



## **Boleh Safeguarding Policy, Guidance and Procedures**

### **Information Page**

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If you are concerned that someone is not following the Code of Conduct or the policies and procedures details in this document, you should inform your Safeguarding Officer or the person in charge of the activity.

All staff, volunteers, members and participants are responsible for raising safeguarding concerns with the safeguarding officer when necessary

The Safeguarding Officer should be notified of all relevant concerns, allegations or complaints

**Date Policy Approved:** 20<sup>th</sup> March 2026

**Next Review Date:** 20<sup>th</sup> March 2029



## **BOLEH TRUST: SAFEGUARDING POLICY AND PROCEDURES**

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## **Part 1: Boleh Trust Safeguarding Policy Statement**

*England and Wales: This policy refers to a child as anyone under the age of 18 as defined by [the Children Act 1989](#) and an Adult at Risk as anyone aged 18 or over, who is in need of care or support, and who, because of those needs, is unable to always safeguard themselves as defined by [the Care Act 2014](#).*

**Boleh Trust is committed to safeguarding all children, young people and adults at risk taking part in its activities from abuse and harm and ensuring their wellbeing. Boleh Trust recognises that the safety, welfare and needs of children, young people and adults at risk are paramount and that any person, irrespective of their age, disability, race, religion or belief, marital status, sex, gender identity, sexual orientation or social status, has a right to protection from discrimination, victimisation and abuse.**

Boleh Trust takes all reasonable steps to ensure that, through safe recruitment, appropriate operating procedures, and training, it offers a safe and fun environment to everyone taking part in Boleh Trust events and activities. Boleh Trust recognises that it has a legal duty of care<sup>1</sup> to safeguard children, young people and adults at risk.

Boleh Trust is committed to minimising risk and supporting venues, programmes, events and individuals to deliver a safe, positive and fun boating experience for everyone by creating a welcoming environment, both on and off the water, where everyone can have fun and develop their skills and confidence. Boleh Trust will treat everyone with respect, celebrate their achievements, listen to their views and experiences and provide opportunities for everyone to fulfil their potential and be their authentic selves.

Boleh Trust **will:**

- Ensure that all individuals who work or volunteer with children, young people and adults at risk provide a positive, safe and enjoyable experience.
- Ensure that there is a Safeguarding Trustee who will take the lead in dealing with all safeguarding concerns with support from the trustees
- Ensure that the Safeguarding Trustee name and contact details are known to all employees, volunteers, members and participants
- Respond swiftly and appropriately to all complaints and concerns about poor practice or suspected abuse, referring to the trustees and external agencies as necessary

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<sup>1</sup> <https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>

- Ensure that all information regarding safeguarding referrals is stored securely and confidentially
- Ensure that all those who work or volunteer with at risk groups have been recruited using safe recruitment practices and includes the appropriate criminal records disclosure checks
- Report any concerns raised involving staff, volunteers and credential holders to the Safeguarding trustee
- Regularly review its safeguarding procedures and practices in the light of experience, to take account of legislative, social or technological changes or where there is a change of management as required.
- Cooperate where necessary with multi-agency investigations and enquiries relating to serious case reviews involving children, young people and adults at risk, if there is an association with the sport and or recreation

The diversity of organisations and settings means there can be great variation in practice when it comes to safeguarding children, young people and adults. This can be because of cultural tradition, belief and religious practice or understanding, for example, of what constitutes abuse.

We therefore have clear expectations of those with whom we work in partnership, whether in the UK or not. It is our expectation that any organisation using Boleh will have their own policy that meets our safeguarding standards.

We believe good communication is essential in promoting safeguarding, both to those we wish to protect, to everyone involved in working with children and adults and to all those with whom we work in partnership. This safeguarding policy is just one means of promoting safeguarding.

**Good Practice.**

All employees, contractors and volunteers should follow the Good Practice Guides at Section 2.6 and agree to abide by The Boleh Trust Code of Conduct. Those working with adults at risk should be aware of the guidance on recognising abuse at Section 2.6.2.

This policy will be reviewed by the Boleh Trust committee at least every three years, or sooner if there are relevant changes to legislation or management.

The Boleh Trust recognises that **EVERYONE** has the right to be safeguarded and we must **ALL** take responsibility to ensure it.



## Part 2: Safeguarding Guidance

### 2.1 Types of Abuse

#### 2.1.1 Children and Young People<sup>2</sup>

**Neglect:** Neglect is not meeting a child's basic physical or psychological needs. It can have a long-lasting impact on a child's health or development. In sport, examples of neglect could include a coach or supervisor repeatedly:

- failing to ensure children are safe
- exposing children to undue cold, heat or extreme weather conditions without ensuring adequate clothing or hydration
- exposing children to unnecessary risk of injury by ignoring safe practice guidelines
- failing to ensure the use of safety equipment
- requiring young people to participate when injured or unwell

**Physical Abuse:** When someone deliberately hurts a child causing physical harm it is called physical abuse. It may involve hitting, kicking, shaking, pushing, poisoning, burning, biting, scalding, drowning or any other method of causing non-accidental harm.

In sport, physical abuse may occur:

- if the nature and intensity of training or competition exceeds the capacity of the child's immature growing body
- where coaches encourage the use of drugs or harmful substances to enhance performance or delay puberty
- if athletes are required to participate when injured
- if the sanctions used by coaches involve inflicting pain

**Sexual Abuse:** Sexual abuse is when a child is forced or persuaded to take part in sexual activities. This may involve physical contact or non-contact activities and can happen online or offline. Children and young people may not always understand that they are being sexually abused.

In sport, coaching techniques which involve physical contact with children can create situations where sexual abuse can be disguised. An abusive situation can also develop if a person in a position of authority, such as a coach, was to misuse their power.

Contacts made within sport and pursued through other routes, such as social media, have been used to groom children for abuse. Sexual abusers can also groom protective adults and organisations to create opportunities for abuse to take place.

Child sexual exploitation (CSE) is a type of sexual abuse. When a child or young person is exploited, they're given things, like gifts, drugs, money, status and affection, in exchange for performing sexual activities. Children and young people are often tricked into believing they're in a loving and consensual

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<sup>2</sup> The definitions of harm were obtained from the Child Protection in Sport Unit Website:  
<https://thecpsu.org.uk/help-advice/introduction-to-safeguarding/child-abuse-in-a-sports-setting/>

relationship. This is called grooming. They may trust their abuser and not understand that they're being abused.

**Emotional Abuse:** Emotional abuse is the emotional maltreatment of a child, which has a severe and persistent negative effect on the child's emotional development. In sport, emotional abuse may occur if:

- children are subjected to repeated criticism, sarcasm, name-calling or racism
- a child is ignored or excluded
- children feel pressure to perform to unrealistically high expectations
- children are made to feel like their value or worth is dependent on their sporting success

**Bullying:** Bullying is when individuals or groups seek to harm, intimidate or coerce someone who is perceived to be vulnerable. It can involve people of any age and can happen anywhere, including at home, school, sports clubs or online.

Bullying encompasses a range of behaviours which are often combined. It might include physical, verbal or emotional abuse, or online cyberbullying.

In sport, bullying can occur based on a young person's sporting ability, body size or shape. It might include name-calling, offensive hand gestures, physical assault or exclusion from team activities.

### **2.1.2 Adults**

The Care Act recognises 10 categories of abuse that may be experienced by adults.

**Self-neglect:** This covers a wide range of behaviour, but it can be broadly defined as neglecting to care for one's personal hygiene, health, or surroundings. An example of self-neglect is behaviour such as hoarding.

**Modern Slavery:** This encompasses slavery, human trafficking, forced labour, and domestic servitude.

**Domestic Abuse:** This includes psychological, physical, sexual, financial, and emotional abuse perpetrated by anyone within a person's family. It also includes so-called "honour" based violence.

**Discriminatory Abuse:** Discrimination is abuse that centres on a difference or perceived difference, particularly with respect to race, gender, disability, or any of the protected characteristics of the Equality Act.

**Organisational Abuse:** This includes neglect and poor care practice within an institution or specific care setting, such as a hospital or care home, or in relation to care provided in one's own home. Organisational abuse can range from one off incidents to ongoing ill-treatment. It can be through neglect or poor professional practice because of the structure, policies, processes and practices within an organisation.

**Physical Abuse:** This includes hitting, slapping, pushing, kicking, restraint, and misuse of medication. It can also include inappropriate sanctions.

**Sexual Abuse:** This includes rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography or witnessing sexual acts, indecent exposure and sexual assault, or sexual acts to which the adult has not consented or was pressured into consenting.

**Financial or Material Abuse:** This includes theft, fraud, internet scamming, and coercion in relation to an adult's financial affairs or arrangements, including in connection with wills, property, inheritance or financial transactions. It can also include the misuse or misappropriation of property, possessions, or benefits.

**Neglect and Acts of Omission:** This includes ignoring medical or physical care needs and failing to provide access to appropriate health, social care or educational services. It also includes the withdrawing of the necessities of life, including medication, adequate nutrition, and heating.

**Emotional or Psychological Abuse:** This includes threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation, or withdrawal from services or supportive networks.

### **2.1.3 Four Additional Types of Adult Harm:**

There are four additional types of harm that are not included in The Care Act, but they are also relevant to safeguarding adults.

**Cyber Bullying:** Cyber bullying occurs when someone repeatedly makes fun of another person online, or repeatedly picks on another person through emails or text messages. It can also involve using online forums with the intention of harming, damaging, humiliating, or isolating another person. It includes various types of bullying, including racist bullying, homophobic bullying, or bullying related to special education needs and disabilities. The main difference is that, instead of the perpetrator carrying out the bullying face-to-face, they use technology to do it.

**Forced Marriage:** This is a term used to describe a marriage in which one or both of the parties are married without their consent or against their will. A forced marriage differs from an arranged marriage, in which both parties' consent to the assistance of a third party in identifying a spouse. The Anti-Social Behaviour, Crime and Policing Act 2014 make it a criminal offence to force someone to marry.

**Mate Crime:** A "mate crime" is when "vulnerable people are befriended by members of the community who go on to exploit and take advantage of them" (Safety Network Project, ARC). It may not be an illegal act, but it still has a negative effect on the individual. A mate crime is carried out by someone the adult knows, and it often happens in private. In recent years there have been several Serious Care Reviews relating to people with a learning disability who were seriously harmed, or even murdered, by people who purported to be their friend.

**Radicalisation:** The aim of radicalisation is to inspire new recruits, embed extreme views and persuade vulnerable individuals to the legitimacy of a cause. This may be direct through a relationship, or through social media.

### **2.1.4 Other Safeguarding Considerations**

**Domestic Abuse:** Women's Aid define domestic abuse as an incident or pattern of incidents of controlling, coercive, threatening, degrading and violent behaviour, including sexual violence, in most cases by a partner or ex-partner, but also by a family member or carer. It is very common. In most cases, it is experienced by women and is perpetrated by men. The Domestic Abuse Act 2021<sup>3</sup> is a new legislation which looks to raise awareness and understanding about the impact of domestic abuse on victims and their families. It will work to further improve the effectiveness of the justice system in

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<sup>3</sup> <https://www.gov.uk/government/publications/domestic-abuse-bill-2020-factsheets/domestic-abuse-bill-2020-overarching-factsheet>

providing protection for victims of domestic abuse and bringing perpetrators to justice and strengthen the support for victims of abuse by statutory agencies.

**Extremism:** Extremism is vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. (HM Government Prevent Strategy 2011<sup>4</sup>).

**Non-recent Abuse:** Abuse that occurred a period of time ago is sometimes referred to as non-recent. For example, an adult might speak about abuse that took place in their childhood.

**Self-Harm:** Self-harm is when someone deliberately hurts themselves. It can include cutting, burning, hitting or bruising, poisoning, scratching, hair-pulling or overdosing. Adults who self-harm aren't usually trying to commit suicide or looking for attention (although self-harming can result in accidental death). Often, it is a way for the person to deal with overwhelming or distressing feelings and emotions. Self-harming can be an indication of abuse, as some people use self-harm to cope with anxiety, stress and overwhelming emotions.

**Gangs & County Lines:** County lines is a form of criminal exploitation where urban gangs persuade, coerce or force children and young people to store drugs and money and/or transport them to suburban areas, market towns and coastal towns (Home Office, 2018). It can happen in any part of the UK and is against the law and a form of child abuse. Children and young people may be criminally exploited in multiple ways. Other forms of criminal exploitation include child sexual exploitation, trafficking, gang and knife crime.

**Forced Marriage:** A forced marriage is where one or both people do not or cannot consent to the marriage and pressure or abuse is used to force them into the marriage. Forced marriage is illegal in the UK and is a form of domestic abuse and a serious abuse of human rights.

**Female Genital Mutilation (FGM)**<sup>5</sup>: FGM is when a female's genitals are deliberately altered or removed for non-medical reasons. It's also known as 'female circumcision' or 'cutting' but has many other names. In the UK, this practice is illegal, but sadly still occurs and religious, social and cultural reasons are given to justify this practice.

## 2.2 Glossary of Terms

**Abuse:** abuse covers every form of 'abuse', which differs between adults and children. Adult forms of abuse are sexual, emotional, psychological, material, financial, physical, discriminatory, organisational abuse and any acts of omission.

**Adult at Risk England:** any person aged 18 years and over who is or may be in need of community care services by reason of mental health issues, learning or physical disability, sensory impairment, age or illness and who is or may be unable to take care of him/herself or unable to protect him/herself against significant harm or serious exploitation.

**Case Management Group (CMG):** the Case Management Group is responsible for ensuring that all allegations, incidents, or referrals related to the safeguarding of children, young people and adults at risk are dealt with fairly and equitably within appropriate timescales. For the RYA the CMG consists of

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<sup>4</sup> <https://www.gov.uk/government/publications/prevent-duty-guidance/revise-prevent-duty-guidance-for-england-and-wales>

<sup>5</sup> Definition taken from the NSPCC Website

the Safeguarding and Equality Manager, Safeguarding Officer, relevant departmental manager/s representative from the legal team and the Independent Safeguarding Chair.

**Club Welfare Officer:** the designated individual within an affiliated club, recognised training centre or class association who holds the lead responsibility for safeguarding within their setting.

**Consent:** this is a term generally relating to adult safeguarding. Adults have a general right to independence, choice and self-determination including control over information about themselves. These rights can be overridden in certain circumstances, some examples include if a person lacks mental capacity, a crime has been committed, other people may be at risk, or the risk is unreasonably high.

**Disclosure:** disclosure is the process by which a child or adult at risk will let someone know that abuse is taking place. This may not happen all in one go and may be a slow process that takes place over a long period of time.

**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.

**LADO:** a Local Authority Designated Officer is the designated person within every Local Authority who is responsible for co-ordinating the response to concerns that an adult who works with children may have caused them or could cause them harm.

**Multi-Agency Meeting:** a multi-agency meeting may take place when a referral has been made to the Police or LADO regarding a child or adult at risk and is a key part of the investigation process.

**Position of Trust:** an adult is in a position of trust where a young person in their care has some dependency on them and there is an element of vulnerability involved.

**Referral:** a request for help from and/or for an individual from a public body.

**Referrer:** the person who refers a safeguarding concern to the safeguarding lead, police, LADO or Local Authority.

**Risk:** the probability of something (e.g., harm to a child) happening. The harsher the damage caused by it happening and the more likely the event, the greater the overall risk.

**Significant Harm:** the threshold that justifies compulsory intervention in family life in the best interests of children. Whether harm or likely harm suffered by a child is significant is determined by comparing the child's health or development with that which could reasonably be expected of a similar child.

**Subject of Concern (SoC):** a person who is believed to have acted in a way that has caused harm to a child, young person or adult at risk.

**Wellbeing:** Section 10 of the Children Act 2004 requires local authorities and other specified agencies to co-operate with a view to improving the wellbeing of children in relation to the five outcomes first set out in "Every Child Matters".

**Young Person:** a young person is a term used to describe the interim period between childhood and adult, typically between the ages of 14 and 17.

## 2.3 Recognising abuse

Patterns of abuse vary and include:

- Serial abusing 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; or
- Opportunistic abuse such as theft occurring because money or valuable items have been left lying around.

Signs and indicators that may suggest someone is being abused or neglected include:

- Unexplained bruises or injuries – or lack of medical attention when an injury has occurred
- Someone losing or gaining weight, or an unkempt appearance
- A change in behaviour or confidence
- Self-harming
- A person's belongings or money go missing
- The person is not attending, or no longer enjoying, their sessions
- A person has a fear of a particular group or individual
- A disclosure – someone tells you or another person that they are being abused.

If there are concerns about abuse taking place in the person's home, talking to their carers might put them at greater risk. If you cannot talk to the carers, consult your organisation's designated Welfare Officer or the person in charge. It is this person's responsibility to make the decision to contact Adult Social Care Services. It is NOT their responsibility to decide if abuse is taking place, BUT it is their responsibility to act on your concerns.

Some instances of abuse will constitute a criminal offence, for example assault, sexual assault and rape, fraud or other forms of financial exploitation and certain forms of discrimination. This type of abuse should be reported to the Police.

## 2.4 Example Safeguarding Scenarios

### Advice:

Any concern which does not meet the threshold for Levels 1 or 2 and involves seeking support or guidance for a specific matter. Advice cases can often escalate depending on the situation. Some examples of advice cases are:

- o Members of the public are taking photos of children or young people at an event
- o Changing facilities do not allow for privacy in showering and changing
- o DBS check has flagged up that an individual produced pirate videos 30 years ago
- o Club member disagreements and disharmony

### Level 1 – Low Level Concerns:

A low-level concern is any concern that an adult has acted in a way that: is inconsistent with the organisational code of conduct, including inappropriate conduct outside of work. The concern/allegation does not meet the threshold of harm or is not considered serious enough for a referral to the local authority. These types of cases are often dealt with internally, but some examples could include:

- o Allowing a child to change in a vehicle which is owned by a volunteer or staff member
- o Using inappropriate sexualised, intimidating or offensive language
- o Teaching / training or supervising vulnerable groups whilst under the influence of drugs or alcohol
- o Engaging with a child or adult at risk on a one-to-one basis in a secluded area or behind a closed door
- o Communicating / engaging with children or adults at risk online in an unsupervised capacity
- o Transporting children or adults at risk in a car unsupervised
- o Taking everyday photographs of children and storing them on personal devices

**Level 2 – Significant Risk of Harm:**

An allegation made, which meets the threshold for referral to the LADO or Adult Services and appears in the first instance to meet the threshold for referral to the police. Such cases may not always involve serious injury to a child or adult at risk, but present as a breach of the position of trust the professional or volunteer was in. The allegation will show behaviour from the professional or volunteer which is deemed to be extremely concerning towards children, young people or adults at risk that they are caring for and requires immediate action. Some examples could include:

- o Downloading indecent images of children
- o Stalking and harassment
- o Suspected abuse in any form
- o Grooming
- o Radicalisation
- o Exploitation

## 2.5 Safeguarding Legislation and Associated Policies

Safeguarding is governed by several different legislations and guidance. This will vary depending on the country within the UK. The following table outlines the different legislation and guidance (with links)

	Key Legislation for Adults at Risk	Key Legislation for Children and Young People
<b>England</b>	<ul style="list-style-type: none"> <li>○ <a href="#">The Care Act 2014</a></li> <li>○ <a href="#">Care and Support Statutory Guidance (especially chapter 14) 2014</a></li> </ul>	<ul style="list-style-type: none"> <li>○ <a href="#">The Children Act 1989</a></li> <li>○ <a href="#">Keeping Children Safe in Education 2019</a></li> <li>○ <a href="#">Working Together to Safeguard Children 2018</a></li> <li>○ <a href="#">Children and Families Act 2014</a></li> <li>○ <a href="#">The United Nations convention on the Rights of the Child 1992</a></li> </ul>

Other relevant Boleh Trust policies are outlined below:

- Complaints procedure
- GDPR policy
- Volunteer management policy
- Equality, Diversity and Inclusivity policy
- Online safety policy

## 2.6 Boleh Trust Good Practice Guides



### 2.6.1 Code of Conduct

***All on the water activity should be safe and fun for everyone. We all have a responsibility to role model positive behaviour and feel able to call out poor or inappropriate behaviour and empower others to do the same.***

Boleh Trust is committed to providing a culture which is safe, welcoming and inclusive for everyone who wishes to take part in our activities. It is for this reason we have established a code of conduct, which outlines the standards of behaviour that we expect from everyone participating in our activities and competitions.

As a member / participant / volunteer /staff member of Boleh Trust we expect you to:

- Respect the rights, dignity and worth of every person and treat everyone with respect
- Celebrate diversity in all its forms
- Do not discriminate against anyone based on any protected characteristics
- Always act with integrity
- Do not behave in any way which causes offence or harm to others
- Report poor behaviour or conduct to Boleh Trust
- Familiarise yourself with relevant Boleh Trust policies and procedures (Including: Complaints Policy, Safeguarding Policy and Procedures and Equity Policy)
- Do not use inappropriate language and always be mindful of banter and how words can also cause harm to others

As a user of Boleh Trust you should expect:

- To be treated with respect by everyone
- An environment which is free from discrimination, harassment and victimisation
- Safe spaces and opportunities where you can report any concerns and know they will be investigated in accordance with Boleh Trust constitution, policies and procedures
- To feel safe and supported to undertake as many Boleh Trust activities as you would like
- To enjoy your sailing and boating however you wish to undertake it.

**Failure to adhere to the Boleh Trust Code of Conduct may result in the suspension or withdrawal of membership or current role in accordance with the Boleh Trust disciplinary policy and procedure**

## 2.6.2 Handout for Volunteers working with adults

This guide only covers the essential points of good practice when working with adults at risk. You should also read the organisation's full Safeguarding Policy and Procedures which are available for reference at all times.

- Always communicate clearly, in whatever way best suits the individual, and check their understanding and expectations
- Always try to work in an open environment in view of others
- Avoid spending any significant time working with vulnerable adults in isolation
- Do not take a vulnerable person alone in a car, however short the journey, unless you are certain that the individual has the capacity to decide to accept a lift
- Do not take a vulnerable person to your home as part of your organisation's activity
- Where any of these is unavoidable, ensure that it only occurs with the full knowledge and consent of someone in charge of the organisation or the person's carers
- Design training programmes that are within the ability of the individual
- If you need to help someone with a wetsuit or buoyancy aid or provide physical assistance or support, make sure you are in full view of others
- Take great care with communications via mobile phone, e-mail or social media that might be misunderstood or shared inappropriately. In general, only send group communications about organisational matters using these methods. If it is essential to send an individual message to a person who has a learning disability or other impairment that might affect their understanding, copy it to their carer.

You should never:

- engage in rough, physical or sexually provocative games or activities
- allow or engage in inappropriate touching of any form
- use inappropriate language
- make sexually suggestive comments, even in fun
- fail to respond to an allegation made by a vulnerable person; always act
- do things of a personal nature that the person can do for themselves.

It may sometimes be necessary to do things of a personal nature to help someone with a physical or learning disability. These tasks should only be carried out with the full understanding and consent of both the individual (where possible) and their carers. In an emergency situation which requires this type of help, if the individual lacks the capacity to give consent, carers should be fully informed. In such situations it is important to ensure that anyone present is sensitive to the individual and undertakes personal care tasks with the utmost discretion.

## Guidance on Touch

- Keep everything public. A hug in the context of a group is very different from a hug behind closed doors.
- Touch should be related to the child, young person or vulnerable adult's needs, not the worker's.
- Touch should be age-appropriate and generally initiated by the child, young person or vulnerable adult, rather than the worker.
- Avoid any physical activity that may be sexually stimulating.
- All children, young people and vulnerable adults are entitled to personal privacy and the right to decide how much physical contact they have with others, except in circumstances such as a medical emergency.
- When giving first aid (or applying sun cream etc.), encourage the child, young person or vulnerable adult to do what they can themselves but, in their best interests giving appropriate help where necessary.
- Team members should monitor one another in the area of physical contact. They should be free to help each other by constructively challenging anything which could be misunderstood or misconstrued.



### **2.6.3 Handout for Volunteers working with children & young adults.**

This guidance only covers the essential points of good practice when working with children and young people. You should also read the Boleh Trust full Safeguarding Policy and Procedures which are available for reference at all times.

- Avoid spending any significant time working with children in isolation
- Do not take children alone in a car, however short the journey
- Do not take children to your home as part of your organisation's activity
- Where any of these are unavoidable, ensure that they only occur with the full knowledge and consent of someone in charge of the organisation and the child's parents
- If a child is having difficulty with a wetsuit or buoyancy aid, ask them to ask a friend to help if at all possible
- If you do have to help a child, make sure you are in full view of others, preferably another adult
- Restrict communications with young people via mobile phone, e-mail or social media to group communications about organisational matters. If it's essential to send an individual message, copy it to the child's parent or carer (further guidance is at annex).

#### **You should never**

- engage in rough, physical or sexually provocative games
- allow or engage in inappropriate touching of any form (see below for additional guidance)
- allow children to use inappropriate language unchallenged, or use such language yourself when with children
- make sexually suggestive comments to a child, even in fun
- fail to respond to an allegation made by a child; always act
- do things of a personal nature that children can do for themselves.

It may sometimes be necessary to do things of a personal nature for children, particularly if they are very young or disabled. These tasks should only be carried out with the full understanding and consent of the child (where possible) and their parents/carers. In an emergency situation which requires this type of help, parents should be fully informed. In such situations it is important to ensure that any adult present is sensitive to the child and undertakes personal care tasks with the utmost discretion.

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- Touch should be age-appropriate and generally initiated by the child, young person or vulnerable adult, rather than the worker.
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- When giving first aid (or applying sun cream etc.), encourage the child, young person or vulnerable adult to do what they can themselves but, in their best interests giving appropriate help where necessary.
- Team members should monitor one another in the area of physical contact. They should be free to help each other by constructively challenging anything which could be misunderstood or misconstrued.



## 2.6.4 Online Safety and Social Media Policy

### Online Safety definition:

*Online safety* is the collective term for safeguarding involving the use of electronic devices and applications to communicate and access the Internet; often referred to as Information and Communications Technology.

### Policy guidelines for employees and volunteers

- Generally, maintain good and open relationships with parents and carers regarding communication with them and their children.
- Use an appropriate tone: friendly, but not over-familiar or personal.
- Be warm and friendly, but do not suggest or offer a special relationship.
- Be clear and explicit about information that you need to share; don't abbreviate or short-cut your communications.
- Be circumspect in your communications with children to avoid any possible misinterpretation of your motives or any behaviour which could be construed as grooming.
- Do not share any personal information with children or request or respond to any personal information from them other than that which might be appropriate as part of your role.
- Only give personal contact details to children that are within the public domain of the organisation, including your mobile telephone number.
- If children want you to have their mobile phone numbers, e-mail addresses or similar, and communicate with them this way, make sure that their parents/carers know and have agreed.
- Only make contact with children for reasons related to the work of the organisation and retain a record of all electronic contact with individuals or groups including messaging and texting.
- Where possible only use equipment provided by the organisation to communicate with children.
- Respect a child's right to confidentiality unless abuse/harm is suspected or disclosed.
- Email should only be used to communicate specific information. (e.g. times and dates of events). It should not be used as a relationship building tool.
- Email History should be kept and dated.
- When using email/internet for communication with children, it is advised that it should take place between the hours of 9am-5pm.
- Use of skype and any other web camera or visual communication via the internet is

generally not advised. Workers should refrain from using such methods on a one to one basis as they cannot be recorded. (It can be used for conference calls and is considered appropriate if a project or group uses a web camera/Skype in a group environment for project purposes, and has clear aims and objectives for its use).

### **Social Media Policy**

- All social media interaction between workers, paid or voluntary, and children under 18 should be limited to monitored/administrated groups.
- All interaction on social media groups shall be recorded for safeguarding purposes
- Any private messages shall be recorded for safeguarding purposes
- Any safeguarding concerns/allegations arising from social media shall be referred onto the safeguarding co-ordinator.
- All users of social media must be above the minimum age limit i.e. 13 for Facebook
- Workers should ensure their privacy setting ensure the highest levels of security in order to restrict children being able to see any more than what is relevant to communication within the group
- All social media groups should provide links to statutory authorities such as CEOP, to enable children to report online abuse.

### **Consent for photographic images and videos online**

- Permission will be sought before any images are taken or displayed and images will only be used for the specific purpose for which permission was sought for and how the image will be stored if not destroyed.
- Use of images will reflect diversity of age, ethnicity and gender of the activity.
- Live streaming of events must be clearly advertised in advance and where children are involved permission should be sought in line with the photographic guidelines.

### **Photographs**

- As staff or volunteers with the Boleh Trust you are encouraged to take still and video photographs during Trust activities but you must use the Trust's equipment and not your own personal device.
- Where you are aware that children or vulnerable adults (and/or their responsible adults) have chosen not to permit their photos to be used you should try to avoid including them in photographs, and you should not make them the main subject of a photograph.
- Photographs which depict identifiable children or vulnerable adults, and photographs which depict children or vulnerable adults in swimwear or not fully dressed may not be forwarded in any form.
- Other photographs may be forwarded to yourself for your private use: for reasons of transparency you must not delete them from the Trust's device. Any concerns about inappropriate or intrusive photography or the inappropriate use of images should be reported to the Safeguarding Officer.

- Photographs are of great value in publicising the activities of the Trust, but before publishing a photograph which depicts a child or vulnerable adult you should check that permission is held for the photograph to be used. Where an individual can be identified from a photograph you should not normally use that person's real name, and you should exercise caution in identifying any school or other group they may belong to.
- If a photograph is to be especially prominent you should consider seeking specific permission for the particular use.

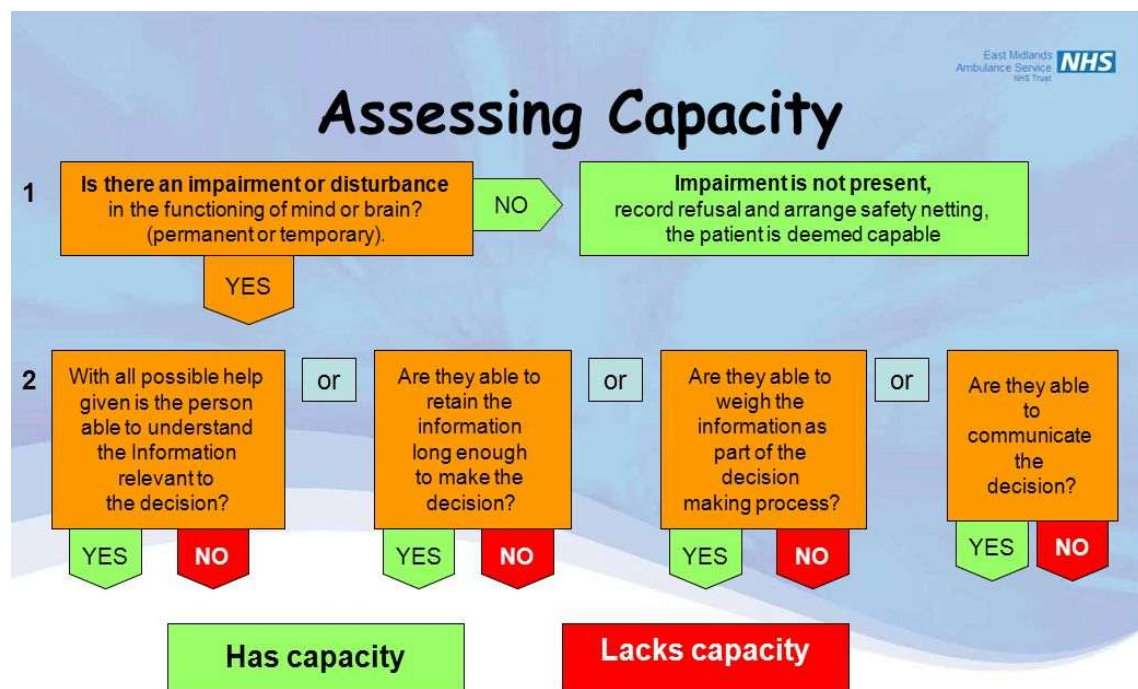
*(This policy should be read alongside the relevant sections of our Privacy Policy, which provides that the Trust may take and use photographs of those who sail with us in connection with the activities of the charity but (amongst other things) such photographs will be published only when permission has been granted by the individual/child/responsible adults.)*



## 2.6.5 Assessing Capacity

The flowchart below aims to provide guidance in the event of an individual appearing to be incapacitated and likely in need of assistance.

**If the answer to 1. Is 'YES' and the answer to any of 2. Is 'NO', then the person lacks capacity under the Mental Capacity Act 2005.**



If the victim is not able to consent to or refuse treatment, there is a duty to make a best interest decision about whether to treat the patient.

### You must:

- Involve the person who lacks capacity to the fullest extent possible
- Have regard for past and present wishes and feelings, especially written statements
- Consult with others who are involved in the person's care
- Not be discriminatory
- Choose or decide on the least restrictive option
- Take into consideration the benefits and burdens to the person

**For Further Guidance** on making 'capacity' decisions visit <https://www.anncrafttrust.org/resources/capacity-making-decisions/>

## 2.7 Useful Safeguarding Advice Contacts

**Boleh Trust Safeguarding Officer:** Caroline Middleton

Tel: 07779698963 Email: [cemiddleton@hotmail.com](mailto:cemiddleton@hotmail.com) or [safeguarding@bolehsailing.org](mailto:safeguarding@bolehsailing.org)

**Thirtyone:eight:** The Trust has access to a 24-hour safeguarding hotline 0303 003 1111

Membership number: 15151 <https://thirtyoneeight.org>

### Social Care Services

**Adults & Children:** Your local phone book or the website for your County Council or unitary local authority will list numbers for Adult Services and for Child and Families Services, generally with separate numbers for Adult Social Care, Children’s Social Care and for the Emergency Duty Team (out of hours service).

### Ann Craft Trust

**Adults & Children:** The Ann Craft Trust (ACT) supports organisations in the statutory, independent and voluntary sectors across the UK to protect disabled children and adults at risk. ‘**Safeguarding Adults in Sport and Physical Activity**’ is a new project, supported by Sport England, to help sports organisations to develop best practice in safeguarding adults at risk. They provide a range of resources and training.

Tel: 0115 9515 400 Website: [www.anncrafttrust.org/safeguarding-adults-in-sport](http://www.anncrafttrust.org/safeguarding-adults-in-sport) &  
<https://www.anncrafttrust.org/resources/a-guide-to-safeguarding-adults/>

### Other Children-specific Charities

The following is a small selection of charities that support children and young people with different needs and disabilities. A more comprehensive list can be found in the Resource Pack on the Ann Craft Trust website.

#### NSPCC 24 hour free helpline

For advice on any aspect of children’s welfare 0808 800 5000

E-mail: [help@nspcc.org.uk](mailto:help@nspcc.org.uk) Website: [www.nspcc.org.uk](http://www.nspcc.org.uk)

#### Childline 24 hour free helpline

Tel: 0800 1111 Website: [www.childline.org.uk](http://www.childline.org.uk)

#### MIND – mental health charity

Tel: 0300 123 3393 Website: [www.mind.org.uk](http://www.mind.org.uk) E-mail: [info@mind.org.uk](mailto:info@mind.org.uk)  
Text: 86463

## **Royal Yachting Association**

Safeguarding and Equality Manager, RYA House, Ensign Way, Hamble, Southampton,  
SO31 4YA

Tel: 023 8060 4104

E-mail: [safeguarding@rya.org.uk](mailto:safeguarding@rya.org.uk)

Website: [www.rya.org.uk/go/safeguarding](http://www.rya.org.uk/go/safeguarding)

## **Child Protection in Sport Unit (CPSU)**

Website: [www.thecpsu.org.uk](http://www.thecpsu.org.uk)

**In England**

Tel: 0116 366 5580

E-mail: [cpsu@nspcc.org.uk](mailto:cpsu@nspcc.org.uk)

**UK Coaching – provide Safeguarding and Protecting Children training:**

Website: [www.ukcoaching.org](http://www.ukcoaching.org)

## **Other Adult-specific Charities**

The following is a small selection of charities that support adult people with different needs and disabilities. A more comprehensive list can be found in the Resource Pack on the Ann Craft Trust website.

### **Action on Elder Abuse helpline**

Tel: 0808 808 8141

Website: [www.elderabuse.org.uk](http://www.elderabuse.org.uk)

### **Dementia UK**

Tel: 0800 888 6678

Website: [www.dementiauk.org](http://www.dementiauk.org)

### **Mencap Direct**

Tel: 0808 808 1111

Website: [www.mencap.org.uk](http://www.mencap.org.uk)

E-mail: [help@mencap.org.uk](mailto:help@mencap.org.uk)

### **MIND – mental health charity**

Tel: 0300 123 3393

Website: [www.mind.org.uk](http://www.mind.org.uk)

E-mail: [info@mind.org.uk](mailto:info@mind.org.uk)

Text: 86463

### **National Autistic Society**

Tel: 020 7833 2299

Website: [www.nas.org.uk](http://www.nas.org.uk)

**Men's Advice Line (For male domestic abuse survivors)**

Tel: 0808 801 0327

**National LGBT+ Domestic Abuse Helpline**

Tel: 0800 999 5428

**Respond**

Respond provides a range of services to victim and perpetrators of sexual abuse who have learning disabilities, and training and support to those working with them

Tel: 02073830700 or 08088080700

Website: [www.respond.org.uk](http://www.respond.org.uk)

**Stop Hate Crime**

Works to challenge all forms of Hate Crime and discrimination, based on any aspect of an individual's identity. Stop Hate UK provides independent, confidential and accessible reporting and support for victims, witnesses and third parties.

Tel: 0800 138 1625

Web Chat: [www.stophateuk.org/talk-to-us/](http://www.stophateuk.org/talk-to-us/)

**Victim Support**

Tel: 0808 168 9111

Website: [www.victimsupport.com](http://www.victimsupport.com) Useful

## 2.8 Signposts to further Child Protection in Sport Unit Guidance

### **Changing Rooms:**

<https://thecpsu.org.uk/media/445544/safe-use-of-changing-facilities-lg-july-2020.pdf>

RYA Changing Room Guidance – please email [safeguarding@rya.org.uk](mailto:safeguarding@rya.org.uk) for a copy

### **Media and Communications:**

<https://thecpsu.org.uk/help-advice/topics/online-safety/>

<https://thecpsu.org.uk/help-advice/topics/online-safety/#heading-top>

<https://www.anncrafttrust.org/resources/photography-guidance-for-adults/>

### **Challenging Behaviour:**

<https://thecpsu.org.uk/media/2488/managing-challenging-behaviour-review-july-14.pdf>

### **Information Sharing:**

<https://thecpsu.org.uk/help-advice/topics/information-sharing>

<https://www.anncrafttrust.org/share-consent-confidentiality-and-information-sharing-in-mental-healthcare-and-suicide-prevention/>

### **Safe Event Planning and Execution:**

<https://thecpsu.org.uk/media/328759/safe-sport-events-activities-competitions-update-apr-2017.pdf>

### **Online Safety:**

<https://thecpsu.org.uk/help-advice/topics/online-safety/>

<https://www.anncrafttrust.org/how-to-stay-safe-online-guidance-for-adults-and-young-people-with-learning-disabilities/>

### **Events held in public parks and spaces – additional safeguarding considerations:**

<https://thecpsu.org.uk/resource-library/best-practice/events-held-in-public-parks-and-spaces/>

### **Event Staff – Your Roles and Responsibilities:**

<https://thecpsu.org.uk/resource-library/best-practice/event-staff-your-roles-and-responsibilities/>

### **Safeguarding at Events – Weather Considerations:**

<https://thecpsu.org.uk/resource-library/best-practice/safeguarding-at-events-weather-considerations/>

### **Heatwave Advice:**

<https://thecpsu.org.uk/resource-library/best-practice/heatwave-advice-to-event-organisers/>

### **Away Trips and Hosting:**

<https://thecpsu.org.uk/resource-library/best-practice/away-trips-and-hosting/>

### **Transporting Children and Young People in Your Own Car:**

<https://thecpsu.org.uk/resource-library/best-practice/guidelines-on-transporting-a-child-or-young-person-in-your-car/>

**Remote Teaching and Coaching:**

<https://thecpsu.org.uk/resource-library/best-practice/remote-teaching-and-coaching/>

**Virtual Events and Competitions for Children:**

<https://thecpsu.org.uk/resource-library/best-practice/virtual-events-and-competitions-for-children/>

**Inclusive Coaching:**

<https://thecpsu.org.uk/resource-library/best-practice/inclusive-coaching/>

**Physical Contact and Young People in Sport:**

<https://thecpsu.org.uk/resource-library/best-practice/physical-contact-and-young-people-in-sport/>

## **Part 3: Boleh Trust Safeguarding Procedures**

### **3.1 Safeguarding and Welfare Team Contact Details**

**Boleh Trust Safeguarding Officer:** Caroline Middleton

Tel: 07779698963 Email: [cemiddleton@hotmail.com](mailto:cemiddleton@hotmail.com) or [safeguarding@bolehsailing.org](mailto:safeguarding@bolehsailing.org)

**Thirtyone:eight:** The Trust has access to a 24-hour safeguarding hotline 0303 003 1111

Membership number: 15151 <https://thirtyoneeight.org>

#### **Police**

Police Emergency 999

Police non-Emergency 101

#### **RYA Safeguarding Team**

Office Opening hours:

- 09:00-17:00 Monday to Friday

Out of Hours Service (Urgent enquiries which cannot wait)

- 17:00-22:00 Monday to Friday
- 09:00-22:00 Bank Holidays

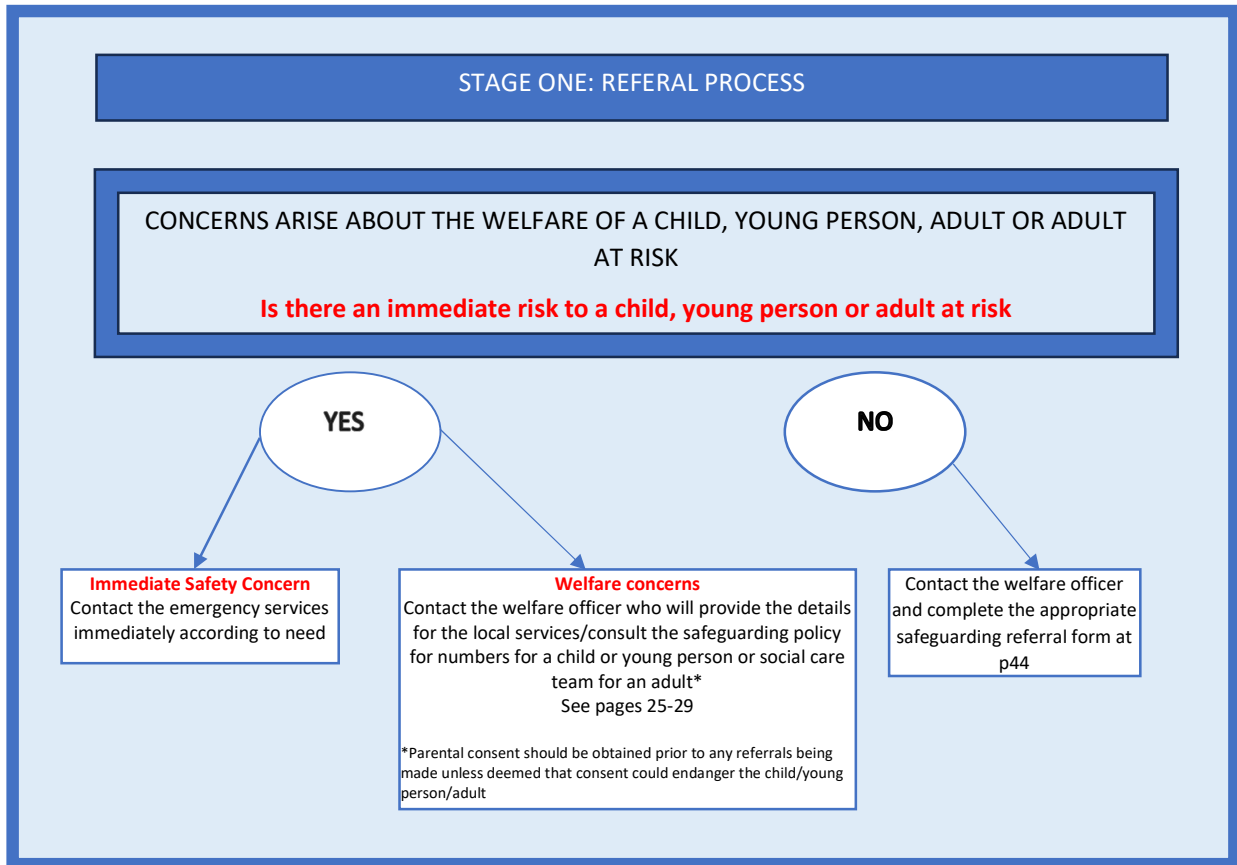
**Number:** 02380 012796

(Choose Option 1 for Safeguarding and Option 3 for out-of-hours service)

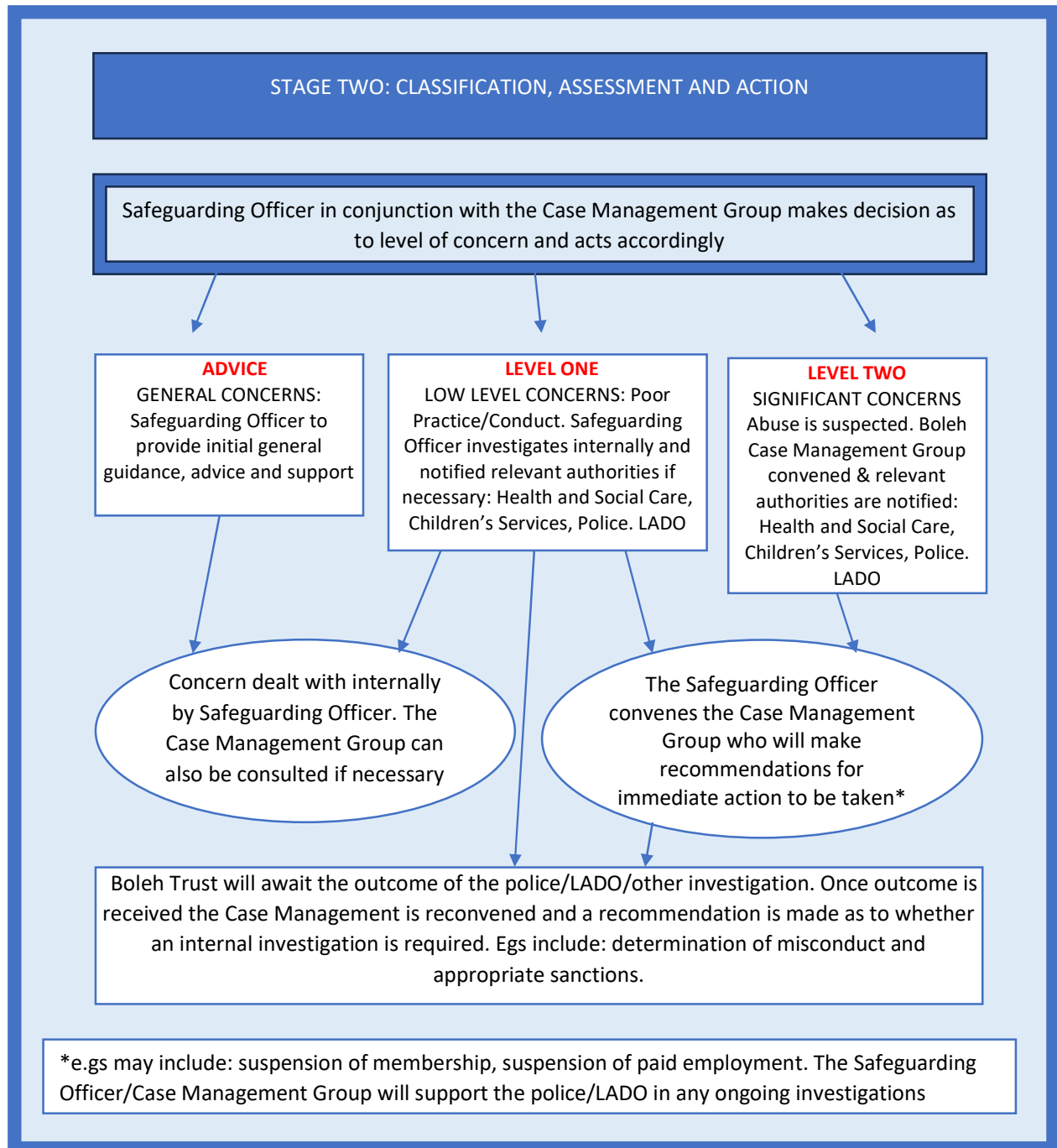
**Email:** [safegaurding@rya.org.uk](mailto:safegaurding@rya.org.uk)

### 3.2 Boleh Trust Safeguarding Concern Reporting Procedure

#### 3.2.1 Stage 1 - Referral Process



### 3.2.2 Stage 2 – Classification, Assessment and Action



### 3.3 Breaches of the Safeguarding Policy

Where there are concerns that this safeguarding policy has not been followed, or there is a safeguarding concern, all members, volunteers, staff and participants are encouraged in the first instance to contact the Safeguarding Trustee on 07779698963 or by email [cemiddleton@hotmail.com](mailto:cemiddleton@hotmail.com).

If further support or guidance are required, The Trust has access to a 24 hour safeguarding hotline 0303 003 1111. (Membership number: 15151). <https://thirtyoneeight.org>.

The RYA Safeguarding Team can be contacted on 02380 012796 / [safeguarding@rya.org.uk](mailto:safeguarding@rya.org.uk).

Alternatively the NSPCC Whistleblowing advice line can be contacted on 0800 028 0285 or [help@nspcc.org.uk](mailto:help@nspcc.org.uk)

Please also see the useful contacts at p 22 – 26.

Breaches of this Safeguarding Policy and /or failure to comply with the outlined responsibilities within it may result in disciplinary action in accordance with the Trust's disciplinary procedure and constitution.

### 3.4 Implementation, Review and Reporting

The Trustees have overall accountability for this Policy and for its implementation. The Safeguarding Trustee for Boleh Trust is responsible for updating this Policy in line with legislative and organisational developments.

All staff, volunteers, members and participants are responsible for raising safeguarding concerns /disclosures with the Safeguarding Trustee.

The Safeguarding Trustee, with support from the Operations Manager, is responsible for ensuring appropriate safeguarding training and subsequent updates are to be put in place for those deemed to be in regulated activity with vulnerable groups.

#### **Where there is a safeguarding concern /disclosure:**

The individual who is told about, hears, or is made aware of the concern/disclosure is responsible for following the Reporting a Safeguarding Concern Procedure (Section 3.2).

The Safeguarding Trustee is responsible for assessing all safeguarding concerns / disclosures that are reported to them and collaborating with the Trustees to follow up, as appropriate, on a case-by-case basis, always prioritising the well-being of all those involved in the disclosure. Dependent on the concern / disclosure, a referral may be made to:

- The police in an emergency (999)
- Local Authority Children's Social Care Services for concerns / disclosures about a child
- Local Authority Adult Social Care Services for concerns/disclosures about an adult at risk.
- Local Authority Designated Officer (LADO) in England & Wales and the relevant Criminal Records Disclosure Service (The Disclosure and Barring Service (DBS) in England & Wales) for concerns/disclosures about a member of staff, consultant, coach, official or volunteer in a Position of Trust.

### 3.4.1 Case Management

All safeguarding records are categorised to a level accordingly:

- Advice** Any concern which does not meet the threshold for Levels 1 or 2 and involves seeking support or guidance for a specific matter. Advice cases can often escalate depending on the situation. Concerns may arise from both within the sport and outside of it.
- Level 1** Any concern about a named adult or child's behaviour towards a child or adult at risk that does not meet the allegation threshold or is not otherwise serious enough to consider a referral to the Police, LADO, and or Children or Adult Services of a Local Authority. Concerns may arise from both within the sport and outside of it.
- Level 2** Any concern that meets the threshold for a referral to the Police, LADO, and or Children or Adult Services of a Local Authority. Alongside this an internal rating system can also be used of Low, Medium and High. Concerns may arise from both within the sport and outside of it.

The threshold criteria outlined above is underpinned by guidance provided by the Child Protection in Sport Unit (CPSU).

Highly sensitive information contained within safeguarding case records are restricted to the Safeguarding Trustee. If the Case Management Group is convened, information pertaining to the concern will be shared securely and confidentially.

### 3.4.2 Data Storage

All case records are stored in line with the Boleh Trust **Data Protection Policy** and relevant national legislation and guidance.

- Advice** All advice case data is stored for **5 years** from the date the referral was received.
- Level 1** All level 1 case data is stored for **10 years** from the date the referral was received.
- Level 2** All level 2 case data is stored for **90 years** from the date of birth of the subject of concern.

Case records are deleted / destroyed after the retention period set out above, unless the Safeguarding Trustee decides that there is a reason to retain the information for a longer period.

### 3.4.3 Case Management Group

The Boleh Trust Case Management Group (CMG) is convened when a Level 2 referral is received. The group can also be convened if a Level 1 referral is serious enough in nature. The group can consist of any of the following members depending on where the referral originates from.

Name	Role / Position
Lucy Grodie	Operations Manager
Richard Melcalfe	Vice-Chair
Ant Atkinson-Willes	Secretary & Trustee
Caroline Middleton	Safeguarding Trustee

The CMG is responsible for:

- Ensuring that all allegations, incidents, or referrals related to the safeguarding of children and adults are dealt with in accordance with Boleh Trust policies with appropriate timescales.
- Making recommendations to the appropriate decision-making body regarding the appropriate steps to be taken.

### 3.4.4 External Assistance

The Boleh Trust CMG may choose to appoint an external independent body to assist in any investigations where the following criteria is met:

- Boleh Trust does not have the expertise or skill set required to undertake the investigation
- Boleh Trust is under a conflict of interest
- The case is so complex by nature that a third party would be necessary to support / undertake the investigation

In the case where the CMG chooses to instruct an independent body, it reserves the right to choose whichever independent body it deems most suitable given the circumstances. The Boleh Trust CMG will make such a decision on a case-by-case basis.

### 3.5 Safe Recruitment & Criminal Records Disclosure Checks

Boleh Trust is committed to ensuring that only those with the right motivations and suitability are recruited into positions involving regular contact with children, young people and adults at risk within its work and volunteer force. Boleh Trust understands its legal responsibility within the Safeguarding Vulnerable Groups Act 2006, to ensure that all its staff and volunteer recruitment practices are safe, fair and equal and allows it to identify, deter and reject staff or volunteers who may be at risk of abusing vulnerable groups.

Boleh Trust **will:**

- Ensure the best possible staff and volunteers are recruited based on their merits, abilities and suitability for the position.
- Ensure that all applicants are considered equally and consistently, and that no applicant is treated unfairly based on any protected characteristics in compliance with the Equality Act 2010<sup>6</sup>.
- Comply with all relevant legislation, recommendations and guidance including the statutory guidance published by the DfE (keeping children safe in education, the PREVENT Duty guidance) and any codes of practice published by any of the disclosure service providers.
- Meet its commitment to safeguarding and promoting the welfare of children, young people and adults at risk by carrying out all necessary pre-employment checks.

Boleh Trust **uses the following safe recruitment practices when recruiting staff and volunteers:**

- Advertisements will make clear Boleh Trust commitment to safeguarding children, young people and adults at risk.
- Be expected to provide references and followed up where appropriate.
- Those supervising young people will also be asked to apply for an Enhanced Criminal Records Disclosure, with Barred List check if appropriate.
- Undertake safeguarding training
- Qualifications where relevant have been verified
- Agree to the volunteer's code of conduct
- The applicant has been given a copy of the organisation's safeguarding policy and knows how to report concerns

As part of its safe recruitment practices, Boleh Trust carries out criminal records disclosure checks using the RYA as an umbrella body on all staff and volunteers aged 16 or over who are deemed to be in regulated activity. If a person is deemed to be in regulated activity, the Disclosure Coordinator will initiate and carry out the required level of check. Further information on appropriate disclosure checks can be found on the following [link](#)

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<sup>6</sup> <https://www.legislation.gov.uk/ukpga/2010/15/contents>

### 3.6 Dealing with a Safeguarding Disclosure & Information Sharing

Being the recipient of a safeguarding disclosure can be incredibly difficult, especially if the recipient is not a Safeguarding Lead. However, choosing not to respond to a disclosure can **never** happen, regardless of how uncomfortable the recipient is. The referral flowchart in section 2 acts as a guide to the physical steps that can be taken if a referral or disclosure is received. Below is a list of dos and don'ts to support anyone if they receive a disclosure.

#### Dos

- Keep calm and remain receptive and approachable
- Assess the situation, has a crime been committed? Do you need to contact the emergency services?
- Listen carefully and patiently without interrupting if possible and let the victim recount the details in their own time
- Use the victim's own words if you need to seek clarification
- If you need more information, use TED: Tell me... Explain to me... Describe to me...
- Acknowledge how difficult it must have been to disclose
- Reassure them that they have done the right thing in telling you and they are not to blame
- Let them know that you will do everything you can to help them
- Advise the victim what will happen next
- Make a written record as soon as you can
- Report the disclosure to the Club Welfare Officer or the RYA Safeguarding Team
- **Adults:** Gain consent from the victim to share the information<sup>7</sup> - If you feel that the adult does not have sufficient capacity to make a decision about sharing information, you should consider if breaking confidentiality is in the best interests of the victim<sup>8</sup> - see Part 3 "Assessing Capacity" - a flow chart created by the NHS
- **Children and Young People:** Gain consent from the parent / carer to share the information – Only speak with the parents / caregivers of the victim if this does not pose a risk to the child

#### Don'ts

- Don't make a promise to keep secrets
- Don't ask leading questions or put words in the mouth of the victim
- Don't repeatedly ask the victim to repeat their disclosure
- Don't discuss the referral with anyone who does not need to know
- Don't be judgmental
- Never ignore what you have been told – **you must pass it on**
- Don't confront or contact the Subject of Concern<sup>9</sup>
- Don't remove or contaminate any evidence that may be present
- Never dismiss your concerns – even a gut feeling is worth reporting

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<sup>7</sup> Capacity: The ability to understand and make a decision when it needs to be made

<sup>8</sup> Further reading on mental capacity: <https://www.gov.uk/government/collections/mental-capacity-act-making-decisions>

<sup>9</sup> Subject of Concern - The person to whom the complaint or concern has been raised against

## 3.7 Confidentiality

The sharing of personal information within an organisation is not prevented by law. While appropriate confidentiality should be maintained, it is important to make sure the right people within the organisation are informed if the circumstances require this which is outlined in the Boleh Trust Data Protection Policy. If you are the recipient of a safeguarding disclosure, contact the Safeguarding Trustee who will advise on the next steps, which may or may not include sharing that information with external agencies, however the following considerations should be taken into account:

### 3.7.1 Children and Young People<sup>10</sup>

Information sharing is essential for effective safeguarding and promoting the welfare of children and young people. It is a key factor identified in many Serious Case Reviews (SCRs), where poor information sharing has resulted in missed opportunities to take action that keeps children and young people safe

**There are seven golden rules to confidentiality and Information Sharing:**

1. Remember that the General Data Protection Regulation (GDPR), Data Protection Act 2018 and Human Rights law are not barriers to justified information sharing but provide a framework to ensure that personal information about living individuals is shared appropriately.
2. Be open and honest with the individual (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 from other practitioners, designated data protection officer or the RYA.
4. Where possible, share information with consent, and where possible, respect the wishes of those who do not consent to having their information shared. Under the GDPR and Data Protection Act 2018 you may share information without consent if, in your judgement, sharing falls within one of the specified lawful basis to do so, . You will need to base your judgement on the facts of the case. When you are sharing or requesting personal information from someone, be clear on the basis upon which you are doing so. Where you do not have consent, be mindful that an individual might not expect information to be shared. If you are in any doubt, contact the designated data protection officer or RYA
5. Consider safety and well-being: base your information sharing decisions on considerations of the safety and well-being of the individual and others who may be affected by their actions. Necessary, proportionate, relevant, adequate, accurate, timely

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<sup>10</sup> Information was taken directly from the HM Government Information Sharing Guidance: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/721581/information\\_sharing\\_advice\\_practitioners\\_safeguarding\\_services.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/721581/information_sharing_advice_practitioners_safeguarding_services.pdf)

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

6. 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.

7. 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.

### **3.7.2 Confidentiality: Adults**

Individuals may not give their consent to the sharing of safeguarding information for several reasons. For example, they may be frightened of reprisals, they may fear losing control, they may not trust social services or other partners, or they may fear that their relationship with the subject of concern will be damaged. Reassurance and appropriate support along with gentle persuasion may help to change their view on whether it is best to share information.

If a person refuses intervention to support them with a safeguarding concern, or requests that information about them is not shared with other safeguarding partners, their wishes should be respected. However, there are several circumstances where the person who has received the disclosure can reasonably override such a decision, including:

- the person lacks the mental capacity to make that decision – this must be properly explored and recorded in line with the Mental Capacity Act
- other people are, or may be, at risk, including children
- sharing the information could prevent a crime
- the alleged subject of concern has care and support needs and may also be at risk
- a serious crime has been committed
- staff are implicated
- the person has the mental capacity to make that decision, but they may be under duress or being coerced
- In cases of domestic abuse, if the risk is unreasonably high and meets the criteria for a multi-agency risk assessment referral
- a court order or other legal authority has requested the information.

If none of the above apply and the decision is not to share safeguarding information with other safeguarding partners, or not to intervene to safeguard the person:

- support the person to weigh up the risks and benefits of different options
- ensure they are aware of the level of risk and possible outcomes
- offer to arrange for them to have an advocate or peer supporter

- offer support for them to build confidence and self-esteem if necessary
- agree on and record the level of risk the person is taking
- record the reasons for not intervening or sharing information
- regularly review the situation
- try to build trust and use gentle persuasion to enable the person to better protect themselves.

If it is necessary to share information outside the organisation:

- explore the reasons for the person's objections – what are they worried about?
- explain the concern and why you think it is important to share the information
- tell the person who you would like to share the information with and why
- explain the benefits, to them or others, of sharing information – could they access better help and support?
- discuss the consequences of not sharing the information – could someone come to harm?
- reassure them that the information will not be shared with anyone who does not need to know
- reassure them that they are not alone, and that support is available to them.

If the person cannot be persuaded to give their consent, then, unless it is considered dangerous to do so, it should be explained to them that the information may be shared without consent in some situations (as set out above). The reasons should be given and recorded. The safeguarding principle of proportionality should underpin decisions about sharing information without consent, and decisions should be on a case-by-case basis.

If it is not clear that information should be shared outside the organisation, a conversation can be had with the Data Protection Officer or the safeguarding partners in the police or local authority without disclosing the identity of the person in the first instance. They can then advise on whether full disclosure is necessary without the consent of the person concerned.

It is very important that the risk of sharing information is also considered. In some cases, such as domestic violence or hate crime, it is possible that sharing information could increase the risk to the individual. Safeguarding partners need to work jointly to provide advice, support and protection to the individual to minimise the possibility of worsening the relationship or triggering retribution from the abuser.

SafeLives (previously CAADA) provide resources for identifying the risk victims face including a Dash risk checklist, which is a risk assessment tool for practitioners who work with adult victims of domestic abuse. It offers a consistent approach to identifying those who are at high risk of harm and whose cases should be referred to a MARAC (multi-agency risk assessment conference) meeting to manage their risk. If there are concerns about a risk to a child or children, then a referral to ensure that a full assessment of their safety and welfare needs to be made.

## Part 4: Template Documents

### 4.1.1 Safeguarding Referral Form

This form is designed to report any safeguarding incidents or concerns. It should be completed by the person who has been disclosed to, who witnessed the incident, was most directly involved or who provided first aid if relevant. Once completed it must be submitted as per the clubs referral procedure

**REFERENCE NUMBER**

Name & role of person completing this form:

Club name:

Date form is completed:

#### **Details of victim:**

Name:	Address:
Contact number:	Gender:
Date of birth:	Any further information that may be useful to consider:

#### **Parents/carers details:**

Name:	Address:
Contact number:	Email address:
Have parents/carers been notified of the incident? Yes / No	If yes, please provide details:
If adult has capacity has consent been obtained? Yes/ No	If no, please provide details

**Details of person who received or witnessed the incident:**

Are you reporting your own concerns or responding to concerns raised by someone else?	Reporting my own concerns	<input type="checkbox"/>
	Responding to someone else's concerns	<input type="checkbox"/>
If responding to someone else's concerns, please provide their details below:		
Name:		
Relationship to child, young person, or adult at risk:		
Email address:		
Contact number:		

**Incident Details:**

Date/ Time:	Group name (if applicable):
Location of incident:	
Description of the incident or concern: (continue separate sheet if necessary & include reference number): <i>(Include relevant information such as what happened and how it happened, description of any injuries sustained, behaviour witnessed and whether the information provided is being recorded as fact, opinion, or hearsay)</i>	
Details of any previous concerns, incidents, or relevant safeguarding records:	

Victims account of the incident or concern: *(use their own words)*

Witness account of incident or concern: *(include further accounts on separate sheets as necessary. Include reference number on each accompanying account)*

**Details of any witnesses:**

Name(s): <i>(Consider anonymising where this will not negatively impact the ability to take immediate response actions)</i>	Relationship to child, young person, or adult at risk:	Contact details:
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**Details of any persons involved in the incident or alleged to have caused the incident, injury or presenting risk:**

Name(s): <i>(Consider anonymising where this will not negatively impact the ability to take immediate response actions)</i>	Relationship to child, young person, or adult at risk:	Contact details:
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Outcome of incident & immediate actions taken: (tick box where relevant)		
<ul style="list-style-type: none"> <li>Ambulance required? Y/N</li> <li>Name of hospital / medical facility attended if applicable:</li> </ul> <p>Police/fire/rescue services attended? Y/N</p> <p>Notes:</p>	<p>First aid treatment provided: and by whom</p>	<p>Medication given:</p>
<p>Any resulting change of plans or disruption to the programme, if applicable:</p>	<p>Disciplinary procedures enacted:</p>	<p>Were any immediate changes to risk management procedures made?</p>

Signed By Author:	Name:	Date:
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**Reporting to the Safeguarding Officer section:**

Date & time notified of incident/concern:
Date & time this form passed on to Safeguarding Officer (if different from above):
<p>Comments: <i>(actions taken / impact on rest of programme / external agency involvement / initial lessons learned / follow-up actions required):</i></p>

External agency referral: (tick box where relevant)		
Social services notified.	LADO notified.	Other referral made
Date & time of referral:	Date & time of referral:	Agency:
Name of contact person:	Name of contact person:	Date & time of referral:
Contact number / email:	Contact number / email:	Name of contact person:
Agreed action or advice given:	Agreed action or advice given:	Contact number / email:
		Agreed action or advice given:

Signed By Safeguarding Trustee:	Name:	Date:
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**\*LADO – Local Authority Designated Officer  
For Office Use Only:**

Follow-up action required:		
Action:	Due date:	Whom responsible: