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**SAFE SPORT POLICY  
OF THE FENCING ASSOCIATION OF INDIA**

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## **1. INTRODUCTION**

The International Fencing Federation (FIE) is committed to ensuring fencing is practiced in a safe environment, where the sport can develop harmoniously and all the members of the FIE Family are granted respect from all forms of harassment and abuse. FIE has adopted the IOC's guidelines to draft its Safeguarding Policy and encourage affiliated countries to also draft and adopt a policy.

The Fencing Association of India (FAI) believes that all involved in fencing including athletes, coaches, staff, officials and volunteers have the right to participate in fencing, in a safe and inclusive environment free from all forms of discrimination, abuse, violence, neglect, and exploitation. For U18s, these rights are paramount (United Nations Convention on the Rights of the Child). FAI is committed to creating an atmosphere in which all participants in the various activities and programmes may have a safe, rewarding and positive experience.

The aim of the FAI Safe Sport Policy is to promote good practice, provide athletes of all ages with appropriate safety and protection whilst involved in the activities of fencing in India, and allow participants to make informed and confident responses to specific safeguarding and athlete/ child protection issues.

The FAI Safe Sport 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.

Everyone within the FAI Family must accept their duty of care to safeguard athletes and participants from harm and abuse by following procedures and by reporting any concerns about their welfare through established pathways.

## **2. OBJECTIVE OF THE POLICY**

- 2.1 Raise awareness of, and provide clarity on, what constitutes harassment and abuse; and
- 2.2 Provide a comprehensive framework for reporting incidents and case management of harassment and abuse.

## **3. DEFINITIONS**

- 3.1 'Executive Committee' / 'EC' means the elected Executive Committee of FAI.
- 3.2 'FAI' / 'Society' means the Fencing Association of India.
- 3.3 'FIE' means the International Fencing Federation or Federation Internationale d'Escrime.
- 3.4 'Form' means the form appended to this Policy;
- 3.5 'IOC' means the International Olympic Committee.
- 3.6 'Affiliated-Members' means State/ Union Territory Associations or Board/ Institution affiliated with the FAI.

### 3.7 'Policy' means this Policy

## 4. SCOPE OF THE POLICY

### 4.1 This Policy applies to all individuals and participants involved with the FAI, including –

- 4.1.1 Athletes/ Fencers
- 4.1.2 Coaches, technical support staff, medical personnel, and athlete entourage
- 4.1.3 FAI staff and consultants
- 4.1.4 FAI Executive Committee and Commission/ Committee
- 4.1.5 Affiliated-Members
- 4.1.6 Agency, vendors/ suppliers, etc.
- 4.1.7 Volunteers
- 4.1.8 All persons participating in the activities and programmes of FAI

### 4.2 Jurisdiction –

- 4.2.1 Representing FAI/ India in international Championships or competitions
- 4.2.2 National Championships or competitions under the jurisdiction of FAI
- 4.2.3 Meeting, Events, and Programmes of FAI or representing the FAI
- 4.2.4 FAI Workspace and work-related travel and stay
- 4.2.5 In other cases, including in the event that: (i) an alleged incident of harassment or abuse has occurred between persons belonging to different Affiliated-Members of FAI, (ii) an Affiliated-Member which has an appropriate procedure for safeguarding Athletes/Participants, does not, in the opinion of the FAI, safeguard such Athlete/Participants (e.g. by taking any disciplinary action) or (iii) an Affiliated-Member does not have an appropriate procedure for safeguarding Athletes/Participants, so the FAI shall take action within its own competence to safeguard the Athlete/ Participants concerned, including taking any disciplinary action, if necessary.

## 5. DEFINITIONS

The FAI has adopted the descriptions of the various forms of harassment and abuse as set out in the IOC Consensus Statement: harassment and abuse (non-accidental violence) in sport (2016) and FIE Safeguarding Policy.

Harassment and abuse can be expressed in (but not necessarily limited to) five forms that may occur in combination or in isolation. These five categories are (5.1) psychological abuse, (5.2) physical abuse, (5.3) sexual harassment, (5.4) sexual abuse, and (5.5) neglect. These forms of abuse are defined as:

- 5.1 Psychological abuse — means any unwelcome act including confinement, isolation, verbal assault, humiliation, intimidation, infantilization, or any other treatment which may diminish the sense of identity, dignity, and self-worth.
- 5.2 Physical abuse — means any deliberate and unwelcome act – such as for example punching, beating, kicking, biting, and burning – that causes physical trauma or injury. Such act scan also consist of forced or inappropriate physical activity (e.g., age-, or physique-inappropriate training loads; when injured or in pain), forced alcohol consumption, or forced doping practices.
- 5.3 Sexual harassment — any unwanted and unwelcome conduct of a sexual nature, whether verbal, non-verbal or physical. Sexual harassment can take the form of sexual abuse.
- 5.4 Sexual abuse — any conduct of a sexual nature, whether non-contact, contact or penetrative, where consent is coerced/manipulated or is not or cannot be given.
- 5.5 Neglect — within the meaning of this document means the failure of a coach or another person with a duty of care towards the athlete/ fencer to provide a minimum level of care to the athlete/ fencer, which is causing harm, allowing harm to be caused, or creating an imminent danger of harm.

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. Harassment 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.

The IOC Consensus Statements 2008/2016 consider that harassment and abuse are on a continuum, and therefore should not be separated. Harassment and abuse may comprise a one-off incident or a series of incidents; in order to be actionable, harassment should be shown to be severe or repeated. Harassment and abuse may be in person or online (or by other means).

All ages and types of athletes are susceptible to various forms of harassment and abuse. Studies have confirmed that elite, disabled, child and lesbian/gay/bisexual/trans-sexual (LGBT) athletes are at high risk, and that psychological abuse is at the core of all other forms and that fellow athletes can also be perpetrators. Homophobia is a form of harassment or abuse that includes antipathy, contempt, prejudice, aversion or hatred towards lesbian, gay or bisexual individuals.

There are particular risks in dealing with young people, and children; and evidence also suggests that girls are at greater risk of sexual violence, harassment and exploitation. Research has shown that no sport is exempt from the incidence of harassment and abuse, and no country is exempt. The impacts of all forms of harassment and abuse on the athlete are often extensive and may be long-term. They may persist long after the athlete has left the sport, and may lead to damage within the family or other relationships.

## **6. SAFE SPORT COMMISSION**

- 6.1 The Safe Sport Commission shall constitute of a Chairperson and four other members appointed by the FAI, for a term of four years. The members shall together have the knowledge, abilities, and specialist experience, which is necessarily required for the working of the Commission.
- 6.2 The Chairperson shall be a lady who has experience working in welfare and safety related matters.
- 6.3 Two members shall be persons retired from the Indian Police Service, or Indian Administrative Service, or retired/ working in Legal Service or working/ retired from Government Departments or Organisations that serve the cause of safety and welfare.
- 6.4 One member shall be a sports administrator/ sports professional with credible and proven experience and one member shall be from an NGO that serve the cause of women and child safety.
- 6.5 The Chairperson and members of the Safe Sport Commission shall be subject to the provisions of this Policy and other general conditions of service, as may be prescribed.
- 6.6 The Chairperson and members of the Safe Sport Commission may, by a letter in writing, addressed to the Secretary-General of FAI, resign office and the resignation shall take effect on the day the resignation is accepted by the Secretary-General.
- 6.7 The FAI shall remove any member of the Safe Sport Commission, if he/she:
  - 6.7.1 Remain absent in three consecutive hearings of the Commission;
  - 6.7.2 Acquire financial or other interest as to affect prejudicially his/ her functions;
  - 6.7.3 Abuse their position or violate ethical conduct and his/her continuance in the position is detrimental to public interest;
  - 6.7.4 Is convicted and sentenced to imprisonment for an offence that involves moral turpitude; or
  - 6.7.5 Is physically or mentally incapable.

Provided that a member shall not be removed without giving him/ her a reasonable opportunity of being heard.
- 6.8 The vacancy shall be filled, at the earliest, by the appointment of FAI, and the person so appointed shall hold the position only so long as a member in whose place he/she is appointed would have held the position in case the vacancy had not occurred.
- 6.9 The Chairperson of the Safe Sport Commission, if required, be given a consolidated honorarium, per complaint, as decided by FAI. He/ she may also be entitled to accommodation and reimbursement of travel expenses, per official visit, as decided by FAI.

- 6.10 The external members (outside of fencing) of a Panel, if required, be given a consolidated honorarium, for hearing a complaint, as decided by FAI. He/ she may also be entitled for accommodation and reimbursement of travel expenses, per official visit, as decided by FAI.
- 6.11 A complaint/ report to the Safe Sport Commission shall be decided by a one or three-member panel ("the Panel") as decided by the Chairperson. A Panel shall decide on any complaint by a majority.

## **7. SAFEGUARDING OFFICER(S)**

The FAI Executive Committee shall appoint at least four persons, 2 male and 2 female, as FAI Safeguarding Officers. This shall not be salaried but honourary positions.

The role of the FAI Safeguarding Officer is to serve in a neutral, unbiased, independent capacity and to receive complaints/ reports, investigate and advise complainants on the steps to be taken, as directed by the Chairperson of the Safe Sport Commission. In carrying out their duties under this Policy, the FAI Safeguarding Officers shall be directly responsible to the FAI Safe Sport Commission and the FAI headquarters.

## **8. VIOLATIONS**

The following conduct constitutes a violation of this Policy:

- 8.1 Psychological Abuse
- 8.2 Physical Abuse
- 8.3 Sexual Harassment
- 8.4 Sexual Abuse
- 8.5 Neglect
- 8.6 Bullying — Includes actions such as making threats, spreading rumours or falsehoods, attacking someone physically or verbally and deliberately excluding someone.
- 8.7 Complicity — Authorises, causes, or knowingly assists, encourages, aids and abets, covers up, or is otherwise complicit in, any act or omission by any person involving a violation of this Policy.
- 8.8 Inducement — Solicits, instructs, persuades or encourages any person to engage in conduct (whether by act or omission) involving a violation of this Policy.

## **9. REPORTING AND PROCEDURES FOR ADDRESSING INCIDENTS OF HARASSMENT AND ABUSE**

- 9.1 Reporting –

Anyone who has a concern about a possible incident of harassment or abuse that relates to FAI activities should report it. Individuals are encouraged to submit a complaint/ report through the correct channels as per the process. Directly affected individuals as well as third-party individuals who have witnessed a possible incident of harassment or abuse can report the incident. Any person who reports a possible incident of harassment or abuse in good faith shall not be subject to reprisal because of submitting a complaint/ report; their identity shall be treated confidentially. These protections shall not apply to a person intentionally making false accusations.

## 9.2 Whom to Report –

Alleged incidents of harassment and abuse may be reported to the following persons designated by FAI:

9.2.1 The FAI Safeguarding Officers; or

9.2.2 The designated staff for Safe Sport at FAI headquarters.

## 9.3 How to Report –

9.3.1 In person to the FAI Safeguarding Officer or designated staff as above-mentioned; or

9.3.2 Using the Form in Annexure 1 (send by E-mail to FAI).

9.4 All reports through any reporting channel will be referred to the FAI Safe Sport Commission.

9.5 Confirmation of receipt shall be sent to the person submitting the complaint/ report, with information about the next steps, except in the case of anonymous complaints.

9.6 The Safe Sport Commission shall take steps to ensure that the directly affected individual receives appropriate support.

9.7 Based on the particular facts as detailed in the complaint/ report, the Chairperson of the Safe Sport Commission will determine how to proceed with each case.

9.8 In any event, the FAI Medical Committee will be informed of the existence of an alleged case of harassment and abuse.

9.9 FAI Athletes Committee will be informed if the complaint involves an athlete.

9.10 The Chairperson of the Safe Sport Commission shall review the complaint/ report and determine whether the matter relates to a participant under the FAI's jurisdiction.

9.11 If the complaint/ report is considered to relate to a criminal offence, it shall be referred to the Police and relevant authorities. Disciplinary action/ sanctions in sport can be imposed although a report from the Police or authorities is pending.

9.12 If the complaint/ report is considered to be outside the FAI's jurisdiction, it shall be referred to the appropriate person or organisation, e.g. a member State Association/ Board.

- 9.13 If the complaint/ report is considered to be within the FAI's jurisdiction, the Chairperson of the Safe Sport Commission, shall initiate an investigation.
- 9.14 The Chairperson of the Safe Sport Commission may also appoint an investigator or/ and one of the members of the FAI Safe Sport Commission to carry out an investigation and produce a detailed report, to an agreed timeline. They shall be responsible for carrying out an investigation of the reported incident, the preparation of a detailed report of the findings of the investigation and recommendations.
- 9.15 The investigation may involve requesting information from relevant individuals and organisations and may require oral or written statements from the relevant parties.
- 9.16 Where a copy of the complaint/ report has been submitted to the Police or relevant authorities on the grounds of a suspected criminal offence, FAI shall work with the Police and/or that authority and take advice on how to proceed.
- 9.17 The investigation report and findings would be presented to the Chairperson of the Safe Sport Commission for the finality of the recommendations and decision. The final proceedings will be held by a one or three-member panel ("the Panel") as decided by the Chairperson. If a three-member Panel, the Chairperson shall preside it. A Panel shall decide on any complaint by a majority.

## **10. CONFIDENTIALITY**

- 10.1 All matters pertaining to an alleged incident of harassment and abuse, including personal information of the concerned persons, other information gathered during investigations and results of investigations shall be regarded as confidential.
- 10.2 The FAI may disclose confidential information to appropriate persons or authorities if:
  - 10.2.1 Failure to disclose such information may cause harm to someone, or
  - 10.2.2 Such information relates to a potential criminal act that comes to the attention of the FAI.
- 10.3 Notwithstanding the above, decisions pursuant to clause 9, including confidential information, may be publicly disclosed by the FAI. When disclosing such decisions, the FAI shall:
  - 10.3.1 Not include any personal information of the victim without obtaining the victim's consent, and
  - 10.3.2 Anonymise the personal information of other concerned persons in certain cases, taking into consideration the privacy interests of such concerned persons.

## **11. SANCTIONS**

Where it is determined that a violation of the Policy has occurred, the Safe Sport Commission may decide on suitable penalties or sanctions. A copy of the decision of the Safe Sport Commission shall



be simultaneously intimidated to the complainant, victim, FAI Secretary-General, and other parties concerned. In addition, the penalty imposed shall take into account the risk of repeated offence/harm and other mitigating factors. The sanction may include one or more of the following:

11.1 Formal warning and fine;

11.2 Temporary suspension;

11.3 Termination;

11.4 Permanent ban from FAI governance, events, programmes and competitions; or/ and

11.5 Any other sanction considered appropriate in the circumstances.

The Chairperson of the Safe Sport Commission may decide to recommend the publication of the outcome of the process and also determine the appropriate level of disclosure, taking into account confidentiality.

## **12. APPEAL**

Any appeal against a decision of the Safe Sport Commission may be submitted to the FAI Arbitration Commission within 21 days after the receipt of the decision, failing which the decision given shall be final and binding.

## **13. EDUCATION AND REFERENCES**

The IOC has developed a number of educational tools related to athlete safeguarding. They are free and accessible for all athletes and entourage members. FAI encourages all Affiliated-Members, athletes, coaches, officials, and entourage members to work through the following module – <https://olympics.com/athlete365/courses/safeguarding/>

## **14. MEMBERS OF FAI**

FAI acknowledges the duty of care owed by members to protect, safeguard, and promote the welfare of all athletes and participants in sports. FAI therefore strongly encourages all members to accept and adopt the general principles of safeguarding.

## **15. AWARENESS AND APPLICATION**

All those involved with fencing in India have the responsibility to learn how to recognise and respond to signs of harassment and abuse. It is also incumbent upon all those involved to report and act on concerns. There may be times when abuse is reported from outside the sporting arena and the concerned should report it in accordance with the established process.

**FAI REPORT FORM FOR INCIDENTS OF HARRASEMENT AND ABUSE**

|  |   |
|--|---|
| 1. Your name:  | 2. Name of Organisation/ Role:                |
| 3. Your contact information:<br><i>Address:</i><br><i>Pin code and State:</i><br><i>Telephone number:</i>  |   |
| <div style="display: flex; justify-content: space-between;"> <span><i>Email address:</i></span> </div>   |   |
| 4. Name of the person you have concerns about [the individual]:  | 5. The individual's date of birth (if known): |
| 6. The individual's position/role: athlete/coach/other [ <i>Please state</i> ]   |   |
| 7. The individual's gender:<br><input type="checkbox"/> Male<br><input type="checkbox"/> Female  |   |
| 8. If they are under 18 years, full name(s) of their parent(s) / guardian(s):  |   |
| 9. Contact information (parents/ guardians):<br><i>Address:</i><br><i>Pin code and State:</i><br><i>Telephone numbers:</i>   |   |
| <div style="display: flex; justify-content: space-between;"> <span><i>Email address:</i></span> </div>   |   |
| 10. Have the parents / guardians been notified of this incident?<br><input type="checkbox"/> Yes<br><input type="checkbox"/> No<br>If YES please provide details of what was said/action:  |   |
| 11. Are you reporting your own concerns or responding to concerns raised by someone else:<br><input type="checkbox"/> Responding to my own concerns<br><input type="checkbox"/> Responding to concerns raised by someone else  |   |
| If responding to concerns raised by someone else: <i>Please provide further information below</i>  |   |
| 12. Name of the person who has raised the concern to you:<br><br><i>Position within the sport or relationship to the individual names above:</i><br><br><div style="display: flex; justify-content: space-between;"> <span><i>Telephone number:</i></span> <span><i>Email address:</i></span> </div> |   |
| 13. Date and times of incident:  |   |
| 14. Details of the incident or concerns:<br><i>Include other relevant information, such as description of any injuries and whether you are recording this incident as fact, opinion or hearsay.</i>  |   |
| 15. The individual's account of the incident (if known):   |   |

|   |
|---|
| <p>16. Please provide any witness accounts of the incident:</p>   |
| <p>17. Please provide details of any witnesses to the incident:</p> <p><i>Name:</i></p><br><p><i>Position within the club/organisation or relationship to the individual:</i></p><br><p><i>Date of birth (if child):</i></p> <p><i>Address:</i></p> <p><i>Pin code and State:</i></p> <p><i>Telephone number:</i> _____ <i>Email address:</i> _____</p>   |
| <p>18. Please provide details of any person involved in this incident or alleged to have caused the incident/ injury:</p> <p><i>Name:</i></p><br><p><i>Position within the club/organisation or relationship to the individual:</i></p><br><p><i>Date of birth (if child):</i></p> <p><i>Address:</i></p> <p><i>Pin code and State:</i></p> <p><i>Telephone number:</i> _____ <i>Email address:</i> _____</p> |
| <p>19. Please provide details of action taken to date:</p>  |
| <p>20. Has the incident been reported to any external agencies?</p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>  |
| <p>If YES please provide further details:</p>   |
| <p>21. Name of the organisation / external agency:</p><br><p><i>Contact person:</i></p><br><p><i>Telephone numbers:</i></p><br><p><i>Email address:</i></p><br><p><i>Agreed action or advice given:</i></p>   |

|                        |  |                    |  |
|------------------------|--|--------------------|--|
| <b>Your Signature:</b> |  | <b>Print name:</b> |  |
| <b>Date:</b>           |  |                    |  |

**Anonymous reporting: reports may be submitted anonymously however please be aware that this may limit our ability to follow up on reports.**