

## **PROTECTION OF CHILDREN & VULNERABLE ADULTS – PUBLIC LIABILITY QUESTIONNAIRE FOR INDIVIDUAL CLUBS**

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Guidance Note – for policyholders

These Notes have been produced for use by Policyholders who are requesting Abuse cover as part of their insurance cover requirements. The Guidance Note is intended to be used for reference when completing the Protection of Children & Vulnerable Adults Questionnaire.

The paragraph numbers correspond with the question numbers on the PCVA Questionnaire for Individual Clubs.

Answers to ALL questions are required. If any response is Not Applicable, full details will be required.

IMPORTANT – the definitions of Vulnerable Adults, Employee and CRB stated on the Questionnaire also apply to these Guidance Notes.

### Policy

1. Policy Statement refers to your Clubs Child and Vulnerable Adult Protection Policy.

The policy should be written in a clear and easy to understand way.

The policy should be made available to all relevant persons.

The policy needs to be based on an approved and endorsed standard as set out by Child Protection in Sport Unit, NSPCC or other similarly recognised body. If your Policy Statement is based upon the child protection policy of the governing body to which you affiliate please specify who this is.

The policy should be mandatory for all staff, volunteers and members

The policy should be reviewed at least every 3 years

2. Written in a clear step by step manner.

The instructions must include easy to understand actions to be followed if there are concerns about a child's or vulnerable adult's safety or welfare. This should cover how complaints and/or concerns are raised by individuals and how the club should respond including timescales.

The instructions must detail roles and responsibilities of designated persons responsible for PCVA issues within your club.

It must specify a process of recording incidents and/or concerns and how these should be stored securely.

The documented instructions should include; definitions of abuse, contact details for local social services and police, procedures for use of video and photography by Employees and visitors.

3. The Anti-bullying policy should be a specific section within the Policy Statement. However it may fall within the other sections of the documented instructions e.g. code of ethics, acceptable behaviour, dealing with complaints, managing behaviour etc. A specific Anti-Bullying policy within the Policy Statement is preferable.

In sport it is common for coaches and clubs to receive complaints by children or their parents who believe they have been bullied or pushed too hard. This may increase in frequency around the time of selection for teams/competition. The area of coaching and bullying should be specifically covered within the Anti-Bullying policy.

Peer to peer bullying is a further topic which needs to be covered by the Anti-Bullying policy.

The Anti-Bullying policy should provide clear instruction on your attitude to bullying, what is acceptable practice, how it will be tackled where bullying is witnessed or suspected and procedures to be followed for reporting concerns or issues.

4. This is intended to ensure individuals and clubs responsible for children and vulnerable adults clearly understand what is acceptable when managing behaviour and in the event they are required to restrain individuals in confrontational situations.

The instructions should provide step by step guidance on handling such situations arising from all aspects of their sport including but not limited to coaching individuals/groups, competitive matches, dealing with spectators/parents, refereeing, player to player confrontations or individuals with specific behavioural needs.

5. This sets out disciplinary processes and action to be taken by the Club in the event of complaints or allegations of abuse against Employees.

The Policy Statement should clearly set out the steps to be taken by persons who have grievances, concerns or complaints against Employees. This may include flow charts, appropriate forms to be used and contact names and numbers.

This will include items such as disciplinary hearings, suspension from duties, reporting incidents to Police/Social Services, re-training, expulsion from the Club and appeals from the Employees.

6. This demonstrates good practice to ensure the Policy Statement is operated at all levels throughout the Club.

The duties of the designated person or Welfare Officer will need to be included within the Policy Statement.

The Policy Statement should include guidance on the suitability of the person appointed Welfare Officer. For example where the Welfare Officer is also the Senior Instructor, Secretary etc. or where all the senior positions within a Club including the Welfare Officer are held by husband and wife.

Duties will include;

- Attending training courses and seminars
- Raising awareness of PCVA within the Club
- Co-ordinating training relative to PCVA
- Encouraging adoption of good practice and code of ethics
- Reviewing procedures following incidents
- Representing PCVA issues at Club Committee meetings
- Acting as link with Governing Body on PCVA issues

7. The Policy Statement should include roles and responsibilities of all Employees and any other person providing services on their behalf.

This will include the roles of the Designated Person responsible for PCVA within the Club, the role of the Executive Committee, the Welfare Officers, Club Secretary, Coaches etc.

Operational

8. When an acceptable Policy Statement is in place it is equally important to ensure it remains up-to-date. This is a means by which the latest best practice and legislative changes are included within the Policy Statement.

The Policy Statement should specify who has specific responsibility within the Club for reviewing the Policy Statement and the date and/or frequency this must be undertaken.

It is recommended the Policy Statement is reviewed at least every 3 years.

Changes to the Policy Statement need to be clearly communicated to all parties and a record of such communications be retained.

The Policy Statement should be identified by the version number and date which it was issued. A review date should be contained in the document.

Any subsequent reviews should be numbered and dated accordingly.

All changes to the PCVA procedures occurring in the interim e.g. updates to processes, procedures, legislation, contact details etc should be formally issued to all relevant persons within the Club and a central record of such communications retained by the Club.

9. Risk Assessments relative to the normal activities of your Club are a method by which risk can be identified and controlled. The same is true when the risk assessments relate to PCVA.

Risk Assessments are simply a careful examination of conditions and practices in the business which could lead to abuse. An adequate assessment will enable the persons responsible for PCVA to determine if sufficient precautions have been taken or if more can be done to prevent abuse.

Further guidance on risk assessments is widely available but in general terms the Risk Assessment should cover the following 5 basic steps:

1. Look for the hazards
2. Decide who may be harmed and how
3. Evaluate the risks
4. Record your findings
5. Review your assessment and revise it if necessary

It is important that all circumstances potentially giving rise to abuse are risk assessed. For example it should include transporting children or vulnerable adults to and from venues, competitions involving overnight stays, visits abroad, minimising one to one situations.

10. An important area of the Policy Statement in sport.

Risk Assessments and specific procedures should cover overnight accommodation. In addition where activities are undertaken away from your main premises e.g. during competitions, tournaments, award presentations, trips abroad, transport to and from venues these should be included with the Policy Statement.

11. The Policy Statement should include written standards of good practice for acceptable behaviour.

These will help to minimise opportunities for abuse and help to prevent unfounded allegations.

There should be a code of ethics for children and adults.

Guidance should be provided on what is appropriate and expected behaviour of adults towards children and vulnerable adults. It should also include child to child, adult to vulnerable adult, child to vulnerable adult etc.

Any disciplinary measures are non-violent and do not involve humiliation.

The children or vulnerable adults are treated as individuals who are listened to and respected.

Discrimination in all its forms is unacceptable.

12. Where relevant there are guidelines on personal coaching, intimate care and appropriate contact.

13. Use of photographic, video equipment and mobile phones with the capability of taking images all need to be covered by the Policy Statement.

Persons who may wish to take photographs and video footage can include parents, coaches, spectators, opponents in competitions and by spectators. It is important the Club control this activity at all times.

Good practice requires any person requiring to take images of children or vulnerable adults register their request in a photography book.

All publicity, handbooks, websites utilising images should be controlled. This will include guidance of the use of names and images together, appointing professional photographers etc.

The Policy Statement should include instructions to coaches and supervisors at events to be on the look out for suspicious behaviour i.e. persons who seem to spend excessive time taking photographs or video images but appear not to be relatives or friends of any child.

14. All sensitive material is to be stored in a secure manner to ensure access is limited to appropriate persons within the Club.

The Policy Statement should include guidance on confidentiality and information sharing.

The subject of Data Protection and storing of CRB certificates should be included.

Record retention is important in defending claims. For example where the Club undertake a Risk Assessment on the suitability of an individual to work with children or vulnerable adults this will need to be retained for at least 25 years. A secure means of storing such documents is essential.

Recruitment/Employment

15. All Employees are required to complete a written application form.

This enables the Club to obtain basic information such name address and signature.

A written application will be necessary to verify the identity of the applicant (see below).

16. This should be done following the guidelines set out by CRB.

The guidelines set out documents acceptable under two Groups;  
Group 1 and Group 2.

This covers what is an acceptable form of identification e.g. passport, driving licence, utility bills etc.

17. This is particularly important for all persons who will have contact with children or vulnerable adults.

At least two references should be obtained.

Independent verification requires authenticity of references to be undertaken orally.

Any gaps in employment history should be thoroughly investigated.

Confirm registration with professional bodies where applicants claim membership.

18. Qualifications should be independently verified with issuing body.

19. CRB checks are NOT to be relied on as the sole method of vetting Employees.

The Disclosure process is only one part of a thorough process of checking the suitability of candidates. CRB and other records may not provide a complete picture of candidates past. For example persons who are from outside the United Kingdom.

CRB is an essential component in good recruitment and staff management practices.

A CRB check should be undertaken for the role which the individual is applying. For example a teacher who wishes to become an instructor or guide should not be allowed to provide a copy of the CRB certificate they have for their teaching position.

Remember the CRB check will only provide information on an individuals background at the time the check is made. It will therefore only be valid on the date the check is made. It is essential CRB checks are regularly updated (see 20 below) and are not accepted for other posts held by the individual.

20. Good practice on CRB checks and our requirement as Insurer is that all Employees in contact with children or vulnerable adults are subject to a CRB check every 3 years as a minimum.
21. This will usually be incorporated as a question or declaration within the Employee or membership application.

As stated above CRB on its own should not be relied upon.

CRB checks will not pick up on previous allegations or complaints unless they were formally notified to the authorities or involved police. CRB checks will not identify where an individual was asked to leave any previous employment or position involving children or vulnerable adults due to inappropriate behaviour.

Such a declaration will not prevent fraudulent completion by an individual. However it will require an act of fraud to enter the organisation. It further demonstrates the Clubs commitment to tackling the issue and sends a clear message to all applicants attempting to infiltrate the Club.

Use of such declarations demonstrates the Club is following good practice and it has taken all reasonable steps in preventing persons with a known history of allegations or concerns entering the sport in positions where they may come into contact with children or vulnerable adults.

22. The Club should ensure current Employees are also subject to vetting. The Employee may have been a member of the Club prior to introduction of the aforementioned declaration.

The Club needs a mechanism to ensure existing Employees have not been the subject of any abuse investigation or enquiry. CRB checks should not be solely relied upon.

For example how would the Club pick up on the fact a school teacher who coached at one of their clubs had been subject to an allegation in their teaching role in the last 12 months?

Training/Competency

23. The degree in which PCVA is covered in induction training will vary dependant upon the role, responsibilities and degree of contact with children or vulnerable adults.

Inclusion of PCVA in induction training clearly sets out the importance the Club places on the issue. This sends a clear message to persons seeking to gain access to children or vulnerable adults via the Club.

24. The Policy Statement should be available to all parties including Employees and members. The purpose of the summary provided to Employees has the following benefits, providing the Club can evidence the summary was provided;
  - Raises profile of PCVA

- Employees cannot claim to be unaware of the policy and procedures
- Acts as an aide memoire and supplementary note to main Policy Statement
- Can be displayed at the Club premises e.g. notice boards

25. This process has a number of benefits;
- 1) Clubs can maintain a record of who has received copies of the Policy Statement and when it was received. This will enable updates to the Policy to be provided when revised versions are issued.
  - 2) It minimises the risk that Employees claim never to have seen the Policy Statement or be unaware of its existence
  - 3) Helps to ensure the Policy is distributed and is used as intended
  - 4) It helps the Club demonstrate how it is dealing with PCVA issues.

26. In addition to induction training

Training enables the Club to develop and maintain skills and understanding necessary to safeguard children and vulnerable adults.

Clubs have a responsibility to provide training and development opportunities in protecting children and vulnerable adults in their care.

Training should include how to recognise and respond to concerns about abuse.

Employees with responsibility for children and vulnerable adults e.g. Welfare Officers, Instructors etc should receive training to provide them with the opportunity to develop the necessary skills and knowledge required for such roles. Opportunities to develop knowledge and understanding should be provided.

For example the introduction of the United Kingdom Coaching Certificate (UKCC) is an attempt to standardise / govern the minimum level of competence required by sport coaching staff.

Many sports governing bodies are currently in the process of developing training programmes for coaches in connection with UKCC which includes matters relating to PCVA. A number of well established PCVA related training modules are normally referenced by these governing bodies e.g. 'Time to Listen' training module, as developed by the NSPCC and 'Good Practice in Child Protection in Sport' as developed by Sports Coach UK.

Training should be provided to Employees with responsibility for complaint handling and disciplinary processes.

Training on recruitment and 'safer recruitment' practices should be provided.

Incident/Complaint Handling

27. An important area of the Policy Statement.

Details the process for raising concerns or complaints.

Timescales in which the concerns or complaints will be dealt with.

How the Club will handle these complaints.

Responsibility for investigations and external bodies who need to be contacted.

How to deal with the alleged victim.

Disciplinary action available to the Club in the event the allegation against the Employee is substantiated.

A formal appeals process for employees.

How the Club can learn from the incident and introduce any improvements to its Policy Statement.

28. A Whistleblowing policy should form a specific section of the Policy Statement. However it may be included within other sections of the documented instructions. A specific Whistleblowing policy is preferable.

The Policy Statement should however include detailed instructions as to how Employees can raise concerns, confidentially if necessary, about unacceptable behaviour by other Employees. These details will include external contacts.

29. This should include Do's and Don'ts to be followed where a concern or complaint is received.

This should cover the various stages to be followed depending on the source of the concern or allegation.

Who individuals should contact depending on the nature of the concern or allegation. For example where suspicion is raised against the designated person responsible for PCVA or against a Welfare Officer.

Procedures to follow where it is suspected abuse is occurring away from the Club environment e.g. at home or in school.

30. Examples may include Helplines e.g. Childline.

Designated person within the Club to coordinate PCVA allegations and concerns.

The designated person at the Club will usually liaise with Welfare Officers to disseminate information, introduce new procedures, helplines, learning points from cases and generally be the focal point for support to Welfare Officers.

Designated person will liaise with the Governing Body to resolve queries and raise issues relative to PCVA where appropriate.

31. In view of the potential gap between concerns or incidents being recorded and a claim manifesting by the victim it is vital to ensure adequate records are maintained for a minimum of 25 years.

All such records should be kept in a separate and secure place.

32. See above.