

Anti-Corruption (Sports Betting) Policy



1. Introduction

- 1.1. All Triathlon Scotland (TS) employees, whether paid or unpaid employees, 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.
- 1.2. This policy sets out TS standards and procedures relating to Anti-Corruption (Sports Betting) and applies to all individuals working for and representing **TS Without prejudice to the generality of the foregoing words this will include TS** Board members and all employees paid or unpaid, contractors, consultants, and/or related personnel of TS acting in any capacity or activity sanctioned by TS; or acting in the course of the business of TS. **To a limited extent this policy also applies to TS members.**
- 1.3. The background to this policy and the desirability for such, emanates partly from, the Scottish Governing Bodies and Sporting Organisations Sporting Integrity - Guidance Note (attached at Appendix 1).
- 1.4. The purpose of this policy is to provide an overview and general advice to the above persons on the issues associated with the integrity of sports betting.
- 1.5. This policy is intended to protect the reputation of sport; **TS; participants in TS events and activities;** participants in TS sanctioned events and activities and each individual acting for or on behalf of TS. **Please note that responsibility for complying with this policy lies with all those to whom it applies.**

2. Sporting Integrity

- 2.1. A core function of TS is to maintain, and be seen to be maintaining the integrity of sport.
- 2.2. TS 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.
- 2.3. There will be clear rules for employees, whether paid or not, in positions of trust and/or those at particular risk, and this will depend on the role of the staff member.
- 2.4. Performance athletes, athletes on the TS performance programme, Board Members of TS, staff of TS and TS coaches, cannot;
 - 2.4.1. bet on the sport, anywhere in the world;
 - 2.4.2. ask someone to bet on their behalf on the sport anywhere in the world;

- 2.5 Members of TS and those affected by paragraph 2.4 above, cannot;
- 2.5.1 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 betting activity (See section 4 (Inside Information)); and
 - 2.5.2 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 TS and the sport.
- 2.6 With reference to those affected by this policy, the following conduct is prohibited:
- fixing a race or event or attempting to fix a race or event;
 - benefiting from failing to perform; or allowing others to benefit from any failures to perform;
 - soliciting, inducing, encouraging, offering a bribe (or any attempt thereof) to any other party to do any of the above prohibited conduct;
 - receiving, seeking a bribe (or any attempt thereof) in order to fix a race or event; or in any attempt to fix a race or event;
 - posing a threat to the integrity of the sport governed by TS;
 - the destruction of evidence in relation to a potential breach of any of the above; and
 - failing to report any suspicions or approaches, in connection with the above matters.

3. Criminal offence of cheating - section 42 of the Gambling Act 2005

- 3.1. **Section 42 of The Gambling Act 2005** has created an 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 repeated in Appendix 2).
- 3.2. Breach of the Gambling Act 2005 may result in the imposition of severe penalties for individuals.
- 3.3. Depending on the nature of the activity, TS’s Investigations 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. TS may also refer matters to the Police and prosecution authorities.

4. Inside Information

- 4.1. The sharing of “Inside Information” by persons affected by this policy is specifically prohibited by TS.
 - 4.1.1. “Inside Information” means any information, which is not publically 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.

- 4.1.2. “Publically 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.
- 4.2. With regard to responsibilities under part 2.5.1 of this policy, it is an individual’s own responsibility to determine whether information falls under the definition of “Inside information”. TS advice is to err on the side of caution. Persons affected should also seek advice from TS’s Welfare Director, any director of TS or the Chief Operating Officer of TS.

5. Welfare Director - Roles and Responsibilities

- 5.1. TS’s Welfare Director or his/her proposed nominee is TS’s designated Betting Integrity Officer.
- 5.2. All TS employees whether paid or unpaid, directors, and volunteers, hereinafter collectively referred to as 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 TS’s policies, aims and objectives; and
 - advising the Investigations Panel (see section 6 below).

6. Response Plan

- 6.1. It is imperative that, if there is any suspicious betting activity in any **TS event or activity, whether specifically sanctioned or otherwise**, then enquiry, and so far as necessary thereafter, action, should be undertaken.
- 6.2. All staff should be aware that they must not try to deal with or investigate any allegations of corrupt betting and associated activity by themselves, but should immediately report the matter to TS’s Betting Integrity Officer.
- 6.3. All staff, TS Board Members, coaches and performance athletes must report any approach or activity which contravenes, or which may contravene, TS’s rules on sports betting, to the Betting Integrity Officer. The initial point of reporting, in connection with matters arising from this policy, is to the Betting Integrity Officer, whom failing the Chief Operating Officer of TS. Specifically, but without being exhaustive;
 - if any such person is approached about fixing any part of a race or event or is asked for “Inside Information” then he/she must report this and cannot just ignore it;
 - if any such person has any concerns about any person’s activity in connection with this policy then he/she must report this; and
 - any attempts or threats, that threaten or seek to threaten the integrity of this policy should be reported.
- 6.4. In the event that a member of Staff, a Board member, a TS coach or performance athlete, is concerned that the TS Betting Integrity Officer is involved in suspicious betting activity outlined in section 6.3 above, this should be reported to the TS Chief Operating Officer, or a director of TS.

- 6.5. In any investigation or enquiry into a matter arising from this policy all said staff, Board Members, coaches and performance athletes must co-operate fully, and consistent with a duty of full disclosure. That duty includes, the production of full documentation (e.g. telephone/betting records).
- 6.6. The Betting Integrity Officer will co-ordinate any investigation on a matter pertinent to the terms or implementation of this policy; and will set up an Investigations Panel consisting of not less than three TS staff members, (including the Betting Integrity Officer), in order to assist in the investigation.
- 6.7. The Investigations Panel will investigate the allegation brought before it. A member of the Investigations Panel will be allocated with the responsibility for leading the investigation process.
- 6.8. The Investigations Panel should establish the facts within a reasonable period of time; and any threat of further corrupt betting or associated activity should be reduced or so far as possible removed, without unreasonable delay.
- 6.9. The Investigations Panel is required to:
 - act promptly in investigating the allegation brought before it; and in taking any action required;
 - fully document the investigation process;
 - secure evidence in a manner which, so far as reasonably possible, does not alert suspects at the outset of the investigation;
 - 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; and a record should be kept of anyone handling evidence).
 - alert and refer reasonable suspicion of criminal behaviour to the appropriate authorities; and,
 - report to the TS Chairman and TS Chief Operating Officer.
- 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 activity, the Investigations Panel can liaise with external experts for advice.
- 6.11. The Investigations Panel must obtain the authority and approval of the TS Chairman and TS Chief Operating Officer, prior to contacting any of the third parties referred to in parts 6.8; 6.9 and 6.10 above.
- 6.12. The Investigations Panel will prepare a report of its findings and recommendations to **the TS Chairman and TS Chief Operating Officer** for consideration. The report will include details of:
 - recommendations on how to manage persons under suspicion; which may include a range of disciplinary methods and/or supervision;
 - recommendations on how to conduct relations 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 to the organisation.
 - a recommendation as to engagement, or otherwise, of the investigation with the TS Disciplinary Rules and Procedures; and a recommendation as to whether disciplinary proceedings under these rules should be considered.

- 6.13. The Investigations Panel should liaise with the TS Chief Operating Officer and Communications Officer to **consider with** them precisely what information can be released, if requested. TS shall retain a record of any information released and to whom.
- 6.14. Any person affected by this policy who considers that they have not been dealt with appropriately can raise any concerns with the relevant authorities, the TS Board, and other associated external bodies including the Gambling Commission, so long as all such actions are conducted in good faith.

7. TS Directors

- 7.1. Any TS director who is concerned that a TS director or any **member of staff**, or a TS performance athlete or coach, may be involved in suspicious betting activity should inform the Betting Integrity Officer of the TS Chief Operating Officer, as may be appropriate in the circumstances.

8. Compliance

- 8.1. This policy will be reviewed annually unless circumstances dictate more frequent reviews.
- 8.2. Staff, employees and others affected by this policy, who breach this policy and procedure may be subject to disciplinary action.
- 8.3. Compliance of this policy will be monitored by Chief Operating Officer & Board of Directors.

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.

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

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.

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 that 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 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.