



# Policy and procedures for Safeguarding Adults in Sport

Review to commence 1<sup>st</sup> March 2019

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## Glossary of terms and Legislation

Adult at risk	Defined in the Care Act 2014 as ‘A person aged 18 or over who is in need of care and support regardless of whether they are receiving them, and because of those needs are unable to protect themselves against abuse or neglect.’ Explicitly applies to those aged over 18 even if they may be receiving what may be thought of as a “children” or young people’s service
Active Lincolnshire	County Sports Partnership
SLA	Service Level Agreement
HR	Human Resources
NGB	National Governing Body of sport
LCC	Lincolnshire County Council
The organisation	Active Lincolnshire
DBS	Disclosure and Barring Service

LSAB	Lincolnshire Safeguarding Adult Board
LA	Local Authority
Advocate	An individual who speaks on behalf of or represents the interests of an adult where appropriate.
Carer	A generic term which includes parents, carers and guardians
Children	Anyone under the age of 18
Adult	Anyone aged 18 or over
At risk	A term which has become broadly accepted to mean that someone may be more vulnerable to abuse than someone else. For example an adult with a learning disability may well be more at risk of financial abuse as they may struggle with managing their finances, this could leave them at risk from an unscrupulous person.
Child Protection in Sport Unit (CPSU)	The CPSU is the team sited within the National Society for the Prevention of Cruelty to Children (NSPCC) and was established with joint funding from Sport England.
Ann Craft Trust	The Ann Craft Trust supports the statutory, independent and voluntary sectors from across the UK to protect disabled children and adults at risk.
Duty of Care	The duty that rests upon an individual or organisation to ensure that all reasonable steps are taken to ensure the safety of any person involved in an activity for which that individual or organisation is responsible.
Capacity	Refers to the ability to make a decision at a particular time, for example when under considerable stress. The Mental Capacity Act states that the starting assumption must always be that a person has the capacity to make a decision unless it can be established that they lack capacity. <ul style="list-style-type: none"> <li>➤ The term 'lacks capacity' means a person who cannot make a particular decision or take a particular action for themselves at a particular point in time, even if they are able to make other decisions. For example, they may be able to make small decisions about everyday matters such as what to wear for a sports activity, or what a healthy sports diet would be, but they</li> </ul>

lack capacity to make more complex decisions about financial matters.

- It may be the case that a person who lacks capacity to make a decision at a certain time due to illness or an accident, may be able to make that decision at a later date.

**NB It is not for individuals to make a decision if an adult lacks capacity.**

Position of Trust

This is where an individual, such as a coach, teacher, or club officer who makes decisions for or about an Adult at Risk, can influence the individual's actions and may misuse that position to groom or abuse the Adult at Risk. This position can be a positive one, in building confidence and self-esteem.

Abuse

A violation of an individual's human and civil rights by another person or persons.

### **Regulated Activity with Adults**

This term is used by the Disclosure and Barring Service. The definition is different to that used with children. An individual is only defined as being in Regulated Activity with Adults at Risk if one of 6 conditions is met. The definition focuses much more on the type of activity and contact an individual may have with an Adult at Risk

# **Legislation around Safeguarding Adults**

## **Equality Act 2010**

The Equality Act 2010 is the law that bans unfair treatment and helps achieve equal opportunities in the workplace and in wider society. The act replaced previous antidiscrimination laws with a single act to make the law simpler and to remove inconsistencies. This makes the law easier for people to understand and comply with. The act also strengthened protection in some situations. The act covers nine protected characteristics, which cannot be used as a reason to treat people unfairly. Every person has one or more of the protected characteristics, so the act protects everyone against unfair treatment

## **Care Act 2014**

Put the safeguarding of adults onto a statutory footing and replaced No Secrets Guidance.

## **The Mental Capacity Act (MCA) 2005**

People must be assumed to have capacity to make their own decisions and be given all practicable help before anyone treats them as not being able to make their own decisions. Where an adult is found to lack capacity to make a decision then any action taken, or any decision made for, or on their behalf, must be made in their best interests. Its general principle is that everybody has capacity unless it is proved otherwise, that they should be supported to make their own decisions, that anything done for or on behalf of people without capacity must be in their best interests and there should be least restrictive intervention.

[www.dca.gov.uk](http://www.dca.gov.uk)

## 1.0 Introduction

Active Lincolnshire is committed to creating and maintaining a safe and positive environment and accepts our responsibility to safeguard the welfare of all adults involved in sport and physical activity in accordance with the Care Act 2014.

Active Lincolnshire's Safeguarding Adults policy and procedures apply to all staff and volunteers employed/deployed by the sports partnership. This policy recognises that procedures need to be put in place to protect adults, including those at risk, so that they are safe from harm and have an enjoyable experience when taking part in sport and physical activity.

Active Lincolnshire promotes well-being, takes steps to prevent harm and has procedures to respond to concerns. All staff and volunteers have a duty to respond to any safeguarding concerns.

### 1.1 Foreword

This Safeguarding Adults policy and procedures builds upon the six safeguarding principles of the Care Act 2014 and provides a national framework of standards for good practice.

**Empowerment** - People being supported and encouraged to make their own decisions and informed consent.

**Prevention** – It is better to take action before harm occurs.

**Proportionality** – the least intrusive response appropriate to the risk presented

**Protection** – support and representation for those in greatest need.

**Partnership** – Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse.

**Accountability** – Accountability and transparency in Safeguarding practice.

Safeguarding means protecting an adult's right to live in safety, free from abuse and neglect. It is about people and organisations working together to prevent and stop both the risks and experience of abuse or neglect, while at the same time making sure that the adult's wellbeing is promoted including, where appropriate, having regard to their views, wishes, feelings and beliefs in deciding on any action. This must recognise that adults sometimes have complex interpersonal relationships and may be ambivalent, unclear or unrealistic about their personal circumstances.

Active Lincolnshire recognises the onus is on everyone to protect individuals from harm as well as create a positive environment for all those involved in sport and physical activity. It is not the responsibility of any individual to make judgements regarding whether or not abuse has taken place, however, everyone has the responsibility to recognise and identify poor practice and potential abuse and act on their concerns

There is also a moral and social obligation for sport and recreation organisations to demonstrate best practice, ensuring that staff/volunteers and participants treat one another

with dignity, respect, sensitivity and fairness and that any discriminatory, offensive and violent behaviour is unacceptable and that complaints will be acted upon.

## 1.2 General Principles

Everyone who participates in sport and physical activity is entitled to do so in a safe and enjoyable environment.

Active Lincolnshire is committed to helping staff, volunteers and partners accept their responsibility to safeguard able adults from harm and abuse and support them to do so.

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

- Safeguarding adults in sport is an important responsibility to ensure wider participation and safe access for everyone.
- All adults, regardless of age, ability or disability, gender, race, religion, ethnic origin, sexual orientation, marital or transgender status have the right to be protected from abuse and poor practice and to participate in an enjoyable and safe environment.
- Active Lincolnshire will seek to ensure that any sport/physical activity directly delivered or commissioned is inclusive and has implemented reasonable adjustments for any ability, disability or impairment, we will also commit to continuous development, monitoring and review
- The rights, dignity and worth of all adults will always be respected.
- We recognise that ability and disability can change over time such that some adults may be additionally vulnerable to abuse, for example those who have dependency on others or have different communication needs.
- We recognise that a disabled adult may or may not identify themselves or be identified as an adult at risk.
- We all have a shared responsibility to ensure the safety and wellbeing of all adults and will act appropriately and report concerns where these concerns arise within Active Lincolnshire e.g. inappropriate behaviour of a volunteer or member of staff or outside e.g. in the wider community.
- All allegations will be taken seriously and responded to quickly in line with Active Lincolnshire's procedures.
- Active Lincolnshire recognises the role and responsibilities of the statutory agencies in safeguarding adults and is committed to complying with the procedures of the Nottingham and Lincolnshire Safeguarding Adults Board.
- We will continually seek ways to improve the safety and well-being of all adults who play sport to
- Ensure that safeguards are put in place to keep adults at risk safe and to prevent harm from occurring.

- It is the responsibility of the LSAB and the police to determine whether or not abuse has taken place but it is everyone's responsibility to report any concerns.
- All incidents of suspected poor practice and allegations of abuse should be taken seriously and responded to swiftly and appropriately.
- Staff/volunteers and participants must treat one another with dignity, respect, sensitivity and fairness and discriminatory behaviour is unacceptable and complaints will be acted upon.

### 1.3 Scope

Safeguarding and promoting the welfare of adults is everyone's responsibility within a sport and physical activity environment. This includes all those who work with adults and those who manage staff within this work, including administration, support and back office staff; volunteers, community groups and the general public. All these people have a duty of care to safeguard the welfare of adults at risk and prevent their abuse.

Active Lincolnshire works in conjunction with a wide range of partners. Therefore this policy is designed to cover all aspects of the units of work and relates to all staff and volunteers employed or deployed by the partnership for the programmes over which it has supervision and control. Active Lincolnshire will need to be satisfied that partners with whom it works, have adequate safeguarding policies and procedures.

### 1.4 Definitions

#### A definition for safeguarding adults

Safeguarding duties apply to a person aged 18 or over who:

- has needs for care and support
- is experiencing, or is at risk of, abuse or neglect
- is unable to protect themselves from abuse or neglect

There are 10 categories of abuse outlined below.

### Types of Abuse

The table below highlights the tens types of abuse, regarding safeguarding adults.

Physical	Domestic
Sexual	Emotional or psychological
Financial or material	Modern slavery
Discriminatory	Organisational
Neglect	Self-neglect

## 1.5 Commitment

Active Lincolnshire, the County Sports Partnership for Lincolnshire, is committed to making sport and active recreation accessible to all sections of the community and promoting the safety and welfare of all those engaged in sport and physical activity locally.

This means that we take all concerns about the safety and welfare of adults very seriously. This applies to all not just those we come into contact with through work. We expect all our staff and volunteers to share this commitment.

We recognise the legal, moral and social responsibility to provide a safe environment as well as an inclusive and positive experience for all those working and participating in the organisation's activities.

Active Lincolnshire has a commitment to preventative work, including training and appropriate procedures for safe recruitment of potential staff and volunteers to safeguard all adults.

This commitment to the welfare of all adults is broader than the definition of safeguarding adults at risk. We believe that if we take the welfare of all adults seriously, the safeguarding of adults at risk is enhanced.

The County Sports Partnership:

- Has a nominated Officers for Safeguarding:
  - The Lead Safeguarding Officer is Lynsey Norris; telephone 01522 730 325, email [lynsey.norris@activelincolnshire.com](mailto:lynsey.norris@activelincolnshire.com)
  - The Deputy Safeguarding Officer is Alex Mulligan; telephone 01522 730 325 email [alex.mulligan@activelincolnshire.com](mailto:alex.mulligan@activelincolnshire.com)
  - The board lead is Michaela Pinchard; telephone 01522 730 325 , email [office@activelincolnshire.com](mailto:office@activelincolnshire.com)
- Models best practice in any direct delivery.
- Influences partners to promote best practice in safeguarding standards
  - Promotes good practice.
  - Supports partners to achieve minimum operating standards in terms of safeguarding
- Ensures that any grants or service level agreements to third parties include effective arrangements to safeguard adults.
- Requires partners to have adequate procedures in place in respect of safeguarding adults.

- Expects partners to respond to any allegations appropriately and implement their own procedures, including the sharing of any information.
- Promotes safeguarding training for staff and volunteers.
- Provides supervision and support for staff including mandatory induction and safeguarding updates at team meetings and in staff appraisals and reviews.
- Ensures welfare plans are in place for the School Games and other major events under Active Lincolnshire control, which include procedures for safeguarding adults at risk.
- Has a board commitment to safeguarding.
  - Including a safeguarding “champion” on the Active Lincolnshire board
  - Training/updates at board meetings.
- Has procedures for dealing with allegations of abuse against staff and volunteers including referral to DBS where appropriate.
- Has a whistleblowing policy.
- Ensures that its staff and volunteers are carefully selected, trained and supervised and adhere to safe recruitment procedures including criminal records checks where eligible.
- Ensures that any staff, contracted staff or volunteers working with adults are aware of and apply to relevant codes of conduct.
- Accepts the moral and legal responsibility to implement procedures to provide a duty of care and safeguard the wellbeing of adults.
- Responds to any allegations appropriately and implements the appropriate disciplinary appeals procedure.
- Advocates the Seven golden rules of Information sharing **See Appendix D**

## **2.0 Recruitment, Employment and Deployment of Staff and Volunteers**

### **2.1 Introduction**

Active Lincolnshire will take all reasonable steps to ensure unsuitable people are prevented from working with adults at risk.

### **2.2 Disclosure and Barring Service and Regulated Activity**

**DBS checks are one element of the safe recruitment of staff.**

The focus is on the type of activity and the contact an individual may have with an adult at risk. It does not stipulate a frequency requirement, once is enough.

The legal requirement for vetting individuals working with adults at risk is:

1. Not knowingly allow a barred person to work in 'Regulated Activity';
2. Must inform DBS if an individual is removed from 'Regulated Activity' because they have harmed or because they pose a risk of harm to vulnerable groups (including children).

See Appendix H – An individual is defined as being in regulated activity if any one out of six conditions are met. It is important to note that personal relationships are exempt from Regulated Activity in relation to adults at risk.

Roles are assessed for their eligibility for DBS check. To check whether a role is eligible for a DBS enhanced check organisations can consult the DBS site <https://www.gov.uk/find-out-dbs-check>

Roles will be assessed on an individual basis to check eligibility for DBS checks.

## 2.3 Safe Recruitment

Best practice states that sport and recreation organisations should be vetting all individuals who have an opportunity to build up a relationship of trust with an adult at risk.

Safe recruitment checklist:-

*Job/ role description*

*Confirm training undertaken if any*

*Confirm qualifications*

*Application form*

*Check for gaps in employment history*

*Self-Disclosure*

*Interview*

*Contact Referees after they have supplied reference to validate*

*Induction*

Organisations receiving funding through Satellite Club links or similar funded programmes will sign a service level agreement setting out safeguarding standards including employment and deployment of coaches and volunteers.

## 3.0 Promoting Good Practice

### 3.1 Introduction

It can be difficult to distinguish poor practice from abuse, whether intentional or accidental. It is not the responsibility of any individual at Active Lincolnshire to make judgements regarding whether or not abuse is taking place, however, **all Active Lincolnshire** personnel have the responsibility to recognise and identify poor practice and potential abuse, and act on this if they have concerns.

## **3.2 Duty of Care**

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

This duty occurs in two ways:

### **Legal Duty of Care**

### **Moral Duty of Care**

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

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

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

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

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

Within sports organisations the duty of care would start by ensuring the activity is authorised by the sport and the relevant instructors are qualified for the task but then would go on to ensure that it is managed in a safe manner throughout.

### 3.3 Code of conduct

All staff and volunteers working for the Partnership must sign and abide by the Staff Code of Conduct.

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

You should:

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

You should give guidance and support to inexperienced helpers.

You should not:

- Have inappropriate physical or verbal contact
- Allow yourself to be drawn into inappropriate attention-seeking behaviour or make suggestive or derogatory remarks or gestures in front of children, young people or adults
- Jump to conclusions about others without checking facts
- Either exaggerate or trivialise abuse issues
- Show favouritism to any individual
- Believe 'it could never happen to me'

Take a chance when common sense, policy or practice suggests another more prudent

### **3.4 Good Practice**

- Ensure behaviour towards adults and safeguarding is included in codes of conduct.
- Aim to make activity fun and enjoyable
- Ensure signposting to appropriate training for partner organisations and that Active Lincolnshire staff complete the appropriate level of training for their role.
- Promote fairness and playing to the rules
- Not tolerate the use of prohibited or illegal substances
- Treat all adults equally and preserve their dignity, this includes giving all members of the group similar attention, time and respect.

### **3.5 Responding to concerns regarding poor practice**

- If, following consideration, the allegation is clearly about poor practice, e.g. poor coaching practice that may be a training issue; if the activity is affiliated to an NGB the NGB designated person will also be informed and will follow their own complaints and appeals procedures. If the activity does not link to an NGB then the Active Lincolnshire safeguarding lead must be informed and they will decide if any other information sharing is needed. Consideration will also be given as to other organisations/persons that need to be informed in accordance with the information sharing protocol.
- If the allegation is about poor practice by the designated person, or if the matter has been handled inadequately and concerns remain, it should be referred to the appropriate programme/project Manager (and NGB if relevant) who will deal with the matter and resolve whether or not disciplinary proceedings should be initiated and whether there is a training issue.

## **4.0 Responding to Disclosure, Concerns and Allegations**

Abuse can take place in any context and by all manner of perpetrator. Abuse may be inflicted by anyone in the sport or activity that an individual comes into contact with. Or club members, workers, volunteers or coaches may suspect that an individual is being abused or neglected outside of the sport or activity setting. In both cases there is a responsibility to respond.

### **4.1 Timescales**

Responding to safeguarding concerns of any nature should be done in a timely manner. If a person is injured or not safe you must take immediate action e.g. dialling 999 for police or ambulance.

### **Raising a concern**

The primary responsibility of the person who first suspects or is told of abuse is to report it and ensure that their concern is taken seriously. If it is an event run by the Active Lincolnshire then to the Active Lincolnshire Safeguarding lead will be informed. For other activity notify the welfare officer/lead for that activity.

Any concerns you witness or are told about should be passed on immediately to a designated safeguarding lead or the relevant local authority.  
You should aim to refer to the relevant local authority WITHIN one working day.

**See Appendix A for key contacts**

## **4.2 Responding to concerns**

You may become aware that abuse or poor practice is taking place, suspect abuse or poor practice may be occurring or be told about something that may be abuse or poor practice and you must report this to the Lead Safeguarding or Welfare Officer. If the Lead Safeguarding or Welfare Officer is implicated then report to the CEO. If the concern is about the CEO, that should be reported to the Chair of the Board of Directors.

If you are concerned someone is in immediate danger, contact the police straight away.

It is important when considering your concern that you also consider the needs and wishes of the person at risk, taking into account the nature of the alert.

### **How to Record a Disclosure**

If it does not increase the risk to the individual, you should explain to them that it is your duty to share your concern with your Lead Safeguarding or Welfare Officer.

Make a note of what the person has said using his or her own words as soon as practicable and complete a Concerns Form and submit to the Lead Safeguarding or Welfare Officer  
Describe the circumstances in which the disclosure came about.

Take care to distinguish between fact, observation, allegation and opinion. It is important that the information you have is accurate.

Be mindful of the need to be confidential at all times, this information must only be shared with your Lead Safeguarding or Welfare Officer and others on a need to know basis.

Create a safe environment by taking the following actions if someone discloses abuse:

- Stay Calm
- Listen – Carefully to what they are telling you, get as clear a picture as you can but avoid asking too many questions at this stage.
- Do not give promises of confidentiality.
- Reassure – them that they will be involved in decisions about what will happen.
- Assure them you are taking them seriously.
- Explain that you have a duty to tell a designated person and that their concern may be shared with others who have a part to play in safeguarding them
- If they have specific communication needs, provide support and information in a way that is most appropriate to them.
- Do not be judgmental or jump to conclusions.
- Do not discuss the concern with the person alleged to have caused harm or anyone else, unless the immediate welfare of the adult makes this unavoidable
- Do not take responsibility for deciding whether or not abuse has occurred. Seek advice.

### **4.3 What if the abuse is also a crime?**

If the abuse is also a crime such as assault, racial harassment, rape or theft you should involve the police to prevent someone else from being abused. If the police are involved we will work with them and with you to support you.

- If you are worried about contacting the police you can always contact Lincolnshire County Council customer service centre on **01522 782 111 or 01522 782 333** (Emergency Duty Team)
- If immediate action is needed the Emergency Services should be contacted by dialling 999.

The local authority adult safeguarding team at the LSAB can also be contacted for support (see glossary of terms for details)

### **4.4 Responding to none recent 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 or volunteer who is still currently working with children). Where such an allegation is made, procedures for safeguarding children must be used and the matter reported. This is because other children, either within or outside sport, may be at risk from this person.

See Active Lincolnshire Safeguarding Children's policy.

### **4.5 Responding to allegations/concerns about the suitability of Staff or Volunteers**

Any concerns for the welfare of the adult, arising from abuse or harassment by a member of staff or volunteer, must be dealt with in the same way as allegations against other people and reported immediately. This includes anyone working in a paid or voluntary capacity (e.g. volunteers or helpers in clubs, tournament officials, coaches or team managers on training camps).

The person to whom the allegation is reported must treat the matter seriously,

- Make a written record of the information including when the incident took place,
- Who was present and what happened.
- The record should be signed and dated and the matter should be reported immediately to the Named Senior Officer.

## 5.0 Confidentiality and Information Sharing

As it is everyone's responsibility to protect adults at risk from harm, all you are required to do is make sure that you listen to what the person tells you and with consent report what you have been told or seen, to the Safeguarding lead. If you are concerned that the person may not have capacity to evaluate the risk of abuse with their situation, you can report this to the Safeguarding lead without consent information should be shared within an organisation appropriately - the issue of consent really applies when it is thought that there should be a referral to the LSAB.

When reporting any information, it is important to do so with sensitivity for the people involved and the person who may have raised the concern

### 5.1 What should I do if they do not want me to tell anyone else or I do not have consent to report a problem?

If someone does not want you to share information or you do not have consent to share the information, please remember the **Seven Golden Rules for Information Sharing in Appendix D** consider the following:

1. Is the adult placing themselves at further risk of harm?
2. Is someone else likely to get hurt?
3. Has a criminal offence occurred? This includes: theft or burglary of items, physical abuse, sexual abuse, forced to give money (financial abuse) or harassment.
4. Is there suspicion that a crime has occurred?

If the answer to any of the questions above is yes then you can share without consent and this should be with the safeguarding lead, police or social care.

### 5.2 Information Sharing

Information sharing – The safeguarding lead will work with experts to consider whether there is a need to ensure information is shared with other organisations e.g. NGBs, LA'S this would be based on information sharing protocol.

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 Designated Safeguarding Officer
- The person making the allegation
- LSAB/police
- Local Authority Designated Officer (LADO)
- The designated officer within the National Governing Body of sport e.g. Legal Adviser; Lead Safeguarding Officer

### **5.3 Confidentiality**

- Information will only be shared on a 'need to know' basis when it is in the interests of the adult
- confidentiality must not be confused with secrecy
- Informed consent should be obtained but, if this is not possible and other adults are at risk of abuse or neglect, it may be necessary to override the requirement
- It is inappropriate for agencies to give assurances of absolute confidentiality in cases where there are concerns about abuse, particularly in those situations when other adults may be at risk

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

### **5.4 Recording information**

Information recorded must be as accurate and extensive as possible. It is important to ensure the report form is filled out accurately and with all information provided.

Copies of the form must be kept in locked storage system. Copies are only accessible to the lead Safeguarding Officer and the Deputy.

### **5.4 Barriers to Reporting Abuse**

It's my word against his / hers, therefore I may not be believed;

- Not having the confidence to speak up;
- Not being aware that abuse has actually occurred;
- Not wanting to ruin the coach-player relationship;
- Being fearful that by reporting abuse it may impact on funding or career prospects;
- Not wanting to make a big deal of it;
- Threats from other people to stay quiet;
- Accepting the abuse as part of a sport; and
- Being unsure of available support / reporting procedures

It is important, however, that disclosure of information takes place according to principles of good practice and on a need to know basis. Those seeking disclosure should be clear about the reasons information is required and the purposes for which it is likely to be used.

The Data Protection Act allows for disclosure of information without consent on the basis of the:

- Prevention and detection of crime
- Apprehension and prosecution of offenders.

The Data Protection Act 1998 and the Human Rights Act 1998 encourage the adoption of sound decision making in this area and the need to be able to justify the course adopted. While encouraging good practice, however, their provisions are not intended to inhibit the proper protection and safeguarding of the welfare of the most vulnerable.

## 5.5 Contact about a concern

Should you be contacted by anyone about an incident you have reported you should take the following steps:

1. Take the name and number of the person and ring them back to establish their identification.
2. Check if they are entitled to seek information from you by asking:

*“Under what statute are you seeking information?”*

3. Complete a written report of the conversation.
4. Inform the Designated Person that you have been contacted.

## 6.0 Supporting those involved

The organisation should keep the person who is the subject of the allegations informed of the progress of the case and arrange to provide appropriate support to the individual while the case is ongoing. This may be provided via occupational health or employee welfare arrangements where those exist, or through a nominated representative. If the person is suspended the employer should also make arrangements to keep the individual informed about developments in the workplace.

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

### 6.1 Support generally

The Samaritans

[http://www.samaritans.org/?gclid=CPyAs5m\\_zJYCFSSzEAodWGRCyg](http://www.samaritans.org/?gclid=CPyAs5m_zJYCFSSzEAodWGRCyg)

Tel 08457 909090.

### 6.2 Support to Deal with the Aftermath

- Active Lincolnshire and its partners will ensure adequate support is made available that is appropriate.
- Advice on support available can be obtained from the relevant HR departments. Support can also be obtained through the British Association of Counselling. Contact details:- The British Association for Counselling, 1 Regent Place, Rugby CV21 2PJ, Tel: 01788 550899, Fax: 01788 562189, e-mail: [bac@bac.co.uk](mailto:bac@bac.co.uk), Internet: [www.bac.co.uk](http://www.bac.co.uk)

## **7.0 Implementation and Monitoring Procedures**

### **7.1 Monitoring**

Active Lincolnshire will ensure that all commissioned work meets safeguarding standards before contracts are awarded. Active Lincolnshire may choose to undertake sample session observations to ensure that organisations they fund or commission are meeting Active Lincolnshire minimum standards.

### **7.2 Staff**

All Active Lincolnshire core team have an annual appraisal and safeguarding is included within that.

Staff in Active Lincolnshire team will update their safeguarding training every 3 years; based on level of safeguarding responsibility.

Appropriate support will be provided to those who report concerns/complaints. Active Lincolnshire has a whistle blowing policy which can be accessed through the CEO Lisa Harrison.

If you have concerns about the safety or welfare of an adult you must follow the steps set out in this document. For further details please see:

The Lincolnshire Safeguarding Adults Procedures.

<http://www.Lincolnshire.gov.uk/care/adult-social-care/safeguarding-adults>

Lincolnshire Safeguarding Adults Board (LSAB) <https://www.lincolnshire.gov.uk/lsab>

## Appendix A

### Key Contacts

#### Active Lincolnshire Safeguarding contacts

- The Lead Safeguarding officer is Lynsey Norris; telephone 01522 730 325, email [lynsey.norris@activelincolnshire.com](mailto:lynsey.norris@activelincolnshire.com)
- The Deputy Safeguarding officer is Alex Mulligan; telephone 01522 730 325 email [alex.mulligan@activelincolnshire.com](mailto:alex.mulligan@activelincolnshire.com)
- The board lead is Rona Mackenzie; telephone 01522 730 325, email [office@activelincolnshire.com](mailto:office@activelincolnshire.com)

#### Lincolnshire County Council

If you're worried about an adult and think they may be a victim of neglect, abuse or cruelty, please call the Customer Service Centre (CSC) on **01522 782 111**.

Outside office hours contact the Emergency Duty Team on **01522 782 333**.

You do not need to know everything about the situation or what is happening. You may just be worried, or feel that something is not right.

If you believe that a crime has been committed and there is an immediate risk of danger, telephone the police on **999** or **112**. If a crime has been committed but there is no immediate danger, dial **101**.

People who are deaf, hard of hearing or speech impaired can contact the police's typetalk service. The typetalk landline numbers are **01522 558 263** and **01522 558 140**, the mobile number is **07761 911 287**.

If you are concerned that you or someone you know is experiencing Domestic Abuse and you want advice or support:

- If you live in Lincoln, West Lindsey, North Kesteven or South Kesteven, call **01427 616 219** or **01522 510 041**
- If you live in East Lindsey, call **01507 609 830**
- If you live in Boston and South Holland, call **01205 318 600** or **01205 311 272**

**Lincolnshire Safeguarding Adults Board** <https://www.lincolnshire.gov.uk/lsab>

#### Other organisations relating to Adult Safeguarding

- Your local police station - [www.Lincolnshire.police.uk/contact/](http://www.Lincolnshire.police.uk/contact/)
- Ann Craft Trust [www.anncrafttrust.org](http://www.anncrafttrust.org) 0115 951 5400

## Appendix B

### Types of Abuse

#### Physical abuse including:

- hitting
- slapping
- pushing
- kicking
- misuse of medication
- restraint
- inappropriate physical sanctions

In sport this could be a coach intentionally striking an athlete.

#### Domestic abuse including:

- psychological
- physical
- sexual
- financial
- emotional abuse
- so called 'honour' based violence
  - A new offence of coercive and controlling behaviour in intimate and familial relationships was introduced into the Serious Crime Act 2015. The offence will impose a maximum 5 years imprisonment, a fine or both.
  - The offence closes a gap in the law around patterns of coercive and controlling behaviour during a relationship between intimate partners, former partners who still live together, or family members, sending a clear message that it is wrong to violate the trust of those closest to you, providing better protection to victims experiencing continuous abuse and allowing for earlier identification, intervention and prevention.

In sport for example a participant with Down's syndrome may be looking quiet and withdrawn when their brother comes to collect them from sessions, in contrast to when their personal assistant collects them, who they meet with a smile.

#### Sexual abuse including:

- rape
- indecent exposure
- sexual harassment
- inappropriate looking or touching
- sexual teasing or innuendo

- sexual photography
- subjection to pornography or witnessing sexual acts
- indecent exposure
- sexual assault
- sexual acts to which the adult has not consented or was pressured into consenting

In sport this could be a fellow athlete who sends sexually explicit messages to an adult they are training alongside.

### **Emotional or Psychological abuse including:**

- threats of harm or abandonment
- deprivation of contact
- humiliation
- blaming
- controlling
- intimidation
- coercion
- harassment
- verbal abuse
- isolation
- unreasonable and unjustified withdrawal of services or supportive networks

In sport this could be an athlete threatening another athlete with physical harm and persistently blaming them for poor performance.

### **Financial or material abuse including:**

- theft
- fraud
- internet scamming
- coercion in relation to an adult's financial affairs or arrangements, including in connection with wills, property, inheritance or financial transactions
- the misuse or misappropriation of property, possessions or benefits

In sport this could be taking equipment from another athlete

Financial recorded abuse can occur in isolation, but as research has shown, where there are other forms of abuse, there is likely to be financial abuse occurring. Although this is not always the case, everyone should also be aware of this possibility.

### **Modern slavery encompasses:**

- slavery

- human trafficking
- forced labour and domestic servitude.
- traffickers and slave masters using whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment

Read [Modern slavery: how the UK is leading the fight](#) for further information.

In sport it may be a participant in a team has been missing from practice sessions and is not responding to reminders from team members or coaches.

### **Discriminatory abuse including forms of:**

**This centres on a difference or perceived difference particularly with respect to race, gender or disability or any of the protected characteristics of the Equality Act.**

- harassment
- slurs or similar treatment:
  - because of race
  - gender and gender identity
  - age
  - disability
  - sexual orientation
  - religion

In sport this could be the harassing of a person because they are perceived to be transgender

Read [Discrimination: your rights](#) for further information.

### **Organisational abuse**

Including neglect and poor care practice within an institution or specific care setting such as a hospital or care home, for example, or in relation to care provided in one's own home. This may range from one off incidents to on-going ill-treatment. It can be through neglect or poor professional practice as a result of the structure, policies, processes and practices within an organisation.

In sport this could be training without a necessary break.

### **Neglect including:**

- ignoring medical needs
- ignoring physical care needs

- failure to provide access to appropriate health, care and support or educational services
- the withholding of the necessities of life, such as medication, adequate nutrition and heating

In sport this could include a coach not ensuring athletes have access to water.

## **Self-neglect**

This covers a wide range of behaviour neglecting to care for one's personal hygiene, health or surroundings and includes behaviour such as hoarding.

Sport context could be:-

A player whose appearance becomes unkempt, does not wear suitable sports kit and who is starting to smell.

## **Incidents of abuse may be one-off or multiple, and affect one person or more. Patterns of abuse vary and include:**

- Serial abuse, in which the perpetrator seeks out and 'grooms' individuals. Sexual abuse sometimes falls into this pattern as do some forms of financial abuse
- Long-term abuse, in the context of an ongoing family relationship such as domestic violence between spouses or generations or persistent psychological abuse
- Opportunistic abuse, such as theft occurring because money or jewellery has been left lying around

## **Not included in the Care Act 2014 but also relevant:**

Cyber Bullying – Occurs when someone repeatedly makes fun of another person on line or repeatedly picks on another person through e-mail or text messages, or uses on line forums with the intention of harming, damaging or humiliating or isolating another person. It can be used to carry out many different types of bullying (such as racist bullying, homophobic bullying or bullying related to special educational needs and disabilities) but instead of the perpetrator carrying out the bullying face to face they use technology as a means to do it.

## Appendix C

### Spotting signs of abuse and neglect

Workers across a wide range of organisations need to be vigilant about adult safeguarding concerns in all walks of life including, leisure providers.

#### Staff and volunteers should:-

- know about different types of abuse and neglect and their signs
- support adults to keep safe
- know who to tell about suspected abuse or neglect

No professional should assume that someone else will pass on information which they think may be critical to the safety and wellbeing of the adult. If a professional has concerns about the adult's welfare and believes they are suffering or likely to suffer abuse or neglect, then they should share the information with the local authority and, or, the police if they believe or suspect that a crime has been committed.

In order to respond appropriately where abuse or neglect may be taking place, anyone in contact with the adult, whether in a volunteer or paid role, must understand their own role and responsibility and have access to practical and legal guidance, advice and support

In sport abuse may be inflicted by anyone in a club or club members may suspect that an athlete is being abused outside of the club setting. There are many signs and indicators that may suggest someone is being abused, these include but are not limited to:

- 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  
OR lack of medical attention when an injury is present.
- An injury for which an explanation seems inconsistent and improbable
- A disclosure made by a vulnerable individual describing what appears to be an abusive act involving him/her
- Unexplained changes in an individual's behaviour, such as loss of confidence, low self-esteem
- becoming quiet and withdrawn, sudden outbursts of temper or uncharacteristic changes in behaviour, tearful, depressed,
- Angry, watchful and frightened
- Engaging in sexually explicit behaviour
- Distrust of others, particularly those with whom a close relationship would normally be expected
- Difficulty in making friends and socialising contrary to previous social behaviour
- Being prevented from socialising with other individuals by a carer or person in a position of authority
- Displaying variations in eating patterns including overeating, loss of appetite or stealing and concealing food
- Unexplained weight loss deterioration in personal hygiene and physical appearance
  - refusal/reluctance to undress or change for sporting activities.
- They may self – harm
- They may have a fear of a particular group or individual.
- They may tell you/another person they are being abused i.e. a disclosure

### **Signs of Financial abuse may be:**

- change in living conditions
- lack of heating, clothing or food
- inability to pay bills/unexplained shortage of money
- unexplained withdrawals from an account

### **Signs of Organisational abuse may be:**

- Inappropriate or poor care;
- Misuse of medication;
- Restraint;
- Sensory deprivation e.g. denial of use of spectacles, hearing aid etc.;
- Lack of respect shown to personal dignity;
- Lack of personal clothing or possessions;
- Lack of adequate procedures e.g. for medication, financial management;
- Poor professional practice

### **Patterns of abuse vary and include:**

- Serial abuse, in which the perpetrator seeks out and 'grooms' individuals. Sexual abuse sometimes falls into this pattern as do some forms of financial abuse
- Long-term abuse, in the context of an ongoing family relationship such as domestic violence between spouses or generations or persistent psychological abuse
- Opportunistic abuse, such as theft occurring because money or jewellery has been left lying around

## Appendix D

### Seven golden rules of information sharing

1. **Remember that the Data Protection Act is not a barrier to sharing information**

But provides a framework to ensure that personal information about living persons is shared appropriately.

2. **Be open and honest**

Be open and honest with the person (and/or their family where appropriate) from the outset about why, what, how and with whom information will, or could be shared, and seek their agreement, unless it is unsafe or inappropriate to do so.

3. **Seek advice**

If you are in any doubt, without disclosing the identity of the person where possible.

4. **Share with consent where appropriate**

Share with consent where appropriate and, where possible, respect the wishes of those who do not consent to share confidential information. You may still share information without consent if, in your judgement, that lack of consent can be overridden in the public interest. You will need to base your judgement on the facts of the case.

5. **Consider safety and well-being**

Base your information sharing decisions on considerations of the safety and well-being of the person and others who may be affected by their actions.

6. **Necessary, proportionate, relevant, accurate, timely and secure**

Ensure that the information you share is necessary for the purpose for which you are sharing it, is shared only with those people who need to have it, is accurate and up-to-date, is shared in a timely fashion, and is shared securely.

7. **Keep a record**

Keep a record of your decision and the reasons for it – whether it is to share

information or not. If you decide to share, then record what you have shared, with whom and for what purpose.

## Appendix E

### E-Safety

Abuse can occur through social media

- Unwanted sexual text messages (sexual abuse);
- Unwanted communication (emotional abuse);
- Inappropriate messaging; with kisses attached (emotional and sexual abuse);
- Requests for money (financial abuse);
- Harassment (emotional abuse);
- Intimidation (emotional abuse);
- Sexual coercion (sexual abuse);
- Stalking (emotional abuse); and
- Cyber-bullying (emotional abuse)

Please refer to Active Lincolnshire's e-Safety and Photography policy which is available on the website for further information

[www.activelincolnshire.com/safeguarding](http://www.activelincolnshire.com/safeguarding)

## Appendix F – Initial Issue/Concern Reporting Form

<b>Details of the adult</b>		
Name:		
Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female	Age:	Date of Birth:
Carer's name (If appropriate):		
Home address:		
<b>Your Details:</b>		
Your Name:	Your Position:	Date and Time of incident:
Address		
Telephone No.		
<b>Report:</b>		
<b>Date of Incident</b>	<b>Time of Incident</b>	<b>Location of Incident</b>
How was the incident reported to Active Lincolnshire? For example telephone call		
What did the adult say? ( In their own words)		
Appearance and behaviour of the adult		
Any injuries		
If you witnessed the incident write down exactly what you saw.		
<input type="checkbox"/> Responding to my own concerns. <input type="checkbox"/> Responding to concerns raised by someone else.	If responding to concerns raised by someone else, please provide their name and position within the club/organisation/group;	

<b>What actions have you (or someone else) taken?</b> (Please provide Information of actions, and names and contact numbers of others that have taken action)		
Any other comments		
Please provide details of the person alleged to have caused the incident / injury including where possible any details:		
Please provide details of any witnesses to the incident(s):		
Have you spoken to Carer if appropriate? <input type="checkbox"/> Yes <input type="checkbox"/> No	If yes, please provide details of what was said:	
Have you spoken to the Adult? <input type="checkbox"/> Yes <input type="checkbox"/> No	If yes, please provide details of what was said:	
Have you spoken to the person the allegations are being made against? <input type="checkbox"/> Yes <input type="checkbox"/> No	If yes, please provide details of what was said:	
Further action taken to date:		
Have you informed the statutory authorities? Social Care: Police: <input type="checkbox"/> Yes <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> No	Please provide the name of the person and his/her contact number:	
<b>Data Protection</b> <b>As the person completing this form, you must notify each person whose information you include about what will happen to their information and how it may be disclosed except to the extent that doing so would prejudice either the prevention or detection of a crime or the apprehension or prosecution of an offender.</b>		
Your signature and printed name:	Date:	Time

## **Appendix G**

### **Assessing capacity**

- A person's capacity must be assessed at the point at which a decision is needed, taking into account relevant and immediate circumstances as well as possible long-term issues.
- Does the person have an impairment of the mind or brain, or is there some sort of disturbance affecting the way their mind or brain works? (It does not matter if the impairment/disturbance is temporary or permanent).
- If so, does that impairment or disturbance mean that the person is unable to make the decision in question at the time it needs to be made?

### **Assessing ability to make a decision**

Does the person have a general understanding of the decision they need to make and why they need to make it?

- Does the person have a general understanding of the likely consequences of making, or not making the decision?
- Is the person able to understand, retain, use and weigh up the information relevant to this decision?
- Can the person communicate their decision (by talking, using sign language or any other means)? Would the services of a professional (such as a speech and language therapist) be helpful?

### **Assessing capacity to make more complex or serious decisions**

- In most instances a doctor or other professional expert will have assessed the adult's capacity.

Where background information such as this is available, for example, from a partner agency, the information should be stored confidentially.

- In most localities an Independent Mental Capacity Advocate (IMCA) is appointed to assist a person who is judged to lack capacity.

### **Statutory Principles – The Mental Capacity Act 2005**

- A person must be assumed to have capacity unless it is established that they lack capacity.
- A person is not to be treated as unable to make a decision unless all practical steps to help him/her to do so have been taken without success.
- A person is not to be treated as unable to make a decision merely because he/she makes an unwise decision.
- An act carried out or decision made, for or on behalf of a person who lacks capacity must be undertaken, or made, in their best interests.
- Before the act is carried out, or the decision is made, regard must be paid to whether the purpose for which it is needed can be as effectively achieved in a way that is less restrictive of the person's rights and freedom of action.

## Appendix H

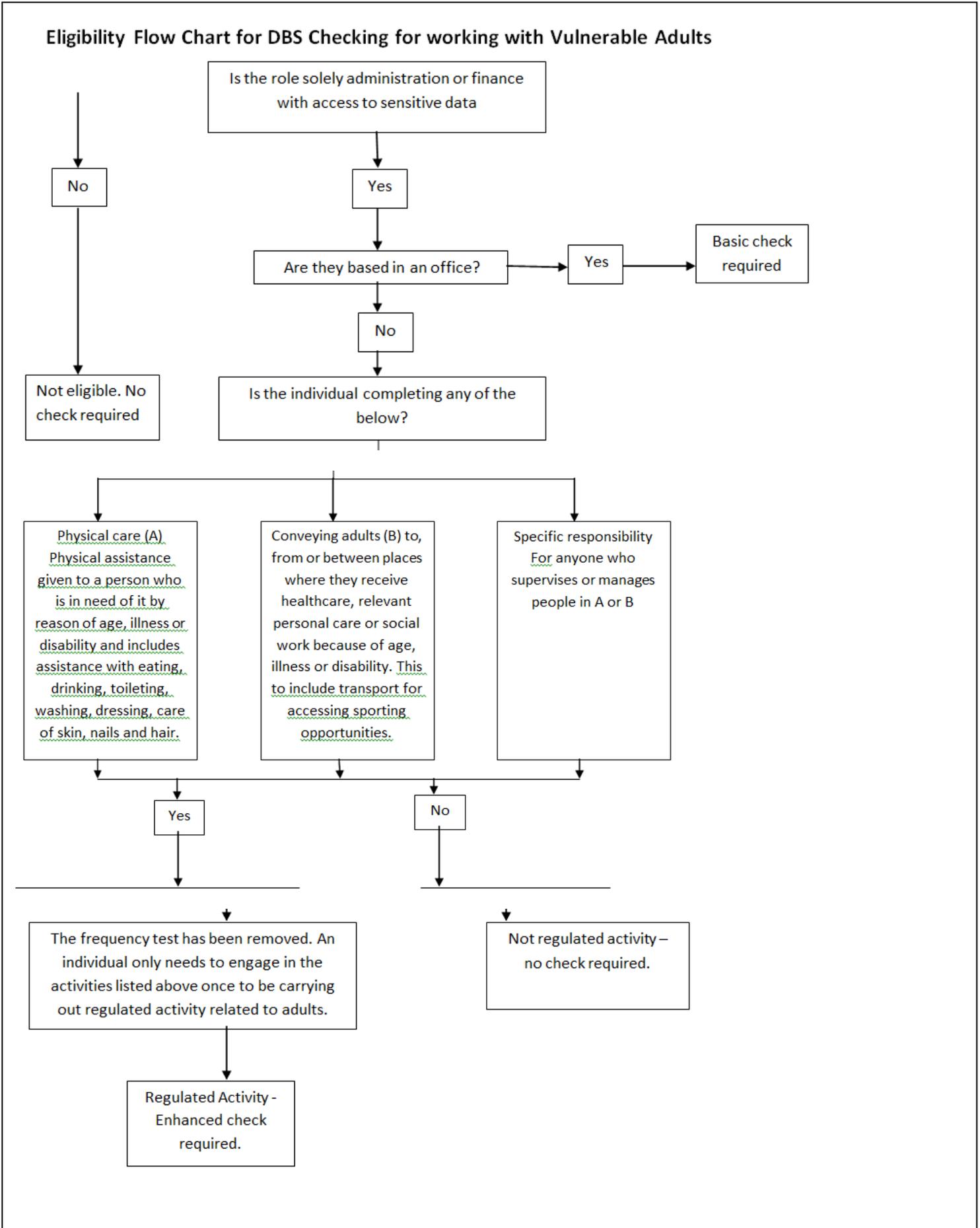
### Details of Regulated Activity

An individual is defined as being in regulated activity with adults at risk if any one of the conditions is met

1. The individual is in contact with the person by providing healthcare (Healthcare by a healthcare professional – only first aid if it is administered by an individual on behalf of an organisation whose purpose is to provide first aid).
2. The individual is in contact with the person by providing personal care (physical assistance with eating or drinking, going to the toilet, washing or bathing, dressing, oral care or care of the skin, hair or nails because of the adult's age, illness or disability).
3. The individual is in contact with the person in providing social work.
4. The individual is in contact with the person in assisting with general household matters (managing the person's cash, paying the person's bills, or shopping on their behalf).
5. The individual is in contact with the person in assisting in the conduct of a person's own affairs (power of attorney).
6. The individual is in contact with the person in conveying (any form of transport).  
It is important to note that personal relationships are exempt from Regulated Activity in relation to adults at risk.

# Appendix I

## Eligibility Flow Chart for DBS Checking for working with Vulnerable Adults



## Procedure for Reporting Concerns about an adult in Relation to Active Lincolnshire (AL) Staff/Volunteers

If you are unsure whether the concern is significant enough to report, contact the Active Lincolnshire safeguarding Lead for Advice

