

WBSC



WORLD
BASEBALL SOFTBALL
CONFEDERATION

Whistleblower Reporting Mechanism

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CHAPTER I – PREAMBLE

ARTICLE 1. PREAMBLE

1.1 This draft refers to the Framework drawn up by WBSC to investigate allegations of inaccurate activities by WBSC employees, WBSC members or where the WBSC is potentially a victim of malpractice.

1.2 WBSC as the world governing body for the sports of Baseball/Softball, will provide protection against any unjustified treatment in the form of providing confidential advice to whistleblowers so long as there is an honest and reasonable belief of wrongdoing, but will provide no protection for knowingly false disclosure of information. Protection will extend to disclosures made anonymously, if later identified. If physical protection is needed, the case is referred to the police

1.3 This Framework is supported by Article 1.4 of the IOC Code of Ethics which states:
“Respect for the universal fundamental ethical principles is the foundation of Olympism...These include...Respect for international conventions on protecting human rights insofar as they apply to the Olympic Games’ activities and which ensure in particular...rejection of all forms of harassment, be it physical, professional or sexual, and any physical or mental injuries.”

ARTICLE 2. TERMINOLOGY

2.1 Whistleblowing refers to the action of exposing secretive information that is deemed illegal, unethical or not correct. The wrongdoing can be classified in many ways: violation of company policy, law, regulation, fraud or corruption.

ARTICLE 3. REJECTION OF IMPROPER ACTIVITY

3.1 Any form of fraud, corruption, violation of policies, law and regulations are completely incompatible with the intrinsic values of sports. Within WBSC there is zero tolerance for such improper activities.

ARTICLE 4. SCOPE OF APPLICATION

4.1 This Framework applies:
a. To all WBSC employees;
b. To all participants of any WBSC Event;
c. To all WBSC members;
d. To alleged incidents of fraud, corruption or other improper activities.

4.2 For the purposes of this Framework:

4.2.1 “Participants” shall mean all those, individual competitors (Athletes) and teams, officials, managers and other members of any delegation, referees and jury members and all other accredited persons;

4.2.2 The “WBSC Event” shall mean the entire duration of the competition, including the travelling time;

4.2.3 “WBSC members” shall mean the recognized National federations and Associate members listed on the wbsc.org website.

CHAPTER II – WHISTLEBLOWER PROCEDURE DURING WBSC EVENTS

The following articles of the WBSC Framework for Whistleblowers will apply.

ARTICLE 5. PREVENTIVE MEASURES

5.1 IOC educational materials and other information regarding whistleblowing in sport will be available at all times, in particular explaining what may constitute whistleblowing, and where members, employees and other participants and their respective entourages may seek further information, advice and support.

ARTICLE 6. THE WBSC ETHICS COMMISSION OFFICER

6.1 There will be a WBSC Ethics Commission Liaison nominated and available 24/7. He/she shall be responsible for:

6.1.1 Documenting all whistleblower reports at all times;

6.2.2 Determining whether a follow-up is warranted, and if so, following-up accordingly;

6.2.3 Recommending whether a case should be:

- a. Submitted to a third party such as a lawyer or the police;
- b. Notified to local authorities, as appropriate and necessary pursuant to local law. For clarity, the local authorities are responsible for determining whether to conduct a criminal investigation in relation to an alleged incident; and

6.2.4 Providing support to any concerned persons.

ARTICLE 7. REPORTING AND PROCEDURE FOR ADDRESSING IMPROPER ACTIVITY

7.1 Reporting:

7.1.1 Anyone may report an incident of fraud, corruption, unethical behaviour, law violations and breaches.

7.1.2 A number of reporting channels through which an alleged incident of such may be reported. Reporting channels may include, in particular:

- a. The WBSC Ethics Commission Liaison
- b. Dedicated email address; whistleblowingreport@wbsc.org
- c. Dedicated physical address for anonymous reports; Avenue Général-Guisan 45, Pully, Switzerland
- d. The WBSC office

7.1.4 All reports through any reporting channel will be referred to the WBSC Ethics commission Liaison.

7.1.5 Reports may be made in writing or verbally. The WBSC Ethics commission Liaison shall ensure that such reports are documented. This documentation should include the name, title, address, contact information and signature of the reporting person. The documentation should also include information pertaining to the reasons and basis for the report, including any evidence which might suggest that improper activity has occurred.

Based on the particular facts as detailed in the reports, the Ethics commission Liaison will determine how to proceed with each case.

7.2 Procedure:

7.2.1 If an employee or eligible person would like to make a report, they have different channels available where they can do this.

- Whistleblowing/Anonymous Reporting via the Report Form (Appendix 1)
- Anonymous email (whistleblowingreport@wbsc.org)
- Via post (Avenue Général-Guisan 45, 1009 Pully, Switzerland)
- Speak with a senior leader at WBSC;
- Speak with the owner of WBSC's whistleblowing programme

7.3 Competent body:

7.3.1 The Ethics Commission, is the competent body for the Whistleblower Reporting procedures. All reported cases will be forwarded to the Ethics Commission with the shortest delay. The report shall include:

- a. a summary of the case;
- b. proposed sanctions where applicable; and
- c. proposed preventive measures – where applicable and in accordance with the WBSC Disciplinary Code.

ARTICLE 8. CONFIDENTIALITY

8.1 All matters pertaining to an alleged incident, in particular reports of improper activity, personal information of the concerned persons, other information gathered during investigations and results of investigations ("Confidential Information") shall be regarded as confidential.

8.2 The WBSC may disclose Confidential Information to appropriate persons or authorities if:

- a. a failure to disclose such information may cause harm to someone, or
- b. such information relates to a potential criminal act that comes to the attention of the WBSC.

8.3 The decisions taken by the executive board following the report of the Ethics Commission shall, in principle, include confidential information and shall be publically disclosed by the WBSC. When disclosing such decisions, the WBSC shall:

- a. not include any personal information of the victim without obtaining the victim's consent, and
- b. anonymises personal information of other concerned persons in certain cases, taking into consideration the privacy interests of such concerned persons.

8.4 All data collected through reporting and procedures shall be recorded and stored by WBSC and kept under this confidentiality policy.

APPENDIX 1

WHISTLEBLOWER REPORT FORM

The WBSC accepts and investigates allegations of inaccurate activities by WBSC employees, WBSC members or where the WBSC is potentially a victim of malpractice.

Because we do not undertake investigations without competent cause, we need as much evidence as possible to authenticate the allegation(s) such as witnesses, documents and other relevant and specific advisement.

If you choose to file your complaint anonymously, it is vital to provide relevant and specific information. The investigation of improper activities is more burdensome if complaints are filed anonymously due to the difficulty of obtaining evidence to authenticate the improper activity before the commence of the investigation.

When describing the improper activity, please provide as much of the following information for *each* of your allegations and number each allegation, if there is more than one. Use additional pages if necessary.

- Who?** Who is involved? What are the names, federations involved? Who else knows about the mentioned improper activities? Who can confirm they occurred?
- What?** What did the suspect do specifically? What is improper about it? Are there regulations in place that govern what the suspect did? What documents can provide evidence?
- Where?** Where did the activity happen? Which event, world cup, tournament? Where are the evidence document located?
- When?** When did the improper activity occur? Is it ongoing?
- Why?** What are the motives? F.e. How does the suspect benefit? In case other might benefit from the activity, who are they and how do they benefit?
- How?** How frequent has it occurred? How did the activity occur? Was there a lack of controls or collusion with other individuals?

Please email this form to whistleblowingreport@wbsc.org or you can mail it, marked "confidential", to:

Ethics Commission Liaison
Avenue Général-Guisan 45, 1009 Pully, Switzerland

Please provide the following details for any suspected serious misconduct or any breach or suspected breach of law or regulation that may adversely impact the WBSC.

REPORTER'S CONTACT INFORMATION			
(Not required, might be left blank if the report wish to remain anonymous)			
NAME			
NATIONAL FEDERATION (if any)		POSITION	
CONTACT NUMBER			
E-MAIL ADDRESS			
BEST TIME/PLACE TO REACH YOU			

SUSPECT(S) INFORMATION			
NAME			
NATIONAL FEDERATION (if any)		POSITION	
CONTACT NUMBER			
E-MAIL ADDRESS			

WITNESS(ES) INFORMATION (if any)			
NAME			
NATIONAL FEDERATION (if any)		POSITION	
CONTACT NUMBER			
E-MAIL ADDRESS			
NAME			
NATIONAL FEDERATION (if any)		POSITION	
CONTACT NUMBER			
E-MAIL ADDRESS			

COMPLAINT: *Please describe the improper activity / misconduct and how you know about it. Specify what, when, where and how as mentioned above. If there are more than one allegation, number each one and use as many pages as necessary.*

What improper activity occurred?
Who committed the improper activity?
When did this occur and when did you notice it?
Where did the improper activity happen?

What enabled this to happen / How did it happen?

Are there any other parties involved other than the suspect stated above?

Do you have anything to add which would assist us in the investigation?

Any other comments?

EVIDENCE: *Is there any evidence that you could provide us? Please attach a copy of evidence or describe how the WBSC could locate supporting documents. DO NOT obtain evidence for which you do not have access to.*

Date and place:

Signature:
