

## **Terms and Conditions for the Welsh Athletics Licence Scheme for Level 1-3 Technical Officials**

These Terms and Conditions (the “Conditions”), together with the Code of Conduct for Officials, set out the standards of professional conduct which Level 1-3 officials must adhere to. Level 4-5 officials are regulated by UK Athletics (“UKA”) and are subject to UKA Licence Terms and Conditions.

These Conditions, together with the Official’s Licence application form a contractual agreement between Welsh Athletics (“WA”) you, the level 1-3 official (the “Official”) and UKA.

As a Licensed Official you agree to comply with these Conditions and the Code of Conduct for Officials (together the “Official’s Licence”) and any other rules, procedures, codes of conduct, policies and guidelines that WA / UKA may publish or impose from time to time (including any applicable WA Codes of Practice and/or Health and Safety Policies).

A copy of the Code of Conduct for Officials is at the Appendix to these Conditions and is available on the WA website. It may be updated from time to time.

### **1. Introduction: Purpose of the Official’s Licensing Scheme**

1.1 The WA Officials Licence Scheme provides assurance to athletes, parents, employers and clubs that the Licenced Official is:

- Trained and Qualified;
- Vetted and checked through the Disclosure and Barring Service (DBS);
- Insured;
- Working to minimum levels of standards of practice and behaviour;
- Subject to appropriate codes of conduct, rules and procedure

- A fit and proper person to engage in officiating in athletics.
- 1.2 WA encourages all officials to apply to WA for an Official's Licence. In particular anyone wishing to officiate within athletics in the UK must apply to Welsh Athletics for an Official's Licence where they are officiating at or intend to officiate at events sanctioned by UKA or any of the Home Country Athletics Federations ("HCAFs").
  - 1.3 The Official accepts that WA has jurisdiction to investigate any complaints made against them and impose any sanctions (whether pursuant to these Conditions or as set out in the WA Disciplinary Rules and Procedure Policy) whether or not the events concerned took place before or after these Conditions were adopted. As such, the Official agrees that if necessary these Conditions have retrospective effect.
  - 1.4 Each Official accepts the jurisdiction of UKA in relation to any breach of the UKA Safeguarding Policies or Regulations and agrees that they are subject to the UKA Safeguarding Policies and Regulations.
  - 1.5 If an Official obtains a UKA Level 4 or above qualification in officiating, they will be asked to sign the UKA Officials Licence Terms and Conditions. For the avoidance of doubt, the Official agrees that upon receipt of a Level 4 or above qualification:
    - a. they will be automatically bound by the UKA Officials Licence Terms and Conditions without the need to indicate such acceptance in writing;
    - b. they will be subject to the disciplinary jurisdiction of UKA for any alleged misconduct that occurs on or after the date of receipt of the level 4 or above qualification; and
    - c. they will remain subject to the disciplinary jurisdiction of WA for any alleged misconduct that occurs before the date of receipt of the level 4 or above qualification.

- 1.6 On being granted an Official's Licence WA will issue the Official with a licence card ("the Licence Card") which may be a physical card or digital card, containing the Official's photograph, the expiry date and the level of the Official's qualification. In addition, WA may show these same details on the WA online live Officials Checker (when such Checker is available).

## **2. Eligibility**

- 2.1 Official's Licenses are issued at WA's sole discretion. In order to be eligible to be granted an Official's Licence and to keep an Official's Licence, the eligibility requirements in paragraph 2.2 below (the "Eligibility Requirements") must be satisfied at the time of application by the Official and at all times that the Official is in possession of an Official's Licence.

- 2.2 The Eligibility Requirements are:

a) The Official must:

- (i) satisfactorily complete and maintain up to date an WA officiating qualification or obtain an officiating qualification from another sports governing body, officiating or teaching organisation which is recognised by WA as equivalent to an WA officiating qualification;
- (ii) complete and pass the mandated safeguarding training (which at the discretion of WA, may be online or in person) as advised by UKA as the lead body safeguarding body for athletics and running in the UK;
- (iii) complete and pass any other training mandated by WA which is relevant to their officiating level;
- (iv) have a DBS Certificate, the contents of which are, in WA's opinion, satisfactory;
- (v) not be barred from holding or applying for a DBS Certificate;
- (vi) share a copy of their DBS Certificate to WA, including but not limited to when it is requested by WA or updated or amended in any way;
- (vii) \*not have been found guilty of Misconduct by WA, UKA or a Home Country Athletics Federation pursuant to its Disciplinary Rules;

- (viii) not have been found to have committed a disciplinary or safeguarding offence by WA, UKA or by any other sports governing body, coaching or teaching organisation or international federation which in WA's opinion means that they are unsuitable to officiate, whether or not any period of suspension or sanction has been served;
- (ix) not currently have their Official's Licence suspended;
- (x) \*not have been found guilty of a doping offence or anti-doping rule violation by:
  - a) WA
  - b) UKA,
  - c) UK Anti-Doping ("UKAD") or any relevant or successor body,
  - d) the Athletic Integrity Unit; or
  - e) any other relevant authority or organisation with jurisdiction, whether or not any period of suspension or sanction has been served.
- (xi) not be under investigation convicted, formally charged, cautioned or reprimanded by the police or other relevant authority in connection with matters which affect their suitability, in the sole discretion of WA, to officiate;
- (xii) not be added to any statutory barring list or be the subject of an order issued pursuant to Part 2 of the Sexual Offences Act 2003;
- (xiii) \*not have had their officiating licence or similar accreditation withdrawn by another governing body, teaching or officiating organisation;
- (xiv) be of sound mind;
- (xv) not have engaged in behavior or conduct which leads WA to consider that they are unsuitable to officiate;
- (xvi) co-operate fully with any investigation by WA or UKA in accordance with these Conditions, the WA Disciplinary Rules and Procedures Policy or the UKA Safeguarding Regulations;
- (xvii) not breach any condition of their licence.
- (xvii) be medically and mentally able to carry out their role competently and safely.
- (xix) provide any other information as requested by WA (and UKA in the case GB&NI Officials).

AND

- b) WA must be satisfied that the Official has suitable qualities and abilities to be an official in accordance with best practice and the policies and standards of WA;

AND

- c) WA must not have:
  - (i) been informed by another governing body or organisation that the Official should not be granted an Official's Licence or been provided with information that leads WA to consider that the Official should not be granted an Official's Licence;
  - (ii) been informed by the Child Protection in Sport Unit, a Local Authority Designated Officer, police or other relevant authority that the Official should not hold an Official's Licence or been notified of information that leads WA to consider that the Official should not be granted an Official's Licence;

\*in relation to Eligibility Requirements 2.2 a) (vii) and (x) & (xiii) WA shall consider the Official's position on a case by case basis and may, in its sole discretion, waive any one or a combination of those Eligibility Requirements.

2.3 If an Official meets all of the Eligibility Requirements, WA may, in its sole discretion, grant an Official's Licence to the Official.

2.4 WA's decision as to whether to grant an Official's Licence shall be final and there shall be no right of appeal.

### **3. Duration**

3.1 Once granted an Official's Licence shall remain valid for a period of three years from the date issued (as stated on the Licence Card), subject to it being

suspended or withdrawn by WA pursuant to these Conditions (“the Licence Period”).

#### **4. The WA Code of Conduct for Officials, UKA Safeguarding Policies and other WA policies**

4.1 The Official must at all times comply with:

- i) the UKA and HCAF Code of Conduct for Officials, a copy of which must be read and acknowledged as part of the licensing application process and which is attached to these Conditions and separately available on the WA website;
- ii) the UKA Safeguarding Policies and Procedures;
- iii) all other policies and procedures issued by WA and UKA from time to time.

4.2 The Official submits to the jurisdiction of WA to decide on all issues of Misconduct (as defined in the WA Disciplinary Rules and Procedures Policy) pursuant to the WA Disciplinary Rules and Procedures Policy in place from time to time.

4.3 The Official submits to the jurisdiction of UKA to decide on all safeguarding offences and matters pursuant to the UKA Safeguarding Policies and Procedures in place from time to time.

#### **5. Renewal**

5.1 The Official may apply to renew their Official’s Licence at any time from the period commencing three months prior to the expiry of their Official’s Licence.

5.2 Whether or not the Official has applied to renew their Official’s Licence, WA may in its sole discretion refuse to renew the Official’s Licence, or impose conditions on the Official’s Licence, if:

- (i) the Official does not meet, or no longer meets, any one or combination of the Eligibility Requirements;

- (ii) the Official has not maintained their officiating qualifications or taken such courses or professional training as WA has recommended or mandated to the Official;
- (iii) the Official has not completed and passed any necessary safeguarding course as advised by UKA as the lead safeguarding body for athletics and running in the UK;
- (iv) WA otherwise reasonably considers that the renewal of the Official's Licence would be inappropriate, including but not limited to if the Official is in breach of these Conditions.

5.3 If WA refuses to renew an Official's Licence or imposes conditions on an Official's Licence, WA shall provide brief written reasons as to why the application to renew the Official's Licence has been refused. The Official shall be entitled to appeal that decision within 21 days by submitting an appeal in accordance with the Rules of Appeal in the WA Disciplinary Rule and Procedures Policy.

5.4 If WA refuses to renew an Official's Licence, it may publish the name of the Official and other relevant details on its website and inform such persons as it sees fit.

## **6. Criminal Behaviour**

6.1 While any criminal behaviour (whether subject to investigation by the police or resulting in a criminal conviction, formal charge, caution or reprimand) on the part of the Official will not be treated as an automatic reason for the Official's Licence to be withdrawn (except as provided for in these Conditions or the UKA Safeguarding Regulations), an individual's Official's Licence could be withdrawn or restrictions imposed on it (under condition 10 below) if the behaviour is such that WA decides the Official is unsuitable to continue to be licensed as an Official.

6.2 Notwithstanding the fact that the Official may not be charged formally with a criminal offence or may be charged but subsequently not be brought to trial or

may be acquitted, WA shall nevertheless have the right to instigate or continue a disciplinary action against the Official with regard to the matter concerned and UKA may instigate action under the UKA Safeguarding Regulations.

6.3 The Official must immediately inform WA if they are notified that their conduct or behaviour has or will lead to investigation by the police or results in a criminal conviction, formal charge, caution, reprimand or their name being added to any barring or statutory list or if they are made subject to a Sexual Risk Order.

6.4 A failure to report to WA any matter required by paragraph 6.3 above shall be Misconduct for which the Official may be subject to disciplinary proceedings under the WA Disciplinary Rule and Procedures Policy.

## **7. Investigation**

7.1 Where it reasonably considers that the Official may be in breach of any of the Conditions, the Eligibility Requirements, the Official's Code of Conduct or any WA policy, including but not limited to the UKA Safeguarding Policies and Procedures, WA (or UKA in relation to the UKA Safeguarding Policies and Procedures) may conduct such investigation into the Official as it sees fit at any time whether under these Conditions or any other relevant policy or procedure.

7.2 The Official shall co-operate fully with any investigation by WA and/or UKA. A failure to do so shall constitute Misconduct.

## **8. Suspension of Official's Licence**

8.1 WA may suspend an Official's Licence, and withdraw insurance for the Official, at any time in the following circumstances:

- i) the Official is under investigation (whether by WA, UKA or any other body or authority);
- ii) WA has reason to believe that the Official has committed a breach of any law or WA policy (including but not limited to the WA Disciplinary Rules and



Procedures Policy, the Code of Conduct for Officials or the UKA Safeguarding Policies and Procedures; or

- iii) WA has reason to believe that the Official does not meet, or is no longer meeting, one or more of the Eligibility Requirements; or
- iv) if instructed to do so by UKA pursuant to Part 7 of the UKA Safeguarding Regulations.

8.2 UKA may suspend any Official pursuant to the UKA Safeguarding Regulations.

8.3 Where an Official's Licence is suspended:

- i) WA or UKA may notify other relevant organisations, athletes, parents and guardians, facilities providers and local authorities;
- ii) the Official shall not hold themselves out or conduct or offer any officiating as a licensed WA official during the period of suspension;
- iii) the Official shall immediately return the Licence Card, or any other certificate issued to them by WA in connection with the Official's Licence to WA upon request. Any digital cards issued will be withdrawn electronically;
- iv) the Official may not utilise the Licence Card to obtain any benefit for themselves.

## **9. Withdrawal of the Official's Licence**

9.1 Where WA considers that the Official has or may have committed Misconduct (as defined in the WA Disciplinary Rules and Procedures Policy) or any breach of these Conditions or the Code of Conduct for Officials, or no longer meets any of the Eligibility Requirements, it may invoke any of its powers under the WA National Disciplinary Policy, including but not limited to in relation to:

- i) Investigation;
- ii) Interim or protective measures;
- ii) Initiating Disciplinary Proceedings.

9.2 In the event disciplinary proceedings are initiated against the Official, the Disciplinary Panel shall have the power to sanction the Official as set out in the

WA Disciplinary Rules and Procedures Policy, which include the power to revoke the Official's Licence.

- 9.3 The Official shall be entitled to appeal any disciplinary decision pursuant to the terms of the WA Disciplinary Rules and Procedures Policy.
- 9.4 The first 3 years following the Official being granted an Official's Licence shall be a probation period ("Probation Period"). The Probation Period shall not apply following the renewal of an Official's Licence.
- 9.5 If, during the Probation Period, an Official commits, in the reasonable opinion of WA:
- i) Misconduct (as defined in the WA Disciplinary Rules and Procedures Policy);
  - ii) any breach of these Conditions or the Official's Code of Conduct; or
  - iii) no longer meets any of the Eligibility Requirements,

WA may either:

- i) act in accordance with paragraph 9.1 above; or
  - ii) revoke the Official's Official Licence without the need to invoke any of its powers under the WA Disciplinary Rules and procedures Policy.
- 9.6 If WA revokes an Official's Official Licence during an Official's Probation Period in accordance with paragraph 9.4 above, WA shall provide brief written reasons as to why the Official's Licence was revoked. The Official shall be entitled to appeal that decision within 21 days by submitting an appeal in accordance with the Rules of Appeal in the WA Disciplinary Rules and Procedures Policy.
- 9.7 Where the Official's Official Licence has been revoked, WA, a club or local authority may refuse that Official access to facilities or to any athletics competition and may expel that person from membership of the club or facility. In addition, WA may recommend to a club or other organisation of which the Official is a member that the Official be expelled as a member (in accordance with the club's own rules).

## **10. Reinstatement**

If the Official's Licence has been withdrawn for a fixed period the Official may, after the fixed period has expired, re-apply to WA for the Official's Licence to be reinstated. Such application shall be made to the Disciplinary Panel (in the event that the withdrawal was imposed by such Panel or the Appeal Panel exercising its powers under the WA Disciplinary Rules and Procedures Policy) or to the Safeguarding Panel in the event that the withdrawal was imposed by such Panel exercising its powers under the UKA Safeguarding Regulations. The relevant Panel shall consider the application in accordance with the Eligibility Requirements and any other required terms for applicants, including those at paragraph 2 and may (in its sole discretion) grant the Official's Licence (with or without conditions) taking into account whether further complaints have been received and UKA considers that the Official now meets all the required Eligibility Requirements.

## **11. Accreditation for Competitions**

If the Official's Licence has been suspended or withdrawn the Official may not be proposed for nor shall be granted accreditation or be accredited by WA or UKA for any athletics competition held within the UK or abroad. For the avoidance of doubt an athletics competition includes the Olympic Games, Paralympic Games and the Commonwealth Games.

## **12. Data Protection**

12.1 The Official acknowledges and agrees that their name and the status of their Official's Licence, including if it has been revoked or withdrawn and the reason(s) for revocation or withdrawal, will be included in WA/UKA's public register of licensed officials.

12.2 WA is registered as a data controller under the Data Protection Legislation (meaning the Data Protection Act 2018 and the General Data Protection Regulation 2016/679) and all applicable laws and regulations relating to the processing of personal data in the UK). In administering the Official's Licensing Scheme, WA undertakes and the Official acknowledges and agrees that WA may:

- (i) process data in accordance with the Data Protection Legislation) and use the Official's personal data for the purposes set out in these Conditions in connection with administering the Official's Licence Scheme; and
- (ii) pass information about the Official's status as a licensed Official to other athletics organisations and other organisations concerned with officiating, including without limitation UKA, UK Sport, the NSPCC and relevant local authorities and social services departments as appropriate.

12.3 UKA, England Athletics Limited, Scottish Athletics Limited, Welsh Athletics Limited and Athletics Northern Ireland ("The HCAF's") may use the Official's personal data (including sensitive personal data) for the purpose of administering their involvement in athletics, and to send the Official information by post, e-mail or SMS related to those purposes. The HCAF's may share the Official's personal data with each other, and other organisations involved in the administration of athletics in carrying out these purposes. The Official's own personal details and contact preferences can be updated via the myATHLETICS Portal (or any future replacement or equivalent system) using a secure password and log-in details.

12.4 Provided the Official has specifically consented to the same WA/UKA may use the Official's contact details for other purposes (namely, information about athletics events, tickets and special offers, prize draws and competitions) by post, email and SMS.

### **13. Promotion**

The Official may describe themselves, for the duration they hold an Official's Licence that has not expired, been revoked, withdrawn or suspended only, as being a "*WA Licensed Official*". On all written material, of any description, these words must be accompanied by a statement of the Official's qualifications and any such promotion must not be false or misleading or lead the public to conclude that the Official is qualified to a higher standard than that which they currently hold. The Official may not use the name, initials or logo of WA on any stationery or promotional materials save as provided in this paragraph 13.

#### **14. Correspondence**

- 14.1 Any notification, correspondence or any other document submitted under these Conditions shall be sent electronically via email [officials@welshathletics.org](mailto:officials@welshathletics.org)

#### **15. Amendments**

WA reserves the right to amend these Conditions from time to time at its sole discretion. The Official's continuing to officiate or attendance at education and training courses provided by WA shall be deemed as continued acceptance of these Conditions (or any other Term of the Official's Licence) as amended.

#### **16. Governing Law**

- 16.1 These Conditions are governed by the laws of England and Wales.
- 16.2 Any dispute or claim (other than appeals) arising out of or in connection with these Conditions shall be submitted for determination exclusively to arbitration under the WA Disciplinary Rules and Procedures Policy and / or the UKA Safeguarding Regulations as appropriate and subject to the procedural control of the English and Welsh Courts.

Appendix – [Code of Conduct for Technical Officials](#)