



BIRMINGHAM SPORT AND ACTIVITY TRUST (Sport Birmingham)

POLICY FOR SAFEGUARDING AND PROTECTING YOUNG PEOPLE

IN SPORT & PHYSICAL ACTIVITY

Reviewed December 2016

Foreword

Taking part in Sport and Physical Activity can make an important and memorable contribution to children's lives and future development.

As well as the positive health benefits of an active lifestyle, community sport provides children and adults with the opportunity to learn new skills, build confidence, resilience and self-esteem.

Above all it gives everyone involved the opportunity to fulfil or maximise their own unique potential.

Everyone working with children and young people is first and foremost in a position of trust, influence and responsibility.

It is important that children and young people aspire to the highest standards and values we can offer and encourage, through enjoyable experiences in positive and safe sport environments.

Those of us who by virtue of our position as a volunteer or a professional should be prepared to commit to always act in their best interest - and to this end I am more than happy to affirm the commitment of the Board of Directors and to endorse both this Policy and the Implementation Plan which goes with it.

Mike Chamberlain
Chief Executive Officer
Birmingham Sport and Physical Activity Trust

Matt Lloyd
Vice – Chairman
Birmingham Sport and Physical Activity Trust

INTRODUCTION

Birmingham Sport and Physical Activity Trust is committed to providing safe, enjoyable activities and sporting opportunities for all young people. We have a moral and a legal obligation to ensure that we have the highest possible standard of care for those children and young people who use our service.

We believe that children and young people have the right to be safe, secure and free from threat.

We believe that everyone has the right to be treated with respect and to have their concerns listened to and acted upon.

To this end the following Policy Document has been compiled for guidance and to raise awareness for all staff working for the partnership, whether paid or unpaid.

This policy will be reviewed every 3 years or earlier in light of changes in regulations, significant incidents or if requested to do so by relevant partner organisations.

The purpose of the policy is to safeguard children and young people in sport and to facilitate the best possible practice from its staff and volunteers.

Failure to comply with the policy and procedures will be addressed without delay and may ultimately result in dismissal/exclusion from the organisation.

As part of our safeguarding policy we will:

- promote and priorities the safety and wellbeing of children and young people
- ensure everyone understands their roles and responsibilities in respect of safeguarding and is provided with appropriate learning opportunities to recognise, identify and respond to signs of abuse, neglect and other safeguarding concerns relating to children and young people
- ensure appropriate action is taken in the event of incidents / concerns of abuse and support is provided to the individual/s who raise or disclose the concern
- ensure that confidential, detailed and accurate records of all safeguarding concerns are maintained and securely stored
- prevent the employment / deployment of unsuitable individuals
- Ensure robust safeguarding arrangements and procedures are in operation.

National Governing Bodies have their own Child Protection Guidelines that have been approved by the NSPCC. Their guidelines will complement this BSPAT Policy but in any area of doubt the BSPAT Policy will overrule.

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OUR COMMITMENT:

We will endeavor to:

- Ensure that our staff and volunteers are effectively selected, trained and supervised.
- Ensure that clear procedures are in place and understood by all staff and volunteers for implementing this policy
- Provide clear procedures for parents /carers and children to voice their concerns or lodge complaints about any issue.

1.1 Policy Aims

This Safeguarding and Child Protection Policy is mandatory for all staff working for the Partnership and is provided as part of an induction package to all those employed, whether paid or unpaid, who will have direct contact with children.

The aims are:

- To create a healthy and safe environment at all activities, sport programs and sessions.
- To ensure children are listened to, and kept safe from harm.
- To support and encourage parents /carers to voice their opinions regarding the welfare of participants.
- To ensure staff and volunteers who administer sessions are well informed, supported and enabled to provide the best possible practice.

1.2 Objectives

The objectives are:

- To raise the level of awareness of staff and volunteers about abuse and it's various forms.
- To raise the level of awareness of staff and volunteers about what all vulnerable participants are entitled to be protected from.
- To ensure that all staff are able to recognise signs and symptoms which could signify abuse.
- To promote the general welfare, health and full development of all participants during all sessions.
- To develop effective procedures in recording and responding to accidents and complaints and to alleged or suspected incidents of abuse.

1.3 Communication

- All staff working within the Partnership will receive, on appointment, training on the Partnership Safeguarding Policy as part of their induction.
- All staff already working for the Partnership will undergo awareness training within 3 months of the formal adoption of the policy.
- All participants in any Partnership activity will be issued with, and sign a Code of Conduct (Appendix A) and receive details and contact number of the relevant

Manager for airing concerns.

- Parents / Carers of participants will be issued with details of the Partnership's aims regarding Safeguarding and also the Participant's Code of Conduct.

1.0 RECRUITMENT, EMPLOYMENT AND DEPLOYMENT OF STAFF AND VOLUNTEERS

2.1 Recruitment and Selection of Staff / Volunteers

All successful applicants for posts and all current casual staff in regulated activity (either paid or unpaid) involving direct contact with children will be subject to a DBS check to ensure that there is no cause for concern plus 2 character references.

For further details refer to Safer Recruitment Policies within Staff Handbook Copies available in the Office.

2.2 Induction and Training

Relevant training will follow up the recruitment and selection process.

- All staff and volunteers on appointment will, as part of their induction, receive access to a copy of the Employee Handbook and updates and training on the Partnership Safeguarding policies.
- All staff will be expected to undertake regular training / updates on Child Protection Awareness – (at least every 3 years).
- Staff will be made aware that child abuse can and does occur and that colleagues, who are members of staff or volunteers, could perpetrate it.
- It is made clear that most abusers are not the monsters most people picture them to be, but ordinary men and women who can be extremely, clever, manipulative and powerful.
- All staff will be made aware that children can find it very difficult to talk about abuse; they need to be listened to, taken seriously, and have their concerns acted upon.
- Staff will be made aware of what they need to do in response to concerns.

3.0 PROMOTING GOOD PRACTICE

3.1 Duty of Care

Duty of care means that a sports body needs to take such measures as are *reasonable* in the circumstances to ensure that individuals will be safe to participate in an activity to which they are *invited to* or which is *permitted*. Where there is a formal relationship, for example between a club and a club member, or a coach and an athlete, **there is a Duty of Care**.

When children and young people are involved in organised sports activities and are to any extent under the care and / or control of one or more adult(s), the adult(s) have a duty to take reasonable care to ensure their safety and welfare.

This duty occurs in two ways: A

Legal Duty of Care

A **Moral** Duty of Care

The **Legal Duty of Care** has a strict definition. The most obvious example of this is in Health and Safety procedures where clear guidance is provided about what reasonable steps should be taken to minimise the hazards related to activities, substances or situations.

In many sports activities, given the health and safety considerations, it is recognised that a sports organisation or individual (e.g. coach) owes a duty of care to its members. However, it is also understood and recognised that accidents can and do happen, and that it is not possible to predict every eventuality. Liability for the legal duty of care would only arise when an incident occurs and it can be demonstrated that *the risk was foreseeable but no action had been taken to remedy it*.

The **Moral Duty of Care** is more correctly a *responsibility* for safety and welfare. **Members of staff have a responsibility for those children and young people or vulnerable adults, and other staff, who are under their control.** To determine if a breach of the duty of care has occurred the ordinary civil law of negligence would be applied. The question is whether the accused in acting, or omitting to act, has failed to reach the standard of *a reasonable person*.

In specialist sports activities the qualified instructor has a duty of care for all those taking part irrespective of their age or position.

- The individual administering the activity, whatever their status, should be appropriately trained and authorised.

In addition to this, those in charge of children have an additional charge and that is to act "*in loco parentis*". This term is best explained as requiring the adult to act as "a reasonable parent".

3.2 All staff and volunteers working for The Partnership must sign and abide by the Staff Code of Conduct. (See Appendix A)

The Code of Conduct is partly a value statement but also a useful framework and tool to reduce situations where abuse may occur. The following is a broad overview of the care which should be taken when working within a sports/leisure context.

You should:

- Treat all children and young people with respect.
- Provide an example for good conduct you wish others to follow.
- Ensure that whenever possible there is more than one adult present during activities with children and young people, or at least that you are within sight or hearing of others.
- Respect a young person's right to personal privacy and encourage young people to feel comfortable and caring enough to point out attitudes or behaviours they do not like.
- Remember that someone else might misinterpret your actions, no matter how well intentioned.
- Be aware that even physical contact with a child or young person may be misinterpreted.
- Recognise that special caution is required when you are discussing sensitive issues with children or young people.
- Operate within the Partnership's principles, guidance and procedures.
- Challenge unacceptable behaviour and report all allegations / suspicions of abuse.
- The member of staff must always place the wellbeing and safety of the performer above the development of performance.
- **Staff should build relationships which are balanced and based on mutual trust which empowers children to share in the decision- making process.**

You should not:

- Have inappropriate physical or verbal contact with children or young people.
- Allow yourself to be drawn into inappropriate attention-seeking behaviour or make suggestive or derogatory remarks or gestures in front of children and young people.
- Jump to conclusions about others without checking facts.
- Either exaggerate or trivialise child abuse issues.
- Show favoritism to any individual.
- Rely on your good name or that of the Partnership to protect you.
- Believe 'it could never happen to me'.
- Take a chance when common sense, policy or practice suggests another more prudent approach.
- You should give guidance and support to inexperienced helpers.

3.3 Physical Contact and Young People in Sport

There are a number of principles that should be followed when the activity involves physical contact.

Physical contact during sport should always be intended to meet the participants' needs, NOT the adult's. The adult should only use physical contact if their aim is to:

- To treat an injury.
- To prevent an injury or accident from occurring.
- To meet the requirements of the sport or develop sports skills or techniques but in strict accordance with guidelines recommended by the relevant National Governing Body.

The adult should always seek to explain the nature and reason for the physical contact. Unless the situation is an emergency, the adult should ask for permission.

It is good practice for sport clubs, as part of an induction process or pack for new members, to explain, or give written guidance, to parents/carers and their children or vulnerable adults, about any physical contact that will be required as part of that activity. Participants should be encouraged to voice concerns they have if any physical contact makes them feel uncomfortable or threatened.

Contact should not involve touching genital areas, buttocks, breasts or any other part of the body that might cause a child distress or embarrassment. Physical contact should always take place in an open or public environment and not take place in secret or out of sight of others.

If in any doubt please consult with the National Governing Body of Sport in question. (See Appendix B)

Physical punishment

Any form of physical punishment is unlawful, as is any form of physical response to misbehavior unless it is by way of restraint. It is particularly important that adults understand this both to protect their own position and the overall reputation of the organisation in which they are involved.

3.4 Supervision of Children

Making arrangement for the proper supervision of children is one of the most effective ways to minimise opportunities for participants to suffer harm of any kind whilst in your care.

- Organisers should provide clear guidance for parents, staff and participants.
- Leaders in charge must be satisfied that those workers and adults who accompany group parties are fully competent to do so.
- Children and vulnerable adults must be supervised at all times, preferably by two or more adults and must not be left unsupervised at any venue whether it be indoors or out.
- Leaders in charge should at all times, know where participants are and what they are doing.
- Any activity using potentially dangerous equipment should have been risk assessed and be subject to constant adult supervision.
- Dangerous behavior by children should not be allowed.

3.5 Code of Conduct for Children and Young People

Those children participating in the Partnership's activities will be requested to sign a Code of Conduct for Participants (see Appendix C)

3.6 Staffing/Supervision Ratios

Risk Assessments should be available for every activity. For coached activities we would expect NGB coach to child ratios to be observed. Please contact the relevant NGB for this information.

3.7 Working with Disabled Participants

It is recognised that some children or young people may be more vulnerable than others to abuse or harm. They may find it more difficult to recognise and report abuse and to be believed.

Staff working with disabled children and young people will have regular updates on safe / best practice through the Disability Manager. Is it clear who this is?

3.8 Guidelines for Photography

The Partnership is keen to promote positive images of young people participating in sport and is not banning the use of photographic or video recording equipment. However, there is evidence that some people have used sporting events as an opportunity to take inappropriate photographs and / or film footage of young people.

It is not the intention of-the Partnership to prohibit those with a genuine interest in

filming or photographing young people participating in sport but appropriate written consent is required to be gained before images are taken and used. Please see Appendix D for further guidance and Appendix E for consent proforma.

3.9. Guidelines for Transporting Children

Car Journeys is this heading needed?

The key points are:

- When parents make the travel arrangements to and from an activity without the knowledge of the organising body it is the responsibility of the parents to ensure the arrangements are both safe and appropriate.
- When an organisation makes the arrangements for travel there must be a risk assessment undertaken by members of staff and volunteers. The risk assessment will need to cover the following areas:
 - Ensuring all vehicles are correctly insured.
 - Ensuring all drivers have a valid and appropriate license.
 - Ensuring all safety measures are available i.e. seatbelts and booster seats
 - Ensuring an appropriate child-adult ratio
 - Ensuring all drivers have adequate breaks
- It is also important that wherever possible children are in the back seat of a car. The legal requirements also states that there are seatbelts and booster seats where appropriate; this is for health and safety reasons.
- Where a journey is planned, written parental / carer consent is necessary if a volunteer or member of staff is to be transporting children including consent for the named driver to transport their child.

Along with safeguarding the children it is also important that any members of staff or volunteers are aware of the good-practice that is required to protect them:

- A collection policy needs to be agreed with parents / carers which will ensure a clear understanding of collection arrangements between all involved.
- Always tell another member of staff that you are transporting a child, giving details of routes, length of journey and arrival times.
- Take all reasonable safety measures (seat belts, booster seats).
- Take another member of staff with you where possible.
- Call the child's parents or carer to inform them you are transporting their child advising them of when you expect to arrive.

Further details can be found in Appendix F: CPSU Briefing: Away Trips and Hosting

3.10 Sharing of Information

The Partnership will share information where it reasonably believes that it is necessary to share in order to protect or safeguard a child / children. It is the responsibility of the Partnership's Lead Safeguarding Officer to make any decision to share information. Such

decisions will be made in accordance with the “Information Sharing; Practitioners’ Guide” (HM Government, 2006).

In the case of incidents / allegations that are referred out to the Social Services Department the strategy meeting will determine what information is released to the media.

Principles of information Sharing

It will be explained to children, young people and their families at the outset, openly and honestly, what and how information will, or could be shared and why. Agreement to this will be sought. The exception to this is where to do so would put that child or young person, or others at increased risk of significant harm, or if it would undermine the prevention, detection or prosecution of a serious crime, including where seeking consent might lead to interference with any potential investigation.

The Partnership will always consider the safety and welfare of a child or young person when making decisions on whether to share information about them. Where there is concern that the person in question may be suffering or is at risk of suffering significant harm, the child’s safety and welfare will be the overriding consideration.

The Partnership will, where possible, respect the wishes of children, young people and families who do not consent to share confidential information. We may still share information, if in the Lead Safeguarding Officers judgement on the facts of the case; there is sufficient need to override that lack of consent.

The Partnership will seek advice if in doubt, especially where our doubt relates to a concern about possible significant harm to a child or vulnerable adult or serious harm to others.

The Partnership will ensure that the information we share is accurate and up-to-date, necessary for the purpose for which it is being shared and shared only with those people who need to see it, and shared securely.

3.11 Use of Electronic Communication and Interactive social media technology Guidelines

This area of safeguarding is in a constant state of change and hence details of guidance is given in Appendix G which will be updated as new guidance is provided.

4.1 RESPONDING TO DISCLOSURES, SUSPICIONS OR ALLEGATIONS OF ABUSE

The Main forms of Abuse and the ways in which they may present or manifest themselves can be found in Appendix H. This appendix also covers Bullying and anti bullying policies.

4.2 What to do in responding to a child – Reporting Concerns (see Appendix Li and Lii)

It is not your role to take individual responsibility for deciding whether or not child abuse is actually taking place. However, there is a responsibility to protect children by referring to your manager. Managers will report all incidents to the Lead Safeguarding Officer and the Chief Executive Officer.

The Lead Safeguarding Officer will take the appropriate action, informing Social Services who will take responsibility for informing the police. Where there is an immediate need to protect the child from danger the police must be advised.

There should always be a commitment to work in partnership with parents or carers where there are concerns about their children. Therefore, in most situations it would be important to talk to parents or carers to help clarify any initial concerns.

However, there are circumstances in which a child may be placed at greater risk if such concerns were shared (e.g. where a parent or carer may be responsible for the abuse or not able to respond to the situation appropriately). In such situations, or where concerns still exist, any suspicion, allegations or incident of abuse must be reported to your Manager / person in charge as soon as possible.

IT IS YOUR ROLE TO REPORT NOT TO JUDGE

4.3 Dealing with Allegations against Staff/Volunteers (see Appendix M)

Should a member of staff or volunteer become aware of an allegation (against a colleague) of an incident of abuse taking; or have taken place, it is vital that the procedures already detailed must be adhered to and the following actions are covered

- Take the allegation seriously. It is your duty to consider any allegation to be potentially dangerous to children and therefore report it.
- Complete the incident report form (Appendix J) with as many details of which you are aware.
- Report the allegations and pass the form to your Manager / Lead Safeguarding Officer or Chief Executive Officer **within 24 hours**.
- In a case where a senior member of staff may be involved, report directly to the Partnership's Lead Safeguarding Officer.
- Do not judge or investigate. As an employee or volunteer it is important not to lose focus of your role. By reporting an allegation quickly, any necessary investigations and / or judgement can then be made by trained professionals.
- Maintain **confidentiality**. It is extremely important that any allegations are not discussed (unless absolutely necessary) as any breaches could be damaging to both the child and to any investigation that may follow.
- Any requests for information from members of the public (including parents) or

the media should be directed to the Partnership's Lead Safeguarding Officer and should be given the 'no comment' response.

4.4 Confidentiality

When dealing with any case / suspicion / allegation related to abuse, you must be made aware that any breaches in confidentiality can be very damaging to the child or adult involved.

It is important that the rights of both the victim and the alleged perpetrator are protected by ensuring that only those who need to know are given the relevant information.

This will mean, at the very least, informing your Manager or the Partnership's Lead Safeguarding Officer or Chief Executive

- The parents / carer of the child (only if social services ask for this to be done). Check that both points should be formatted as bullets?

Informing the parents / carers of a child about whom you are concerned must be handled in a sensitive way and only **undertaken in consultation** with the local **social services**.

Depending upon the outcome of initial enquiries, staff and other agencies that have contact with the child concerned or the alleged perpetrator may need to be given brief details of the incident and subsequent action. The statutory agency will provide advice to the Partnership's Lead Safeguarding Officer as to who should be told, when they should be told, and the kind of information which it is appropriate to share.

4.5 Timescales

- The incident must be completed and passed to the Manager / Partnership Safeguarding Lead / Chief Executive within 24 hours
- Concerns involving the immediate safety of a child must be referred immediately and passed to the Partnership Lead Safeguarding Officer (by telephone call) and followed up within 24 hours by a completed incident form
- The Partnership Safeguarding Lead will report the incident to the relevant agency and report outcomes to the Chief Executive, within 7 days
- The Partnership Safeguarding Lead will retain a copy of all completed incident forms