



Safeguarding and Protecting Children and Young Persons Policy

Following on from the recent Supreme Court ruling that the legal definition of a woman is based on biological sex, BWSW is waiting for Sport England to issue its guidance for National Governing Bodies of Sport before deciding whether to take any further action and what form it might take in relation to this and related policies.

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INTRODUCTION

Sport can and does have a powerful and positive influence on people – especially young people, not only can it provide opportunities for enjoyment and achievement; it can also develop valuable qualities such as self-esteem, leadership and teamwork.

Such positive effects can only happen when our sport is conducted by all persons at all levels of the sport that places the welfare of all young people first.

The provision of safeguarding training, knowledge and guidance & the implementation of safeguarding practices that support, protect and empower young people is the key to embedding safeguarding throughout the sport.

POLICY STATEMENT

The British Water Ski & Wakeboard Federation Limited (BWSW) is committed to ensuring that all young people who participate in our sport have a safe and positive experience. BWSW recognises its moral and legal responsibilities under current legislation and will use its best efforts to promote good practice to protect children.

- BWSW is committed to developing and implementing policies and procedures
- BWSW will ensure that everyone knows and accepts their responsibility in relation to their duty of care for young people
- BWSW is committed to ensuring that there are correct and comprehensive reporting procedures, and promoting good practice and sound recruitment procedures for all individuals working within Water skiing
- BWSW recognises that it is not the responsibility of those individuals working in Water skiing to determine if abuse has taken place, but it is their responsibility to act upon and report any concerns.

This policy sets out a framework to fulfil BWSW's commitment to good practice and the protection of young people in its care within Water skiing.

LEGISLATION AND GOVERNMENT POLICY

This policy has been developed in line with current legislation and government guidance including Working Together to Safeguard Children (2023) and United Nations Convention on the Rights of Children (UNCRC). Each home nation is guided by the relevant legislation to them; the Children Act 1989 & 2004 (England & Wales), Children & Young People Act 2014 (Scotland) and Safeguarding Board Act 2011 (Northern Ireland). Wales - the Social Services and Well-being (Wales) Act 2014.

DEFINITIONS & TERMS

This policy relates to all recognised disciplines within the sport including; Waterski, Wakeboarding, Wake Skating & Surfing, Racing, Barefoot, Kneeboarding, Cable Skiing, Disabled, Tournament and Recreational. For the purposes of this policy, all disciplines will be referred to as '**Water skiing**'.

The term parent/s throughout this policy refers to parent/s, carer/s and guardian/s.

The term Coach refers to anyone qualified (who holds a valid licence) by BWSW to instruct Water skiing.

A variety of titles have been used in this policy document to describe the people working (full or part time, paid or voluntary) within Water skiing, such as; 'Staff', 'Official', 'Chaperone', 'Coach', 'Instructor', 'Club Official', 'Volunteer' etc. This policy applies either directly or indirectly to all individuals working within Water skiing, (in a paid or voluntary capacity) according to their level of contact with young people in the sport. This group shall be referred to the **BWSW Network** as a whole.

This policy applies to all employees, committees, affiliates and members of BWSW. The policy sits alongside the Safeguarding Regulation and all other BWSW policies and codes including, but not limited to, the Code of Conduct and the Committee Terms of Reference.

Acknowledgements

BWSW wishes to thank the Child Protection in Sport Unit (**CPSU**) and numerous other Sport National Governing Bodies for their invaluable support and guidance in developing this document.

KEY CONTACTS

In the first instance contact should be made with your Club Welfare Officer (CWO) to raise a concern within your club environment.

The Safeguarding Lead Officer for BWSW is Sarah Wassell, she can be contacted using:

Email: safeguarding@bwsf.co.uk

Mobile: 07919 131671

THE POLICY

PRINCIPLES

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

- This policy recognises and builds on the legal and statutory definitions of a child
- A young person is recognised as being under the age of 18 years (Children's Act 1989 definition)
- An adult has the moral and statutory duty for the care, custody and control of any child under the age of 18 under their supervision
- The child's welfare is paramount
- All young people, whatever their age, culture, any disability they may have, gender, language, racial origin, religious belief and sexual identity have the right to protection from abuse
- All incidents of poor practice or suspicions of poor practice and allegations of abuse will be taken seriously and responded to swiftly and appropriately
- All young people have the right to participate in Water skiing in an enjoyable and safe environment
- Young people have the right to expect appropriate support in accordance with their personal and social development with regard to their involvement in the sport of Water skiing
- It is the responsibility of the child protection experts and agencies to determine whether or not abuse has taken place, but it is everyone's responsibility to report any concerns
- Confidentiality should be upheld in line with the Data Protection Act 1998 and the Human Rights Act 2000.

RESPONSIBILITIES

The BWSW Network will:

- Accept the moral and legal responsibility to implement procedures to provide a duty of care for young people, safeguard their wellbeing and protect them from abuse;
- Respect and promote the rights, wishes and feelings of young people;
- Recruit, train and supervise their employees and volunteers so as to adopt best practice to safeguard and protect young people from abuse, and themselves against allegations;
- Require staff and volunteers to adopt and abide by the Safeguarding Regulation and all other BWSW's safeguarding policies and procedures and the BWSW Code of Conduct;

- Respond to any complaints about poor practice or allegations of abuse.

Working in partnership with young people, their parents and other agencies is essential for the protection of young people however the BWSW Network recognises that the responsibility of the statutory bodies (Children's Services in England and Wales and Social Services in Scotland) to ensure the welfare of young people has a broader remit within the sport of Water skiing.

All those involved in the management of young people in Water skiing have a duty to ensure that they are:

- Allowed access to the sport in a way that is appropriate for their age and ability;
- Coached and trained by appropriately qualified staff;
- Not required to participate in so many competitions, or to attend training sessions, as to become a threat to their wellbeing;
- Not subjected to any form of discriminatory abuse from any source;
- Not subjected to bullying or undue pressure from any source;
- Encouraged to achieve their full potential at all levels;
- Instructed how to behave on and off the water;
- Afforded respect, confidentiality and privacy in a competing and training situation and any other Water skiing environment.

IMPLEMENTATION

The *BWSW Safeguarding Policy and Procedures* shall be adopted by the following:

- BWSW and its affiliated Clubs and its Members.
- All other associated bodies involved in the sport of Water skiing in the United Kingdom which provide the opportunity to work (either on a paid or voluntary basis) with children and young people up to the age of 18.

All individuals involved in Water skiing under the jurisdiction of BWSW at every level including participants, officials, coaches, administrators, club officials, parents and spectators agree to abide by the Code of Conduct (**Code of Conduct**) and the Safeguarding Regulation (**Safeguarding Regulation**) in each case issued by BWSW and in force from time to time. All such individuals by participating or being involved in Water skiing are deemed to have assented to and as such recognise and adhere to the principles and responsibilities embodied in the Code of Conduct and the Safeguarding Regulation.

The BWSW safeguarding policies and procedures will be regularly monitored and a full policy review will take place biennially. The following situations may also evoke a review of the policy:

- Any changes in legislation;
- Any changes in governance of the sport;
- The result of a significant case.

SAFEGUARDING REGULATION

The Safeguarding Regulation shall become a condition of affiliation/accreditation and/or become binding on each of BWSW, its affiliated/accredited clubs and centres and all other affiliated bodies in the United Kingdom and shall provide a disciplinary process for participants who are alleged to have harmed or posed or will pose a risk of harm to people involved in Water skiing (including children and Adults at Risk).

RECOGNITION OF POOR PRACTICE, ABUSE AND BULLYING

Abuse can happen on any occasion or in any place where children and young people are present. It is not always easy to recognise a situation where abuse may occur or has already taken place, even for those experienced working within safeguarding and child abuse settings. The staff and volunteers in Water skiing, whether in paid or voluntary capacity, are not experts at such recognition. However, they do have a responsibility to act if they have any concerns about the behaviour of someone (an adult or another young person) towards a young person and to follow the procedures in this document.

It may be that a child or young person may not be aware that practice is poor or abusive and they may tolerate the behaviour without complaint or will lack the confidence to complain. Therefore, it is important that the BWSW Network are aware of the indicators of abuse and poor practice and advocate a safe culture for children and young people in the sport.

POOR PRACTICE

Poor practice may relate a number of situations and behaviours where a child or young person is not appropriately safeguarded. These can include;

- Practices on the verge of abuse, if repeated would amount to abuse e.g. name calling, constant criticism, excessive pressure
- Breaching BWSW's policies and procedures relating to safeguarding e.g. no welfare officer at a club, failure to respond to concerns, inadequate supervision or care
- Breaches of the Code of Conduct for Coaches for e.g. exceeding the level of competence, excessive training, inappropriate supporting or stretching
- Practices that are known to be significant risk factors in abuse e.g. taking children to your home, sharing a room with a child, abusing a position of power or trust, resorting to bullying tactics or verbal abuse.

Poor practice is unacceptable and should be challenged even where the motives of an individual are well meaning.

ABUSE

Somebody may abuse a young person by inflicting harm, or by failing to act to prevent harm. Young people may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by a stranger. The effects of abuse can be so damaging and if untreated, they may follow a person into adulthood.

TYPES OF ABUSE

Neglect - Where adults fail to meet a young person's basic physical and/or psychological needs, likely to result in the serious impairment of the young person's health or development (e.g. failure to provide adequate food, shelter and clothing, failing to protect a young person from physical harm or danger, or the failure to ensure access to appropriate medical care or treatment). It may also include refusal to give young people love, affection and attention.

Neglect in sport could include a coach not ensuring young people were safe, exposing them to undue cold, heat or to unnecessary risk of injury.

Physical Abuse - Where adults physically hurt or injure young people by hitting, shaking, throwing, poisoning, and burning, biting, scalding, suffocating, drowning or otherwise causing physical harm to a young person. Physical harm may also be caused when a parent feigns symptoms of, or deliberately causes ill health to a young person whom they are looking after e.g. Fabricated or Induced Illness.

Examples of physical abuse in sport may be when the nature and intensity of training and competition exceeds the capacity of the young person's immature and growing body; where drugs are used to enhance performance or delay puberty.

Sexual Abuse - Where girls and boys are abused by adults (both male and female) who use young people to meet their own sexual needs. This could include full sexual intercourse, masturbation, oral sex, anal intercourse and fondling. Showing young people pornographic material (books, videos, pictures) or talking to young people in a sexually explicit manner is also a form of sexual abuse.

In sport, coaching techniques, which involve physical contact with young people, could potentially create situations where sexual abuse may go unnoticed. The power of the coach over young athletes, if misused, may also lead to abusive situations developing.

Emotional Abuse - The persistent emotional ill treatment of a young person such as to cause severe and persistent adverse effects on the young person's emotional development. It may involve conveying to young people that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may feature age or developmentally inappropriate expectations being imposed on young people. It may involve causing young people to feel frightened or in danger by being constantly shouted at, threatened or taunted which may make the young person very nervous and withdrawn. Some level of emotional abuse is involved in all types of ill treatment of a young person.

Emotional abuse in sport may occur if young people are subjected to constant criticism, name-calling, sarcasm, bullying or unrealistic pressure to perform to high expectations consistently.

The above definitions are adapted from Department of Health (1999) *Working Together to Safeguard Children – A Guide to Inter-Agency Working to Safeguard and Promote the Welfare of Children*.

ADDITIONAL VULNERABILITY

Some groups of young people are at greater risk of abuse therefore additional care should be taken to ensure these group are able to participate safely in sport. These groups include; disabled people, ethnic minorities, LGBT young people, those from certain religious groups and elite and talented young people. There are a number of reasons why these groups may be additionally vulnerable, these include;

- Increased likelihood of social isolation.
- Fewer outside contacts than other children.
- Impaired capacity to resist, avoid or understand abuse.
- Limited access to someone to disclose to.
- Particular vulnerability to bullying.

Coaches and other responsible adults should be aware of these potential risks and should consider how the activity or environment could be adapted to decrease the risk. Further advice on this can be obtained from the BWSW Lead Safeguarding Officer or at www.thecpsu.org.uk/help-advice

INDICATORS OF ABUSE

Indications that a young person may be being abused can be hard to recognise. The following signs may indicate that a young person is being abused:

- Unexplained or suspicious injuries such as bruising, cuts or burns, particularly if situated on a part of the body not normally prone to such injuries.
- An injury for which the explanation seems inconsistent.
- The young person describes what appears to be an abusive act involving him/her.
- Someone else (a young person or adult) expresses concern about the welfare of another young person.

- Unexplained changes in behaviour (e.g. becoming very quiet, withdrawn or displaying sudden outburst in temper).
- Inappropriate sexual awareness.
- Encouraging sexually explicit behaviour.
- Distrust of adults, particularly those with whom a close relationship would normally be expected.
- Has difficulty making friends.
- Is prevented from socialising with other young people.
- Displays variations in eating patterns including overeating and loss of appetite.
- Loses weight for no apparent reason.
- Becomes increasingly dirty or unkempt.
- Doesn't want to attend training or club activities.
- Changes to their usual routine.
- Has possessions that 'go missing.'
- Is bullying other young people.
- Is frightened to say what's wrong.

This list is not exhaustive and the presence of one or more of the indicators is not proof that abuse is actually taking place, but it should raise concerns. A good working relationship with the parent will help to identify any concerns that a young person maybe experiences e.g. family bereavement.

It is not the responsibility of those working in Water skiing to decide that child abuse is occurring, but it is their responsibility to act on any concerns and share these concerns with a designated person.

BULLYING

Bullying is not classified as a form of child abuse however it can be a significant factor in other types of child abuse and can have equally detrimental consequences for a child. Bullying is anything done with the intention of hurting, intimidating, frightening or upsetting another person. Bullying is not always physical, but it results in distress to the victim. It is important to note that bullying does not just occur through face to face contact. Instances of bullying can occur between young people but also from adult to young person.

Anyone can be a target of bullying, examples of where this may occur in sport are;

- An athlete who is pushed too hard by a parent or coach.
- A coach who adopts a 'win-at-all-costs' philosophy.
- A participant who intimidates inappropriately.
- A club official who places unfair pressure on a person.
- A spectator who directs abuse at a competitor/participant.

Bullying can be prejudiced based (e.g. disablist, racist, homophobic etc.), if this is the case it is important that this is addressed when responding to bullying behaviour.

FORMS OF BULLYING

Bullying can include:

- Physical e.g. hitting, kicking, pinching, punching, scratching, spitting or any other form of physical attack. Damage to or taking someone else's belongings may also constitute physical bullying
- Verbal e.g. offensive name calling, insults, racist remarks, sexist or homophobic jokes, teasing, threats, using sexually suggestive or abusive language
- Sexual e.g. abusive sexualised name calling, inappropriate sexual innuendo

- Initiation/ Hazing ceremonies which are intended (or result in) intimidation, embarrassment and /or humiliation and/or mental or physical harm
- Indirect e.g. spreading nasty stories/rumours about someone, intimidation, exclusion from social groups
- Cyberbullying e.g. sending hurtful messages or using videos and images to humiliate, leaving malicious voicemails, a series of silent calls, writing hurtful comments on social networking sites.

<https://www.bsw.org.uk/resources/online-safety-social-media-policy/>

INDICATORS OF BULLYING

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

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

REPORTING BULLYING

The signs of bullying should be reported to a person of responsibility preferably the Club Welfare Officer. It is important that bullying is recognised, and Clubs take appropriate action and enforce anti-bullying strategies. It is vital not to underestimate the damage that can be caused by bullying.

For more information about anti-bullying, please visit Bullying UK at www.bullying.co.uk or, for Scotland, Respect Me at www.respectme.org.uk.

RESPONDING TO CONCERNS AND REPORTING PROCEDURES

BWSW's primary responsibility is to ensure that concerns and any relevant information are passed on to the Police and Children's Services (in England) or Social Services (in Scotland) without delay. These organisations have the statutory responsibility to make enquiries to establish if a child is at risk of harm.

RESPONDING TO CONCERNS

Concerns can be raised in various ways and there are a number of reasons someone may need to report a concern;

- Something a young person has said to you – a disclosure.
- Signs or suspicions of abuse.
- Observation of inappropriate behaviour.
- Allegations made against a member of staff or a volunteer.
- Allegations made about a parent, carer or someone not working within the sport.
- Bullying.
- Anything which makes them uncomfortable based on inappropriate behaviour of an adult or changes in behaviour of a young person.
- Behaviour being contrary to BWSW's safeguarding policies and procedures, including the Safeguarding Regulation, the Code of Conduct for Coaches and the Code of Conduct.

It is important to note that any concern that involves a member of the BWSW Network should be reported to BWSW even if the incident occurred outside the sport.

If you receive information that raises a concern whether it is directly from a young person or from another source, you should always;

- React calmly.
- Keep an open mind.
- Tell the person reporting the concern that they are not to blame and that they were right to tell.
- Take what the person says seriously, recognising the difficulties inherent in interpreting what is said by a young person who has a speech disability and/or differences in language.
- Keep any questions to an absolute minimum to ensure a clear and accurate understanding of what has been said.
- Explain that it is likely that the information will need to be shared – do not promise to keep secrets.
- Tell them what you will do next and who the information will be shared with.
- Record in writing, the date and time and exactly what has been said using the young person's words as soon as possible. Use the BWSW Incident Report Form.
- Report the incident to the Safeguarding Lead Officer as soon as possible and seek advice on what to do next.

The person receiving the disclosure should not:

- Panic.
- Allow their shock or distaste to show.
- Ask questions other than to clarify that they have enough information to act.
- Speculate or make assumptions.
- Make negative comments about the alleged abuser.
- Approach the alleged abuser.
- Make promises or agree to keep secrets.
- Take sole responsibility.
- Delay in reporting to the Club Welfare Officer and/or the Safeguarding Lead Officer.

Some young people are unable to express themselves verbally. Communication difficulties may mean that it is hard for them to complain or to be understood. Sometimes it is difficult to distinguish the signs of abuse from the symptoms of some disabilities or conditions, in relation to the nature of the individual's impairment. However, where there are concerns about the safety of a young person, record exactly what has been observed in detail and follow the procedures to report these concerns.

RESPONSIBILITIES

It is not the responsibility of the club, Club Welfare Officer or any other individual within the BWSW Network to decide if a child is being abused or poor practice has occurred. Any concerns raised will be dealt with by BWSW with the cooperation of the club involved. It is the responsibility of anyone within the BWSW Network to report any concerns they may have but not to act on them. Your Club Welfare Officer and the Safeguarding Lead Officer will;

- Listen to you and support you.
- Take all concerns seriously.
- Act in accordance with BWSW's safeguarding policies and procedures including the Safeguarding Regulation.
- Advise you what actions you need to take (if needed).

TAKING APPROPRIATE ACTION

HOW TO REPORT CONCERNS

All concerns should be reported, no matter how small, and even if no more than causing a sense of unease or a 'nagging doubt' – that a person may have acted /behaved in a way that:

- is inconsistent with the Safeguarding Regulation /Code of Conduct/ BWSW's safeguarding policies and procedures including those set out in this document. This includes inappropriate conduct both inside and outside of the sport.
- does not meet the threshold considered serious enough to consider a referral to the Police or the LADO (or equivalent local authority professional) – but may merit consulting with and seeking advice from them or an independent safeguarding expert.

BWSW has clear procedures for reporting concerns regarding safeguarding, please ensure you follow the procedures as outlined below.

It is important that, in every case, information relating to the concern is recorded accurately and promptly. For this, BWSW have developed the BWSW Safeguarding Incident Report Form which will assist you in recording all the relevant information. It is recommended that you take a copy of the form for your records.

If a concern is reported to you, complete the form as soon as possible and contact your Club Welfare Officer. If they are not available, contact the **Safeguarding Lead Officer on 07919 131671 or email safeguarding@bwsf.co.uk**

WHO TO REPORT CONCERNS TO?

Initially concerns should be reported to the Club Welfare Officer, who will inform the Safeguarding Lead Officer. If the Club Welfare Officer is unavailable or is the subject of the concerns, the concern should be reported directly to the Safeguarding Lead Officer.

However, if the Safeguarding Lead Officer is not available, and a young person is at immediate risk or in danger, you should contact your local authority Child Services and the Police. They will be able to advise you on the appropriate actions to take including advice on contacting the parents. Expert advice can also be provided to adults by the NSPCC Helpline on 0808 800 5000

WHAT HAPPENS NEXT

Where a concern has been reported to a statutory agency (e.g. the Police or LADO) they will follow appropriate legislative procedures to ensure that the child or young person is protected from harm.

Where a concern has been reported to BWSW, the Safeguarding Lead Officer will consider the report. If the Safeguarding Lead Officer believes that further action may be required, the Safeguarding Lead Officer will report the concern to the Case Management Group. In accordance with the procedures set out in the Safeguarding Regulation, the Case Management Group will decide (i) whether or not to refer the matter to the National Safeguarding Panel under the Safeguarding Case Management Programme for advice on how to proceed including whether an investigation should be conducted; and (ii) if an investigation is advised, appoint the National Safeguarding Panel to assist with or conduct an investigation on BWSW's behalf and report its findings and recommendations to the Case Management Group.

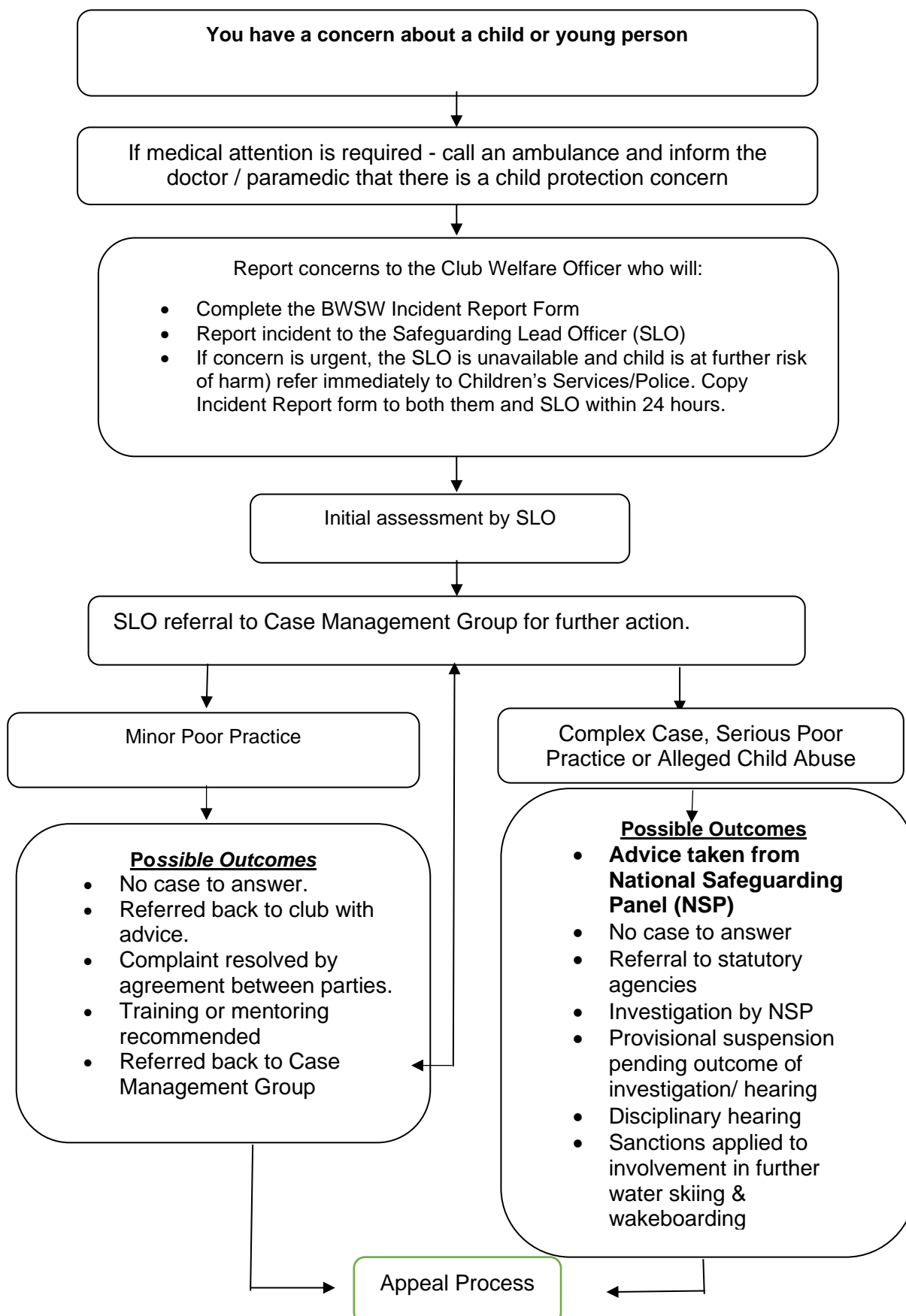
A decision will also be made as to whether to impose a provisional suspension on the individual alleged to have acted in a manner that has caused harm or poses a risk of harm pending the outcome of the internal or external investigation and any ensuing disciplinary procedure.

In all cases, BWSW will support and communicate with the Club Welfare Officer where appropriate to ensure the situation is managed effectively. It is never easy to respond to a young person who tells you that they are being abused and you may feel upset and worried yourself. Make sure that you are offered adequate support by discussing the matter with the Safeguarding Lead Officer.

The following two diagrams produced below explain in simplified terms, the procedures to be followed should any safeguarding concern involving a young person be seen or be drawn to your attention, inside or outside the water ski environment.

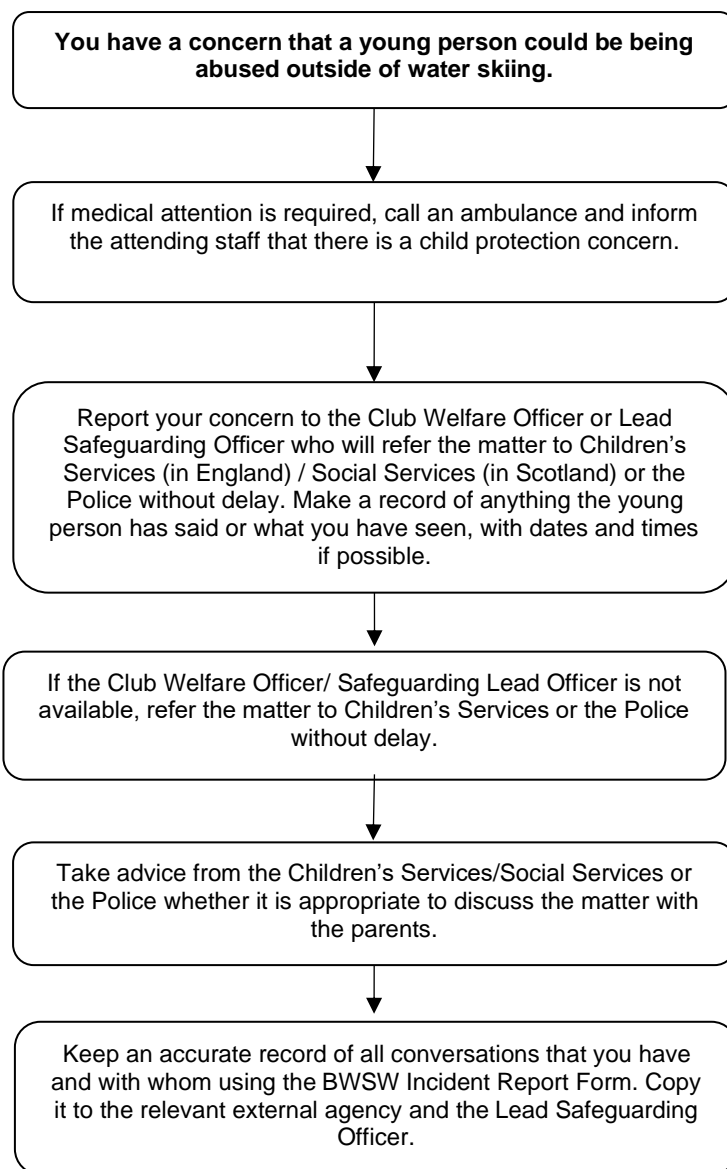
CONCERNS OF POSSIBLE ABUSE FROM **INSIDE** THE SPORT

Responding to concerns, allegations or suspicions of suspected abuse within the water skiing environment.



CONCERNS OF POSSIBLE ABUSE FROM **OUTSIDE** THE SPORT

Responding to concerns, allegations or suspicions of suspected abuse **OUTSIDE** the water skiing environment



CASE MANAGEMENT GROUP

The role of the Case Management Group is to make initial decisions on how to deal with all reported concerns related to the welfare and protection of children and young people, at what level each case will be dealt with, advise the organisation about actions they need to take and to monitor and review progress on all cases. The group will consist of the CEO, the Safeguarding Lead Officer, and the Lead Safeguarding Officer of Water Ski & Wakeboard Scotland.

The Case Management Group will decide whether to report a concern to, and seek advice from, Sport Resolutions National Safeguarding Panel under the Safeguarding Case Management Programme (administered by Lime Culture Community Interest Company and supported by Sport England and the National Lottery to support national governing bodies in relation to safeguarding issues concerning children and Adults at Risk). This may result in an investigation being carried out either with the assistance of or by the National Safeguarding Panel who will advise the Case Management Group of their conclusions and recommendations as to proposed further action (if applicable).

DISCIPLINARY HEARING

The procedure set out in the Safeguarding Regulation will be followed. If after an investigation, a notice of charge with proposed sanctions/ risk management measures is served on the person alleged to have caused harm or who is alleged to pose a risk of harm and they wish to dispute either the finding or the sanction/risk management measures by way of hearing, BWSW will refer the matter to be decided by an arbitral tribunal under the NSP Rules (**Arbitral Tribunal**).

Where disciplinary action is taken to remove a person from regulated work as a result of harmful behaviour towards a child or young person, BWSW has a responsibility to refer the individual to the Disclosure & Barring Service (England & Wales) or Disclosure Scotland (Scotland) so consideration can be given to whether that individual should be barred from any kind of regulated work with children.

APPEAL

As set out in the Safeguarding Regulation and the NSP Rules, an appeal against a decision of an Arbitral Tribunal may be made in writing to the NSP Secretariat within 21 days of the Arbitral Tribunal's decision.

MONITORING AND EVALUATION

To be conducted at the close of each case by the Case Management Group to see if any changes need to be made to policies/procedures or lessons that can be learnt.

ALLEGATIONS OF PREVIOUS ABUSE

Allegations of abuse may be made some time after the event (e.g. by an adult who was abused as a young person or by a member of staff who is still currently working with children). Where such an allegation is made, the Club/BWSW should follow the procedures outlined in this document. This is because other children, either within or outside sport, may be at risk from this person.

RECORDING AND SHARING INFORMATION

Information passed the Children's Services or Police must be as helpful as possible, hence the necessity for making a detailed record at the time of the disclosure/concern. Ideally this information should be recorded using the BWSW Incident Report Form.

The information needs to include the following:

- Details of the young person i.e. age/date of birth, address, race, gender and ethnic origin;
- Details of the facts of allegations or observations;

- A description of any visible bruising or other injuries;
- The young person's account, it is can be given, of what happened and how any bruising or other injuries occurred;
- Witnesses to the incident(s);
- Any times, dates or other relevant information;
- A clear distinction between what is fact, opinion or hearsay;
- A signature, time and date on the report.
-

Reporting the matter to the Police or Children's Services department should not be delayed by attempts to obtain more information. Wherever possible, referrals telephoned to the Children's Services department must be confirmed in writing within 24 hours. A record must be made of the name and designation of the Children's Services member of staff or Police Officer to whom the concerns were passed, together with the time and date of the call, in case any follow-up is needed. A copy of this information should be sent direct to the BWSW Lead Safeguarding Officer.

CONFIDENTIALITY

The legal principle that the 'welfare of the child is paramount' means that the considerations that might apply to other situations in the organisation, should not be allowed to over-ride the right of young people to be protected from harm. However, every effort must be made to ensure that confidentiality is maintained when an allegation has been made and is being investigated.

Information will be securely stored at BWSW Head Office, with limited access to designated people, in line with data protection laws.

WHISTLE BLOWING POLICY

If you have a concern with regard to the behaviour of an adult towards a young person, it is important that you share your concerns with the Safeguarding Lead Officer **Tel: 07919 131671** or email safeguarding@bwsf.co.uk If you have a concern regarding the Safeguarding Lead Officer you should share your concerns with the current chief executive officer or chairman of BWSW.

All information received and discussed will be treated in the strictest confidence and only shared with those individuals within BWSW who will be able to manage and resolve the situation. On occasion it may be necessary to seek advice from or inform the statutory agencies e.g. Children's Services and/or the Police. All concerns will be taken seriously and managed accordingly within the procedures for the welfare of young people in Water skiing set out in the Safeguarding Regulation.

You can call the NSPCC Child Protection Helpline on 0800 028 0285 directly for advice if you feel more comfortable in doing so. The helpline is open 24 hours a day and calls are free of charge. Support for children is available from Childline on 0800 1111 – the helpline is open 24 hours a day and is free of charge.

IF AN ALLEGATION IS MADE AGAINST YOU

Any concerns involving the inappropriate behaviour of an adult towards a young person will be taken seriously and investigated in accordance with the Safeguarding Regulation.

If you are the person who is the subject of an allegation, the nature of the allegation(s) will be explained to you and you may be required to cease working with young people in Water skiing, and you will be informed as soon as possible based on advice from the Statutory Agencies and/ or the National Safeguarding Panel to whom the matter may be referred if the allegation(s) are serious.

This may result in suspension from activity within Water skiing whilst a full investigation is being carried out, in order to protect all parties involved. Should this situation occur, the Case Management Group will keep you informed at all stages of any suspension, investigation or disciplinary process that may ensue.

PROMOTING GOOD PRACTICE WITH YOUNG PEOPLE

Child abuse and poor practice can generate strong emotions in those facing such a situation. It is important to understand these feelings and not allow them to interfere with your judgement about any action to take. Abuse and poor practice can occur within many situations including the home, school and the sporting environment. Some individuals actively seek employment or voluntary work with young people in order to identify those with vulnerabilities in order to harm them.

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

GOOD PRACTICE GUIDELINES

Everyone in the BWSW Network should be encouraged to demonstrate exemplary behaviour in order to protect children and themselves from allegations. The following are common sense examples of how to create a positive culture and environment within Water skiing.

Good Practice Means:

- Adoption of BWSW safeguarding policies and procedures and following BWSW guidance documents
- Promotion of the policy to all Club members and parents to illustrate the Clubs' commitment to a safe environment
- Always working in an open environment (e.g. avoiding private or unobserved situations and encouraging an open environment – i.e. no secrets)
- Avoid being alone unnecessarily with a young person or giving them a lift without another adult present.
- Treating all young people equally, and with respect and dignity
- Always putting the welfare of young people first, before winning or achieving goals
- Maintaining a safe and appropriate distance from participants (e.g. it is not appropriate to have an intimate relationship with a young person or to share a room with them)
- Building balanced relationships based on mutual trust which empowers young people to share in the decision-making process
- Making sport fun, enjoyable and promoting fair play
- Ensuring that if any form of manual/physical support is required, it should be provided openly and according to guidelines provided by the Code of Conduct for Coaches
- Keeping up to date with technical skills, qualifications and insurance in sport
- Ensuring that if mixed teams are taken away, they should always be accompanied by a male and female member of staff
- Ensuring that at competitions or residential events, adults should not enter children's rooms or invite children into their rooms. If an adult is working in a supervisory capacity, they should only enter the children's rooms when accompanied by another adult

- Being an excellent role model – this includes not smoking or drinking alcohol in the company of young people and promoting a healthy diet
- Giving enthusiastic and constructive feedback rather than negative criticism
- Recognising the developmental needs and capacity of young people – avoiding excessive training or competition and not pushing them against their will
- Securing parental consent in writing to act in loco parentis, if the need arises to give permission for the administration of emergency first aid and/or other medical treatment
- Keeping a written record of any injury that occurs, along with the details of any treatment given. Where staff witness an injury, this must be reported to the parents at the first opportunity

COACHING RATIOS

When working with groups of children under 8 years of age, Government guidance states clearly that there should be one supervising adult for every six children (Care Standards Act 2000). For young people over the age of 8, experience has shown that a ratio of one adult to ten participants is a minimum requirement in keeping with models of best practice. Coaches under the age of 17 must be supervised at all times and cannot be included in staffing ratios.

The national guidance states that the level of supervision should take account of:

- The age and ability of the young people
- The activity being undertaken
- Children's growing independence
- Children's need for privacy
- The geography of the facility being used
- The risk assessment

If there is an accident or an incident involving a young person or member of staff, you should ensure that there are enough people remaining to supervise the group safely. Coaches working with young people should not work in isolation. Good practice suggests that at least one other adult in addition to the coach should be present at every session. The additional adult does not have to be a qualified coach.

CHANGING ROOMS

Where practical, children and young people should have sole use of the changing facilities as this negates any risks and potential vulnerability associated with mixing adults and children and other young people when changing or showering. If mixed use of changing rooms is unavoidable, adults need to be sensitive as to sharing facilities with children and young persons and act appropriately e.g they should change under a towel or changing robe and not shower naked if they can be seen. Supervision may be necessary in the following situations;

- Children are too young to change alone – it is recommended that children under 8 years should be supervised
- Groups including disabled children who require additional support or assistance
- There are concerns about bullying, fighting or other inappropriate behaviour.

The following recommendations should also be followed;

- Adults should not change or shower at the same time using the same facility as young participants unless unavoidable (see paragraph above)
- If there is a mixed gender group, separate changing facilities should be made available for each gender

- If a young person is uncomfortable changing or showering in public no pressure should be placed on them to do so – encourage them to shower and change at home
- Involve disabled participants, and their carers, in deciding how they should be assisted and ensure they are able to consent to the assistance that is offered
- Any staff, medical or otherwise, for example a male coach working with female participants, must not be present in the changing rooms whilst participants are getting showered or changed
- No photographic equipment should be allowed to be used in the changing room environment including cameras, video cameras, camera mobile phones etc.

CONDUCT WITH YOUNG PEOPLE

- It is recommended that no young person should be treated in any way in a situation where the young person is on his/her own in a treatment room with the door closed.
- It is strongly recommended that all treatment procedures should be 'open' i.e. the door remains open, parents are invited to observe treatment procedures. Where strict medical confidentiality is to be observed then parents of the young person should be invited to attend.
- It is recommended that if treating an area of the body which is potentially embarrassing to a young person (i.e. the groin) a suitable consenting adult acting as a chaperone should be present.
- It is important to maintain medical confidentiality and patient dignity at all times.
- Prior to medical treatment being carried out on a young person, parental consent in the written form must be sought where appropriate.
- It is recommended that all treatment procedures are fully explained to the young person and verbal consent is given before they are carried out.

PRACTICE TO BE AVOIDED

The following should be avoided except in cases of emergencies. If cases arise where these situations are unavoidable (i.e. a medical emergency or a parent has failed to turn up), they should only occur with the full knowledge and consent of someone in charge at the Club or the young person's parents;

- Never spend excessive amounts of time alone with young people away from others.
- Never take young people to your home where they will be alone with you.

The following should never be sanctioned. You should never:

- Engage in rough, physical or sexually provocative games, including horse play.
- Share a room with a young person.
- Allow or engage in any form of inappropriate touching.
- Allow young people to use inappropriate language unchallenged.
- Make sexually suggestive comments to a young person, even in fun.
- Reduce a young person to tears as a form of *control*.
- Allow allegations made by a young person to go unchallenged, unrecorded or not acted upon.
- Do things of a personal nature for young people or disabled adults, that they can do for themselves.
- Invite or allow young people to stay with you at home unsupervised.
- Purchase or gift alcohol to a young person.

It may be sometimes necessary for staff or volunteers to do things of a personal nature for young people, particularly if they are young or are disabled. These tasks should only be carried out with the full understanding and consent of parents and the participants involved. There is a need to be responsive to a person's reactions. If a person is fully dependant on you, talk with him/her about what you are doing and give choices where

possible. This is particularly so if you are involved in the dressing or undressing of outer clothing, or where there is physical contact, lifting or assisting a young person to carry out particular activities. Avoid taking the responsibility for tasks for which you are not appropriately trained.

If any of the following incidents should occur, you should report them immediately to another colleague and make a written note of the event. Parents should be informed of the incident:

- If you accidentally hurt a participant.
- If he/she is distressed in any manner.
- If a participant appears to be sexually aroused by your actions.
- If a participant misunderstands or misinterprets something you have done.

TRANSGENDER AND NON-BINARY CHILDREN

If a child does not want to use the toilet, changing room or showers designated for their biological sex, Clubs and Centres may wish to consider alternative toilet, changing room or shower facilities for the child if available, however Clubs and Centres cannot allow a child to use a space solely designated for use by the opposite sex.

Residential accommodation – sleeping arrangements like hotels, dormitories, tents and shared rooms should be sex separated. In the event that a child questioning their gender requests alternative arrangements, these should be considered but should not compromise the safety, comfort, privacy or dignity of the child, or other children.

POSITION OF TRUST

“The inequality at the heart of a relationship of trust should be ended before any sexual relationship begins.”
Caring for Young People and the Vulnerable Guidance for Preventing Abuse of Trust (Home Office, 1999).

This statement recognises that genuine relationships do occur between the different levels of volunteers and participants in a group between a coach/athlete, however, no intimate relationship should begin whilst the member of staff, volunteer, coach is in a ‘position of trust’ over them.

The power and influence that the older member has over someone attending a group or activity cannot be under-estimated. If there is an additional competitive aspect to the activity and the older person is responsible for the young person’s success or failure to some extent, then the dependency of the younger member upon the older will be increased. It is therefore vital that people in a position of trust recognise the responsibility that they must exercise in ensuring that they do not abuse their position.

Those in a position of trust in sports organisations, such as a coach cannot legally have a sexual relationship with a young person they look after, under 18 years old and **it is a criminal offence to do so**. A person who is 16 or over but under the age of 18 who could ordinarily consent to a sexual relationship, cannot do so where the relationship is with someone in a position of trust. BWSW will be required to report any allegation to the Police and LADO.

Engaging in an intimate or inappropriate relationship with a young person is also a breach of the Code of Conduct and the Code of Conduct for Coaches and will result in disciplinary action.

GUIDELINES ON PHOTOGRAPHY AND USE OF VIDEO

BWSW is keen to promote positive images of young people participating in Water skiing and is not banning the use of photographic or videoing equipment. However, there is evidence that some people have used sporting events as an opportunity to take inappropriate photographs or film footage of young people. It is

advisable that all Clubs ensure that appropriate consent is obtained from those people filmed or photographed.

USE OF IMAGES OF YOUNG PEOPLE

The use of images of young people, for example on the web, in the media or in publications:

- Ask for written parental permission to use the young person's image. This ensures that they are aware of the way the image is to be used to represent the sport.
- Ask for the young person's written permission to use his/her image. This ensures that he/she is aware of the way the image is to be used to represent the sport.
- If the young person is named, avoid using his/her photograph.
- If a photograph is used, avoid naming the young person.
- Only use images of young people in appropriate dress, to reduce the risk of inappropriate use, and to provide positive images of the young people.
- Encourage the reporting of inappropriate use of images of young people. If you are concerned, report your concerns to a Club Official or the Club Welfare Officer.

USE OF VIDEO AS A COACHING AID

There is no intention to prevent Coaches using video equipment as a legitimate coaching aid. However, participants and their parents should be aware that this is part of the coaching programme and care should be taken in storing such films. The parents and young people must provide written consent for the use of photography and video analysis.

SAFE RECRUITMENT WHERE SUBSTANTIAL ACCESS TO YOUNG PEOPLE IS INVOLVED

The vast majority of Coaches, Officials and volunteers are committed, dedicated people who are motivated to work within the sport for commendable reasons. However, it is important that all reasonable steps are taken to ensure that unsuitable people or people with inappropriate motivation are prevented from working with young people.

Suitable procedures should be adopted and applied consistently when appointing a coach, official or volunteer in either a voluntary or paid capacity full or part time who will have substantial access to young people. Under the Protection of Children Act 1999 (England & Wales) and the Protection of Vulnerable Groups (Scotland) Act 2007, all individuals working on behalf of, or otherwise representing, an organisation are treated as employees whether working in a paid or voluntary capacity.

If an individual from within a Club wishes to move to a post with substantial access to young people, that individual must go through the application process.

ADVERTISING

When any form of advertising is used, the following information should be reflected:

- Aims of the Club and where appropriate, the particular programme involved
- Key responsibilities of the role.
- Level of experience or qualifications required, particularly if experience of working with young people is an advantage.
- The Club's open and positive stance on child protection and equal opportunities.

- If the post is classed as regulated work and therefore subject to a disclosure check – in England and Wales, an Enhanced DBS check would be required and in Scotland PVG scheme membership would be required.

APPLICATION PROCESS

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

- A job description, including roles and responsibilities.
- A person specification which clearly states qualifications and experience required.
- An application form designed to elicit the necessary information.
- A self-disclosure form.

All applicants should complete an application form and provide contact details of two referees (not relatives) who can provide written references. One of the referees should be a previous employer or Club, who has agreed to provide written comment on the individual's experience and suitability to work with young people. References should only be taken up when the position has been offered to the applicant.

A formal interview should be carried out, at which their training needs/aspirations should be identified. Their qualifications as a coach/official should be substantiated through BWSW before a decision is made to make an offer to an applicant.

DISCLOSURES

All those with significant access to or responsibility for young people (based on the definition of regulated activity) will be required to complete a disclosure check relevant to the home nation they are working or volunteering in.

It is a requirement for all BWSW qualified coaches, cable operators and Club Welfare Officers to complete a disclosure through BWSW or Water Ski & Wakeboard Scotland which must be renewed every three years. In England and Wales, a DBS disclosure is required and in Scotland, PVG scheme membership is required.

If you are unsure as which staff (paid or voluntary) require a disclosure check, contact the Safeguarding Lead Officer or in Scotland the Lead Safeguarding Officer

APPOINTMENT & TRAINING

The successful applicant should be issued with an offer letter. It should specify full details and requirement of the position and any probation period if appropriate. The applicant should be informed that the appointment is subject to satisfactory DBS Disclosure / PVG scheme membership and two references. Upon taking up the role where practicable they should undergo an induction process where:

- They are reminded that they have agreed to abide by the Coaches Code of Conduct (where appropriate) and the Safeguarding Regulation and they may face disciplinary action if there is an allegation that they have committed a breach.
- The expectations, roles and responsibilities of the job are clarified (e.g. thorough a formal or informal work programme or goal setting exercise).
- BWSW's safeguarding policies and procedures are explained and training needs established.
- If practicable, the new recruit should be mentored by an experienced person.

Checks are only part of the process to protect young people from possible abuse. Appropriate training will enable individuals to recognise their responsibilities with regard to their own good practice and the reporting of suspected poor practice/concerns of possible abuse. All BWSW coaches, cable operators and Club Welfare Officers will be required to have completed a recognised safeguarding course (which should be refreshed every three years).

COMPLAINTS AND DISCIPLINARY PROCEDURES

Clubs should ensure that parents and young people are aware of the complaints and disciplinary procedures referred to in this document and the Safeguarding Regulation.

*Created Jan 2020
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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 2021¹ 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 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 2011²).

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.

¹ <https://www.gov.uk/government/publications/domestic-abuse-bill-2020-factsheets/domestic-abuse-bill-2020-overarching-factsheet>

² <https://www.gov.uk/government/publications/prevent-duty-guidance/revised-prevent-duty-guidance-for-england-and-wales>

Female Genital Mutilation (FGM)³: 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.

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 relevant acts or omissions.

Adult at Risk: has the meaning ascribed to that term in the Safeguarding Regulation.

Case Management Group (CMG): the group of individuals of that name appointed from time to time by BWSW as being responsible for safeguarding within BWSW;

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.

Code of Conduct for Coaches: means the code of conduct for coaches issued by BWSW from time to time which forms part of the safeguarding policies and practices documents.

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.

³ Definition taken from the NSPCC Website

National Safeguarding Panel: means the national safeguarding panel of Sport Resolutions.

NSP Rules: means the National Safeguarding Panel Rules of Sport Resolutions in force from time to time which are incorporated into the Safeguarding Regulation by reference.

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.

Safeguarding Case Management Programme: means the safeguarding case management programme supported by Sport England and the National Lottery and administered by LimeCulture Community Interest Company under which Sport Resolutions provides case management assistance to national governing bodies, including BWSW, in relation to matters involving children and Adults at Risk.

Safeguarding Regulation: means the safeguarding regulation document issued from time to time by BWSW which sets out the investigation and disciplinary procedures for dealing with allegations of abuse/harm the risk of harm.

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.

Sport Resolutions: means the sports disputes resolution body of that name being a trading name of The Sports Dispute Resolution Panel Ltd – Company No. 3351039.

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.