

sportscotland

sportscotland Staff Anti-corruption (Sports Betting) Policy

1. Introduction

- 1.1. **sportscotland** 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.
- 1.2. This policy sets out **sportscotland's** standards and procedures relating to Anti-Corruption (Sports Betting) and applies to all individuals working for and representing **sportscotland** which includes **sportscotland** Board members and all employees, contractors, consultants, and/or related personnel of **sportscotland** acting in any capacity or activity sanctioned by **sportscotland** as determined by one of the Directors (referred to collectively as "Staff").
- 1.3. The framework for this policy is based on the Scottish Governing Bodies' and Sporting Organisations' Sporting Integrity – Code of Conduct (see Appendix 2)
- 1.4. 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.
- 1.5. This policy is intended to protect the reputation of sport, **sportscotland**, and each individual acting for it.

Please note, responsibility for complying with this policy lies with all those to whom it applies.

2. Sporting Integrity

- 2.1. A core function of **sportscotland** is to maintain, and be seen to be maintaining, the integrity of sport.
- 2.2. **sportscotland** must take action to protect itself from the threats posed to its integrity by corrupt betting and associated activity, both from inside 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 that has the potential to compromise sporting conduct and endeavour.
- 2.3. There will be stricter rules for members of Staff in positions of trust and/or at particular risk. This will depend on the role of the Staff member. Some

examples include SMT Directors and the Head of Finance, but please note that this list is not exhaustive.

- 2.4. “Directly Involved” means a funded athlete or a member **sportscotland** staff who through their role has access to Inside Information. If you are “Directly Involved” with a sport as a representative of **sportscotland** you cannot: -
 - 2.4.1. bet on the sport, that you are directly involved with as a representative of **sportscotland** anywhere in the world;
 - 2.4.2. ask someone to bet on your behalf on the sport that you are directly involved with as a representative of **sportscotland** anywhere in the world;
 - 2.4.3. share any “Inside Information” obtained through your direct involvement with the sport (See section 4 - Inside Information) for further information); and
 - 2.4.4. 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.
- 2.5. The following offences are also prohibited: -
 - 2.5.1. fixing a match or attempting to fix a match;
 - 2.5.2. benefiting from failing to perform;
 - 2.5.3. soliciting, inducing, encouraging, offering a bribe (or attempting to) any other party to do any of the above offences;
 - 2.5.4. receiving, seeking a bribe (or attempting to) to fix a match or attempt to fix a match;
 - 2.5.5. posing a threat to the integrity of the sport;
 - 2.5.6. destruction of evidence in relation to a potential breach; and
 - 2.5.7. failing to report suspicions or approaches.

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

- 3.1. Section 42 of The Gambling Act 2005 created an offence of “cheating at gambling” which includes cheating in sports influenced by betting involvement (see the extract of section 42 of the Gambling Act 2005 in Appendix 2).
- 3.2. Breach of the Gambling Act 2005 may result in the imposition of severe penalties for individuals (fines and jail).
- 3.3. Depending on the nature of the activity, **sportscotland’s** Investigation Panel (see section 8) may refer the matter to the Gambling Commission or Sports Betting Intelligence Unit to investigate the criminal offence of cheating at gambling.

4. “Inside Information”

4.1. The misuse of "Inside Information" by anyone captured by this policy is specifically prohibited by **sportscotland**.

4.2. The Gambling Commission defines "Inside Information" means information which is known by an individual or individuals because of their role in connection with an event and which is not in the public domain and is related to: -

4.2.1. The participation in or likely participation in an event;

4.2.2. The likely or actual performance in an event that may affect the outcome;

4.2.3. The likely or actual performance of in-play activity within an event;

4.2.4. Activity related to a non-sporting event on which bets can be placed

4.2.5. Such information includes, but is not limited to: -

4.2.5.1. information regarding the competitors,

4.2.5.2. the conditions,

4.2.5.3. tactical considerations,

4.2.5.4. injuries, or

4.2.5.5. any other aspect of the sporting competition or event.

4.3. "Event" is defined as any type of activity on which a betting market is offered. Such events include, but are not limited to: -

4.3.1. A sporting match or tournament;

4.3.2. A TV talent or reality show;

4.3.3. A novelty market; and/or

4.3.4. Speculation about a change in personnel.

4.4. 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 seek advice from Betting Integrity Officer or the Legal Team if you are unsure.

5. Family and Friends

5.1. If your spouse or cohabitee, relative or friends are betting on the sport that you are directly involved with as a representative of **sportscotland** or sporting competitions or events where you have access to "Inside Information", their betting activity may be traced back to you and could raise suspicions which could lead to you being subject to disciplinary action. This policy does not attempt the task of defining "relative" or "friend." The key principle is that in the need for transparency, regarding your role or connection with a sport as a representative of **sportscotland**, you should not misuse "Inside Information," which could potentially affect your responsibilities as a member of **sportscotland**.

6. Betting Integrity Officer - Roles and Responsibilities

6.1. **sportscotland's** Head of Finance is **sportscotland's** designated Betting Integrity Officer.

6.2. All **sportscotland** staff are responsible for betting integrity issues but The Betting Integrity Officer has specific additional responsibilities including: -

6.2.1. establishing and maintaining a sound Sports Betting Policy that supports the achievement of **sportscotland's** policies, aims, and objectives; and

6.2.2. advising the Investigations Panel (see section 8).

7. Response Plan

7.1. It is vital that, if there is any suspicious betting activity in **sportscotland**, action is taken.

7.2. 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 **sportscotland's** Betting Integrity Officer. This should usually be reported through their line manager.

7.3. All Staff must report any approach or activity which contravenes, or which may contravene, **sportscotland's** rules on sports betting. Specifically, the following cannot be ignored: -

7.3.1. if any member of Staff is approached about fixing any part of a match or asks for "Inside Information" then they must report this;

7.3.2. if any member of Staff has any concerns about any other member of Staff's activity, then they must report this; and

7.3.3. any threats should always be reported.

7.4. 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 (see section 8.6 - 8.13 below).

7.5. The Betting Integrity Officer will co-ordinate the investigation and set up an Investigations Panel consisting of not less than three **sportscotland** Staff members including the Betting Integrity Officer.

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

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

7.8. The Investigations Panel is required to: -

- 7.8.1. act promptly in investigating the allegation and taking any action required (subject to SMT approval where appropriate);
- 7.8.2. fully document the investigation process;
- 7.8.3. secure evidence in a manner which does not alert suspects at the outset of the investigation; and
- 7.8.4. ensure that the evidence is secured in a legally admissible form (e.g. evidence must be carefully preserved; evidence should not be routinely handled; no marks made on original documents; and a record should be kept of anyone handling evidence).

7.9. Depending on the nature of the activity, the Investigations Panel may refer the matter to the Gambling Commission or the Sports Betting Intelligence Unit for consideration of an investigation of the criminal offence of cheating (in accordance with 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, as appropriate.

7.10. Depending on the nature of the fraud, the Investigations Panel may wish to contact external experts for advice. Examples include Action Fraud and the National Public Sector Fraud Authority.

7.11. The Investigations Panel must obtain the consent of SMT before contacting any third parties.

7.12. The Investigations Panel will prepare a report of its findings and recommendations to SMT for final approval. The report will include details of:

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- 7.12.1. recommendations on how to deal with Staff under suspicion (which may include action to suspend or dismiss an employee in conjunction with **sportscotland'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 suspect's work area, filing cabinets, computer files);
- 7.12.2. recommendations on how to deal with third parties under suspicion;
- 7.12.3. recommendations for mitigating the threat of future corrupt betting and associated activity by taking appropriate action to improve controls; and
- 7.12.4. recommendations for disseminating the lessons learned from the experience in cases where there may be implications for the organisation.

7.13. The Investigations Panel should liaise with **sportscotland's** Communications (Media) Team and inform them precisely of what information can be released, if requested. The Communications (Media) Team should retain a record of what information was released and to whom.

8. **sportscotland** Board members

- 8.1. As **sportscotland** Board members are appointed by the Scottish Government, a separate response plan will apply to **sportscotland** Board members.
- 8.2. As a **sportscotland** Board member, if you are concerned about the behaviour of fellow Board members or any **sportscotland** Staff, including the Chief Executive, you should inform the Chair (or Vice Chair if the concern involves the Chair).
- 8.3. Again, as **sportscotland** Board members are appointed by the Scottish Government, concerns that cannot be dealt with internally must be taken to parties empowered to take required action. Therefore, if a **sportscotland** Board member believes that the issue cannot be considered objectively by any member of the Board or senior management, they should take their concerns to the Scottish Government sponsor team in the first instance.
- 8.4. If a **sportscotland** Board member feels that their concerns have not been dealt with appropriately internally or by Scottish Government, they should also be aware that they are empowered to take any concerns to the relevant authorities and other associated external bodies including the Gambling Commission, so long as they act in good faith.

9. Review, Compliance and Monitoring

- 9.1. This policy will be reviewed annually unless circumstances dictate more frequent reviews.
- 9.2. Staff who breach this policy may be subject to disciplinary action.
- 9.3. Compliance of this policy will be monitored by the Senior Management Team.

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Appendix 1

Scottish Governing Bodies' and Sporting Organisations'

Sports Betting Group Code of Practice

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 to protect the reputation - and the financial and participatory viability - of sport. Sport must take action to protect itself from threats posed to integrity by corrupt betting and associated activity, both from inside and outside the sport.

The Sports Betting Group was formed in 2010 following the publication of the Report of the Sports Betting Integrity Panel (the Parry Report) commissioned by the Department for Culture, Media, and Sport. The SBG’s role is to bring together sports bodies to provide leadership and to share good practice on sports betting integrity issues. The SBG is chaired by the Sport and Recreation Alliance. They released a Code of Practice which set out key actions sport's governing bodies should take to protect their sports from the risk of betting corruption.

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. Alongside these developments, the rise of online platforms and the introduction of cryptocurrency have transformed the betting landscape even further. Online betting offers instant access to global markets, while crypto-based platforms enable fast, borderless transactions and greater anonymity. These innovations have made betting more accessible and attractive, but they also present new challenges.

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. This code of conduct offers initial guidance to SGBs and sporting organisations in putting rules and regulations in place and complying with the Sports Betting Group Code of Practice.

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

The Parry Report minimum standards remain an important cornerstone of sports governing bodies’ betting integrity rules. However, since 2010, the betting integrity landscape has developed rapidly, with modern technologies and the proliferation of

betting markets and products posing new challenges. Similarly, wider legislative and regulatory frameworks governing betting integrity have evolved and matured. It is therefore important for SGBs to ensure that their rules, regulations, and sanctions are fit for purpose and address the full range of integrity risks which exist currently and which may emerge in the near future.

There are seven actions that each SGB and sporting organisation should go through to help safeguard their sport from the threats posed to integrity by betting:

7 Step Action Plan

Action 1

Establish Rules and Regulations on Betting

SGBs and sporting organisations must have robust rules and regulations in place. The rules must 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 to.

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. 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 identified risks, 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.

Consultation with participants when developing rules is a crucial step to producing a framework that is workable practice and is supported by participants. Sanctions must be sufficiently robust to act as an effective deterrent while also being proportionate for the particular sport.

The minimum rules identified in the *2010 Rick Parry Report* 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 single point of contact 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 the *2010 Parry Report*. 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.

Many governing bodies, such as the FA, have integrity units that software to manage intelligence and that work in accordance with the National Intelligence Model (NIM), a well-established and recognised model applied by the law enforcement community.

Both the Rugby Football League (RFL) and Rugby Football Union (RFU) do not have a dedicated integrity unit. However, they nonetheless do have access to integrity expertise through their in-house legal teams and existing contracts with third parties. Where appropriate, additional expertise is brought in on an 'as required' basis to assist in undertaking investigations.

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 act 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 contacting **sportscotland** for guidance.

Action 4

Introduce an Educational Programme

It is essential that participants are fully aware of the relevant rules and regulations in their sport. 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. In many instances betting integrity education is either delivered by or in partnership with the relevant player association.

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

For example, governing bodies such as the *World Professional Billiards and Snooker Association (WBSA)*, *Darts Regulation Authority (DRA)*, and *ECB (England and Wales Cricket Board)* each have relevant education programmes on sports betting integrity.

In addition, both the DRA, in partnership with the Professional Darts Players Association (PDPA), and WPBSA complete an induction programme for new players to the respective playing tours which includes an integrity component.

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 *2010 Parry Report* contains recommendations on what SGBs should consider in relation to participant education.

Action 5

Check Competition Contracts

For those taking part in competitions, there should be a requirement to sign contracts beforehand which clearly spell out their obligations regarding 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.

In most cases, participants will be bound by the rules of their governing body. However, there may be circumstances where this is not the case. Generally, it is good practice for sport's governing bodies and competition organisers to make themselves aware of any potential issues in terms of coverage or jurisdiction and, where necessary, to ensure contractual arrangements are in place setting out the betting integrity obligations for participants.

Action 6

Establish Information Sharing and Data Handling Arrangements

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

SGBs should consider putting in place information sharing agreements with betting operators which set out the terms under which specified information can be exchanged and the key roles and responsibilities of each party. In addition to information sharing agreements, governing bodies must also have robust systems and processes in place to be able to handle sensitive data in accordance with relevant data protection law.

Action 7

Undertake a regular review

It is important to undertake a review of integrity arrangements at regular intervals – it is recommended at least annually – to learn lessons from particular cases or investigations that have arisen within your sport but also to ensure systems and processes reflect the latest good practice from across the sector. This review may only need to be a straightforward 'health check' to confirm that existing arrangements are still fit for purpose but in some cases, it may involve a more comprehensive review.

Appendix 2

Section 42 – Gambling Act 2005

42 Cheating (applies to **England, Wales, and Scotland**)

This section has no associated Explanatory Notes: -

- (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.