

Ensuring the Safety of Children and Young People

CORE TEAM SAFEGUARDING POLICY AND IMPLEMENTATION PROCEDURES

All people who take part in sport have the right for their safety and protection to be assured. This is the responsibility of every adult and agency working in sport.

**April 2019**

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INTRODUCTION

All children who take part in sport have the right for their safety and protection to be assured. This is the responsibility of every adult and agency working in sport.

Sport can and does have a very powerful and positive influence on young people. It can provide opportunities for enjoyment and achievement as well as developing valuable qualities such as self-esteem, leadership and teamwork. These positive benefits can only take place if sport is managed by people who place the welfare of all young people first, and adopt practices that support, protect and empower them.

Development staff, Trustees, coaches, officials and volunteers need to be aware of good practice to ensure their actions are appropriate and cannot be misinterpreted. This policy outlines how the staff, coaches, officials and volunteers employed and deployed by Energise Me will be supported to ensure this is achieved.

CONTEXT

Energise Me is one of a network of 43 Active Partnerships in the country. Energise Me transitioned to a Charitable Incorporated Organisation (CIO) in April 2016 exiting its previous hosting arrangement with Hampshire County Council. This policy will work in conjunction with Energise Me’s other associated Policies and Procedures such as those governing safe recruitment practices, dealing with complaints and codes of conduct for staff, amongst others.

Energise Me primarily works at a strategic level and as a result, the amount of direct delivery that will be undertaken by staff within the Partnership will be negligible. Where required e.g. for the delivery of Level 3 School Games, an event specific Risk Assessment & Welfare Plan is developed and shared accordingly. Content of this policy will continually be reviewed in light of any changes to legislation and the way that the Partnership operates. Alongside this policy, an annual Safeguarding Implementation plan will be maintained highlighting an ongoing commitment to maintain our Advanced Level Status for Safeguarding as awarded by the Child Protection in Sport Unit (CPSU) and recognised by Sport England.

1.0 PARTNERSHIP STATEMENT

Energise Me is committed to promoting the safety and welfare of children and young people engaged in sporting activities locally. In order to contribute to safeguarding children and young people we have the following key aims:

* Maintaining and embedding the requirements of the Standards for Safeguarding and Protecting Children in Sport (CPSU 2002)
* Implementing and demonstrating best safeguarding practice when core staff, volunteers or others are providing services, activities and programmes for children
* Ensuring that there is strong organisational and staff commitment to safeguarding, which is clearly reflected in the culture, policies, working practices, attitudes and behaviours
* Working with partners to establish and implement agreed, consistent minimum safeguarding standards for sport and physical activity locally
* Requiring those individuals or organisations that are funded or commissioned to provide any service for children or young people to effectively address safeguarding requirements
* Providing and or signposting to practice guidance and support
* Maximising its influence to promote safeguarding practice and principles within its wider partnership role and relationships
* Providing, facilitating and signposting to training and development opportunities for Energise Me staff and its partners
* Implementing procedures to ensure an appropriate response to any safeguarding concerns coming to the attention of Energise Me staff, including links to statutory agencies and other organisations, E.g. NGB’s and LA’s
* Establishing and supporting a Safeguarding Lead Officer and Deputy with clear roles and responsibilities.

Energise Me recognise the moral and legal responsibilities under The Children Acts 1989 and 2004 and are committed to working collaboratively in line with Working Together 2018 guidance to provide a duty of care for children and young people, to safeguard their welfare and to protect them from abuse.

Energise Me will work in partnership to ensure that all young people (under 18 years) regardless of their age, gender, disability, race, ethnic origin, nationality, colour, parental status, religious belief, class or social background, sexual preference or political belief are able to take part in sport (as a participant or volunteer) in a fun, safe and child-friendly environment and are protected from harm.

Energise Me will ensure that all allegations and suspicions of abuse and poor practice are taken seriously and responded to appropriately in accordance with Energise Me disciplinary procedures or, where necessary, through referral to statutory agencies and other bodies.

POLICY COMMUNICATION, IMPLEMENTATION, MONITORING AND REVIEWING

To ensure the successful implementation of this policy, it is essential that Energise Me communicates its commitment to safeguarding children and young people. This Policy has been agreed and formally approved by the Energise Me Board Champion and shared with the Board of Trustees. Communication of the Safeguarding Policy and discussion regarding the Implementation Plan will take place with the Energise Me team and Board Champion, as well as relevant bodies such as the CPSU, LSCBs and National Governing Bodies.

This Policy is available to all partners, customers, parents, participants and the public via the Energise Me website. This ensures people have access to this information and are able to understand how the Policy will be implemented, and the process they should follow should an issue arise.

The implementation and monitoring of this Policy will be guided by the Energise Me Designated Lead Safeguarding Officer and Deputy Lead Safeguarding Officer in consultation with the Board Champion. The Policy is underpinned by an annual implementation plan which highlights key areas of work to be progressed within each year to ensure continuous improvement. The Energise Me team will remain an integral part of the policies implementation and will inform content of the Implementation Plan regarding their areas of work. Where appropriate, for successive reviews, Energise Me will commit to identifying processes/mechanisms to consult children, young people and parents as part of the review process.

The Energise Me Trustees will be consulted regarding content and any proposed changes via a Board Report on an annual basis or as required in line with any significant legislative changes or organisational changes.

2.0 PROCEDURES

2.1 What you should do if you think a child is being abused (also view Appendix 1)

If you have any concerns because you think that a child might be being abused and you want to talk to someone or ask someone to find out what is going on, you should contact the Children’s Services Department.

During office hours (8.30am – 5:00pm) - you should contact Children's Services: 0300 555 1384

At all other times you should contact the out-of-hours Service: 0300 555 1373

For all emergency situations call 999.

CONCERNED ABOUT SOMEONE WORKING WITH CHILDREN?

If you have a concern about a member of staff working with children (in either a paid or voluntary capacity), contact the Local Area Designated Officer (LADO) on 01962 876364

2.2 Allegations against people in a position of trust

If you believe that a child has been harmed by a person in a position of trust, you should contact the Local Authority Designated Officer (LADO)

The LADO should be advised of all cases where it is alleged that a person who works with children has:

* behaved in a way that has harmed, or may have harmed, a child
* possibly committed a criminal offence against, or related to, a child; or
* behaved towards a child or children in a way that indicated s/he is unsuitable to work with children.

The LADO will act in accordance with Working Together and any updated guidance relating to this role.

A person in a position of trust includes anyone who works with children in the course of their employment or in a voluntary capacity. Examples include:

* teachers and other members of school staff
* Sports Coaches, Leaders and Activators
* county council employees
* foster carers
* GPs
* nursing staff
* police officers
* probation Service staff
* voluntary sector staff, e.g. NSPCC
* volunteer workers in school or elsewhere

It should be noted that whilst the age of consent for a sexual relationship is 16 years, any sexual relationship or sexual contact with a 16 or 17-year-old by a person in a position of trust is illegal, even if 'consensual'.

If you have a general concern about a member of staff, you should use the complaints procedure for that agency or organisation. LADO’s deal only with complaints/concerns about staff members where there is a suspicion of harm or abuse of a child, or where there is information that indicates they are not suitable to be working with children.

To report concerns of this nature please contact the relevant agency or LADO highlighted in **Appendix 1.**

2.3 How do I deal with a child who tells me about abuse?

If a child starts talking to you about the abuse, neglect or mistreatment they are suffering

* listen calmly and reassuringly
* let them freely recall what is important to them
* keep questions neutral - answers to leading questions would not be admissible in court
* don’t give them the impression you don’t believe them.

Remember, you may well be the first person the child has ever spoken to about this. Whether you believe them or not isn’t the issue – if you have any suspicion, report it!

Make a note of the discussion, when and where it happened, who was present and what the child said (Example Child Protection Incident Report Form, **Appendix 2)**

All this information will be useful if the child is interviewed by the police or the Children’s Services Department

Where can I get further information? (View Appendix 4)

**Hampshire Children’s Services:** 0300 555 1384

**Isle of Wight Children’s Services:**0300 300 0117

**Portsmouth Children’s Services:** 02392 688793

**Southampton Children’s Services:** 02380 833 336

Hampshire Police - call 0845 045 4545

Local Safeguarding Children’s Board - [www.hampshiresafeguardingchildrenboard.org.uk](http://www.hampshiresafeguardingchildrenboard.org.uk)

NSPCC - call 0808 800 5000 [www.nspcc.gov.uk](http://www.nspcc.gov.uk)

Child Protection in Sport Unit - [www.thecpsu.org.uk](http://www.thecpsu.org.uk)

Childline - call 0800 1111 [www.childline.org.uk](http://www.childline.org.uk)

2.4 What is child abuse?

Child abuse falls into one or more of four categories: physical abuse, emotional abuse, sexual abuse and neglect.

Physical Abuse

Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child.

It may also be caused when a parent or carer fabricates symptoms of, or induces illness in a child.

Emotional Abuse

Emotional abuse is the persistent emotional ill treatment of a child such as to cause severe and persistent effects on the child’s emotional development, and may involve:

Conveying to a child that s/he is worthless, unloved, inadequate, or valued only insofar as s/he meets the needs of another person

Imposing developmentally inappropriate expectations e.g. interactions beyond the child’s developmental capability, overprotection, limitation of exploration and learning, preventing the child from participation in normal social interaction

Causing a child to feel frightened or in danger e.g. witnessing domestic violence, seeing or hearing the ill treatment of another

Exploitation or corruption of a child

Some level of emotional abuse is involved in most types of ill treatment of children, though emotional abuse may occur alone.

Sexual abuse

Sexual abuse involves forcing or enticing a child to take part in sexual activities, including prostitution, whether or not s/he is aware of what is happening.

Activities may involve physical contact, including penetrative and non-penetrative acts. ‘Penetrative acts’ include ‘rape’ (forced penetration of vagina, anus or mouth with a penis) and ‘assault by penetration’ (sexual penetration of vagina or anus of a child with a part of the body or an object).

Sexual activities may also include non-contact activities, e.g. involving a child in looking at / production of abusive images, watching sexual activities or encouraging her/him to behave in sexually inappropriate ways. It may include use of photos, pictures, cartoons, literature or sound recordings via internet, books, magazines, audio cassettes, tapes or CDs.

Children under sixteen years of age cannot lawfully consent to sexual intercourse, although in practice may be involved in sexual contact to which, as individuals, they have agreed. A child of under thirteen is considered in law incapable of providing consent.

Neglect

Neglect involves the persistent failure to meet a child’s basic physical and/or psychological needs, likely to result in the serious impairment of the child’s health and development.

Neglect may occur during pregnancy as a result of maternal substance misuse. Once the child is born, neglect may involve failure to:

* Provide adequate food, clothing or shelter (including exclusion from home or abandonment)
* Protect from physical and emotional harm or danger
* Meet or respond to basic emotional needs
* Ensure adequate supervision including the use of adequate care-takers
* Ensure access to appropriate medical care or treatment
* Ensure that her/his educational needs are met
* Ensure her / his opportunities for intellectual stimulation are met

3.0 Localised Procedures/Agencies

3.1 Multi Agency Safeguarding Hub (MASH)

The Multi Agency Safeguarding Hub (MASH) provides triage and multi-agency assessment of safeguarding concerns in respect of vulnerable children and adults. It brings together professionals from a range of agencies into an integrated multi-agency team. The MASH team makes assessments and decisions depending on statutory need, child protection or early help. Quicker response times, a co-ordinated approach and better informed decision making ensures that vulnerable children and adults are protected.

The MASH is based at Hampshire County Council’s frontline contact centre, building upon the excellent work of the existing Children’s Reception Team – the gateway to children’s social care.

The MASH team shares information from every agency to decide the most appropriate intervention in response to the person’s identified needs. This ensures that vulnerable children and adults are responded to quickly and efficiently by the most appropriate professional. Timescales are agreed depending on statutory need, child protection or early help.

Outcomes of the MASH

* A faster, more co-ordinated and consistent response to safeguarding concerns about vulnerable children and adults
* An improved ‘journey’ for the child or adult, with greater emphasis on early help and better-informed services delivering intervention at the right time
* A clearer process for the professional or member of the public raising a concern about a vulnerable child or adult
* Closer partnership working, clear accountability and improved multi-agency communications
* A reduction in the number of inappropriate referrals and re-referrals.

Benefits to agencies of the MASH model

* Safeguarding of vulnerable children and adults is a collective priority
* Efficiency savings – financial savings through economies of scale and avoiding duplication of work
* Efficiencies through centralisation of business support/back office, accommodation and utilities
* Quicker response times with a better co-ordinated approach to resources meaning each agency works more effectively and efficiently in their own field of expertise
* A better understanding and appreciation of each others’ roles and responsibilities, leading to effective multi-agency working
* Development of flexible working patterns and providing enhanced customer service.

3.2 Hampshire Safeguarding Children Board (HSCB) is a statutory body which co-ordinates, monitors and challenges its partner agencies in safeguarding children in Hampshire.

The Children Act 2004 (S13) required that children's services authorities establish a Local Safeguarding Children Board for their area. The statutory guidance document Working Together 2018 (HM Government) sets out how this should be done. The Constitution of the Hampshire Safeguarding Children Board sets out how this is done in Hampshire.

Most agencies and organisations that provide services to adults and children must make arrangements to ensure that they safeguard and promote the welfare of children (Children Act 2004 Section 11 and Education Act 2002 Section 175 (c.32)). This also applies to any services commissioned by them. These responsibilities are set out in the Department for Education Section 11 arrangements and responsibilities document.

The Board works closely with the Children's Trust in Hampshire to influence the effective development of services, particularly in achieving outcomes for children and is a formal consultee of the Children and Young People's Plan.

The HSCB Annual Report on the effectiveness of safeguarding in the local area sets out the Boards priorities and drives the development of services in safeguarding children and young people in Hampshire.

" To keep children safe and promote their welfare all agencies and the wider community need to understand their responsibilities towards children. Hampshire Safeguarding Children Board provides the platform to discuss and challenge each other to enable the right discussions to be made and address the very real issues that face children and young people in Hampshire today. "

All children and young people regardless of age, disability, gender, race or sexuality are considered within the work of the Board. The Board will ensure the participation of children and young people by applying the principles of the Children and Young People's Participation Strategy to its work.

3.3 Statutory Board Partners

Although the HSCB works with a range of statutory and voluntary organisations the following are our statutory partners:

Hampshire County Council including Adult and Children's Services

Partners

* [Hampshire County Council’s Children’s Services](https://www.hants.gov.uk/socialcareandhealth/childrenandfamilies)
* [Hampshire County Council’s Adult Social Care](https://www.hants.gov.uk/socialcareandhealth/adultsocialcare)
* [Isle of Wight Council’s Children’s Services](https://www.iwight.com/Residents/Care-and-Support/Childrens-Services/)
* [Hampshire Constabulary](https://www.hampshire.police.uk/)
* [Hampshire NHS](http://www.hampshire.nhs.uk/)

Virtual partners

* Borough and District Councils in Hampshire
* [Community Rehabilitation Company for Hampshire and IOW](http://www.hiowcrc.co.uk/)
* [Hampshire Fire and Rescue Service](https://www.hantsfire.gov.uk/)
* [South Central Ambulance Service](http://www.scas.nhs.uk/)

4.0 Workforce Perspective

4.1 (Confidentiality Statement and Information Sharing Statement)

One of the key principles embedding best practice in relation to safeguarding is ensuring that information relating to concerns is shared with/or between relevant bodies in order to protect potentially vulnerable children and young people.

With regards to case information that warrants referral to, and investigation by, a statutory agency it is appropriate for Energise Me to give the statutory agency details of any other relevant organisations that may need to be aware of a concern. For example, if somebody is coaching at a sports club but is suspended following an allegation, and if you are aware that they coach for another sport, following consultation with the statutory agency you may feel that it is relevant to contact that sports organisation to make them aware of the allegation.

**The Data Protection Act** provides a framework to ensure that personal information is handled properly; it is not a barrier to sharing information.

The Department for Children, Schools and Families (DCSF) has developed an Information Sharing Pocket Guide which includes seven golden rules for information sharing. Energise Me would be mindful of this content in relation to how they share information:

* Data protection is not a barrier to sharing information – but provides a framework to ensure information is shared appropriately
* Be open and honest – with the person from the outset about why, what, how and with whom information will, or could be shared
* Seek advice – if you are in any doubt, without disclosing the identity of the person where possible.
* Share with consent where appropriate – and, where possible, respect the wishes of those who do not consent to share confidential information
* Consider safety and well-being – base your information sharing decision on considerations of the safety and well-being of the person and others whom may be affected by their actions
* Necessary, proportionate, relevant, accurate, timely and secure – ensure information you share is necessary for the purpose for which you are sharing it, is shared only with those who need to have it, it accurately and is shared securely
* Keep a record – of your decision and the reasons for it.

When considering who information should be shared with, a discussion with the Lead Safeguarding Officer should take place. When dealing with highly sensitive information, Energise Me will ensure it is not shared broadly and guidance on who within and outside of the organisation needs to know these details will be shared.

4.2 When a concern arises

Introduction

This section focuses on the period immediately surrounding a concern or allegation being raised. It draws together some keys steps and important principles to be aware of. As these are interrelated, it is best to read this guidance in its entirety in order to obtain a complete picture.

This information applies equally to employees, casual workers and volunteers, except where otherwise stated.

There may be up to three possible processes involved in responding to a concern or allegation which may run concurrently:

* + A police investigation of a possible criminal offence.
  + Enquiries and assessment by the 4LSCB Safeguarding Teams about whether a child or adult is in need of protection/support
  + An internal employment investigation (including disciplinary or capability action when involving an employee)

4.3 How a concern may arise

A concern may arise through a variety of channels. Initially, the information may not present as a safeguarding issue, so it is important to maintain a level of awareness and identify early on when a concern is of a safeguarding nature. Safeguarding concerns are not solely restricted to instances of misconduct. Levels of competence, including performance and ill health, can also impact upon a worker’s fitness to practice and in turn could present a safeguarding concern. Concerns relating to conduct, both inside of and outside of work, may be relevant to a worker’s fitness to practice. In the Active Partnerships’s lead, ‘hub’ locally, concerns about third party individuals or organisations may well be reported to or come to the attention of staff. Whether or not the Active Partnership has any direct responsibility for the individual or activity it is important that action is taken to ensure the information is shared with the appropriate agency (statutory or sport) so that the matter can be effectively investigated.

The following are possible channels through which a concern may be raised, though not exhaustive;

* Incident within the working environment
* Self disclosure – relating to an incident within the working environment or within a worker’s personal life
* Positive disclosure through a DBS check / re-check (previously known as a CRB check) – which includes a check of the barred lists
* At the point of re-registration with a professional body
* Notification via Notifiable Occupation Scheme
* Notification via another employer or organisation
* Notification via a colleague or member of the public relating to a concern outside of work
* Social networking or social media
* Whistleblowing procedure
* Complaint made by a service user or relative / carer

4.4 Safeguarding Teams

When a concern or allegation arises, Energise Me safeguarding procedures should be followed to ensure any necessary actions are taken to safeguard the child or adult. This will include the duty to notify statutory agencies e.g. the LADO or local safeguarding adults co-ordinator before any other action is taken.

In situations where a manager is uncertain whether there is cause for concern, advice should always be sought from The Energise Me Designated Lead Officer, Deputy Lead Officer or Director. In their immediate absence speak to a LADO or the adults safeguarding enquiry line.

The LADO should be involved in all cases in which it is alleged that a person who works with children has;

* Behaved in a way that has harmed, or may have harmed a child
* Possibly committed a criminal offence against, or related to, a child or
* Behaved towards a child in a way that may indicate that s/he is unsuitable to work with children.

The LADO or local safeguarding adults’ co-ordinator should be involved in the management and overseeing of individual cases or allegations and will provide advice and guidance on cases in liaison with key experts. The LADO / local safeguarding adults’ co-ordinator will monitor the progress of cases to ensure that they are dealt with as quickly as possible, consistent with a thorough and fair process.

4.5 Initial Assessments

Whilst there is often a need to deal with safeguarding concerns promptly, care should be taken to consider the circumstances and adopt a planned response. Some allegations will appear so serious that they require immediate referral to the Police and social care, in which case it will not be appropriate to immediately commence an employment investigation. Care should be taken not to compromise any Police investigation, by informing the worker and giving them an opportunity to destroy evidence. Other cases may present as less serious and may not appear to warrant Police consideration but the seriousness of the case should be regularly reassessed.

Two forms of initial assessment need to take place;

* the first is undertaken by the LADO / local safeguarding adult’s co-ordinator to consider their actions and if liaison with social care and the police is required
* the second is in relation to the employment context to ascertain if the concern has an impact on the worker’s role.

For the second assessment the manager, in liaison with the LADO / local safeguarding adults’ co-ordinator and HR, should take into consideration the:

* nature of the concern
* severity
* degree of contact, either direct or indirect, a worker has with children and adults.
* whether Energise Me was previously aware of the concern, for example through a previous DBS check or the notifiable occupation scheme.
* any previous concerns of a safeguarding nature relating to the worker, whether substantiated or not, as they may form part of a relevant pattern of behaviour.
* negative impact the concern may have on the reputation of Energise Me.

There may be instances where the concern arises in a worker’s personal life, either directly or regarding someone to whom they are closely associated. In this circumstance, it may still be of relevance because someone who is closely associated with a worker, may use this access in an inappropriate manner for their own advantage.

Any Investigation could adversely affect a Police or Safeguarding investigation and must not be undertaken without first liaising with either the Police or the LADO / local safeguarding adult’s co-ordinator.

4.6 Multiple employment / working

Following a concern or allegation being raised, the manager in consultation with the Energise Me Safeguarding Lead, Deputy and Director and the LADO / local safeguarding adult’s co-ordinator should identify whether the worker undertakes other roles elsewhere. If so, an assessment should be made as to whether the concern or allegation should be shared with the other agencies as it is not automatic.

The assessment needs to consider whether:

* there is a transferable risk - by looking at how the concerns may be relevant to the secondary role and the degree of contact, either direct or indirect, a worker has with children and adults in this secondary role.
* the severity of the concern and whether it amounts to possible gross misconduct

Where a transferable risk and/or gross misconduct is identified, this may establish that it is appropriate to share the information in the interests of safeguarding children and adults.

Caution must be exercised where a concern has arisen due to a DBS check/re-check which is only required for one role and not the other. The Rehabilitation of Offenders Act 1974 protects candidates/employees from information being sought on criminal offences where it is not a requirement of the role. Energise Me will apply its Recruitment and Selection Policy which includes reference and Pre-Employment checks and where appropriate signpost other partners and stakeholders to guidance provided by The CPSU in regard to safe recruitment practices.

This is a complex area of employment law which will need to be considered on a case by case basis by Energise Me in liaison with the LADO / local safeguarding adults co-ordinator HR Advisors and other statutory agencies as appropriate. If the worker’s second role is within a school environment, contact should also be made with Education Personnel Services.

4.7 Police

In circumstances where there has been an incident in work there may be grounds to make a referral to the Police. This will usually be made by the LADO / local safeguarding adults co-ordinator or Energise Me in consultation with the child / service user and / or their family / carers.

Energise Me will seek to support the Police with their enquiries and facilitate the collection of evidence. Energise Me and / or LADO / local safeguarding adults’ co-ordinator will maintain contact with the Police to keep informed of progress. The presence of a police investigation will be kept confidential in the interest of fairness to the worker.

Upon completion of the Police investigation, the Police, in conjunction with the Crown Prosecution Service, will decide whether any criminal action will be pursued. The CPS follow their own guidelines on whether to charge an individual following Police investigation. The CPS ‘charging decision’ is based on a higher standard of evidence, public policy considerations and matters related to the Police investigation. A decision of the CPS not to charge does not mean there are not grounds to proceed with an internal employment investigation. Energise Me will still have a duty to conclude its own procedures and investigations and make any necessary referrals.

Often a Police investigation will take precedent over any internal safeguarding or employment investigation. As such an internal employment investigation (including a preliminary enquiry) will not usually commence until discussed with the Police and the LADO / local safeguarding adult’s co-ordinator at the safeguarding meeting. The Police may request that an internal employment investigation does not commence until the Police matter is concluded.

In some circumstances the Police action can take a considerable period of time. Whilst it may not be appropriate to conduct an internal employment investigation, it may be necessary to consider whether suspension or any other formal employment action is appropriate. Advice can be obtained from an HR advisor.

4.8 Notifying the worker of a potential concern

When a concern arises of a non-safeguarding nature, it is normal practice to inform the worker who is the subject of the concern. However, concerns of a safeguarding nature must be approached differently. This is because informing the worker too early in the process may provide them with the opportunity to speak with other parties or remove or change any evidence.

Police investigation:

It is the responsibility of the Police to inform a worker that a concern or incident has been reported to them and that it is being investigated as a Police matter. The Police will often request that they are the first party to interview the worker.

The Police should continue to liaise directly with the worker regarding the progress of the Police investigation and any decisions taken on next steps.

Internal employment investigation:

The point at which an employee can be informed of an internal employment investigation must be agreed between the relevant parties including the Police (where there is Police involvement) and the LADO / local safeguarding adult’s co-ordinator. The process followed to notify an employee of an employment investigation is in accordance with the relevant procedure. It is recognised that being the subject of a safeguarding allegation can be very distressing and therefore Energise Me is committed to providing the worker with support and will do so in line with and reference to its Grievance, Disciplinary and Whistle Blowing Policies (3 separate documents)

4.9 Instruction to stay away from work / Suspension

In cases of serious alleged misconduct or incompetency, it may be appropriate to instruct a worker to stay away from work for a short period of time whilst the facts are established. However, doing so will inevitably alert the worker that something is wrong and therefore must be part of a co-ordinated approach with the LADO / local safeguarding adults co-ordinator and the Police. In very exceptional circumstances the safeguarding lead or the Police may request a worker remains in the workplace.

Where a worker has been instructed to stay away from work, this may run parallel to the initial stages of a Police investigation.

Where the concern relates to an employee, once it has been discussed with the LADO / local safeguarding adults co-ordinator and the Police that the internal employment matter can proceed and an internal preliminary investigation has been concluded, a meeting will be held with the employee to decide whether formal suspension from duty is appropriate. This will be held as soon as possible and in line with the Disciplinary Procedure however it is recognised that where there is a police enquiry, this may take precedence over the employment investigation.

Further guidance on suspension can be found in the Disciplinary Procedure Policy. Alternatives to suspension must also be considered and guidance/advice prior to suspension must be sought from an HR advisor in consultation with the Lead Officer and Director and the necessary authorisation obtained.

5.0 Safeguarding Meetings

5.1 Children’s Services

The LADO will facilitate a safeguarding strategy meeting or discussion at which further action and risk management will be considered. The strategy meeting will be attended by the LADO, lead officers in social care, the Police, the manager and a representative from EPC. A review meeting will be arranged at the initial strategy meeting.

The strategy meeting (preferably with a dedicated minute taker) must:

Review any previous allegations made against the worker and the establishment

* Decide whether there should be a Section 47 (Child Protection) Enquiry and/or an internal disciplinary investigation
* Consider the implications arising from the police decision whether or not to investigate an allegation of crime
* Consider, if a Section 47 Enquiry is appropriate, whether a complex abuse investigation is applicable
* Scope and plan the Section 47 Enquiry
* Allocate tasks
* Set time-scales.

Of relevance to the employment relationship, the meeting must also:

* Recommend to employing agency or responsible authority any action required to protect the interests of children whilst enquiries are conducted, including staff transfer, suspension or removal (such action is the responsibility of the employing / responsible agency and is to be taken in the light of details of the individual case and in accordance with HR procedures agreed with trades union or work place representatives)
* Consider linkage and impact on industrial relations, personnel issues, registration and complaints issues
* Identify the information to be shared with the subject of the allegation
* Agree on management of any anticipated media interest
* Set a date for a further strategy meeting (preferably within one month of the referral being received with a view to concluding the enquiry as soon as possible).

Notes of the strategy meeting should be approved by the chair and circulated to all participants within five working days.

(Further information relating to strategy meetings is contained within chapter 5.2 section 11 of the Hampshire Local Safeguarding Children Boards (4LSCB) procedure).

6.0 Recruitment, employment and deployment of staff and volunteers including Trustees

Safe recruitment and selection procedures

Safe recruitment and selection procedures help to ensure a safe workforce by deterring and screening out unsuitable individuals. Effective recruitment and selection procedures benefit everyone:

* Staff and volunteers have clearly defined roles and responsibilities
* Parents/carers are assured that measures are taken to recruit only suitable people to work with children
* Organisations reduce the risk to their reputation.

The same procedures should be adopted whether staff is paid or unpaid, full or part-time.

Job Role/Job Description

* Describes the full range of tasks, duties and responsibilities of the role and helps everyone to understand the extent and nature of the role

Person Specification

* Describes the type of skills, experience and attributes required for this role (e.g. specific experience, sports or other qualifications, and other requirements, such effective communication with children).

Job/Role Advert

* Involves advertising or promoting paid jobs or volunteer roles to attract the widest response and demonstrate an open recruitment process. Advertising could be done through a variety of mediums. Energise Me would indicate if a post involves working with children, and (if appropriate) that a criminal records check will be undertaken.

Application Form

* Energise Me have developed a standard application forms that include all relevant questions. A copy of this form will be retained by us to inform a subsequent interview/meeting with the candidate and identify any gaps in the employment/volunteering history
* A criminal records check may be undertaken using any of the following organisations – Disclosure and Barring Scheme - DBS (formally CRB) (England & Wales).

Written References

* Energise Me will obtain at least two written references, preferably including their last employer
* Include someone who can comment on the applicant’s previous work with children. Ideally, references should be sought on all short-listed candidates and obtained before interview. Ideally referees should be contacted directly e.g. by phone
* Energise Me will take care to ensure that information from all sources is provided to those with responsibility for making a decision on the individual’s suitability for the role.

Risk Assess Information

* Energise Me will establish a case management group or other system to risk assess information returned from any of the above sources and will not employ or deploy the individual until this is complete. Risk assessments of any concerning information arising during the recruitment process should be undertaken by an appropriately experienced/trained individual, for example chaired by the person with lead safeguarding responsibilities.

Interview

* Ensure staff or volunteers undertake an interview or have a meeting with at least two representatives of the organisation
* Check out any gaps in the application form and ensure the applicant has the ability and commitment to meet the standards required to adhere to the safeguarding policy
* Energise Me will endeavor to explore an applicant’s attitude to power, authority and discipline, and ask for a response to a problem faced to assess their commitment to promoting good practice and their ability to communicate with children and young people
* Energise Me will ensure all appointments are made by a panel of 3 people as a minimum.
* The decision to appoint staff or volunteers is the responsibility of an organisation, not any one individual within it.

Identity and Qualification Checks

Energise Me will take steps to confirm the candidate’s identity (e.g. request photographic identification), qualifications, experience and right to work in the UK. Clarify any apparent gaps in employment.

Criminal Records Checks

Energise Me will follow clear guidelines to establish which roles are eligible for criminal records checks, and ensure that applicants for eligible posts are required to comply. Information about previous criminal convictions or other concerns should be risk assessed as above

Probationary/Trial Period

Energise Me will set a probationary/trial period (usually 6 months) and review the post holder’s performance against the job description after this time.

Induction

Energise Me will ensure that all new recruits go through an induction process as soon as possible (this introduces them to all important aspects of their new environment) so that they are familiar with the organisation or event’s safeguarding policies and procedures and the responsibilities of the post.

Energise Me will require all new recruits to be familiar with and sign up to the culture and values of the organisation and any guidelines, codes of conduct, regulations and policies as directed. Energise Me, in shaping its annual Safeguarding Implementation Plan, will also ascertain any Safeguarding training requirements of the team.

Continuous Professional Development

Energise Me will establish what training would be useful/required for any new recruit, based on their role and experience. We will ensure that all new recruits have either recently undertaken adequate safeguarding training (if appropriate in line with any relevant requirements) or now do so as soon as possible and no later than six months after taking up their post.

Whistle Blowing Policy

Energise Me aims to conduct its business at all times with the highest standards of integrity and honesty. We expect all employees and workers to maintain the same standards in everything they do. All those who work for us are therefore strongly encouraged to report any perceived wrongdoing by the organisation or its employees, workers, contractors or agents that falls short of these principles and apply the established Whistle Blowing Policy.

Designated Lead/Deputy Safeguarding Officer contact details:

Sophie Burton – Lead Officer

Energise Me

[Sophie.burton@energise](mailto:Sophie.burton@energise)me.org

01962 676373

The role of the Designated Lead Safeguarding Officer is as follows:

* Act as the point of contact for any concerns or allegations and implement the reporting procedures
* Implement the Safeguarding Children and Young People Policy and Implementation Procedures
* Promote Safeguarding best practice guidelines, including practical embedding of adequate safeguarding considerations/ arrangements in partnership agreements
* Ensure the provision of or adherence to the training programme for employees and volunteers with designated Safeguarding responsibility
* Take any action as advised by the LADO, Children’s Services or Police. It is NOT the role of the any member of the Energise Me team to decide whether a young person has been abused or not
* Responsibility to ensure the Energise Me team and key partners as appropriate are aware of safeguarding concerns (via statutory agencies or directly) e.g. Coaches – employed maybe by a local authority or school. Partners may include LA’s, NGB’s
* Work in partnership with Children’s Services and Police to ensure investigations are facilitated
* Provide ongoing support and information to the team in respect of our Safeguarding responsibilities and ensure it remains a standing item at Team Meetings via for examples updates, scenarios testing and quizzes
* Keep up to date with relevant development in legislation, guidance or practice
* Access Training/CPD as required by the role
* Reporting to board/trustees any Policy updates and changes and maintain links with the Safeguarding champions
* Complete with the Deputy officer the Annual ACTIVE PARTNERSHIP safeguarding self assessment.and review/update of safeguarding implementation plan.

Deputy Designated Lead Safeguarding Officer:

Sharon Robertson – Deputy Officer

Energise Me

[sharon.robertson@energiseme.org](mailto:sharon.robertson@energiseme.org)

01962 676374

* The role of the Deputy Designated Lead Safeguarding Officer is to provide support in respect of all the above and deputise for the Designated Lead Safeguarding Officer in his/or her absence
* The Deputy Designated Lead Safeguarding Officer will also support the ongoing update of the Energise Me website with Child Protection and Safeguarding information.

Appendix 1 - Team Guidance for Responding to Safeguarding Calls

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Team Guidance for Responding to Safeguarding Calls | | | | |
|  | | | | |
| Remain calm and do not promise anything. Record as much detail as possible in the incident report form. Forward the form to the Safeguarding Lead. | | | | |
|  | | | | |
| Report concern to Safeguarding Lead or Deputy Safeguarding Lead. If this is not possible, report the concern to the ACTIVE PARTNERSHIP Director. | | | | |
|  | | | | |
| Try and determine if the concern is POOR PRACTICE or POSSIBLE CHILD ABUSE | | | | |
|  |  | | |  |
| Poor Practice is normally related to the behaviour of an individual which contravenes the code of conduct or NGB/club/school policies, infringes an individual’s rights and/or is a failure to fulfil the highest standards of care. Examples may include – shouting, swearing, excluding individuals in sessions, not following health and safety guidelines, smoking during sessions. | | | | |
|  |  | | |  |
| Abuse is any form of physical, emotional or sexual mistreatment or lack of care that leads to injury or harm. Abuse isn’t always physical and grooming is what leads to abuse. Examples may include – texting inappropriate messages, hitting, bullying, and inappropriate touching. physical and grooming is what leads to abuse. Examples may include – texting inappropriate messages, hitting, bullying, and inappropriate touching. | | | | |
|  | |  |  | |
| POOR PRACTICE | |  | POSSIBLE CHILD ABUSE | |
|  | |  |  | |
| Pass on to Safeguarding Lead and if appropriate, the staff member's line manager | |  | Contact the Police and Local Authority Designated Officer (LADO) and pass on your recordings.  **(Follow and implement as required any Energise Me Policies)** | |
|  | | | | |
| **Local Authority Designated Officers (LADO) and Children’s Services / Social Care**  **Hampshire Contact Information**  **Isle of Wight Contact Information**  **Portsmouth Contact Information**  **Southampton ContactInformation**  **Common Contact Information (for Hampshire Police)**  **See Overleaf** | | | | |

Contacts

Report a Concern

WORRIED ABOUT YOURSELF, A FRIEND OR A CHILD OR YOUNG PERSON YOU KNOW? PLEASE CONTACT:

For children living in the Hampshire Local Authority Area, the [Interagency Referral Form](https://forms.hants.gov.uk/en/AchieveForms/?form_uri=sandbox-publish://AF-Process-7e6115a7-b0ba-484d-991f-084c1248ac72/AF-Stage-52cf8e73-0daf-47d4-bb55-0fdad856d3e6/definition.json&redirectlink=/en&cancelRedirectLink=/en) should be used when making a referral. The [Hampshire Safeguarding Children Board and Children’s Trust Thresholds Chart](http://www.hants.gov.uk/socialcareandhealth/childrenandfamilies/safeguardingchildren/thresholds) can help you to identify the risks and types of services a family may need.

You do not need to know everything about the child before contacting Children’s Services. If you are concerned, it is important that you talk to someone about this.

More information on how to make a referral can be found on the [4LSCB procedures website](http://4lscb.proceduresonline.com/hampshire/p_referrals.html).

Hampshire Children’s Reception Team (CRT): 0300 555 1384

Other Local Authority Contacts

Isle of Wight Children’s Services: 01983 814 545

Portsmouth Children’s Services: 0845 671 0271

Southampton Children’s Services: 02380 833 336

**IN AN EMERGENCY CONTACT THE POLICE - 999**

CONCERNED ABOUT SOMEONE WORKING WITH CHILDREN?

If you have a concern about a member of staff working with children (in either a paid or voluntary capacity), contact the Local Area Designated Officer (LADO) on 01962 876364

Services for Children

For further information on all services for children, young people and their families in Hampshire please see the Family Information and Services Hub: [https://fish.hants.gov.uk](https://fish.hants.gov.uk/)

Appendix 2

Example Child Protection Incident Report Form

|  |  |
| --- | --- |
| Your name: Your position:  Your address: Your phone number/s: | |
| Child’s name: Child’s address:  Date of birth: | |
| Parents/carers names and address: | |
| Date and time of any incident: | |
| Your observations: | |
| Exactly what the child said and what you said: | |
| Action taken so far: | |
| Alleged / suspected abusers’:  Name:  Address: | |
| External agencies contacted (date & time) | |
| **Police**  yes/no | If yes – which:  Name and contact number:  Details of advice received: |
| **Social services**  yes/ no | If yes – which:  Name and contact number:  Details of advice received: |
| **LADO**  **yes/ no** | If yes – which:  Name and contact number:  Details of advice received: |
| **NGB**  yes/no | Name and contact number:  Details of advice received: |
| **Local authority**  yes/no | If yes – which:  Name and contact number:  Details of advice received: |
| **Other**  (e.g. NSPCC) | Which:  Name and contact number:  Details of advice received: |

|  |
| --- |
| Signature: Print name: |
| Date: |

**NB This form should be received by the Strategic Lead for Insight and Workforce (Lead Safeguarding Officer) who will forward it to Children’s Services within 24 hrs – immediately after completing the form, telephone the Strategic Lead for Insight and Workforce (Lead Safeguarding Officer) to report the incident (01962 676373).**

APPENDIX 3 GUIDELINES ON PHOTOGRAPHY AND USE OF VIDEO

Introduction

Energise Me is committed to providing a safe and enjoyable environment for young people. Implicit in this, is the commitment to ensure that all publications, resources and media represent participants appropriately. By adopting points outlined below, we endeavour to put into place the best possible practice to protect young people wherever photographs or recorded images are taken.

The following general principles will be followed for use of photography and video:-

Images should convey the best principles and aspects of the sport, such as fairness and safety

Images of a young person, who is under a court order, will not be recorded or published

The photograph should ideally focus on the activity. Where possible images of children / young people should be recorded in small groups.

Use of images of young people on the web or in publications

There have been concerns about the risks posed directly and indirectly to children and young people through the use of photographs on websites. Photographs can be used as a means of identifying children when they are accompanied with personal information. Secondly, the content of the photo can be used or adopted for inappropriate use and there is evidence of this adapted material appearing on child pornography sites.

The following procedures will be undertaken to minimise the potential for misuse:

* If a young person is named, their photograph will not be used
* If a photograph is used, the name will not appear in the caption
* Parental permission will be gained prior to an image of a young person being used
* Only images of players in suitable dress will appear, to reduce the risk of inappropriate use. It is difficult to specify exactly what is appropriate given the wide diversity of sports. There are some sports activities, such as swimming, gymnastics and athletics, for example, where the risk of potential misuse is much greater than other sports. With these sports, the content of the photograph should focus on the activity not on the particular child, and should avoid full face and body shots.
  1. Using video as a coaching aid

Coaches and teachers should still be allowed to use video equipment as a legitimate coaching aid. However, young people and their parents/carers should be aware that this is part of the coaching programme and care should be taken in the storing of such films.

Use of Photographic Filming Equipment at Events

There is evidence that some people have used sporting events as an opportunity to take inappropriate photographs or film footage of young and disabled sports people. Whilst this might be rare, all those involved in sport have a duty of care to young and vulnerable people to ensure that the risk is as small as possible. The following guidelines / procedures should be adopted for all partnership events.

Social Media

Our guidance is that individuals do not post photo’s on social media unless it is of themselves or their own child/children.

Parental / Guardian consent

Permission should be gained from all parents/guardians prior to photographs being taken at events. (Player registration forms will include this information).

Use of professional photographers / filming / video operators

If a professional photographer or members of the press are invited to an event / activity, the following procedures should be adopted:

* Provide a clear brief about what is considered appropriate in terms of content and behaviour
* Issue the photographer with identification which must be worn at all times
* Inform the athletes and parents that a photographer will be in attendance at an event and ensure they consent to both the taking and publication of films/photographs
* Unsupervised access to athletes or one to one photo sessions at events will not be permitted
* Photo sessions outside the event or at an athletes’ home will not be permitted

Parents / other spectators

Any parents / carers or other spectators intending to photograph or video at the event, should be made aware of the following procedures: -

* Spectators will be asked to register at the event, if they wish to use photographic equipment
* Once registered, spectators will be issued with an identification label which will then identify them as being authorised to use photographic equipment
* Event organisers should approach and challenge any person taking photographs who has not registered. If this person continues to record images unauthorised, the matter should be referred to the local police
* Athletes and parents will be informed that if they have any concerns, they can report these to the event organiser
* Any concerns regarding inappropriate or intrusive photography should be reported to the event organiser and recorded in the same manner as any other child protection concern.

Public Information

The specific details concerning photographic/video and filming equipment should, where possible, be published prominently in event programmes and displayed at the event venue. The following wording should be included in event programmes, where appropriate:

‘In line with recommendations in the Child Protection Policy, we request that any person wishing to engage in any video, zoom or close range photography should register their details with event staff before carrying out any such photography.

*The event organiser reserves the right to decline entry to any person unable to meet or abide by the event organiser’s conditions. If you are concerned about any photography taking place at this event, please contact the event organiser.’*

Appendix 4 Key Contacts and Sources of Information

|  |  |  |
| --- | --- | --- |
| Energise Me | Designated Safeguarding Officer | 01962 676373 |
| Deputy Lead Officer | 01962 676374 |
| Enquiries | 01962 676165 |
| Hampshire Police |  | 01962 841534 |
| **In an emergency dial 999** | | |
| Hampshire County Council | Hampshire Children’s Services | 0300 555 1384 |
| National Help Lines | NSPCC | 0808 800 5000 |
| NSPCC Textphone | 0800 056 0566 |
| Child Line | 0800 1111 |
| Swim Line | 0808 100 4001 |
| Football Association | 0808 800 5000 |
| National Governing Body Safeguarding Contacts | | |
| To find out contact details for the Lead Safeguarding Officer for a National Governing Body of sport, visit the Child Protection in Sport Unit Website  **Navigation within the Child Protection in Sport Unit Website**  ‘Help & Advice’  ‘need to deal with a concern’  ‘contact your national  governing body’  [www.thecpsu.org.uk](http://www.thecpsu.org.uk) | | |

Appendix 5

Code of Conduct and Good Practice Guidelines

Code of Conduct

Sports coaching helps the development of individuals through improving their performance.

This is achieved by:

* identifying and meeting the needs of individuals
* improving performance through a progressive programme of safe, guided practice, measured performance and/or competition
* creating an environment in which individuals are motivated to maintain participation and improve performance.

Coaches should comply with the principles of good ethical practice listed below in regard to both offline and

online contact.

1. Coaches must respect the rights, dignity and worth of every person and treat everyone equally within the context of their sport.
2. Coaches must place the well being and safety of the performer above the development of performance. They should follow all guidelines laid down by the sports governing body and hold appropriate insurance cover.
3. Coaches must develop an appropriate working relationship with performers (especially children), based on mutual trust and respect. Coaches must not exert undue influence to obtain personal benefit or reward.
4. Coaches must encourage and guide performers to accept responsibility for their own behavior and performance.
5. Coaches should hold up-to-date and nationally recognised governing body coaching qualifications.
6. Coaches must ensure the activities they direct or advocate are appropriate for the age, maturity, experience and ability of the individual.
7. Coaches should, at the outset, clarify with performers (and where appropriate with their parents) exactly what is expected of them and what performers are entitled to expect from their coach. A contract may sometimes be appropriate.
8. Coaches should cooperate fully with other specialists (e.g. other coaches, officials, sports scientists, doctors, and physiotherapists) in the best interests of the performer.
9. Coaches should always promote the positive aspects of their sport (e.g. fair play) and never condone rule violations or the use of prohibited substances.
10. Coaches must consistently display high standards of behavior and appearance.

Good Practice Guidelines

All personnel in sport should be encouraged to demonstrate exemplary behaviour when in contact or working with young people. The following are common sense examples of how to create a positive culture and climate within sport:

Good practice means:

* always working in an open environment (e.g. avoiding private or unobserved situations and encouraging an open environment (e.g. no secrets)
* treating all young people equally, and with respect and dignity
* always putting the welfare of each young person first, before winning or achieving goals
* maintaining a safe and appropriate distance with performers (e.g. it is not appropriate to have an intimate relationship with a child or to share a room with them)
* building balanced relationships based on mutual trust which empowers children to share in the decision-making process
* making sport fun, enjoyable and promoting fair play
* ensuring that if any form of manual/physical support is required, young people and parents should always be consulted and written consent gained.
* keeping up to date with the technical skills, qualifications and insurance in sport
* involving parents/carers wherever possible (e.g. for the responsibility of their children in the changing rooms). If groups have to be supervised in the changing rooms, always ensure parents/teachers/coaches/officials work in pairs
* ensuring that if mixed teams are taken away, they should always be accompanied by a male and female member of staff. (NB However, same gender abuse can also occur.)
* ensuring that at tournaments or residentials, adults should not enter children’s rooms or invite children into their rooms
* being an excellent role model – this includes not smoking or drinking alcohol in the company of young people
* giving enthusiastic and constructive feedback rather than negative criticism
* recognising the developmental needs and capacity of young people – avoiding excessive training or competition and not pushing them against their will
* keeping a written record of any injury that occurs, along with the details of any treatment given
* ensuring equipment and facilities are safe and appropriate to the age and ability of the child
* ensuring that the use of photographic and filming equipment is appropriate and permission of parents has been sought
* ensuring high standards are maintained at all times

Practice never to be sanctioned

The following should **never** be sanctioned. You should never:

* spend excessive amounts of time alone with children away from others.
* take children alone on car journeys
* engage in rough, physical or sexually provocative games, including horseplay
* share a room with a child
* allow or engage in any form of inappropriate touching
* allow children to use inappropriate language unchallenged
* make sexually suggestive comments to a child, even in fun
* reduce a child to tears as a form of *control*
* allow allegations made by a child to go unchallenged, unrecorded or not acted upon
* do things of a personal nature for children or disabled adults, that they can do for themselves
* invite or allow children to be with you at your home unsupervised
* constantly shout at and/or taunt a young person to ` keep control`.

If cases arise where these situations are unavoidable, they should only occur with the full knowledge and consent of someone in charge of the organisation or a person with parental responsibility for the young person.

If any of the following incidents should occur, you should report them immediately to another colleague and make a written note of the event. Parents/carers should also be informed of the incident:

* if you accidentally hurt a performer
* if he/she seems distressed in any manner
* if a performer appears to be sexually aroused by your actions
* if a performer misunderstands or misinterprets something you have done.

Be Aware

It may sometimes be necessary for staff or volunteers to do things of a personal nature for children, particularly if they are young or are disabled. These tasks should only be carried out with the full understanding and consent of parents and the performers involved. There is a need to be responsive to a person’s reactions. If a person is fully dependent on you, talk with him/her about what you are doing and give choices where possible. This is particularly so if you are involved in any dressing or undressing of outer clothing, or where there is physical contact, lifting or assisting a child to carry out particular activities. Avoid taking on the responsibility for tasks for which you are not appropriately trained.

Appendix 6

The Protection of Children Act 1999

‘This Act enhances significantly the level of protection for children. However, it remains of paramount importance that all organisations entrusted with the care of children practise the full range of pre-employment checks. This includes interviews, the full investigation of applicant’s employment history and taking up references.’ John Hutton, Minister of State, July 2000.

The Main Provisions of the Act

The Act makes four principal changes to the Law:

* It places the existing Department of Health Consultancy Index (a list of persons considered to be unsuitable to work with children) on to a statutory basis. It then provides names to be referred to this newly created Protection of Children Act List and provides a right of appeal to a new Tribunal against the inclusion on the Protection of Children Act List (and also inclusion on List 99). It also extends the scheme to health care services provided to children.
* It amends 218 of the Education Reform Act 1988 to enable the Department for Education and Employment to identify people who are put on List 99 because they are not fit and proper persons to work with children.
* It amends Part V of the Police Act 1997 to enable the Criminal Records Bureau, when established, to disclose information about people who are included on the Protection of Children Act List or List 99 along with their criminal records. In this way, the Act provides for a ‘one-stop-shop’ system of checking persons seeking to work with children.
* It requires child care organisations (as defined in the Act) proposing to employ someone in a child care position (as defined) to ensure that individuals are checked through the ‘one-stop-shop’ against the Protection of Children Act List and the relevant part of List 99, and not to employ anyone who is included on either list.

The Act also contains other provisions, the most important of which are:

* To enable organisations (other than childcare organisations as defined within the Act) to refer names to the Protection of Children Act List
* To permit the Secretary of State to consider the transfer of names currently held on the DH Consultancy Index to be transferred to the Protection of Children Act List
* To allow organisations to access the new Protection of Children Act List and List 99 without first going through the Criminal Records Bureau until such time as the ‘one-stop-shop’ comes into operation within the Bureau.

Although sporting organisations are not covered by the mandatory aspects of the Act (unless they meet the definition of a child care organisation, they are encouraged to refer names to the Secretary of State for consideration of inclusion on the POCA List. Sporting organisations are also reminded that while it is not mandatory for them to carry out these checks, they are still considered an essential part of the pre-employment process.

Appendix 8



**CPSU BRIEFINGS**

**Guidelines on transporting a children or young people in your car**

**Introduction**

The issue of transporting children to and from their sports activities safely can present challenges for sports clubs. Many sports clubs could not operate without the good will of volunteers and parents/carers ensuring that children are transported to and returned home from events in a private car.

It is reasonable for clubs and activity organisers to place full responsibility on parents for ensuring appropriate transport arrangements are made. Where parents/carers transport their own children, or make private arrangements with other parents/carers to deliver or collect their children, they are responsible for their children’s safety and for the suitability of any travel arrangements.

However, where the activity deliverer, club or coach is organising transportation of its young members and asks or requires parents to transport other people’s children on the club’s behalf the organiser has a responsibility to take reasonable steps to safeguard these young people for whom they have a duty of care.

**What are the Issues?**

The CPSU encourages coaches or other volunteers/staff not to take children on journeys alone in their car. The vast majority of coaches and volunteers will help out through their genuine desire to see children or their particular sport develop. Unfortunately we must face the reality that a minority of others will join a sports club to gain access to children to harm them.

There have in the past been many opportunities within the sport setting for those who wish to harm children to isolate a particular child. Thankfully Sports Governing Bodies are reducing this possibility in most coaching sessions, but the inappropriate transport arrangements can still leave children vulnerable.

**Key considerations**

Best practice is clearly to avoid transporting a child alone, but we recognise that in some circumstances it is an essential part of a child’s participation in training and competition. If all alternatives have been exhausted and an adult has to transport a child, there are a number of safety measures that should be put in place to minimise the risk:

* Establish the suitability of any driver. The driver like all coaches/volunteers who have unsupervised access to children in your organisation, should have agreed to a vetting check (where appropriate) and be carried out as part of wider safe recruitment procedures.
* Parents/carers should be informed of transport arrangements including the person who will be transporting their child, the reasons why and how long the journey will take.
* A person other than the planned driver should talk to the child about transport arrangements to check they are comfortable about the plans.
* Organisations/clubs must ensure drivers representing the club have valid car insurance, MOT and driving licence prior to carrying any passengers.
* We advise the individual/driver to check with their own insurance company if they want to use their car as part of their paid/volunteer role.
* Organisations/clubs should try to ensure there is more than one child in the car.
* When transporting children after a match or training session coaches/volunteers should alternate which child is dropped off last. Ideally two children would be dropped off at an agreed point such as one of their family homes.



Vetting checks are carried out by the Disclosure and Barring Service in England and Wales, AccessNI in Northern Ireland, Disclosure Scotland and Garda Central Vetting Unit in Republic of Ireland.

**CPSU BRIEFINGS**

* The person who returns the children to the agreed point, such as family home, should

be alternated; this would reduce the risk of any one individual frequently being alone with a particular child or group.

* The driver should have a point of contact and mobile phone should they break down.
* Ensure that children are aware of their rights to be safe and that they have someone to turn to or report any concerns they may have. If a culture of safety is created within the club then the child is more likely to talk to another person if they are feeling uncomfortable about a situation.
* Late collections can present clubs and coaches with particular difficulties. Parents/carers should be provided with guidelines addressing the issue and outlining their responsibility and the consequences of late collections. Clubs should have contact numbers for parents/carers and if possible be provided with an alternative contact number. Parents/carers should have a contact number for the club/coach to inform them of emergencies and possible late collections.
* Children should wear seatbelts at all times. The following is guidance regarding the seat-belt law which was introduced in September 2006, for more information please visit https://www.gov.uk/seat-belts-law/overview.

Children **must** have an appropriate child restraint or seatbelt when travelling in a car or goods vehicle.

* Under 12 years old or 135cm tall must use the right type of booster chair or booster cushion
* Older children should use an adult seatbelt

**Alternative transport**

If taxis are used by your organisation/club, there is no child restraint available; children can travel in the back seat of taxis. Those over 3 must use the adult seatbelt.

Sometimes parents/carers may be asked to drive a minibus on behalf of the organisation/club. Passengers on minibuses will be required to wear seat belts where fitted and the driver will be responsible for making sure that children under 14 use their seatbelts. If seatbelts are fitted on a bus, passengers must use them. The driver will be responsible for letting people know that they must use seat belts.

**These are European rules so they apply in the UK, the Republic of Ireland and all countries in the European Union.**

*Sign up now to the CPSU E-Newsletter, we can email you the latest information about child protection in sport, visit the* ***CPSU website****. Follow us on Twitter* ***@TheCPSU***

(***Nov 2014***)

**Appendix 9**

The Child Safeguarding Practice Review and Relevant Agency (England) Regulations 2018 Information for sports organisations.

This note has been prepared by the Department for Digital, Culture, Media and Sport in liaison with the Department for Education to highlight the new aspects of the *Working Together to Safeguard Children: a guide to inter-agency working to safeguard and promote the welfare of children* statutory guidance (published on 4th July 2018) which have implications for sports organisations. 1

This note does not constitute, or replace, statutory guidance. It is intended to provide additional information for sports organisations.

Q&A for sports organisations

**Q. Which new aspects of *Working Together* affect sports organisations?**

A. Sports organisations have been included in this guidance for the first time, to reflect the importance of these organisations in safeguarding children. All sports organisations continue to have duties under Section 11 of the Children Act

2004, to ensure their functions, and any services that they contract out to others, are discharged having regard to the need to safeguard and promote the welfare of children. This has not changed.

The Children and Social Work Act 2017 (“the Act”) replaces Local Safeguarding Children Boards with new local safeguarding arrangements, led by three safeguarding partners (local authorities, chief officers of police, and clinical commissioning groups). The Act places a duty on these safeguarding partners to make arrangements for themselves and any relevant agencies they deem appropriate to work together for the purpose of safeguarding and promoting the welfare of children in their area. Sports organisations are listed as a relevant agency. This is new.

**Q. What are relevant agencies, and why are sports organisations included?**

A. Relevant agencies are organisations which can be called upon by the safeguarding partners in a local area to join their formal arrangements. The safeguarding partners will consider which relevant agencies to include in their arrangements, based on an assessment of local needs and risks.

The Department for Education’s consultation on the new *Working Together* guidance in Autumn 2017 included draft regulations which provided a list of suggested relevant agencies. During this exercise, government received feedback that sports organisations should be included. As a result, the ‘Child Safeguarding Practice Review and Relevant Agency (England) Regulations 2018’ lists “ Any person or body involved in the provision, supervision or oversight of sport or leisure” as a relevant agency . Inclusion on the list of relevant agencies in regulations does not mean that an organisation will automatically be approached by the safeguarding partners. In addition to being listed in regulations, a relevant agency must also exercise functions in the local area in relation to children.

**Q. What does this mean for sports organisations?**

A. Sports organisations which exercise functions in relation to children may be asked to join local multi-agency safeguarding arrangements. If you are asked to join local arrangements, you have a duty to cooperate.

**Q: As a small, local club are these new regulations relevant to me at all?**

A: Yes. In addition to complying with any NGB safeguarding requirements, your club should also ensure that its safeguarding arrangements and procedures reflect the relevant local safeguarding arrangements. For example, in the event that safeguarding cases or issues arise within your (or another) sports club, the local safeguarding partners might develop measures which you will be required to contribute to or comply with.

**Q: What kind of sports organisations are likely to receive requests to become ‘relevant agencies’? We are a small, volunteer-led sports club – are we likely to be involved?**

A: Relevant agencies are selected to assist local safeguarding partners in their duty to ensure that adequate arrangements are in place to safeguard children across the full range of sectors and settings, including sport and leisure. This is likely to involve organisations large enough to support strategic plans and developments, such as County Sports Partnerships or leisure providers. It is unlikely that a local sports club would be asked to become a relevant agency, but it is possible.

Any safeguarding arrangements implemented locally will apply to any context which involves the provision of services for children – including small local sports clubs.

**Q. What will happen if my organisation is chosen as a relevant agency?**

A. The lead partners will consult with you to make sure their expectations of your involvement in the local arrangements take account of the nature and circumstances of your organisation. These discussions may cover topics such as attendance at meetings and whether a financial contribution to local safeguarding arrangements is required. In each case, the lead partners will ensure that any requests made of relevant agencies are proportionate and fair.

**Q. What if I’m a volunteer, or my organisation has limited safeguarding expertise?**

A. We suggest that you discuss this with the safeguarding partners when they consult with you. You may wish to explore whether a safeguarding representative from your National Governing Body or County Sports Partnership (for example) can join the arrangements in your place, or alongside you.

**Q. Where can I go for more information?**

A. *Working Together* explains the context for these regulations and how multi-agency safeguarding arrangements will work. If you have any questions about the *Working Together* guidance, please contact your Local Authority Designated Officer or the Department for Education. Sports clubs and local organisations may wish to contact their National Governing

Body or local County Sports Partnership for advice if they are approached to be a relevant agency.

**1** [**https://www.gov.uk/government/publications/working-together-to-safeguard-children--2**](https://www.gov.uk/government/publications/working-together-to-safeguard-children--2)