

PROCEDURES FOR MANAGING SAFEGUARDING CONCERNS

(Previously referred to as Welfare Procedures)

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1. PURPOSE OF DOCUMENT

- 1.1. This document sets out British Fencing's (BFs) procedures in relation to managing:
 - 1.1.1. Safeguarding concerns
 - 1.1.2. Criminal record checks with content.

2. JURISDICTION

- 2.1. BF has jurisdiction to deal with any safeguarding concern including poor practice, bullying and allegations of abuse of a Child or Adult. Any Child or Adult is capable of being at risk of harm. There are additional statutory duties that apply to both Children and Adults at Risk
- 2.2. BF has jurisdiction to deal with any breach of the BF Safeguarding Policy and Code of Conduct and/or any breach of these Procedures in respect of any Participant.
- 2.3. These Procedures will apply to all Participants in the sport and activity of Fencing. They are intended to set out the procedures to be followed by BF and to provide a comprehensive, fair and equitable process for the purposes of:
 - a) responding to any enquiry into any concerns or complaints received regarding safeguarding and/ or
 - b) assessing someone's suitability for working with Children and Adults in Fencing when the result of criminal record checks warrant further consideration.
- 2.4. The Board delegates power and jurisdiction to act in relation to any Safeguarding Matter, including the power to impose appropriate restrictions and sanctions, to the Chief Executive Officer (CEO), the Lead Safeguarding Officer, the Case Management Panel and Groups in accordance with the procedures in this Code.
- 2.5. The CEO in turn may delegate the power to impose appropriate restrictions and sanctions consistent with the procedures laid out below to a member of the Senior Leadership Team or such other person as the CEO may decide from time to time.
- 2.6. Safeguarding action and any resulting restriction or suspension under this Code shall be separate from and may be additional to:
 - 2.6.1. Disciplinary action by BF, an Affiliated Club or Associated Body.
 - 2.6.2. Any sanction specifically authorised by regulations (other than this Code) established by the Board.
- 2.7. The Board delegates power to the CEO to modify, from time to time and on a non-binding case specific basis these administrative and investigative Procedures

where the CEO in his/her absolute discretion determines that such modification is necessary to ensure the efficient operation of these Procedures.

2.8. **Sport Integrity Service** (wording supplied by Sport Integrity)

BF reserves the right to refer a matter to the Sport Integrity Service under the Rules of Procedure of that service. This may involve the commission of an independent investigation or disciplinary procedure into alleged grievances, or allegations of misconduct involving: i) athletes; ii) athlete support personnel; or iii) BF office holders as defined within the Sport Integrity Service Rules of Procedure;

(i) where an individual is deemed a 'Relevant Person' under the terms of the Sport Integrity Service Rules of Procedure; and

(ii) they are a respondent to allegations of misconduct as defined as a 'Relevant Matter' under the same regulations.

In such circumstances they are required to cooperate with any investigation conducted by Sport Integrity.

2.9. If necessary, at any point during these procedures, the BF may seek additional advice, guidance and resource from third parties, such as Sports Resolutions UK, the NSPCC Sport, Ann Craft Trust, independent Child Protection consultants or investigators and Statutory Services.

2.10. BF may appoint a third party to manage investigations, Case Management Group appointments, hearings and determinations.

3. INTRODUCTION

Introduction & Principles

- 3.1. BF is committed to ensuring that everyone (all children and adults) involved in Fencing has a safe and positive experience.
- 3.2. BF recognises the unique relationships, power dynamics and cultures that exist within sporting environments can create opportunities for abuse for both children and adults, misconduct, bullying and harm that may impact any participant, regardless of age, status or vulnerability.
- 3.3. Concerns in relation to safeguarding are not capable of exhaustive definition; they may relate to any form of physical, emotional or sexual mistreatment or lack of care that leads to injury or harm but may also include poor practice and bullying.

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- 3.4. These safeguarding procedures have the primary purpose of safeguarding procedures assess and manage risk; whereas the disciplinary procedures determine misconduct and sanctions. Safeguarding restrictions and other measures taken are protective, risk reduction measures rather than disciplinary findings.
- 3.5. Timescales indicated in this document are intended to be indicative and may be varied where necessary due to the complexity of a case, the involvement of external agencies or other safeguarding considerations.
- 3.6. BF will not be liable to any individual, club, team or organisation for any loss (including costs incurred), however caused, whether direct, indirect, financial or consequential arising out of or in connection with any action taken under these Procedures.
- 3.7. So far as practicable, confidentiality will be maintained at all times in respect of all those involved in any enquiry or investigation.
 - 3.7.1. Information may be shared on a need to know basis where there is an over-riding obligation in the interests of the safety or protection of Children or Adults for such information to be shared with other interested parties including Statutory Services
 - 3.7.2. The rights of individuals to access personal data will be managed in accordance with GDPR regulations, noting there are exemptions that may be applicable See: [A guide to the data protection exemptions | ICO](#)
- 3.8. In the exercise of these Procedures and BF's duty to safeguard Children and Adults at Risk of harm, BF will record the details of any individual who is temporarily suspended, permanently disqualified, or temporarily or permanently permitted to participate in Fencing but subject to restrictions. This record shall include by way of example but not limitation the reasons for suspension, disqualification or restriction, any decision and any supporting evidence. This will be made available to appropriate third parties for the purposes of enforcement and crime prevention at BF's sole discretion.

4. SAFEGUARDING STRUCTURE

4.1. Summary roles in Safeguarding

Within British Fencing:

- a) BF Club/Event Welfare Officer (typically volunteers appointed by BF Clubs and competition organisers). All clubs affiliated with BF must appoint a trained Club Welfare Officer (CWO), all events must appoint a trained Welfare Officer
- b) GBR Team Managers - All GBR squads competing in Major Championships appoint a Team Manager who will usually act as the team's Welfare Officer.
- c) BF Area Safeguarding Officer (BF appointed volunteers)
- d) BF Safeguarding Team (BF Executive) – a member of the Safeguarding Team
- e) BF Safeguarding Team Case Officer – CSO (BF Executive)
- f) BF Lead Safeguarding Officer – LSO (BF Executive)
- g) BF Case Management Panel
- h) Case Management Groups
- i) BF CEO (Executive)
- j) BF Board Safeguarding Lead

Outside British Fencing:

- a) UK Sport Integrity Unit - [Home | Sport Integrity](#)
- b) Sport Resolution - [Sports Dispute Resolution Service | Sport Resolutions](#)
- c) Local Authority Designated Officer (LADO) - national-lado-network.co.uk – [The Website of the NLN. Working for Safer Children's services](#)
- d) Police - [Home | Police.uk](#)
- e) Social Services

4.2. Case Management Group Responsibilities

- 4.2.1. The Case Management Group (CMG) is formed from members of the Case Management Panel (CMP) selected by the Lead Safeguarding Officer (LSO), based on availability, skillset, potential conflicts and any other appropriate factors. There shall be at least three members of the CMG.
- 4.2.2. At any time a CMG member may be replaced by another CMP member based on availability, skillset, potential conflicts and any other appropriate factors.
- 4.2.3. Each CMG will be allocated a BF Safeguarding Team Case Officer (CSO) by the LSO. The LSO may take this role.
- 4.2.4. The CMG will instruct the BF Safeguarding Team Case Officer in accordance with these procedures.
- 4.2.5. The CMG is tasked with assessing actual or potential risk. In undertaking that risk assessment, consideration should be given to the following:
 - seriousness of the concerns raised;

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- vulnerability of those involved;
 - pattern or repetition of behaviour;
 - current role and level of access to participants;
 - likelihood of recurrence;
 - willingness to engage with safeguarding processes;
 - available protective measures.
- 4.2.6. The CMG shall have jurisdiction to consider adverse Criminal Record disclosures and any other matter considered by the CMG to be relevant and to make recommendations to the Safeguarding Team as to someone's suitability to work or volunteer with Children and Adults in the sport and activity of Fencing in the UK.
- 4.2.7. The CMG shall have jurisdiction to consider progress on; to advise in relation to; and to make interim sanctions or support longer term sanctions in relation to concerns or complaints regarding safeguarding in the sport and activity of Fencing in England, Scotland, Wales and Northern Ireland.
- 4.2.8. BF shall have jurisdiction in relation to appeals against the CMG, permanent sanctions and its disciplinary processes.

5. RECEIVING SAFEGUARDING CONCERNS

- 5.1. All safeguarding concerns, allegations or suspicions relating to poor practice, emotional, physical, sexual abuse or neglect should be reported to the appropriate Club, Event Welfare Officer or Team Manager and, if it has not already happened, as soon as practicable thereafter to the BF Safeguarding Team.
- 5.2. Reports may also be made directly to the BF Safeguarding Team.
- 5.3. BF, at its reasonable discretion, may investigate any such concern and complaint in accordance with these Procedures.
- 5.4. Concerns from any source and communicated in any way will be accepted by the BF Safeguarding Team including but not limited to
 - 5.4.1. Sources - any person, organisation including LADO, Police, Criminal Record Check.
 - 5.4.2. Mechanisms - online forms, email, text, in person or via the telephone.
- 5.5. The person or organisation raising a concern does not need to be the individual (or individuals) who may have been directly impacted by the alleged matter (the Person(s) Affected).
- 5.6. Where BF receives a safeguarding concern the BF Safeguarding Team will be informed. Should a concern be received by any other member of the BF team then they will inform the BF Safeguarding Team.
- 5.7. The Lead Safeguarding Officer (LSO) will inform authorities where the concern meets the Threshold Level for mandatory reporting to Statutory Authorities.
- 5.8. The LSO will appoint a CMG as soon as reasonably practicable after deciding that a CMG is required or desirable.

6. INTERIM RESTRICTIONS

- 6.1. An interim restriction is a suspension from, or a restriction on, all or any activity relating to the sport of Fencing where there is likely to be contact with Children, the Person(s) Affected or Adults at Risk. This includes but is not limited to Participation, being a Participant, coaching, managing teams, refereeing, fencing, acting in a Position Of Trust, undertaking any official position such as board membership or administrative duties, spectating, and attending formally or informally training or club sessions.
- 6.2. Where a matter is considered a Safeguarding concern, an interim restriction may be considered at any point in these Procedures.
- 6.3. In respect of any concern which is shared with BF, the CMG may impose an interim restriction upon an individual or club in respect of whom the concern has been

raised, pending the outcome of further enquiries and/or investigation. The Lead Safeguarding Officer may communicate the fact of the interim restriction to any interested party.

- 6.4. Reasons for interim restrictions can include, but are not limited to:
 - 6.4.1. to protect an individual from the risk of allegations;
 - 6.4.2. to protect individuals or organisations from the risk of allegations or harm;
 - 6.4.3. where there is a risk to the reputation of BF;
 - 6.4.4. where there is a risk to any internal investigation or investigation by external organisations.
- 6.5. A decision to impose an interim restriction will be authorised by any two members of the CMG unless BF has received instructions or recommendations from any statutory agency, in which case no such authorisation shall be required.
- 6.6. The LSO may (before a CMG is appointed) impose an interim restriction. The LSO should only impose an interim restriction in advance of a CMG being constituted in cases where the LSO considers that such restriction is required because the LSO considers there to be a significant risk to Children or Adults at Risk, or that evidence or witnesses may be prejudiced. The LSO may consult the CEO or another BF senior executive when making the decision. The decision will be validated by the CMG within 5 working days of the decision (or if later within 5 working days of the CMG being constituted) and the CMG may decide to lift or amend the restriction.
- 6.7. An interim restriction is to be considered a neutral act and should not be viewed as a sanction or penalty. A decision to impose an interim restriction is not open to appeal. The CMG will review the relevant restriction at least every two months.
- 6.8. If the person or club under an interim restriction is subject to an investigation by the police or any other statutory agency, the interim restriction will generally remain in place until the conclusion of the police or statutory investigation. The restriction may be reviewed by the CMG on receipt of material information from the statutory authority.
- 6.9. If any individual or club subject to an interim restriction and during the course of that restriction BF is informed of any breach or abuse of the restriction the individual will be issued with a written warning requiring immediate compliance with the terms of their restriction. Failure to adhere to the terms of the written warning will be considered a potential breach of BF's policies and procedures and may be dealt with as such under BF Disciplinary Code.
- 6.10. If an interim restriction has been imposed by BF in the interests of safeguarding, the individual or club and any relevant organisation will normally be informed of

this. Notification will not be necessary if it is considered that this may prejudice any aspect of the BF investigation or may place any particular Child or Adult at Risk of harm.

7. DETERMINATION OF APPLICABILITY & ROUTE

- 7.1. The LSO (who may delegate the decision to another appropriate person in cases of conflict or unavailability) will decide whether the matter should be dealt with under the Safeguarding Procedures, the applicable route and/or whether the matter should be referred to another procedure or agency.
- 7.2. Examples of where matters could be referred to include:
 - UK Anti-Doping
 - BF, Home Country or Club Disciplinary Procedures
 - Statutory Authorities – for allegations involving criminal matters
 - Sport Integrity Service (see 8.6)
 - Club or Home Country Disciplinary Procedures
- 7.3. In considering whether a matter is to be dealt with by the Safeguarding Procedures the LSO shall also take into account:
 - the seriousness of the alleged breach
 - any concerns that the applicant is using the process to pursue a personal grievance
- 7.4. If the LSO decides the matter is to be dealt with under the Safeguarding Procedure they will decide the most applicable route:
 - ROUTE A - Low Level Safeguarding/Poor Practice - BF Safeguarding Team Led Route
 - ROUTE B - General Level - BF CMG Led Route
 - ROUTE C - Statutory Agency Concern Route - CMG led under Statutory Guidance
 - ROUTE D - Sport Integrity Service Route (process managed and defined by Sport Integrity Service)
 - ROUTE E - Other Organisation Led Route includes educational establishments, employers (process managed and defined by their)
 - ROUTE F – DBS Concern Route
- 7.5. The LSO may delegate decisions on applicability and route to another appropriate person.
- 7.6. The LSO (or delegate) may consult the BF CEO, BF Anti-Doping Team, BF, a member of the Disciplinary Panel, the Case Management Panel and take legal advice when making a decision on applicability and route.
- 7.7. The decision on applicability and route will be documented with reasons.

- 7.8. Any decision not to proceed with an investigation of concern or complaint will be reported to the CEO or a member of the CMP by the LSO. The CEO or CMP may require that an investigation takes place, or that a CMG is selected by the LSO and consulted on that decision.
- 7.9. Where the LSO (or delegate) decides that a matter is not to be dealt with under the Safeguarding Procedures, the Applicant will be informed of the reasons where there is no risk to a disciplinary or statutory process by doing so.
- 7.10. Where the matter has not been referred to another procedure or agency in accordance with 7.1, the Applicant will be entitled to appeal a decision not to proceed with a safeguarding process). That appeal shall be initiated by writing to Head Office within 21 days of receipt of the decision. Head Office shall appoint a member or members of the Case Management Panel (who was/were not involved in the original decision to not pursue the matter) to consider the appeal and the appeal shall be a reconsideration of the entire decision.
- 7.11. Where a matter is not referred or progressed under the Safeguarding Procedures, British Fencing may offer access to a mediation service.

8. PRINCIPLES APPLICABLE TO ALL ROUTES

Children and Adults at Risk

- 8.1. If any parties involved in the case (including witnesses) are Children or Adults at Risk, the LSO or CMG may choose to put in additional protection measures which might include process changes. Such process changes should be communicated as appropriate.
- 8.2. Adults at Risk involved in any aspect of the process should be given the opportunity to nominate an appropriate adult who can act in support and receive and send communications on behalf of the Adult at Risk.
- 8.3. The LSO will nominate a Child's parent/guardian or appropriate adult (a Child's Nominated Adult) to act on behalf of a Child involved in any aspect of the process.
- 8.4. Written communications with Children and Adults at Risk should be copied into:
 - 8.4.1. Parent/guardian/other appropriate adult for communications with Children.
 - 8.4.2. Any nominated appropriate adult for communications with Adults at Risk (as appropriate).
- 8.5. Children shall be accompanied by their Nominated Adult and Adults at Risk may be accompanied by a nominated appropriate adult at any meeting or proceedings.

- 8.6. Any right or power exercisable by Children or Adults at Risk under this Code may be exercised on their behalf by their Nominated Adult.
- 8.7. Where a Child turns 18 during the proceedings, rights and obligations under this Code will transfer to them from their Nominated Adult, unless BF then considers them to be an Adult at Risk.

Case Re-routing and Transfer

- 8.8. At any time, based on new information arising, a safeguarding case may change to another Safeguarding Procedure Route. This might be due to new information coming to light. The decision to change route will be taken by a CMG
- 8.9. At any time, based on new information arising, a safeguarding case may transfer to another procedure (eg Anti-Doping, Disciplinary). The decision to change procedure will be taken by the LSO for Low level concerns and the CMG for all other routes.

Conflicts

- 8.10. Conflicts must be raised and documented at the earliest opportunity and may result in a change to those operating the Procedure.

Restrictions

- 8.11. Where the need for a restriction from a fencing activity is required (either through interim restrictions or through sanctions) or, the executive team should be consulted in respect to practicalities of monitoring and enforcement.
- 8.12. If the subject of concern is a Child or Adult at Risk this will be taken into account in sanctions
- 8.13. Where a sanction being considered includes a ban on competition activity for a period of time, consideration should be given in respect to the number of competitions falling within that period and the associated impact on a fencer's season.
- 8.14. Proceedings, findings or decisions of the LSO, the CMG or any other third party involved in the process shall not be invalidated by reason of any defect, irregularity, omission or technicality but if BF considers that to raise a material doubt as to the reliability of the proceedings, findings or decisions BF may require the process or any part of the process to be repeated.

Refusal to Engage or Comply

- 8.15. In the case of one or more parties refusing to engage in the Safeguarding process there will be a decision whether to suspend the process or complete the process in their absence.
- 8.16. Refusal to engage in the Safeguarding process may result in the suspension of any membership or affiliation with the stipulation that they may not re-affiliate without the express permission of the Board or CEO.
- 8.17. All Affiliates, Officials and other Members shall comply with the terms of any decision reached. If any Affiliate or Member fails to implement or comply with any of the requirements imposed, then BF reserves the right to take appropriate action, including but not limited to action under the BF Disciplinary Code.

Retaliation & Obstruction

- 8.18. Any individual that that
 - A. retaliates against or victimise any Person involved in raising a complaint or concern or participating in an investigation into a complaint or concern, or encourage or facilitate any other person to do so, OR
 - B. Interferes with, obfuscates or obstructs any aspect of this process safeguarding and other sport integrity investigations, or encourage or facilitate any other person to do sowill be reported for action under the BF Disciplinary Process. The LSO may place interim restrictions (see **Error! Reference source not found.**) on such individuals to ensure that the Safeguarding Process can continue.

Communication of Decisions, Restrictions and Outcomes

- 8.19. Following consideration (whether by the CMG or LSO) of any reported safeguarding concern any interim restriction, outcome and/or decision on further action made by the LSO may be communicated by BF to persons considered by BF to be appropriate for the purposes of enforcement and the safeguarding of Participants.
- 8.20. BF may, with advice from the LSO and CMG, list details of any restrictions or suspensions on public sanction records but these may be redacted.
- 8.21. Without restricting the above, BF may notify the following of any decision, restrictions, sanctions or outcome:

- a) Clubs and Home Nations.
 - b) Person(s) Affected (or parents where these are children under the age of 18)
 - c) Any other Affiliated Member or Associate Body involved in the safeguarding investigation.
 - d) BF staff and representatives
 - e) Individuals and organisations who are required to assist in enforcing sanctions and supporting the welfare of those involved in the case
 - f) Those with responsibility for safeguarding in other sporting organisations
 - g) Statutory Authorities in accordance with legal duties or government guidance
 - h) The FIE or EFC - where the subject of concern is a member of the FIE or EFC (or was at the time of the offence), BF will inform those organisations in accordance with the statutes and regulations of those organisations that BF, as the recognised National Governing Body for Fencing is required to sign up to.
 - i) Other Sport Federations (both within and outside the UK) where the subject of concern is or was undertaking activities under their jurisdiction and the restrictions or sanctions relate to those activities.
- 8.22. For the avoidance of doubt, a decision whether or not a case is proved and the sanction imposed are not confidential save where the subject of concern is under 18 or an Adult at Risk and the restrictions or sanctions imposed does not involve a suspension.

Records and Confidentiality

- 8.23. Records relating to a Safeguarding Matter shall be kept for a period of time as set out in the BF Privacy policy (<https://www.britishfencing.com/policy-zone/gdpr-data-protection/>) after any investigation, proceedings and sanction imposed are all completed.
- 8.24. All concerns will be recorded, this will include any detail such as review periods.
- 8.25. The BF Safeguarding Team can (after taking account of any recommendations/requirements of Statutory Authorities) involve Area, Club and Event Welfare Officers in the investigation and management of concerns and/or the delivery of welfare support to all involved in the process.

8.26. Applicability of Code

At any time, the LSO (with advice from the CMP or CEO) or the CMG may reconsider the applicability of the Safeguarding Procedures as set out in Section 8.88.9 above. This may result in the Safeguarding Procedure terminating, and the matter being referred to an alternative procedure.

8.27. Arbitration

BF may at any time refer any dispute concerning a safeguarding matter or arising out of or in connection with the BF Safeguarding Policy and BF Safeguarding Procedures to Sport Resolutions for determination.

9. BF LED INVESTIGATIONS (ROUTE B/C ONLY)

- 9.1. The BF Safeguarding Team, guided by the CMG, will decide who will carry out or coordinate any investigation. Any investigation will be conducted as promptly as possible and will provide periodic updates to the individual or club being investigated and any relevant Affiliate or Member during the course of the investigation where appropriate.
- 9.2. The BF Safeguarding Team, guided by the CMG reserve the right to appoint a third party investigator to conduct or assist in the conduct of any investigation.
- 9.3. The BF Safeguarding Team will keep the CMG informed as to the progress of the investigation and the CMG will provide advice and guidance where necessary.
- 9.4. Where an investigation reveals a possible or actual breach of the law then the investigation may be suspended by the BF Safeguarding Team, an appropriate referral will be made to the Police and/or Social Care and the CMG informed.
- 9.5. Where Social Care, the LADO (or equivalent role) or the Police are not already involved, and the concerns or matters raised are deemed to warrant their involvement, the BF Safeguarding Team will notify them of the matters which have been brought to their attention.
- 9.6. The investigative process will follow such course as is considered appropriate by the BF Safeguarding Team and without limiting that may include any of the following:
 - 9.6.1. a requirement on the individual or club to be subject to a reference check;
 - 9.6.2. a new criminal record check may be required of the individual;
 - 9.6.3. a referral to the Police and/or Social Care and or the LADO (or equivalent role) for consideration as to whether a criminal or civil investigation into the matter is necessary;
 - 9.6.4. an interview of the person or club under investigation, any witness, any person making a complaint or allegation, any Child or Adult at risk of harm, and/or anyone else who BF reasonably believes may be able to assist in the investigation;
 - 9.6.5. the production of and consideration of any other evidence from anyone else who BF reasonably believes may be able to assist the investigation; and
 - 9.6.6. a hearing involving the parties before the CMG or such other person or persons and the BF Safeguarding Team considers appropriate and the procedure of which shall be determined by the BF Safeguarding Team.

- 9.7. Save where in BF's reasonable opinion it may prejudice the investigation, BF may notify the individual or club in writing of the intention to investigate, the nature of the investigation and the reasons for this. The decision whether or not to inform the individual or club will be made taking into account the need to properly investigate the matter and the interests of the individual or club .
- 9.8. The individual or club being investigated (where they have been informed of an investigation) shall not approach (whether directly or indirectly), intimidate or influence any witness involved in the investigation. A failure to adhere to this requirement shall be considered a potential breach of BF's policies and procedures and may be dealt with as such under BF's Disciplinary Code.
- 9.9. The individual or club being investigated may be interviewed during the course of the investigation as many times as considered necessary. At their own expense, the individual or club shall be entitled to have a legal or other representative present during any interviews.
- 9.10. BF recognises that investigations can be stressful on all parties however the requirement to investigate concerns is to be considered over and above the consideration of the welfare of those being investigated.

10. ROUTE A - LOW LEVEL CONCERNS AND POOR PRACTICE

- 10.1. Many lower level concerns can be investigated and managed by the BF Safeguarding Team without recourse to a Case Management Group.
- 10.2. Low Level Concerns are those where education and advice around poor practice is appropriate.
- 10.3. Route A is best suited for cases involving:
 - Minor poor practice
 - Early insight, willingness to engage in behavioural change
 - Not a repeat breach
 - No formal sanctions necessary
 - No interim restrictions imposed
- 10.4. Where there is breach of a condition imposed as a consequence of this route or where there are repeated breaches, route B should be used.

11. ROUTE B - CMG LED - NO STATUTORY AUTHORITIES

- 11.1. Route B is for General Level Concerns which are concerns that do not meet the threshold levels for Statutory Authority involvement or at the request of the Statutory Agencies.
- 11.2. The investigation and management of General level concerns are led by the CMG .
- 11.3. Route B is best suited for cases where one or more of the following factors are present:
 - More serious poor practice
 - A repeat breach of minor poor practice
 - Aggravating factors that indicate safeguarding risks
 - Formal sanctions could be required
 - Interim restrictions have already been imposed
- 11.4. The CMG will receive a summary of the concern, along with any recommendation of the BF Safeguarding Team to investigate or to put in place interim restrictions.
- 11.5. The CMG will review the information provided and may advise the BF Safeguarding Team that an alternative route should be taken.
- 11.6. The CMG can request the involvement of Area, Club and Event Welfare Officers or other parties in the investigation and management of these concerns.
- 11.7. Upon conclusion of the investigation the BF Safeguarding Team will present relevant information gathered to the CMG which will proceed in accordance with Section 14 below.

12. ROUTE C - THRESHOLD LEVEL/STATUTORY AGENCY INVOLVEMENT

- 12.1. Route C is for High Level Concerns which are concerns that meet the threshold level to involve Statutory Authority.
- 12.2. These concerns may have come direct to BF, or via Statutory Authorities.
- 12.3. On receipt of a High Level Concern, BF will put in place any interim restrictions recommended by the Statutory Authorities and/or LADO as to and will in any event a CMG will be formed to consider whether interim restrictions (additional or otherwise) should be imposed.
- 12.4. Where BF is aware that Statutory Authorities have initiated or concluded an investigation:

- 12.4.1. BF will act in accordance with any recommendations of the Statutory Authority as regards restrictions and investigations and BF may in any event suspend all related investigations until any criminal proceedings are determined.
- 12.4.2. BF may assist the LADO, Police or Social Services with their investigations.
- 12.4.3. BF may decide to pursue an investigation when BF considers that to be appropriate under route B or C as BF considers appropriate.

Route C investigations

- 12.5. The CMG will receive a summary of the concern which may include information from statutory authorities.
- 12.6. The CMG will review any request from the LADO to investigate.
- 12.7. Investigations will proceed in accordance with Section 9 above.
- 12.8. The BF Safeguarding Team will keep the LADO informed as to the progress of the investigation and any LADO advice and guidance will be reviewed by the CMG who will decide on the action to take.
- 12.9. Any decision of the CMG to not act in accordance with the advice of the LADO must be notified to the CEO who may in turn request that the decision is reviewed by another member of the CMP who has not been involved in the case.
- 12.10. BF may proceed with its own investigation, concurrently with any criminal or civil investigation where considered appropriate by the CMG, and where this does not conflict with any instruction received from another Statutory Authority.
- 12.11. Upon conclusion of the investigation BF will present relevant information gathered to the LADO and the CMG which will proceed in accordance with Section 14 below.

13. ROUTE D - SPORT INTEGRITY

(wording supplied by Sport Integrity)

British Fencing reserves the right to refer a matter to the Sport Integrity Service under the Rules of Procedure of that service. This may involve the commission of an independent investigation or disciplinary procedure into alleged grievances, or allegations of misconduct involving: i) athletes; ii) athlete support personnel; or iii) British Fencing office holders as defined within the Sport Integrity Service Rules of Procedure;

(i) where an individual is deemed a 'Relevant Person' under the terms of the Sport Integrity Service Rules of Procedure; and

(ii) they are a respondent to allegations of misconduct as defined as a 'Relevant Matter' under the same regulations.

In such circumstances they are required to cooperate with any investigation conducted by Sport Integrity.

14. CMG DETERMINATION (ROUTE B, C, D, E)

- 14.1. The CMG will consider the results of all BF (CMG led) safeguarding investigations, and any safeguarding investigations shared with BF. The CMG will provide guidance recommendations and decisions to the BF Safeguarding Team on what action, if any, to take.
- 14.2. The CMG will be presented with all the relevant information gathered during the investigative process.
- 14.3. An individual or club under investigation may be provided with a copy of the information gathered during the course of the investigation. They will be given the opportunity to comment in writing on matters of fact and accuracy, and may be offered an opportunity to make written representations to the CMG within such timescales, as the CMG may deem appropriate in the circumstances, unless to do so, in the reasonable opinion of BF would prejudice the investigation or the welfare and safety of the Child or Adult at risk involved or other Children or Adults who come or may come into contact with the individual under investigation.
- 14.4. The CMG's function is to consider whether an individual or club poses an actual or potential risk of harm to Children or Adults at risk of harm within the sport of Fencing. The CMG shall assess this on the balance of probabilities. The CMG shall recommend appropriate actions in order to manage any such risk where possible.
- 14.5. In its decision-making the CMG may consider (but will not be limited to considering) the following factors:
 - 14.5.1. whether any matters revealed during the course of an investigation are relevant to the position or role of the individual in question;
 - 14.5.2. the seriousness of the matter raised;
 - 14.5.3. the length of time since any matter/incident occurred;
 - 14.5.4. whether there is a pattern of behaviour (or pattern of other relevant matters);
 - 14.5.5. whether the circumstances have changed following the alleged behaviour and/or other alleged relevant matters and/or
 - 14.5.6. the circumstances surrounding the matter/incident and the explanations offered.

- 14.6. After consideration of the information available the CMG may respond by recommending one or more or a combination of the following risk management outcomes:
- 14.6.1. take no further action;
 - 14.6.2. commission further investigation;
 - 14.6.3. commission a Sport Resolution Panel;
 - 14.6.4. make a referral to the Police and/or Social Services or the LADO (or equivalent role);
 - 14.6.5. make a referral to the Local Education Authority; (if applicable)
 - 14.6.6. impose, extend or remove a temporary restriction pending completion of any further investigation referral or risk assessment;
 - 14.6.7. provide a written conditional warning outlining the areas of concern or improvements required;
 - 14.6.8. require the individual to undergo training;
 - 14.6.9. require the club to undergo a safeguarding support visit;
 - 14.6.10. require the individual to be supervised and/or work with a mentor permanently or temporarily, for a specified period;
 - 14.6.11. extend the period of any interim restriction until such time as the individual concerned has complied with any required training, supervision or mentoring;
 - 14.6.12. extend the period of any interim restriction until such time as the individual concerned enters into a managed agreement with BF, an appropriate Affiliate and any appropriate statutory agencies. The managed agreement will include such matters as the CMG shall consider necessary to manage risks identified under Regulation 4.3. For the avoidance of doubt, any restriction under this Regulation 4.5.10 will not be considered a permanent restriction or suspension;
 - 14.6.13. recommend a sanction should be imposed. This requires the individual to be referred to the BF Disciplinary Officer to follow the BF Disciplinary Code. The CMG sanction recommendation (see Appendix A) must accompany the referral;
 - 14.6.14. refer to the individual to the DBS where the relevant threshold is met and/or
 - 14.6.15. reach any other decision that the CMG feels is appropriate having regard to the circumstances of the case. The final decision on what action will be taken where safeguarding concerns, allegations or suspicions of abuse, poor practice or bullying have been reported to BF will rest with the Lead Safeguarding Officer.
- 14.7. Where the CMG believe that a member of the BF Safeguarding Team has taken unreasonable action, a nominated CMG member may inform the BF CEO who will review and take appropriate action.

- 14.8. Within ten working days of the conclusion of the CMG meeting, the BF Safeguarding Team will aim to communicate in writing the decision, along with supporting reasons, to the individual and any relevant Affiliate, Official and/or Members. The individual will also be advised of their right to appeal against any decision made and the time limits for doing so.

15. ROUTE F - CONCERNS ARISING FROM CRIMINAL RECORD CHECKS

- 15.1. It is a requirement that any individual in England, Wales and Northern Ireland applying to be appointed or appointed to a role involving any Regulated Activity complete a Barred List Check.
- 15.2. It is a requirement that any individual in Scotland applying to be appointed or appointed in Regulated Work become a member of the PVG Scheme.
- 15.3. Where a person has been resident in the UK for less than 5 years an International check must be carried out. Where this is not possible, references should be taken up or an alternative method of making best effort to verifying their status sought.
- 15.4. Where a check carried out in accordance with paragraphs 15.1, 15.2, or 15.3 above, as part of safer recruitment procedures, reveals an adverse disclosure, the BF Safeguarding Team will review the disclosure to determine whether in their opinion they present safeguarding concerns. Safeguarding concerns could include:
- relevance to the role;
 - seriousness of offending;
 - recency;
 - pattern of behaviour;
 - safeguarding relevance;
 - evidence of rehabilitation.
- 15.5. Where the BF Safeguarding Team concludes the disclosure does not present safeguarding concerns and no restrictions are required, this decision should be confirmed by at least one CMP member or the CEO.
- 15.6. Where the BF Safeguarding Team concludes the disclosure might present safeguarding concerns and the matter shall be considered by at least two CMP members who shall take one or more of the following actions:
- 15.6.1. conclude that the adverse disclosure does not present safeguarding concerns and confirm the individual can be deployed without restriction
- 15.6.2. request further information, including but not limited to obtaining an explanation for the adverse disclosure and/or references from the individual

- 15.6.3. require the individual to commission, at their own expense, a risk assessment prepared by a suitably qualified person (the terms of which, and the suitably qualified person to be agreed with BF)
- 15.6.4. conclude that the disclosure presents some safeguarding concerns and that the person can be deployed in role with restrictions. These can be permanent or time limited.
- 15.6.5. conclude that the disclosure presents serious safeguarding concerns and that the person cannot be deployed in role. This can be permanent or time limited.

Where the CMP members have requested further information, the matter will be referred back to them for final consideration.

16. APPEALS

- 16.1. Appeals against decisions made by the Lead Safeguarding Officer or the CMG will be handled under these procedures.
- 16.2. Any appeal following the outcome of a case referred to Sport Resolutions will be handled under these procedures.
- 16.3. If the case has already involved a formal hearing, the appeal will be referred to Sport Resolutions (UK). If it has not involved a hearing, it may be handled internally.
- 16.4. Any individual wishing to present an appeal in accordance with these Procedures must submit to BF's Lead Safeguarding Officer written notification ("the Notice of Appeal") copying to BF Head Office (headoffice@britishfencing.com) containing the following information:
 - a) the name and address of the appellant (and of any representative); and
 - b) confirmation of the grounds for the appeal being one or more of the following:
 - i. **Error:** that the outcome reached following the CMG meeting was based on error of fact or could not have been reasonably reached when faced with the evidence before them;
 - ii. **New evidence:** significant and relevant evidence has become available which was not available prior to the decision being made, had it been available, may have caused a materially different decision to be made;
 - iii. **Disproportionate outcome:** The outcome or restriction was unreasonably harsh or does not align with the offence
 - iv. **Procedural irregularity:** the provisions of these Procedures were not adhered to in a material fashion; and/or
 - v. the findings of the CMG and Lead Safeguarding Officer were irrational or

otherwise exhibited an error of general law.

- 16.5. The Notice of Appeal must be submitted within 14 calendar days of receipt by the individual of notification of any decision made by the Lead Safeguarding Officer.
- 16.6. Where the LSO refers the appeal to Sport Resolutions, Sport Resolutions will appoint a Safeguarding Appeal Committee of three arbitrators, not previously involved in the matter.
- 16.7. Where the Appeal is being handled internally the Safeguarding Appeal Committee will be constituted of three members of the Case Management Panel not involved in the CMG.
- 16.8. The Safeguarding Appeal Committee hearing an appeal may
 - 16.8.1. uphold the original decision (made by the Lead Safeguarding Officer following recommendation from the CMG, or made b
 - 16.8.2. quash the original decision,
 - 16.8.3. refer the matter back to the original CMG for further deliberation and decision or
 - 16.8.4. substitute its own decision, provided such decision does not go beyond the possible outcomes set out in paragraph 14.6 above.
- 16.9. There shall be no appeal against a decision of the Safeguarding Appeal Committee where such decision is itself an appeal from a decision made by the Lead Safeguarding Officer.
- 16.10. Ordinarily, any costs incurred by the parties will lie where they fall. However, the Appeal Committee will have the discretion to order the Appellant to pay some or all of the costs of holding the hearing (including any travel or accommodation costs incurred by members of the Appeal Committee and or any costs incurred as a result of the Appeal Committee obtaining specialist advice).
- 16.11. If a party proceeds with an appeal, notwithstanding that a provision of these Procedures has not been complied with, without promptly stating its objection, that party shall have waived its right to object.
- 16.12. BF will confirm the decision of the Appeal Committee in writing within 14 calendar days of any hearing.
- 16.13. The decision of the Appeal Committee shall be final and binding on all concerned.

17. DISCIPLINARY COMMITTEE REFERRALS

- 17.1. Following recommendation by the CMG, any decision to refer an individual for disciplinary proceedings under the Disciplinary Code under paragraph 4.5 shall be referred to the Disciplinary Officer or the CEO. The Disciplinary Code shall apply where relevant to the extent that it is not in conflict with anything within these Procedures. The standard of proof in all cases shall be the balance of probabilities.
- 17.2. Where hearings have been conducted by Sport Resolutions, the Sport Resolution Panel will be responsible for deciding risk mitigation measures and sanctions.

18. DEFINITIONS

In these Procedures the following words shall have the meanings set out opposite them:

Access NI	Criminal record check in Northern Ireland
Adult	any person who is not a child;
Adult at Risk	someone aged 18 or over who has needs for care and support, is experiencing or at risk of abuse or neglect, and, <i>because</i> of those needs, is unable to protect themselves from harm
Affiliate	any club or organisation affiliated to, or formerly affiliated to, BF, and their Members or Volunteers;
Barred Check List	an Enhanced Disclosure from the Disclosure and Barring Service (DBS) which shall establish whether a person is barred from working in Regulated Activity with children or adults;
BF (BF)	the BF Association;
Child	a person under the age of eighteen. Children means more than one child;
Club Welfare Officer	the individual designated with safeguarding responsibility within a club ;
CMG	the Case Management Group which shall consist of not less than 3 independent individuals selected by the executive team from the Case Management Panel members. CMG members will be appointed to specific cases based in part on availability and required skills and competencies relating to the circumstances of the case.
CMP	The Case Management Panel is a panel of independent members who are selected to form a CMG. The CMP members shall be appointed and removed by the BF Nominations Committee (NomCom), proposed by the BF Executive Team following a competency based identification and selection process. The CMP members will be re-appointed every 2 years, members can be appointed for multiple terms.
Concerns – Lower, General,	1. Lower level concerns – one off minor/poor practice concerns typically cases led by LSO with advice from CMP.

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High	2. General level concerns – repeated poor practice/minor concerns or one off more serious concerns, typically cases led by CMG. 3. High Level concerns – those that meet (statutory reporting thresholds), typically cases are CMG led under Statutory Guidance.
DBS	the Disclosure and Barring Service;
Disciplinary Committee	the panel constituted in accordance with paragraph 6 below;
Disciplinary Appeal Committee	the panel constituted to hear appeals from the Disciplinary Committee in accordance with paragraph 6 below;
Enhanced Disclosure	an enhanced record check provided by the Disclosure and Barring Service;
Event	a single bout, match or competition (or a series of bouts, matches or competitions), training camp or fencing activity organised, licensed, convened, authorised or recognised by BF or any of its Members, affiliate organisations or licensees, wherever held;
LADO	the Local Authority Designated Officer, also known as the Designated Officer;
Lead Safeguarding Officer (LSO)	the individual employed by BF, Scottish Fencing, Welsh Fencing/and or NIF with primary responsibility for managing safeguarding concerns within their organisation.
Member	an individual (whether they be a fencer, coach, Official or otherwise) granted Membership, or formerly granted membership, of BF;
Membership	means being a Member of BF, granted in accordance with the bye laws;
Notice of Appeal	written notification of any individual wishing to present an appeal in accordance with these Procedures;
Natural Justice	All safeguarding decisions must be made considering the principles of Natural Justice which include: 1. no person may be a judge of their own cause 2. the person must have the opportunity to be 'heard' fairly
Northern Ireland Fencing	the organisation responsible for the administration and control of Fencing in Northern Ireland;
Participant	any person participating in an Event or other Fencing related activity promoted or administered by BF, including but not limited to any Member, Affiliate, Official, parent/carer, attendee at an Event or other BF activity, licensee, Volunteer or contractor from time to time;
Participation	being employed or engaged in a paid, voluntary or consultancy capacity by BF, or any Affiliate; or as a Participant in any Event or other

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	Fencing related activity;
Person(s) Affected	The person affected by the safeguarding concern, whose safety and or welfare was allegedly compromised.
Position of Trust	means any role with a degree of responsibility over property, finances or Participants;
PVG Scheme	the Protecting Vulnerable Groups (PVG) Scheme is managed and delivered by Disclosure Scotland. It helps make sure people whose behaviour makes them unsuitable to work with children and/or protected adults, can't carry out Regulated Work with these vulnerable groups;
Regulated Activity	work that a barred person must not do as defined by the Safeguarding Vulnerable Groups Act 2006 as amended by the Protection of Freedoms Act 2012 or Safeguarding Vulnerable Groups (Northern Ireland) Order 2007
Regulated Work	The type of work that the PVG Scheme applies to. The Protection of Vulnerable Groups (Scotland) Act 2007 provides guidance on assessing whether an individual is engaged in Regulated Work;
Scottish Fencing	the organisation responsible for the administration and control of Fencing in Scotland;
Social Care	the local authority responsible for the provision of social work, personal care, protection or social support services to children or adults in need or at risk, or adults with needs arising from illness, disability, old age or poverty;
Sport Integrity Service	The independent reporting service and investigation unit administered by Sport Resolutions (Sports Dispute Resolution Panel Ltd).
Statutory Authority	A public body or agency that has powers, duties or responsibilities conferred on it by legislation, including legal responsibilities in relation to safeguarding and welfare. This includes, as appropriate, the Police, Local Authority Children's Social Care and relevant health bodies. References in this policy to referral to or involvement of a Statutory Authority include engagement with the appropriate Local Authority Designated Officer (LADO) or equivalent designated officer, Multi-Agency Safeguarding Hub (MASH), or other statutory safeguarding service acting on behalf of or within such an authority.
Subject(s) of Concern	The person(s) whose actions allegedly led to the safeguarding concern.
Threshold Level	The Threshold Level is the level of concern that, when met, BF is required to report to statutory authorities. These are concerns involving suspected physical, sexual, emotional abuse, severe neglect, criminal offenses, or behaviour indicating that an adult in a position of trust poses an active risk of harm. A formal referral to statutory child/adult protection agencies or emergency services is mandatory when: • Immediate Danger: There is an immediate risk to a person's life or safety, requiring an emergency call (999).

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	• Significant Harm Criteria: An objective assessment indicates past harm or future danger that crosses the local authority's multi-agency threshold for statutory intervention (e.g., Section 47 of the Children Act 1989 or Section 42 of the Care Act 2014). • Criminal Conduct: An allegation involves a criminal offense, including sexual abuse, committed against a child or adult at risk within or outside the sporting environment Reporting to the LADO is mandatory when there is an allegation that a person in a position of trust: • has or may have harmed a child • may have committed a criminal offence related to a child • behaved towards a child or children in a way that indicates they may pose a risk of harm to children • behaved or may have behaved in a way that indicates they may not be suitable to work with children
Volunteer	any person providing assistance or support to BF or Home Nation Fencing Association from time to time otherwise than as an employee or director and including but not limited to any person providing assistance at an Event
Welsh Fencing	the organisation responsible for the administration and control of Fencing in Wales.

19. APPENDIX A: DISCIPLINARY SANCTIONS

19.1. **Purpose.** To support consistent and proportionate punitive sanctions following a proven safeguarding breach. Protective or risk-management measures are separate and do not form part of these tariffs.

19.2. **Status.** Ranges and starting points are indicative, not mandatory. The Panel should select the seriousness category, identify the starting point, adjust for aggravating/mitigating factors and give reasons for the final sanction. Departure outside a range should be reasoned.

19.3. Indicative sanction table

Category	Illustrative proven conduct	Indicative sanction	Starting point
A – Minor	Isolated/inadvertent breach; low-level boundary, communication or conduct breach; no improper motive; limited harm.	Reprimand–3 month ban.	Reprimand / 1 month
B – Moderate	Inappropriate language or harmful coaching practice; inappropriate boundaries/contact; repeated lower-level breaches; moderate harm.	A ban of 3–12 months	6 months
C – Serious	Emotional/psychological abuse; bullying of a child; repeated inappropriate physical contact; serious boundary violations; serious non-sexual abuse of trust.	A ban of 1–3 years	18 months
D – Very serious	Sustained abuse; serious physical misconduct; serious abuse of trust; sexualised behaviour or serious sexual boundary violation.	A ban of 3–10 years	5 years
E – Grave	Sexual relationship involving abuse of trust; grooming; sexual abuse; serious physical abuse; conduct fundamentally incompatible with participation.	A ban of 10 years–life	10 years
F – Exceptional / most serious	Serious sexual abuse/exploitation; persistent grooming/abuse; multiple victims; conduct demonstrating fundamental unfitness to remain in the sport.	Lifetime ban	Lifetime

19.4. Method

1. **Categorise seriousness.** Assess nature, duration, harm/impact, intent, power imbalance and position of trust.
2. **Identify the starting point.** Start from the figure for that category before personal mitigation/aggravation.
3. **Adjust.** Move up or down for aggravating and mitigating factors; ordinarily remain within the category range.
4. **Multiple breaches.** Assess overall seriousness rather than mechanically adding periods. Distinct/repeated episodes may justify enhancement.
5. **Interim suspension credit.** Credit time already served where it substantially covered the same participation as the final punitive suspension.

6. **Give reasons.** State the category, starting point, material factors, credit applied and final sanction.

19.5. Aggravating and mitigating factors

Aggravating. Multiple victims/incidents; pattern or relevant previous findings; deliberate/planned/manipulative/grooming behaviour; abuse of trust/authority; significant power imbalance; particular vulnerability; significant actual or potential harm; sexual motivation/sexualised conduct; concealment or interference with evidence/witnesses; breach of an existing sanction; lack of insight/minimisation where relevant to culpability or punishment.

Mitigating. Early unequivocal admission; genuine remorse and demonstrated insight; isolated conduct demonstrably out of character; limited harm where consistent with the breach; personal circumstances materially reducing culpability; exceptional cooperation; voluntary corrective action before outcome where relevant to sanction; substantial previous good disciplinary record.

Victim behaviour. Should not ordinarily be mitigation where the respondent held a position of trust, there was a material power imbalance, or the safeguarding obligation rested on the respondent.

19.6. Specific sanction principles

Suspension is punitive. The decision must define the status/participation suspended and the start/end dates. Protective restrictions sit outside this tariff.

Sexual misconduct requires differentiation. Distinguish between inappropriate/sexualised conduct, serious sexual boundary violations, abuse of trust in a sexual relationship, grooming and sexual abuse. Lifetime exclusion is not automatic merely because conduct has a sexual element.

Positions of trust. Exploitation of a coaching, officiating, team-management, welfare, governance or other position of trust will normally justify an upward adjustment.

Repeat offending. A relevant previous finding should ordinarily move the sanction materially upwards and may justify movement into the next category.

Lifetime sanctions. Permanent exclusion is reserved for the highest level of seriousness or where any lesser punitive sanction would fail to reflect the gravity of the proven misconduct.

Multiple findings. The final sanction must be proportionate to the totality of the proven conduct. Panels should avoid double-counting the same feature as both part of the category and an aggravating factor.

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