athlete with deficit, in fact, to acquire greater confidence in the things he does and in himself, helping to restore confidence in his potential possibilities.

"Governments shall encourage and promote participation in sport at all levels, to the greatest possible extent, by people with disabilities ... allowing persons with disabilities to participate in sports, leisure and recreational activities on an equal measure with others"<sup>77</sup>.

The European Union Agency for Fundamental Rights (FRA) conducted a study on violence against children with disabilities, in which it examined the scope, forms, causes and context in which such acts of violence are perpetrated. The legal system and the policy framework at international and European level recognize that the problem of violence against children with disabilities requires special attention from the political world and qualified professionals. The United Nations Convention on the Rights of the Child (CRC) and the United Nations Convention on the Rights of Persons with Disabilities (CRPD) are two fundamental instruments which guarantee protection from violence to children with disabilities and which concern, respectively, children and the lives of people with disabilities. All EU Member States have ratified the CRC, while the CRPD was ratified by 25 of them in September 2015. The EU also joined the CRPD in 2010, so the Convention has become an integral part of its legal order and all EU legislation and practices must be consistent with its provisions. Member States have recognised the need to protect children with disabilities in a variety of ways, for example by penalizing them or by defining national policies aimed at eradicating this phenomenon. In its recent concluding remarks to the European Union, the CRPD Committee recommends that the EU should take the necessary measures to mainstream disability into all laws, policies and strategies to combat violence, abuse and exploitation.<sup>78</sup>

### **5.1 Standards for the protection of children with disabilities in Five-a-side football**

The Model wants to emphasize three basic principles when dealing with children with disabilities in sport: the concept of ***empowerment*** refers to the ***"process by which each individual develops skills and competences to gain control of his or her life and to improve his or her living condition"***.

***1: The main objective of teaching sports to children with intellectual disabilities is empowerment.***

Long time ago, the Scientific Department of the International Paralympic Committee has placed *the empowerment* of people with disabilities as a research and development priority. The concept of *empowerment* refers to the "process by which each individual develops skills and competences to gain control of his or her life and to improve his or her living condition"<sup>79</sup>.

When you are talking about *empowerment* you have to keep in mind that the model taken into consideration aims at the development of the sports association at individual level (aiming at improving the autonomy of the person), of the organizational climate (which

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<sup>77</sup> Drawn from "Convenzione delle Nazioni Unite sui diritti delle persone con disabilità"

<sup>78</sup> Drawn from "Violenza contro minori con disabilità: legislazione, politiche e programmi nell'Unione europea" (FRA – European Union Agency for fundamental rights).

<sup>79</sup> Cei A., Sepio D., Rosci M., *Sport, calcio e integrazione*. Calzetti & Mariucci, Torgiano, 2020, in progress

should be strongly oriented to the task and improvement rather than to the result of the performance) and social (by breaking down prejudices).

## **2: The main objective of playing sports with children with intellectual disabilities is integration.**

The most relevant dimensions involved are the possibility to achieve a complete social inclusion, to exercise a sufficient level of self-determination and the condition of health (often complex and characterized by the coexistence of mental and physical pathologies). The football experience serves, for each child, as a tool not only for the acquisition of motor and technical skills, but also for development, promotion and increase of social skills. Social skills are acquired through a cognitive process with your fellows. Social skills are acquired through a cognitive process with your fellows. Team and group sports such as five-a-side football facilitate pro-social behaviour and interpersonal communication and could therefore be of great benefit in the psychosocial development of young people, precisely to encourage the development of skills that play a more marginal role in individual activities. Sport is a space that allows development of socialization and construction opportunities between teammates.

## **3: It is necessary to know in a proper way the characteristics and the level of severity of the disability of minors who are part of the sports association.**

Knowing the characteristics of the child's disability allows you to create a personalized program even more effective, also to deepen the seriousness with which the disability presents itself allows you to grasp nuances and opportunities for individual growth. In particular, it will be useful to take into consideration not only the type of disability, but also the age of the beginning of the same and the type.

### **5.2 Staff conduct**

In order to facilitate the understanding of how to behave with children with disabilities, concepts that can be generalized to all types of intellectual disabilities have been included. It was preferred to give greater emphasis to this type of analysis because the behaviour to be maintained with disabled minors must take into account many aspects including: type of intellectual disability, age of insurgence, severity of disability, level of impairment of motor skills. In general, the approach to sport with children with disabilities needs the maximum possibility to personalize the intervention and this can be implemented through a deep knowledge of the child and his/her disability.

The basic needs of children with disabilities are the following:

- Autonomy (all those activities that bring into play their basic primary skills such as tying their shoes, changing, picking up their backpack).
- Relation and social needs (related to the ability to manage and interact independently with his/her fellows in the environment and in the various activities).
- Motor skills (related to the ability to adapting to space and to be able to coordinate the actions required by the educator).
- Cognitive aspect (linked to the ability to understand the coach's indications and to share difficulties with others, such as containment of crises and frustration).

The areas therefore to be taken into consideration and to work on, especially as regards those who come into contact with these children, are:

- mobility;
- collaboration;
- understanding;
- socializing;
- management of new situations and people;
- problematic behavior.

Each member of staff will have to avoid contrast and overcome disappointment respect to any expectations too high; give up their own personal development project ideas and evaluate each situation starting with the child.

It is necessary that the coach has an *enthusiastic, positive, patient and encouraging attitude* as disability is only part of a person. The goal should be to keep the balance between limits and possibilities for each of the children, work on self-confidence, encouraging them with words and actions.

The coach must help the child with disabilities to integrate with his teammates and to follow the common training program taking into consideration his strengths and weaknesses, trying to support him, respecting his times and facilitating his performance, also urging his teammates to help and support him in this, so that he feels understood and like others.

It must stimulate its strengths, always taking into account the current times and abilities of the child with intellectual disabilities.

It should encourage and enable the active participation of children with disabilities and increase their self-confidence.

They should listen to and take into account the specific needs, interests and concerns of the child in planning activities.

Each staff member must be trained and selected on the basis of professionalism, knowledge and full adherence to the principles of the Code of Conduct concerning this specific section.

The sporting activity must be carried out in an integrated and inclusive manner between children with disabilities and children with typical development.

### 5.3 Example of autism spectrum disorder <sup>80</sup>

- establish and maintain eye contact and encourage the child to do the same;
- speak clearly and use the help of images in case of language difficulties;
- reward any attempt at spontaneous communication;
- encourage to share your space and your game with others;
- provide brief, simple, specific, explicit, never implicit instructions;
- make the environment predictable and constant (materials always placed in the same place, easily identifiable);
- use simple language appropriate to the child's skills;
- try to use materials that are known or in which interest has already been expressed;

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<sup>80</sup> Ibidem

- provide, in the case of children who do not communicate verbally, ways of symbolic communication (images, signs, non-verbal communication);
- evaluate the willingness to physical contact;
- use physical guidance if necessary to teach the movements;
- distinguish dysfunctional behaviours or fixations from those that can be useful for educational purposes (if a child is "fixed" in putting things in order, channel this behaviour by using it in a constructive way: e.g. responsible for balls);
- in case of problematic situations it is important to proceed step by step and maintain control trying to understand the need of the child behind that behaviour to eliminate its cause (e.g. after a noise towards a present noise, try to eliminate it or shift attention towards something of interest to the child);
- pay attention to non-verbal behaviour and the positive and negative emotions that this implies;
- to motivate children with intellectual disabilities not treating them differently, but as their fellows;
- allow more time to understand and execute the directions given to him;
- organize the space properly and safely, trying to eliminate or minimize obstacles, noise, positioning of various materials;
- propose activities that facilitate aggregation and mutual support.

#### **WHAT NOT TO DO:**

- communicate during an activity that does not allow eye contact;
- use syntactically complex phrases or overly technical language;
- to indulge the instinct of isolation in itself;
- change radically places or equipment;
- punish behavior resulting from the peculiarities of disability;
- forcing people to use materials or equipment that are not welcome;
- expecting results and improvements shortly or in the same way as normal children;
- allow particularly noisy activities in the vicinity of the training ground;
- to start a sports course without knowing the clinical situation of the minor;
- use a loud tone of voice or shout.

#### **5.4 Disability assessment<sup>81</sup>**

At the time of the first membership, the athlete must enclose a medical certificate with the application:

- that the athlete is a person of relational intellectual disability with grade specification (mild - medium - severe);
- that relational intellectual disability occurred before the age of 18;
- the diagnosis of the pathology that eventually determined the state of relational intellectual disability.

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<sup>81</sup> Health regulations and Fisdire classifications

### **5.5 Health protection of the athlete with intellectual and relational disabilities (DIR)**

Children with relational intellectual disabilities must present a certificate of suitability for non-competitive sports activities in accordance with the **Ministerial Decree of 24 April 2013** and subsequent amendments and additions. The child is required to have an annual medical check-up, which must include blood pressure measurement and a resting electrocardiogram. In the event of suspected diagnosis, the certifying doctor may ask the sports doctor or branch specialist for advice. The certificate of ability for non-competitive sports practice is released by the general practitioner or paediatrician of free choice, in relation to their patients or by the sports medicine specialist in accordance with the Ministerial Decree of 24 April 2013.

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