

# A Guide to Dealing with Allegations Made Against a BTBA Employee or Volunteer (What to do if You Have Child Protection Concerns)



This procedure applies to any paid member of staff or volunteer who may be concerned about the safety and protection of a child. This guide should be read in conjunction with the Safeguarding and Child Protection Policy, the Anti-Bullying Policy, the Complaints Policy and the Whistleblowing Policy. Readers can also refer to the Guide to Identifying Incidents, Abuse and Bullying.

## 1. Aims and purpose of procedure:

- To ensure that children who receive the services of the BTBA and any other children who may come to the attention of the BTBA are protected and supported following an allegation that they may have been abused by a volunteer or employee involved with the BTBA
- To ensure that there is a fair, consistent and robust response to any allegations of this nature so that the risk posed to other children by the child/young person in question is managed effectively
- To facilitate an appropriate level of investigation into allegations, whether they relate to recent alleged activity, said to have taken place during the time that the volunteer or employee in question has been involved with the BTBA or whether they relate to abuse which allegedly took place prior to the volunteer's or employee's involvement with the BTBA
- To ensure that the BTBA continues to fulfil its responsibilities towards children and young people who may be subject to such investigations and are in need of support
- To ensure that there is an appropriate response in situations where allegations are unfounded or deemed to be malicious in origin.

The purpose of the procedure is to provide a clear direction to staff that are called upon to deal with such allegations and to manage investigations and care plans which may result from them.

## 2. This procedure applies to:

- Any member of staff, volunteer or trustee to whom an allegation of abuse has been made which suggests that another child or young person is responsible
- Anyone in a managerial position, including the named person for child protection, line managers and supervisors, who may be required to deal with such allegations and manage investigations and care plans that result from them.

## 3. Ways that allegations might be made against a person involved with the BTBA

Ways that allegations might be made against an adult working for or involved with the BTBA include:

- A child or parent carer making a direct allegation against a member of staff or Licensed Official or Helper
- A child or parent/carer expressing discomfort with the behaviour of a member of staff or Licensed Official or Helper that falls short of a specific allegation
- Another member of staff or volunteer directly observing behaviour that is a cause for concern
- The BTBA being informed by the police or another statutory authority that a member of staff, volunteer or Licensed Official or Helper is the subject of an investigation

- Information emerging from the renewal of a CRB check that suggests that a member of staff, volunteer or Licensed Official or Helper may have committed an offence or been involved in an activity that could compromise the safety of the children they work with at the BTBA.
- a staff member, Licensed Official or Helper telling the organisation that they have been the subject of allegations, have actually harmed a child, or committed an offence against (or related to) a child.

#### 4. What to do if you have child protection concerns

##### **What should I say to a child who says that he/she or another child is being abused by an employee or volunteer?**

- Reassure the child that telling someone about it was the right thing to do.
- Tell him/her that you now have to do what you can to keep him/her (or the child who is the subject of the allegation) safe.
- Let the child know what you are going to do next and who else needs to know about it.
- Let the child tell his or her whole story. Don't try to investigate or quiz the child, but make sure that you are clear as to what he/she is saying.
- Ask the child what he/she would like to happen as a result of what he/she has said, but don't make or infer promises you can't keep.
- Give the child the ChildLine phone number, or another helpful number from a selection featured at the end of this document

##### **Helping a child in immediate danger or in need of emergency medical attention**

- If the child is in immediate danger and is with you, remain with him/her and call the police.
- If the child is elsewhere, contact the police and explain the situation to them.
- If he/she needs emergency medical attention, call an ambulance and, while you are waiting for it to arrive, get help from your first aider.
- If the first aider is not available, use any first aid knowledge that you may have yourself to help the child.
- You also need to contact a National Bowling council member or named person for child protection to let them know what is happening.

The member of staff or manager should also inform the child's family if the child is in need of emergency medical attention and arrange to meet them at the hospital or medical centre. The parents/carers should be informed that an incident has occurred, that the child has been injured and that immediate steps have been taken to get help. A decision will need to be made about who should inform the local authority children's social care department, and when they should be informed. If you have involved the police and/or the health services, they should be part of this decision. Consider the welfare of the child in your decision making as the highest priority.

Issues that will need to be taken into account are:

- The child's wishes and feelings
- The parent's right to know (unless this would place the child or someone else in danger, or would interfere with a criminal investigation)
- The impact of telling or not telling the parent
- The current assessment of the risk to the child and the source of that risk
- Any risk management plans that currently exist.

### **Is the person at the center of the allegation working with children now?**

If this is the case, the concern needs to be discussed immediately with BTBA Head Office and the named person for child protection. One of these (either the BTBA Head Office or named person) should then, in a sensitive manner, remove the member involved in the allegation from direct contact with children.

It should then be explained to the person, in private, that there has been a complaint made against him/her, although the details of the complaint should not be given at this stage. The person should be informed that further information will be provided as soon as possible but that, until consultation has taken place with the relevant agencies and within the organisation, they should not be working with children. It may be best, under the circumstances, for the person to return home on the understanding that BTBA Head Office or named person will telephone him/her within 1 working day. The information provided to him/her at this stage will need to be very limited. This is because discussions need to take place first with other agencies who may need to be involved, such as the local authority children's social care department, the police or the local authority designated officer (LADO).

If the person is a member of a relevant organisation, he/she should be advised to make contact with that body. Arrangements should also be made for the member of staff or volunteer to receive ongoing support in line with the responsibilities the organisation has towards his or her welfare.

## **5. Conducting an Investigation**

Once any urgent necessary steps have been taken, attention can be given to dealing with the full implications of the allegations.

There are up to three possible lines of enquiry when an allegation is made:

- A police investigation of a possible criminal offence
- Enquiries and an assessment by the local authority children's social care department about whether a child is in need of protection
- Investigation by the BTBA National Governing Body and possible disciplinary action being taken against the person in question. This includes implementing a plan to manage any risk posed by the individual to children and young people until the outcome of the other investigations and enquiries is known.

## **6. Reporting and Recording**

- 6.1 Reporting incidents should be made in conjunction with the BTBA Complaints and Disciplinary Procedures and Policies
- 6.2 Reporting of incidents must be made in writing either by an Incident Reporting Form, letter or email
- 6.3 Reports of incidents can be made directly to the NAYBC designated Child Protection Officer or the BTBA Executive Committee

If the allegation is made by a child or family member to a BTBA member, or if a member observes concerning behaviour by a colleague at first hand, this should be reported immediately to a BTBA National Council Member supervisor/manager and the named person for child protection; BTBA Child Protection Officer on handling the allegation.

If a member has received an allegation or observed something of concern about a BTBA National Council Member, the member should report the allegation or concern to BTBA Head Office.

If the person who is the subject of the concern is a named person for child protection, the matter should be reported to the chair of the BTBA.

## 7. When to involve a Local Authority Designated Officer (LADO)

The named person should report the allegation to the local authority designated officer (LADO) within one working day if the alleged behaviour suggests that the person in question:

- May have behaved in a way that has harmed or may have harmed a child
- Has possibly committed a criminal offence against or related to a child
- Has behaved towards a child in a way that suggests that he/she may be unsuitable to work with children.

This should also happen if the individual has volunteered the information him/herself.

The LADO may be told of the allegation from another source. If this is the case, then the first information received by the BTBA maybe when the LADO makes contact in order to explain the situation.

Whoever initiates the contact, there will be discussion between the LADO and the BTBA named person to share information about the nature and circumstances of the allegation, and to consider whether there is any evidence to suggest that it may be false or unfounded.

If there is any reason to suspect that a child has suffered, or be likely to suffer, significant harm and there are no obvious indications that the allegation is false, the LADO, in cooperation with the BTBA, will make an immediate referral to the local authority children's social care department to ask for a strategy discussion.

The LADO and named person will take part in the strategy discussion. The named person and any other representative from the BTBA should cooperate fully with this and any subsequent discussion with the children's social care department.

It should be asked from the outset that the children's social care department shares any information obtained during the course of their enquiries with the BTBA if it has any relevance to the person's employment

## 8. Dealing with a Criminal Offence

If there is reason to suspect that a criminal offence may have been committed (whether or not the threshold of 'significant harm' is reached), the LADO will contact the police and involve them in a similar strategy discussion, which will include the named person for child protection.

The named person and any other representative from the BTBA should cooperate fully with any discussion involving the police and should ask for similar cooperation from the police in terms of the sharing of information relevant to the person's employment.

Discussions with the police should also explore whether there are matters that can be acted on in a disciplinary process while the criminal investigation takes place, or whether disciplinary action must wait until the criminal process is completed.

## 9. Talking to the person who is the subject of the allegation

The person at the centre of the allegation should be informed as soon as possible after the initial consultation with the LADO. However, if a strategy discussion with children's social care or the police are needed; this might have to take place before the person concerned can be spoken to in full. The police and children's social care department may have views on what information can be disclosed to the person.

Only limited information should be given to the person in question, unless the investigating authorities have indicated that they are happy for all information to be disclosed or unless there is no need for involvement from these statutory agencies.

The named person will need to keep in close communication with the LADO and the other agencies involved in order to manage the disclosure of information appropriately.

## 10. Taking disciplinary action

If the initial allegation does not involve a possible criminal offence, the named person and person appointed by BTBA head office at the centre of the allegation should still consider whether formal disciplinary action is needed.

If the local authority children's social care department has undertaken any enquiries to determine whether a child or children are in need of protection, the named person should take account of any relevant information from these enquiries when considering whether disciplinary action should be brought against the person at the centre of the allegations.

Disciplinary timings should coincide with structures outlined in the Disciplinary Policy.

If a criminal investigation is required, it may not have been possible to make decisions about initiating disciplinary proceedings or about the person's future work arrangements until this is concluded. The police are required to complete their work as soon as reasonably possible and to set review dates, so the named person should either liaise with the police directly or via the LADO to check on the progress of the investigation and criminal process.

The police are also required to inform the BTBA straight away if the person is either convicted of an offence or acquitted or, alternatively, if a decision is made not to charge him/her with an offence or to administer a caution. In any eventuality, once the outcome is known, the named person should contact the LADO to discuss the issue of disciplinary proceedings.

If the allegation is substantiated and if, once the case is concluded, the BTBA dismisses the person or ceases to use their services, or the person ceases to provide his/her services, the named person should consult with the LADO about referral of the incident to the Independent Safeguarding Authority (ISA). This should take place within a month.

## 11. Managing risk and supporting the person at the centre of the allegation

The first priority of the BTBA must always be the safety and welfare of children and young people. However, as an employee or volunteer, the person who is the subject of the allegation has a right to be treated in a fair, sensitive and non-judgmental manner and to have his or her privacy respected as far as this ensures the safety of the child and other children.

Information about the allegation must only be shared on a need to know basis with those directly responsible for supervising and managing the staff member or volunteer. Any other information (for example, explanations to other staff members as to why the person is not at work or working to different arrangements) should be agreed and negotiated with the individual concerned.

If the person is a member of a relevant organisation, he/she should be advised to make contact with that body as soon as possible after being informed that he/she is the subject of an allegation. Arrangements should also be made for him/her to receive ongoing support and information about the progress of the investigation.

The possible risk of harm to children and young people presented by the person who is the subject of an allegation needs to be carefully managed both during and after any conclusion to the investigation processes following the allegation. This means that the BTBA may need to consider suspending the person if there is cause to suspect that a child may be at risk of significant harm, or if the allegation is serious enough to warrant investigation by the police, or if it is so serious that it could lead to dismissal. However, a decision to suspend should not be taken automatically, as there may be other ways of managing any risk presented by the person.

The situation should be discussed fully between the named person, the individual's manager/supervisor and the LADO, who will seek the views of the police and the children's social care department on the question of possible suspension. The conclusions of the discussion should also be carefully documented. Grounds for suspension should be clearly set out if this is the conclusion. If suspension is not the conclusion, then a clear plan should be made as to how any possible risk posed by the individual is to be managed. This could involve, for example, changes to the person's duties so that they do not have direct contact with children, and/or increased levels of supervision.

If it is decided, once the case has been concluded, that a person who has been suspended has suffered stress induced by the allegation, is able to return to duty, the named person and the appointed supervisor of the person who has been the subject of the allegations should consider how best to support the

individual in this process. A plan to facilitate a return should be drawn up in consultation with the individual him/herself and should take into account the need to manage any remaining child protection risks and also to support the person concerned after what will have been and will remain a very difficult experience.

If the decision is that the person cannot return and has to be expelled or chooses to leave, the named person and the LADO should discuss the need for the matter to be referred to the Independent Safeguarding Authority (ISA) and/or to any professional body to which the person may belong. The BTBA does not enter into agreements with individuals who leave following the

conclusion of investigations into allegations made against them and will always comply with its statutory obligations to share information about the individual in the interests of protecting children and young people.

If the allegation is found to be without substance or fabricated, the BTBA will consider referring the child in question to the children's social care department for them to assess whether he/she is in need of services or whether he/she may have been abused by someone else. If it is felt that there has been malicious intent behind the allegation, the BTBA will discuss with the police whether there are grounds to pursue any action against the person responsible.

## 12. Keeping a record of the investigation

All those involved in dealing with the allegation should keep clear notes of the allegations made, how they were followed up, and any actions and decisions taken, together with the reasons for these.

These notes should be compiled gradually as the situation unfolds, with each entry being made as soon as possible after the event it describes. The notes should be signed and dated by the person making them, and the person's name should be printed alongside.

The notes should be kept confidentially on the file of the person who is the subject of the allegation. Discussion should take place with the LADO to determine whether any aspects of the notes may not be shared with the person concerned. If there are no reasons not to do so, a copy of the records should be given to the individual.

The notes should be held on file for a 10-year period, whether or not the person remains with the BTBA for this period.

## 13. Monitoring

13.1 This guide will be reviewed a year after development and then every year after, or in the following circumstances:

- Changes in legislation and/or government guidance
- As required by the Local Safeguarding Children Board, UK Sport and/or Home Country Sports Councils and BTBA
- As a result of any other significant change or event.

## 14. Useful contacts

- NSPCC Helpline 0808 800 5000
- Childline 0800 1111 / [www.childline.org.uk](http://www.childline.org.uk)
- Kidscape [www.kidscape.org.uk](http://www.kidscape.org.uk)
- Anti-Bullying Alliance [www.antibullyingalliance.org](http://www.antibullyingalliance.org)

Adapted from the template provided by the NSPCC Child Protection in Sport Unit (CPSU) Added acknowledgement should be made to Safe Network with help in formulating these procedures