

ENGLAND BASKETBALL CHILD PROTECTION POLICY & PROCEDURES UPDATED JULY 2005

INTRODUCTION

Sport can and does have a very powerful and positive influence on people – especially young people and vulnerable adults. Not only can it provide opportunities for enjoyment and achievement; it can also develop valuable qualities such as self-esteem, leadership and teamwork. These positive effects can only take place if sport is in the right hands - in the hands of those who place the welfare of all young people and vulnerable adults first and adopt practices that support, protect and empower them.

The reality is that abuse does take place in sport and in some cases coaches and other trusted adults in sport have been convicted of abusing children. Every adult has a legal and moral responsibility to protect young people and vulnerable adults in sport from abuse.

England Basketball* is committed to working in partnership with all agencies to ensure that information and training opportunities are available to ensure best practice when working with children, young people and vulnerable adults. Adopting best practice will help to safeguard these participants from potential abuse as well as protecting coaches and other adults in positions of responsibility from potential false allegations of abuse. The England Basketball Child Protection Policy and Procedures will allow children, young people and vulnerable adults to develop in a safe environment and transmit a reassuring signal to parents that will positively impact on increased participation in the sport.

This policy is mandatory for the game as a whole and provides guidelines to everyone in Basketball, whether working in a professional or voluntary capacity. It is recognised that child abuse is a very emotive and difficult subject; however everyone in Basketball has a duty of care towards young and vulnerable performers and can help to protect them from abuse.

England Basketball's approach to child protection is based on the principles recognised within UK and International legislation and Government guidance. The following has been taken into consideration:

- The Children Act 1989
- The Protection of Children Act 1999
- Working Together to Safeguard Children and Young people and Vulnerable adults 1999
- No Secrets – Guidance on developing and implementing multi-agency policies and procedures to protect vulnerable adults from abuse 2000
- The Human Rights Act 1998
- UN Convention for the Rights of a Child (1989)

Child Protection in Sport Unit (CPSU)

The Standards for Safeguarding and Protecting Children in Sport were issued by the CPSU in 2003. The nine standards and the principles that underpin them are fully embraced by England Basketball in this Child Protection Policy and Procedures.

England Basketball Child Protection Steering Group

Established in December 2004 to develop, monitor and review England Basketball's approach to, and plans for, safeguarding children, young people and vulnerable adults. It was also established to ensure ownership of the safeguarding plan throughout the organisation. Further details including membership of the group can be found in Appendix K.

Acknowledgement

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England Basketball would also like to thank the NSPCC Child Protection in Sport Unit and in particular Gill Joyce and Anne Tiivas. Special thanks also to the Rugby Football League and in particular Stephen Fairhurst, the Chair of the RFL Child Protection Disciplinary Committee, and his team for their invaluable contribution.

* For all references in this document to England Basketball read the England Basketball Association, a company limited by guarantee and the recognised national governing body for the basketball in England.

1 POLICY STATEMENT

1.1 Responsibilities

All England Basketball affiliates will:

- accept the moral and legal responsibility to implement procedures to provide a duty of care for young people and vulnerable adults, safeguard their wellbeing and protect them from abuse;
- respect and promote the rights, wishes and feelings of young people and vulnerable adults;
- recruit, train and supervise its employees and volunteers so as to adopt best practice to safeguard and protect young people and vulnerable adults from abuse, and themselves against allegations;
- require staff and volunteers to adopt and abide by the Child Protection Policy and Procedures which incorporate the England Basketball Code of Ethics and Conduct;
- respond to any complaints about poor practice or allegations of abuse.

1.2 Principles

The guidance given in the procedures is based on the following principles:

- this policy recognises and builds on the legal and statutory definitions of a child;
- the distinction between ages of consent, civil and criminal liability are recognised but in the pursuit of good practice in the delivery and management of England Basketball, a young person is recognised as being under the age of 18 years (Children's Act 1989 definition);
- The broad definition of a 'vulnerable adult' referred to in the 1997 Consultation Paper *Who Decides?*, issued by the Lord Chancellor's Department, is a person who is 18 years or over who is in need of community care services by reason of mental health or other disability, age or illness; and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation;
- an adult has a moral and statutory duty for the care, custody and control of any child under the age of 18 or vulnerable adult under their supervision;
- the child's welfare is paramount;
- all young people and vulnerable adults, whatever their age, culture, any disability they may have, gender, language, racial origin, religious belief and sexual identity have the right to protection from abuse;
- all incidents of poor practice or suspicions of poor practice and allegations of abuse will be taken seriously and responded to swiftly and appropriately;
- all young people and vulnerable adults have a right to play the game of Basketball in an enjoyable and safe environment;
- young players and vulnerable adults have a right to expect appropriate support in accordance with their personal and social development with regard to their involvement in the game of Basketball;
- it is the responsibility of the child protection experts and agencies to determine whether or not abuse has taken place but it is everyone's responsibility to report any concerns;
- confidentiality should be upheld in line with the Data Protection Act 1984 and the Human Rights Act 2000.

Working in partnership with young people and vulnerable adults, their parents and other agencies is essential for the protection of young people and vulnerable adults. Although Basketball partners recognise the statutory responsibility of the Social Services department to ensure the welfare of young people and vulnerable adults and work with the local Area Child Protection Committee (ACPC) to comply with its procedures, child protection has a broader remit within the game of Basketball. All those involved in the management of young players and vulnerable adults in Basketball have a duty to ensure they are:

- allowed access to the game in a way that is appropriate for their age and ability;
- coached and trained by appropriately qualified people;
- not required to play in so many games, or to attend training sessions, as to become a threat to their well being;
- not subjected to verbal or racial abuse from any source, especially from the bench and spectator gallery, including references to height, weight etc.;
- not subjected to bullying or undue pressure from any source;
- encouraged to achieve their full potential at all levels;
- instructed on how to behave, both on and off the court;
- afforded respect, confidentiality and privacy in a playing and training situation and any other Basketball environment.

1.3 Incorporation

The England Basketball Child Protection Policy and Procedures shall be adopted in accordance with Appendix C by the following;

- England Basketball, its Members and its Partners and their Members (including but not limited to) English Mini Basketball Association, English Schools Basketball Association, Great Britain Wheelchair Basketball Association and the British Basketball League Limited.

All other bodies involved in the sport of Basketball in England which provide the opportunity to work with children, young people up to the age of eighteen and vulnerable adults should be encouraged to recognise the value of the policy and adopt the good practice contained therein.

1.4 Assent

All individuals involved in Basketball in England under the jurisdiction of England Basketball at every level, including players, match officials, coaches, administrators, club officials and spectators agree to abide by the England Basketball Code of Ethics and Conduct ("Code") (Appendix D) and all such individuals by participating or being involved in Basketball are deemed to have assented to and as such recognise and adhere to the principles and responsibilities embodied in the Code.

1.5 Child Protection Regulation

The Child Protection Regulation (Appendix C) shall become included in the Regulations of England Basketball, its Members and all other bodies in England referred to in paragraph 1.3 above and shall provide a new disciplinary process under each body's respective Disciplinary Rules.

2 RECRUITMENT, EMPLOYMENT AND DEPLOYMENT OF STAFF AND VOLUNTEERS

Introduction

Anyone may have the potential to abuse young people and vulnerable adults; therefore all reasonable steps must be taken to ensure unsuitable people are prevented from working with them. It is essential that the same procedures are used consistently for all posts whether staff are paid or voluntary, full-time or part-time. Under the Protection of Children Act 1999, all individuals working on behalf of, or otherwise representing, an organisation are treated as employees whether working in a paid or voluntary capacity.

2.1 Pre-Recruitment checks

The following pre-recruitment checks should always be carried out:

2.2 Advertising

If any form of advertising is used to recruit staff, whether paid or voluntary, it should reflect the:

- aims of the club and where appropriate, the particular programme involved;
- key responsibilities of the role;
- level of experience or qualifications required (e.g. experience of working with young people and vulnerable adults is an advantage);
- the club's open and positive stance on child protection and equal opportunities.

2.2.2 Pre-Application Information

Pre-application information sent to interested or potential applicants should contain:

- a job description, including roles and responsibilities;
- a person specification (e.g. stating qualifications or experience required);
- a Self Disclosure Form (Template One).

2.2.3 Applications for all posts

All applicants, whether for paid or voluntary, full-time or part-time positions, should complete an application form. An application form which has been designed to elicit the necessary information is on Template Two.

If an applicant has no experience of working with young people and vulnerable adults, training is strongly recommended.

A minimum of two written references should be taken up and at least one should be associated with former work with young people and vulnerable adults only when the position has been offered to an applicant (Template Three).

2.2.4 Short listing

Independent short listing by the designated committee will be made for each post in accordance with the application form and the relevant person specification. In the interests of efficiency, self disclosure forms should be completed by all short listed candidates rather than just for the successful candidate. This will allow for questioning of short listed candidates about their 'disclosure' prior to any offer of employment being made.

2.3 Interview, disclosure and induction

A formal interview is always required for positions involving working with young people and vulnerable adults. The interview should be carried out according to acceptable protocol and recommendations. Good advice on general recruitment, interview techniques and good practice is contained in the Running Sport publication *Employment Matters* and the Sports Coach UK publication *Investing in Coaches – A Guide to Local Coaching Development* (both available from Coachwise 1st 4 Sport on 0113 231 1310. Coachwise 1st 4 Sport is a brand of Coachwise Limited the wholly owned trading company of Sports Coach UK).

All those with significant access to young people and vulnerable adults will be required to complete a Criminal Records Bureau (CRB) Disclosure (Appendix E). All those with occasional access to young people and vulnerable adults, i.e. all club volunteers and employees who have not been required to complete a CRB Disclosure will be required to complete a self disclosure form (Template One). The CRB Disclosure and the self-disclosure form must be completed once every three years.

The successful applicant will only be allowed to take up his/her duties once their CRB check has been cleared by the England Basketball Lead Child Protection Officer and the appointing Basketball Partner has received two (2) satisfactory references.

All staff, paid or voluntary and affiliated to England Basketball, will undergo a formal induction in which:

- their qualifications as a coach/official are substantiated;
- they complete a profile to identify training needs/aspirations;
- they are reminded that they have agreed to abide by the England Basketball Code of Ethics and Conduct (Appendix D), and they may face disciplinary action if there is an allegation that the Code has been broken;
- the expectations, roles and responsibilities of the job are clarified (e.g. through a formal or informal work programme or goal-setting exercise);
- child protection policy and implementation procedures are explained and training needs established;
- If practicable, the new recruit should be mentored by an experienced person.

2.4 Training

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

England Basketball will provide training opportunities for people involved / working with children and young people under the age of eighteen and vulnerable adults, details of which will be communicated throughout the game and updated periodically.

2.5 Monitoring and appraisal

At regular intervals (or following a particular programme), employees or volunteers involved / working with children, young people under the age of eighteen and vulnerable adults should be given the opportunity to receive formal (e.g. through an appraisal) or informal feedback, to identify training needs and set new goals. Club Management should be sensitive to any concerns about poor practice or abuse and act on them at an early stage following the guidelines in this document. The club management should also offer appropriate support, through liaison with the England Basketball Lead Child Protection Officer, to those who report concerns/complaints.

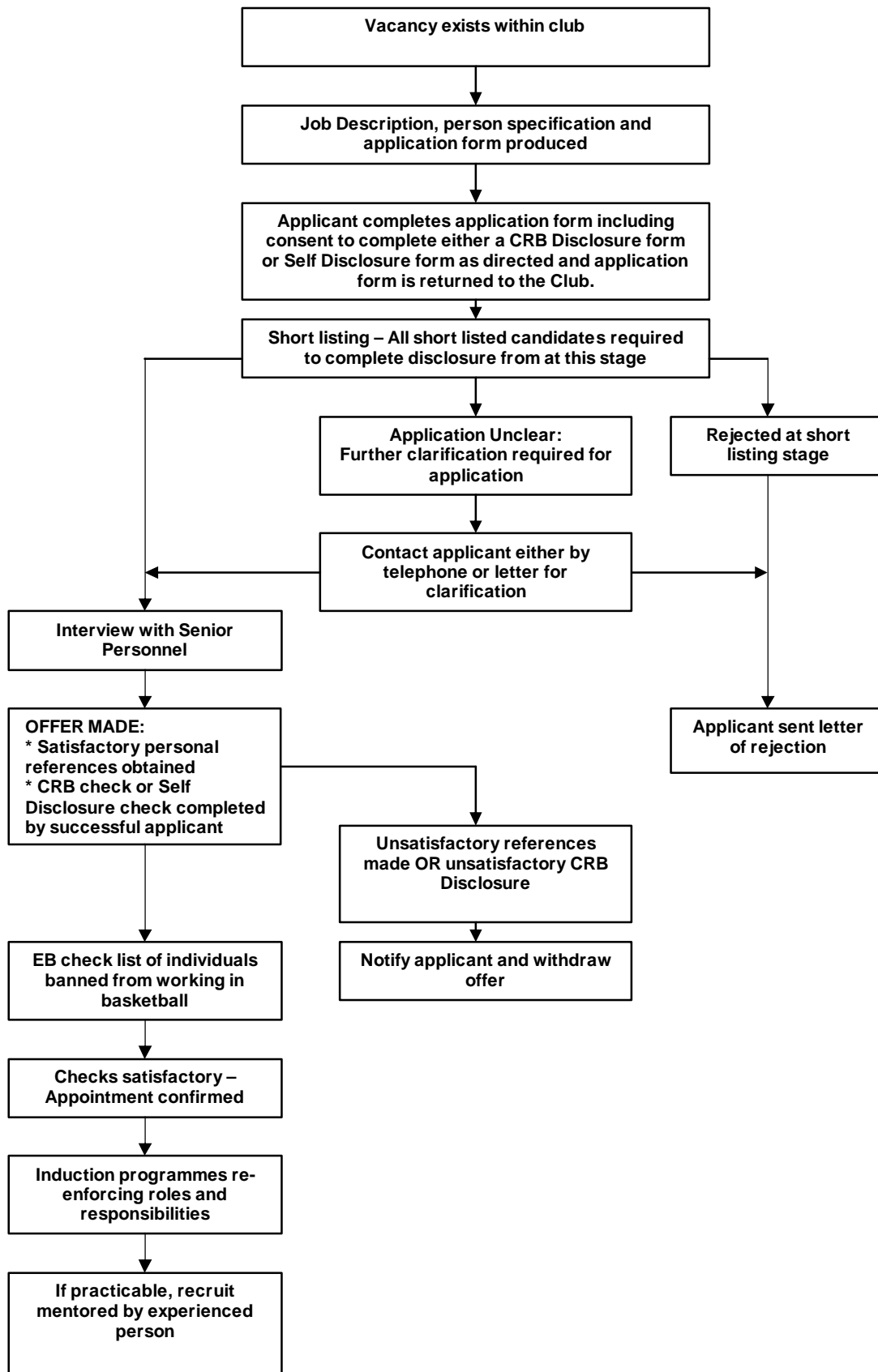
2.6 Complaints and disciplinary procedures

Clubs should ensure that parents, young people and vulnerable adults are aware of the complaints and disciplinary procedures detailed in this document.

2.7 Applications from within the club

If an individual within the club wishes to move to a post with substantial access to young people and vulnerable adults, that individual must go through the application process described in 2.2.3.

A. Recruitment and Selection of Staff and Volunteers



3 PROMOTING GOOD PRACTICE WITH CHILDREN, YOUNG PEOPLE AND VULNERABLE ADULTS

Introduction

Child abuse, particularly sexual abuse, can generate 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 children, young people and vulnerable adults in order to harm them.

A coach, teacher, official or volunteer may have regular contact with children, young people and vulnerable adults and be an important link in identifying cases where a child, young person or vulnerable adult needs protection. All suspicious cases of poor practice or alleged abuse should be reported following the guidelines in this document. When a young person or vulnerable adult enters the club having been subjected to abuse outside the sporting environment, sport can play a crucial role in improving the person's self esteem. In such instances the club must work with the appropriate agencies to ensure the child, young person or vulnerable adult receives the required support.

3.1 Good practice guidelines

All personnel should be encouraged to demonstrate exemplary behaviour in order to protect children, young people and vulnerable adults and to protect themselves from allegations. The following are common sense examples of how to create a positive culture and climate within Basketball:

3.1.1 Good practice means:

- always working in an open environment (e.g. avoiding private or unobserved situations and encouraging an open environment (e.g. no secrets);
- treating all children, young people and vulnerable adults equally, and with respect and dignity;
- always putting the welfare of each child, young person or vulnerable adult first, before winning or achieving goals;
- maintaining a safe and appropriate distance with players (e.g. it is not appropriate to have an intimate relationship with a child, young person or vulnerable adult or to share a room with them);
- building balanced relationships based on mutual trust which empowers children, young people and vulnerable adults to share in the decision-making process;
- making sport fun, enjoyable and promoting fair play;
- Providing coaches with guidelines should any form of manual/physical support be required to demonstrate an activity and obtaining consent forms from parents at the start of each season;
- keeping up to date with the technical skills, qualifications and insurance in sport;
- if groups have to be supervised in the changing rooms, where possible ensure parents/teachers/coaches/officials work in pairs;
- ensuring that if mixed teams are taken away, they should always be accompanied by a male and female member of staff. (N.B. However, same gender abuse can also occur);
- ensuring that at tournaments or residential events, adults should not enter children's rooms or invite children into their rooms. If an adult is working in a supervisory capacity, they should only enter children's rooms when accompanied by another adult;
- being an excellent role model - this includes not smoking or drinking alcohol in the company of children, young people and vulnerable adults and promoting a healthy diet;
- giving enthusiastic and constructive feedback rather than negative criticism;

- recognising the developmental needs and capacity of children, young people and vulnerable adults – avoiding excessive training or competition and not pushing them against their will;
- securing parental consent in writing to act in loco parentis (Template Five), 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, along with the details of any treatment given (Template Six). Where staff witness an injury this must be reported to the parents at the first opportunity;
- requesting written parental consent if club officials are required to transport children, young people and vulnerable adults in their cars (Appendix H).

Coaching Ratios

When working with groups of children under 8 years of age government guidance states clearly that there should be one supervising adult for every 6 children (Care Standards Act 2000). Participants aged under 17 must be supervised at all times and cannot be included in staffing ratios. For young people over 8, experience has shown that a ratio of one adult to 10 participants is a minimum requirement in keeping with models of best practice. The national guidance states that "the level of supervision should take account of:

- the age and ability of children;
- the activity being undertaken;
- children's growing independence;
- children's need for privacy;
- the geography of the facilities being used;
- the 'risk assessment'.

When working with groups of children the ideal coaching ratio is one coach for every 8-12 players. One coach to 16 players is acceptable, but larger ratios mean you are in danger of losing control. Equally, if there is an accident or an incident to a young person or member of staff, you should ensure that there are enough people remaining to supervise the group.

Coaches working with children, young people and vulnerable adults should not work in isolation. Good practice suggests that at least one other adult in addition to the coach should be present at every session. The additional adult does not need to be a qualified coach.

Changing rooms

Where practicable, players should be supervised at all times in the changing rooms by two (2) members of staff. Adult staff should not change or shower at the same time using the same facility as players. If you are involved in a mixed gender team, separate facilities should be made available. If a young person or vulnerable adult is uncomfortable changing or showering in public no pressure should be placed on them to do so. Encourage them to do this at home. If your club has players with disabilities involve them and their carers in deciding how they should be assisted and ensure they are able to consent to the assistance that is offered.

Any staff, medical or otherwise, for example, a female physio working with a male team, must not be present in the changing rooms whilst players are getting showered or changed.

No photographic equipment should be allowed in the changing room environment. This includes cameras, video cameras, mobile phones with photographic capabilities etc.

Treatment of children, young people and vulnerable adults

- It is recommended that no child, young person or vulnerable adult should be treated in any way in a situation where the child, young person or vulnerable adult is on his/her own in a treatment room with the door closed;

- It is strongly recommended that all treatment procedures should be 'open' i.e. the door remains open, parents are invited to observe treatment procedures. Where strict medical confidentiality is to be observed then the parents of the child, young person or vulnerable adult should be invited to attend;
- It is recommended that if treating an area of the body which is potentially embarrassing to a child, young person or vulnerable adult (i.e. the groin) a suitable consenting adult acting as a chaperone should be present;
- It is important to maintain medical confidentiality and patient dignity at all times;
- Prior to medical treatment being carried out on a child, young person or vulnerable adult, parental consent in the written form must be sought where appropriate (no treatment can legally be given without this written consent);
- It is recommended that all treatment procedures are explained fully to the child, young person or vulnerable adult and **verbal consent** is given before they are carried out.

3.1.2 Practice to be avoided

The following should be avoided except in emergencies. If cases arise where these situations are unavoidable they should only occur with the full knowledge and consent of someone in charge at the club or the child's, young person's or vulnerable adult's parents. For example, a child, young person or vulnerable adult sustains an injury and needs to go to hospital, or a parent fails to arrive to pick a child, young person or vulnerable adult up at the end of a session (Appendix H):

- avoid spending excessive amounts of time alone with children, young people and vulnerable adults away from others;
- never take children, young people and vulnerable adults to your home where they will be alone with you.

3.1.3 Practice never to be sanctioned

The following should never be sanctioned. You should never:

- engage in rough, physical or sexually provocative games, including horseplay;
- share a room with a child, young person or vulnerable adult;
- allow or engage in any form of inappropriate touching;
- allow children, young people and vulnerable adults to use inappropriate language unchallenged;
- make sexually suggestive comments to a child, young person or vulnerable adult, even in fun;
- reduce a child, young person or vulnerable adult to tears as a form of *control*;
- allow allegations made by a child, young person or vulnerable adult to go unchallenged, unrecorded or not acted upon;
- do things of a personal nature for children, young people and vulnerable adults, that they can do for themselves;
- invite or allow children, young people and vulnerable adults to stay with you at your home unsupervised.

N.B. It may sometimes be necessary for staff or volunteers to do things of a personal nature for children, young people and vulnerable adults, particularly if they are young or are disabled. These tasks should only be carried out with the full understanding and consent of parents and the players 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, young person or vulnerable adult 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 and make a written note of the event. Parents should also be informed of the incident:

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

3.3 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 vulnerable adults 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 has over someone attending a group or activity cannot be underestimated. If there is an additional competitive aspect to the activity and the older person is responsible for the child’s, young person’s or vulnerable adult’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 volunteers 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.

If you engage in an intimate or inappropriate relationship with a young person or vulnerable adult it is a breach of the England Basketball Code of Ethics and Conduct and as such will result in disciplinary action.

In certain circumstances the ‘abuse of trust’ is a criminal offence (Sexual Offences Amendment Act 2000 - UK wide).

3.4 Guidelines for use of photographic and recorded images of children and young people and vulnerable adults

There is evidence that some people have used sporting events as an opportunity to take inappropriate photographs or film footage of young and disabled sports people in vulnerable positions.

It is advisable that all clubs adhere to the appropriate guidelines detailed in Appendix F.

A model Policy Statement that clubs / organisations can adopt is detailed at Appendix G.

4 RECOGNITION OF POOR PRACTICE, ABUSE AND BULLYING

Introduction

Child abuse can and does occur outside the family setting. 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. The staff and volunteers in Basketball, whether in a paid or voluntary capacity, 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 young person) towards a young person or vulnerable adult and to follow the procedures in this document.

4.1 Poor practice

Allegations may relate to poor practice where an adult's or another young person's behaviour is inappropriate and may be causing concern to a child, young person or vulnerable adult. In the application of this Policy, poor practice includes any behaviour of a child protection nature which contravenes the England Basketball Code of Ethics and Conduct (Appendix D), infringes an individual's rights and/or is a failure to fulfil the highest standards of care. Poor practice is unacceptable in Basketball and will be treated seriously and appropriate actions taken.

4.2 Abuse

Abuse can happen wherever there are children, young people and vulnerable adults of any age. 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 young person may find it difficult or impossible to maintain stable, trusting relationships, become involved with drugs or prostitution, attempt suicide or even abuse a young person in the future.

4.2.1 Disabled People

There have been a number of studies, which suggest children, young people and vulnerable adults, are at increased risk of abuse if they have a disability. Various factors contribute to this, such as stereotyping, prejudice, discrimination, isolation and a powerlessness to protect themselves, or adequately communicate that abuse has occurred.

1 Kerr, A (1999) Protecting Disabled Children and Adults in Sport and Recreation. Contact Disability Sport England (Tel: 020 7490 4919).

4.2.2 Race and Racism

Children, young people and vulnerable adults from ethnic minority 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, young people and vulnerable adults, including those operating where ethnic minority communities are numerically small, should address institutional racism, defined in the Macpherson Inquiry Report on the death of 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'*.

4.2.3 Abuse and Neglect

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

Neglect - where adults fail to meet a child's, young person's or vulnerable adult's basic physical and/or psychological needs, likely to result in the serious impairment of the young person's health or development (e.g. failure to provide adequate food, shelter and clothing, failing to protect a young person 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, young people and vulnerable adults love, affection and attention. Neglect in sport could include a teacher or coach not ensuring children, young people and vulnerable adults were safe, exposing them to undue cold, heat or to unnecessary risk of injury.

Physical abuse - where adults physically hurt or injure young people and vulnerable adults by hitting, shaking, throwing, poisoning, burning, biting, or scalding, suffocating, drowning or otherwise causing physical harm to a young person. Physical harm may also be caused when a parent feigns the symptoms of, or deliberately causes ill health to a child, young person or vulnerable adult whom they are looking after e.g. factitious illness by proxy or Munchausen's syndrome by proxy. Examples of physical abuse in Basketball may be when the nature and intensity of training and competition exceeds the capacity of the young person'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 (both male and female) who use young people and vulnerable adults to meet their own sexual needs. This could include full sexual intercourse, masturbation, oral sex, anal intercourse and fondling. Showing children, young people and vulnerable adults pornographic material (books, videos, pictures) or talking to children, young people and vulnerable adults in a sexually explicit manner is also a form of sexual abuse. In sport, coaching techniques, which involve physical contact with children, young people and vulnerable adults, 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, young person and vulnerable adult such as to cause severe and persistent adverse effects on the child's, young person's or vulnerable adult's emotional development. It may involve conveying to children, young people and vulnerable adults 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, young people and vulnerable adults. It may involve causing children, young people and vulnerable adults to feel frightened or in danger by being constantly shouted at, threatened or taunted which may make the child, young person or vulnerable adult very nervous and withdrawn. Some level of emotional abuse is involved in all types of ill treatment of a child, young person or vulnerable adult. Emotional abuse in Basketball may occur if children, young people and vulnerable adults are subjected to constant criticism, name-calling, and sarcasm, bullying or unrealistic pressure to perform to high expectations consistently. 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*.

In respect of vulnerable adults a consensus has emerged identifying the additional forms of abuse that vulnerable adults could be exposed to:

Psychological abuse – including emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or supportive networks.

Financial or Material abuse – including theft, fraud, exploitation, pressure in connection with wills, property or inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.

Neglect and Acts of Omission – including ignoring medical or physical care needs, failure to provide access to appropriate health, social care or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating.

Discriminatory abuse - including racist, sexist that based on a person's disability, and other forms of harassment, slurs or similar treatment.

The above definitions are adapted from Department of Health (2000) *No Secrets – Guidance on developing and implementing multi-agency policies and procedures to protect vulnerable adults from abuse*.

4.2.4 Indicators of Abuse

Indications that a child, young person or vulnerable adult 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, young person or vulnerable adult describes what appears to be an abusive act involving him/her;
- someone else (a young person or adult) expresses concern about the welfare of another child, young person or vulnerable adult;
- unexplained changes in behaviour (e.g. becoming very quiet, withdrawn or displaying sudden outbursts of temper);
- inappropriate sexual awareness;
- engaging in sexually explicit behaviour;
- dis-trust 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, young people and vulnerable adults;
- 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 actually taking place. A good working relationship with parents will help to identify any concerns that a child, young person or vulnerable adult may be experiencing, e.g. family bereavement.

It is not the responsibility of those working in Basketball to decide that child abuse is occurring but it is their responsibility to act on any concerns. (See Section 6)

4.3 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).

4.3.1

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.

4.3.2

Girls and boys can be bullies although it seems to be more conspicuous in boys. Although bullying often takes place in schools¹, 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.

¹ Research by the University of Sheffield, 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.

4.3.3

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 crime².

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

4.3.4

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

- a parent who pushes too hard;
- a coach who adopts a 'win-at-all costs' philosophy;
- a player who intimidates inappropriately;
- a club official who places unfair pressure on a person;
- a spectator who shouts abuse.

4.3.5

Bullying can include:

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

4.3.6

The damage inflicted by bullying can frequently be underestimated. It can cause considerable distress to children, young people 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 child, 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-aches, headaches, difficulty in sleeping, bedwetting, scratching and bruising, damaged clothes, and bingeing for example on food, cigarettes or alcohol;
- a shortage of money or frequent loss of possessions.

5 CLUB WELFARE OFFICER

Introduction

The Club Welfare Officer is a key role within a club. By designating people to this role a club can be sure that it has someone specifically appointed to handle any child, young person or vulnerable adult welfare issue including child protection matters that may arise. Due to the nature of the position, as a matter of formality, prior to appointment, these people would be required to undertake a CRB check much in the same way that a coach or volunteer who intends working with children, young people and vulnerable adults would. In order that others members of the club can provide support where required, it is preferable that these people are part of the club's management.

Once clearance has been received from the **England Basketball Lead Child Protection Officer**, an identity card will be issued to validate the appointment. Club Welfare Officers will require support from the club, and designated training should be provided. A club may appoint more than one Club Welfare Officer if they so wish to cater for particular age groups and genders. In fact clubs aspiring to the Clubmark 100 award must have two appointed Club Welfare Officers.

The role of the **Club Welfare Officer** is crucial in ensuring that the England Basketball Child Protection Policy and Procedures works in practice.

The **Club Welfare Officer** acts as the first point of contact for anyone in the club (staff, volunteer, parents or children) who has a concern about a child and about poor practice/possible abuse by adults working with children or vulnerable adults.

The **Club Welfare Officer** therefore needs to be perceived as being approachable and as having a child-focused approach.

The **Club Welfare Officer** does not need to be a child protection 'expert'. That is the role of the statutory agencies (Police and Social Services). Ideally, they should have a background in working with children and vulnerable adults such as teachers, childminders, social workers, Police child protection team officers, child health workers.

The **Club Welfare Officer** needs to be supported by their clubs management and should have a formal role with that group. The club management should adopt a Child Protection Policy and Procedures as per Appendix C. The club should also produce a plan about how this will be put into practice and how they will review how it is working. Support and resources will be provided by the **England Basketball Lead Child Protection Officer**.

5.1 Club Welfare Officer

Core Knowledge, Skills and Tasks

The following sections outline the core knowledge, skills and tasks for this role.

The **Club Welfare Officer** should attend the three hour 'Good Practice and Child Protection in Sport' workshop administered by sports coach UK reasonably priced at approximately £25. They may choose to attend an alternative 'Child Protection' course or an equivalent designated by the England Basketball Lead Child Protection Officer prior to specific **Club Welfare Officer** training. The **England Basketball Lead Child Protection Officer** will be able to advise on the suitability and appropriateness of any alternative forms of child protection training.

Knowledge

- Basic knowledge of core legislation, government guidance and national framework for child protection;
- Basic knowledge of roles and responsibilities of statutory agencies (Social Services, Police and Area Child Protection Committees);
- Local arrangements for managing child protection and reporting procedures;
- Poor practice and abuse – behaviour that is harmful to children;
- England Basketball's role and responsibilities to safeguard the welfare of children, young people and vulnerable adults – boundaries of the Club Welfare Officer role;
- England Basketball's policy and procedures related to safeguarding children, young people and vulnerable adults;
- Core values and principles underpinning practice;
- Awareness of equity issues and child protection.

RECOMMENDED

- Basic knowledge of how abusers 'target' and 'groom' organisations to abuse children and vulnerable adults. Best practice in prevention.

Skills

- Basic administration – maintain records;
- Basic advice and support provision;
- Child focused approach;
- Communication;
- Ability to promote England Basketball's policy, procedures and resources;
- Ability to provide information about local resources.

Tasks

- Assist England Basketball to fulfil its responsibilities to safeguard children, young people and vulnerable adults at club level;
- Assist England Basketball to implement its Welfare plan at club level;
- The first point of contact for staff, volunteers, parents and children/young people and vulnerable adults where concerns about children's welfare, poor practice or child abuse are identified;
- Be the first point of contact with the England Basketball Lead Child Protection Officer;
- Implement England Basketball's reporting and recording procedures;
- Maintain contact details for local Social Services, the Police and know how to obtain Area Child Protection Committee guidelines;
- Promote England Basketball's best practice guidance/code of ethics and conduct within the club.
- Sit on the club's management group;
- Promote and ensure adherence to England Basketball's Welfare training plan;
- Promote and ensure confidentiality is maintained;
- Promote anti-discriminatory practice;
- Facilitate Criminal Records Bureau Disclosure forms within the club.

6 RESPONDING TO DISCLOSURE, SUSPICIONS AND ALLEGATIONS

6.1 How to Respond to a disclosure from a Young Person or Vulnerable Adult

If a young person or vulnerable adult informs you directly that he/she, or another young person or vulnerable adult, is concerned about someone's behaviour towards them (this is termed a 'disclosure'), the person receiving information should:

- react calmly so as not to frighten or deter the young person or vulnerable adult;
- tell the young person or vulnerable adult he/she is not to blame and that he/she was right to tell;
- take what the person says seriously, recognising the difficulties inherent in interpreting what is said by a young person or vulnerable adult who has a speech disability and/or differences in language;
- keep any questions to the absolute minimum to ensure a clear and accurate understanding of what has been said;
- reassure the young person or vulnerable adult but do not make promises of confidentiality which might not be feasible in the light of subsequent developments;
- seek advice immediately from the local Social Services or Police who will advise on the action to be taken, including advice on contacting parents. Expert advice can also be provided by the NSPCC Helpline on 0808 800 5000 or Childline on 0800 1111.

6.1.2 Actions to avoid

The person receiving the disclosure should not:

- panic;
- allow their shock or distaste to show;
- do not ask questions other than to clarify that you have enough information to act;
- speculate or make assumptions;
- make negative comments about the alleged abuser;
- approach the alleged abuser;
- make promises or agree to keep secrets.

N.B. It may not be that all young players or vulnerable adults 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 player or vulnerable adult, record what has been observed in detail and follow the procedures to report these concerns, as detailed in 6.2 and 6.3.

6.2 Action to take regarding allegations within Basketball

If a young person or vulnerable adult informs you directly that he/she is being abused within the Basketball environment **OR** through your own observations or through a third party you become aware of possible abuse or poor practice within the Basketball environment, you must **REACT IMMEDIATELY**.

6.2.1 Poor Practice

- contact the Club Welfare Officer or designated person. If, following consideration, the allegation is about poor practice (see definition at 4.1) then the Club Welfare Officer or designated person will report it to the England Basketball Lead Child Protection Officer. If the Club Welfare Officer or designated person is unavailable or is the

subject of the allegation, then the matter should be reported directly to the England Basketball Lead Child Protection Officer;

- an **England Basketball Child Protection Referral / Case Management Group** (see Appendix L for group composition, purpose and terms of reference) will then decide on the 'route' the case should take;
- If the case is one of minor poor practice then this referred back to the club with advice on the process to be followed i.e. instigation of the complaints procedure, disciplinary process, no further action (see flow chart on page 24);
- If the case is one of serious poor practice i.e. poor practice with wider implications including alleged child abuse then the **England Basketball Child Protection Disciplinary Panel**, will make the decision on how the allegation is to be dealt with, e.g. Internally by the England Basketball Child Protection Disciplinary Panel, externally as a matter for Social Services and/or the Police or referral back to the Club Welfare Officer. A decision will also be made with regard to suspending the individual concerned, pending the outcome of the internal or external enquiry;
- a Child Protection Disciplinary Hearing will be held which will include the Chair and two other members, with a designated Secretary in attendance.

There is no time limit to the submission of allegations or incidents of a Child Protection nature.

Possible Outcomes of the England Basketball Child Protection Disciplinary Panel Hearing

- No case to answer;
- Warrants advice/warning as to future conduct/sanctions;
- Further training and support needed;
- Banned.

Appeals

The appeals procedure is available to anyone under investigation as part of natural justice. The England Basketball Child Protection Disciplinary Appeal Panel will exclude anyone sitting on the initial panel, excluding the Secretary. The Panel should comprise of a Chair and two other members with the Secretary in attendance. Every organisation and player wishing to appeal against decisions by the England Basketball Child Protection Disciplinary Panel must do so in writing, to be received by the England Basketball Lead Child Protection Officer within seven (7) days of the decision being made.

Monitoring and Evaluation

To be conducted at the close of the case to see if changes need to be made to policies/ procedures or lessons can be learnt.

6.2.2 Possible Abuse Situation

If a young person or vulnerable adult says or indicates that he/ she is being abused, or information is obtained or observations are made which gives concern that a young person or vulnerable adult is being abused, you must **REACT IMMEDIATELY**.

- ensure the safety of the young person - if the young person or vulnerable adult needs immediate medical treatment, take the young person or vulnerable adult to hospital or call an ambulance, inform doctors of concerns and ensure they are aware it is a child protection issue;
- if available contact the Club Welfare Officer immediately who will follow the reporting procedures detailed below. If the Club Welfare Officer cannot be contacted or is the subject of the allegation, then the person that has the concerns about the young person's or vulnerable adult's welfare should follow the reporting procedures.

Reporting Procedures

- seek advice immediately from the local Social Services or Police who will advise on the action to be taken, including advice on contacting parents. Expert advice can also be provided by the NSPCC Helpline on 0808 800 5000 or Childline on 0800 1111;
- make a full and factual record of events utilising the Incident Referral Form (Template Four) and forward a copy of the recorded information, as directed by the Social Services and/or Police, and also to the England Basketball Lead Child Protection Officer who will take appropriate action. Contact the Club Welfare Officer as soon as possible, who should also receive a copy of the recorded information.

Possible Outcomes

Where there is a complaint of abuse against a member of staff or volunteer, investigations may include:

- Police enquiry;
- Criminal proceedings;
- Civil proceedings;
- Referral back to England Basketball Child Protection Disciplinary Panel.

The results of the Police and/or Social Services investigation may help to inform the England Basketball Child Protection Disciplinary Panel investigation.

6.3 Reinstatement and Aftermath

6.3.1 Reinstatement

Irrespective of the findings of the Social Services or Police Enquiries, the England Basketball Child Protection Disciplinary Panel will assess all individual cases to decide whether a member of staff or volunteer can be reinstated and how this can be sensitively handled. This may be a difficult decision; particularly where there is insufficient evidence to uphold any action by the Police. In such cases, the England Basketball Child Protection Disciplinary Panel must reach a decision based upon the available information which could suggest that on a balance of probability; it is more likely than not that the allegation is true. The welfare of children, young people and vulnerable adults should always remain paramount.

6.3.2 Support to Deal with the Aftermath

- Consideration should be given about what support may be appropriate to young people and vulnerable adults, parents and members of staff. Use of Helplines, support groups and open meetings will maintain an open culture and help the healing process. The British Association of Counselling Directory (Tel: 01788 562189) may be a useful resource;
- Thought should be given about what support may be appropriate to the alleged perpetrator of the abuse.

6.4 Action to take regarding allegations outside Basketball

If a young person or vulnerable adult informs you directly that he/she is being abused outside the Basketball environment (i.e. at home or some other setting outside of Basketball) **OR** through your own observations or through a third party you become aware of possible abuse outside the Basketball environment (i.e. at home or some other setting outside of Basketball), you must **REACT IMMEDIATELY**. (See Section 4.2.4 for Indicators of Abuse).

- ensure the safety of the young person or vulnerable adult - if the young person or vulnerable adult needs immediate medical treatment, take the young person or

- vulnerable adult to hospital or call an ambulance, inform doctors of concerns and ensure they are aware it is a child protection issue;
- if available, contact the Club Welfare Officer immediately who will follow the reporting procedures detailed below. If the Club Welfare Officer is **unavailable or cannot be contacted**, the person that has concerns about a young person's or vulnerable adult's welfare should follow the reporting procedures.

Reporting Procedures

- seek advice immediately from the local Social Services or Police who will advise on the action to be taken, including advice on contacting parents. Expert advice can also be provided by the NSPCC Helpline on 0808 800 5000 or Childline on 0800 1111;
- make a full and factual record of events utilising the Incident Referral Form (Template Four) and forward a copy of the recorded information, as directed by the Social Services and/or Police, and also to the England Basketball Lead Child Protection Officer. Contact the Club Welfare Officer as soon as possible, who should also receive a copy of the recorded information;
- if the individual being accused is from within the Basketball environment, the England Basketball Lead Child Protection Officer will consider suspension of the individual concerned following contact with Social Services or the Police. The case will be referred to the England Basketball Child Protection Disciplinary Panel following completion of the Police/Social Services investigation.

It is never easy to respond to a child, young person or vulnerable adult who tells you that they are being abused and you may feel upset and worried yourself. Make sure that you are offered adequate support by discussing the matter with the England Basketball Lead Child Protection Officer.

6.5 Child Protection Whistle Blowing Policy

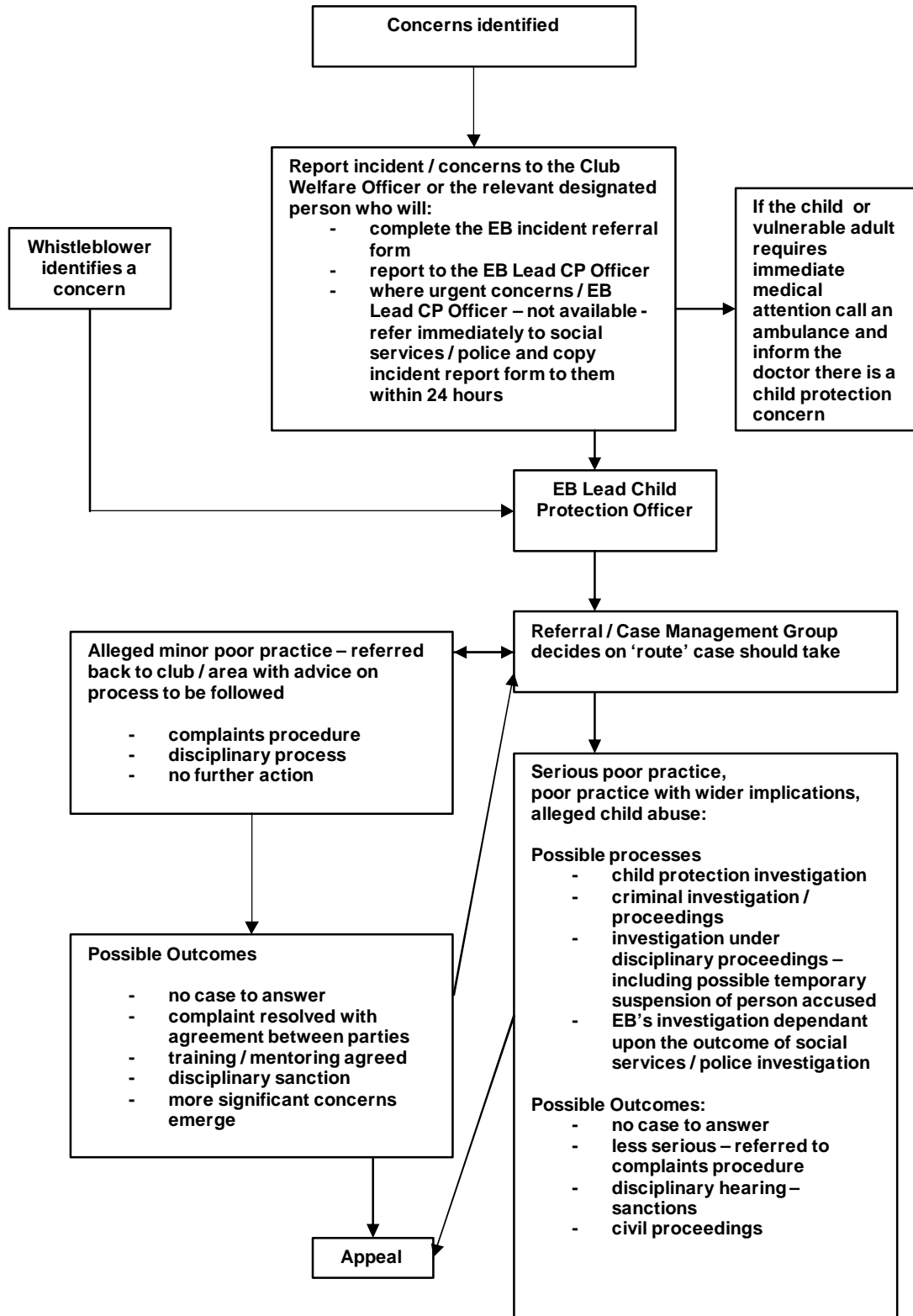
Players, coaches, officials, parents or team followers are often the first to realise that a child's safety and welfare are under threat. However, they may not express their concerns because they feel that speaking up would be too difficult to handle. It may also be that they fear harassment or victimisation. In these circumstances it may be easier for them to ignore the concern rather than report what may just be a suspicion of poor practice.

England Basketball is committed to the highest possible standards of openness, honesty and accountability. In line with that commitment, individuals are encouraged, if they have serious concerns about any aspect of a child's safety and welfare, to come forward and voice those concerns.

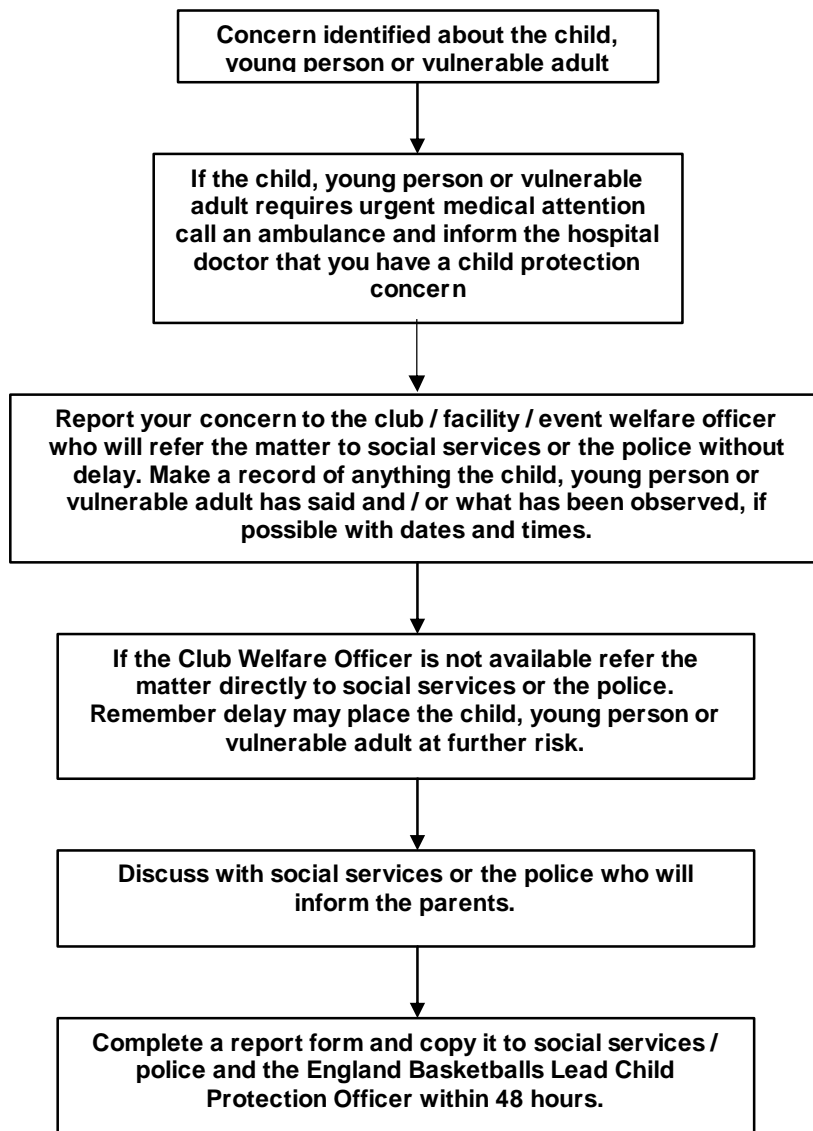
The purpose of the England Basketball Child Protection Whistle Blowing Policy is to encourage individuals to feel confident in raising concerns about the safety and welfare of children, young people and vulnerable adults involved in basketball.

A copy of the policy can be found at Appendix M.

What to do if you are worried about the behaviour of any member, volunteer, staff, coach or official in basketball or partner / affiliate organisation.



What to do if you are worried that a child, young person or vulnerable adult is being abused outside of the Basketball environment (but concern is identified through the child's / young person's / vulnerable adult's involvement in basketball)



If you are uncertain as what to do at any stage, contact the England Basketball Lead Child Protection Officer or the NSPCC on 0808 800 5000

6.5 Records and Information

Information passed to the 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. Ideally this information should be compiled utilising the Incident Referral Form at Template Four.

Information required at the referral stage:

Child

- Age/gender/name/disabilities/address/parental responsibility/culture/agencies already working with family/relationship between young person or vulnerable adult and accused.

Accused

- Name/address/position in sport - employee/volunteer/paid/level of coach;
- Any other allegations;
- Marital status;
- Age;
- Previous incidents.

Primary evidence

Core information about the alleged incident.

- Facts from the person making the allegation including dates/times/venue/witness details;
- Records with dates;
- Has anyone else been informed or is anyone else already involved in the investigation.

Reporting the matter to the Police or Social Services department should not be delayed by attempts to obtain more information. Wherever possible, referrals telephoned to the Social Services department should be confirmed in writing within 24 hours. A record should also be made of the name and designation of the Social Services 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.

A copy of this information should also be sent direct to the England Basketball Lead Child Protection Officer and a copy should be retained by the Club Welfare Officer and stored in a secure place.

6.6 The Role of Social Services

Social Services have a statutory duty under The Children Act 1989, to ensure the welfare of children and work with the local Area Child Protection Committee (ACPC) to comply with its procedures. When a child protection referral is made, the Social Services staff has a legal responsibility to make enquiries where a child or vulnerable adult who lives or is found in their area is considered to be at risk of, or actually suffering from, significant harm. This may involve talking to the young person or vulnerable adult and family, and gathering information from other people who know the young person or vulnerable adult. Enquiries may be carried out jointly with the Police where a crime has been alleged. If action needs to be taken urgently and out of office hours, then the Police will deal with the enquiry sensitively and effectively. Local authorities will need to link in closely with their respective ACPC and cross-reference the guidance produced by the ACPC.

6.7 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 includes the following people:

- the Club Welfare Officer;
- the parents of the person who is alleged to have been abused (**only following advice from Social Services**);
- the person making the allegation;
- Social Services/Police;
- the England Basketball Lead Child Protection Officer, the England Basketball Child Protection Disciplinary Panel and members;
- the alleged abuser (and parents if the alleged abuser is a young person) **only following advice from Social Services**.

Information should 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).

6.8 Allegations of previous abuse

Allegations of abuse may be made some time after the event (e.g. by an adult who was abused as a young person or by a member of staff who is still currently working with children). Where such an allegation is made, the club should follow the procedures as detailed in 6.2.2 and 6.3. 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 details of the Protection of Children Act 1999.

6.9 Action if Bullying is Suspected

The same procedure should be followed as set out in Section 6.3 if bullying is suspected. All settings in which children and vulnerable adults are provided with services or are living away from home should have rigorously enforced anti-bullying strategies in place.

6.9.1 Action to Help the Victim and Prevent Bullying in Sport:

- take all signs of bullying very seriously;
- encourage all children to speak and share their concerns. Help the victim to speak out and tell the person in charge/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 Club Child Welfare Officer or the school (wherever the bullying is occurring).

6.9.2 Action Towards the Bully(ies):

- talk with the bully(ies), explain the situation, and try to get the bully(ies) to understand the consequences of their behaviour. Seek an apology to the victim(s);
- inform the bully(ies) parents;
- insist on the return of borrowed items and that the bully(ies) compensate the victim;
- provide support for the coach of the victim;
- impose sanctions as necessary;

- encourage and support the bully(ies) to change behaviour;
- hold meetings with the families to report on progress;
- inform all organisation members of action taken;
- keep a written record of action taken.