Commonwealth GamesWales

Gemau’r Gymanwlad Cymru



Child Welfare and Safeguarding

Policy

# Date: May 2023

**FOREWORD - Terminology and definitions**

# Carer: A carer is someone who has the responsibility for providing or arranging care for someone else who, because of long term illness or disability or age, is not able to care for him or herself.

**Children**: A child is anyone who has not yet reached their 18th birthday. The term ‘children’ therefore means ‘child, children and young people’ throughout.

**Child protection**: The particular activity undertaken to protect specific children who are suffering or are at risk of suffering significant harm as a result of abuse or neglect.

**Disabled:** The Disability Discrimination Act (1995) defines a person as having a disability 'if they have a physical or mental impairment which has substantial and long-term adverse effect on his ability to carry out normal day to day activities'.

**Local Authority Designated Officer (LADO):** The nominated person with a Local Authority who is responsible for managing and monitoring safeguarding allegations in relation to paid and unpaid social care workers. Providing advice, information and guidance to employers and voluntary organisations around safeguarding allegations and concerns.

**Regional Safeguarding Boards (RSB):** These are the six multi-agency strategic boards of relevant partner agencies set up across Wales designed to protect children and adults at risk of, abuse or neglect and to prevent those children and adults from becoming at risk of abuse or neglect. Members of the board are referred to as relevant partners Under Part 7 of the Social Services and Well-being (Wales) Act 2014, (SSWA 2014) local authorities must establish Safeguarding Children Boards comprised of representatives from local authorities, the local police body, local health board, NHS Trust, probation board, youth offending team and others.

**In loco parentis:** In loco parentis (from Latin meaning ‘in place of a parent’) refers to a person who has been given explicit permission to assume parental responsibility for a child by his or her parents or legal guardian.

**Regulated activity:** For the purposes of identifying roles or individuals qualifying for DBS checks, regulated activity is defined as:- involving contact with children or adults at risk and is of a specified nature (e.g. teaching, training, care, supervision, advice, medical treatment or in certain circumstances transport) on a frequent, intensive and/or overnight basis; or involving contact with children or adults at risk in a specified place (e.g. schools, care homes etc.), frequently or intensively. For more information please click on the [link](https://www.gov.uk/government/collections/dbs-eligibility-guidance).

**Need to know:** In the context of sharing confidential information, disclosing details only to those people who have to be informed in the interests of a child or children. The factors that need to be considered when determining whether to disclose information include: the reason for sharing the information; the level of detail that needs to be disclosed; with whom the information will be shared; and whether disclosing the information is a proportionate response to the need to protect a child from harm.

**Parent:** The parent refers to the person who holds parental responsibility or the person given the responsibility for the day-to-day care of the child on behalf of the parent or an official body.

**Safeguarding:** Safeguarding refers to a range of proactive measures taken to keep children safe and promote their wellbeing, including child protection.

**Social Services:** Throughout the procedures the generic term social services is used to represent the relevant local authority social services functions with regard to children.

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SECTION 1

**CHILD WELFARE AND SAFEGUARDING POLICY**

**1.1 Introduction**

Commonwealth Games Wales (“CGW”) is the organisation responsible for planning and delivering Team Wales to the Commonwealth Games and Commonwealth Youth Games.

The work of CGW involves the organisation and administration of Team Wales including logistics such as accreditation, accommodation, clothing, freight, finance, travel, transport, telecommunications and personnel.

Recently CGW has gone through a period of change. A new board of directors has been appointed to deliver a modern and efficient structure for CGW and to develop an athlete-centred approach to ensure that Team Wales has the best chance of success at the Games. During this period of change, professional staff have been appointed to deliver the team to the Commonwealth Games and Commonwealth Youth Games and support has been provided by the Welsh Government and Sport Wales to assist CGW in its aims.

CGW ensures that its programmes are fully inclusive, offering individuals the opportunity to achieve a full and active role within their field of performance.

CGW is responsible for both able-bodied and disabled performers in its care, therefore it is important to note that children with disabilities and adults at risk may be at increased risk of abuse through various factors such as stereotyping, prejudice, discrimination, isolation and a powerlessness to protect themselves or adequately communicate that abuse had occurred.

Everyone who represents Wales at the Commonwealth Games and Commonwealth Youth Games has the right to protection and is entitled to do so in an enjoyable and safe environment. CGW has a moral and legal obligation to ensure that, when given responsibility for children, adults, coaches and volunteers they are provided with the highest possible standard of care.

**1.2 Background**

The Welsh Government has adopted the UN Convention on the Rights of the Child as the basis of all work for children and young people in Wales. Seven core aims have been identified, which should inform all activities for children and young people:

* have a flying start in life;
* have a comprehensive range of education and learning opportunities;
* enjoy the best possible health and are free from abuse, victimisation and exploitation;
* have access to play, leisure, sporting and cultural activities;
* are listened to, treated with respect, and have their race and cultural identity recognised;
* have a safe home and a community which supports physical and emotional wellbeing;
* are not disadvantaged by poverty.

Organisations that provide services for children (defined in the Children Act 1989 as anyone under the age of 18 years) have a duty to safeguard and promote their welfare. The [Wales Safeguarding Procedures](https://safeguarding.wales/) (2019) help practitioners apply the legislation [Social Services and Wellbeing (Wales) Act 2014](https://www.legislation.gov.uk/anaw/2014/4/contents) and statutory safeguarding guidance [Working Together to Safeguard People](https://gov.wales/safeguarding-guidance). They are an essential part of safeguarding children and promoting their welfare and they outline the framework for determining how individual child protection referrals, actions and plans are made and carried out. They are based on the principle that the protection of children from harm is the responsibility of all individuals and agencies working with children and families, including those working or volunteering in sport. Partnership working and communication between agencies is identified as key in order to identify vulnerable children and to help keep them safe from harm and abuse.

The Wales Safeguarding Procedures are made-up of 2 sections to cover the whole-life age range:

- Procedures that are specific to children

- Procedures that are specific to adults at risk

And 1 section about workers:

- Procedures relating to allegations against practitioners

The sections provide clear guidance on:

- Safeguarding principles

- Early intervention and help

- Duty to report

- Initial Enquiry and Responding to a Report, including timescales

- Decision Making

- Planning and Intervention

- Cross-border working

The implementation of this safeguarding policy, associated procedures and practice guidelines will help to minimise the risk of abuse, foster an environment where concerns can be shared and inappropriate behaviour challenged and provide parents and carers with reassurance that they are leaving their children in a safe setting.

**1.3 Policy Statement – Child Protection**

CGW acknowledges the duty of care to safeguard and promote the welfare of children and is fully committed to developing robust policy and procedures that minimise the risk of children experiencing abuse within the sport setting.

This is a mandatory policy for all those responsible for working with children and adults at risk within CGW events and programmes.

CGW is committed to the following:

* the welfare of the child is paramount
* all children, whatever their age, culture, ability, gender, language, racial origin, religious belief and/or sexual identity should be able to participate in sport in a fun and safe environment
* taking all reasonable steps to protect children and adults at risk from harm, discrimination and degrading treatment and to respect their rights, wishes and feelings
* all suspicions and allegations of poor practice or abuse will be taken seriously and responded to swiftly and appropriately
* all CGW employees and volunteers who work with children will be recruited with regard to their suitability for that responsibility, and will be provided with guidance and/or training in good practice and child protection procedures
* working in partnership with parents & children is essential for the protection of children

CGW has comprehensive travel insurance protecting its participants, coaches and staff. CGW expects all affiliated governing bodies to have an acceptable ‘live’ insurance policy in force at all times.

**1.4 Legal and Procedural Framework**

The practices and procedures within this policy are based on principles contained within UK and International legislation and Government guidance. The following are the key pieces of legislation and government guidance that are most relevant to the policy and procedures:

* [Children Act 1989](https://www.legislation.gov.uk/ukpga/1989/41/contents)
* [Human Rights Act 1998](https://www.legislation.gov.uk/ukpga/1998/42/contents)
* [Data Protection Act 1998](https://www.legislation.gov.uk/ukpga/1998/29/contents)
* [Sexual Offences Act 2003](https://www.legislation.gov.uk/ukpga/2003/42/contents)
* [Children Act 2004](https://www.legislation.gov.uk/ukpga/2004/31/contents)
* [Safeguarding Children: Working Together under the Children Act 2004](http://gov.wales/topics/health/publications/socialcare/circular/nafwc1207/?lang=en)
* [Rights of Children and Young Persons (Wales) Measure](http://www.legislation.gov.uk/mwa/2011/2/contents/enacted) 2011
* [Protection of Freedoms Act 2012](https://www.legislation.gov.uk/ukpga/2012/9/contents/enacted)
* [Social Services and Well-being (Wales) Act 2014](https://www.legislation.gov.uk/anaw/2014/4/contents)
* [Wales Safeguarding Procedures and Practice Guides](https://www.safeguarding.wales/) 2019
* [Children (Abolition of Defence of Reasonable Punishment) (Wales) Act 2020](https://www.legislation.gov.uk/anaw/2020/3/contents)

**1.5 Policy Objectives**

CGW is highly committed to fulfilling its safeguarding responsibilities. The key objectives include:

* To ensure everyone understands their roles and responsibilities in respect of safeguarding and is able to contribute effectively to the safeguarding process;
* To ensure that all those working or volunteering with children within the sport are able to recognise, identify and respond to signs of abuse, neglect and other safeguarding concerns relating to children and young people and able to contribute effectively to safeguarding;
* To ensure everyone has access to opportunities to learn about safeguarding at a level commensurate with their role and responsibilities;
* To promote safe practice and ensure appropriate and timely action is taken to address poor practice;
* To ensure that all allegations or suspicions of abuse are reported to the police and/or social services and contribute as required to the child protection process;
* To foster effective partnerships with NGB’s and clubs to promote safeguarding and effectively manage the sport’s response to concerns arising;
* To manage effectively information sharing with other relevant agencies in the interests of safeguarding children;
* To operate robust recruitment and selection process to help deter and prevent unsuitable people from becoming involved in the sport and ensure anyone who is subsequently considered unsuitable is removed.

**1.6 Equality**

CGW recognises the importance of ensuring that there are procedures in place that ensure *all* children and adults at risk are protected from abuse and poor practice. CGW acknowledges that some people, including young people and adults at risk with disabilities or children from ethnic and diverse communities can be more vulnerable to abuse. Care will be taken to ensure additional safeguards are in place to take account of individual needs, and recognise that there may be additional challenges that need to be addressed to help all children and adults at risk raise concerns.

**1.7 Review and monitoring**

Actions taken under this policy are reviewed by the Board and senior management team on an annual basis.

This policy, related policies (see below) and the Child Welfare and Safeguarding Procedures are reviewed no less than on a two yearly basis and whenever there are changes in relevant legislation and/or government guidance as required by the Local Safeguarding Board, UK Sport, Sport Wales and National Governing Bodies or as a result of any other significant change or event.

SECTION 2

**PROMOTING GOOD PRACTICE**

**2.1 Introduction**

To provide children with the best possible experience and opportunities whilst representing CGW or Team Wales everyone must operate within an accepted ethical framework such as the CGW Team Members Agreement.

It is not always easy to distinguish poor practice from abuse. It is therefore **NOT** the responsibility of employees, volunteers or participants under the jurisdiction of the CGW to make judgements about whether or not abuse is taking place. It is however their responsibility to identify poor practice and possible abuse and act if they have concerns about the welfare of the child as explained in Sections 3 and 4.

This section will help to identify what is meant by good practice and poor practice.

**2.2 Good Practice**

All personnel should adhere to the following principles and action:

* always work in an open environment (e.g. avoiding private or unobserved situations and encouraging open communication with no secrets)
* make the experience of representing CGW or Team Wales fun and enjoyable: promote fairness, confront and deal with bullying
* treat all children & adults at risk equally and with respect and dignity
* always put the welfare of the individual first, before winning
* maintain a safe and appropriate distance with players (e.g. it is not appropriate for staff or volunteers to have an intimate relationship with a child or to share a room with them)
* Avoid unnecessary physical contact with children or adults at risk. Where any form of manual/physical support is required it should be provided openly and with the consent of the individual. Physical contact can be appropriate so long as it is neither intrusive nor disturbing and the individual’s consent has been given
* Involve parents/carers wherever possible, e.g. where children need to be supervised in changing rooms, encourage parents / carers to take responsibility for their own child / participant. If groups have to be supervised in changing rooms always ensure parents, coaches etc. work in pairs
* request written parental consent if organisation officials / volunteers are required to transport children in their cars
* gain written parental consent for any significant travel arrangements e.g. overnight stays
* ensure that if mixed teams are taken away, they should always be accompanied by a male and female member of staff
* CGW will ensure that all guidance from the CGF or relevant Games Organising Committee is followed in relation to Child welfare
* ensure that at away events adults should not enter a child’s room or invite a child to their rooms, other than in a medical situation
* be an excellent role model, this includes not smoking or drinking alcohol in the company of children
* always give enthusiastic and constructive feedback rather than negative criticism
* Recognising the developmental needs and capacity of the child and do not risk sacrificing welfare in a desire for club or personal achievements. This means avoiding excessive training or competition and not pushing them against their will
* secure written parental consent for the CGW to act in loco parentis giving permission for the administration of emergency first aid or other medical treatment if the need arises
* keep a written record of any injury that occurs, along with details of any treatment given

**2.3 Poor Practice & Lower-level concerns**

There are some behaviours or practices that would be considered poor practice and although highly unacceptable within sport, would not be fully encapsulated by the definitions of abuse. Nevertheless, they must always be reported, addressed and action taken to prevent reoccurrence.

In some cases, there is a fine line between poor practice and abuse and it may be important to seek guidance from Social Services and/or the Police before a concern is treated as poor practice.

If, following consideration by the Safeguarding Lead, senior officials and, if appropriate, following consultation with statutory authorities and CGW a concern is deemed to be a matter of poor practice rather than abuse, a suitable course of remedial action should be agreed. Although it is often possible to resolve poor practice thorough guidance, mentoring and additional training, particularly where the individual is willing to accept their conduct was inappropriate, in some instances, poor practice concerns need to be managed as a disciplinary matter by invoking the appropriate policy and procedures.

**Practices never to be sanctioned**

The following practices are known to be significant risk factors in cases of abuse and can never to be condoned:

* Taking children to your home or other secluded place unaccompanied by others.
* Engaging in rough, physical or sexually provocative games.
* Sharing a room with a child.
* Allowing or engaging in any form of inappropriate touching.
* Making sexually suggestive remarks.
* Reducing a child to tears as a form of control.
* Allowing children to use inappropriate language unchallenged.
* Allowing allegations made by a child to go unchallenged, unrecorded or not acted upon.
* Carrying out personal care for a child that the child can do unaided
* Departing from the premises without first supervising the safe dispersal of the children.
* Abusing a privileged position of power or trust.
* Resorting to bullying tactics, or verbal abuse.
* Causing a participant to lose self-esteem by embarrassing, humiliating or undermining the individual.
* Spending excessive amounts of time alone with children away from other adults.
* Causing a participant to be affected by discriminatory comments relating to race, religion or beliefs

It may sometimes be necessary for adults to do things of a personal nature for children, particularly if they are young or are disabled. This would include tasks such as removing outer layers of clothing, tying up hair etc. These tasks should only be carried out with the full understanding and (preferably written) consent of parents and the children involved. There is a need to be responsive to a person’s reactions. If a person is fully dependent on you, talk with him/her about what you are doing and give choices where possible. This is particularly so if you are involved in a task that involves physical contact. Avoid taking on the responsibility for tasks for which you are not appropriately trained.

Some children, particularly children with learning disabilities or serious physical disabilities may not be toilet trained or require significant assistance to use these facilities. In some situations, this may lead to increased vulnerability both for the child and the person providing the care, particularly as some children with learning disabilities can find it difficult to set and maintain physical boundaries. Therefore, where a child requires this type of care, a parent/carer or someone trained in the provision of intimate care must be on hand to address these needs.

**Incidents that must be reported/recorded**

In the event that any of the following incidents occur, they should be reported immediately to the CGW Safeguarding Lead, who must make a record of the incident and ensure the parents of the child are informed:

* if you accidentally hurt a child
* if a child seems distressed in any manner
* if a child appears to be sexually aroused by your actions
* if a child misunderstands or misinterprets something you have done.

It is essential that everyone challenges poor practice, even where there is a belief that the motives of an individual are well meaning. Failure to challenge poor practice can lead to an environment where abuse is more likely to remain unnoticed.

Where cases arise where it is impractical / impossible to avoid certain situation e.g. transporting a child in your car, the tasks should only be carried out with the full understanding and consent of the parent/carer and the child involved plus appropriate checks **(See Appendices 1a, 1b & 2a, 2b).**

If during your care you accidentally hurt a child, the child seems distressed in any manner, appears to be sexually aroused by your actions and/or if the child misunderstands or misinterprets something you have done, report any such incidents as soon as possible to another colleague and make a written note of it. Parents should also be informed of the incident.

**2.4 Physical Contact in Sport**

Many sports, by their nature, require a degree of physical contact between adults and children. Physical contact can be used appropriately to instruct, encourage, protect or comfort. The aims of guidelines relating to physical contact are to provide adults and children with appropriate types and contexts for touching.

Physical contact between adults and children should only be used when the aim is to:

* Develop sports skills or techniques
* Treat an injury
* Prevent an injury
* Meet the requirements of the particular sport
* Guide or support a child with a recognised need in pursuit of their sport

Adults working with children MUST be trained in manual handling techniques appropriate to need. Physical contact should:

* Not involve touching genital areas, buttocks or breasts.
* Meet the need of the child and not the need of the adult.
* Be fully explained to the child.
* Only occur with permission from the individual (with the exception of in an emergency).
* Not take place in secret or out of sight of others.
* Not include the transfer of children unless the individual providing the transfer has received appropriate training .

Records of injuries should be fully recorded.

**2.5 NSPCC Guidance on Safe Sport Events**

Within sport, as within other activities, sexual relationships can and do occur between young people. Sexual activity between young people at events under the jurisdiction of CGW is prohibited. Inappropriate or criminal sexual behaviour on the part of a young person may result in disciplinary action, as well as an investigation by statutory agencies under local procedures for children and young people who sexually harm others.

Any sexual activity between adults and with children under 16 is illegal and constitutes abuse. Furthermore, in defined circumstances, young people aged 16 and 17, despite reaching the age of consent for sexual activity, are vulnerable to sexual abuse and exploitation.

Following an NSPCC campaign in partnership with sport’s governing bodies, the law, which previously only applied to roles like teachers and social workers, has now been extended to include a wider range of roles where adults hold a position of influence or power. This includes sports coaches and those in faith organisations.

In England and Wales, the law now states that those in positions of trust within sports organisations cannot legally have a sexual relationship with young people aged 16-17 years old. A position of trust offence is committed when an adult in a position of trust engages in sexual activity with a child in their care, even if the child is over the age of consent (aged over 16 in the UK).

Inappropriate or illegal behaviour will be reported immediately to police and children’s social care/social services for investigation and may lead to suspension.

**2.6 Use of Photographic/Filming Equipment at Sporting Events**

There is evidence that some people have used sporting events as an opportunity to take inappropriate photographs or film footage of children. CGW will be vigilant and any concerns should be reported to the CGW Safeguarding Lead or your National Governing Body Lead Officer.

All parents and performers should be made aware when coaches use video equipment as a coaching aid, and parental consent should be sought before any filming or photography is done. No video or photographic materials will be reproduced without the parents / guardians written consent **(See Appendix 4 & 5).**

**2.7 Social media/ Text Messaging**

Please refer to the Social Media Policy of CGW’s Team Members Agreement

SECTION 3

**UNDERSTANDING CHILD WELFARE AND SAFEGUARDING ISSUES**

**3.1 Introduction**

Children and young people can be abused either through someone inflicting harm, or failing to act to prevent harm. Abuse can be carried out by someone known to the child or (more rarely) by a complete stranger. It is not always easy to recognise abuse, especially as many of the indicators can have other reasonable explanations.

Abuse in all of its forms can affect a child at any age and its impact can be so damaging that, if not addressed, it may follow the individual into adulthood. It is important that everyone understands what constitutes abuse, indicators of abuse, what to do, and where to seek advice if abuse is suspected or alleged.

The [Wales Safeguarding Procedures 2019](https://safeguarding.wales/) provides the following definitions of abuse:

**Abuse: emotional**

Emotional abuse is the ongoing emotional maltreatment of a child. It’s sometimes called psychological abuse and can seriously damage a child’s emotional health and development. Emotional abuse can involve deliberately trying to scare or humiliate a child or isolating or ignoring them. Children who are emotionally abused are often suffering another type of abuse or neglect at the same time.

Emotional abuse includes: humiliating or constantly criticising a child threatening, shouting at a child or calling them names making the child the subject of jokes, or using sarcasm to hurt a child blaming, scapegoating making a child perform degrading acts not recognising a child's own individuality, trying to control their lives pushing a child too hard or not recognising their limitations exposing a child to distressing events or interactions such as domestic abuse or drug taking failing to promote a child's social development not allowing them to have friends persistently ignoring them being absent manipulating a child never saying anything kind, expressing positive feelings or congratulating a child on successes never showing any emotions in interactions with a child, also known as emotional neglect.

Within sport examples of emotional abuse may include:

* name-calling, sarcasm, bullying and/or racism
* children being subject to constant criticism
* continually diminishing a child’s efforts;
* placing intolerable pressure on a child to train and/or win;
* imposing developmentally inappropriate expectations on a child; unrealistic pressure to perform to high expectations (this may be from parents or coaches).

**Abuse: neglect**

This means a failure to meet a person’s basic physical, emotional, social or psychological needs, which is likely to result in an impairment of the person’s well-being (for example, an impairment of the person’s health).

Neglect in a sport may occur if the responsible adult failed to adequately look after children in their care, keep them safe or and/or comfortable, leading them to be placed at risk of harm for example by consistently failing to ensure the use of appropriate protective equipment or clothing suitable to adverse weather conditions.

**Abuse: physical**

Physical abuse means deliberately hurting a child or young person. It includes: physical restraint; such as being tied to a bed, locked in a room inflicting burns cutting, slapping, punching, kicking, biting or choking stabbing or shooting withholding food or medical attention drugging denying sleep inflicting pain shaking or hitting babies fabricating or inducing illness (FII).

In sport examples of physical abuse could include:

* provision of performance enhancing drugs;
* forcing a child into overtraining, a physically exhausting and painful training regime;
* designing an intensity of training that fails to consider the capacity of the child’s immature and growing body;
* controlled dieting and/or delaying puberty
* hitting or slapping a child as a form of punishment.

**Abuse: sexual**

There are 2 different types of child sexual abuse. These are called contact abuse and non-contact abuse. Contact abuse involves: touching activities where an abuser makes physical contact with a child, including penetration. It includes: sexual touching of any part of the body whether the child's wearing clothes or not rape or penetration by putting an object or body part inside a child's mouth, vagina or anus forcing or encouraging a child to take part in sexual activity making a child take their clothes off, touch someone else's genitals or masturbate.

Non-contact abuse involves: non-touching activities, such as grooming, exploitation, persuading children to perform sexual acts over the internet and flashing. It includes encouraging a child to watch or hear sexual acts not taking proper measures to prevent a child being exposed to sexual activities by others meeting a child following sexual grooming with the intent of abusing them online abuse including making, viewing or distributing child abuse images allowing someone else to make, view or distribute child abuse images showing pornography to a child sexually exploiting a child for money, power or status (child exploitation).

**Grooming -** Grooming is when someone builds an emotional connection with a child or young person so they can manipulate, exploit and abuse them.

Anybody can be a groomer, no matter their age, gender or race. Grooming can take place over a short or long period of time – from weeks to years. Groomers may also build a relationship with the young person's family or friends to make them seem trustworthy or authoritative.

**3.3 Indicators of Abuse**

Even for those experienced in working with child abuse, it is not always easy to recognise a situation where abuse may occur or has already taken place. Most people are not experts in such recognition, but indications that a child is being abused may include one or more of the following:

* unexplained or suspicious injuries such as bruising, cuts or burns, particularly if situated on a part of the body not normally prone to such injuries
* an injury for which an explanation seems inconsistent
* the child describes what appears to be an abusive act involving them
* another child or adult expresses concern about the welfare of a child
* unexplained changes in a child’s behaviour, e.g. becoming very upset, quiet, withdrawn or displaying sudden outbursts of temper
* inappropriate sexual awareness
* engaging in sexually explicit behaviour
* distrust of adult’s, particularly those whom a close relationship would normally be expected
* difficulty in making friends
* being prevented from socialising with others
* displaying variations in eating patterns including over eating or loss of appetite
* losing weight for no apparent reason
* becoming increasingly dirty or unkempt

The above list is not exhaustive and the presence of one or more of the indicators should not be accepted as proof that abuse is taking place. It is NOT the responsibility of those involved in CGW to decide that child abuse is occurring. However, it is everyone’s responsibility to be vigilant and act on any concerns.

**3.4 Anti-Harassment and Bullying (see appendix 3)**

Bullying is behaviour that hurts someone else. It includes name calling, hitting, pushing, spreading rumours, threatening or undermining someone. It can happen anywhere – at school, at home or online. It's usually repeated over a long period of time and can hurt a child both physically and emotionally.

Bullying can take different forms. It could include:

* physical bullying: hitting, slapping or pushing someone
* verbal bullying: name calling, gossiping or threatening someone
* non-verbal abuse: hand signs or text messages
* emotional abuse: threatening, intimidating or humiliating someone
* exclusion: ignoring or isolating someone
* undermining, constant criticism or spreading rumours
* controlling or manipulating someone
* making silent, hoax or abusive calls

The following types of bullying are also hate crime:

* racial, sexual, transphobic or homophobic bullying
* bullying someone because they have a disability.

Cyberbullying is bullying that takes place online. Unlike bullying offline, online bullying can follow the child wherever they go, via social networks, gaming and mobile phone.

Cyberbullying can include:

* sending threatening or abusive text messages
* creating and sharing embarrassing images or videos
* trolling – the sending of menacing or upsetting messages on social networks, chat rooms or online games
* excluding children from online games, activities or friendship groups
* shaming someone online
* setting up hate sites or groups about a particular child
* encouraging young people to self-harm
* voting for or against someone in an abusive poll
* creating fake accounts, hijacking or stealing online identities to embarrass a young person or cause trouble using their name
* sending explicit messages, also known as sexting
* pressuring children into sending sexual images or engaging in sexual conversations.

In sport bullying may arise when a parent or coach pushes the child too hard to succeed, or a rival athlete or official uses bullying behaviour.

No single sign will indicate for certain that your child's being bullied, but watch out for:

* belongings getting 'lost' or damaged
* physical injuries, such as unexplained bruises
* being afraid to go to school, being mysteriously 'ill' each morning, or skipping school
* not doing as well at school
* asking for, or stealing, money (to give to whoever's bullying them)
* being nervous, losing confidence, or becoming distressed and withdrawn
* problems with eating or sleeping
* bullying others.

It must be recognised that the above list is not exhaustive, but also that the presence of one or more of the indications is not proof that abuse is taking place. It is **NOT** the responsibility of those working in CGWto decide that child abuse is occurring. It **IS** their responsibility to act on any concerns.

SECTION 4

**REACTING TO CHILD WELFARE AND SAFEGUARDING ISSUES**

**4.1 Introduction**

It is not the responsibility of anyone working in CGW in a paid or unpaid capacity to decide whether or not child abuse has taken place. However there is a responsibility to act on any concerns through contact with the appropriate authorities so that they can then make inquiries and take necessary action to protect the young person. This applies **BOTH** to allegations/suspicions of abuse occurring within CGW and to allegations/suspicions that abuse is taking place elsewhere**. (See Appendix 6 & 7)**

This section explains how to respond to concerns or allegations about abuse.

**4.2 Responding to concerns/allegations**

If a child discloses that they or another young person is being abused, the person receiving the information should:

* Stay calm and ensure that the child feels safe and is not at any immediate risk.
* Show the child that you have heard what they are saying, and that you take their allegations seriously.
* Encourage the child to talk, but do not prompt or ask leading questions. Don’t interrupt when the child is recalling significant events. Don’t make the child repeat their account.
* Recognise any difficulties the child may have in explaining the incidents.
* Reassure the child that they have done the right thing in revealing the information.
* Explain what actions you must take, in a way that is appropriate to the age and understanding of the child.
* Do not promise to keep what you have been told secret or confidential, as you have a responsibility to disclose information to those who need to know. Reporting concerns is not a betrayal of trust.
* Write down as soon as you can and no later than 24 hours what you have been told, using the exact words if possible.
* Record in writing what was said using the child’s own words as soon as possible. The following information should be included:
  + Dates and times
  + Any names mentioned
  + To whom the information was given
  + Information that is fact, hearsay or opinion should be noted as such
  + Ensure the record is signed and dated.

If the child indicates that they do not wish others to be informed about the allegations, it is important to sensitively explain why you need to share the information.

Actions to avoid

* Dismissing the concern
* Panicking
* Allowing shock or distaste to show
* Probing for more information than is offered
* Promising to keep the disclosure secret
* Speculating or making assumptions
* Approaching the accused person (this may put a child at further risk and/or jeopardise a criminal investigation).
* Investigation of the disclosure
* Making negative comments about the accused person.

**In all cases if you are not sure what to do you can gain further guidance and help from NSPCC help line Tel No: 0808 800 5000.**

**4.3 Recording Information**

To ensure that information is as helpful as possible, a detailed record should always be made at the time of the disclosure/concern (use **Appendix 8a:** Incident Report Form). In recording you should confine yourself to the facts and distinguish what is your personal knowledge and what others have told you. Do not include your own opinions.

Information should include the following:

* the child’s name, age and date of birth
* the child’s home address and telephone number
* whether or not the person making the report is expressing their concern or someone else’s
* the nature of the allegation, including dates, times and any other relevant information
* A description of any visible bruising or injury, location, size etc. Also any indirect signs, such as behavioural changes
* details of witnesses to the incidents
* the child’s account, if it can be given, of what has happened and how any bruising/injuries occurred
* Have the parents been contacted?If so what has been said?
* Has anyone else been consulted? If so record details
* Has anyone been alleged to be the abuser? Record detail

Recording Poor Practice

If you have witnessed or been informed of an incident which is considered to be poor practice, then complete **Appendix 8b:** Poor Practice Referral Form. This form should be returned to the CGW Safeguarding Lead (as identified on the form).

**4.4 Reporting the Concern**

All suspicions and allegations **MUST** be reported appropriately. It is recognised that strong emotions can be aroused particularly in cases where sexual abuse is suspected or where there is misplaced loyalty to a colleague. It is important to understand these feelings but not allow them to interfere with your judgement about any action to take.

The CGW expects its members, volunteers and staff to discuss any concerns they may have about the welfare of a child immediately with the person in charge, who should pass this information to any Lead officer, or directly with the CGW Safeguarding Lead and subsequently to check that appropriate action has been taken.

If the CGW Safeguarding Lead is not available you should take responsibility and seek advice from the NSPCC Helpline, the duty officer at your local social services department or the police. Telephone numbers can be found in your local directory.

**In all cases if you are not sure what to do you can gain further guidance and help from NSPCC help line Tel No: 0808 800 5000.**

Complaints against employees

Where there is a complaint against an employee or volunteer, there may be three types of investigation.

* **Criminal** in which case the police are immediately involved
* **Child protection** in which case the social services (and possibly) the police will be involved
* **Disciplinary or misconduct** in which case CGW will be involved

As mentioned previously in this document the CGW are not child protection experts and it is not their responsibility to determine whether or not abuse has taken place. All suspicions and allegations must be shared with professional agencies that are responsible for child protection.

Children’s services have a legal responsibility under The Children Act 1989 to investigate all child protection referrals by talking to the child and family (where appropriate), gathering information from other people who know the child and making inquiries jointly with the police.

**NB: If there is any doubt, you must report the incident: it may be just one of a series of other incidences which together cause concern**

Any suspicion that a child has been abused by an employee or a volunteer should be reported to the CGW Safeguarding Lead who will take appropriate steps to ensure the safety of the child in question and any other child who may be at risk. This will include the following:

* Refer the matter to social services department
* the parent/carer of the child will be contacted as soon as possible following advice from the social services department
* the Director of the organisation should be notified to decide who will deal with any media inquiries and implement any immediate disciplinary proceedings
* the CGW Safeguarding Lead should also notify the relevant sport governing body
* if the lead welfare officer is the subject of the suspicion/allegation the report must be made to the appropriate manager who will refer the matter to social services

Allegations made after the event

Allegations of abuse are sometimes made sometime after the event. Where such allegation is made, you should follow the same procedures and have the matter reported to social services. This is because other children in the sport or outside it may be at risk from the alleged abuser. **Anyone who has a previous conviction for offences related to abuse against children is automatically excluded from working with children.**

For information about who to contact within the Local Authority, and other information regarding All Wales Child Protection procedures, see <https://safeguarding.wales/> and <https://gov.wales/reporting-suspected-abuse-harm-or-neglect-safeguarding>

**4.5 Whistle Blowing / Provision of Information relating to ‘colleagues’**

It is important that the organisation has well known procedures for enabling staff and volunteers to share, in confidence with a designated person, concerns they may have about a colleague’s behaviour.

This may be behaviour linked to child abuse or behaviour that pushes boundaries beyond acceptable limits. If this is consistently ignored a culture may develop within an organisation whereby staff and young people are ‘silenced’.

CGW is fully supportive of Whistle Blowing / Provision of information relating to ‘colleagues’ for the sake of the child, and will provide support and protect the identity of the individual/s who ‘whistle blow’. Whilst it is difficult to express concerns about colleagues, it is important that these concerns are communicated to the designated person. All staff and volunteers will be encouraged to talk to the CGW Safeguarding Lead if they become aware of anything that makes them feel uncomfortable.

**4.6 Concerns outside the immediate Sporting Environment (e.g. a parent or carer)**

* Report your concerns to the CGW Safeguarding Lead **(See Appendix 6).**
* If the CGW Safeguarding Lead is not available, the person being told or discovering the abuse should contact their local social services department or the police immediately
* Social Services and the CGW Safeguarding Lead will decide how to inform the parents/carers
* The CGW Safeguarding Lead should also report the incident to the CGW Board of Directors to ascertain whether or not the person/s involved in the incident play a role in the organisation and act accordingly
* Maintain confidentiality on a need to know basis

**4.7 Confidentiality**

Every effort should be made to ensure that confidentiality is maintained for all concerned. Information should be handled and disseminated on a need to know basis only. This includes the following people:

* The National Governing Body Lead Officer
* The CGW Safeguarding Lead
* The Chef de Mission
* The parents of the child
* The person making the allegation
* Children’s Services/police
* The alleged abuser (and parents if the alleged abuser is a minor)

**Seek Children’s, Adult or Social Services advice on who should approach the alleged abuser.**

All information should be stored in a secure place with limited access to designated people, in line with data protection laws.

**4.8 Internal Inquiries and Suspension (see appendix 10)**

* The CGW Safeguarding Lead will make an immediate decision about whether any individual accused of abuse should be temporarily suspended pending further police and social services inquiries.
* Irrespective of the findings of the social services or police inquiries the CGW Board of Directors will assess all individual cases to decide whether a member of staff or volunteer can be reinstated and how this can be sensitively handled. This may be a difficult decision; especially where there is insufficient evidence to uphold any action by the police. In such case the CGW Board of Directors must reach a decision based upon the available information which could suggest that on the balance of probability, it is more likely than not that the allegation is true. The welfare of the child should remain of paramount importance throughout.

**4.9 Next Steps**

After a concern or allegation about a child protection concern has been investigated, there is likely to be strong feelings amongst staff, parents and children and possibly among the wider community, which will need to be addressed.

There are likely to be issues of:

* Communication - if rumour or fact
* Guilt and blame - if suspicions had been around for some time
* Impact - on individuals, or the nature of what occurred and to whom
* Gaps in the organisation in terms of roles and post held

Careful thought will need to be given to the sharing of information and the provision of appropriate support.

*Supporting the team:*

Staff at CGW understands the impact a suspicion or allegation about a junior/vulnerable athlete protection concern may have on the team. CGW staff will support the team by:

* Allocating an individual within CGW who will act as a point of contact
* Staff will make every effort to work with the team to ensure that the regular activities of the team experience as little disruption as possible
* Should it be required, staff will support the team in providing as much information on the allegation or suspicion as is appropriate and relevant, this may include information session for team managers, coaches’ athletes and other members
* Staff would support the team with any enquiries from external organisations / agencies in relation to the (alleged) ‘incident’
* Staff will consider any request for information from an external organisation/person in relation to the (alleged) ‘incident’

*Managing the Media*:

Any media enquiries either related directly or indirectly to an incident involving a child will automatically be referred to the CGW Safeguarding Lead who will, in conjunction with the CGW Board of Directors, determine whether a response should be made and if so, what information should be released.

SECTION 5

**RECRUITING & SELECTING**

**5.1 Introduction**

It is important that all reasonable steps are taken to prevent unsuitable people from working with children. This applies equally to paid staff and volunteers, both full and part time.

The Government policy is clear, through legislation and statutory guidance that safeguarding for children is more likely to be achieved if there is empowerment, protection and prevention.

To ensure unsuitable people are prevented from working with children the following steps should be taken when recruiting.

* All officials acting in a capacity on behalf of CGW should have a valid Enhanced DBS check dated no later than three years prior to the closing ceremony of the Games they are due to attend (see Appendix 11).
* The NGB of the official needs to confirm the existence of such a DBS check and also that they are considered suitable for their designated role. It is the responsibility of the NGB to risk assess where necessary the suitability of officials. (Appendix 11).

**5.2. Training**

* In addition to pre-selection checks, the safeguarding process includes training after recruitment to help staff and volunteers to:
  + Analyse their own practice against what is deemed best practice, and to ensure their practice is likely to protect them from false allegations;
  + Recognise their responsibilities and report any concerns about suspected poor practice and/or abuse;
  + Respond to concerns expressed by a child/young person or adults at risk; and
  + Work safely and effectively with children/young people or adults at risk.

Commonwealth Games Wales requires:

* All staff and volunteers who occupy roles within regulated activity to apply for an enhanced DBS check
* All employees, volunteers, coaches, and welfare officers to undertake relevant training or undertake a form of home study, to ensure their practice is exemplary and to facilitate the development of positive culture towards best practice and the welfare and safeguarding of child/young person and adults at risk
* All staff and volunteers to receive advisory information outlining best/poor practice and informing them what to do if they have concerns about the behaviour of an adult towards a child/young person or adult at risk
* All coaches, trainee coaches and leaders should have an up-to-date first aid qualification, and would be strongly encouraged to attend Welfare and Safeguarding and Equality, diversity and inclusion training courses.

**5.3. Responsibility**

It is the responsibility of all those involved with the recruitment processes to ensure that best practice is observed throughout the advertising, appointment and induction of all new ‘staff’ to Commonwealth Games Wales; and to ensure that they are appropriately prepared and skilled in areas of recruitment practices and equal opportunities.

SECTION 6

**IMPORTANT CONTACTS**

**Commonwealth Games Wales**

7 Forest Grove

Treforest Campus

USW

Pontypridd

CF37 1UB

email: anna.stembridge@teamwales.cymru

[**https://teamwales.cymru/**](https://teamwales.cymru/)

**NSPCC Cymru**

Diane Engelhardt House

Treglown Court

Dowlais Road

Cardiff

CF24 5LQ

NSPCC Helpline: 0808 800 5000

Email: [help@nspcc.org.uk](mailto:help@nspcc.org.uk)

[**https://www.nspcc.org.uk/**](https://www.nspcc.org.uk/)

**Childline**

Telephone - 0800 1111

[**https://www.childline.org.uk/**](https://www.childline.org.uk/)

**Welsh Government Safeguarding Information/Policy**

[**http://gov.wales/topics/health/socialcare/safeguarding/?lang=en**](http://gov.wales/topics/health/socialcare/safeguarding/?lang=en)

**NSPCC Child Protection in Sport Unit Wales**

Tel: 029 2033 4975

Email: [cpsu@nspcc.org.uk](mailto:cpsu@nspcc.org.uk)

Twitter: @TheCPSU

Address:

NSPCC Child Protection in Sport Unit Wales

Sport Wales National Centre

Sophia Gardens

Cardiff

CF11 9SW

**Disclosure & Barring Service**

Stephenson House

Alderman Best Way

Darlington

Durham

DL1 4WB

01325 953614

[**https://www.gov.uk/government/organisations/disclosure-and-barring-service**](https://www.gov.uk/government/organisations/disclosure-and-barring-service)

**Sport Wales**

Sport Wales National Centre

Sophia Gardens

Cardiff

CF11 9SW - 0300 300 3123

[**https://www.sport.wales/**](https://www.sport.wales/)

**APPENDIX 1a**

Guidelines for Transporting Children and Young People

It is important to ensure that all steps are taken to ensure the safe transport of children, and young people.

If children and young people are to be transported by coach the following should be considered:

* Use a reputable company providing transport and necessary insurance
* Ensure sufficient escorts are on each coach
* All participants have a seat and seat belt regulations are adhered to
* Parents/carers are issued with detailed information of pick up and drop off points and times
* All escorts are issued will all relevant information of passengers e.g. name/contact number, pick up/drop off point, name of parent/carer to collect, emergency telephone number.
* Participants are not to be left unsupervised i.e. dropped off and a parent/carer is not there

If private cars are used for transport, you should ensure parental consent has been obtained. Private transport should only be used as a final option or if there is no other alternative means of transportation; and any drivers should ensure that they have business cover insurance on their vehicles.

**APPENDIX 1b**

Parental Consent Form for the Transporting of Children and Young People

Name of Child / Children to be transported:

**First Child’s name…………………………………………………………………………………..**

**Second child’s name……………………………………………..………………………………**

**Third child’s name……………………………………………..…………………………………..**

I **(name of parent / legal guardian) …………………………………………………………..**

give permission for my child to be transported on **(date)…………..……………………..**

from …………………….……………….. to……**……….. ……………………………….**

I understand that my child / children will be transported by (**Name of coach company / private car owned by) ………………….………………………………………..**

under supervision from parent/escort **(name) ……………………………..……………….**

My child/children **will not be left unescorted** at the drop off point unless a named parent / carer is there to collect.

Named person to collect child / children ……...……………………………………………

**Dated …………………………………………………….…………………………………………..**

**Home Phone number …………………… emergency number ………………….**

**Signed ………………………………………………. (Parent / legal guardian)**

**APPENDIX 2a**

Supervision of Children and Young People

Prevention is the most important aspect of supervision of children and young people. From the moment the child arrives at the event, staff and volunteers are acting in loco parentis and have a duty of care towards them.

Appropriate supervision ratios and systems for monitoring the whereabouts of children are essential. It must be clear at all times, who in the team is responsible for supervision. This is particularly important where events are held on large sites and at residential venues.

For events involving children over the age of 13, experience has shown that a ratio of one adult to 10 participants is the minimum required. <https://thecpsu.org.uk/media/446245/supervising-childrens-sporting-activities.pdf>

**MISSING CHILDREN**

The supervisor must ensure that there is clear guidance on reporting missing participants. As a general rule where a child is reported missing there should be a maximum of 20 minutes before the police are called. This may need to be reduced where a young child is involved.

For residential events, the event coordinator should have access to all appropriate information about the children/young people participation, and a current photograph attached to their parental consent form. This could therefore be used in the event of then having to report a participant missing to the police.

**APPENDIX 2b**

**Self-Declaration and Disclosure Form**

Private and Confidential

For roles / events involving contact with children (under 18 year olds).

All information will be treated as confidential and managed in accordance with relevant data protection legislation and guidance. You have a right of access to information held on you under the Data Protection Act 1998.

|  |  |  |  |
| --- | --- | --- | --- |
| Name: |  | | |
| Address and Postcode: |  | | |
| Telephone/Mobile No: |  | | |
| Date of Birth: |  | Gender: | Male / Female |

|  |  |  |  |
| --- | --- | --- | --- |
| *For completion by the individual**(named above):* | | | |
| Have you ever been known to any Children’s Services department as being a risk or potential risk to children? | | | YES / NO  *(if Yes, please provide further information below)*: |
|  | | | |
| Have you been the subject of any disciplinary investigation and/or sanction by any organisation due to concerns about your behaviour towards children? | | | YES / NO  *(if Yes, please provide further information)* |
|  | | | |
| Confirmation of Declaration *(tick box below)* | | | |
|  | I agree that the information provided here may be processed in connection with the event named above and I understand that my involvement in the event may be withdrawn or altered if information is not disclosed by me and subsequently come to the organisation’s attention. | | |
|  | In accordance with the organisation’s procedures if required I agree to provide a valid DBS certificate and consent to the organisation clarifying any information provided on the disclosure with the agencies providing it. | | |
|  | I agree to inform the organisation within 24 hours if I am subsequently investigated by any agency or organisation in relation to concerns about my behaviour towards children or young people. | | |
|  | I understand that the information contained on this form, the results of the DBS check and information supplied by third parties may be supplied by the organisation to other persons or organisations in circumstances where this is considered necessary to safeguard other children. | | |
| **Signature:** | |  | |
| **Print name:** | |  | |
| **Date:** | |  | |

**APPENDIX 3**

Anti-Harassment and Bullying Policy

1. **About this policy**
   1. Commonwealth Games Wales (“we”, “CGW”) are committed to providing a working environment free from harassment and bullying and ensuring all CGW Personnel are treated, and treat others, with dignity and respect. We recognise that harassment or bullying can occur both in and outside the workplace, such as on business trips or at work-related events or social functions or during a Commonwealth Games. The purpose of this policy is to set out a framework for CGW Personnel to deal with any harassment or bullying that occurs by other CGW Personnel.
   2. This policy may be amended at any time.
2. **Who does this policy apply to?**
   1. This policy applies to all employees, officers, consultants, self-employed contractors, casual workers, agency workers, volunteers, interns and Team Wales Members (Collectively “CGW Personnel”).
3. **Who is responsible for this policy?**
   1. The board of directors (the Board) has overall responsibility for the effective operation of this policy but has delegated responsibility for overseeing its implementation to the Chief Executive.
   2. The Chief Executive shall have day-to-day responsibility for this policy and you should refer any questions about this policy to them in the first instance.
   3. CGW Personnel should disclose any instances of harassment or bullying of which they become aware to the Chief Executive.
4. **What is harassment?**
   1. Harassment is any unwanted physical, verbal or non-verbal conduct that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. A single incident can amount to harassment.
   2. It also includes treating someone less favourably because they have submitted or refused to submit to such behaviour in the past.
   3. Unlawful harassment may involve conduct of a sexual nature (sexual harassment), or it may be related to age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation. Harassment is unacceptable even if it does not fall within any of these categories.
   4. Harassment may include, for example:
      1. unwanted physical conduct or "horseplay", including touching, pinching, pushing and grabbing;
      2. continued suggestions for social activity after it has been made clear that such suggestions are unwelcome;
      3. sending or displaying material that is pornographic or that some people may find offensive (including e-mails, text messages, video clips and images sent by mobile phone or posted on the internet);
      4. unwelcome sexual advances or suggestive behaviour (which the harasser may perceive as harmless);
      5. racist, sexist, homophobic or ageist jokes, or derogatory or stereotypical remarks about a particular ethnic or religious group or gender;
      6. outing or threatening to out someone as gay or lesbian;
      7. offensive e-mails, text messages or social media content; or
      8. mocking, mimicking or belittling a person's disability.
   5. A person may be harassed even if they were not the intended "target". For example, a person may be harassed by racist jokes about a different ethnic group if the jokes create an offensive environment.
5. **What is bullying?**
   1. Bullying is offensive, intimidating, malicious or insulting behaviour involving the misuse of power that can make a person feel vulnerable, upset, humiliated, undermined or threatened. Power does not always mean being in a position of authority, but can include both personal strength and the power to coerce through fear or intimidation.
   2. Bullying may include overbearing and intimidating levels of supervision or inappropriate derogatory remarks about someone's performance. However, legitimate, reasonable and constructive criticism of a worker's performance or behaviour, or reasonable instructions given to workers in the course of their employment, will not amount to bullying on their own.
6. **If you are being harassed or bullied: informal steps**
   1. If you are being harassed or bullied, consider whether you feel able to raise the problem informally with the person responsible. You should explain clearly to them that their behaviour is not welcome or makes you uncomfortable. If this is too difficult, you should speak to the Chief Executive, who can provide confidential advice and assistance in resolving the issue formally or informally. If you feel unable to speak to the Chief Executive because the complaint concerns him or her, then you should speak informally to the HR Department. If this does not resolve the issue, you should follow the formal procedure below.
   2. If you are not certain whether an incident or series of incidents amounts to bullying or harassment, you should initially contact the HR Department informally for confidential advice.
   3. If informal steps are not appropriate, or have been unsuccessful, you should follow the formal procedure set out below.
7. **Raising a formal complaint**
   1. If you wish to make a formal complaint about bullying or harassment, you should submit it in writing to the Chief Executive. If the matter concerns the Chief Executive, you should submit it to the HR Department.
   2. Your written complaint should set out full details of the conduct in question, including the name of the harasser or bully, the nature of the harassment or bullying, the date(s) and time(s) at which it occurred, the names of any witnesses and any action that has been taken so far to attempt to stop it from occurring.
   3. As a general principle, the decision whether to progress a complaint is up to you. However, we have a duty to protect all staff and may pursue the matter independently if, in all the circumstances, we consider it appropriate to do so.
8. **Formal investigations**
   1. We will investigate complaints in a timely, respectful and confidential manner. Individuals not involved in the complaint or the investigation should not be told about it.
   2. We will arrange a meeting with you, usually within five working days of receiving your complaint, so that you can give your account of events. You have the right to be accompanied by a representative of your choice, who must respect the confidentiality of the investigation.
   3. Where your complaint is about an employee, we may consider suspending them on full pay or making other temporary changes to working arrangements pending the outcome of the investigation, if circumstances require. The investigator will also meet with the alleged harasser or bully who may also be accompanied by a representative of their choice to hear their account of events. They have a right to be told the details of the allegations against them, so that they can respond.
   4. We will also seriously consider any request that you make for changes to your own working arrangements during the investigation. For example, you may ask for changes to your duties or working hours to avoid or minimise contact with the alleged harasser or bully.
   5. It may be necessary to interview witnesses to any of the incidents mentioned in your complaint. If so, the importance of confidentiality will be emphasised to them.
   6. At the end of the investigation, the investigator will submit a report to the Chief Executive. The Chief Executive will arrange a meeting with you, usually within five working days of receiving the report, in order to discuss the outcome and what action, if any, should be taken. You have the right to bring a representative to the meeting. A copy of the report and the Chief Executive’s findings will be given to you and to the alleged harasser.
9. **Action following the investigation**
   1. If the Chief Executive considers that harassment or bullying has occurred, prompt action will be taken to address it.
   2. Where the harasser or bully is an employee the matter will be dealt with as a case of possible misconduct or gross misconduct under our Disciplinary Procedure. If the harasser or bully is a third party such as a customer or other visitor, we will consider what action would be appropriate to deal with the problem. Whether or not your complaint is upheld, we will consider how best to manage any ongoing working relationship between you and the person concerned.
   3. Whether or not your complaint is upheld, we will consider how best to manage the ongoing working relationship between you and the person concerned. It may be appropriate to arrange some form of mediation and/or counselling, or to change the duties, working location or reporting lines of one or both parties.
   4. Any staff member who deliberately provides false information or otherwise acts in bad faith as part of an investigation may be subject to action under our Disciplinary Procedure.
10. **Appeals**
    1. If you are not satisfied with the outcome you may appeal in writing to the Board, stating your full grounds of appeal, within 21 working days of the date on which the decision was sent or given to you.
    2. We will hold an appeal meeting, normally within 21 working days of receiving your written appeal.
    3. We will confirm our final decision in writing, usually within 21 working days of the appeal hearing. This is the end of the procedure and there is no further appeal.
11. **Protection and support for those involved**
    1. CGW Personnel who make complaints or who participate in good faith in any investigation must not suffer any form of retaliation or victimisation as a result. Anyone found to have retaliated against or victimised someone in this way will be subject to disciplinary action under the appropriate Disciplinary Procedure.
12. **Confidentiality and record-keeping**
    1. Confidentiality is an important part of the procedures provided under this policy. Details of the investigation and the names of the person making the complaint and the person accused must only be disclosed on a "need to know" basis. Breach of confidentiality may give rise to disciplinary action under our Disciplinary Procedure.
    2. Information about a complaint by or about an employee may be placed on the employee's personnel file, along with a record of the outcome and of any notes or other documents compiled during the process. These will be processed in accordance with our Privacy Notice.

**APPENDIX 4**

Guidelines for Photographic/ Recorded Images

While CGW recognises that publicity and pictures/recordings of young people and adults at risk enjoying sport are essential to promote sport and a healthy lifestyle, the following rules should be observed:

* Ensure parents/guardian/young person have granted their consent for the taking and publication of photographic images via the “CGW Entry Form” and have signed and returned said form.
* All young people must be appropriately dressed for the activity taking place.
* Photography or recording should focus on the activity rather than a particular young person and personal details which might make the young person vulnerable, such as their exact address should never be revealed.
* Anyone taking photographs or recording must have a valid reason for doing so and seek permission from the organisers/person in charge.
* They should make themselves known to the event organiser/person in charge and be able to identify themselves if requested during the course of the event.
* Coaches should be allowed to use video equipment as a legitimate coaching aid and means of recording special occasions however care should be taken in the dissemination and storage of the material.
* Participants and parents must be informed that a photographer/camera person will be in attendance at an event and ensure consent to both taking and publishing is given.
* Do not allow unsupervised access to children with photographers/camera people or one to one photo sessions at events.
* Parents and spectators taking photographs/recordings should be prepared to identify themselves if requested and state their purpose for photography/filming.
* Parents, children and young people should be informed that if they have any concerns they should report them to the event organiser or official and recorded in the same manner as any other child protection concern.

**APPENDIX 5**

Parental Consent Form: Use of Photography and Recorded Images

|  |  |  |
| --- | --- | --- |
| I ............................................................. (full name of parent/carer/guardian) consent to the photographing/videoing and publication of ................................................................ (name of participant) under the CGW Child Welfare and Safeguarding Policy Guidelines (see Appendix 4), and I confirm that I am legally entitled to give this consent. | | |
|  | | |
| I also confirm ................................................................. (name of child, young person, or adult at risk) is not under a court order. | | |
|  | | |
| Signature of Parent/Guardian: | | ...................................................................................................................... |
|  | | |
| Date: | .......................................................................................... | |
|  | | |
| I ......................................................................................................................................(name of participant) consent the photographing/videoing and publication of images of my involvement in disability sport under the CGW Child Welfare and Safeguarding Policy Guidelines. | | |
|  | | |
| Signature of Young Person: | | ...................................................................................................................... |
|  | | |
| Date: | .......................................................................................... | |
|  | | |
| Please return this form to:  Anna Stembridge  CGW Safeguarding Lead  c/o 7 Forest Grove  Treforest Campus  USW Pontypridd  CF37 1UB | | |

**APPENDIX 6**

Responding to Concerns about individuals outside of CGW

**Are you concerned about the behaviour of a parent / carer / another?**

**Yes**

Record what the child has said. Include times, dates and send/give a copy of the incident report form to the designated person / social services (see Appendix 8a)

*Is the child in need of immediate medical attention?*

**Yes**

**No**

Call an ambulance immediately and inform the doctor that there is a child protection concern.

Report the concerns to the CGW Safeguarding Lead. They will then contact social services or the police as soon as possible. If the CGW Safeguarding Lead is not available, refer your concerns to social services or the police immediately.

Social services will decide how to involve the parents / carers

Make a factual record of the events, completing the CGW Incident Report Form (**Appendix 8a**) and forward a copy of the information recorded, and information relating to action taken, to the CGW Safeguarding Lead.

Maintain confidentiality on a **need to know** basis and follow up with the person in charge

* **Stay calm** and **reassure** the child
* **Keep questions to a minimum -** only ask questions to clarify
* **Record** all information
* **Don’t** make promises of confidentiality or outcome

**In all cases if you are not sure what to do you can gain help from NSPCC Wales Helpline (Mon – Fri 10.00am – 6.00pm)**

**Tel No: 0808 100 2524**

OR

**the NSPCC Helpline Tel No: 0808 800 500**

**APPENDIX 7**

**Appendix 7 - Are you concerned about a member of staff/volunteer/coach?**

*Concerned it could also be child abuse?*

* **Stay calm** and **reassure** the child that they are not to blame, and that it was right to tell
* **Keep questions to a minimum -** only ask questions to clarify
* **Record** all information
* **Don’t** make promises of confidentiality or outcome

**Yes**

**No**

*Is it poor practice or an alleged breach of a CGW Code of Conduct?*

If the child requires immediate medical attention, call an ambulance and inform the doctor that there is a child protection concern.

The CGW Safeguarding Lead will refer concerns to social services or the police immediately

Make a factual record of the events, completing the CGW Incident Report Form and forward a copy of the information recorded, and information relating to action taken, to the CGW Safeguarding Lead, who will take appropriate action.

If you cannot contact the CGW Safeguarding Lead, immediately contact Social Services for the Local Authority.

*Does the possible abuse concern a CGW staff member, coach or volunteer?*

**Yes**

**No**

**Yes**

**No**

Report concerns to the CGW Safeguarding Lead, completing an Incident Report Form

Refer the concern to the CGW Safeguarding Lead or person in charge of the session as an internal disciplinary matter (using a Poor Practice Referral Form)

**Possible Outcomes**:

* Implementation of CGW Discipline & Dispute Resolution Procedure
* Recommendation of further training
* No case to answer

**Possible Outcomes**:

* Child Protection investigation
* Police inquiry and criminal proceedings
* Police or Social Services inquiry and referred back to CGW for disciplinary proceedings
* Possible Civil proceedings

**OR** referral to Social Services or the Police.

**In all cases if you are not sure what to do you can gain help from NSPCC Wales Helpline (Mon – Fri 10.00am – 6.00pm). Tel No: 0808 100 2524** OR **the NSPCC Helpline Tel No: 0808 800 500**

**APPENDIX 8a**

Incident Report Form

This incident Report Form should be passed on to CGW Safeguarding Lead. This should be done in conjunction with your NGB Lead Officer. Return this form on completion immediately to:

**Anna Stembridge**

**CGW Safeguarding Lead**

**c/o 7 Forest Grove**

**Treforest Campus**

**USW Pontypridd**

**CF37 1UB**

Name of child \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Age/DOB \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Parent/Carer’s name \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Home address \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Telephone number \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Are you reporting your own concerns or passing on those of someone else? Give details of witnesses.

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Brief description of the concerns: include date, time, location, detail of specific incidents, etc

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**Continue overleaf**

Any physical signs? Behavioural Signs?

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Have you spoken to the child / or adult at risk? If so what was said?

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Have you spoken to the parent(s)? If so, what was said?

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Has anyone been alleged to be the abuser? If so give details, including the relationship with the child and / or adult at risk.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Have you consulted with anyone else? Give details.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name of individual reported to, and date of reporting? Give contact information for future reference

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Continue overleaf**

Name of person who the case was referred to (i.e. within social services / the police): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Time and date of referral: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Your name/position \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Your Signature \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**APPENDIX 8b**

Poor Practice Referral Form

This form is to be completed and given to the CGW Safeguarding Lead.

If the CGW Safeguarding Lead is not available, nor the individual responsible for the poor practice, pass this form on to the Chief Executive for CGW.

**Anna Stembridge**

**CGW Safeguarding Lead**

**c/o 7 Forest Grove**

**Treforest Campus**

**USW Pontypridd**

**CF37 1UB.**

Please complete the form as fully as possible.

Your Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Sport: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Club Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Role within the sport: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Description of incident identified as poor practice: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

Are you reporting concerns which you have seen, or concerns based on a third parties account of the event?

🞏 My observations 🞏 Third Parties observations, and their

account of that to me

Name of third party: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_­­­­­­­­­­­­­­­­­­­­­­­­­­­­­­­­\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name of coach / volunteer exhibiting poor practice: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date on which poor practice took place: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Continue overleaf**

Have you consulted with anyone else about the poor practice?

🞏 Yes 🞏 No

If ‘Yes’, please give details (name of ‘consultant’; description of advice given (if any); reason for consulting that person; etc): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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Your Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature of CGW Safeguarding Lead: \_\_\_\_\_\_\_\_\_\_\_\_­­­­­­\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date of receipt: \_\_\_\_\_\_\_\_\_\_\_

**APPENDIX 9**

Safeguarding Lead

CGW has a designated person to be responsible for dealing with any concerns about the protection of children and adults at risk.

The person designated ensures that they are knowledgeable about child protection and that they undertake any training considered necessary to keep themselves updated on new developments.

**Role:**

* Establish contact with senior member of social services staff responsible for child protection in the organisations catchment area.
* Provide information and advice on child and adults at risk protection within the organisation.
* Ensure that the organisation’s child and adults at risk protection policies and procedures are followed and particularly to inform social services of relevant concerns about individual children and adults at risk.
* Ensure that appropriate information is available at the time of referral and that the referral is confirmed in writing.
* Liaise with social services and other agencies as appropriate.
* Keep relevant people within the organisation, particularly the head or leader of the organisation, informed about any action taken and any further action required.
* Ensure that an individual case record is maintained of the action taken by the organisation, the liaison with other agencies and the outcome.
* Advise the organisation of child and adults at risk protection training needs.

**Contact Details for the Commonwealth Games Wales Safeguarding Lead**

**By post:**

Commonwealth Games Wales

7 Forest Grove

Treforest Campus

USW

Pontypridd

CF37 1UB

**Name:** Anna Stembridge

**By phone:**

07799600984

**By email:**

[Anna.Stembridge@teamwales.cymru](mailto:Anna.Stembridge@teamwales.cymru)

**APPENDIX 10**

CGW Child Protection Discipline and Dispute Resolution Procedures

These procedures are adopted by the CGW Board. For the avoidance of doubt, where any conflict arises with existing rules or procedures relating to child protection discipline, the procedures set out below will take precedence.

1. **Definitions**
   1. All reference to CGW should be taken where necessary to be the Board of Directors to exercise their power to receive and act upon disciplinary matters.
   2. ‘Designated Officer’- The Designated Officer shall be anyone in CGW who has been appointed as such by the Board.
   3. ‘Case Management Panel’ – A Panel appointed by the Designated Officer to make immediate decisions on the response to reported cases related to the welfare and protection of children in CGW.
   4. ‘Interim Suspension’- This shall be when the Case Management Panel or Designated Officer have taken the decision to suspend pending a full investigation.
   5. ‘Suspension’- This shall be taken to be a suspension that is issued as a result of a decision by the Case Management Panel or Disciplinary Panel and shall be deemed to be permanent or for a period of time as specified.
   6. ‘Appeals Panel’- this shall be alternative members from the CGW Board (not having had any previous involvement or knowledge of the case) or the Sports Dispute Resolution Panel (SDRP). In each case the Appeals Panel shall consist of three members.
   7. ‘The Appellant’ –This is the individual who within 28 days from the date of decision by the Case Management Panel has submitted a Notice of Appeal.
   8. ‘Individual ‘,’ player’ or ‘organisation’- This shall be deemed to include the following members, officials, referees, associations, clubs, committees, organisations or persons directly or indirectly affiliated to CGW and their members and officers or employees of CGW.
2. **Principles**

**General**

* 1. All child protection and DBS matters must be regarded as highly confidential and not for disclosure outside the Case Management Panel unless agreed, on a strictly need to know basis.

**Case Management Panel**

* 1. It is essential that the Case Management Panel is empowered by CGW to make decisions on the approach to cases without the influence of prejudice by others from within the organisation.
  2. The CGW Designated Officer should lead the Panel. The Panel should include people who have relevant knowledge and expertise to enable the Panel to fulfil its purpose. The Panel will have at least two members that are external to the organisation and have current child protection knowledge and experience. All members of the Case Management Panel should receive suitable training in order to perform the role.
  3. The Panel will meet as and when necessary, dependent on cases. For cases requiring immediate action the Designated Officer will consult at least two members of the Panel, of which one must be external from CGW.
  4. The Panel will be made up of between 3 and 8 people.

1. **Jurisdiction**
   1. CGW has disciplinary jurisdiction over all individuals whilst representing Team Wales.
   2. CGW may exercise its disciplinary functions in the manner set out in the Child Protection Discipline and Dispute Resolution Procedures. CGW shall delegate its power to receive and act upon disciplinary matters to a Designated Officer in the organisation or if appropriate, to a legal representative or independent expert.
   3. The Designated Officer has the power to impose an interim suspension which must be brought before the Case Management Panel, within 14 days to be ratified.
   4. CGW shall have jurisdiction to consider a matter if a complaint is made as well as any matter which comes to its attention whether through media publicity or otherwise which it considers may constitute misconduct or a breach of any appropriate Codes of Conduct or Ethics.
   5. CGW has jurisdiction over the persons and organisations set out in 3.1, organisations may have their own disciplinary jurisdiction over member’s, organisations, players and persons. Where jurisdiction exists; those organisations should exercise that jurisdiction, subject to 3.6 below.
   6. In cases where both CGW and organisations set out in 3.1 have jurisdiction to investigate and prosecute alleged charges, CGW may assume overall jurisdiction that the matter should be heard by the CGW Case Management Panel. Alternatively any organisation to CGW which considers that a matter is of sufficient seriousness that it should be dealt with by CGW. In the event of a dispute as to whether a case should be heard by CGW or by the relevant organisation, the decision of the Designated Officer shall be final.
2. **Interim Suspension**
   1. If the Designated Officer considers that an allegation or complaint or matter which has been drawn to their attention is of sufficient seriousness to warrant the exclusion of an individual, player, organisation or committee member from involvement in CGW an interim suspension can be made.
   2. Notification shall be made in writing of an interim suspension to the individual concerned and to any club or county with which the individual is associated as soon as reasonably practicable.
   3. Within 14 days of the individual’s interim suspension the case shall be brought before the Case Management Panel, to be ratified.
   4. When an individual is under interim suspension CGW shall bring and conclude any proceedings under the rules of the organisation against the individual relating to the matters as soon as reasonably practicable. Any breach of the suspension shall constitute an offence under the rules of CGW.
   5. All interim suspensions will be reviewed by the Case Management Panel at regular intervals but not less than every six weeks.
   6. If at any time the circumstances or facts surrounding a case change, then the Case Management Panel may consider whether such interim suspension should continue.
3. **Investigation**
   1. Any act, statement, conduct or other matter which harms a child or children, or poses or may pose a risk of harm to a child or children, shall constitute behaviour that is improper and brings CGW into disrepute, shall amount to a charge.
   2. Upon receipt by CGW of:
      * 1. notification that an individual has been charged with a criminal offence;
        2. notification that an individual is the subject of an investigation by the Police, Social Services or any other public or other investigator authority relating to an offence;
        3. any other information which causes the organisation reasonably to believe that an individual poses or may pose risk of harm to a child or children; or
        4. where a written complaint is made, or a matter otherwise comes to the attention of CGW

then, the Designated Officer shall also consider whether such complaint or other matter falls within the scope of CGW’s jurisdiction.

* 1. CGW shall make all enquiries necessary to establish the details of the offence, alleged offence or investigation with the following:
     + 1. the individual concerned, either by way of interview or correspondence
       2. the Police;
       3. Social Services;
       4. any other authority involved in the protection and welfare of children;
       5. any other person or party as deemed appropriate by CGW.

* 1. CGW shall consider the following as to whether an interim suspension should be made. The organisation shall give consideration, inter alia, to the following factors:
     + 1. whether a child is or children are or may be at risk of harm;
       2. whether the matters are of a serious nature;
       3. whether a suspension is necessary or desirable to allow the conduct of any investigation by CGW or any other authority or body to proceed unimpeded having regard to the need for any action to be proportionate.
  2. In carrying out its function CGW shall have the power to require:
     + 1. The attendance, upon reasonable notice, of any individual to answer and provide information: and
       2. The production, upon reasonable notice, of documents, information or other material in whatever form held.
  3. The Designated Officer shall have the power to order that the individual be interim suspended from all or any CGW activity for such period and on such terms and conditions as they think fit. Within 14 days of the individual’s interim suspension the case shall be brought before the Case Management Panel, to be ratified.
  4. Where CGW requests an individual to comply with a reasonable request or requirement as part of the investigation carried out under this section or generally, any failure to do so will amount to a charge of non compliance.
  5. At the completion of an investigation, the Case Management Panel shall decide the appropriate course of action as follows:
     + 1. If an individual, player or organisation admits the charge either in correspondence or in interview and the Designated Officer is satisfied that the charge has been admitted and is a ‘Summary Offence’ then the Summary Procedure shall be invoked.
       2. If the individual, player or organisation who is the subject of the charge does not consent to the Summary Procedure or if the Designated Officer or the Case Management Panel considers that a case is not appropriate for the Summary Procedure, then the Disciplinary Procedure shall be invoked.
       3. Where the investigation establishes to the satisfaction of the Case Management Panel that there is no case to answer, the allegation or complaint shall be dismissed.

1. **Summary Procedures**
   1. If an individual, player or organisation admits the charge either in correspondence or in interview and the Case Management Panel is satisfied that the charge has been admitted and is a ‘Summary Offence’ then the Summary Procedure shall be invoked.
   2. A Summary Offence is one where the Case Management Panel believes that, if the facts placed before them are true, the appropriate sanction should be no more than:
      * 1. a warning; or
        2. a suspension for a period not exceeding 28 days.
   3. A matter will remain a Summary Offence unless the following applies:
      * 1. the individual, player or organisation does not admit the offence and consent to a Summary Procedure; or
        2. the nature of the offence is such that the Case Management Panel does not consider that it can properly be dealt with through the Summary Procedure.
   4. When an admission in interview or correspondence has been made and the Case Management Panel considers it appropriate to invoke the Summary Procedure, the Designated Officer shall write to the individual, member or organisation concerned informing them that it is their view that the offence should be dealt with under the Summary Procedure, the letter shall be sent recorded delivery. In such correspondence, the Designated Officer shall seek that individual’s consent to the matter being dealt with under this procedure.
   5. In the Designated Officer’s letter to the individual, player or organisation whose conduct is subject of the complaint and investigation, the individual, player or organisation shall be formally charged.
   6. On receipt of the charge the individual, member or organisation shall be required to submit any additional evidence or mitigation to the Designated Officer in respect of the case being dealt with as Summary Procedure.
   7. The Case Management Panel shall consider all evidence submitted by the individual, player or organisation charged and shall then impose the appropriate sanction.
   8. The Designated Officer shall then communicate the imposed sanction to the individual, player or organisation.
   9. There shall be no right of appeal from the imposition of a sanction imposed under the Summary Procedure.

1. **Disciplinary Procedure**
   1. If the individual, player or organisation who is the subject of the charge does not consent to the Summary Procedure or if the Case Management Panel considers that a case is not appropriate for the Summary Procedure, then the Disciplinary Procedure shall be invoked.
   2. The Designated Officer shall commence the procedure by sending recorded delivery to the individual, member or organisation the charge. Setting out a summary of the charge, together with a factual summary of the supporting evidence.
   3. The individual, player or organisation against whom the charge has been made shall have 14 days from the date of certified posting to answer the charge. Failure to do so without reasonable excuse shall render the individual, player or organisation concerned liable to suspension from all CGW activities until a reply has been received.
   4. Once the reply to the charge has been received, the Designated Officer shall liaise with the Chairman of the Case Management Panel to schedule a date for the hearing. At least 25 working days’ notice shall be given of the date, place and time of any hearing.
   5. At least 14 working days before the hearing the Designated Officer will request details of any witnesses and/or evidence that the individual subject to the charge wishes to bring before the Case Management Panel. If such evidence is not furnished to the Designated Officer in not less than ten working days before the hearing they may request that the hearing be adjourned upon such terms (including costs) as the Disciplinary Panel shall determine.
   6. All proceedings of the Disciplinary Panel shall take place in private. The public and press shall have no right of access. The Disciplinary Panel shall not issue any press statement or conduct any press conferences. All press/media announcements in relation to any decision of the Disciplinary Panel shall be approved by CGW Press Officer.
   7. Any individual, member or organisation appearing before the Disciplinary Panel or Appeals Panel shall have the right to be represented by legal representative of their choice and at their own expense or by a person who may speak on their behalf.
   8. When an individual against whom a charge is made is under the age of 16 years when the alleged matter occurred, correspondence will be addressed to their parent or guardian.
   9. If a charge against an individual under 18 years of age results in a hearing, the parents or guardian shall be entitled to be present and make such representations as they think fit on the young person’s behalf. Where possible, bringing a young individual (under 18 years) before a Disciplinary Panel should be avoided. Where this is necessary, specialist child protection advice should always be sought.
   10. At the hearing the Designated Officer, legal representative or independent expert shall present the evidence to the Disciplinary Panel .The applicable standard of proof shall be the civil standard, of the balance of probability.
   11. The individual subject to the charge shall have the right to cross-examine witnesses called by CGW to prove the charge. Where the allegation would amount to a sexual offence for the purpose of the English criminal law then there will be no requirement for CGW to produce the complainant to give evidence unless this can be done in such a way as to minimise the distress caused to him/her and they consent. Even where a complainant is called an individual may only question the complainant where they are represented by a suitably qualified solicitor or barrister. Where they are not so represented, then the Panel will, at their discretion, ask any questions required of the individual charged providing they deem the question relevant to the issues in the case.
   12. Where a complainant has made an allegation that would amount to a sexual offence and it is not considered that the complainant can give evidence in such a way as to minimise the distress caused to them or they will not agree to give evidence, their statement will be read to the Disciplinary Panel and will constitute their evidence. The Disciplinary Panel will have regard to the fact that the complainant has not given evidence in person and that the individual charged has not had the opportunity to cross examine when they retire to consider the evidence and reach their findings of fact.
   13. Once the individual subject to the charge who is denying the offence has completed their case, the Designated Officer, legal representative or independent expert shall make concluding remarks in support of the charge. The individual subject to the charge shall then have the right to make brief concluding remarks or to have such remarks made on their behalf. The Panel shall then retire to consider its verdict.
   14. The Disciplinary Panel shall consider its decision in private. It shall first consider whether or not the charge is proved. If it is so proved, then the Disciplinary Panel shall return to hear the recommendation from the CGW Designated Officer, legal representative or independent expert. The Panel at this stage are not required to provide a written report on its finding the case proven. A written report is only required once the sanctions have been imposed, in accordance with 7.18.
   15. The individual subject to the charge having been found proved against may make or have their legal representative make on their behalf, any mitigation to the Disciplinary Panel. Once the Disciplinary Panel have heard the mitigation they shall then retire to consider sanctions.
   16. Where the individual appearing before the Panel has admitted the offence (but the matter is not deemed suitable for a Summary Procedure), the CGW Designated Officer, Legal representative or independent expert will outline the case and then the individual subject to the charge or their legal representative on their behalf shall make any mitigation to the Disciplinary Panel. Once the mitigation has been given the CGW Designated Officer, Legal Representative or Independent Expert shall then have the opportunity to present to the Disciplinary Panel its recommendations for dealing with the case.
   17. In reaching its decision, there is no requirement that the Disciplinary Panel be unanimous. It is sufficient if a majority of the Disciplinary Panel favour a particular conclusion. No minority opinion or dissenting judgement shall be produced and no indication shall be given by the Disciplinary Panel to any party that its decision was other than unanimous.
   18. The Disciplinary Panel having decided on sanctions shall communicate that decision either at the time of the hearing or within seven days thereafter. In all cases the Disciplinary Panel shall produce a short written decision setting out the reasons for reaching its conclusions. This shall be conveyed to all parties as soon as possible and in all events within seven days of the date of the hearing.
   19. The Disciplinary Panel shall have the power to regulate its own procedure. Without prejudice to the generality of this power it shall have the power:
       * 1. to adjourn the proceedings, whether prior to a scheduled hearing date or during the hearing to allow time for the submission of further evidence or for any other reason;
         2. to ask questions directly of any party or witness to any proceedings before the Panel; and
         3. to admit or exclude evidence on the grounds of relevance or failure to comply with directions.
   20. Without prejudice to the right of the Disciplinary Panel or Appeals Panel to regulate its own procedure, where at any time in the course of any disciplinary proceedings being carried out under CGW there has been a breach of procedure or failure to follow any direction given, this shall not invalidate the proceedings unless such breaches have been such as to seriously and immediately prejudice the position of the individual against who a charge is made.
   21. In the course of any proceedings before the Disciplinary Panel, the Panel shall not be obliged to follow the strict rules of evidence and may admit evidence as it sees fit and accord such evidence such weight as it thinks appropriate in all the circumstances. Where the individual subject matter before the Disciplinary Panel has been the subject of previous finding of guilt in criminal proceedings or any other judicial or quasi-judicial finding that constitute a finding of guilt, the result of such proceedings and the facts and matters upon which such result is based shall be presumed to be correct and the facts presumed to be true. This will also be deemed to be the case where the individual is placed on any statutory list barring, or restricting, the working with children or young persons.
2. **Sanctions**
   1. The decision on the imposition of any sanctions is the Panel’s.
   2. If the Disciplinary Panel or Appeals Panel finds a charge to have been proved it may impose upon the individual, player or organisation concerned one of, or a combination of, the following sanctions:
      * 1. A written warning;
        2. Restriction from competition or from taking part in any capacity in any event sanctioned directly or indirectly by CGW with any persons under the age of 18 years;
        3. Suspension for a specific period of time from competitions or from taking part in any capacity in any event sanctioned directly or indirectly by CGW;
        4. Permanent exclusion from competition or from taking part in any capacity in any event sanctioned directly or indirectly by CGW;
        5. Expulsion, suspension or exclusion from standing for, or holding, any office with CGW either for a temporary period or permanently;
        6. Any additional training as specified by the Panel;
        7. A risk assessment; and
        8. Where the appropriate criteria are met, referral of the case to any statutory list barring, or restricting, the working with children or young persons.
   3. Where the Disciplinary Panel imposes any period of suspension, that period of suspension shall run from the date of the decision, not withstanding that any notice of Appeal if submitted. In imposing or reviewing a suspension the Disciplinary Panel shall take into account the amount of interim suspension and/or suspension served by the individual, member, or organisation in deciding the appropriate period of such further suspension to be imposed.
3. **Appeals Procedure**
   1. An individual, player or organisation found guilty of a charge may submit a Notice of Appeal to the Appeals Panel against the decision of the Disciplinary Panel on the following grounds:
      * 1. that the Disciplinary Panel in its conduct or conclusion misdirected itself ;or
        2. that the Disciplinary Panel reached a perverse conclusion that is, a conclusion that no reasonable Panel having heard the evidence given could have reached in the circumstances; or
        3. that a procedural error was fundamental to the decision reached by the Disciplinary Panel.
   2. The organisation, CGW has a full right of appeal in the same terms as the individual.
   3. The individual who has submitted a Notice of Appeal shall be known as ‘The Appellant,’ and shall have 28 days from the date of decision by the Disciplinary Panel to submit the Notice of Appeal.
   4. Having received the Notice of Appeal, the Chairman of the Appeals Panel shall consider whether there is any need to co-opt any other persons onto the Appeals Panel. They will then select and notify the Appeal Panel members that an appeal has been received. No Appeals Panel member may sit on the Panel where they have any prior involvement with the case or matter or have any material financial or other relevant interest in the outcome of the proceedings. A date shall then be set for the hearing.
   5. The Appeals Panel will consider all of the documents and evidence submitted to the hearing and may request the recall of any witnesses heard before them. The Appeals Panel shall have power to admit new evidence and also adjourn the proceedings for the purpose of taking any new evidence.
   6. In light of the evidence received the Appeals Panel will reach its decision which can be to uphold the initial decision, cancel or make alterations to it, impose a greater sentence or make any variations as it considers appropriate.
   7. The decision by the Appeals Panel is final and shall be deemed to be the decision of CGW.
4. **Appeals Panel**
   1. The Appeals Panel shall be composed under the auspices of either:
      1. the CGW Disciplinary Panel; or
      2. Sport Dispute Resolution Panel (SDRP)
   2. The function of the Appeals Panel is to hear and decide upon appeals submitted to it.
   3. Each Appeals Panel shall consist of three members. The composition of each Panel shall be determined by the Appeals Chairman. The Chairman may, where they think it appropriate sit on the Panel.
   4. In an appropriate case the Chairman, may appoint an external independent legal or other expert to advise, but not sit upon a Panel in an individual case. Such independent adviser shall advise the Appeals Panel but shall not count as part of the Appeals Panel and not be entitled to exercise any decision- making functions with the Appeals Panel.
   5. No Appeals Panel member may sit on the Panel where they have any prior involvement with the case or matter or has any material financial or other relevant interest in the outcome of the proceedings.
   6. At least one member of the Appeals Panel should be external to CGW and ideally have some child protection experience.

**APPENDIX 11**

**DBS Checks for relevant Officials**

Commonwealth Games Wales (CGW) requires that all chaperones and relevant officials should be in receipt of a **valid Enhanced or Enhanced with Barring DBS check (dependent on their role)**.

It is the responsibility of each NGB to ensure your officials have such a valid check in place. CGW’s policy requires the certificate to have been granted within 3 years of the closing ceremony of the Games.

Please complete the table below for all your Chaperones & Officials on your list for the Games:

|  |  |  |  |
| --- | --- | --- | --- |
| **Name** | **Role** | **Certificate Number** | **Date of Check** |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

I certify that the members of staff as listed above have undergone Enhanced Disclosure Barring Service checks and that they are considered suitable for their designated role It is the responsibility of the NGB to risk assess where necessary the suitability of officials.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Name:** |  |  | **Date:** |  |
|  |  |  |  |  |
| **Sport:** |  |  | **Role:** |  |
|  |  |  |  |  |
| **Signature:** |  | |  |  |

Please return this form to Anna Stembridge.

Anna Stembridge

CGW, c/o 7 Forest Grove, Treforest Campus, USW Pontypridd, CF37 1UB.

[Anna.Stembridge@teamwales.cymru](mailto:Anna.Stembridge@teamwales.cymru)