

**The Whyte Review – Terms of Reference**

1. In July 2020 a significant number of individual gymnasts, and parents of gymnasts, made allegations about mistreatment within the sport of gymnastics. In response to this, Sport England and UK Sport (the 'Commissioning Organisations') have commissioned an independent review (the **Review**) into the issues that have been raised.
2. The Commissioning Organisations shall appoint:
  - a. a senior counsel (the **Reviewer**) to lead the Review; and,
  - b. two advisors with relevant sports administration and performance expertise to support the Reviewer. The advisors will not be decision makers for the purposes of paragraph 4.
3. The Review shall be conducted independently of all third parties including the Commissioning Organisations. The Reviewer shall decide how to conduct the Review and upon the content of the interim and final reports.
4. The outcomes of the Review ('the Outcomes') shall be:
  - a. To determine whether:
    - i. gymnasts' wellbeing and welfare is (and has been) at the centre of the culture of British Gymnastics, its registered clubs and member coaches and if not, why not;
    - ii. safeguarding concerns and complaints have been dealt with appropriately in the sport of gymnastics and if not, why not; and,
    - iii. gymnasts, or their parents, carers or guardians, have felt unable to raise complaints with appropriate authorities and if so, why.
  - b. If any failings are identified at 4(a) i, ii or iii, then the Reviewer shall make recommendations to ensure that for the future:
    - i. gymnasts' wellbeing and welfare is at the centre of the culture of British Gymnastics;
    - ii. safeguarding concerns and complaints in the sport of gymnastics are raised with the appropriate authority and appropriately resolved in a timely manner; and,
    - iii. gymnasts have appropriate pathways and the necessary support to raise concerns and complaints.
5. The Reviewer shall investigate for the period August 2008 to August 2020 (the **relevant period**) the:
  - a. nature and volume of complaints received by British Gymnastics, including (but not limited to) allegations of mistreatment, sexual, mental (emotional and neglect) and physical abuse, bullying, harassment and discrimination;
  - b. approach taken by British Gymnastics to resolving complaints;
  - c. reasons for any delay in complaints being raised;

- d. adoption and application by British Gymnastics of safeguarding and complaints procedures, including how compliance with safeguarding standards by clubs and member coaches was monitored and assessed; and
  - e. culture and practices of British Gymnastics, including its registered clubs, in relation to its treatment of gymnasts and consideration of their welfare.
6. The Review shall only consider matters which are within British Gymnastics' jurisdiction and shall not determine the merits or outcome of any individual complaints. Individual complaints shall be determined via a separate process, the details for which will be announced separately.
7. The Reviewer shall conduct a Call for Evidence to give opportunity for any individual or organisation to provide information relevant to the Terms of Reference directly to the Review.
8. The Reviewer shall prepare an interim report for the Commissioning Organisations once the steps at paragraphs 5(a) and 7 have been completed. The interim report shall include a summary of the nature and scale of the information that has been received and a view on whether the Terms of Reference cover the issues that have been raised or should be amended. Upon receipt of the interim report, the Commissioning Organisations shall consider whether changes are required to the Terms of Reference and whether it is required to take any other steps in light of the information in the interim report.
9. The Reviewer shall have discretion to consider information from outside the relevant period where they consider it necessary and proportionate to do so in order to achieve the Outcomes of the Review.
10. If the Reviewer identifies issues which are outside the scope of these Terms of Reference but which they consider are necessary to investigate in order to achieve the Outcomes of the Review, the Reviewer shall notify the Commissioning Organisations of this in writing, explaining the reasons for their view and the changes that they propose to the Terms of Reference. The Commissioning Organisations shall respond in writing, to advise the Reviewer whether or not it is agreed that the Terms of Reference should be extended and the reasons for their decision. Any such correspondence shall be published.
11. The Reviewer shall consider the need for the referral to the relevant statutory authorities of any information they consider to:
  - a. be of a criminal nature;
  - b. raise immediate safeguarding concerns; or
  - c. be a potential violation of anti-doping regulations.
12. At the conclusion of the Review, the Reviewer shall if requested, report to the Commissioning Organisations the fact and reasons for any decision not to refer information for the purposes of paragraph 11.

13. The Reviewer shall invite information (in oral or written form) from any organisations or individuals that they consider appropriate, but which shall include:
  - a. Current and former members of British Gymnastics, including parents, carers and guardians of members;
  - b. The Commissioning Organisations;
  - c. The British Athletes Commission;
  - d. The Child Protection in Sport Unit;
  - e. British Gymnastics;
  - f. The English Institute of Sport;
  - g. The Department for Digital, Culture, Media & Sport;
  - h. United Kingdom Anti-Doping; and
  - i. The Ann Craft Trust.
14. Individuals providing evidence to the Review shall be offered independent support and care, which shall be assessed and delivered by the British Athletes Commission.
15. The Reviewer will be supported by an independent secretariat.
16. At the conclusion of the Review the Reviewer shall produce a final written report (the **Report**), which shall be provided to the Commissioning Organisations. The Commissioning Organisations shall publish the Report, subject to any relevant legal considerations.
17. Any individual or organisation who it is proposed will be named in the Report shall be notified of this in advance of publication and given opportunity to comment on applicable references before the Report is finalised.
18. The Reviewer will complete their work in a timely manner and aim to provide their final Report to the Commissioning Organisations as soon as reasonably practicable, with these timescales to be reviewed after the Call for Evidence and interim report.
19. The Commissioning Organisations shall consider carefully the recommendations made by the Reviewer and determine the manner in which any recommendations to be taken forward will be implemented by British Gymnastics.
20. Confidentiality.
  - a. The Reviewer shall keep confidential all confidential information disclosed as a result of the Review and shall not use nor disclose the same save as provided for in the Annex to these Terms of Reference or as required by law.
  - b. The Reviewer shall ensure that all information provided via safeguarding complaints and/or information which was subject to safeguarding investigations is kept confidential and processed in accordance with best practice for such information.