

Department	Foundation
Policy	Safeguarding Children & Vulnerable Adults Policy
Date approved	September 2021
Review date	September 2022
Approval	Executive Board of Trustees
Version	6

**Lincoln City Foundation (Charity No: 1128464)**

**Safeguarding Children & Vulnerable Adults Policy**

Reporting: [safeguarding@lincolncityfoundation.co.uk](mailto:safeguarding@lincolncityfoundation.co.uk)

**1. Statement**

Lincoln City Foundation is a registered charity and company limited by guarantee.

Lincoln City Foundation is fully committed to continually ensuring the well-being, welfare and safety of all children, young people and vulnerable adults directly connected with our business activities, and to providing a safe and suitable environment for all those children and vulnerable adults attending our premises or off-site delivery for any purpose. It is the duty of all adults working in the Foundation to safeguard the welfare of all children, young people and vulnerable adults who are under the charities care or using its facilities, (the definition of a “child” or “young people” means those under 18).

Our overall aim is one of prevention and early intervention. We have in place provisions for children and young people, young players and adults at risk through our Policies and Procedures, including a robust recruitment process, ensuring that:

- Safeguarding and promoting the welfare and wellbeing of vulnerable groups are of paramount importance
- All children and adults at risk, whatever their age, culture, disability, gender, language, racial origin, religious belief and/or sexual identity have the right to protection from abuse, exploitation and poor practice
- Staff have a responsibility to act on a suspicion or disclosure that may suggest an adult at risk or a child is at risk of harm. Any concerns will be reported to the departmental or executive Designated Safeguarding Officers (DSO)
- All suspicions and allegations of abuse will be taken seriously and responded to swiftly and appropriately
- Lincoln City Foundation have a responsibility to fully support anyone who in good faith reports their concerns that a child or adult is at risk of, or may be at risk of, being abused or mistreated.

Lincoln City Foundation will support and adhere to the affiliated policies of Lincoln City FC (including Lincoln City FC Academy) and will consult regularly on reporting and sharing of good practices. [Safeguarding Policies - Lincoln City \(weareimps.com\)](http://weareimps.com).

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## 1.2 Reporting a Safeguarding Concern

Reporting a welfare or safeguarding concern to Lincoln City Foundation:

- Email [safeguarding@lincolncityfoundation.co.uk](mailto:safeguarding@lincolncityfoundation.co.uk)
- Telephone 01522 563792

NB The contact details above are monitored within operational periods and hours.

If you would like to report an urgent concern for an individual's safety or welfare please contact Lincolnshire Safeguarding board:

- Children and Young People - 01522 782111 (out of hours 01522 782333)
- Adults - 01522 782155 (out of hours 01522 782333)

If you believe an individual is in danger or at risk of serious immediate harm please do not hesitate to call the Police 999 or 112 in emergencies or 101 to report incidents.

If you are unsure, you can speak to any of the safeguarding leads within the Foundation, if time allows, however, reporting a concern through any channel is far better than not reporting, or delaying reporting.

The following positions within the organisation will have DSO responsibilities:

- Safeguarding Champion (Executive Board of Trustees)
- Chief Executive Officer (executive)
- Head of Sport and Physical Activity (operational)
- Head of Healthier Communities (operational)
- Head of Education and Employability (operational)
- Quality Assurance Leader (governance)

Internal reporting, from organisational team members or stakeholders, can be reported in the same way.

Below is a list of direct contacts to be used if an urgent concern needs to be raised outside of Lincoln City operational periods:

## 1.3 Receiving a Safeguarding Concern

If you receive a concern about an individual, please obtain as much information as possible, in writing where appropriate, without delay.

Report this to the relevant DSO within the Foundation, if not done so already. If you are the DSO are accountable for ensuring that the concern is assessed and is appropriately responded to and escalated inline with this policy.

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Lincoln City Foundation has a responsibility to report safeguarding incidents to:

- Lincolnshire Safeguarding Board and Social Service [Safeguarding – Lincolnshire County Council](#)
- Charity Commission [How to report a serious incident in your charity - GOV.UK \(www.gov.uk\)](#)
- Safeguarding Champion (Executive Board of Trustees)
- Lincolnshire FA [Safeguarding & Welfare - Lincolnshire FA](#)

### 1.4 Responsibilities

The Foundation will accept the moral and legal responsibility to implement procedures to provide a duty of care for all young people and vulnerable adults, safeguard their well-being and protect them from abuse irrespective of age, culture, disability, gender, language, racial origin, religious belief and sexual identity. The Foundation will:

- Respect and promote the rights, wishes and feelings of young people and vulnerable adults
- Recruit, train and supervise its trustees, staff and volunteers to adopt best practice to safeguard and protect young people from abuse and themselves against false allegations
- Respond to any allegations appropriately and implement the appropriate disciplinary and appeals procedures

### 1.5 Principles

The procedures within this policy are guided by the following principles:

- The welfare of young people (the Children’s Act 1989 defines a young person as under 18 years of age) and vulnerable adults as the primary concern.
- All young people, whatever their age, culture, disability, gender, language, racial origin, religious belief and/or sexual identity have the right to protection from abuse.
- It is the responsibility of the child protection experts to determine whether abuse has taken place, but it is everyone’s responsibility to report any concerns.
- All incidents of suspicious or poor practice and allegations should be taken seriously and responded to swiftly and appropriately.
- Confidentiality should be upheld in line with the Data Protection Act 1984 and the Human Rights Act 2000.

The Children’s Act 2004 (which built upon the Children’s Act 1989) states that anyone who is involved in the care of young people should "do what is reasonable, in the circumstances, for the purpose of safeguarding or promoting the child’s welfare". This legal obligation is underpinned by the HM Government guidance ‘Working Together to Safeguard Children (2010) which sets out how organisations and individuals should work together.

Within Foundation we want to establish a culture whereby we listen to all participants and groups regardless of vulnerability to ensure that we create the positive environment they want and need. In the creation of this culture we aim to ensure that all participants feel comfortable and that any issues can be disclosed and also we address any concerns immediately and effectively.

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## 1.6 Governance

The Foundation Board of Trustees approve this policy as dated and it will be reviewed;

- annually
- following changes to relevant legislation
- following significant changes to Foundation management, or
- following a significant incident.

Suggestions or recommendations for the revision of any aspect of the Policy should be passed to the senior leadership team or governance lead.

The Chief Executive Officer has responsibility for ensuring compliance with this Policy and is responsible for monitoring its effectiveness and will provide regular reports in this regard to the directors/trustees of the Foundation who have overall responsibility for ensuring this Policy complies with the Foundation's legal and ethical obligations.

Failure to comply with this policy, from any staff member of volunteer, may be treated as misconduct and dealt with under our Disciplinary Procedure and if a breach amounts to gross misconduct this may result in dismissal and possibly criminal prosecution.

## 1.7 Definition of Terms and Abbreviations

**Parents:** term to represent parents, carers and guardians.

**Child, children, young people or young person:** term to represent individuals under 18 years of age.

**Vulnerable adult:** term to represent a person aged 18 years or over who is or may be in need of community care services by reason of: mental or other disability; age; illness; who is or maybe unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation.

**Staff and Volunteers:** term to represent Foundation paid staff, trustees/directors and volunteers, whether full or part time on either a permanent or casual basis who work with or have contact with young people as part of their role.

**Foundation** – Lincoln City Foundation.

**DSO** – Lincoln City Foundation employee with Designated Safeguarding Officer responsibility.

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## Section 2

### 2. Responsibility, Recruitment, Employment and Deployment of Trustees, Staff and Volunteers and External Organisations and the Supply Chain

#### 2.1 Introduction

Within Foundation all trustees, staff members and volunteers have responsibility for ensuring that children, young people and vulnerable adults are always kept safe. However, within the organisation there are dedicated roles that ensure the requirements are met and adhered to. Within the current organisation structure Foundation has the following identified roles:

##### Board of Trustees

- 1 x Trustee with Safeguarding Children and Vulnerable Adults responsibility.

##### Staff

- Executive Designated Safeguarding Officer – Chief Executive Officer
- Department Designated Safeguarding Officer – Head of Departments
- Governance and reporting – Quality Assurance.

All staff members are to be made aware through induction of the structure and who has the above responsibilities. See Appendix C for contact details.

Furthermore, the Foundation works closely with Lincoln City Football Club and the Senior Safeguarding Manager and DSOs within the Club. The structure within the club is as follows:

- Senior Safeguarding Manager
- DSO – Club
- DSO – Academy
- DSO – Match Day Operations

To provide an effective functioning and proactive environment the Foundation DSO is part of the Lincoln City Football Club Safeguarding Committee. The Foundation DSO must attend the regular meetings and ensure that Foundation are fully represented.

All reasonable steps will be taken to ensure that only suitable people are recruited to work with young people. The procedures outlined in this policy document are mandatory and will be adopted by Foundation and all Trustees, Staff and Volunteers who work for or on behalf of Foundation. This includes the procedures to engaging with external organisations and those involved in the supply chain.

*NB Please refer to Foundation's Safer Recruitment Policy.*

#### 2.2 Pre-recruitment Procedures

The following pre-recruitment procedures must always be followed:

##### Advertising

If any form of advertising is used to recruit Trustees, Staff and Volunteers, it should reflect the:

- Aims of the Foundation and where appropriate, the programme involved.
- Responsibilities of the role.
- Level of disclosure the post will undertake (If required).
- Level of experience or qualifications required (e.g. experience of working with children is an advantage).
- Foundation's open and positive stance on child protection.

### **Pre-Application Information**

When an application process is used, pre-application information will be sent to interested or potential applicants and will contain:

- A job description including roles and responsibilities.
- A person specification (e.g. stating qualifications or experience required).
- An application form.
- A self disclosure form.

### **Application Forms**

All applicants, whether for paid, voluntary, full-time or part-time positions must complete a Foundation application form, for staff or volunteers. These forms will elicit the following information:

- Name, address and National Insurance Number (to confirm identity and right to work)
- Relevant experience, qualifications and training undertaken
- Any criminal record
- Whether the applicants are known to any social services department as being an actual or potential risk to young people, a self-disclosure question to establish whether they have ever had action taken against them in relation to child abuse, sexual offences or violence.
- The names of at least two people (not relatives) willing to provide written references that comment on the applicant's previous experience of, and suitability for, working with young people (previous employer)
- Any former involvement or working with children
- The applicant's consent to a Criminal Record Bureau check being undertaken
- The applicant's consent to abide by the Organisation's Child Protection Policy and the Code of Ethics and Conduct appropriate to the position sought (eg coach, official etc).

The form will also state that failure to disclose relevant information or any subsequent failure to conform to the Code of Conduct will result in disciplinary action and possible dismissal from Foundation.

### **2.3 Checks and References**

For all staff and volunteers aged 16 and over (at the time of commencement of work for Foundation) a minimum of two written references must be taken up and if possible, at least one should be associated with former work with young people. Written references should always be followed up and confirmed by telephone. If an applicant has no experience of working with young people, appropriate training will be provided by Foundation.

All Trustees, Staff and Volunteers aged 16 and over (at the time of commencement of work for Foundation) may be subject to an enhanced DBS check based on job description. A decision will be made in each instance, based on the circumstances, as to whether or not an individual may start to work for Foundation whilst the checking process is ongoing.

When it becomes known that a potential Trustee, Staff or Volunteer has a criminal record, the Foundation procedure for 'Recruitment and Retention of Staff and Volunteers with Criminal Records' shall be followed (see appendix J).

Volunteers under the age of 16 (at the time of commencement of work for Foundation), will not be required to undergo a DBS check or have reference taken, but **MUST** always be supervised by a member of staff/volunteer over the age of 16, who has been DBS checked and **MUST NOT** be left in sole charge of children at any time.

If a member of staff/volunteer becomes 16 years old whilst working for Foundation, a DBS check should be undertaken, and references should then be sought. The member of staff/volunteer may



then work with children without constant supervision of a member of staff/volunteer over the age of 16.

## **2.4 Interview and Induction**

All staff, trustees and volunteers must take part in a face-to-face interview, wherever possible. The interview will be carried out according to acceptable protocol and recommendations including provision for interviewing via video conferencing. Interviews will include specific safeguarding questions as part of the Safer Recruitment process.

Each member of staff/volunteer will undergo a Foundation induction process, in which:

- Relevant qualifications will be substantiated (e.g. as a coach or official) by providing original copies
- Provide original photographic identification for verification (passport or driving licence) and/or birth certificate as part of DBS application [Disclosure and Barring Service - GOV.UK \(www.gov.uk\)](https://www.gov.uk/disclosure-and-barring-service)
- They sign up to the organisation's Code of Conduct, focused on the [Values and Behaviours](#)
- The expectations, roles and responsibilities of the job are clarified (e.g. through a formal or informal work programme or goal-setting exercise).
- Sign to agree they have read and will adhere to a list of key of policies, of which this policy is within the list, and will be explained fully.

## **2.5 Training**

Checks are only part of the process to protect children from possible abuse. Appropriate training will enable individuals to understand their responsibilities with regard to their own good practice and the reporting of suspected poor practice/concerns of possible abuse.

Foundation will undertake to train all staff and volunteers working with young people and vulnerable adults, in the following areas as a priority within the first 3 months of employment:

- Child protection awareness (e.g. The FA 'Safeguarding Children' workshop).
- First aid (e.g. The FA Emergency First Aid, St John or St Andrew's Ambulance First Aid qualifications)
- Lincoln County Council's Safeguarding pathway training for those with DSO responsibilities.

And the following areas within the first year of employment if relevant to their role:

- Disability (e.g. FA 'Coaching Disabled Footballers' workshop).
- Equity (e.g. FA 'Equity in your Coaching' workshop).

Safeguarding is addressed annually within the organisation as part of the team's CPD journey, with PREVENT training offered every three years.

## **2.6 Monitoring and Appraisal**

At regular intervals or following a planned programme, all staff and volunteers will be given the opportunity to receive feedback e.g. through an appraisal, to identify training needs and set agreed goals. Managers should be sensitive to any concerns about poor practice or abuse and act on them at an early stage. They should also offer appropriate support to those who report concerns/complaints.

## **2.7 Procedures for external organisations and the supply chain**

Here at the Foundation, we engage with a variety of different organisations who are involved with the Foundation at a variety of levels. Within projects it is necessary to work with those organisations to increase the chance of success and deliver high quality activities. However, as with our own standards and expectations of staff, we must ensure external organisations hold the same expectations and have the correct procedures when it comes to Safeguarding.

Delivery partners will follow their own safeguarding procedures and be aware of the safeguarding procedure of their partner organisation. However, all partners to have (so far as relevant) implemented safeguarding measures equivalent to our own. All delivery partners are subject to a Service Level Agreement when working with the Foundation that refers to safeguarding responsibilities and the procedures.

Where safeguarding concerns are raised, the appointed designated safeguarding officer of the relevant organisation will inform the designated safeguarding officer at the partner organisation of developments.

The partner organisation will review each other's safeguarding policies and procedures and should be satisfied that they are fit for purpose.

## **2.8 Complaints Procedures**

Foundation's complaints and appeals procedures must be used to deal with any formal complaints and/or appeals. It is the responsibility of Foundation to ensure that parents and young people are aware of the existence of these procedures.

Lincoln City Foundation is committed to providing a safe and stimulating environment ensuring a consistent and accessible service that meets the needs of those attending.

We welcome suggestions on how to improve our service and we will give prompt and serious attention to any concerns about the running of our projects.

Information on our current Complaints Policy can be found here: [Our Policies | Lincoln City Foundation](#)

Feedback can be sent to [enquiries@lincolncityfoundation.co.uk](mailto:enquiries@lincolncityfoundation.co.uk)

It is the hope of Foundation that all issues will reach a satisfactory conclusion for all concerned.

### **Ofsted Registered Provision (Bishop King After School Club and Football Holiday Club):**

For our provision that is registered with Ofsted, individuals are advised that if you are concerned about anything you see or hear at an early years or childcare provider, you should raise this directly with the service provider.

If you cannot resolve the matter in communication with the Foundation, or if you have safeguarding concerns, you may wish to contact Ofsted on 0300 123 4666 or visit <https://contact.ofsted.gov.uk/online-complaints>.

All complaints will be kept on record for three years including the outcome of the investigation and the action that was taken in response.

## Section 3

### 3. Promoting Good Practice with Young People

#### 3.1 Introduction

Child abuse, particularly sexual abuse, can arouse strong emotions in those facing such a situation. It is important to understand these feelings and not allow them to interfere with your judgement about any action to take. Abuse can occur within many situations including the home, school and the sporting environment. Some individuals will actively seek employment or voluntary work with young people in order to harm them. A coach, instructor, teacher, official or volunteer may have regular contact with young people and be an important link in identifying cases where a young person needs protection. All cases of poor practice should be reported to the Foundation DSO as detailed in this policy (Section 5 and Appendices A and B).

#### 3.2 Bill of Rights for young people

Young people and vulnerable adults participate in sport for many reasons including: to make friends; have fun; and learn new skills. Whilst competing and participating in sporting activities, young people have certain rights that should allow them to get the most from their experiences. Foundation believes every young person and vulnerable adult has the right:

- To participate in activities in an enjoyable and safe environment.
- To be treated with respect by all adults and participants.
- To compete and train at an appropriate level for their age and ability.
- To report any problems to the relevant person.
- To train and compete safely and have appropriate medical treatment if required.
- To be coached by a qualified coach.
- To express their opinions.
- To have fun.

#### 3.3 Good Practice Guidelines

All staff and volunteers are expected to demonstrate exemplary behaviour to promote the interests of young people and reduce the likelihood of allegations being made. Foundation expects a standard of behaviour from all staff, participants and spectators; this is set out in the induction Codes of Conduct for employees and [Participant Activity Code Conduct](#). The following are common sense examples of how staff can create a positive culture and climate within sport:

Good practice means:

- Always working in an open environment (eg avoiding private or unobserved situations and encouraging an open environment (eg 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 participants (eg it is not appropriate to have an intimate relationship with a young person or to share a room with them).
- Building balanced relationships based on mutual trust which empowers young people to share in the decision-making process.
- Playing sports fun, enjoyable and promoting fair play.
- When delivering activities ratios for coach: participant should meet either National Governing Body and other organisations suggested ratios. At no point should a group exceed 1:30
- Ensuring that if any form of manual/physical support is required, it should be provided openly and according to guidelines provided by the NGB. Care is needed, as it is difficult to maintain hand positions when a young person is constantly moving. Young people and carers should always be consulted, and their agreement gained.
- Keeping up to date with the technical skills, qualifications and insurance in sport.

- Involving parents/carers wherever possible (eg for the responsibility of their young person 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, a male and female member of staff should always accompany them. (NB However, same gender abuse can also occur.)
- Ensuring that at tournaments or residentials, adults should not enter young people's rooms or invite young people 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.
- Securing parental consent in writing to acting *in loco parentis*, if the need arises to give permission for the administration of emergency first aid and/or other medical treatment.
- Keeping a written record of any injury that occurs and details of any treatment given.

### 3.4 Poor Practice (not prohibited)

Poor practice might mean:

- Foundation staff or volunteer transporting children in your own car.
- Spending excessive amounts of time alone with children away from others.
- Engaging in rough, physical or sexually provocative games, including horseplay.
- Sharing a room with a young person.
- Allowing or engaging in any form of inappropriate touching.
- Allowing children to use inappropriate language unchallenged.
- Making sexually suggestive comments to a young person, even in fun.
- Reducing a young person to tears as a form of control.
- Allowing allegations made by a child to go unchallenged, unrecorded or not acted upon.
- Doing things of a personal nature for young people that they can do for themselves.
- Inviting or allowing young people to visit or stay with you at your home unsupervised.

NB It may sometimes be necessary for staff to help with tasks of a personal nature for young people, particularly if they are young or are disabled. These tasks should only be carried out with the full understanding and written consent of parents and the participants 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.

If any of the following incidents should occur, you should report them immediately to another colleague; make a written record of the event and pass this on to the Foundation DSO, for information.

Parents should also be informed of the incident:

- If you accidentally hurt a child, or a child is involved in an accident or suffers an injury
- If a child seems distressed in any manner
- If a child appears to be sexually aroused by your actions
- If a child misunderstands or misinterprets something you have done.

### 3.5 Relationships of Trust

*"The inequality at the heart of a relationship of trust should be ended before any sexual relationship begins."* *Caring for Young People and the Vulnerable? Guidance for preventing abuse of trust (Home Office 1999)*

This statement recognises that genuine relationships do occur between the different levels of volunteers and participants in a group but that no intimate relationship should begin whilst the member of staff or volunteer is in a 'position of trust' over them. The power and influence that an older member of staff/volunteer has over someone attending a group, activity or event cannot be underestimated. If there is an additional competitive aspect to the activity and the older person is responsible for the young person's success or failure to some extent, then the dependency of the younger member upon the older will be increased. It is therefore vital for all personnel to recognise the responsibility they must exercise in ensuring that they do not abuse their positions of trust.

Young people aged 16-18 can legally consent to some types of sexual activity; however, in some provisions of legislation they are classified as children. In certain circumstances the 'abuse of trust' is a Criminal Offence (Sexual Offences Act 2003 UK wide).

### **3.6 Participant Consents & Agreement**

To take part in Foundation's activities all participants must complete a participation form either electronically or paper based. For all participants under the age of 18, parental or carer consent must be provided. These permissions cover:

- Participation in the activity
- First Aid treatment
- Photographic and Filming
- Data Sharing following GDPR

### **3.7 Guidelines for Use of Photographic Filming Equipment at Sporting Events**

There is evidence that some people have used sporting events as an opportunity to take inappropriate photographs or film footage of young people in vulnerable positions. Foundation will adhere to the appropriate guidelines detailed in Appendix G.

## Section 4

### 4. Recognition of Poor Practice, Abuse and Bullying

#### 4.1 Introduction

Even for those experienced in working with child abuse, it is not always easy to recognise a situation where abuse may occur or has already taken place. Foundation staff and volunteers are not experts at such recognition. However, they do have a responsibility to act if they have any concerns about the behaviour of someone (an adult or another child) towards a young person or vulnerable adult. Foundation expects staff and volunteers to discuss any concern they may have about the welfare of a young person or vulnerable adult immediately with a DSO.

It is the policy of Foundation to provide a duty of care for children and vulnerable adults, safeguard their well-being and protect them from abuse. It is therefore essential that all members of staff and volunteers are aware of the contents of this policy to equip them with a basic understanding of the main forms of abuse, and to enable them to implement the procedures contained within this policy.

#### 4.2 Abuse and Bullying

Abuse can happen wherever there are young people, and young people and vulnerable adults of any age can be abused. The effects of abuse can be so damaging and if untreated, they may follow a person into adulthood. For example, a person who has been abused as a child may find it difficult or impossible to maintain stable, trusting relationships, become involved with drugs or prostitution, attempt suicide or even abuse a child in the future.

There have been a number of studies<sup>1</sup>, which suggest children (or adults) with disabilities are at increased risk of abuse. Various factors contribute to this, such as stereotyping, prejudice, discrimination, isolation and a powerlessness to protect themselves, or adequately communicate that abuse has occurred.<sup>2</sup>

Children from black and minority ethnic groups (and their parents) are likely to have experienced harassment, racial discrimination and institutional racism. Although racism causes significant harm it is not, in itself, a category of abuse. All organisations working with children, including those operating where black and minority ethnic communities are numerically small, should address institutional racism, defined in the Macpherson Inquiry Report on Stephen Lawrence as 'the collective failure by an organisation to provide appropriate and professional service to people on account of their race, culture and/or religion'.

#### 4.3 The Main Forms of Abuse

Child abuse is any form of physical, emotional or sexual mistreatment or lack of care that leads to injury or harm. It commonly occurs within a relationship of trust or responsibility and is an abuse of power or breach of trust. Abuse can happen to a young person regardless of their age, gender, race or ability.

There are five main types of abuse: physical abuse, emotional abuse, sexual abuse, digital abuse and/or neglect. Abuse of disabled children and vulnerable adults, and instances of bullying also fall within the wider definition of abuse. Moreover, modern forms of abuse have been identified as Female Genital Mutilation (FGM), Radicalisation (PREVENT), Human Trafficking, Hate Crime, Child Sexual Exploitation, Child Trafficking, Grooming and Peer on Peer.

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<sup>1</sup> Westcott, H (1993) **The Abuse of Children and Adults with Disabilities**. London, NSPCC

<sup>2</sup> Kerr, A (1999) **Protecting Disabled Children and Adults in Sport and Recreation**. Contact Disability Sport England (Tel: 020 7490 4919)

Somebody may abuse or neglect a young person by inflicting harm, or by failing to act to prevent harm. Young people may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by a stranger.

Appendix E contains definitions and examples of each of these main forms of abuse, plus additional information on the abuse of disabled young people, and bullying.

#### **4.4 Recognising Signs of Abuse**

It is not the responsibility of Foundation staff and volunteers to decide whether abuse is or has taken place. It is their responsibility to identify poor practice and possible abuse and act where they have concerns about the welfare of a young person by referring this to the DSO.

Indications that a child may be being abused include the following:

- Unexplained or suspicious injuries such as bruising, cuts or burns, particularly if situated on a part of the body not normally prone to such injuries.
- An injury for which the explanation seems inconsistent.
- The child describes what appears to be an abusive act involving him/her.
- Someone else (a child or adult) expresses concern about the welfare of another child.
- Unexplained changes in behaviour (eg becoming very quiet, withdrawn or displaying sudden outbursts of temper).
- Inappropriate sexual awareness.
- Engaging in sexually explicit behaviour.
- Distrust of adults, particularly those with whom a close relationship would normally be expected.
- Has difficulty in making friends.
- Is prevented from socialising with other children.
- Displays variations in eating patterns including overeating or loss of appetite.
- Loses weight for no apparent reason.
- Becomes increasingly dirty or unkempt.

It should be recognised that this list is not exhaustive and the presence of one or more of the indicators is not proof that abuse is taking place. It is not the responsibility of those working in sport to decide that child abuse is occurring, but it is their responsibility to act on any concerns.

## Section 5

### 5. Responding to Disclosure, Incidents, Suspicions and/or Allegations

#### 5.1 Introduction

If a young person discloses that he/she is being abused, an incident occurs, you suspect abuse or poor practice or receive an allegation of poor practice or abuse, you should report this immediately to the DSO. Please refer to Section 1 for Reporting a Safeguarding Concern processes and contacts.

#### 5.2 Reporting Information

Information passed to Social Services or the Police must be as helpful as possible, hence the necessity for making a detailed record at the time of the disclosure/concern.

Information should be detailed in writing on the required internal reporting form or platform either by the DSO or the person responding to the disclosure/concern. This form should be forwarded to the DSO immediately and the DSO will be responsible for escalating appropriately.

Reporting the matter to the Police or Social Services should not be delayed by attempts to obtain more information. Wherever possible, referrals telephoned to an external agency or department should be confirmed in writing within 24 hours. A record should also be made of the name and designation of the agency member of staff or police officer to whom the concerns were passed, together with the time and date of the call, in case any follow-up is needed.

#### 5.3 Responding to Disclosure from a Young Person – Actions to Take

The person receiving information concerning disclosure should:

- React calmly so as not to frighten or distress the child
- Tell the child he/she is not to blame and that he/she was right to tell
- Take what the child says seriously, recognising the difficulties inherent in interpreting what is said by a child who has a speech or communication disability and/or differences in language.
- Keep questions to the absolute minimum to ensure a clear and accurate understanding of what has been said
- Reassure the child but do not make promises of confidentiality which might not be feasible in the light of subsequent developments
- Make a full record of what had been said, heard and/or seen as soon as possible.

NB Not all young people are able to express themselves verbally. Communication difficulties may mean that it is hard for them to complain or be understood. Sometimes it is difficult to distinguish the signs of abuse from the symptoms of some disabilities or conditions, in relation to the nature of an individual's impairment. However, where there are concerns about the safety of a young person, record what has been observed in detail and follow the Foundation procedures to report these concerns (Appendices A and B).

#### 5.4 Responding to Disclosure from a Young Person – Actions to Avoid

The person receiving the disclosure should not:

- Panic
- Allow their shock or distaste to show
- Probe for more information than is offered
- Speculate or make assumptions
- Make negative comments about the alleged abuser
- Approach the alleged abuser
- Make promises or agree to keep secrets.



## **5.5 Responding to Suspicions – Action to Take**

It is not the responsibility of anyone working for Foundation to decide whether abuse has taken or is taking place.

However, there is a responsibility to protect participant in order that appropriate agencies can then make enquiries and take any necessary action to protect the individual.

It is the responsibility of DSO to inform Social Services of incidents of possible abuse in writing within 24 hours of the concern being raised.

## **5.6 Responding to Allegations - Against Staff or Volunteers**

Abuse can and does occur outside the family setting. Although it is a sensitive and difficult issue, abuse has occurred within institutions and may occur within other settings (eg sport or other social activities).

It has been indicated that abuse that takes place within a public setting is rarely a one-off event. This can be referred to as Institutionalised Abuse. It is crucial that those involved in sport are aware of this possibility and that all allegations are taken seriously and appropriate action taken. It is important that any concerns for the welfare of the child, arising from abuse or harassment by staff or volunteers, should be reported immediately.

In 2017, [Clive Sheldon QC's independent report](#) into allegations of institutional (non-recent) abuse in football was published. This report and its recommendations made clear the failings of staff and volunteers in not reporting suspected abuse in the sport and the devastating effects of the abuse not being challenged or prevented.

Lincoln City Foundation have implemented clear, easy, multi-platform reporting since this review and understand that all allegations will be investigated, regardless of position, status or risk to the organisation and brand.

In the first instance allegations need to be reported to the Foundation's Chief Executive Officer unless the complaint is against the Chief Executive Officer and then a Trustee must be informed. All allegations of an adult who works with children must be reported to the Lincolnshire's Local Authority Designated Officer. A referral to the LADO is to be made within 24 hours of the reported incident where it will be reported. For emergencies the Police will be called immediately where it is suspected a crime has been committed. For non-emergencies call the Police following a discussion with the LADO.

## **5.7 Obligation to Refer – Actions to Take**

The DSO may be informed of situations where there is uncertainty about whether the concern constitutes abuse and is, therefore, unclear about what action to take. There may be circumstances where allegations are about poor practice rather than abuse, the DSO should always gain advice from Social Services, Police, Football Authorities or the NSPCC if there is any doubt. This is because it may be one of a series of instances which together cause concern.

A referral will be made to The FA, the EFL and DBS following:

- Receiving information from the Police regarding an individual
- The completion of an internal investigation around conduct and further information has been discovered.

Foundation is under legal obligation to make a Safeguarding Referral to the Disclosure and Barring Service (DBS) if person is dismissed or removed from regulated activity (or may have been had they

not left) because they have harmed or posed a risk of harm to a child. The DBS's role is to make barring decisions about people who are referred to it (usually following an employer's disciplinary process), with the possible consequence of the person being barred from working or volunteering with children.

The DBS uses a fair, thorough and consistent process that ensures that the decision it reaches is both proportionate and appropriate to the risk the person poses to children. The DBS's website is [www.homeoffice.gov.uk/DBS](http://www.homeoffice.gov.uk/DBS) and provides a range of materials to help when considering or making a referral. This includes a Referral Form, Referral Guidance, FAQs and a series of Fact Sheets. Information and advice about making a referral can also be found by contacting the DBS Helpline on 01325 953795.

## **5.8 Disclosure in the Public Interest**

A disclosure qualifies for protection if you are a worker, and you disclose something about an organisation.

A disclosure must be about something that affects the public such as:

- A criminal offence has been committed, is being committed or is likely to be committed
- A legal obligation has been breached
- There has been a miscarriage of justice
- The health or safety of any individual has been endangered
- The environment has been damaged
- Information about any of the above has been concealed.

This is set out in the [Public Interest Disclosure Act 1998](#). The Act applies to England, Scotland and Wales.

For any individual that does not feel confident to talk to a member of staff at Foundation, the NSPCC provides a Whistleblowing Advice Line – 0800 028 0285

## **5.9 Sharing Concerns with Parents**

There is always a commitment to work in partnership with parents/carers where there are concerns about their children. Therefore, in most situations, it will be important to talk to parents/carers to help clarify any initial concerns. For example, if a child seems withdrawn, there may be a reasonable explanation. He/she may have experienced an upset in the family, such as a parental separation, divorce or bereavement.

## **5.10 When Not to Share Concerns with Parents**

There are circumstances in which a young person might be placed at even greater risk if concerns are shared (eg where a parent/carer may be responsible for the abuse or not able to respond to the situation appropriately). In these situations or where concerns still exist, any suspicion, allegation or incident of abuse must be reported to the person in charge as soon as possible and recorded.

## **5.11 Support for the Reporter of Suspected Abuse**

It is acknowledged that feelings generated by the discovery that a member staff and volunteer is, or may be, abusing a child, will raise concerns among other staff and volunteers. This includes the difficulties inherent in reporting such matters.

Foundation assures all staff and volunteers that it will fully support and protect anyone who, in good faith (without malicious intent), reports a concern about a colleague's practice or the possibility that a young person may be being abused. Foundation encourages trustees, staff and volunteers to come forward and report concerns and are protected in law as part of the Whistleblowing Policy by being treated unfairly or losing your job.

Consideration should be given about what support may be appropriate to children, parents and members of staff and volunteers. Use of Helplines, support groups and open meetings will maintain an open culture and help the healing process. The [British Association of Counselling Directory](#) has national resources available or contact [Lincolnshire County Council Social Services](#) for local support.

Consideration should be given about what support may be appropriate for the person alleged to have committed the abuse.

## 5.12 Types of Investigation

Where there is a complaint of abuse against a member of staff or volunteer, there may be three types of investigation:

- Criminal (led by the Police).
- Child protection (led by Social Services and/or the Police).
- Disciplinary or misconduct (led by Foundation).

Civil proceedings may also be initiated by the person/family of the person who alleged the abuse. The results of any Police and Social Services investigation will inform the Foundation disciplinary process. Even in the absence of a criminal prosecution, the Foundation disciplinary process may still be activated and may result in sanctions being imposed upon the individual.

Foundation will make an early decision about whether an individual accused of abuse should be temporarily suspended, pending further police and Social Services inquiries. The Foundations Chief Executive Officer in line with the company's disciplinary procedures, will normally take this decision. Irrespective of the findings of the Social Services or police inquiries, Foundation must investigate and assess each individual case under the appropriate misconduct/disciplinary procedure. In such cases, Foundation must reach a decision based on the available information. The welfare of children should always remain paramount.

## 5.13 Confidentiality

Every effort should be made to ensure that confidentiality is maintained for all concerned. Information should be handled and disseminated on a *need to know basis* only. This may include the following people:

- The DSO
- The parents of the person who is alleged to have been abused
- The person making the allegation
- Social services/police
- When relevant, Designated Officers within the relevant sports governing bodies.

**\*\*The alleged abuser (and parents if the alleged abuser is a child) should only be contacted following Social Services advice\*\***

Information will be stored in a secure place with limited access to designated people, in line with data protection laws (e.g. that information is accurate, regularly updated, relevant and secure).

It's important to ensure a child or young person understands their personal information will be treated respectfully and confidentially. This provides a safe space for them to be open and honest with the people caring for them. Establishing this form of trust is fundamental for the provision of safe and

effective care. But when working with children and young people, it's important to keep in mind two essential factors:

- Timely information sharing is key to safeguarding and promoting the welfare of children. It enables intervention that crucially tackles problems at an early stage.
- If a child is at risk or suffering significant harm, the law supports you to share information without consent.

Case reviews have evidenced that a lack of appropriate and timely information sharing is a key issue. Sharing information will help other professionals who have contact with the family to better understand the risks faced by the child.

For example, staff could have information about issues related to a parent or other adult which may be impacting negatively on the child's wellbeing. This information should be shared with the DSO as it will contribute to building a clear picture of the child's life. The better the picture, the more quickly appropriate action can be taken to protect a child.

Further advice on sharing information for the purpose of providing safeguarding services to children, young people, parents and carers is found in the documents by using the following links from [NSPCC](#) and [Gov.uk](#)

#### **5.14 Responding to an Allegation or Suspicion of Bullying – Actions to Take**

The Foundation understands the detrimental impact on a person's life as a result of bullying, and if bullying is not reported and stopped, and if they are not supported. For children and young people specifically in an educational setting the effects of bullying can be damaging to the overall wellbeing and put them at greater risk of suicide, according to the [National Centre for Injury Prevention and Control](#).

If bullying is severe i.e. serious physical assault or if it persists despite efforts to deal with it as per organisation policy and behaviour management processes, the next level of action, and eventually suspension of provision will follow. Please refer to the organisation's Anti-Bullying Policy and Participant Activity Code of Conduct.

Action to Help the Victim and Prevent Bullying in Sport:

- Take all signs of bullying very seriously
- Monitor incidents witnessed and ensure patterns of behaviour, or repeat behaviours are reported and reported linked with patterns and repeat incidents
- Encourage all children to speak and share their concerns. Help the victim to speak out and tell the person in charge or someone in authority. Create an open environment
- Investigate all allegations and take action to ensure the victim is safe. Speak with the victim and the bully(ies) separately
- Reassure the victim that you can be trusted and will help them, although you cannot promise to tell no one else
- Keep records of what is said (what happened, by whom, when)
- Report any concerns to the person in charge of the activity (wherever the bullying is occurring)

Action to address Bullying, and the alleged Bully:

- Talk with the bully or bullies, explain the situation, try to get the bully or bullies to understand the consequences of their behaviour. Seek an apology to the victim(s)
- Inform the bully's parents
- Insist on the return of *borrowed* items and that the bully or bullies compensate the victim (where appropriate)
- Provide support for the coach of the victim(s)
- Impose sanctions as necessary

- Encourage and support the bully or bullies to change their behaviour
- Hold meetings with the families to report on progress
- Inform all organisation members of action taken
- Keep a written record of action taken.

### 5.15 Responding to an Allegation or Suspicion of Radicalisation – Actions to Take

Lincolnshire is currently a low-risk area (2021) in terms of terrorist acts and radicalisation but it is important that we remain vigilant in our approach to supporting vulnerable people. As part of the [Prevent Strategy](#), Lincolnshire considers the risks of all extreme activity including that of faith based extremism, the extreme terrorist right wing ideology and all other forms of extremism.

The Prevent strategy, published by the government in 2011, is part of the overall counter-terrorism strategy, CONTEST (revised June 2018). The aim of the Prevent strategy is to reduce the threat to the UK from terrorism by stopping people becoming terrorists or supporting terrorism. The Counter-Terrorism and Security Act 2015 contains guidance on how specified authorities have due regard to the need to prevent people from being drawn into terrorism.

The following are the key areas covered within the [Prevent Duty Guidance for England and Wales](#).

The Prevent Strategy aims to:

- Safeguard and support those most at risk of radicalisation through early intervention, identifying them and offering support.
- Tackle the causes of radicalisation and respond to the ideological challenge of terrorism.
- Enable those who have already engaged in terrorism to disengage and rehabilitate.

**Radicalisation** - This refers to the process by which a person comes to support terrorism and forms of extremism leading to terrorism. A radicaliser is an individual who encourages others to develop or adopt beliefs and views supportive of terrorism and forms of extremism leading to terrorism. Radicalisation is a form of grooming and therefore abuse.

**Extremism** - is defined in the 2011 Prevent strategy as vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. The definition of extremism also includes calls for the death of members of the British armed forces, whether in this country or overseas

Example indicators that could suggest an individual is engaged with an extremist group, cause or ideology could include as below:

- Day-to-day behaviour becoming increasingly centred on an extremist ideology, group or cause
- Loss of interest in other friends and activities not associated with the extremist ideology, group or cause
- Possession of materials or symbols associated with an extremist cause
- Attempts to recruit others to the group/cause
- Communications with others that suggests identification with a group, cause or ideology of concern
- Using insulting and/or derogatory names for another group
- Increase in prejudice-related incidents committed by that person – these may include;
  - physical or verbal assault
  - provocative behaviour
  - damage to property
  - derogatory name calling
  - possession of prejudice-related materials
  - prejudice related ridicule or name calling
  - inappropriate forms of address

- refusal to co-operate
- attempts to recruit to prejudice-related organisations
- condoning or supporting violence towards others.

Radicalisation can be a complex issue and therefore the above examples are not exhaustive, and each case should be considered on its merits & professional advice sought where any doubts exist.

**Referrals** should follow organisation safeguarding processes in the first instance.

Lincoln City Foundation understand that early intervention is vital and any concerns, should be referred to CHANNEL by following the advice on the [Lincolnshire Police Webpage](#). CHANNEL is a key element of the Prevent strategy focusing on safeguarding children and adults from being drawn into committing terrorist-related activity. It is about early intervention to protect and divert people away from the risk they face before illegality occurs.

It is a multi-agency safeguarding approach to protect people at risk from radicalisation and is not a criminal Justice sanction. Channel uses existing collaboration between local authorities, statutory partners, the police and the local community to:

- identify individuals at risk of being drawn into terrorism.
- assess the nature and extent of that risk; and
- develop the most appropriate support plan for the individuals concerned.

## **5.16 Responding to an Allegation or Suspicion of Modern Slavery**

In the county of Lincolnshire, modern slavery is an increasing issue (2021, LCC) and is often difficult to uncover.

Modern slavery can take many forms, but can include:

- Slavery - where ownership is exercised over a person.
- Servitude - involves the obligation to provide services imposed by coercion
- Forced or compulsory labour - involves work or service extracted from any person under the menace of a penalty and for which the person has not offered themselves voluntarily
- Human trafficking - concerns arranging or facilitating the travel of another with a view to exploiting them.

Common types of exploitation:

- Sexual exploitation - Victims may be forced into prostitution, pornography or lap dancing for little or no pay
- Labour exploitation - Common industries include agriculture, factories, tarmacking, restaurants, nail bars and car washes and victims may be made to work for little or no pay
- Forced criminality - Victims may be forced to participate in a range of illegal activities including pick pocketing, shop lifting, cannabis cultivation, County Lines exploitation, begging and other activities
- Domestic servitude - Victims work in a household where they may be ill-treated, humiliated, subjected to exhausting hours, forced to work and live under unbearable conditions or forced to work for little or no pay
- Organ harvesting - Victims are trafficked in order for their internal organs (typically kidneys or the liver) to be harvested for transplant
- Other types of exploitation include debt bondage, forced marriage and financial exploitation.

Indicators can include:

- Shows signs of physical or psychological abuse, look malnourished or unkempt, anxious/agitated or appear withdrawn and neglected
- Untreated injuries
- No access to their own documents, such as ID or their passport
- Clothes not suitable for work
- Limited English vocabulary, restricted to sexualised words
- Sleep / work in the same place
- Forced or manipulated out of their home by drug dealers who use the home as a base to sell drugs
- Moved daily to different locations but return to the same location every night (forced begging).

Indicators in children or young people:

- The child may have mood swings, including being angry, upset or withdrawn
- The child may show signs of inappropriate sexual behaviour
- The child may be dressed inappropriately for their age
- The child may go missing at night or weekends and may not be clear about their whereabouts
- The child may not attend school
- The child may have gifts, presents or expensive items which they cannot explain.

Lincoln City Foundation recognises there is no one approach that may suit all cases or suspicions of modern slavery and will take advice from national resources such as [Unseen](#) and the Lincolnshire Modern Slavery representative as part of the Adults Safeguarding Board.

If a concern or suspicion is reported to the DSO, the organisation must follow their safeguarding policy in the first instance, with specific advice to be sought by Adults Social Services or the Police on 101 or 999 if a more urgent response is required.

### **5.17 Responding to an Allegation or Suspicion of Previous Abuse**

Allegations of abuse may be made some time after the event (e.g. by an adult who was abused as a child or by a member of staff/volunteer who is still currently working with children). Where such an allegation is made, Foundation should follow the procedures as detailed above and report the matter to the Social Services or the Police. This is because other children, either within or outside sport, may be at risk from this person. Anyone who has a previous criminal conviction for offences related to abuse is automatically excluded from working with children. This is reinforced by the Protection of Children Act 1999.

## Section 6

### 6. Implementation and Monitoring Procedures

#### 6.1 Objectives

The Foundation will implement an action plan for continuous improvement, learning and monitoring safeguarding concerns and raising the awareness of safeguarding matters. The executive DSO is responsible for reviewing and updating the implementation plan at least every six months.

The action plan will take into account incidents (those within the organisation, of that disclosed by partners and agencies, and nationally) and changes in legislation, and will highlight the action that needs to be taken, by whom, how and when in line with organisational procedures. This will be shared with staff as appropriate, and the Foundation Safeguarding Champion and annually around the time of the policy review with the Executive Board of Trustees.

The purpose for the implementation plan is to:

- Disseminate the Foundation Child Protection message so that it reaches and influences all related parts of the organisation, to safeguard the welfare of young people and vulnerable adults
- Operate sound procedures for the recruitment of staff
- Identify and ensure staff receive appropriate child protection training
- Keep up to date with updated with legislation related to child protection
- Monitor and update the implementation plan annually to keep child protection high on the sporting agenda
- Measure the impact of the policy and procedures on an annual basis.

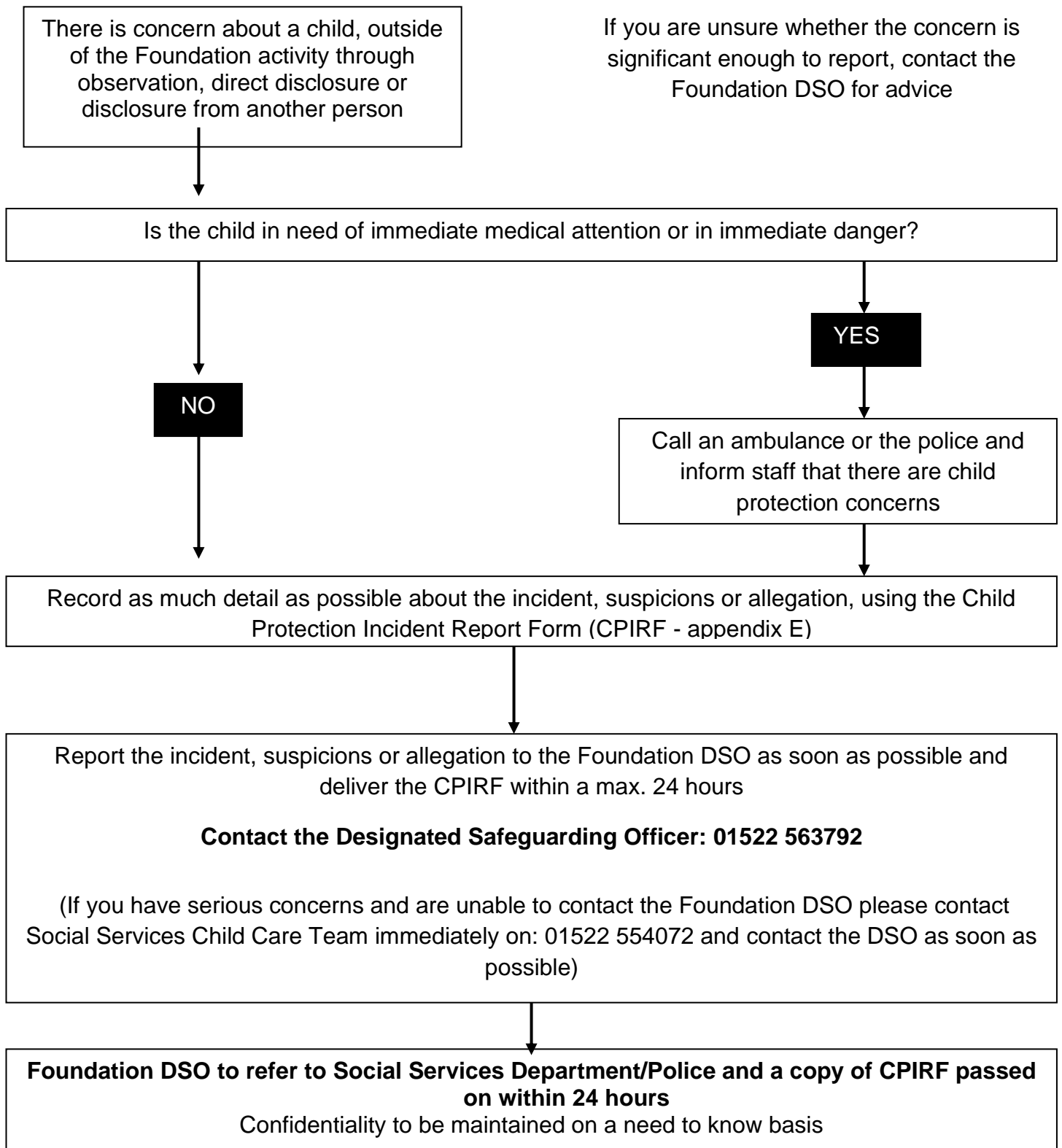
#### 6.2 Other Related Policies

This policy does not sit in isolation and Foundation understands that it works with other policies to safeguard and protect children, young people and vulnerable adults. These policies are as follows:

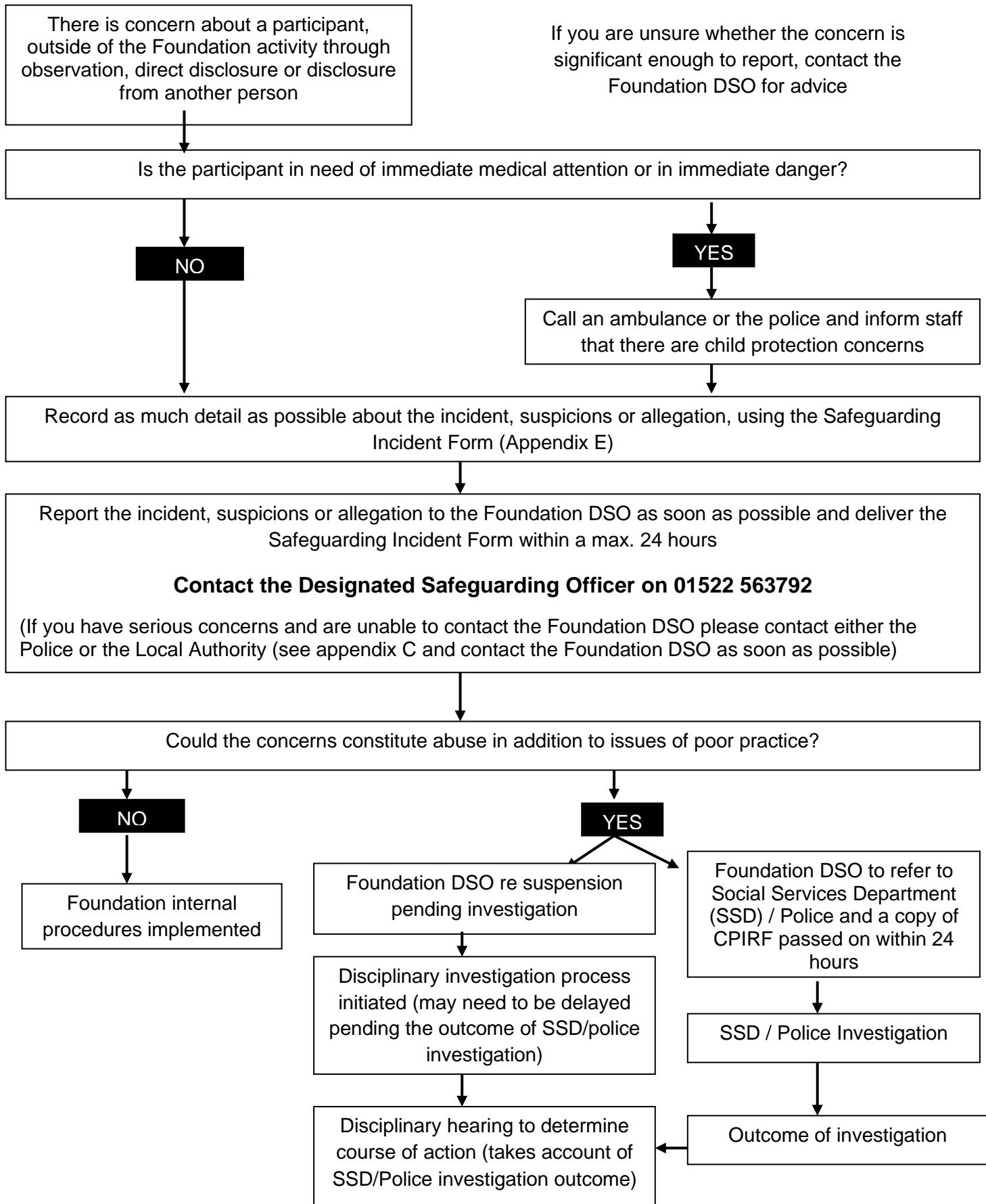
<ul style="list-style-type: none"><li>• Health and Safety</li><li>• Acceptable Usage Policy</li><li>• Data Protection Policy</li><li>• Anti-Bullying Policy</li><li>• Complaints Policy and Procedure</li><li>• Employees Handbook</li><li>• Social Media Policy</li><li>• Safer Recruitment</li></ul>	<ul style="list-style-type: none"><li>• Whistleblowing Policy</li><li>• Confidentiality Policy</li><li>• Recruitment Policy</li><li>• Equality and Diversity Policy</li><li>• Lone Working Policy and Procedure</li><li>• Uncollected Child Policy</li><li>• Missing Persons Policy</li><li>• Trips and Visits Policy</li></ul>
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**Appendix A**  
**Procedure for Reporting Concerns About a Child Outside of Lincoln City Foundation Activities**



**Appendix B**  
**Procedure for Reporting Concerns About a Participant in Relation to Lincoln City Foundation Trustees, Staff and Volunteers**



## Appendix C Essential Contacts

<b>Position / Organisation</b>	<b>Named Person</b>	<b>Contact Details</b>
Foundation Trustee (Responsibility for Safeguarding)	Liam Scully	01522 880011 <a href="mailto:lscu@theredimps.com">lscu@theredimps.com</a>
Foundation Designated Safeguarding Officer	Chief Executive Officer Martin Hickerton	01522 563792 <a href="mailto:safeguarding@lincolncityfoundation.co.uk">safeguarding@lincolncityfoundation.co.uk</a>
Lincoln City Senior Safeguarding Manager	Chief Executive: Liam Scully	01522 880011 <a href="mailto:lscu@theredimps.com">lscu@theredimps.com</a>
Lincoln City Club Designated Safeguarding Officer	General Counsel: Richard Parnell	01522 880011 rpar@theredimps.com
Lincoln City Academy Designated Safeguarding Officer	Welfare Officer: Paul Metheringham	01522 880011 <a href="mailto:pmer@theredimps.com">pmer@theredimps.com</a>
Lincoln City Match Day Designated Safeguarding Officer	Safety Officer: Liam Scully	01522 880011 <a href="mailto:safeguarding@theredimps.com">safeguarding@theredimps.com</a>
<b>LINCOLNSHIRE AGENCIES</b>		
Lincolnshire Safeguarding Children Board, Lincolnshire Children's Services Team	Concerns	01522 782111
	Out of office hours contact	01522 782333
	Local Authority Designated Officer	01522 554674
Lincolnshire Safeguarding Adults Board	Concerns	01522 782155
	Out of office hours contact	01522 782333
Police		999 or 112 in emergencies 101 to report incidents
The NSPCC		Helpline: 08008 005000 Text: 88858 Email: <a href="mailto:help@nspcc.org.uk">help@nspcc.org.uk</a>
Lincolnshire FA  FA Case Management Team	DSO: Sarah Pridmore	<a href="mailto:safeguarding@lincolnshirefa.com">safeguarding@lincolnshirefa.com</a> 07973666778 0800 1691863 #4362
Childline UK	Freepost 1111 London N1 OBR	Tel: 0800 111111
<b>PREVENT</b>		
Lincolnshire Police	Prevent Team	01522 558304
Lincolnshire County Council	Prevent Officer	07771 837829 <a href="mailto:prevent@lincolnshire.gov.uk">prevent@lincolnshire.gov.uk</a>
CTP EM - Lincolnshire Police	Counter Terrorism Case Officer	<a href="mailto:CTP-EM-Prevent@lincs.pnn.police.uk">CTP-EM- Prevent@lincs.pnn.police.uk</a>

## Appendix D

### Guidelines on Use of Photographic and Filming Equipment at Sporting Events

There has been much talk about who is allowed to take pictures of children /vulnerable adults playing sport and in particular what parents are permitted to do.

#### Potential risks

This guidance is to help avoid the following:

- The inappropriate use, adaptation or copying of images for use on child abuse websites on the internet (often incorrectly referred to as pornography sites).
- The identification of children when a photograph is accompanied by significant personal information that will assist a third party in identifying the child. This can lead, and has led, to children being 'groomed'.
- The identification and locating of children in inappropriate circumstances which include:
  - (i) A child has been removed from his/her family for their own safety;
  - (ii) Where restrictions on contact with one parent following a parental separation exist e.g. in domestic violence cases;
  - (iii) In situations where a child may be a witness in criminal proceedings; or
  - (iv) Other safeguarding children concerns.

It is important to remember most images taken are appropriate and taken in good faith. If we take the following simple measures, we can help to ensure the safety of children in sport.

#### Common sense considerations to ensure everyone's safety

##### Do:

- Share our guidance on taking images with all parents, carers and members when they join the club.
- Ensure the club has parental consent to use a player's image if it is to be used in the public domain e.g. club website or newspaper article. This is essential in relation to point 3 below.
- Ensure that any child in your club who is under care proceedings, is protected by ensuring that their image is not placed in the public domain. This can be done by using a Consent Form, so that parents/carers can identify whether this applies to children in their care.
- Focus on the activity rather than the individual.
- Ensure all those featured are appropriately dressed (a minimum of vest or shirt and shorts)
- Aim to take pictures which represent the broad range of youngsters participating safely in football e.g. boys and girls, disabled people, ethnic minority communities.

##### Don't:

- Publish photographs with the full name(s) of the individual(s) featured unless you have written consent to do so and you have informed the parents as to how the image will be used.
- Use player profiles with pictures and detailed personal information on websites.
- Use an image for something other than that which it was initially agreed, e.g. published in local press when initially produced for a clubhouse commemorative picture.
- Allow images to be recorded in changing rooms, showers or toilets – this includes the use of mobile phones that record images.

#### Filming as a coaching aid

Foundation advises that coaches using videoing as a legitimate coaching aid should make parents/carers and players aware that this will be part of the coaching programme. Care should be taken when storing the videos.

If you are concerned about the inappropriate use of images please report this to the Foundation DSO.

#### Remember

It is not an offence to take appropriate photographs in a public place even if asked not to do so.

No one has the right to decide who can and cannot take images on public land. If you have serious concerns about a possible child protection issue relating to the recording images then call the Police. This action should only be taken where you believe that someone may be acting unlawfully or putting a child at risk. The land or facility owner can decide whether or not photography and or videoing at football activities will be permitted when carried out on private land. However you need to make this known before allowing individuals access to the private property. If they do not comply then you may request that they leave.

Try not to use images that include individuals wearing jewellery (as wearing jewellery whilst playing is contrary to the Laws of the Game as well as being a health and safety issue).

### **Commissioning professional photographers and the local media**

If you are commissioning professional photographers or inviting the press to cover a football activity, ensure you and they are clear about each other's expectations. The key is to plan ahead and communicate early on.

Provide a clear brief about what is considered appropriate in terms of content and behaviour. Inform them of your club's commitment to safeguarding children and young people. Establish who will hold the recorded images and what they intend to do with them, e.g. place on a website for sale, distribute thumb nails to the club to co-ordinate sales. Issue the professional photographer with identification, which must be worn at all times.

Inform participants and parents or carers prior to the event that a professional photographer will be in attendance and ensure you have established that no under 18s will be compromised due to safeguarding children concerns if their image is taken – remember this can be done by using a Consent Form at the start of the season.

**To report potentially unlawful materials on the internet please contact:**

#### **The Internet Watch Foundation**

Email: [report@iwf.org.uk](mailto:report@iwf.org.uk)

Telephone: 01223 237700

Fax the hotline: 01223 235921

**[www.iwf.org.uk](http://www.iwf.org.uk)**

## **Appendix E Types of Abuse**

**Neglect** – where adults fail to meet a child’s basic physical and/or psychological needs, likely to result in the serious impairment of the child’s health or development (eg failure to provide adequate food, shelter and clothing, failing to protect a child from physical harm or danger, or the failure to ensure access to appropriate medical care or treatment.) It may also include refusal to give children love, affection and attention. Neglect in sport could include a teacher or coach not ensuring children were safe, exposing them to undue cold, heat or to unnecessary risk of injury.

**Physical abuse** – where adults and young people physically hurt or injure children by hitting, shaking, throwing, poisoning, burning, biting, or scalding, suffocating, drowning or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer feigns the symptoms of, or deliberately causes ill health to a child whom they are looking after eg factitious illness by proxy or Munchausen’s Syndrome by Proxy. Examples of physical abuse in sport may be when the nature and intensity of training and competition exceeds the capacity of the child’s immature and growing body; where drugs are used to enhance performance or delay puberty.

**Sexual abuse** – where girls and boys are abused by adults and young people (both male and female) who use children to meet their own sexual needs. This could include full sexual intercourse, masturbation, oral sex, anal intercourse and fondling. Showing children pornographic material (books, videos, pictures) is also a form of sexual abuse. In sport, coaching techniques which involve physical contact with children could potentially create situations where sexual abuse may go unnoticed. The power of the coach over young performers, if misused, may also lead to abusive situations developing.

**Emotional abuse** – is the persistent emotional ill-treatment of a child such as to cause severe and persistent adverse effects on the child’s emotional development. It may involve conveying to children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may feature age or developmentally inappropriate expectations being imposed on children. It may involve causing children to feel frightened or in danger by being constantly shouted at, threatened or taunted which may make the child very nervous and withdrawn. Some level of emotional abuse is involved in all types of ill-treatment of a child. Emotional abuse in sport may occur if children are subjected to constant criticism, name-calling, sarcasm, bullying or unrealistic pressure to perform to high expectations consistently.

**Digital Abuse** - is the use of technologies such as texting and social networking to bully, harass, stalk or intimidate an individual.

The above definitions are adapted from Department of Health (1999) *Working Together to Safeguard Children – A guide to inter-agency working to safeguard and promote the welfare of children*.

### **Bullying**

It is important to recognise that in some cases of abuse, it may not always be an adult abusing a young person. It can occur that the abuser may be a young person, for example in the case of bullying. Bullying may be seen as deliberately hurtful behaviour, usually repeated over a period of time, where it is difficult for those bullied to defend themselves. Nancy Duin defined bullying as *repeated (systematic) aggressive verbal, psychological or physical conduct by an individual or group against another person or persons (Bullying, a Survival Guide, produced by BBC Education)*.

Although anyone can be the target of bullying, victims are typically shy, sensitive and perhaps anxious or insecure. Sometimes they are singled out for physical reasons – being overweight, physically small, having a disability or belonging to a different race, faith or culture.

Girls and boys can be bullies although it seems to be more conspicuous in boys. Although bullying often takes place in schools,<sup>1</sup> research shows it can and does occur anywhere where there is inadequate supervision – on the way to and from school, at a sporting event, in the playground and changing rooms.

Bullies come from all walks of life; they bully for a variety of different reasons and may even have been abused. Typically, bullies can have low self-esteem, be excitable, aggressive and jealous. Crucially, they have learned how to gain power over others and there is increasing evidence to suggest that this abuse of power can lead to crime.<sup>2</sup>

The competitive nature of sport makes it an ideal environment for the bully. The bully in sport can be:

- A parent who pushes too hard.
- A coach who adopts a win-at-all costs philosophy.
- A player who intimidates others.
- An official who places unfair pressure on a person.

Bullying can include:

- Physical: eg hitting, kicking and theft.
- Verbal: eg name-calling, constant teasing, sarcasm, racist or homophobic taunts, threats, graffiti and gestures.
- Emotional: eg tormenting, ridiculing, humiliating and ignoring.
- Sexual: eg unwanted physical contact or abusive comments.

The damage inflicted by bullying can frequently be underestimated. It can cause considerable distress to children and vulnerable adults, to the extent that it affects their health and development or, at the extreme, causes them significant harm (including self-harm). There are a number of signs that may indicate that a young person or vulnerable adult is being bullied:

- Behavioural changes such as reduced concentration and/or becoming withdrawn, clingy, depressed, tearful, emotionally up and down, reluctance to go to school, training or sports club.
- A drop off in performance at school or standard of play.
- Physical signs such as stomach ache, headaches, difficulty in sleeping, bed-wetting, scratching and bruising, damaged clothes and bingeing for example on food, cigarettes or alcohol.
- A shortage of money or frequent loss of possessions.

### **Digital Abuse**

The Foundation understands there are specific considerations when addressing online safeguarding issues with digital technology enabling abuse to happen in a way where individuals can hide behind alternative profiles and images.

Through group communication applications images, videos and messages can be circulated with ease to many people. Once this data has been shared digitally it is near impossible to recall or delete. This can leave an individual extremely vulnerable to online forms of bullying (Cyberbullying) or Trolling, and further exploitation.

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<sup>1</sup> Research by Sheffield University, reported in the BBC Education publication (1994) by Goldsmiths College, London, showed that 10% of primary school children and 4% of secondary school children are bullied once a week.

<sup>2</sup> The BBC Education publication (1994) also indicates that bullies are four times more likely to become criminals.

<sup>3</sup> Westcott, H (1993) **The Abuse of Children and Adults with Disabilities**. London, NSPCC

<sup>4</sup> Kerr, A (1999) **Protecting Disabled Children and Adults in Sport and Recreation**. Contact Disability Sport England (Tel: 020 7490 4919)

The following risks must be taken into account when considering digital safeguarding matters:

- Content – risks because of material accessed online which they can be exposed to actively or passively with harmful effect. The possession or distribution of some content is illegal, including sexually exploitive images of children or radicalisation videos. Offensive or what is deemed inappropriate content can be subjective and may include advertising, violence, extremist or harmful material, sexual material or content discriminating an individual on their race, ethnicity, nationality, class, socioeconomic status, age, sex and gender identity/expression, sexual orientation, disability, religion, language or other status.
- Contact - risks that are produced as a result of others' online behaviour. Individuals may have their personal information shared or may be engaged in ways which lead to harmful consequences. These behaviours may include:
  - Cyberbullying
  - harassment and stalking
  - ideological grooming
  - exposure to political risk
  - increased exposure to cybersecurity risks, e.g. ransomware, apps or other active content or malicious code
  - harvesting (gathering of data about an individual such as email addresses from websites and used for purposes outside of the persons intention)
  - tracking and illegal sharing and possession of information, including having personal data collected, processed or shared without the individual's consent or on another unlawful basis
  - distribution of private and sexual images, e.g. the distribution of sexually exploitive images or videos without an individual's permission
  - non-contact sexual abuse and exploitation – including grooming, flashing, being persuaded to perform sexual acts online, and being exposed to sexually exploitive images or videos.
- Conduct - risks that are produced because of people's own online behaviour, which may put themselves and others at risk. Individuals may download something illegally, bully, harass or exploit others, unintentionally reveal their location, create and upload sexual material or sext (send someone sexually explicit photographs or messages via mobile phone). This may also include online activism in politically oppressed or conservative contexts, or breaking confidentiality of closed spaces by reposting, sharing, downloading or in other ways.
- Technology - based gender-based violence – that of online harassment, bullying and sexual exploitation can affect anyone, but is most likely to affect women, girls and LGBTQI+ individuals who are at an increased risk of violence through digital technology, which can be considered a form of Gender-Based Violence.

Perpetrators include:

- Individuals or groups who target people on an ideological basis such as fundamentalist, patriarchal, sexist, or homophobic groups
- Governments or companies who find gender justice or LGBTQI+ rights threatening to their power and authority
- Acquaintances, intimate partners, or family members who wish to harm someone or exercise power over them.

Acts of violence include:

- Online harassment and trolling
- Cyberstalking (tracking and monitoring of someone's movements and activities online)
- Invasion of privacy by gaining access to phones, devices, and email or other accounts without consent



- Distribution without consent of private and sexual images, or
- using these images as leverage and enforcement of power dynamics.

The Foundation are aware that there maybe some key signs that an individual is being victim to online abuse that are in addition to the symptoms of other forms of abuse:

- spending more, or less time than usual online, texting, gaming or using social media platforms
- appearing distant, emotional, upset or angry after using the internet or texting/messaging
- being secretive about the contact, or those that they are in contact with
- being secretive about their online activity or sites they are visiting
- use of multiple new devices, phone numbers or messaging services
- loss of confidence or interest in social interaction, feeling of being lost or lonely
- loss or significant increase of appetite
- increased awareness of the appearance and focusing on images of themselves or others online or on devices.

### **Disabled People**

There have been a number of studies<sup>3</sup>, which suggest children (or adults) with disabilities are at increased risk of abuse. Various factors contribute to this, such as stereotyping, prejudice, discrimination, isolation and a powerlessness to protect themselves, or adequately communicate that abuse has occurred.

### **Race and Racism**

Children from black and minority ethnic groups (and their parents) are likely to have experienced harassment, racial discrimination and institutional racism. Although racism causes significant harm it is not, in itself, a category of abuse. All organisations working with children, including those operating where black and minority ethnic communities are numerically small, should address institutional racism, defined in the Macpherson Inquiry Report on Stephen Lawrence as *'the collective failure by an organisation to provide appropriate and professional service to people on account of their race, culture and/or religion'*

### **PREVENT**

For organisations to fulfil the Prevent duty, it is essential that staff can identify participants who may be vulnerable to radicalisation and know what to do when they are identified. Protecting people from the risk of radicalisation should be part of organisations' safeguarding duties and is similar in nature to protecting people from other harms (e.g. drugs, gangs, neglect, sexual exploitation), whether these come from within their family or are the product of outside influences.

Organisations can also build pupils' resilience to radicalisation by promoting fundamental British values and enabling them to challenge extremist views. It is important to emphasise that the Prevent duty is not intended to stop people debating controversial issues. On the contrary, organisations should provide a safe space in which people can understand the risks associated with terrorism and develop the knowledge and skills to be able to challenge extremist arguments.

**Radicalisation** refers to the process by which a person comes to support terrorism and forms of extremism leading to terrorism.

There is no obvious profile of a person likely to become involved in extremism or a single indicator of when a person might move to adopt violence in support of extremist ideas.

The process of radicalisation is different for every individual and can take place over an extended period or within a very short time frame.

**Extremism** is defined as vocal or active opposition to fundamental British values including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and

beliefs; we also include in our definition of extremism calls for the death of members of the armed forces.

### **What can put people at risk?**

There is no single profile of a terrorist or violent extremist. Factors which may make people more vulnerable include:

- Substance and alcohol misuse.
- Peer pressure.
- Influence from older people or via the internet.
- Bullying.
- Crime and anti-social behaviour.
- Domestic violence.
- Family tensions.
- Race/hate crime.
- Mental health issues.
- Lack of self-esteem or identity.
- Grievances (personal or political).
- Migration.

### **Female Genital Mutilation (FGM)**

Female genital mutilation (FGM) is the partial or total removal of external female genitalia for non-medical reasons. It is also known as female circumcision or cutting. Religious, social or cultural reasons are sometimes given for FGM. However, FGM is child abuse. It is dangerous and a criminal offence. There are no medical reasons to carry out FGM. It does not enhance fertility and it does not make childbirth safer. It is used to control female sexuality and can cause severe and long-lasting damage to physical and emotional health.

### **Signs, Indicators and Effects**

A girl at immediate risk of FGM may not know what is going to happen. But she might talk about or you may become aware of:

- A long holiday abroad or going 'home' to visit family
- Relative or cutter visiting from abroad.
- A special occasion or ceremony to 'become a woman' or get ready for marriage.
- A female relative being cut – a sister, cousin, or an older female relative such as a mother or aunt.

### **Indicators**

A girl or woman who's had female genital mutilation (FGM) may:

- Have difficulty walking, standing or sitting.
- Spend longer in the bathroom or toilet.
- Appear withdrawn, anxious or depressed.
- Have unusual behaviour after an absence from school or college.
- Be particularly reluctant to undergo normal medical examinations.
- Ask for help, but may not be explicit about the problem due to embarrassment or fear.

### **Physical Effect**

FGM can be extremely painful and dangerous. It can cause:

- Severe pain.
- Shock.
- Bleeding.
- Infection such as tetanus, HIV and hepatitis B and C.
- Organ damage.
- Blood loss and infections that can cause death in some cases.

### **Long Term effects**

Girls and women who have had FGM may have problems that continue through adulthood, including:

- Difficulties urinating or incontinence.
- Frequent or chronic vaginal, pelvic or urinary infections.
- Menstrual problems.
- Kidney damage and possible failure.
- Cysts and abscesses.
- Pain when having sex.
- Infertility.
- Complications during pregnancy and childbirth.
- Emotional and mental health problems.

### **Human Trafficking**

The organised crime of human trafficking into the UK has become an issue of considerable concern to all professionals with responsibility for the care and protection of children. Any form of trafficking humans is an abuse.

Trafficking of persons means the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat of, or use of coercion, abduction, fraud, deception, abuse of power or of a position of vulnerability. It also includes the giving or receiving of payments or benefits to achieve the consent of a person having control over another person for exploitation. It is important to note that some cases involve UK-born people being trafficked within the UK, e.g. people being trafficked from one room to another, one town to another to one country to another. The consent of the victim of trafficking is irrelevant where any of the above methods have been used. Trafficked people may be used for sexual exploitation, agricultural labour including tending plants in illegal cannabis farms and benefit fraud. Children as well as adults are trafficked. If you have a concern regarding the possible trafficking of a child you should immediately contact the Designated Safeguarding Officer who will make a referral direct to the appropriate team. Staff and should not do anything which would heighten the risk of harm or abduction to the child.

### **Hate Crime**

The Association of Chief Police Officers (ACPO) and the Crown Prosecution Service (CPS) have a nationally agreed definition of Hate Crime. Hate crimes are taken to mean any crime where the perpetrator's hostility or prejudice against an identifiable group of people is a factor in determining who is victimised. This is a broad and inclusive definition. A victim does not have to be a member of the group. In fact, anyone could be a victim of a hate crime.

The Crown Prosecution Service (CPS) and The Association of Chief Police Officers (ACPO) have agreed 5 monitored strands of hate crime as set out below. A hate crime is any criminal offence that is motivated by hostility or prejudice based upon the victim's:

- Disability
- Race
- Religion or belief
- Sexual orientation
- Transgender identity.

Hate crime can take many forms including:

- Physical attacks such as physical assault, damage to property, offensive graffiti and arson.
- Threat of attack including offensive letters, abusive or obscene telephone calls, groups hanging around to intimidate, and unfounded, malicious complaints.
- Verbal abuse, insults or harassment - taunting, offensive leaflets and posters, abusive gestures, dumping of rubbish outside homes or through letterboxes, and bullying at school or in the workplace.

### **Child Sexual Exploitation (CSE)**

CSE is a particularly hidden form of abuse and is the coercion or manipulation of children or young people into taking part in sexual activities. This includes:

- The exchange of sexual activity for payment.
- The production of indecent images.
- Grooming.
- Trafficking.
- Forced marriage.

What marks out exploitation is an imbalance of power within the relationship. The perpetrator always holds power over the victim, increasing the dependence of the victim as the exploitative relationship develops.

Children or young people may be tricked into believing they're in a loving, consensual relationship. They might be invited to parties and given drugs and alcohol. They may also be groomed and exploited online.

Some children and young people are trafficked into or within the UK for the purpose of sexual exploitation. Sexual exploitation can also happen to young people in gangs.

If you have a concern regarding the possible exploitation of a person you should immediately contact the Designated Safeguarding Officer who will make a referral direct to the appropriate team. Staff should not do anything which would heighten the risk of harm or abduction to the child.

### **Child Trafficking**

Children are trafficked for:

- Child sexual exploitation.
- Benefit fraud.
- Forced marriage.
- Domestic servitude such as cleaning, childcare, cooking.
- Forced labour in factories or agriculture.
- Criminal activity such as pickpocketing, begging, transporting drugs etc.

Many children are trafficked into the UK from abroad, but children can also be trafficked from one part of the UK to another.

Child trafficking and modern slavery are child abuse. Children are recruited, moved or transported and then exploited, forced to work or sold.

### **Grooming**

Grooming is when someone builds an emotional connection with a child to gain their trust for the purposes of sexual abuse, sexual exploitation or trafficking.

Children and young people can be groomed online or face-to-face, by a stranger or by someone they know - for example a family member, friend or professional.

Groomers may be male or female. They could be any age.

Many children and young people do not understand that they have been groomed or that what has happened is abuse.

### **Peer on Peer**

Children can abuse other children. This is generally referred to as peer on peer abuse and can take many forms. This can include (but is not limited to) bullying (including cyberbullying); sexual violence and sexual harassment; physical abuse such as hitting, kicking, shaking, biting, hair pulling or otherwise causing physical harm; sexting and initiating/hazing type violence and rituals.

## **Signs and symptoms**

- Absence from school or disengagement from school activities
- Physical injuries
- Mental or emotional health issues
- Becoming withdrawn – lack of self esteem
- Lack of sleep
- Alcohol or substance misuse
- Changes in behaviour
- Inappropriate behaviour for age.

## **Vulnerable Groups**

- Those aged 10 and upwards (although victims as young as 8 identified)
- Girls and young women are more likely to be victims and boys and young men more likely to be abusers
- Black and minority ethnic children often under identified as victims and over-identified as perpetrators
- Young people with intra-familial abuse in their histories or those living with domestic abuse are more likely to be vulnerable
- Young people in care and those who have experienced loss of a parent, sibling or friend through bereavement
- Young people who have been abused or have abused their peers.
- Abusers can be younger than their victims.

It is important to remember that as with all safeguarding issues, peer on peer abuse can impact on children and young people without these characteristics. The issue facing professionals is that these characteristics will often make the child / young person more visible, whilst those without any of the characteristics above may be less likely to come into contact with professionals.

It is important to recognise that children are vulnerable to abuse in a range of social contexts as they form different relationships in their neighbourhoods, schools and online and these can feature violence and abuse which is often hidden to adults. Peer influence and pressure is a major factor in decisions made by young people to join groups. Keeping Children Safe in Education highlights the importance of awareness of factors across a school's local community so they understand where young people are living, who they come into contact with and the dynamics at play.

Understanding the power dynamic that can exist between children and young people is very important in helping to identify and respond to peer on peer abuse – there will be a power imbalance and this may be due to age or status – social or economic – and the perpetrator in one situation may be the powerless victim in another so it is essential to try to understand the perpetrator and what is driving their behaviour before taking sanctions.

A thorough investigation of the concerns should take place to include any wider contexts which may be known. However, the victim should always be made to feel safe and actions will need to be taken to separate victim and perpetrator and ensure that the abuse is not allowed to continue. The issues of the interplay between power, choice and consent should be explored with young people.

## Appendix F

### RECRUITMENT AND RETENTION OF STAFF AND VOLUNTEERS WITH CRIMINAL RECORDS

#### Information on disclosure

Staff/volunteer appointments can be made if there are no convictions, cautions, reprimands, final warnings or other non-conviction information on the Enhanced DBS Disclosure.

The Enhanced DBS Disclosure will also show whether, under Schedule Four of the *Criminal Justice Courts Services Act 2000* (see *appendix A*), the person is banned from working or seeking work with young people under the age of 18. If the person is banned, you should contact the police, who will take appropriate action. It is an offence for a person banned from working with young people to apply for such work and for an employer knowingly to employ a banned person in such a capacity

#### What to do if a criminal record is revealed on a disclosure

If there is information listed, generally the disclosure will confirm what the applicant has previously revealed, and this will be taken into account when offered employment. Where a Disclosure confirms information that has already been taken into account, offers of employment should not be rescinded without very good reason.

If, however, there are significant discrepancies between the information that the applicant has provided and the information on the Disclosure, then further consideration will be necessary. Any new matters revealed by Disclosure should be discussed with the applicant.

In some instances it may be clear that the applicant is unsuitable for the post they have applied for because of their criminal record or information related to risk. In other instances involving offences not listed in Schedule Four, however, it will not be clear whether a person is suitable until questioned further. It may be necessary to seek permission to contact relevant agencies to clarify the nature of the information. It may be that at a subsequent interview the applicant can provide the reassurance that is needed.

#### The relevance of offences

The main focus of decision-making should be on the offences, which are relevant in terms of protecting children and vulnerable adults, the relevant categories of offences for most purposes are:

- Violence
- Sexual
- Drugs

It is however important to recognise all three categories cover a very wide range of behaviours from relatively minor e.g. a teenager having consensual sex with his underage girlfriend to the most grave e.g. indecent assault or rape.

#### Risk assessment

Recruitment and selection is never risk-free. Sound decisions depend on careful analysis of factual information against well-prepared job and person specifications that are bias free. Addressing issues related to criminal convictions needs an objective, common sense approach which takes into account the employer's duties in law, the nature of the crime, when it happened, the circumstances involved, the sentence, patterns of offending, efforts to avoid re-offending, job requirements and safeguards against offending at work. This will help you to decide whether the risk of employing a person can be taken and what precautions and safeguards would be needed to manage and minimise that risk.

Assessing the risk of employing a person with a criminal record means comparing an applicant's skills, experience and conviction circumstances against risk criteria you have identified for the job. For

example some violence offences would be relevant to positions involving unsupervised contact with the public. Fraud should be considered in relation to posts involving the handling of significant amounts of money and theft in relation to posts involving the handling of stock. Sexual or child pornography offences would almost certainly disqualify any person required to work with children. It should be remembered that no two offences are exactly alike. For example, a premeditated burglary that involves extensive damage to property and the physical intimidation of the occupants is different from someone convicted of reaching in through an open window and stealing a purse on a whim.

Make sure best use is made of the interview to discuss the nature of their convictions with applicants short-listed as meeting the requirements of the job and person specification if they have disclosed a criminal record. This information is essential to any risk assessment. **Look at both the job and the person and weigh up the pros and cons against possible safeguards and precautions.**

### Assessing the job for risk

Take into account issues such as:

Exemption status under the Rehabilitation of Offenders Act, 1974, duties under the Police and Children's Acts regarding one-to-one contact with children, vulnerable adults, or the elderly.	It is illegal to employ certain offenders in some occupations.
To what extent are you bound by other legal constraints?	For example, those with motoring convictions employed as drivers.
Does the post involve any direct responsibility for finance or items of value?	What could happen and how serious would that be? What factors would increase or decrease the perceived risk? For example, nature of offence and impact of rehabilitation since then. Consider whether the offence would create unacceptable risks for other employees, customers, suppliers, clients, service users, etc. In particular whether any one-to-one contact is likely (or relevant).
Does the post involve direct contact with members of the public?	
Will the nature of the job present any realistic opportunities for the post holder to re-offend in the place of work?	

### Assessing the ex-offender and the offences

Keep an open mind. Some ex-offenders will have had access to rehabilitation programmes that might also offer advice and guidance to potential employers and assist with transfers into employment. There are organisations that already successfully employ ex-offenders and may be willing to offer you guidance. Sometimes it can be directly relevant to consider employing a reformed person with a conviction. For example, it could bring important insight or knowledge to the job. In some cases, the relationship between the offence and the post will be clear enough for you to assess the risks. In other cases, the decision may not be so clear-cut. You should consider:

- The availability of assessments and reports from those agencies involved in the applicant's process of rehabilitation. For example, Probation Service, specialists working in prison, other agencies.
- The seriousness of the offence and its relevance to the safety of other employees, customers, clients and property. Generally speaking, the longer the sentence the more seriously the Courts viewed the offence at the time. Custodial sentences are usually more serious than non-custodial sentences.

- The length of time since the offence occurred. (How effective has rehabilitation been?)
- Any relevant information offered by the applicant about the circumstances that led to the offence being committed, for example the influence of domestic or financial difficulties.
- Was the offence a one-off, or part of a history of offending. (Is the offence likely to re-occur?)
- Whether the applicant's circumstances have changed since the offence was committed, making re-offending less likely (e.g. improved personal circumstances, drug addiction therapy, etc.).
- The country in which the offence was committed; for example, some activities are offences in Scotland and not in England and/or Wales, and visa versa.
- Whether the offence has since been decriminalised by Parliament.
- The degree of remorse, or otherwise, expressed by the applicant and their motivation to change.

### Implementing safeguards

You might need to check that your insurance policies do not exclude employment of some ex-offenders in specific occupations. Most don't, but fidelity bond insurance is available if required. You will also need to take account of other legislative requirements, such as on human rights, discrimination, data protection, etc.

Assess:	The level and closeness of supervision. The practicality of regular progress reviews with those involved, including the applicant. Whether any training or briefing would be useful to enable the supervisor to manage the post-holder in the work context.
What precautions are there or could you put in place?	Consider supervision (direct or indirect), progress reviews involving the ex-offender, etc.

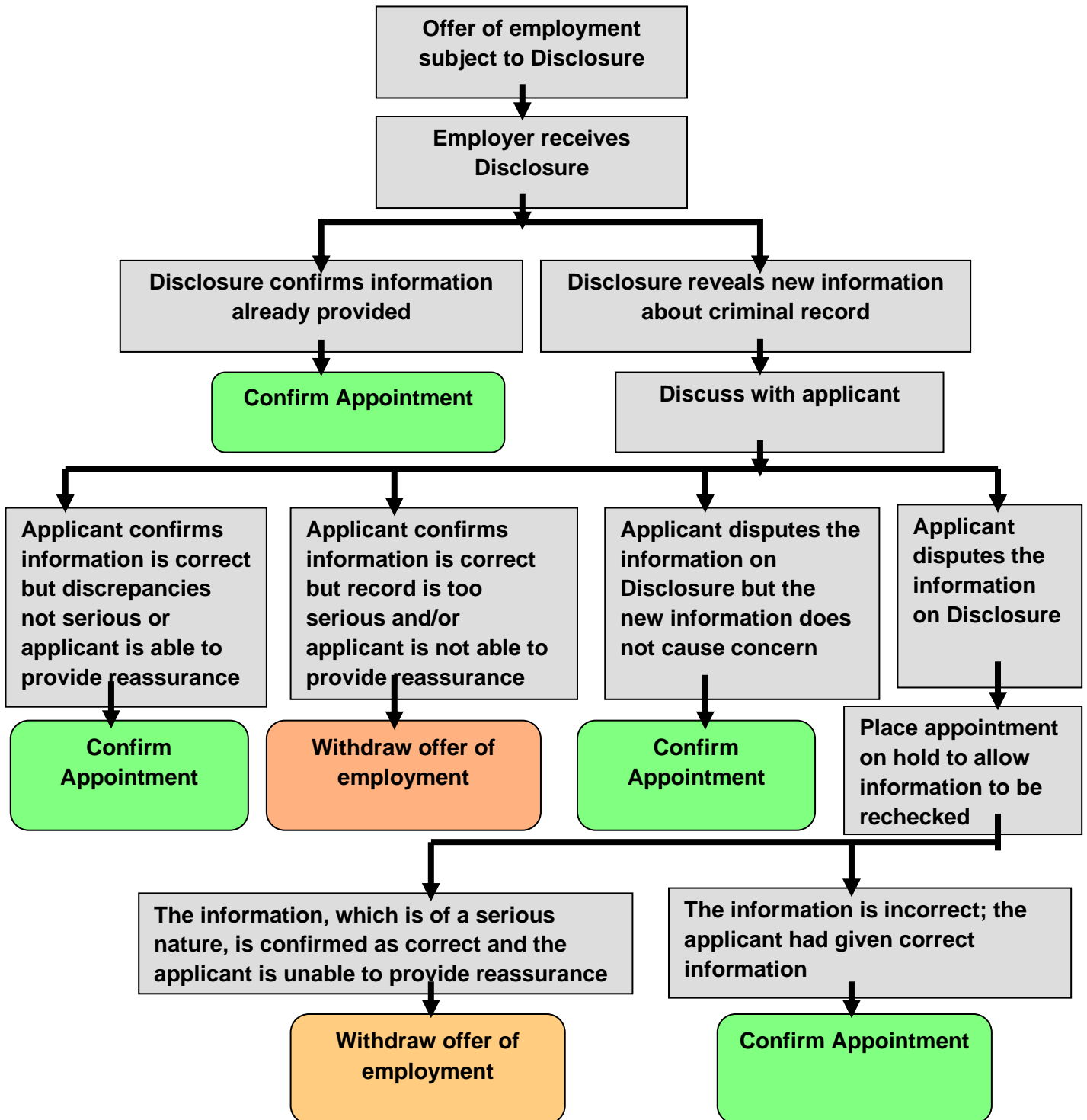
### Managing sensitive information

Organisations should ensure that:

- Information regarding offences is kept confidential. Applicants need to feel confident that information about their convictions will not be disclosed to anyone unless there is a specific reason for doing so.
- Only the personnel office, or the people directly responsible for recruitment, should be informed of an employee's criminal record.
- The successful applicant should be informed who in the organisation knows of the conviction and the reasons why the information has been disclosed. The individual's line manager should only be informed if the offence is directly connected with the job.
- Offence information should be kept securely in lockable filing cabinets. Access to keys should be restricted to individuals responsible for recruitment and personnel.



**Flow chart for dealing with disclosures**



## Protection of Children Act 1999 and the Criminal Justice and Court Services Act 2000

### People banned from working with children

Under the Protection of Children Act 1999 and the Criminal Justice and Court Services Act 2000, a number of people are banned from working with children. These are:

- People on the DfE List 99.
- People on the DoH list.
- People on the National Assembly of Wales List
- People aged 18 or over convicted of certain specified offences against those aged under 18 (or 16 in some instances) and given a hospital or guardianship order or a custodial sentence of 12 months or more.  
Suspended sentences of 12 months or more are treated as qualifying sentences.

The specified (Schedule Four) offences are:

- Murder or manslaughter.
- Rape or burglary with intent to commit rape.
- Grievous bodily harm.
- Cruelty to children.
- Kidnapping, false imprisonment and abduction.
- Indecent assault on a man or a woman.
- Sexual intercourse with a girl aged between 13 and 16.
- Buggery with a child under 16.
- Indecency between men.
- Abuse of trust.
- Incest and related offences.
- Assault with intent to commit buggery.
- Indecency with children under the age of 14.
- Offences relating to or encouraging child prostitution.
- Offences relating to child pornography.

The term 'working with children' covers a number of areas. According to the *Guide on Protection of Children*, broadly these are:

- **Employment in certain establishments** which provide functions of various sorts exclusively or mainly for children such as schools, children's homes and children's hospitals. All staff, whether primary or secondary carers or ancillary staff, are deemed to be primary carers.
- **Employment in day care premises**, except where the work takes place in a different part of the premises to where day care activities are situated, or if it occurs during times of the day when children are not being looked after.
- **Caring for, training, supervising or being in sole charge of children.**
- **A position where normal duties involve unsupervised contact with children.** This would cover, for example, a minicab firm whose drivers are routinely employed to transport unaccompanied children on a regular basis, but not those who do it on an irregular or one-off basis.
- **Child employment.** Where the young person is under the age of 16, those responsible for caring for them in the course of their employment would be covered by the definition.
- **Positions of influence and control** over children which could place them at risk.

Juveniles (– under 18 year olds) – should only be banned if a court believes that there is a likelihood of the offender in question committing a further offence against a young person.

The 1999 Act requires childcare organisations to refer the names of individuals considered unsuitable for work with children to the DoH and DfE lists. It also requires childcare organisations not knowingly to offer employment to anyone listed for any posts involving regular contact with children in a childcare capacity.

The Act applies to people disqualified in England and Wales only. However, such people are committing an offence if they seek such work in Northern Ireland. Similar schemes are being considered in Scotland and Northern Ireland. Those who are subject to disqualification in Scotland and Northern Ireland will be recognised as being disqualified in England and Wales also.

## **Appendix G**

### **Executive Designated Safeguarding Officer**

Responsible to: Safeguarding Trustee

#### **Purpose**

The Executive Designated Safeguarding Officer (DSO) will be responsible for monitoring, evaluating and leading improvements in all aspects of safeguarding and behaviour and safety, to ensure that the Foundation operates within the legislative framework, recommended guidance and that both participants and staff are safe and cared for. The DSO will be a senior manager within the Foundation.

They will be responsible for acting upon safeguarding concerns raised by staff, participants and external stakeholders and ensuring that multi-agency referrals are made and coordinated as necessary, to ensure individuals are safe and protected from harm.

The DSO will ensure the education and training of staff in relation to safeguarding, behaviour and safety.

The post holder will act as a role model who leads by example, as a professional who reinforces standards & high expectations and who shares good practice. At all times the post holder will champion inclusive practice by ensuring that timely and effective interventions enable all participants to reach their full potential despite sometimes difficult home or personal circumstances.

#### **Specific Responsibilities:**

##### **Raising awareness**

- Ensure that managers is kept fully informed of any concerns.
- To lead the agenda item at team meetings to share information and concerns.
- Ensure that all staff know the procedures for raising safeguarding concerns.
- Ensure that safeguarding and behaviour and safety information is easily accessible to staff and visitors via posters, leaflets, the website etc.
- Liaise with the Trustee responsible for safeguarding as necessary.

##### **Referrals**

- Refer cases of suspected abuse or allegations to the relevant investigating agencies.
- Act as a source of support, advice and expertise within the Foundation when deciding whether to make a referral by liaising with relevant agencies.
- To ensure that all child protection cases are swiftly and professionally handled even when delegated to suitably qualified members of the team.

##### **Training**

- Responsible for ensuring that all staff (including adults who work within the Foundation but are not directly employed by the Foundation) undertake appropriate and wide ranging safeguarding training, and that this is kept up to date by refresher training as appropriate.

##### **Communication and Quality Assurance**

- Responsible for monitoring, evaluating and leading improvements in all aspects safeguarding and behaviour and safety, to ensure that the Foundation operates within the legislative framework and recommended guidance.
- Responsible for reporting concerns to the appropriate person or organisation when safeguarding or H&S practices and policies are not being followed by staff.

- Responsible for ensuring the Foundation's safeguarding policy and other associated policies such as H&S, Medical Care etc. are implemented, quality assured, reviewed, updated and reflect statutory requirements and best practice guidance.
- Quality assure day to day systems and procedures from a safeguarding and H&S outlook and provide feedback to ensure the smooth and safe running of the Foundation.
- To develop and maintain robust, detailed, accurate records for all aspects of safeguarding including for case files, staff training etc. and to ensure that information is stored and shared within data protection guidelines.
- Responsible for the provision of reports and information as required by the Trustees and external partners on the effectiveness of safeguarding, behaviour and safety and ensuring that all statutory reporting procedures are carried out.
- To effectively and efficiently communicate with all staff regarding individual needs of participants e.g. the outcome of referrals, individual/group monitoring, links with parents/carers or external agencies.
- To effectively develop and maintain partnerships with parents, external agencies such as the LADO, social care, police, and service providers such as Barnardos.

### **General**

- Promote good order and a productive learning environment throughout the Foundation, acting as an effective referral point for issues of concern to safeguarding and behaviour.
- Lead by example on the upholding Foundation policies and modelling good practice.
- Contribute to the life of the Foundation and support its agreed ethos and policies.
- Actively engage in Appraisal and Continuing Professional Development activities.
- Participate in the Foundation's recruitment and selection process as required and support the effective induction of new staff in line with Foundation policy.
- Advise on and contribute to the professional development of all staff.
- Undertake such other duties as may be required from time to time commensurate with the level of the post and as directed by the Safeguarding Trustee.