

ETHICS, LAWS AND RULES

BADMINTON SCOTLAND 2022



BADMINTON
SCOTLAND

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Introduction

This document provides members with information required for participation within our sport. It sets out processes and procedures that all members are bound by and provides advice and links to other organisation that support our sport in various ways to ensure fair and ethical play at all times.

1.0 Complaints Procedure

Badminton Scotland has a two stage complaints process:

1.1 Stage 1 – Frontline Resolution

- We aim to resolve your complaint and respond to you within 5 working days or sooner if possible.
- We will try and resolve complaints quickly and close to where the service is provided.
- Where your complaint cannot be resolved within 5 working days, it will be transferred over to the Investigation stage.

1.2 Stage 2 – Investigation Stage

When using stage 2 we will:

- Give you a full response to the complaint as soon as possible and no longer than 20 working days.
- Acknowledge receipt of your complaint within 3 working days.

If your complaint has not been answered through Stage 1 we will discuss your complaint with you to understand why you remain dissatisfied and what outcome you are looking for.

- If our investigation will take longer than 20 working days, we will tell you and keep you updated on progress.

1.3 How Do I Complain?

- In person by coming into the Badminton Scotland offices.
- By e-mailing to complaints@badmintonscotland.org.uk
- By phoning – 0141 445 1218

2.0 Anti-Doping

The new 2022 anti-doping information can be found at:

<https://www.badmintonscotland.org.uk/anti-doping/>

2.1 Anti-Doping Rules

All Badminton Scotland members are bound by the BWF, UKAD and Badminton Scotland Anti-Doping rules at all times while an affiliated member. This includes:

- a. The athlete shall be deemed to have made him/herself familiar with, and hereby agrees to be bound by the UK Anti-Doping Rules/Anti-Doping Rules of BWF and Badminton Scotland and to submit to the authority of UK Anti-Doping and any other appropriate body in the application and enforcement of those Rules.
- b. The Athlete agrees to cooperate fully with any World Anti-Doping Code compliant anti-doping investigations or proceedings, whether conducted by UK Anti-Doping or any other competent body.

If you are a member of Badminton Scotland then the anti-doping rules apply to you, regardless of what level you participate at.

Plus, the UK Anti-Doping Rules/Anti-Doping Rules of the BWF and Badminton Scotland apply to all persons affiliated (whether permanently, provisionally, temporarily or otherwise) to participate in Badminton, for whichever is the longer of a) the length of the affiliation period; or b) 12 months from the date of issue of affiliation, in accordance with Badminton Scotland's Regulations/Rules of Conduct whether or not the affiliated member is a citizen of, or resident in, the UK.

2.2 The Big Picture – Top Tips for Clean Sport

An athlete is responsible for anything found in their system, regardless of how it got there or whether there is any intention to cheat. All athletes and athlete support personnel should make themselves aware of the risks, so they don't receive an unintentional ban from sport. Useful information for athletes can be found on the [UKAD website](#).

2.3 Further Information

Please do not hesitate to ask questions about the anti-doping rules. As well as asking Badminton Scotland and athlete support personnel, athletes may also contact UKAD directly, who will be able to answer any questions and provide guidance. They can be contacted at ukad@ukad.org.uk or +44 (0) 207 842 3450.

3.0 Privacy Notice

This Privacy Notice is effective from 22 May 2018

This Privacy Notice sets out how Badminton Scotland uses and protects any information that you provide to Badminton Scotland when you use our services.

Badminton Scotland is committed to ensuring that your privacy is protected. Should we ask you to provide certain information by which you can be identified when using our services, then you can be assured that it will only be used in accordance with this Privacy Notice.

3.1 What Information Do We Collect?

Information that we collect about you: each time you visit our website, we may automatically collect certain information. This information includes technical information, such as Internet Protocol (IP) addresses used to connect your computer to the internet, your login information, browser type and version, browser plug-in types and versions, operating system and platform and information relating to what pages you have viewed (e.g. using cookies as described further below);

Information volunteered by you: you may give us information about yourself by filling in online or offline registration forms (including, but not limited to Membership forms) or by corresponding with us via phone, email or otherwise. The information that you provide us with may include your name, postal and/or email address or phone number.

Information we receive from other sources: we work closely with third parties (including, for example, Badminton Scotland's business partners, associate bodies, sub-contractors in technical, payment and delivery services, advertising networks, analytics providers, search information providers) and may receive information about you from them.

3.2 Sensitive Personal Information

Where necessary to provide you with a specific service or product, Badminton Scotland may be given and undertake processing of sensitive personal data relating to you, as outlined below.

3.2.1 Ethnicity data

If collected from you, this will be used to identify and keep under review equality of opportunity within Scottish badminton, and (anonymously) for statistical and reporting purposes.

3.2.2 Disability data

If collected from you, this will be used to identify and keep under review equality of opportunity within Scottish badminton, and (anonymously) for statistical and reporting purposes.

3.2.3 Medical and injuries data

If collected from you (e.g. if you are a volunteer and wish to disclose medical information to us, to ensure that we can support you in your volunteering role. Parents/carers of junior players are required to provide medical information that is shared with coaches, and occasionally with tournament organisers in the event of a late withdrawal due to a medical reason). Data may be anonymised and used for

research/study/audit purposes to enhance the quality of care received by volunteers and junior players.

3.2.4 Anti-doping

If you are an elite player who is required to participate in doping control procedures undertaken by a doping control officer appointed by UK Sport or Badminton Scotland, the results of such procedures may be used in results management, including associated disciplinary hearings, appeals and adjudications.

3.2.5 Criminal records data

Badminton Scotland is registered with Disclosure Scotland to assist it in ensuring that those who take up appointments do not pose a risk to the children in its

care. Badminton Scotland may therefore process criminal records data disclosed by Disclosure Scotland. This will be processed in accordance with regulations set out by Disclosure Scotland.

3.2.6 Photographs

Badminton Scotland will often take (and commission partners to take) photographs that help to promote the sport in Scotland. These photographs are taken at events, courses, festivals etc. and are used for marketing purposes and for purposes of archiving achievements and activities. Adults are welcome to remove themselves from photographs if they do not wish to appear, and they are entitled to request that they are anonymised. Permission is sought from parents/carers before photographs of children and young people are taken and used.

3.2.7 Financial information

Badminton Scotland, as part of its contract to provide services to you, and to pay for services from you, may require to process financial information. This is done via an electronic card reader, bank transfer, Eventbrite, PayPal, cheque and cash. Financial information is treated with the utmost security, e.g. we only use secure online payment systems and we securely destroy information that is no longer legally required.

3.3 Why We Need Your Personal Information

- To perform the services you have requested (such as providing you with the benefits of Badminton Scotland membership or providing you with information you have asked for) which may involve contacting you by post or e-mail.
- To allow Badminton Scotland to administer Scottish badminton, for instance by organising tournaments and issuing coach certificates.
- To make parts of the website easier for you to use by not making you enter your personal information more than once.
- The reasonable purposes of Badminton Scotland, acting always within the Data Protection Act 1998.
- Provide you with information about other goods and services that we offer that are similar to those that you have already purchased or enquired about.
- Notify you about changes to our service, including but not limited to any changes to the membership benefits.

3.3.1 Use of Cookies

Information may be sent to your computer in the form of an Internet "cookie" to allow the Badminton Scotland servers to monitor your requirements. The cookie is stored on your computer. The Badminton Scotland server may request that your computer return a cookie to it. These return cookies do not contain any information supplied by you or any personally identifiable information about you.

Such measures are necessary to allow Badminton Scotland to measure the usability of the systems, which will help in its continuing development to ensure that we understand the requirements of Scottish badminton. Your browser software should however enable you to block cookies if you wish to.

3.3.2 Other Uses of Your Personal Information

We may ask you if we can process your information for additional purposes. Where we do so, we will provide you with an additional or amended privacy notice explaining how we would use your information for these additional purposes.

3.3.3 Who We Share Your Personal Information With

We may be required to share personal information with statutory or regulatory authorities and organisations to comply with statutory regulations.

3.3.4 How We Protect Your Personal Information

Your personal information is stored in our electronic filing system and our servers based in Europe, and is accessed by our staff for the purposes set out above.

3.3.5 How Long We Keep Your Personal Information

We will only keep your personal information for as long as necessary to provide you with services and will review the information we hold biennially.

Badminton Scotland may change this notice from time to time by updating this page. We will inform you of any updates to this Privacy Notice.

3.4 Your Rights

You can exercise any of the following rights by writing to us at enquiries@badmintonscotland.org.uk . Your rights in relation to your personal information are:

- You have the right to access the personal information that we hold about you by making a 'subject access request'
- If you believe any of the information is inaccurate or incomplete, you have a right to request that we correct or complete it
- You have the right to request that we restrict the processing of your personal information for specific purposes
- If you wish us to delete your personal information at any time, you may request that we do so and
- Where you have given us consent to process your personal information, you may withdraw this consent at any time

Any requests received by Badminton Scotland will be considered under applicable data protection legislation. If you remain dissatisfied, you have the right to raise a complaint with the Information Commissioner's Office at www.ico.org.uk

3.5 Website Terms and Conditions of Use

By accessing this website, you are agreeing to be bound by these website Terms and Conditions of Use, all applicable laws and regulations, and agree that you are responsible for compliance with any applicable local laws. If you do not agree with any of these terms, you are prohibited from using or accessing this site. The materials contained in this website are protected by applicable copyright and trade mark law.

3.5.1 Use License

- a. Permission is granted to temporarily download one copy of the materials (information or software) on B Badminton Scotland's web site for personal, non-commercial transitory viewing only. This is the grant of a license, not a transfer of title, and under this license you may not:
 - i. modify or copy the materials;
 - ii. use the materials for any commercial purpose, or for any public display (commercial or non-commercial);
 - iii. attempt to decompile or reverse engineer any software contained on Badminton Scotland's web site;
 - iv. remove any copyright or other proprietary notations from the materials; or
 - v. transfer the materials to another person or "mirror" the materials on any other server.

- b. This license shall automatically terminate if you violate any of these restrictions and may be terminated by Badminton Scotland at any time. Upon terminating your viewing of these materials or upon the termination of this license, you must destroy any downloaded materials in your possession whether in electronic or printed format.

3.5.2 Disclaimer

The materials on Badminton Scotland's web site are provided "as is". Badminton Scotland makes no warranties, expressed or implied, and hereby disclaims and

negates all other warranties, including without limitation, implied warranties or conditions of merchantability, fitness for a particular purpose, or non-infringement of intellectual property or other violation of rights. Further, Badminton Scotland does not warrant or make any representations concerning the accuracy, likely results, or reliability of the use of the materials on its Internet web site or otherwise relating to such materials or on any sites linked to this site.

3.5.3 Limitations

In no event shall Badminton Scotland or its suppliers be liable for any damages (including, without limitation, damages for loss of data or profit, or due to business interruption,) arising out of the use or inability to use the materials on Badminton Scotland's Internet site, even if Badminton Scotland or a Badminton Scotland authorized representative has been notified orally or in writing of the possibility of such damage. Because some jurisdictions do not allow limitations on implied warranties, or limitations of liability for consequential or incidental damages, these limitations may not apply to you.

3.5.4 Revision and Limitations

The materials appearing on Badminton Scotland's web site could include technical, typographical, or photographic errors. Badminton Scotland does not warrant that any of the materials on its web site are accurate, complete, or current. Badminton Scotland may make changes to the materials contained on its web site at any time without notice. Badminton Scotland does not, however, make any commitment to update the materials.

3.5.5 Links

Badminton Scotland has not reviewed all of the sites linked to its Internet web site and is not responsible for the contents of any such linked site. The inclusion of any link does not imply endorsement by Badminton Scotland of the site. Use of any such linked web site is at the user's own risk.

3.5.6 Site Terms of Use Modifications

Badminton Scotland may revise these terms of use for its web site at any time without notice. By using this web site you are agreeing to be bound by the then current version of these Terms and Conditions of Use.

3.5.7 Governing Law

Any claim relating to Badminton Scotland's website shall be governed by the laws of the Country of Scotland without regard to its conflict of law provisions.

General Terms and Conditions applicable to Use of a website.

4.0 Disciplinary Rules and Procedures

4.1 Summary

Following the change from the Union Council and Management Committee to a new Badminton Scotland Board, the Disciplinary Rules and Procedures should have been updated to reflect the new Governance situation. When there were further changes to the Articles and Bye Laws agreed at the 2020 Virtual AGM it was noted that the Disciplinary Rules and Procedures would be updated and presented at the ½ Yearly meeting on 25th November.

The Rules and procedures have been edited to reflect the new Governance position and the introduction of a Complaints process in 2019.

Instead of voting in a Disciplinary Panel Chair and Investigating Officer at the AGM the Rules have been updated to make the process more streamlined with greater clarity between a complaint, a Disciplinary matter and an Appeal. The establishment of a Disciplinary Panel and Appeals Panel will be the responsibility of the Chair and Chief Executive and the membership of these panels can be made appropriate to the circumstances of the case.

It is also now clear that the Disciplinary Rules do not cover employed staff, contracts or agreements with players and child protection issues. These areas have separate

legal and quasi legal processes that we need to follow as an organisation. In simple terms the Disciplinary Rules and procedures cover issues relating to the governance and administration of the amateur sport.

The Board will continue to provide oversight of the process and Board members may be required to Chair or Investigate matters that are appropriate to their knowledge and skill set. Complaints, Disciplinary matters and Appeals will be updated at every Board meeting.

The Disciplinary Rules are on the website at:

<https://www.badmintonscotland.org.uk/wp-content/uploads/2021/07/Ethics-Laws-Rules-V5-July-2021.pdf>

4.2 Disciplinary Rules and Procedures

4.2.1 Introduction and General Principles

The purpose of these Disciplinary Rules and Procedures (the “Rules”) is to ensure justice in disciplinary proceedings and to provide a framework within which decisions relating to Badminton Scotland can be made in a fair, consistent, independent and expeditious manner and in accordance with the requirements of natural justice. It is the policy of Badminton Scotland to ensure that any disciplinary matters are dealt with fairly, that steps are taken to establish the facts and that there is an entitlement to a fair and reasonable hearing within a reasonable time by an independent and impartial body.

4.2.2 Definitions and Interpretation

In these Rules the following terms shall have the following meanings:-

“Appeals Panel” means a panel consisting of an independent chairperson plus two additional members appointed by the Badminton Scotland Board;

“Articles” means the articles of association of the SGB from time to time in force;

“Badminton Scotland” means the Scottish Badminton Union;

“Board” means the Board of directors from time to time of the SGB;

“Chair” shall mean the chair of the DC appointed in accordance with these Rules;

“Complaint” shall mean a matter which should be considered through the SGB Complaints procedure. Operational processes and procedures of the SGB will largely be covered by the Complaints process.

“DC” means the Disciplinary Committee appointed by the Board to deal with all non-staff/non-child protection disciplinary matters. Player agreements with Badminton Scotland / **sportscotland** Scottish Institute of Sport will be considered out with this Disciplinary process.

“Director” means any person appointed as a director of the SGB;

“European Governing Body” means Badminton Europe or any subsequent European governing body of the Sport (if any);

“Investigation Panel” means the panel of persons appointed by the Board;

“Member” means any member of the SGB admitted to membership in accordance with the

Articles or otherwise in accordance with the rules of the SGB;

“Notice” shall mean the written notice of a complaint or allegation submitted by the complainer alleging a breach of these rules and procedures;

“Person” means a Member or any member, director, official, employee, contractor, worker, agent, coach, volunteer or representative of a Member or/ individual member of a club or league affiliated to a Member and any other person involved in or connected to the SGB or the Sport in Scotland;

“Respondent” means the person or persons against whom a disciplinary claim is made or disciplinary proceedings are brought or intended to be brought under the terms of these Rules;

“Rules of the Sport” means these Rules and any other rules, bye-laws, codes of practice or regulations issued or adopted by the SGB or any other rules binding on any Member or Person under the auspices of the SGB or any rules, bye-laws or regulations issued or adopted by the World Governing Body;

“SGB” means the Scottish Badminton Union, a company incorporated in Scotland (Company

Number: SC209935) and having its registered office at Cockburn Centre, Bogmoor Place,

Glasgow, G51 4TQ to which these Rules apply;

“Sport” means the sport of badminton over which the SGB is the Scottish Governing Body;

“UK Governing Body” means the UK governing body of the Sport (if any); and

“World Governing Body” means the Badminton World Federation or any subsequent world governing body of the Sport (if any).

4.2.3 Formation of the Disciplinary Committee

The Board shall appoint the DC as appropriate to the matter under investigation. The Board shall ensure that the DC is appointed in accordance with these Rules as soon as reasonably practicable after the receipt of Notice and in any event within 30 days of the receipt of the Notice.

The DC shall be headed by a Chair appointed by the Board.

The DC shall consist, in addition to the Chair, at least two appropriately qualified and/or experienced individuals.

A party may challenge the appointment of any member of the DC (including the Chair) where there are justifiable doubts as to the member’s impartiality or independence or

where the party raises any other valid and material objection(s). If a party intends to challenge any appointment that party shall, within 7 days of the Commencement Date or notification of the members of the DC to the party, or any appointment or change in a member of the DC, provide in writing to the Board the reasons why that party is challenging the position of the member of the DC. The Board shall determine the outcome of the challenge in accordance with the requirements of natural justice and, if the challenge is upheld the Board shall appoint another member in place of the relevant member of the DC.

Any decision of the Board under shall be final and binding on the parties.

4.2.4 Notice of a Disciplinary Matter

Any person wishing to raise a matter under these Rules shall submit to the Chief Executive a written notice to use these Rules (collectively referred to as the “Notice”): the names, address and relevant contact details of all parties relating to the disciplinary matter and notification if any person involved is under the age of 18; a statement describing the nature and circumstances of the dispute or disciplinary matter; copies of all documents upon which the person is relying or relevant to the disciplinary matter; and Confirmation of the Rules of the Sport (if any) that have allegedly been breached or confirmation that the act or practice may bring the Sport or the SGB into disrepute.

The date of receipt by the Chief Executive of the Notice shall be the date of commencement of the disciplinary procedure under these Rules (the “Commencement Date”). The Chief Executive shall notify the Respondent in writing of receipt of the Notice and whether this will be treated as a complaint or, if appropriate, shall be investigated as a Disciplinary matter.

4.2.5 Investigations into a Disciplinary Matter

In the first instance the Chief Executive shall consider whether the matter is a complaint or a disciplinary matter. If it is considered a complaint in the first instance it does not prejudice the matter requiring a DC to be appointed later.

If further investigation is required, the Chief Executive will appoint an Investigating Officer to look into the circumstances of the matter. The Investigating Officer will have declared that there is no conflict of interest before conducting the investigation;

The Investigating Officer shall interview all interested parties and provide a full report with recommendations to the Chair of the Board and Chief Executive

In cases of certain gravity, the Investigating Officer may deem it appropriate to provisionally suspend the Respondent, without prejudice, from the SGB and/or any event/competition of the SGB but shall only do so after consultation with the Chair of the Board and Chief Executive; While suspended, the Respondent shall not participate in any activity related to the Sport (including competition, coaching and/or refereeing);

The Board, the Members and all Persons must co-operate fully and openly and shall provide all such information as is necessary and reasonably requested by the Investigating Officer in order to establish the facts of the case;

The Investigating Officer, on completion of the investigation, shall provide a brief report to the Chair of the Board and Chief Executive with a recommendation as to what, if any, disciplinary action should be taken;

If disciplinary action is to be taken the DC shall inform the Respondent(s) in writing of the allegations against them, the basis for these allegations and the initial findings from the investigation within 14 days of the completion of the investigation.

4.2.6 Proceedings of the Disciplinary Committee

Following the completion of the Investigating Officers report the Chair of the Board and Chief Executive shall decide if a Disciplinary Hearing is required.

The DC shall act in accordance with these Rules, any other applicable rules or regulations and the Rules of the Sport. Any decision of the DC in relation to the conduct of proceedings shall be consistent with its duties at all times to act fairly and impartially, to allow the parties reasonable opportunity to put their respective cases and to avoid unnecessary delay or expense, so as to provide a fair and efficient means for resolving the dispute.

In general the proceedings of the DC will be presented in writing and information exchanged between the parties may be through all media. All parties shall submit all relevant information, correspondence and documents upon which they wish to rely to the DC not less than 14 days prior to a hearing and the DC shall disclose all such information, documentation and correspondence to the other party prior to the hearing (and no later than 7 days prior to the hearing).

The DC shall be entitled to call upon, receive and consider such evidence as it thinks appropriate. The DC may require the attendance at a hearing of any person. In any case where a person required by the DC to attend a hearing refuses or fails to attend, the DC may adjourn the hearing, proceed with the hearing in the absence of that person, allow or refuse to allow the evidence of that person or allow their evidence to be given in any other form. For the avoidance of doubt nothing in these Disciplinary Rules shall prevent the DC from determining the matter in question without the person concerned present.

At their own request and at their own expense those concerned will have the right to be heard by the DC alone or a third party. They shall notify the DC at least 14 days (or any shorter period agreed to by the DC) in advance of any hearing of the identity of any such third party.

Where disciplinary proceedings are taken against more than one Respondent as a result of an incident or incidents occurring at or in connection with the same competition or circumstances, any such proceedings may be heard together, where the Chair of the DC so determines, provided that there is no manifest prejudice to anyone against whom such proceedings are taken.

The decision and/or sanction of the DC shall be in writing and shall be dated and signed by the DC, and shall state the reasons on which it is based.

4.2.7 Voting of the Disciplinary Committee

Each member of the DC shall have one vote. Decisions of the DC on any case shall be determined by a majority vote and if there is an equality of votes the Chair shall have a second and casting vote.

The DC shall have due regard to natural justice at all times and the standard of proof in all questions for determination by the DC shall be proof on the balance of probabilities.

4.2.8 Sanctions of the Disciplinary Committee

The disciplinary penalties open to the DC to impose on all Members and Persons include but are not limited to:

- **Warning:** a warning may be given by the DC for a minor act of misconduct. A warning may set out the nature of the misconduct, the change of behaviour required and (if possible) the likely outcome of further misconduct.
- **Reprimand:** a reprimand may be given in a case which is more serious than a minor act of misconduct or where previous warnings have been issued to the Respondent. The reprimand may set out the nature of the misconduct, the change of behaviour required and (if possible) the likely outcome of further misconduct.
- **Sport Penalties:** any such penalties shall be at the entire discretion of the DC to determine as appropriate in the circumstances and may include a temporary ban for the Respondent from participation in competition or any course or activity associated with the Sport;
- **Financial Penalties:** any such penalties shall be at the entire discretion of the DC to determine appropriate in the circumstances and may include a fine on any Person or Member;
- **Suspension:** the Respondent may be suspended from membership of the SGB and or from membership of any Member and/or from participation in the Sport

in a case of serious misconduct or suspected serious misconduct or where in the opinion of the DC (in their entire discretion) the suspension of the Respondent is required in order

to secure the safety of any persons involved in the Sport or the integrity or good reputation of the Sport;

- Expulsion: the Respondent may be expelled from membership of the SGB and/or from participation in the Sport where the Respondent has been determined by the DC (in their sole discretion) to be guilty of serious misconduct or where in the opinion of the DC in their entire discretion, the expulsion of the Respondent is required in order to secure the safety of any persons involved in the Sport or the integrity or good reputation of the Sport.

The DC can impose any such measures as it deems necessary on the Respondent to ensure that the matter concerned is not repeated, the safety of those involved in the Sport is protected and that the integrity and good reputation of the Sport is maintained. The DC may impose more than one sanction in relation to a disciplinary matter at its entire discretion.

The DC and the SGB shall retain a record of all sanctions and decisions made by the DC.

4.2.9 Appeals Procedure

Any party to a disciplinary matter may appeal a decision or sanction of the DC for the determination of the Appeals Panel within 14 days of the date the decision of the DC is notified to them.

Any such appeal must be made in writing within the timescale set out in Clause 4.11 to the Chief Executive advising of their wish to appeal, and the grounds for that appeal, which appeal shall be accompanied by a deposit of £25 which shall be returnable if the appeal is successful. The Chair of the Board and Chief Executive will be responsible for convening the Appeals Panel at a time and place that is satisfactory to the Appeals Panel.

In the event of an appeal being made to the Appeals Panel under this Clause 4.11 the decision of the Appeals Panel shall be final and binding on all parties (including any

party claiming through or under them) and the parties agree by submitting a matter to the Appeals Panel, to waive irrevocably their right to any other appeal, review, or recourse to any court or other judicial authority, subject to any applicable statutory or other rights. In the event of an appeal by the Respondent, any sanctions of the DC imposed on the Respondent shall continue to apply until the determination of the appeal, unless it is otherwise determined by the Board of the SGB.

The Appeals Panel shall, subject to Clause 4.11.2, determine the timescales and procedures for appeals as it (in its sole discretion) considers appropriate. A majority decision of those present and voting on the Appeals Panel shall uphold or dismiss the appeal. In the event of the Appeals Panel being unable to arrive at a majority decision the Appeal will be upheld.

4.2.10 Conduct and Conflicts of Interest

The members of the DC cannot take part in any instance or case where they have a conflict of interest or where members of their own association or club, their family or persons having a legal or business link with them are involved. It is the responsibility of each member of the DC to withdraw from a case when a conflict of interest is apparent. In this instance the Chair of the Board and Chief Executive will appoint another member to the DC on a pro tem basis. Should the Chair of the DC have a conflict of interest and be obliged to withdraw, the Chair of the Board and Chief Executive will appoint another member of the DC as Chair for the purposes of the case in question. Every member of the DC shall be independent, impartial, suitably qualified and capable and shall not act as an advocate for any party.

4.2.11 Timescale

The members of the DC will make every reasonable effort to resolve all matters in their hands within a reasonable time and in any case within a period of 4 months from the Commencement Date.

4.2.12 Costs

4.2.12.1 The DC may impose in its rulings a finding as to the payment of the DC's reasonably and properly incurred costs. When acting to resolve conflicts between Members or Persons it may rule that one or both parties should bear the costs and in what proportion.

4.2.12.2 The parties shall each be responsible for their own legal and other costs unless the parties otherwise agree or unless the DC otherwise directs or unless any applicable Rules of the Sport otherwise provide. The DC shall also have the power unless the parties otherwise agree or any applicable regulations otherwise provide to order that all or part of the legal costs and any other costs incurred by a party be paid by another party.

4.2.12.3 Any costs incurred in connection with a referral or appeal made to the Appeals Panel shall be as determined by the Appeals Panel.

4.2.13 Confidentiality

4.2.13.1 Subject to the provisions of these Rules, the proceedings of the DC shall be confidential. The parties and the DC undertake to keep confidential all documents and other materials produced for the purpose of the disciplinary matter by any party and/or participant in the disciplinary matter except to the extent that disclosure may be required by a legal duty, to pursue or protect a legal right, to enforce or challenge an award in bona fide legal proceedings or that such documents may already be in the public domain (otherwise than in breach of this undertaking).

4.2.13.2 Notwithstanding Rule 4.16.1, the DC and/or the SGB may publish the DC's award or decision and its reasons unless the parties agree prior to the DC making its award or decision that they should remain confidential. In the case of any disciplinary matter conducted under these Rules the DC and/or the SGB may publish generic, non-identifying information in relation to the findings of the DC.

4.2.14 Amendments to these Rules

4.2.14.1 Amendments to these Rules must be approved by the Badminton Scotland Board in accordance with their Articles/Bye Laws and any other relevant rules of Badminton Scotland.

4.2.15 Applicable Law

4.2.15.1 These Rules shall be governed by and construed in accordance with the law of Scotland.

4.2.15.2 Any application under these Rules to the Appeals Panel shall be governed by the law of Scotland.

4.2.15.3 Any appeal carried out by the Appeals Panel shall be carried out in Scotland under the law of Scotland at a location to be agreed between the parties and in the absence of agreement determined by the Appeals Panel.

5.0 Equality Policy

Badminton Scotland is committed to ensuring that equality is incorporated across all aspects of its business.

5.1 Statement of Intent

Badminton Scotland endorses the principle of sports equality and will strive to ensure that everyone who wishes to be involved in badminton, whether as an employee, casual participant, representative squad member, volunteer, coach, office-bearer in a club or those within Badminton Scotland:

- has a genuine and equal opportunity to participate to the full extent of their own ambitions and abilities, without regard to their age, sex, gender identity, disability, marital or civil partnership status, pregnancy or maternity, religion,

race, ethnic origin, nationality, colour, socioeconomic status or sexual orientation; and

- can be assured of an environment in which their rights, dignity and individual worth are respected; and in particular that they are able to enjoy their sport without the threat of intimidation, victimisation, harassment or abuse.

Badminton Scotland is committed to avoiding and eliminating unfair discrimination of any kind in badminton and will, under no circumstances, condone unlawful discriminatory practices. The organisation takes a zero-tolerance approach to harassment.

5.2 Purpose of the Policy

5.2.1 Badminton Scotland wishes to ensure that all sectors of the community have the opportunity to participate equally and fully in the sport of badminton. Badminton Scotland recognises that past discrimination, whether intentional or otherwise, is denying some sectors of the community the opportunity to participate equally and fully in sport at all levels.

5.2.2 This policy has been produced to prevent/eliminate any potential/current discrimination or other unfair treatment, whether intentional or unintentional, direct or indirect, against its employees, members and volunteers.

5.3 Actions

6.3.1 Badminton Scotland will produce and maintain an action plan to ensure the intent of this policy is delivered.

5.3.2 All areas of the organisation will be affected by this action plan, which will be incorporated in to the overall business delivery plan, itself reviewed and updated on an annual basis.

5.3.3 Badminton Scotland recognises that, in some cases, to achieve the principle of Equality, unequal effort is required and to this ends will encourage and support affiliated clubs, event organisers, members, officials, coaches, volunteers, and staff to consider positive action to tackle under-representation.

5.4 Legal Requirements

Additional to the intent set out within this policy, Badminton Scotland recognises its obligations in relation to the Equality Act 2010 and any later amendments to the above Act/regulations, or future Acts/regulations which are relevant to Badminton Scotland.

5.5 Discrimination, Harassment and Victimisation

Discrimination can take the following forms:

5.5.1 Direct Discrimination. Direct discrimination can be described as less favourable treatment on the grounds of one of the protected characteristics.

5.5.2 Indirect Discrimination. Indirect discrimination occurs when a provision, criterion or practice is applied to an individual or group that would put persons of a particular characteristic at a particular disadvantage compared with other persons.

5.5.3 Discrimination arising from Disability. When a disabled person is treated unfavourably because of something connected with their disability and this unfavourable treatment cannot be justified, this is unlawful. This type of discrimination only relates to disability.

5.5.4 Harassment. Harassment is defined as unwanted conduct relating to a protected characteristic that has the purpose or effect of violating a person's dignity, or which creates an intimidating or hostile, degrading, humiliating or offensive environment for that person.

5.5.5 Badminton Scotland is committed to ensuring that its employees, members, participants and volunteers are able to conduct their activities free from harassment or intimidation.

5.5.6 Victimisation. It is unlawful to treat a person less favourably because he or she has made allegations or brought proceedings under the anti-discrimination legislation, or because they have helped another person to do so. To do so would constitute victimisation.

5.5.7 Bullying. Bullying is defined as a form of personal harassment involving the misuse of power, influence or position to persistently criticise, humiliate or undermine an individual.

5.5.8 Badminton Scotland regards discrimination, harassment or victimisation, as described above, as serious misconduct and any employee, volunteer or member who discriminates against, harasses or victimises any other person will be liable to appropriate disciplinary action.

5.6 Responsibility, Implementation and Communication

The following responsibilities will apply:

5.6.1 The Board of Directors is responsible for ensuring that this Equality Policy is followed.

5.6.2 The Chief Executive has the overall responsibility for the implementation of the Equality Policy.

5.6.3 A specific member of staff, namely the Head of Engagement as designated by the Chief Executive, has the overall responsibility for achieving the Equality Action Plan as this will form part of their work programme.

5.6.4 All employees, volunteers and members have responsibilities to respect, act in accordance with and thereby support and promote the spirit and intentions of the policy and, where appropriate, individual work programmes will be amended to include equality-related tasks.

5.6.5 The Equality Policy will be implemented immediately following Board agreement and, at a corporate level, will result in the following:

5.6.6 A copy of this document will be available to all staff (both permanent and contract), members and volunteers of Badminton Scotland.

5.6.7 Badminton Scotland will take measures to ensure that its employment practices are non-discriminatory.

5.6.8 No job applicant will be placed at a disadvantage by requirements or conditions which are not necessary to the performance of the job or which constitute unfair discrimination.

5.6.9 A planned approach will be adopted to eliminate barriers which discriminate.

5.6.10 Ensure that consultants and advisers used by Badminton Scotland can demonstrate their commitment to the principles and practice of equality and that they abide by this policy.

5.6.11 The Equality Policy will be communicated in the following ways:

5.6.12 The Equality Policy will be part of the Staff Handbook and reference will be made to it in the Code of Conduct.

5.6.13 It will be covered in all staff and volunteer induction training.

5.6.14 All members will be made aware of the policy's existence when they join and a summary of any revisions and subsequent training opportunities will be published in Badminton Scotland member communications.

5.6.15 It will be available on the Badminton Scotland Website.

5.6.16 The Equality Policy will be reviewed annually (or when necessary due to changes in legislation) and recommendations for changes to the Policy will be made to the Board of Directors for ratification.

5.6.17 At time of review, a mechanism will be put in place to allow all staff, members and volunteers to be part of the process.

5.7 Monitoring and Evaluation

5.7.1 The policy will apply for 1 year before a formal review takes place, unless any proposal to the Board, or legislation change, requires an interim review and/or amendment.

5.7.2 The Equality Action Plan, created to ensure the intent of the policy is delivered, will be reviewed by the Chief Executive and the member of staff with the responsibility for its implementation, on an annual basis.

5.7.3 On an annual basis, statistical information will be produced by the Chief Executive for the Board, and will be published internally and externally, to show the impact of this policy.

5.8 Disciplinary and Grievance Procedures

5.8.1 The principles of equality outlined in this policy sit within the wider ethical framework as delineated in the Badminton Scotland Code of Conduct.

5.8.2 In accordance with the Badminton Scotland Code of Conduct an employee, volunteer or member who believes he/she has suffered inequitable treatment within the scope of this policy may raise the matter through the Badminton Scotland Grievance or Bullying & Harassment Procedure.

5.8.3 Appeals of initial findings are provided for through the Badminton Scotland Appeals Policy.

6.0 Laws of Badminton

The latest BWF Laws of Badminton can be found [here](#)

7.0 UK Visas & Immigration

Please find below a link to the Badminton Scotland governing body endorsement requirements.

[Governing Body Endorsement Requirements for Badminton](#)

8.1.1 Copyright Clause

Permission to reproduce in any way should be sought from the Scottish Badminton Union.

8.1.2 Hyperlinking Policy

Hyperlinking to us at the Scottish Badminton Union Ltd

You do not have to ask permission to link directly to pages hosted on this site. We do not object to you linking directly to the information that is hosted on our site.

However, we do not permit our pages to be loaded into frames on your site. The Scottish Badminton Union Ltd pages must load into the user's entire window.

Hyperlinking by us at the Scottish Badminton Union

It is our policy to obtain permission to link to other websites. We are not responsible for the content or reliability of the linked websites. Listing should not be taken as endorsement of any kind. We cannot guarantee that these links will work all of the time and we have no control over the availability of linked pages.

8.2 Virus Protection

We make every effort to check and test material at all stages of production. It is always wise for you to run an anti-virus program on all material downloaded from the Internet. We cannot accept any responsibility for any loss, disruption or damage to your data or your computer system which may occur whilst using material derived from this website.

8.3 Website Disclaimer

The Scottish Badminton Union Ltd website, information, products and services (or to third party information, products and services), is provided 'as is', without any representation or endorsement made and without warranty of any kind whether express or implied, including but not limited to the implied warranties of satisfactory quality, fitness for a particular purpose, non-infringement, compatibility, security and accuracy.

We do not warrant that the functions contained in the material contained in this site will be uninterrupted or error free, that defects will be corrected, or that this site or the server that makes it available are free of viruses or represent the full functionality, accuracy, reliability of the materials. In no event will we be liable for any loss or damage including, without limitation, indirect or consequential loss or damage, or any loss or damages whatsoever arising from use or loss of use of, data or profits arising out of or in connection with the use of the Scottish Badminton Union Ltd website.

These Terms and Conditions shall be governed by and construed in accordance with the laws of Scotland. Any dispute arising under these Terms and Conditions shall be subject to the exclusive jurisdiction of the courts of Scotland.

8.4 Privacy Notice

Our privacy notice can be viewed [here](#)

This privacy statement only covers the Scottish Badminton Union Ltd website at www.badmintonscotland.org.uk This statement does not cover links within this site to other websites.

8.5 Hyperlinking to Third Party Website

The Scottish Badminton Union Ltd is not responsible for the contents or reliability of the linked web sites and does not necessarily endorse the views expressed within them. Listing should not be taken as endorsement of any kind. We cannot guarantee that these links will work all of the time and we have no control over the availability of the linked pages.

9.0 Anti-Corruption

Badminton Scotland Staff Anti-corruption (Sports Betting) Policy.

9.1 Introduction

Badminton Scotland is a publicly funded organisation and all staff have a contractual obligation to maintain the highest standards of integrity by carrying out their work in a way that will not compromise the reputation of the organisation.

This policy sets out Badminton Scotland's standards and procedures relating to Anticorruption (Sports Betting) and applies to all individuals working for and representing Badminton Scotland which includes Badminton Scotland Board members and all employees, contractors, consultants, and/or related personnel of Badminton Scotland acting in any capacity or activity sanctioned by Badminton Scotland (referred to collectively as "Staff") as determined by one of Badminton Scotland's Executive Directors in writing.

The framework for this policy is based on the Scottish Governing Bodies and Sporting Organisations Sporting Integrity – Guidance Note (attached as Appendix 1).

The purpose of this policy is to provide an overview and general advice to all the above people on the issues associated with the integrity of sports betting.

This Policy is intended to protect the reputation of sport, Badminton Scotland, and each individual acting for it. Please note that responsibility for complying with this policy lies with all those to whom it applies.

9.2 Sporting Integrity

A core function of Badminton Scotland is to maintain, and be seen to be maintaining the integrity of the sport.

Badminton Scotland must take action to protect itself from the threats posed to its integrity by corrupt betting and associated activity both from within and outside the organisation. As sports betting activity has increased across all sports and disciplines, it is essential that such activity does not take place in a manner which has the potential to compromise sporting conduct and endeavour.

There will be stricter rules for members of Staff in positions of trust and/or at particular risk and this will depend on the role of the Staff member.

If you are "Directly Involved" with the sport of badminton you cannot:

Bets on the sport, anywhere in the world;

- ask someone to bet on your behalf on the sport anywhere in the world;
- share any “Inside Information” with anyone including but not limited to your spouse, cohabitee or dependent children which could enable them to gain an advantage through corrupt betting activity (See section 4 (Inside Information for further information)); and
- become involved in any other activity associated with corrupt betting which could reasonably be deemed as suspicious and detrimental to the image and reputation of Badminton Scotland and the sport.
- “Directly Involved” means working with a sport as a representative of Badminton Scotland. “Directly Involved” for the purposes of this policy, includes:
 - Players (all affiliated players)
 - Coaches (all registered coaches)
 - Volunteers
 - Staff (all salaried staff)
 - Board of Directors

The following offences are also prohibited:

- fixing a match or attempting to fix a match;
- benefiting from failing to perform;
- soliciting, inducing, encouraging, offering a bribe (or attempting to) any other party to do any of the above offences;
- receiving, seeking a bribe (or attempting to) in order to fix a match or attempt to fix a match;

- posing a threat to the integrity of the sport;
- destruction of evidence in relation to a potential breach; and
- failing to report suspicions or approaches.

9.3 Criminal Offence of Cheating

Section 42 of The Gambling Act 2005 has created a new offence of “cheating at gambling” which would include cheating in sports influenced by betting involvement (see the extract of section 42 of the Gambling Act 2005 in Appendix 2).

Breach of the Gambling Act 2005 new rules may result in the imposition of severe penalties for individuals (fines and jail).

Depending on the nature of the activity, Badminton Scotland’s Investigation Panel (see section 6.5-6.13) may refer the matter to the Gambling Commission for consideration of an investigation of the criminal offence of cheating at gambling.

9.4 “Inside Information”

The sharing of “Inside Information” by anyone captured by this policy is specifically prohibited by Badminton Scotland.

“Inside Information” means any information, which is not Publicly Known that would materially affect peoples’ expectations relating to the participation in, or the likely or actual outcome of a sporting competition or event. Such information includes, but is not limited to, factual information regarding the competitors, the conditions, tactical considerations, injuries, or any other aspect of the sporting competition or event. “

“Publicly Known” means any information that is already published as a matter of public record, able to be readily acquired by an interested member of the public, or disclosed according to the rules and regulations governing the relevant sporting competition or event.

With regard to your responsibilities under 2.4.3, it is your responsibility to determine whether information which you have access to falls under the definition of “Inside information”. You are advised to err on the side of caution. You should also seek advice from Badminton Scotland’s Betting Integrity Officer.

9.5 Betting Integrity Officer – Roles and Responsibilities

Badminton Scotland’s Legal Manager or his/her proposed nominee is Badminton Scotland’s designated Betting Integrity Officer.

All Badminton Scotland staff are responsible for betting integrity issues but the Betting Integrity Officer has specific additional responsibilities including:

Establishing and maintaining a sound Sports Betting Policy that supports the achievement of Badminton Scotland’s policies, aims and objectives; and advising the Investigations Panel (see section 9.6 below).

9.6 Response Plan

It is vital that, if there is any suspicious betting activity in Badminton Scotland, action is taken.

All Staff should be aware that they must not try to deal or investigate any allegations of corrupt betting and associated activity by themselves but should immediately report the matter to Badminton Scotland’s Betting Integrity Officer.

All Staff must report any approach or activity which contravenes, or which may contravene this Policy. Specifically,

If any member of Staff is approached about fixing any part of a match or is asked for “Inside Information” then he/she must report this and cannot just ignore it; if any member of Staff has any concerns about any other member of Staff’s activity then he/she must report this; and any threats should always be reported

6.4 In the event that a member of Staff is concerned that the Badminton Scotland Betting Integrity Officer is involved in suspicious betting activity outlined in section

6.3 above, this should be reported to one of Badminton Scotland's Board of Directors.

All Staff must co-operate with any investigation and/or request for information including the provision of documentation (e.g. telephone/betting records to the Investigations Panel).

The Betting Integrity Officer will co-ordinate the investigation and set up an Investigations Panel consisting of not less than three Badminton Scotland Staff members including the Betting Integrity Officer. The Investigations Panel will not include any person under investigation or any person reasonably considered to be associated with the person under investigation. In the event that the Betting Integrity Officer is under investigation the Investigations Panel will be appointed by

the Badminton Scotland board of Directors. It shall be in the option of the Betting Integrity Officer (or of the Board of Directors if they are called upon to appoint the Investigations Panel) to appoint a person independent to Badminton Scotland management to chair the Investigation Panel.

The Investigations Panel will investigate the allegation. A member of the Investigations Panel will be allocated with the responsibility for leading the investigation process.

The Investigations Panel should establish the facts quickly and any threat of further corrupt betting and associated activity should be removed immediately.

The Investigations Panel is required to:

Act promptly in investigating the allegation and taking any action required (subject to SMT approval where appropriate); fully document the investigation process; secure evidence in a manner which does not alert suspects at the outset of the investigation; and

ensure that the evidence is secured in a legally admissible form (e.g. evidence must be carefully preserved; it should not be handled and no marks made on original documents; a record should be kept of anyone handling evidence).

6.10 Depending on the nature of the activity, the Investigations Panel may refer the matter to the Gambling Commission for consideration of an investigation of the criminal offence of cheating (section 42 of the Gambling Act 2005). Additionally, the Investigations Panel may wish to liaise with betting operators, European/International Federations, the Police and the Sports Betting Group.

Depending on the nature of the fraud, the Investigations Panel may wish to contact external experts for advice.

The Investigations Panel must obtain the consent of SMT before contacting any of the third parties referred to in 6.10 and 6.11 above.

The Investigations Panel will prepare a report of its findings and recommendations to the Badminton Scotland Board of Management for final approval. The report will include details of:

Recommendations on how to deal with employees under suspicion (which may include action to suspend or dismiss a employee following discussion with Badminton Scotland's HR department - employees under suspicion who are allowed to remain on the premises must be kept under constant surveillance; carry out an immediate search of the suspects work area, filing cabinets, computer files);
recommendations on how to deal with third parties under suspicion;
recommendations for mitigating the threat of future corrupt betting and associated activity by taking appropriate action to improve controls;
recommendations for disseminating the lessons learned from the experience in cases where there may be implications for the organisation as a whole; and
recommendations on what information can be released externally if requested.

The Investigations Panel should liaise with Badminton Scotland's Media Team and inform them precisely of what information can be released if requested. The Media Team should retain a record of what information was released and to whom.

If a member of Staff feels that his/her concerns have not been dealt with appropriately internally, you should also be aware that you are empowered to take any concerns to

the relevant authorities and other associated external bodies including the Gambling Commission, so long as you act in good faith.

9.7 Badminton Scotland Board Members

(This is Badminton Scotland Board of Directors)

A separate response plan will be required for Badminton Scotland Board of Directors

As a Badminton Scotland Board member, if you are concerned that a fellow Board member(s) or any employees of Badminton Scotland, including the Chief Executive is involved in suspicious betting activity you should inform the President or the Vice President if the concern involves the President.

If a Badminton Scotland Board member believes that the issue cannot be considered objectively by any member of the Board of Directors or senior management, they should take their concerns to the **sportscotland/Sports Resolution Panel** in the first instance. As Badminton Scotland Board members are appointed by the Union Council, concerns that cannot be dealt with internally must be taken to parties empowered to take required action – this means taking them to the **sportscotland/Sports Resolution Panel** .

If a Badminton Scotland Board member feels that your concerns have not been dealt with appropriately internally or by **sportscotland/Sports Resolution Panel**, you should also be aware that you are empowered to take any concerns to the relevant authorities and other associated external bodies including the Gambling Commission, so long as you act in good faith.

9.8 Compliance

This policy will be reviewed annually unless circumstances dictate more frequent reviews.

Employees who breach this policy and procedure may be subject to disciplinary action.

Compliance of this policy will be monitored by the Badminton Scotland Board of Management.

This document has been adapted specifically for Scottish Governing Bodies and Sporting Organisations based on the Sports Betting Group Guidance Note.

Appendix 1 – Scottish Governing Bodies and Sporting Organisations

Sporting Integrity – Guidance Note

A core function of all Scottish Governing Bodies (“SGBs”) and sporting organisations is to maintain, and be seen to be maintaining, the integrity of their sport. Integrity must be upheld in order to protect the reputation - and the financial and participatory viability - of sport. Sport must take action to protect itself from the threats posed to integrity by corrupt betting and associated activity both from within and outside the sport.

A new era for sport and betting

The relationship between sport and betting has changed profoundly over recent years. The proliferation of online betting (particularly in-play betting), the growth of betting exchanges (where it is possible to “lay to lose”) and an upsurge in the availability of “novelty bets” means betting on sport is more popular and easier than ever before. Betting markets are expanding, particularly when live broadcast coverage is available.

Be prepared

Even if betting is not currently perceived to be an issue in your sport, it is vital that the sport and its participants are protected. Being proactive, rather than reactive, is essential to protect sport before any damage is done. The advice contained within this document offers initial guidance to SGBs and sporting organisations in putting rules and regulations in place and complying with the code of conduct on integrity in sports in relation to betting recommended in the Report of the Sports Betting Integrity Panel published in February 2010.

While this document provides guidance on the minimum standards expected of sporting governing bodies and sporting organisations in putting anti-corruption rules and regulations in place, sporting governing bodies and sporting organisations are encouraged to adopt the highest standard possible in order to reflect the risks to their sport.

There are six actions that each sport's governing body and sporting organisation go through in order to help safeguard their sport from the threats posed to integrity by betting:

6 Step Action Plan

Action 1 - Establish Rules and Regulations on Betting

SGBs and sporting organisations must have robust rules and regulations in place that reflect the risks to their sport. The rules must make it clear to participants what is and what is not acceptable in relation to betting. They must also define to whom the rules apply (i.e. who exactly is a 'participant'?).

SGBs should ensure that they include in their rules and regulations a provision that a participant shall not use in relation to betting any inside information that is not publicly available and which has been obtained by virtue of the participant's position within the sport, and in this respect SGBs and sporting organisations should within their rules clearly define what is meant by "inside information". This definition should be specific to the individual sport in question, based upon the risks that have been identified, and sufficiently wide-ranging to cover all perceived eventualities. The rules should also clearly state what can be considered misuse of inside information and the sanctions that can be expected should such rules be breached.

By way of example only, the Gambling Commission uses the following definition of "inside information": "Inside Information is information relating to the participation in, or the likely or actual outcome or development of, an event which is known by an individual as a result of their role in connection with that event and which is not in the public domain."

Consultation with participants when developing rules is an important step to producing a framework that is workable in practice and is supported by participants.

The minimum rules identified in the Report of the Sports Betting Integrity Panel into betting integrity are set out below. They oblige a participant to:

- Not place or attempt to place a bet on a match, race or other event or competition in which he or his club participates in
- Not solicit or facilitate, or attempt to solicit or facilitate, another person to bet on a match, race or other event or competition in which he or his club participates in
- Not offer, or attempt to offer, a bribe in order to fix or contrive a result or the progress of a match, race or other event or competition in which he or his club participates in
- Not receive, or seek or attempt to receive, or seek a bribe in order to fix or contrive a result or the progress of a match, race or other event or competition in which he or his club participates in
- Report any approach or other activity which contravenes, or which may contravene, the sport's rules on betting, co-operate with any investigation and/or request for information including the provision of documentation (e.g. telephone/betting records to officials engaged in the investigation of suspected integrity issues in the sport in relation to betting)
- Perform to the best of his ability in any match, race or other event in which he participates in.

Sanctions must be sufficiently robust to act as an effective deterrent while also being proportionate for your particular sport.

Once rules and regulations are in place, a number of other steps should be considered. Some of these are very simple to introduce, while others are more

complex and may only need to be implemented where a significant level of risk is identified.

Action 2 - Designate a Responsible Person

All SGBs or sporting organisations should assign responsibility for betting integrity issues to a particular person within their organisation. Depending on the risk to your sport this may be no more than a nominal role, for example checking your SGB or sporting organisation complies with the basic standards in Report of the Sports Betting Integrity Panel. As and when required, this designated person can liaise with participants, the Gambling Commission, betting operators, European/International Federations and the Police.

Action 3 - Integrity Unit

If the volume of betting markets in your sport is substantial, or you have identified bets that are easy to corrupt, it is recommended that you consider establishing a dedicated integrity unit. Not all sports will need to set up dedicated integrity units, but those that identify a significant level of risk to integrity from betting should look to do so.

Tennis, Cricket, Horseracing, Snooker and Darts are examples of sports that have established dedicated units. In the case of the British Horseracing Authority, their Integrity Services, Compliance & Licensing Department aims to identify and prevent breaches of the rules and malpractice in horseracing. This is achieved by gathering information, monitoring real-time betting markets for suspicious betting activity, conducting investigations and inspecting training establishments. It is vital that, if there is any suspicious betting activity on your sport, action is taken.

If there is reluctance on the part of the Gambling Commission or the Police to become involved, then the SGB or sporting organisation should take action by fully

investigating any allegation. If it does not have the resources to carry out an investigation they should consider requesting outside assistance. In the first instance this may be by calling **sportscotland** for guidance.

Action 4 - Educational Programme

It is essential that participants are fully aware of the relevant rules and regulations in their sport and in this respect participant education has a major part to play when it comes to minimising the risks to integrity posed by betting. It is recommended that, as part of your standard training programmes, you include a section on betting integrity. If you consider your sport to be at significant risk, it is recommended that you run dedicated education programmes.

These can come in a variety of different forms but should provide face-to-face education alongside other mediums such as explanatory notes, online training, posters, cards and brochures.

For example, the British Horseracing Authority, Professional Cricketers Association and Professional Footballers Association each have relevant education programmes on sports betting integrity.

Another document that may be useful is the EU Athletes Code of Conduct on Sports Betting for Players, which sets out the guiding principles and provides general advice to all throughout Europe on the issues surrounding the integrity of sport and betting.

Finally, the section on education in the Report of the Sports Betting Integrity Panel contains a number of recommendations on what SGBs should consider in relation to participant education.

Action 5 - Competition Contracts

For those taking part in competitions there should be a requirement to sign contracts beforehand which clearly spell out their obligations with regard to betting. For example, at the 2011 British Golf Open all players and caddies were required by the R&A to sign an agreement pledging their compliance with all the PGA European Tour's Anti-Gaming policies.

Action 6 - Information Sharing and Data Handling

If bets are taken on your sport, as a minimum, the Gambling Commission and betting operators should know whom to contact in your organisation should suspicious betting patterns be discovered.

SGBs and sporting organisations must also have systems in place to be able to securely handle sensitive data. It is also important to establish information sharing agreements and Memoranda of Understanding with betting organisations such as the Association of British Bookmakers (ABB) and betting exchanges such as Betfair and Betdaq.

Appendix 2 – Section 41 – Gambling Act 2005

Section 42 – Gambling Act 2005

42 Cheating

(1) A person commits an offence if he—

(a) cheats at gambling, or

(b) does anything for the purpose of enabling or assisting another person to cheat at gambling.

(2) For the purposes of subsection (1) it is immaterial whether a person who cheats—

(a) improves his chances of winning anything, or (b)

wins anything.

(3) Without prejudice to the generality of subsection (1) cheating at gambling may, in particular, consist of actual or attempted deception or interference in connection with—

(a) the process by which gambling is conducted, or

(b) a real or virtual game, race or other event or process to which gambling relates.

(4) A person guilty of an offence under this section shall be liable

(a) on conviction on indictment, to imprisonment for a term not exceeding two years, to a fine or to both, or

(b) on summary conviction, to imprisonment for a term not exceeding 51 weeks, to a fine not exceeding the statutory maximum or to both.

(5) In the application of subsection (4) to Scotland the reference to 51 weeks shall have effect as a reference to six months.

(6) Section 17 of the Gaming Act 1845 (c. 109) (winning by cheating) shall cease to have effect.