

CHAPTER XIII

FIE SAFEGUARDING POLICY

POLICY STATEMENT

The FIE is committed to providing athletes and non-athletes, an environment free of any form of harassment, abuse, or discrimination. Each individual, athlete or non-athlete, has the right to be treated with respect and dignity and to be protected from all forms of harassment and abuse. The Safeguarding Policy would promote equal opportunities and prohibit discriminatory practices. This Policy supplements the Jurisdiction of Chapter VII of the FIE Statutes – Disciplinary Code.

APPLICATION OF THE FIE SAFEGUARDING POLICY

The FIE Safeguarding Policy applies to all members of the FIE Community as defined in paragraph 3 of the introduction to the FIE Ethics Code (Chapter XII of the Statutes).

The FIE Safeguarding Policy applies to harassment and abuse which may occur during the course of all FIE business, activities and events. It also applies to harassment and abuse between individuals associated with the FIE but outside the FIE business, activities and events when such harassment or abuse adversely affects relationships within the FIE work and sport environment. It applies to persons of all ages and at all FIE competitive levels.

The FIE Safeguarding Policy shall be applied to behaviour in-person, on the phone or conducted online or distributed electronically, using email, text messages or any other electronic medium. This includes without limitation blogs, web posting, chats and social networking sites.

DEFINITIONS

Harassment and abuse can be based on any grounds including race, religion, colour, creed, ethnic origin, physical attributes, gender, sexual orientation, age, disability, socio-economic status and athletic ability. They can include a one-off incident or a series of incidents and may be deliberate, unsolicited and coercive.

Harassment and abuse often result from an abuse of authority, meaning the improper use of a position of influence, power or authority by an individual against another person.

For the purpose of this policy, harassment and abuse is defined as:

Psychological abuse

Any unwelcome act including confinement, isolation, verbal assault, humiliation, intimidation, infantilisation or any other treatment, which may diminish the sense of identity, dignity and self-worth or result in significant emotional upset.

Physical abuse

Any deliberate and unwelcome act- for example punching, beating, kicking, biting, burning or use of undue force - that causes physical trauma or injury. Such act can also consist of forced or inappropriate physical activity (e.g. age- or, physique- inappropriate training loads; or when injured or in pain) forced alcohol consumption, or forced doping practices.

Sexual harassment

Any unwanted and unwelcome conduct of a sexual nature, whether verbal, non-verbal or physical that does not constitute sexual abuse.

Inappropriate touching may be considered either harassment or abuse.

Sexual abuse

Any conduct of a sexual nature, whether non-contact, contact or penetrative, where consent is coerced / manipulated, is not, or cannot be given.

Neglect

The failure of a coach or another person with a duty of care towards the athlete or non-athlete to provide a minimum level of care, which results in harm or potential harm.

FIE SAFEGUARDING OFFICER

The Executive Committee shall appoint at least two persons, 1 male and 1 female, to serve as FIE Safeguarding Officers at each World Championship, as volunteers. These individuals shall be chosen from among the members of Commissions, Councils and Committees, or any independent/external entity trained for the protection of individuals. The group of Safeguarding Officers appointed for any of the World championships during the fencing season shall serve with respect to the online reporting as well as for the individual event(s) to which they may be appointed.

The role of the FIE Safeguarding Officer is to serve in a neutral, unbiased, independent capacity and to receive reports or complaints, assist in informal resolution of complaints, maintain records and investigate and advise on the steps to be taken in case of formal written complaints. In carrying out their duties under this policy, FIE Safeguarding Officers shall be directly responsible to the FIE Bureau and the FIE administrative office.

During the Junior/Cadet and Senior and Veterans World Championships, incidents of harassment/abuse/neglect can be reported to the FIE Safeguarding Officer on site.

During Open World Cups and Junior World Cups, incidents of harassment/abuse/neglect can be reported to the FIE Supervisor, acting as the FIE Safeguarding officer. This responsibility shall be added to the list of responsibilities of Supervisors.

The FIE shall designate Safeguarding Officers to other official FIE events, for example, training camps.

The FIE shall ensure that the FIE Safeguarding Officers receive appropriate training and support for carrying out their responsibilities under this policy.

Every member of the FIE Community has a responsibility to play a part in ensuring that the sport environment is free from harassment/abuse/neglect. The FIE encourages all incidents of harassment/abuse/neglect to be reported, regardless of who the offender may be.

To report a witnessed incident of harassment/abuse/neglect, the online form on the Safe Sport page of the FIE website www.fie.org can be used or a message can be left at safeguarding@fie.ch, both of which will be accessible solely by one of the Safeguarding Officers.

COMPLAINT PROCEDURE

Any person, whether or not they are a licensee of the FIE that experiences or witnesses abuse, harassment or neglect is encouraged to seek the initial advice of the Safeguarding Officer(s). A parent or guardian may represent a minor individual.

The Safeguarding officer(s), as the case may be shall inform the complainant of the option to pursue one of the following:

- Mediation, where the Safeguarding Officer will deal directly with the complainant and the respondent in order to find a suitable solution
- The right to file a formal written complaint before the Disciplinary Tribunal, by addressing it to the administrative office of the FIE, under this policy when an informal resolution is inappropriate or not possible. This procedure will assure due process for all parties.
- Referral to law enforcement agencies in the host country if the incident breaks the law of such host country.

COMPLAINT TO THE DISCIPLINARY PANEL

a) Author of the complaint

Any person, individual or entity (or the parent or guardian of a minor), whether or not they are a licensee of the FIE., if they are personally the victim of harassment/abuse/neglect can present a complaint before the Disciplinary Tribunal.

The members of the Executive Committee, FIE Safeguarding Officers, the FIE supervisors at international competitions, the Directoire Technique, or the presidents of the member federations can state the existence of an offence of harassment/abuse/neglect susceptible of being pursued by the Disciplinary Panel, and inform the latter of it.

Any witness to an incident of harassment/abuse/neglect can present a complaint before the Disciplinary Panel if the victim of such incident is less than [18] years of age.

b) Form of the complaint

The complaint must be addressed to the Disciplinary Panel of the FIE within 60 days following the incriminating acts or the date of their discovery. The complaint can be filed:

- In writing, in which case the postmark of the envelope, the date of the email or the reception stamp of the fax establishes the time.
- Via online form

The Complaint must include:

- the full name of the individual or entity, the nationality, address and title of the complainant(s);
- the full name of the individual or entity, address and nationality of the person against whom the complaint is being made or the indication that their address is unknown;
- a summary of the facts of the alleged harassment/abuse/neglect, the objectives of the complaint; and

- the signature of the complainant.

The complaint can, moreover, be accompanied by documents, including photos, necessary for the investigative file.

Supplementary or new information can be communicated by the complainant at the discretion of the Disciplinary Panel.

DISCIPLINARY PROCEDURE

Art. 7.2 applies. It may be necessary to recruit additional members of the Disciplinary Panel to be able to adequately handle complaints. Selection should take into account the skills and experience necessary to deal with matters of abuse and harassment.

PENALTIES

Art. 7.1.4 of the FIE Statutes applies.

CONFIDENTIALITY

It is understood that it can be difficult to come forward with a complaint of harassment/abuse/neglect and that it can be equally difficult to be wrongly accused of harassment/abuse/neglect. The FIE recognises the interests of all parties concerned in keeping the matter confidential.

Therefore, the FIE shall not disclose to outside parties the name of the complainant, the circumstances giving rise to a complaint, or the name of the respondent, unless such disclosure is required by a disciplinary, legal or other remedial process.

This requirement of Confidentiality in the matters covered by the FIE Safeguarding Policy expressly modifies the requirements of 7.2.9 requiring that the meetings of the Disciplinary Tribunal be public. Additionally, copies of the complaint do not have to be sent to the presidents of the federations of the Complainant and the accused as required for other complaints in paragraph 3 of 7.2.3.

PREVENTION OF ABUSE AND HARASSMENT:

The FIE shall develop measures to prevent abuse and harassment to keep athletes and non-athletes safe. These measures may include:

- Gathering information over time to take action if any person or group stands out as a risk;
- Establish a process of liaising with member federations regarding individuals who may have been disciplined for abuse or harassment;
- Establish information and educational programme to engage all member federations in the fight against abuse and harassment.