



Athlete Safeguarding Governance and Culture Review of the Western Australian Institute of Sport

Terms of reference

1. Background

On 20 April 2022, Sport Integrity Australia (SIA) published a report detailing its review of the Western Australian Institute of Sport (WAIS) Women's Artistic Gymnastics program (SIA Report).

Based on the information and material SIA collected during this review, it found it was reasonably likely that some gymnasts suffered abuse and/or harm while participating in the Women's Artistic Gymnastics Program at WAIS.

The SIA Report is available to read here:

<https://www.sportintegrity.gov.au/news/media-statements/2022-04/sport-integrity-australia-releases-wais-gymnastics-review-findings>

On 22 June 2022 the Hon David Templeman, Minister for Sport and Recreation, tasked the Department of Local Government, Sport and Cultural Industries (DLGSC) with actions responding to SIA's findings. This included a direction for DLGSC to undertake a comprehensive safeguarding governance and culture review of WAIS (the Review).

The relevant media statement is available to read here:

<https://www.mediastatements.wa.gov.au/Pages/McGowan/2022/06/Apology-to-gymnasts-as-child-safeguarding-unit-established.aspx>

Safeguarding in the context of this Review is defined as the actions taken to protect athletes, including children and young people, from harm, abuse and threats to their physical, psychological, and emotional wellbeing. The term encompasses both a preventative and reactive response.

DLGSC has commissioned a contractor to independently design and deliver this safeguarding governance and culture review on its behalf, according to the following Terms of Reference, agreed by DLGSC and WAIS.

2. Objective of the Review

The objective of this Review is to inform WAIS, DLGSC and the Minister for Sport and Recreation on areas relating to athlete safeguarding governance and culture at WAIS, both historically (from April 2019) and currently. This involves identifying any areas WAIS is currently doing well, in addition to areas where there are opportunities for development. This will also include making recommendations for improvement which support WAIS to provide an environment that is safe for athletes.

The Review will adopt a balanced approach that encompasses all feedback.

3. Scope of the Review

Based on the objective outlined above, the Review will:

- Understand current governance and culture in relation to the safeguarding of athletes including children, young people, and adults.
- Consider safeguarding policies and procedures at WAIS including any changes or improvements made within the time period, including but not limited to, WAIS' adoption of the Safeguarding Children and Young Policy, Member Protection Policy and Complaints, Disputes and Discipline Policy of Sport Integrity Australia's National Integrity Framework.
- Identify any gaps, concerns and strengths relating to current safeguarding culture and governance at WAIS.
- Make recommendations through a Review Report to ensure:
 - WAIS is providing a safe environment for athletes
 - WAIS' practices, processes, policies and systems align with better practice safeguarding governance and culture, in the high-performance sport environment.

The scope of the Review is from April 2019 to April 2024 (Review period). The following are in scope of the Review:

- current and former WAIS athletes, including children and young people
- families of athletes including parents and guardians of athletes under the age of 18 years (at the time they trained at WAIS)
- current and former coaches and WAIS sporting program support staff, such as medical staff and subject-matter experts who have experience at WAIS, including sports psychologists
- current and former WAIS administrative staff, management, Executive and Board of Directors.

For the detailed list of WAIS programs which were operating during the Review period, see Appendix A.

4. Scope exclusions

The scope of the Review will not include:

- A review of safeguarding culture and governance including programs, policies, and practices at WAIS outside the Review period, including the WAIS Women's Artistic Gymnastics (WAG) Program.
- A review of programs or activities not run or managed by WAIS.
- A review of the implementation of SIA Report recommendations.
- A review of the design of the National Integrity Framework, or consideration of areas outside of safeguarding or member protection, including but not limited to, improper use of drugs and medicine, competition manipulation and sport gambling.
- The investigation and/or resolution of individual complaints.

- The consideration of WAIS' organisational governance arrangements outside of governance, oversight and monitoring of safeguarding, such as:
 - establishment (i.e. its status as a body incorporated under the *Associations Incorporation Act 2015*)
 - effectiveness as a high-performance coaching organisation, achieving sporting success
 - financial management.
- Consideration of WAIS' organisational culture outside of safeguarding culture.
- Consideration of policies or procedures which do not relate to athlete safeguarding such as National Integrity Framework's Improper Use of Drugs and Medicine Policy or Competition Manipulation and Sport Gambling Policy.
- Occupational health and safety of WAIS staff unrelated to athlete safeguarding, including bullying and harassment processes.

5. Review process

The Review will be performed based on the approach outlined below:

- Gathering information via broad and appropriate means which promote access and inclusion, including but not limited to surveys, focus groups, interviews, desktop review of current and historic internal documentation, site visits and written submissions.
- Consideration of a sample of complaints that fall within the scope of the review, to understand the adequacy of the complaints process for athletes (both children and adults), parents or guardians, and staff to raise safeguarding concerns or feedback.
- Analyse the outcomes of information gathering activities to extract insights, themes, root causes and findings.
- Drafting the Interim Status Report and Review Report, as documented below.

6. Interim Status Report

An Interim Status Report will be provided to the Minister for Sport and Recreation, DLGSC and WAIS Board with an update on the progress of the Review. This report will not contain any findings or recommendations, and be limited to providing:

- Factual updates on activities conducted.
- Updates on future planned consultation and other relevant activities.

7. Review Report

The Review Report will outline the outcomes of the Review and include:

- Approach taken to complete the Review.
- Findings related to scope areas set out in clause 3.
- Strengths and areas for improvement.
- Recommendations to address the areas for improvement.

The Review Report will document thematic findings only and not present any individual cases or incidents.

A summarised version of the Review Report may be made publicly available.

8. Safe, trauma-informed approach

A safe, trauma-informed approach to the Review will be embedded by applying the following:

- Anonymity will be provided to all participants involved, except in cases involving the management and reporting of disclosures of harm or abuse. Participants will be informed during the consent process of the potential need to breach anonymity if certain disclosures are made.
- Person-centred, trauma informed processes are adopted that seek to do no further harm, with appropriate management and reporting of disclosures of harm or abuse, in line with protocols agreed with DLGSC.
- Where appropriate, obtaining consent from participants and their guardians where those participants are minors.
- DLGSC shall afford participants in the Review procedural fairness by treating individuals with dignity and respect, providing them with a voice, and ensuring that the Review process is transparent and unbiased.

9. Timing

An Interim Status Report will be provided in December 2023, with the Review to be performed and completed by April 2024.

10. Review outcomes

The outcomes of the Review will be a Review Report containing matters outlined in clause 7 to enhance athlete safeguarding governance and culture within WAIS programs.

Having regard to the outcomes sought by DLGSC, WAIS will be responsible for taking appropriate actions in response to any findings outlined in the Review Report.

WAIS commits to address and provide a formal response to the Review Report and its findings and recommendations within twenty (20) business days of receiving the Review Report from DLGSC.

WAIS' response(s) must specify whether WAIS supports, supports in principle or rejects each of the recommendations. If WAIS is to reject any recommendation(s), WAIS must provide clear rationale as to why.

In the event that WAIS rejects the implementation of any recommendation(s), it is acknowledged that the Minister for Sport and Recreation may have the view that the recommendation(s) should be accepted and implemented; in this event, the relevant parties will negotiate a suitable way forward.

For further information about the Review, visit [Safeguarding Governance and Culture Review of the Western Australian Institute of Sport](#) on the DLGSC website.

Appendix A: WAIS Programs

The following current programs operating at WAIS will be considered during this Review.

- Athletics
- Women's Basketball
- Canoeing
- Cycling
- Diving
- Hockey
- Netball
- Rowing
- Sailing
- Swimming
- Wheelchair Basketball
- Individual Athlete Program

The below lists the past programs running at WAIS during the Review period which will be considered during this Review.

Men's and Women's Water Polo