

APPENDIX 8

BYE-LAWS TO ARTICLE 59 – FISA CODE OF ETHICS

1. Preamble

FISA is responsible for safeguarding the integrity of the sport of rowing worldwide. FISA strives to protect the sport of rowing from illegal, immoral or unethical methods and practices that may harm it and bring it into disrepute.

FISA is committed to safeguarding and protecting the welfare of all participants and acknowledges that some participants such as children, those with disabilities, and those from minority backgrounds can be particularly vulnerable to abuse.

This Code defines the most important standards of behaviour and conduct within FISA as well as with external parties.

The conduct of persons bound by this Code shall reflect the fact that they support the principles and objectives of FISA in every way and refrain from anything that could be harmful to these principles and objectives. They shall respect the significance of their commitment to FISA and its members, and represent them and behave towards them honestly, fairly, respectably and with integrity.

2. Parties Covered

This Code covers any party that deals with FISA, is a member of FISA or shares in its activities, including a party which:

- 2.1 Participates in an event under the authority of FISA;*
- 2.2 Acts as an official (trainer, coach, team manager, delegate, representative, etc.) of a team, a club, a member rowing federation, or a recognised continental rowing confederation or member groupings;*
- 2.3 Officiates as an international umpire or in a similar role;*
- 2.4 Organises or participates in a competition which is placed under FISA's authority, according to the Statutes and Rules of Racing;*
- 2.5 Assumes any role within FISA, within its Council, its Executive Committee, one of its Commissions or Committees or Working Groups;
or*
- 2.6 Otherwise deals with FISA and/or shares in its activities;*

in relation to that dealing with FISA or involvement in its activities.

3. Relevant Conduct

- 3.1 *Parties covered by this Code are obliged to respect all applicable laws and regulations as well as FISA's Statutes, Rules, Bye-Laws and Event Regulations.*
- 3.2 *Parties covered by this Code shall act in an ethical and dignified manner, and with complete integrity and credibility.*
- 3.3 *Parties covered by this Code may not abuse their position in any way to take advantage of their position for private, personal, commercial or other advantage or gain.*
- 3.4 *In all their dealings with FISA or their involvement in FISA's activities, parties covered by this Code shall remain neutral and act in a manner compatible with their function and integrity.*
- 3.5 *Information of a confidential nature in the knowledge of parties covered by this Code is to be treated as confidential. The obligation to respect confidentiality survives the termination of any relationship which makes a party covered by this Code.*
- 3.6 *Parties covered by this Code must not offer, promise, give or accept any personal or undue pecuniary or other advantage in order to obtain or retain business or any other improper advantage to or from anyone within or outside FISA. Such acts are prohibited, regardless of whether carried out directly or indirectly through, or in conjunction with, intermediaries or related parties. In particular, parties covered by this Code must not offer, promise, give or accept any undue pecuniary or other advantage for the execution or omission of an act that is related to their official activities and contrary to their duties or falling within their discretion.*
- 3.7 *Parties covered by this Code are prohibited from misappropriating or misusing FISA assets, regardless of whether carried out directly or indirectly through, or in conjunction with, intermediaries or related parties.*
- 3.8 *Parties covered by this Code are prohibited from accepting commission or promises of such commission for themselves or intermediaries and related parties for negotiating deals of any kind while performing their duties.*

4. Duty of Disclosure

- 4.1 *Parties covered by this Code shall immediately report any potential breach of this Code to the FISA Executive Committee.*
- 4.2 *Parties covered by this Code are obliged to contribute to clarifying the facts of a case, or clarifying possible breaches and to provide evidence requested by the Ethics Panel.*

5. Conflict of Interests

- 5.1 *Parties covered by this Code or parties standing for election to FISA or other relevant body shall disclose to FISA or that body any personal interests that could be linked with their activities or prospective activities.*
- 5.2 *A Council or Executive Committee member must declare any conflict of interest regarding matters before a Council or Executive Committee meeting and not take part in a vote or determinative discussion where such a conflict exists. The declaration and proceedings related to a conflict must be documented in the meeting Minutes.*
- 5.3 *Conflicts of interest arise if parties covered by this Code have, or appear to have private or personal interests that detract or may detract from their ability to perform their duties with integrity in an independent, fair and correct manner. Private or personal interests include gaining any possible advantage for the parties covered by this Code themselves, their family, relatives, friends, and acquaintances. In cases requiring interpretation, reference shall be made to the section entitled “Rules concerning conflicts of interest affecting the behaviour of Olympic parties” in the IOC Code of Ethics.*

6. Gifts and other Benefits

- 6.1 *Parties covered by this Code may only offer or accept gifts or other benefits in relation to their dealings with FISA or in conjunction with their involvement in FISA activities which:*
 - 6.1.1 *Have symbolic or trivial value and do not influence the execution or omission of an act that is related to their official activities or falls within their realm of responsibility;*
 - 6.1.2 *Do not create any pecuniary or other advantage; and*
 - 6.1.3 *Do not create a conflict of interest.*

Any gifts or other benefits not meeting all of these criteria are prohibited.

If in doubt, gifts shall not be offered or accepted.

- 6.2 *Parties covered by this Code shall not offer to or accept from anyone within FISA cash in any amount or form or any reimbursement for expenses which are not official activities.*
- 6.3 *Parties covered by this Code may not be reimbursed by FISA for the costs associated with family members or associates accompanying them to official events, unless expressly permitted to do so by the FISA Executive Committee. Any such permission will be documented.*

7. Non-Discrimination and Harassment

- 7.1 *Parties covered by this Code may not offend the dignity or integrity of a country, private person or group of people through contemptuous, or discriminatory words or actions on account of race, skill, colour, ethnicity, national or social origin, gender, language, religion, political opinion or any other opinion, wealth, birth or any other status, sexual orientation or any other reason.*
- 7.2 *Harassment is forbidden. Harassment is defined as systematic, hostile and repeated acts for a considerable duration, intended to isolate or ostracise a person or group and affect the dignity of a person or group.*
- 7.3 *Sexual Harassment is forbidden. Sexual harassment is defined as unwelcome sexual advances that are not solicited or invited. The assessment is based on whether a reasonable person would regard the conduct as undesirable or offensive. Threats, the promise of advantages and coercions are particularly prohibited.*
- 7.4 *Parties covered by this Code are also bound by the FISA Policy on Safeguarding Participants in Rowing from Harassment and Abuse and the related Procedures document, annexed to this Code (Appendix 8b) and which shall be considered integral to this Code.*

8. FISA Resources and Finances

- 8.1 *FISA resources may be used only for FISA purposes.*
- 8.2 *FISA resources distributed to parties covered by this Code shall be recorded in their accounts, which must be maintained in accordance with generally accepted accounting principles. FISA may require an*

independent auditor to audit these accounts as a condition of such funding or distribution.

- 8.3 *In cases where FISA gives financial support to parties covered by the Code the use of these FISA resources must be clearly demonstrated in the accounts.*
- 8.4 *The parties covered by the Code recognise the significant contribution that broadcasters, sponsors, partners and other supporters of rowing make to the development and prestige of the sport of rowing throughout the world. However, such support must be in a form consistent with the rules of sport and the principles defined in the FISA Statutes and this Code. They must not interfere in the running of rowing institutions. The organisation and staging of rowing competitions are the exclusive responsibility of FISA, the member federations or other independent organisations recognised by FISA.*

9. Application of the Code

- 9.1 *This code shall apply to any conduct referred to in paragraphs 3 to 8 hereof which occurs after adoption of this Bye-Law. The Executive Committee may appoint an Ethics Panel (see paragraph 9.4 below) responsible to decide whether any conduct referred to it falls within paragraphs 3 to 8 of this Bye Law.*
- 9.2 *Complaint – Anyone, including the Executive Committee, may make a complaint to the FISA President. In accordance with Art. 61, any complaint involving a member of the Executive Committee shall be submitted to the IOC Ethics Commission.*
- 9.3 *Decision to refer the complaint – The FISA Executive Committee or the IOC Ethics Commission President will decide if there is, prima facie, a possible violation of the Code and, if yes, they may refer the complaint to the relevant Ethics Panel. For complaints relating to the Policy on Safeguarding Participants in Rowing from Harassment and Abuse, the Case Management Panel shall determine whether there may have been a violation of that policy, and if yes, shall recommend referral to an Ethics Panel which shall be convened by the Executive Director.*
- 9.4 *FISA Ethics Panel – At FISA, alleged violations of the Code (excluding those involving an Executive Committee member) shall be assessed and decided upon by an Ethics Panel comprised of three persons: an Executive Committee member and two members selected from the*

FISA Ethics Group. Where the possible violation relates to the Policy on Safeguarding Participants in Rowing from Harassment and Abuse, the Panel will comprise Ethics Group members only. The Panel shall designate a President of the panel.

- 9.5 *FISA Ethics Group – The Ethics Group is comprised of known individuals, independent of FISA, recognised for their involvement in the world of sport, their experience and their integrity. These individuals are appointed by the Executive Committee for a four year term and may be reappointed. The list of members of the Ethics Group will be published.*
- 9.6 *Constitution of a FISA Ethics Panel – When a complaint has to be referred to an Ethics Panel, such a panel will be constituted and convened. Except for possible violations of the Policy on Safeguarding Participants in Rowing from Harassment and Abuse, the Executive Committee will appoint its representative and select one of the members of the Ethics Group; the person accused of violation of the Code may select the third member from the list of Ethics Group members. If he does not do so, the Executive Committee will select the third member.*

10. Assessment and Sanctions

- 10.1 *In reaching a decision on complaints that go before it, the Ethics Panel will apply the principles set out in Art. 64 of the Statutes.*
- 10.2 *The Ethics Panel will determine the procedure to be followed in order to ensure a fair assessment of the complaint. Where the possible violation relates to the Policy on Safeguarding Participants in Rowing from Harassment and Abuse, the Ethics Panel will refer to that Policy and the related Procedures.*
- 10.3 *After having assessed all elements of the complaint, the Ethics Panel will render a decision. In the case of any decision that there has been an infringement of this Code, the Ethics Panel may impose the penalties set out in Art. 65 of the Statutes, including deciding the scope and duration of the penalty, and the geographical reach of the penalty. The penalty may be imposed by taking into account all relevant factors in the case, including the offender's assistance and cooperation, the motive, the circumstances and the degree of the offender's guilt, as well as whether the breach has been repeated or more than one breach has been committed. The sanction will be final within FISA.*

- 10.4 *The Ethics Panel may apply the other provisions of Art. 65 of the Statutes, regarding suspension of a penalty or ordering payment of a fine.*
- 10.5 *The Ethics Panel may choose to notify the appropriate law enforcement authorities in a relevant case.*
- 10.6 *The Ethics Panel reserves the right to allocate, in part or in totality, the administrative costs associated with the management of the complaint to the parties involved in the case, as the Ethics Panel deems appropriate.*
- 10.7 *Any appeal against a decision of the Ethics Panel under this Code or of the IOC Ethics Commission regarding a member of the FISA Executive Committee may be made only to the Court of Arbitration for Sport under Arts. 66 or 67 of the FISA Statutes.*

APPENDIX 8a

ATHLETES' RIGHTS AND RESPONSIBILITIES DECLARATION

Developed by athletes for athletes, through a worldwide consultation process, reflecting the views of athletes.

Athletes and their interests are integral to the Olympic Movement. This Declaration outlines a common set of aspirational rights and responsibilities for athletes within the Olympic Movement and within the jurisdiction of its members. It is inspired by the Universal Declaration of Human Rights and other internationally recognised human rights standards, principles and treaties. Its objective is to guide the Olympic Movement's actions.

All members of the Olympic Movement, particularly the International Olympic Committee, the International Sports Federations and the National Olympic Committees, will strive to promote respect for these rights and responsibilities. They are encouraged to develop mechanisms for effective remedies related to these rights and responsibilities, and athletes are encouraged to make use of these mechanisms.

I. Athletes' Rights

This Declaration aspires to promote the ability and opportunity of athletes to:

- 1. Practise sport and compete without being subject to discrimination on the basis of race, colour, religion, age, sex, sexual orientation, disability, language, political or other opinion, national or social origin, property, birth or other immutable status.*
- 2. Be part of a transparent, fair and clean sporting environment, particularly one that fights against doping and competition manipulation, and provides for transparent judging/refereeing, selection and qualification processes, and appropriate competition schedules, including training schedules at such competitions.*
- 3. Access general information on athlete and competition-related matters in a timely and clear manner.*
- 4. Access education on sports-related matters as well as to work or study while actively training and competing, should the athlete choose to do so and where practicable.*

5. *Leverage opportunities to generate income in relation to their sporting career, name and likeness, while recognising the intellectual property or other rights, rules of the event and of sports organisations as well as the Olympic Charter.*
6. *Fair and equal gender representation.*
7. *The protection of mental and physical health, including a safe competition and training environment and protection from abuse and harassment.*
8. *Elected athlete representation within sporting organisations of the Olympic Movement.*
9. *Report unethical behaviour without fear of retaliation.*
10. *Privacy, including protection of personal information.*
11. *Freedom of expression.*
12. *Due process, including the right to a fair hearing within a reasonable time by an independent and impartial panel, the right to request a public hearing and the right to an effective remedy.*

II. Athletes' Responsibilities

This Declaration encourages athletes to:

1. *Uphold the Olympic values and adhere to the Fundamental Principles of Olympism.*
2. *Respect the integrity of sport and compete as a clean athlete, in particular by not doping and not manipulating competitions.*
3. *Act in accordance with the IOC Code of Ethics and be encouraged to report unethical behaviour, including instances of doping, competition manipulation, prohibited discrimination and abuse and harassment.*
4. *Comply with applicable national laws, and the rules of the qualification processes and competitions, of the sport, and of the relevant sporting organisation, as well as the Olympic Charter.*
5. *Respect the rights and well-being of, and not discriminate against, other athletes, their entourage, volunteers and all others within the sporting environment, and refrain from political demonstration in competitions, competition venues and ceremonies.*

6. *Respect the solidarity principle of the Olympic Movement, which allows assistance and support to be provided among athletes and members of the Olympic Movement.*
7. *Act as a role model, including by promoting clean sport.*
8. *Inform themselves and be aware of their responsibilities.*
9. *Participate in hearings when requested to do so and provide truthful testimony in such proceedings.*
10. *Participate and vote in athlete representatives' elections.*

This Declaration has been presented to and adopted by the 133rd IOC Session in Buenos Aires on behalf of the Olympic Movement.

2018.10.09

APPENDIX 8b

SAFEGUARDING PARTICIPANTS IN ROWING FROM HARASSMENT AND ABUSE

FISA Policy

Safeguarding Participants in Rowing from Harassment and Abuse

1. Policy Statement

The Fédération Internationale des Sociétés d’Aviron (FISA) believes that it is a fundamental right of all individuals involved with FISA, whether they are an athlete, staff, or a volunteer, to be able to participate in a non-violent, safe and respectful environment.

In that spirit, FISA acknowledges its duty of care in this regard and is committed to creating and supporting an environment and a culture free from harassment and abuse. The welfare of all individuals involved with FISA is paramount. Behaviour and actions that constitute harassment and abuse will not be tolerated.

All forms of harassment and abuse constitute a violation of the FISA Code of Ethics and the International Olympic Committee (IOC) Code of Ethics.

FISA member federations, volunteers and staff are bound by the principles of this Policy and are deemed to have agreed to comply with this Policy.

2. Definition of Harassment and Abuse

FISA has adopted the definitions of harassment and abuse as set out in the IOC Consensus Statement 2016 (www.olympic.org/athlete365/library/safe-sport/):

“Harassment and abuse can be expressed in five forms which may occur in combination or in isolation. These include i) psychological abuse, ii) physical abuse, iii) sexual harassment, iv) sexual abuse, and v) neglect.

These forms of abuse are defined here as:

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.

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 can 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.

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.

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.

Neglect – within the meaning of this document means the failure of a coach or another person with a duty of care towards the athlete to provide a minimum level of care to the athlete, 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. It can include a one-off incident or a series of incidents. It may be in person or online (or by other means). 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 Statement 2008, considers that harassment and abuse are on a continuum; and therefore, should not be separated.”

There are a further five types of abuse. Further information can be found here: <https://www.virtual-college.co.uk/news/safeguarding/2018/04/ten-types-of-abuse-you-should-be-aware-of>

3. Purpose of the Policy

The FISA Policy on Safeguarding Participants in Rowing from Harassment and Abuse aims to:

- a. Provide a framework for promoting the prevention of harassment and abuse
- b. Raise awareness of, and provide clarity on, what constitutes harassment and abuse
- c. Outline the process for reporting incidents and case management of harassment and abuse

Thereby promoting a safe environment for all involved in the sport of rowing.

4. Scope of the Policy

This Policy applies to all individuals involved with FISA, namely “any party that deals with FISA, is a member of FISA or shares in its activities” (see Art.57), including:

- a. *Athletes*
- b. *Coaches, medical personnel and athlete entourage*
- c. *FISA Staff & Consultants*
- d. *FISA Council & Commission members*
- e. *All persons participating in FISA activities including representatives of Member Federations, recognised Continental Rowing Confederations, recognised Member Groupings, Organising Committees for FISA events, subcontractors and volunteers.*

Some athletes or individuals may have particular vulnerabilities, such as juniors, para athletes, minorities.

The above individuals shall be referred to as ‘Participants’.

5. Roles and Responsibilities

FISA is responsible for:

- a. *Implementing this Policy.*
- b. *Raising awareness of this Policy and the procedure for reporting an incident of harassment and abuse, across all Participants of FISA activities.*
- c. *Ensuring that reports of harassment and abuse that are brought to its attention are managed in a timely manner, fairly and responsibly.*
- d. *Providing appropriate support to concerned Participants of an alleged incident of harassment or abuse.*
- e. *Imposing appropriate disciplinary or corrective measures when there has been a violation of this Policy.*
- f. *Ensuring that there is a safeguarding plan and reporting procedure in place at all FISA events.*
- g. *Providing and raising awareness of suitable educational resources and training opportunities for Participants.*
- h. *Updating the Policy and related procedures from time to time.*

Member Federations are responsible for:

- a. Defining and implementing their own policies and procedures to protect their athletes, staff and volunteers from harassment and abuse, adapted to their own national legal framework and consistent with the FISA Policy. It is recommended to use the IOC Safeguarding Toolkit referenced in section 7 of this Policy when developing local national policies and procedures.*
- b. Managing reports of alleged incidents of harassment and abuse relating to persons that are members of their national federation, through their regional bodies or clubs, including athletes, staff and volunteers.*
- c. Ensuring all Participants representing their federation in a FISA activity, are aware of and understand the FISA Policy on Safeguarding Participants in Rowing from Harassment and Abuse.*
- d. Advising FISA of any formal disciplinary sanctions relating to harassment and abuse imposed by the member federation, and of any suspensions where the individual may present a risk to FISA Participants at that time or in the future.*

Participants are responsible for:

- a. Taking action to safeguard others against harassment and abuse in rowing and for taking immediate action once it has been identified, whether or not a complaint has been made.*
- b. Reporting their concerns to the Safeguarding Officer or appropriate Designated Person where they have reason to believe that another Participant has experienced or is experiencing harassment and abuse. Information should be shared on a 'needs to know' basis only. The person making a report should keep a confidential note of the information they have passed on and to whom.*
- c. Advising FISA of any formal disciplinary sanctions relating to harassment and abuse that they have received.*

6. Reporting, Investigation and Disciplinary Procedures

The procedures relating to this Policy are outlined in the annexed 'FISA Procedures - Safeguarding Participants in Rowing from Harassment and Abuse'.

7. Educational & Related Resources

The IOC Safeguarding Toolkit has been created to assist the Olympic Movement to develop and implement athlete-safeguarding policies and procedures (www.olympic.org/athlete365/safeguarding/).

To complement the toolkit and ensure that athletes, their entourage and other individuals understand the core components of this sensitive topic, a free bite-size IOC Athlete Safeguarding e-learning course has been developed and launched on the IOC Athlete Learning Gateway (<http://onlinecourse.olympic.org/course/baseview.php?id=39>).

Additional resources:

- a. [FISA Code of Ethics](#)
- b. [IOC Code of Ethics](#)
- c. [IOC Consensus Statement 2016: Harassment and Abuse in Sport](#)
- d. [United Nations Convention on the Rights of the Child](#)
- e. [International Safeguarding Children in Sport guidelines \(in several languages\)](#)
- f. [The Council of Europe: Article 1. \(ii\) of the European Sports Charter \(version dated 2001\)](#)
- g. [UNESCO: Article 10.1 of the Revised International Charter of Physical Education, Physical Activity and Sport \(version dated 2015\)](#)
- h. [UN Declaration of Human Rights](#)
- i. [Safe Sport International](#)

8. Glossary

Abuse – Abuse is defined as any action that intentionally harms or injures another person. Abuse is sometimes also referred to as non-accidental violence.

Child – The United Nations Convention on the Rights of the Child defines child as “a human being below the age of 18 years unless under the law applicable to the child, majority is attained earlier”. Early childhood relates to those below 8 years of age. Juvenile or young person and adolescents are 10–19 years of age.

Child Protection – UNICEF uses the term ‘child protection’ to refer to preventing and responding to violence, exploitation and abuse against children. Article 19 of the UN Convention on the Rights of the Child provides for the protection of children in and out of the home.

Designated Person – A Designated Person is an appropriately trained person who oversees safeguarding responsibilities at a FISA event and reports to the Safeguarding Officer.

Safeguarding – Safeguarding is the action that is taken to promote the welfare of vulnerable adults or children and protect them from harm, including protecting them from harassment and abuse.

Safeguarding Officer – The Safeguarding Officer is the principle person in the organisation that receives reports concerning the welfare of Participants, that coordinates the management of the reports and responds to queries in relation to this Policy.

9. Acknowledgements

FISA acknowledges the significant contribution of the FISA Athletes Commission and FISA Sports Medicine Commission in raising awareness of this important issue and championing the needs of the Athletes. Both Commissions have been instrumental in the development and implementation of this Policy.

FISA Procedures

Safeguarding Participants in Rowing from Harassment and Abuse

The following Procedures relate to the FISA Policy on Safeguarding Participants in Rowing from Harassment and Abuse (hereafter referred to as the 'Policy') and are intended to provide guidance on how reports of incidents of Harassment or Abuse shall be managed by FISA.

1. Reporting Procedure

Anyone who has a concern about a possible incident of Harassment or Abuse that relates to FISA activities should report it. Individuals are encouraged to submit a report through the correct channels as outlined below (see 1b).

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 report; their identity shall be treated confidentially. These protections shall not apply to a person intentionally making false accusations.

At FISA, the Safeguarding Officer (SGO) shall be the person responsible for managing and coordinating reports received under these Procedures.

a. When to report

- i. All possible incidents of Harassment or Abuse should be reported as soon as possible.*
- ii. If the directly affected individual is under 18 years of age there is a duty to report.*
- iii. If the directly affected individual is 18 years or over, their consent should be obtained to pass on information, however in some cases information may still be passed on, for example, if they are at risk of imminent harm or if not acting may harm someone else, or if there is a concern that a criminal act may have taken place.*

b. How to report

Reports can be submitted to FISA as follows:

- i. Using the template form (Appendix i)*
- ii. By email (safeguarding@fisa.org)*
- iii. In person to the Safeguarding Officer or a Designated Person.*

- c. *What to include in the report (see template form in Appendix i):*
- i. *For the directly affected individual, include the name, date of birth/age, gender, position or role (e.g. athlete, volunteer), contact details, country of base. Include any other additional information as relevant, e.g. if the person concerned has any disability, impairment or other special needs.*
 - ii. *If the report is being submitted by a third party, include the name and contact details of the person raising the concern.*
 - iii. *A clear, concise and factual description of the alleged incident(s), including date(s)/time(s) and location(s) when the incident(s) took place, the name of any persons alleged to have been involved in or causing the incident and their contact details.*
 - iv. *The person reporting the incident to FISA should keep a copy of what has been reported in a secure place.*
- d. *What will happen once the incident has been reported:*
- i. *All reports shall be sent to the SGO.*
 - ii. *The SGO shall take steps to ensure that the directly affected individual receives appropriate support.*
 - iii. *Where appropriate and in the case of potential criminal offences, the relevant public authorities shall be informed.*
 - iv. *In some cases, a provisional suspension may be imposed as a neutral act to protect all parties. Such a decision shall be taken by the FISA Executive Director in consultation with the SGO.*
 - v. *Confirmation of receipt of the report shall be promptly sent to the person submitting the report with information about next steps.*
 - vi. *The SGO shall record receipt of the report internally and file it securely.*
 - vii. *The report shall be assessed in accordance with these Procedures to determine the appropriate action.*

2. Confidentiality

Any information pertaining to an alleged incident of Harassment and Abuse shall be regarded as confidential and shall be shared on a strictly 'needs to know' basis. In particular, reports shall be treated confidentially and information (including name, date of birth, address of the concerned person or third party) shall not be disclosed, except for example if prior consent is given by that individual; if

disclosure is necessary to protect someone from harm; or if a potential criminal act comes to the attention of FISA.

However, those receiving a disclosure from a Child or regarding an incident in which the victim may be a Child should inform the Child that they have a duty to share information with appropriate persons to ensure that action is taken where abuse may have occurred.

In cases where a Child is involved, in any capacity, it is important that the best interests of the Child are of primary consideration throughout the case management process.

3. Jurisdiction

The SGO shall review the report and determine whether the matter relates to a Participant under FISA's jurisdiction (as defined in paragraph 4 of the Policy). A Case Management Panel (CMP) may be convened to provide support in the identification of jurisdiction.

The SGO, with the CMP, may recommend one the following actions:

- a. If the report is considered to relate to a criminal offence, it shall be referred to the Police and relevant authorities.*
- b. If the report is considered to be outside FISA's jurisdiction, it shall be referred to the appropriate person or organisation, e.g. a member National Federation.*
- c. If the report is considered to be within FISA's jurisdiction, the CMP, with the SGO, shall carry out an assessment (see paragraph 4 below).*

For all cases reported to FISA, regardless of jurisdiction, the SGO shall keep a record of the status of the reports to ensure appropriate follow-up and shall keep the directly affected individual(s) and/or third party informed on next steps.

4. Assessment

For reports that are considered to be within FISA's jurisdiction, the CMP, with the SGO, shall make an initial assessment of the incident. This assessment is to determine the nature of the concern and whether a violation of the Policy may have occurred.

The CMP may take the following actions:

- a. Refer the report to the Police and relevant authorities, if the assessment indicates an alleged incident of Harassment or Abuse and is deemed to relate to a criminal offence;*

- b. *Recommend to the Executive Director the imposition of a provisional suspension, if there is a risk of imminent or further harm or as a neutral act to protect both parties;*
- c. *Appoint an investigator to carry out an investigation and produce a detailed report (see paragraph 5 below);*
- d. *Close the report, if an incident of Harassment or Abuse is not indicated. Where there are outstanding issues that may relate to transgressions of FISA rules, e.g. other ethics related issues, the case may be passed to the appropriate body.*

N.B. Consideration shall be given as to the appropriate time to inform the accused person and to advise them of the procedures that are being followed. FISA (including the CMP and the SGO) shall provide fair procedures and shall respect the fundamental rights of the accused person.

5. Investigation

The CMP shall be responsible for carrying out an investigation of the reported incident and the preparation of a detailed report of the findings of the investigation. The CMP may appoint an investigator, who may be independent of FISA, to perform this task, in accordance with these Procedures and to an agreed timeline.

The investigation may involve requesting information from relevant individuals and organisations and may require oral or written statements from the relevant parties.

The detailed report of the findings shall include all necessary evidence for consideration by the CMP. The CMP, on the basis of the report, may determine that:

- a. *There has been a possible violation of the Policy (the Policy is integral to the FISA Code of Ethics) and shall recommend to the Executive Director that an Ethics Panel be convened (see paragraph 6 below). The detailed report of the investigation shall be made available to the Ethics Panel; or*
- b. *Further investigations are required; or*
- c. *Instructions, advice or guidance is provided to the relevant parties; and/or*
- d. *No further action is required; the case is closed.*

Where a report has been submitted to the Police or relevant authorities on the grounds of a suspected criminal offence, FISA shall work with the Police

and/or that authority and take advice on how to proceed. The CMP may delay investigations until the matter has been referred back from the Police or other authorities.

6. Judicial Process

At the current time, possible violations of the Policy are covered by the FISA Code of Ethics (Bye-Law to Article 59; FISA Rule Book, Appendix 8).

Paragraph 9.4 of the FISA Code of Ethics states that “alleged violations of the Code...shall be assessed and decided upon by an Ethics Panel”.

Paragraph 10.1 of the FISA Code of Ethics states that the Ethics Panel shall apply the following principles in reaching a decision:

“... shall provide fair procedures to all parties involved and shall respect their fundamental rights. They recognise in particular:

- 1.1 That a person who may have a conflict of interest shall not be a member of the decision- making body;
- 1.2 The right of the person charged to know what he is charged with and to examine his file;
- 1.3 The right to know the penalties which might be imposed;
- 1.4 The right to be heard, to present a defence, to produce evidence and to be assisted by counsel.” (Art.64 FISA Rule Book)

7. Sanctions

Where it is determined that a violation of the Policy has occurred, the Ethics Panel may impose penalties, in accordance with paragraph 10.3 of the FISA Code of Ethics.

In addition, the penalty imposed shall take into account the risk of repeated offence/harm; the offender’s assistance, remorse and cooperation during the process, and any other mitigating factors, may also be taken into account. The standard of proof shall be whether the CMP has established a violation of the Policy to the comfortable satisfaction of the Ethics Panel. This standard of proof is more than a balance of probabilities but less than proof beyond reasonable doubt.

The penalty may include one or more of the following:

- a. Formal warning
- b. Fine

- c. *Temporary suspension*
- d. *Termination of contract*
- e. *Permanent ban from FISA competitions and events*
- f. *Any other sanction considered appropriate in the circumstances.*

The Ethics Panel may also require the offender to make a written or verbal apology and/or to undergo training or supervision.

The Ethics Panel may decide to recommend publication of the outcome of the judicial process and shall determine the appropriate level of disclosure, taking into account confidentiality.

Where it is determined that a violation of the Policy has occurred, FISA may communicate the outcome of the judicial process to the appropriate person(s) in any organisation (e.g. National Federation, Club, IOC or IPC, etc.) with whom the individual sanctioned has a direct relationship, responsibility or where it is deemed appropriate for the purposes of safeguarding.

8. Appeals

In accordance with paragraph 10.7 of the FISA Code of Ethics, “any appeal against a decision of the Ethics Panel ... may be made only to the Court of Arbitration for Sport under Arts. 66 or 67 of the FISA Statutes”.

9. Glossary

Abuse – Abuse is defined as any action that intentionally harms or injures another person. Abuse is sometimes also referred to as non-accidental violence.

Case Management Group (CMG) – The CMG will be responsible for ensuring that allegations, incidents or referrals related to the safeguarding of children or athletes, or other individuals in rowing are dealt with fairly and equitably and within appropriate timescales. This includes ensuring that information disclosed regarding appropriateness of individuals to work in rowing is considered and decisions are taken on a consistent and equitable basis. The CMG will be comprised of individuals recognised for their integrity and covering a range of skills and competences, including safeguarding.

Case Management Panel (CMP) – A CMP of, usually, three persons will be convened from the members of the CMG for those cases that require oversight. The CMP is responsible for management of individual cases, including investigations and referrals to an Ethics Panel. The CMP will provide advice and support to the SGO as required.

Child – *The United Nations Convention on the Rights of the Child defines child as “a human being below the age of 18 years unless under the law applicable to the child, majority is attained earlier”. Early childhood relates to those below 8 years of age. Juvenile or young person and adolescents are 10–19 years of age.*

Child Protection – *UNICEF uses the term ‘child protection’ to refer to preventing and responding to violence, exploitation and abuse against children. Article 19 of the UN Convention on the Rights of the Child provides for the protection of children in and out of the home.*

Designated Person – *A Designated Person is an appropriately trained person who oversees safeguarding responsibilities at a FISA event and reports to the Safeguarding Officer.*

Ethics Group – *The FISA Ethics Group is a group of known individuals, independent of FISA, recognised for their involvement in the world of sport, their experience and their integrity. The list of members of the Ethics Group is published on the FISA website.*

Ethics Panel – *A FISA Ethics Panel is convened when it is determined that there has been a possible violation of the FISA Code of Ethics. The Ethics Panel shall assess and decide upon the case and shall make sanctions where necessary. The Ethics Panel comprises 3 individuals, including members of the Ethics Group.*

Harassment and Abuse – *Harassment & Abuse can be expressed in five forms which may occur in combination or in isolation. These include i) psychological abuse, ii) physical abuse, iii) sexual harassment, iv) sexual abuse, and v) neglect. 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. It can include a one-off incident or a series of incidents. It may be in person or online (or by other means). 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.*

Safeguarding – *Safeguarding is the action that is taken to promote the welfare of vulnerable adults or children and protect them from harm, including protecting them from harassment and abuse.*

Safeguarding Officer – *The Safeguarding Officer is the principal person in the organisation that receives reports concerning the welfare of Participants, that coordinates the management of the reports and responds to queries in relation to this Policy.*

Appendix i: Report form for incidents of harassment and abuse – (this report form can be found on the FISA website www.worldrowing.com)



Report form for incidents of harassment and abuse

1. Your name:	2. Name of organisation:
3. Your role:	
4. Your contact information: Address: Postcode and country: Telephone number: Email address:	
5. Name of the person you have concerns about [the individual]:	6. The individual's date of birth:
7. Their ethnic origin: <i>Please state</i>	8. Does this person have a disability: <i>Please state</i>
9. The individual's position/role: athlete/coach/other <i>[Please state]</i>	
10. The individual's gender: <input type="checkbox"/> Male <input type="checkbox"/> Female	
11. If they are under 18 years, full name(s) of their parent(s) / carer(s):	
12. Contact information (parents/carers): Address: Postal code and country: Telephone numbers: Email address:	
13. Have the parents / carers been notified of this incident? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES please provide details of what was said/action agreed:	
14. Are you reporting your own concerns or responding to concerns raised by someone else: <input type="checkbox"/> Responding to my own concerns <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>	
15. Name of the person who has raised the concern to you: <i>Position within the sport or relationship to the individual named above:</i> <i>Telephone number:</i> <i>Email address:</i>	
16. Date and times of incident:	
17. Details of the incident or concerns: <i>Include other relevant information, such as description of any injuries and whether you are recording this incident as fact, opinion or hearsay.</i>	
18. The individual's account of the incident (if known):	



Report form for incidents of harassment and abuse

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

Your Signature:	Print name:
Date:	

Please give this form to the FISA Safeguarding Officer or Designated Person or email this report to safeguarding@fisa.org.

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