

## **ELITE SPORTS SKILLS (ESS)- SAFEGUARDING CHILDREN AND VULNERABLE ADULTS POLICY**

**Purpose:** To inform ESS staff, volunteers, parents/carers of their responsibilities when interacting with children and vulnerable adults.

**Approved by:** ESS Director (Brian Liston-Clark)

**Responsibility for Update:** ESS Director

**Applies to:** ESS staff, including coaches, instructors and volunteers, who work with children and vulnerable adults. Parents/carers present at ESS activities involving children and vulnerable adults

**Date of Approval:** 9 November 2010

**Proposed Date of Review:** 9 November 2011

### **Background**

1 In recent years there has been increasing concern about the safety and welfare of both children and young adults. ESS considers the welfare of under-18s as part of our duty and care obligations. Whilst there is currently no specific directive relating to ESS and its operations, legal opinion is now that there are a number of statutory and other provisions relating to child safeguarding that could be applied to ESS and which ESS would be expected to take into account. These include:

- The Education Act (2002) Section 175
- The Children Act (1989 and amendments)
- The Children Act 2004
- Working Together to Safeguard children 2006
- Safeguarding of the Vulnerable Adult guidance 2006
- Safeguarding of Vulnerable Adult Schemes
- The Children Act 1989 states the legal definition of a child is “a person under the age of 18”.
- Section 115(4) of the Police Act 1997 states that a person can be considered to be vulnerable if they are “substantially dependent upon others in performing basic physical functions, or his ability to communicate with those providing services, or to communicate with others, is severely impaired, and, as a result, he would be incapable of protecting himself from assault or other physical abuse, or there is a potential danger that his will or moral well-being may be subverted or overpowered”.

2 As a consequence ESS has taken the view that in the interests of good practice there should be a clear policy and associated practices to guide work with under-18s and vulnerable adults.

### **Principles**

3 ESS believes that children/young people have rights as individuals and should be treated with dignity and respect. ESS will strive to provide a safe environment for any young people (under 18) in its care while they are partaking in any sport or fitness activity.

4 This policy and procedures are based on the following principles:

- The welfare of young people and vulnerable adults is of primary concern.

- All young people and vulnerable adults, whatever their age, culture, disability, gender, language, racial origin, socio-economic status, religious belief and/or sexual identify have the right to safeguarding from abuse
- It is everyone's responsibility to report any concerns about abuse to the Senior Coach/Instructor or Director, and the responsibility of the Social Services Department and the Police to conduct, where appropriate a joint investigation
- All incidents of alleged poor practice, misconduct and abuse will be taken seriously and responded to swiftly and appropriately
- All personal data will be processed in accordance with the requirements of the Data Protection Act 1998.

### **Definition of Abuse**

5 Abuse is any behavior towards a person that deliberately or unknowingly causes him harm, endangers life or violates their rights. Abuse may be:

- Physical
- Sexual
- Psychological – repeatedly being made to feel unhappy, humiliated, afraid or devalued by others
- Financial or material – stealing or denying access to money or possessions
- Neglect
- Discriminatory – abuse motivated by discriminatory attitudes towards race, religion, gender, disability or cultural background

### **Responsibility**

6 All ESS staff, volunteers and parents/carers are required to take shared responsibility for the safeguarding and safety of any young people and vulnerable adults at sport and fitness activities.

7 All ESS staff are in a position of trust, in particular those staff who teach, instruct, coach, support, guide or in any way interact with young people and vulnerable adults.

8 The managerial responsibility for any program or activity rests with the individual who is directing or organizing the activity. This person is expected to:

- Ensure that the activity is planned, organized and delivered in accordance with the Safeguarding Children and Vulnerable Adults Policy
- Arrange the checking, training, induction and guidance for all staff and volunteers
- Inform the Director and complete the appropriate documentation.
- Complete a health and safety risk assessment.

9 The Director has responsibility for the oversight of the ESS Safeguarding Children and Vulnerable Adults Policy with delegated responsibility to relevant members of the staff.

10 All ESS staff are in a position of trust, in particular those staff who teach, instruct, coach, support, guide or in any way interact with children and vulnerable adults. It is incumbent all staff to be aware of this and to act accordingly at all times.

11 ESS already has processes in place to check the suitability of some staff and volunteers working directly with children and young people. Some staff members will be in regular or significant occasional contact with under-18s or vulnerable adults in the course of their coaching/instructing or other work. ESS is committed to ensuring that all such staff have satisfactory Criminal Records Bureau (CRB) enhanced checks.

12 ESS will additionally ensure that all volunteers who are in regular or significant occasional contact with under-18s or vulnerable adults must have had a satisfactory

enhanced CRB check undertaken by ESS before allowing them to work with children or vulnerable adults.

13 A 'satisfactory' check is defined as having no criminal convictions (including cautions, reprimands and final warnings) relevant to the post.

All staff or volunteers still employed to look after children must report any subsequent criminal convictions to the Director. Failure to do so will result in disciplinary action being taken.

### **Establishing a Caring Environment**

14 All staff are responsible for making ESS activities a safe and caring environment for all including young people and vulnerable adults

15 A Caring Environment is one:

- in which the health, safety and welfare of young people has been assessed and catered for.
- in which staff are alive to the possibility of abuse and take measures to prevent that possibility.
- where there is a sound and known reporting system for any incident
- where staff take reasonable and practical precautions to avoid any suspicions of abuse being brought against them.

### **Child Safeguarding Procedures**

16 Where under-18s are concerned there are statutory responsibilities for any organization to follow regarding the safety of young people.

17 ESS has a Designated Safeguarding Officer to be the lead person with regard to child safeguarding issues. At ESS the Designated Safeguarding Officer is the Director.

18 All ESS staff must contact the Designated Safeguarding Officer if they have any cause to believe the student or young person involved in any activity, covered by this policy is in any way at risk. The Designated Safeguarding Officer will follow the relevant procedures.

19 Records will be kept of all such incidents and their outcomes and held by the Designated Safeguarding Officer in accordance with the Data Protection Act.

20 All staff should be aware that in accordance with statutory requirements where child safeguarding issues are involved, it is not possible to offer confidentiality to a person under 18 as any disclosures must be reported.

### **Vulnerable Adults**

21 Within the context of ESS there are not the same statutory provisions which can be easily adopted with regard to vulnerable adults. However, the same principles apply, as above.

22 Where possible ESS will identify vulnerable adults and ensure that there are appropriate support measures in place. This is most likely to be when the participant presents to, or is referred to, a targeted activity/session and clearly has mental health difficulties or a disability that puts them into the legal definition of 'vulnerable'.

23 Any member of staff at ESS with concerns regarding an adult participant whom they believe or know to be vulnerable must contact the Designated Safeguarding Officer.

### **Role of the College's Child and Vulnerable Adult Safeguarding Officer**

24 The role of the Designated Safeguarding Officer is:

- To receive information about ESS activities that may involve young people or vulnerable adults, and plans that indicate how safeguarding will be covered.

- To receive information from any staff, volunteers, children, parents/carers who have child safeguarding concerns and record it.
- Assess the information promptly and carefully, clarifying and obtaining more information about the matter as appropriate
- Consult initially with a statutory child safeguarding agency to test out any doubts or uncertainty
- Make a formal referral to a statutory child safeguarding agency or the police
- Record statements from any member of staff who feels that a young person has indulged in inappropriate behavior or made sexually suggestive comments or approaches.

### **Reporting and Monitoring Procedures**

25 All members of staff working closely with children have to be alert to possibilities of abuse and any concerns about the behavior of any adult with respect to that child should be reported to the Designated Safeguarding Officer who will decide what further action to take.

26 It is the duty of staff to inform only not to investigate – this is the role of the Police and Social Services.

27 If staff, in the course of their work for ESS, have a child safeguarding issue brought to their notice, this must be treated as a priority over all other work.

28 Guidance with regard to a specific incident may be obtained from the Designated Safeguarding Officer.

29 An oral, and then written report should be provided to the Designated Safeguarding Officer who will keep a confidential record of any such incidents.

### **Allegations of abuse or inappropriate behavior involving staff**

30 Allegations involving a member of staff and a person under-18 or a vulnerable adult should be reported to the Designated Safeguarding Officer.

31 Consideration will be given as to whether the situation falls within the definition of abuse (see paragraph 7).

### **Training**

32 In accordance with good practice ESS will ensure that the Designated Safeguarding Officer, volunteers and other staff likely to be in regular contact with under-18s and vulnerable adults receive appropriate training.

33 ESS will also provide information to raise awareness to ensure that all staff understands what to do if a participant covered by this policy discloses abuse or any other safeguarding issue.

### **Relationships with young people aged 16-18**

34 It should be noted that whilst a young person can consent to sexual activity once they reach the age of 16, the Sexual Offences (Amendment) Act 2000 makes it a criminal offence for a person to engage in any kind of sexual activity with a person under 18 where the adult is in a position of trust.

### **Media Relations**

35 For any ESS activity involving young people, parents or guardians must be given the opportunity to refuse permission for photographs, videos or other images to be made of their children and for the children to be interviewed by press, broadcasters or other media.

### **Health and Safety**

36 All users of ESS Services must be made aware of Health and Safety requirements and be prepared to abide by them.

#### **Code of Practice for Staff**

37 All staff must be familiar with the ESS Code of Practice for Staff attached as Appendix A

#### **Code of Behaviour for Young People**

38 All staff must be familiar with the ESS Code of Behaviour attached as Appendix B.

39 Parents/carers of children participating in ESS activities must be made aware of the Code of Behaviour

#### **Data Safeguarding**

40 It should be noted that although technically a “child”, consent is still required from young people in the same way as for an adult with regard to matters of data protection.

#### **Review**

41 This policy and procedures will be regularly monitored and reviewed:

- In accordance with changes in legislation and guidance on the safeguarding of children and vulnerable adults or any changes within ESS
- Following any issues or concerns raised about the safeguarding of children or vulnerable adults at ESS activities
- In all other circumstances, at least annually.

### **SAFEGUARDING CHILDREN AND VULNERABLE ADULTS POLICY Appendix A CODE OF GOOD PRACTICE FOR STAFF, PARTICIPANTS and VOLUNTEERS**

The following guidelines are intended to be a common sense approach that both reduce opportunities for the abuse of young people and vulnerable adults and help to protect staff, students and volunteers from any false allegation.

You SHOULD:

- Treat all young people and vulnerable with respect and respect their right to personal privacy
- Ensure that, whenever possible, there is more than one adult present during activities or that you are within sight or hearing of others
- Exercise caution when discussing sensitive issues with children or vulnerable adults
- Exercise caution in initiating any physical contact with a young person or vulnerable adults
- Operate within the guidance offered by this Code
- Challenge all unacceptable behavior and report all allegations or suspicions of abuse
- Keep parents fully informed of all anticipated activities

You should NOT

- Spend excessive time alone with young people or vulnerable adults away from others
- Take young people or vulnerable adults alone in a car journey, however short
- Take young people or vulnerable adults to your home
- Engage in physical or sexually provocative games including horseplay
- Allow or engage in inappropriate touching of any form
- Make over-familiar or sexually suggestive comments or approaches to a young person or vulnerable adult even as a ‘joke’

- Enter changing rooms or bedrooms that are assigned to the opposite sex unless there is an emergency
- Let allegations, over familiar or sexually suggestive comments or approaches made by a young person or vulnerable adult go unchallenged or unrecorded.
- Do things of a personal nature that young people or vulnerable adults can do for themselves.
- Take photographs, videos or other images of a young person without the express permission of their parents

## **SAFEGUARDING CHILDREN AND VULNERABLE ADULTS POLICY Appendix B CODE OF BEHAVIOUR FOR YOUNG PEOPLE AND VULNERABLE ADULTS**

Elite Sports Skills is a health, sport and fitness business catering to both youths and those over the age of 18. All people (including those under the age of 18) attending an activity are expected to respect Elite Sports Skills facilities, its staff, participants and equipment.

ESS seeks to offer participants a safe and caring environment.

In return, you must:

- Respect the rights and dignity of each other and of the staff and other volunteers
- Respect the rules of ESS which include:
  - Purchase, sale and consumption of alcohol, recreational/nontherapeutic drugs and substances for abuse is forbidden
  - Smoking is banned at all ESS activities
  - All rules and safety/emergency procedures such as fire drills must be followed
  - Participants in organized events are expected to attend all timetabled activities unless they have been granted specific leave of absence.
  - Participants may not leave the grounds of an ESS activity except with permission and in exceptional circumstances when they will be accompanied.
  - Inappropriate physical intimacy among participants is not permitted
  - Serious incidents of misbehavior such as fighting, racial/sexual abuse, damage to property, indecent language and failure to obey instructions will normally lead to expulsion from the activity without refund or warning.