



Dive Ability Limited

**Registered with the Charity Commission of
England and Wales (Registered Charity No.
1143653)**

**SAFEGUARDING POLICY FOR CHILDREN
AND VULNERABLE ADULTS IN
SNORKELLING AND SCUBA DIVING**

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Introduction

This Policy complies with the NSPCC "Child Protection in Sport Unit Standards for Safeguarding and Protecting Children in Sport" ("CPSU"), to promote good practice and acceptable behaviour throughout sport.

As defined in the Children Act 1989, anyone under the age of 18 years should be considered as a child for the purposes of this Policy ("Child"). The terms "children, young persons and juvenile" and "child" will be used interchangeably in the text to refer to those under 18 years of age.

As defined in the Care Standards Act 2000 a Vulnerable Adult is a person aged 18 or over and has a condition of the type (i) a learning or physical disability, (ii) a physical or mental illness, chronic or otherwise, including an addiction to alcohol or drugs; or (iii) a reduction in physical or mental capacity ("Vulnerable Adult").

For the purposes of this document the term "vulnerable person" will be used in the text to include people under the age of 18 and vulnerable adults.

In this document "Charity" will be used to refer to Dive Ability Limited, a Charity registered in England under No. 1143659. Dive Ability Limited will throughout this document be referred to as "Dive Ability".

Dive Ability is committed to promoting the safeguarding of vulnerable persons in all snorkelling and scuba diving activities and in events that encourage others to take part in the sport and to expressing their views about matters which affect them.

Every member of Dive Ability should have the safety and security of other members and other people paramount in their actions and deeds.

We have an additional responsibility to ensure that our sport is fair for all, and that it continues to be fun. It is essential that all members are aware of our rules, recommendations and Safe Diving practices. It is the responsibility of all adult members to ensure that vulnerable persons come to no harm or put themselves at higher risk. They may not be fully aware of all the risks they face or other deeds or actions that may cause them harm or upset.

All members of Dive Ability share a responsibility for children and vulnerable persons.

Policy and Guidelines

This Safeguarding Policy is the primary source of advice and guidance for all matters of child and vulnerable adult protection for Dive Ability.

The designated Safeguarding Officer should ensure they are fully familiar with the guidelines and hold an up to date copy (which can be accessed from the Website).

Policy Review

This Policy and its accompanying appendices will be reviewed once a year or as a result of any changes in guidance, needs, procedure, legislation or child protection as may be amended in whole or in part from time to time.

Distribution

This policy is available for distribution to all Dive Ability members, instructors and volunteers in any one or more of the following:

- Website
- New Volunteer pack/induction
- At all Dive Ability pool sessions
- Via a written request

All instructors and volunteers who have contact with vulnerable persons are required to comply with this policy without exception.

Responsibility

The Trustees of Dive Ability have the ultimate responsibility for the Charity and protection of the beneficiaries of the Charity.

Each and every member, Trustee, Council member and volunteer have a responsibility to ensure the safeguarding of all persons within Dive Ability, whether taking part in snorkelling and / or scuba diving. It is the responsibility of Dive Ability as an organisation to lead the strategic planning for safeguarding.

Awareness

We should ensure that children and vulnerable persons are aware of their rights and that they have a means to report any concerns they may have. If a culture of a safe environment is created within Dive Ability then a child or vulnerable person is more likely to talk to another person if they are feeling uncomfortable about a situation.

Good Practice Guidelines

The very nature of the instructor/student relationship is one of power and influence. This should never be abused and is particularly true where children and vulnerable persons are being taught or supervised.

The attached appendices provide guidance and policy on best practice, and the relevant sections should be read and complied with by all appropriate persons.

Training

The Safeguarding Officer and those in managerial positions including but not limited to all Council members and Trustees must receive Safeguarding training and awareness. All Instructors and volunteers who have significant contact with children and vulnerable persons must undergo an enhanced CRB (Criminal Records Bureau) check.

Procedures for recruiting and induction of new Instructors and volunteers are set out in Appendix 7.

Instructors who are not directly members of the Charity, are subject to the same requirements as above. If such an instructor is training or diving, with access to vulnerable persons, it is the Charity's responsibility to check that he or she has met with the Safeguarding requirements as set out above and in the appendices. Training/diving/coaching should **not** proceed until they have read and understood the Safeguarding policy and completed the self declaration have been confirmed. All actions in this respect will be recorded. The data will be stored and processed by Dive Ability as understood by the Data Protection Act 1998. Dive Ability Limited is the Data Controller and Data Processor. Dive Ability Limited confirms that data shall be processed fairly and lawfully and only as required to fulfil the Charity objectives. All relevant consents will be sought as part of the recruiting and induction process.

Abuse

Abuse is defined as any harm caused to a vulnerable person. There are four main types of abuse.

1. Physical abuse
2. Sexual abuse
3. Emotional abuse
4. Neglect

Appendix 8 sets out the types and the common signs of abuse.

Dive Ability further acknowledges the well documented higher risk of abuse that is faced by deaf and disabled children. Dive Ability has in placed procedures to ensure that deaf and disabled children are afforded the greatest protection possible against abuse whilst engaging in activities with Dive Ability.

Managing Reports of Abuse

Dive Ability assures all members and beneficiaries of the Charity that it will fully support anyone who, in good faith, reports their concerns about abuse which may be occurring.

However, it should be noted that not all complaints of abuse are genuine. Unfounded complaints can be made due to:

- a) A misinterpretation of actions OR
- b) A means of retribution against another person.

All vulnerable persons should be made aware that **Abuse Is Never Their Choice AND Never Their Fault.**

Abuse creates many confusing feelings and emotions, including feeling frightened, alone, confused, angry, unloved, guilty or ashamed. Often the victim may not realise that what is making him or her feel so bad is abuse. Or he or she may know that it is abuse and know that it is wrong, but feel that somehow it is their fault.

It is very important to remember that the abuse is not the victims' choice and is not their fault, and they must be made aware of this fact. They should be encouraged to tell someone and not to keep it to themselves.

See Appendices 9 to 17 for advice and procedures on managing reports of abuse.

Dive Ability will on all good faith reports refer the matter to the Independent Safeguarding Authority, police and local authority without delay.

Information Sharing and confidentiality

Under current legislation, child abuse information is routinely shared between Police and Children's Social Care agencies in order to prevent and detect crime of this nature. However it should be noted that the protection of the child or vulnerable person is of paramount importance and takes priority.

Recording

The Charity will keep a record of all self-declarations and CRB checks that have been undertaken. These will be available for confirmation by parents/guardians when requested. All personal data held including the CRB report will be held by Dive Ability in accordance with its obligations under the Data Protection Act 1998.

Support to Individuals Concerned

Safeguarding can be a highly emotive issue. Consequently it is essential that the designated Safeguarding Officer have ready access to appropriate specialist advice, support and guidance. This support is available from different points of contact and the Charity maintains lists of up to date contacts being local contacts including police, social services etc. for use in emergencies as a source of help, support and guidance and national contacts for relevant authorities (e.g. NSPCC) including out-of-hours services. Appendix 19.

The Trustees fully support all actions that are necessary to be taken by the Dive Ability Safe Guarding Officer.

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APPENDIX 1 - Good Practice Guidelines

The Charity will always follow “best practice” guidelines and by doing so will avoid any allegations of poor practice and ensure the safety of all participants. The following is a non-exhaustive list of good practice guidelines, which will be amended from time to time:

- 1) The Charity will publicise whenever appropriate a statement showing the commitment to child/vulnerable adult safety and safeguarding.
- 2) Implement a policy of best practice procedures
- 3) Publicise a statement of zero tolerance of bullying
- 4) Establish procedures through which all complaints or concerns can be voiced and dealt with confidentially.
- 5) Keep an accident book and record all injuries however slight, with details of any treatment given
- 6) Obtain written consent from the parent/guardian for any young person to participate in the sports.
- 8) Obtain permission from parents to administer first aid treatment in the event of an accident.
- 9) Be aware of any medical conditions which may affect a junior or disabled diver and any medication they require. This information will be collected as part of the pre try dive /course commencement process which includes completion of relevant PADI/IAHD medical forms, supporting documentation as may be required.
- 10) Advise parents/guardians/carers that they should be responsible for the care of their own child/charge whilst that individual is at the dive or training site. Under no circumstances should the Diving Officer or any other individual on behalf of Dive Ability accept responsibility for the care of children other than when the children are diving.
- 11) Where there are only two adults who have taken the responsibility for supervising junior divers, who themselves wish to dive during the same session, only one should dive at any one time. However, it is recommended that there are two adults fully available for supervising at all times.
- 12) The ratio of juniors to supervising adults shall never exceed one to one. In the instance where a parent/guardian supervises their child, the responsibility for the care of that child remains with the parent/guardian.
- 13) Ensure at least two adults arrive for a session ahead of time to avoid children being left alone. Likewise do not depart until the last child has been collected.
- 14) A parent/guardian should always accompany their children if they are under the age of 10 years. Any parent/guardian who brings along children 10 years of age or under, who are not their own children, must be made aware that those children remain in their care.
- 15) The Charity will ensure that a designated member is aware of arrangements for the arrival and departure of junior members. In the event of an emergency or delay in collecting their child, the Charity will ensure parents/guardians provide the Charity with emergency contact details.
- 16) The Charity will advise parents/guardians that all Dive Ability volunteers present at Dive Ability events have been subject to a screening and self declaration process. All volunteers and instructors with significant contact with children will hold a valid enhanced CRB clean certificate.
- 17) Copies of the Safeguarding policy and guidelines must be available at all Dive Ability events in addition to being available on the web site.
- 18) Operate an "open door" environment; such that all members feel able to be able to talk to the Trustees and Council members.
- 19) Offer support to those who report concerns regarding suspicions of abuse or poor practice.
- 20) The Charity will, annually, designate a person to deal with safeguarding issues (the Safeguarding Officer) who will ensure that anyone with significant contact with children and vulnerable adults give their consent to having a criminal record check.
- 21) Conduct a new volunteer and instructor induction and where significant contact will be undertaken to not permit contact until a valid enhanced CRB clean certificate is received.
- 22) Dive Ability confirms that any data will not be passed onto any third parties and that data processing will be only be used in furtherance of its charitable objects. You have the right to request that your personal details are removed. Dive Ability is the Data Controller and Data Processor. Dive

Ability confirms that data shall be processed fairly and lawfully and only as required to fulfil the Charity objectives.

APPENDIX 2 - Behavioural Standards for Children

- 1) We treat each other with respect and dignity at all times
- 2) We respect others with different views. We don't dismiss them or expect them to change
- 3) We never use bad language or words that may offend others
- 4) We try not to cause offence to others
- 5) We try to help people less able than ourselves at all times
- 6) We want to be treated properly as children, not expected to be adults
- 7) We don't tell lies about our skills or how we do in our diving courses.

APPENDIX 3 - Code of Practice for Parents and Carers

- 1) Encourage your child to learn professionally recognized safe diving practice as taught using PADI and or IAHD standards
- 2) Discourage arguing with Charity instructors and designated officers
- 3) Help your child to recognise progressive training and skills, not just results
- 4) Never force your child to take part in scuba and snorkelling activities
- 5) Publicly accept judgements of instructors and charity officials
- 6) Support your child's involvement and help them to enjoy their sport.

It is the responsibility of parents/guardians to bring children on time and pick them up promptly. No child under 18 years old must be left unsupervised. Vulnerable Persons including deaf and disabled children persons over 18 years must where assistance and or reliance on a third party is required to undress, dress, shower and use the toilet or other needs of a personal nature must be accompanied by their personal assistant or guardian.

It may sometimes be necessary for volunteers, members and instructors from Dive Ability to do things of a personal nature for children and vulnerable persons. These tasks should only be carried out with the full understanding and consent of parents, guardians and the person 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 any dressing or undressing of outer clothing, or where there is physical contact, lifting or assisting a vulnerable person to carry out particular activities. Avoid taking on the responsibility for tasks for which you are not appropriately trained. Wherever possible ensure that you are accompanied by at least one other Dive Ability volunteer, members or instructor assuming delay would cause unnecessary embarrassment or suffering.

APPENDIX 4 - Transporting Of Children

Under the current structure of training and coaching undertaken by the Charity and indeed incorporated into the Business Plan of the Charity for the foreseeable future, the Trustees cannot envisage any situation whereby members of the Charity might be expected to be involved in the transporting of children and vulnerable persons.

For this reason alone, the Trustees give no authority, express or implied, for any member to transport any child except their own in the course of Charity functions.

As stated elsewhere, best practice is to avoid potential problems and thus members are activity discouraged from transporting other children even with parental consent. Under no circumstances must a child or vulnerable adult be permitted to travel alone in a vehicle driven by any Dive Ability, member, instructor or volunteer.

This policy will remain under review and will be amended to provide greater guidance should the aims and function of the Charity change with the passage of time.

APPENDIX 5 - Practices to be avoided

The following should be avoided except in emergencies. If cases arise where these situations are unavoidable, they should only occur with the full knowledge and consent of the child's parents/guardians or someone in charge in the charity. For example, a child sustains an injury and needs to go to hospital, or a parent fails to arrive to pick up a child up at the end of session.

- Avoid being alone with children and remain in sight of others
- Inform other people of your actions and
- Never take children alone on car journeys, unless in an emergency and then consult the parents first
- Never take children to your home where they will be alone with you.

Practice never to be sanctioned

The following should never be sanctioned. You should never:

- Strike a child
- Engage in rough, physical or sexually provocative games
- Share a room with a child
- Allow or engage in any form of inappropriate touching
- Use profane, insulting, harassing or otherwise offensive language
- Allow children to use inappropriate language unchallenged
- Make sexually suggestive comments to a child, even in fun
- Reduce a child to tears as a form of control
- Allow allegations made by a child to go unchallenged, unrecorded or not acted upon.
- Do things of a personal nature for children or vulnerable adults that they can do for themselves
- Intrude into the private life of a child
- Invite or allow children to stay with you at your home unsupervised
- Spend an excessive amount of time alone with one junior member.

APPENDIX 6 - The Charity Safeguarding Officer Role and Responsibilities

The Dive Ability Safeguarding Officer has the main responsibility for promoting an environment for safe access to an enjoyment of the sport and at the same time managing child and vulnerable adult protection issues.

The role and responsibilities of the Charity Safeguarding Officer are detailed below. Specific responsibilities in relation to allegations against members are detailed later in this policy.

The Charity Safeguarding Officer will:

- Implement and promote this Safeguarding Policy and procedures, as amended
- Report cases, concerns and action taken to the Trustees of Dive Ability Ltd
- Seek advice from NSPCC Helpline if appropriate
- Regularly report to the Trustees & Council on compliance, whilst maintaining confidentiality
- Act as the main contact within the Charity for information relating to the protection of children and vulnerable adults
- Provide information and advice to Charity the and its members on the protection of children and vulnerable adults
- Promote good practice and support of procedures to protect children and vulnerable adults within the Charity
- Communicate with members on issues of child and vulnerable adult protection
- Keep abreast of developments and understand the latest information on data protection, confidentiality and other legal issues that impact on the protection of children and vulnerable adults
- Follow the Procedures and Guidelines detailed in this document in cases of incidents and maintain confidential records of reported cases and action taken and liaise with the statutory agencies to ensure they have access to all necessary information
- Attend training on the protection of children and vulnerable adults.
- Maintain and keep up to date a list of relevant local contact details for support agencies
- Identify any training needs for Charity members and where appropriate organise such training
- Monitor and review the Safeguarding Policy and Procedures within the review policy set out above:
- Have an understanding of the issues affecting children and vulnerable adults and the sensitive way in which they must be managed
- Be able to communicate the implications of protecting children and vulnerable adults to all members
- Be able to communicate with children and vulnerable adults
- Have an understanding and appreciation of the need to respect confidentiality
- Be able to follow procedures and recognise when to seek advice and not rely solely on their own judgement
- Be willing to challenge members who do not comply with this Safeguarding of Vulnerable People Policy.

Training requirements:

- Familiarise themselves with this Safeguarding of the Vulnerable Policy and Procedures
- Attend training provided by relevant organizations to keep upto date with best practices and procedures

APPENDIX 7 - Procedure for the recruitment of Members/Volunteers

The following procedures should be followed when recruiting new volunteers who will become involved on a regular basis with working, training, diving or interacting with vulnerable persons.

Any new adult member or helper who will be significantly involved with vulnerable persons as a volunteer must complete an application form. Any role, which involves being in contact with children, means exemption from the provisions of the Rehabilitation of Offenders Act 1974. Therefore all convictions, however old, must be declared, including "spent" convictions.

Obtain the volunteer's consent to criminal record checks being made with the appropriate agency.

1. Obtain the necessary application form relevant for the area in which the person resides or has recently resided i.e. England and Wales (CRB), Scotland (Disclosure Scotland), Northern Ireland (PECS)
2. Ensure that the volunteer is made fully aware of their duties and responsibilities. Ensure that they understand and agree to comply with this Safeguarding Policy by obtaining written confirmation that they have read and understand the terms.
3. Complete a Self Declaration for all new persons, even any who do not qualify for an enhanced CRB check.
4. The CRB check, if required should be renewed every three years.
5. Register with the Independent Safeguarding Authority as required under the Safeguarding Vulnerable Groups Act 2006.

The CRB and NSPCC definition of a volunteer is as follows:

A person who performs any activity which involves spending time, unpaid (except for traveling and other approved out of pocket expenses), doing something which aims to benefit someone (individual or groups) other than or in addition to close relatives. If a person receives a tax declarable payment for their services they cannot be classed as a volunteer. The reimbursement of normal out of pocket expenses would not be considered as payment and acceptable for the purposes of the volunteer definition. If a person is usually "employed" as a volunteer but receives a single payment for a specific activity undertaken separate to the voluntary work this would not affect their volunteer status.

CRB Checking Procedure

1. CRB enhanced checks are submitted via Dive Ability counter signing agency
2. The Safeguarding Officer will evidence the members of the Charity who complete the CRB form by means of identification as stipulated by CRB guidelines as assisted by the CRS manager who submits the applications.
3. You must provide a copy and original of 3 forms of identification being either passport or drivers plus AND a fixed utility bill not older than 3 months AND a bank or credit card statement not older than three months. You can talk to the Safeguarding Officer and CRB Manager if you need to identify alternative methods of identification.
4. Please advise if you are happy to pay the £20.40 for your CRB check
5. No forms are sent to the Charity
6. Where there are no positive convictions on the form, a standard letter is issued to the Charity contact to inform them that the CRB check has been completed successfully
7. *Where there are positive convictions on the form a letter will be sent directly to the person who completed the CRB form. This letter asks the applicant to verify that the conviction listed on the CRB form is correct*
8. *It is the responsibility of the CRB applicant to provide the verified report to Criminal Records Services Limited as soon as possible. Failure to do so will result in a failed check and you will be unable to participate in Dive Ability activities.*

APPENDIX 8 - Forms of abuse and the signs

- Physical abuse: includes being hit, kicked, shaken or punched, or given harmful drugs or alcohol
- Emotional abuse: includes frequently being called names, being threatened or made to feel belittled. Sexual abuse: includes being touched by an adult or young person in a way the subject does not like, being forced to have sex, or being made to look at sexual pictures or videos. For children and vulnerable adults, it includes a person helping them to use the toilet touching them more than is needed.
- Neglect: is when a child is not looked after properly, including having no place to stay, or not enough food to eat, or clothes to keep them warm. It also includes the child is not being given medical care or medication when they need it. For some disabled children, it could include their carer taking away the things they needed for everyday life – like their wheelchair or communication board - or not helping a disabled child who needs help using the toilet.
- Bullying and domestic violence are also forms of abuse. Bullying includes hitting or threatening a child with violence, taking their things, calling them names or insulting them, making them do things they do not want to do, and deliberately humiliating or ignoring them.

A vulnerable person may be experiencing abuse if he or she:

- Is frequently dirty, hungry or inadequately dressed
- Is left in unsafe situations or without medical attention
- Is constantly "put down", insulted, sworn at or humiliated
- Seems afraid of parents or carers
- Is severely bruised or injured
- Displays sexual behaviour which does not seem appropriate for their age
- Is growing up in a home where there is domestic violence
- Is living with parents or carers involved in serious drug or alcohol abuse
- Significant changes in behaviour.

This list does not cover every child abuse possibility. Other things in a child's behaviour or circumstances may indicate a potential issue.

Abuse is always wrong and it is never the victim's fault.

Any individual who is concerned about the safeguarding of a child **MUST ACT!** It should not be assumed that somebody else will - it may be too late.

Appendix 9 Whistle Blowing

1. This guidance is written for any person working for or representing the Charity who is working with children, young people and vulnerable adults working in a range of circumstances and should be read in conjunction with all of this Policy

2. Members, instructors and volunteers of Dive Ability must accept and be aware of their individual responsibilities to bring matters of concern to the attention of a responsible person and/or of relevant agencies. Although this can be difficult this is particularly important where the welfare of children may be at risk

3. You may be the first to recognise that something is wrong but may not feel able to express your concerns out of a feeling that this would be disloyal to colleagues or you may fear harassment or victimisation; these feelings, however natural, must never result in a child, young person or vulnerable adult continuing to be at risk. Remember it is often the most vulnerable persons who are targeted. These people need someone like you to safeguard their welfare. Don't think "what if I'm wrong - think what if I'm right"

4. Reasons for whistle blowing

- Every individual has a responsibility for raising concerns about unacceptable practice or behaviour
- To prevent the problem worsening
- To protect or reduce risks to others
- To prevent becoming implicated yourself

5. What stops people from whistle blowing

- Fear of getting it wrong
- Fear of not being believed
- Disrupting the work or project
- Fear of repercussions

6. What happens next?

- You will be given information on the nature and progress of any enquiries
- Your Diving Officer, Safeguarding Officer and Council have a responsibility to protect you from harassment or victimisation
- No action will be taken against you if the concern proves to be unfounded and was raised in good faith

7. Self-reporting.

There may be occasions when a member has a personal difficulty, maybe a physical or mental problem, which they know to be impinging on their professional competence. Other members or staffs also have a responsibility to discuss such a situation with their Safeguarding Officer so professional and personal support can be offered to the member concerned. Confidentiality cannot be guaranteed where personal difficulties raise concerns about the welfare of safety of children, young people and vulnerable adults

APPENDIX 10 - If a Person Reports Abuse to You?

If someone discloses that they are being abused whether in the home or in the charity environment, then upon receiving the information you should react calmly.

If the person is a child then:

- Reassure the child that they were right to tell someone, that they are not to blame
- Take what the child says seriously
- Keep questions to an absolute minimum to ensure a clear and accurate understanding of what has been said and do not ask about explicit details
- Reassure but do not promise confidentiality, which might not be feasible in the light of subsequent developments
- Make a full and written record of what has been said/heard as soon as possible and do not delay in passing on the information.

What Should You Do Next?

It is not your responsibility to decide whether or not abuse has taken place, however you should pass on the information to an appropriate authority. The Charity Safeguarding Officer is available for advice and assistance.

You should notify the Safeguarding Officer **immediately**.

Ensure that all of the information has been documented and there is an Incident Report Form attached to this document to help you to remember all of the important points of information you may be asked about at a later time. Severe and obvious cases of abuse should be reported directly to the local Children's Social Care Department in respect of adults or to children's social care in the case of children, who will take responsibility for further actions.

The children's services have a statutory duty under The Children Acts 1989 and 2004 to make enquiries where a child is or may be at risk of significant harm. When a child protection referral is made, their staff have a legal responsibility to investigate. This may involve talking to the child and their family, and gathering information from other people who know the child. Enquiries may be carried out jointly with the police. Clearly then concerns about children must not be taken lightly.

What Should You Do If You Have Concerns?

- Talk to parents/carers about the concerns if you think that there might be an obvious explanation such as examination pressures
- Ensure that you record all information
- Keep a copy of all information recorded
- If the concerns involve the parents/carers then talk to the person in charge, Safeguarding Officer.
- if you are unsure call NSPCC 24 hour Helpline 0808 800 5000.

Recording Information

It is important that information about your concerns should be as helpful and accurate as possible. Such information may need to be passed to the children's or social services or the police, hence the necessity for making a detailed record. Information should include:

- The nature of the allegation outlining the type of abuse suspected
- A description of any injuries or bruising; simple descriptions in non-medical terms
- The injured party's account, if it can be given, of what has happened and how injuries may have occurred. Take care to listen and record what the victim says rather than your own interpretation of events
- Any times, dates or other relevant information
- A clear distinction of what is fact, opinion or hearsay
- The name of the person taking the information and details of any further action taken.
-

Reporting the matter to the police or social or children's services should not be delayed by attempts to obtain more information. Wherever possible, referrals telephoned to the children's services should be confirmed in writing within 24 hours. A record should also be made of the name and designation of the children's services member of staff or police officer to whom the concerns were passed, together with the time and date of the call, in case any follow-up is needed.

Confidentiality & information sharing

Confidentiality

All matters of indiscipline and possible misconduct are private to those involved. Any inquiry or investigation must be treated as completely confidential. These are not matters for discussion or speculation in a management committee or elsewhere. All records must be stored in a secure, locked place.

Matters to pass to authorities

Any suspicion of Child Abuse should always be referred to the police or Children's Social Care. The Charity Trustees and Safeguarding Officer should be informed to ensure the proper routing for this information.

A significant instance of assault, theft of, or damage to property should always be reported to the police for their consideration before embarking on internal enquiries.

APPENDIX 11 - Action in case of Unfounded Accusations

This section relates to all instructors / assistant instructors engaged in teaching, snorkelling or scuba diver training programmes and to all Dive Managers and Diving Officers who take responsibility for others in the course of Charity activities.

Following all good practices is the best way to avoid a misunderstanding, misinterpretation or situation that could give rise to any doubts.

Although this is a sensitive and difficult issue, abuse has occurred within other institutions and may equally occur in a Charity Environment. All persons involved should be prepared to accept the concerns of others, to respond to them with compassion and to do everything possible to re-assure complainants of the safety of the children or vulnerable persons in their care.

It does happen that responsible members may have allegations made against them by students, parents/guardians or other members. Such allegations should only be taken seriously if the accusers are prepared to be identified and to put their suspicions in writing.

It is crucial that those involved in sport are aware of this possibility and that all allegations are taken seriously and appropriate action taken.

There may be circumstances where allegations arise from poor practice rather than abuse, but those responsible should always record the allegation and gain advice from Social Services or the NSPCC if there is any doubt.

Actions to Take

- If the allegation is clearly one about poor practice then the person in charge may deal with the matter or seek advice from the Diving Officer or directly from one of the diving agencies
- Any suspicion that a child has been abused by a responsible member should be reported to the Safeguarding Officers or in their absence, the Diving Officer/person in charge who will take such steps as considered necessary to ensure the safety of the child in question and any other children who may be at risk

(This may involve the temporary suspension from similar activities of the responsible member – but in no way implies or infers any guilt. It is merely a way of removing all concerned from possibly awkward situations until a satisfactory investigation is completed)

- The person in charge should notify the Trustees who will then deal with any media enquiries
- Every effort should be made to ensure that confidentiality is maintained for all concerned
- If the person in charge is the subject of the suspicion then one of the Trustees must be informed directly and they will then be responsible for taking the action outlined above
- Ensure that all stages are written down accurately.

APPENDIX 12 - Reporting Guidelines

Immediate managers (such as Dive Officer on-site) are authorised to suspend an individual from active participation if they consider circumstances dictate. Every occasion when this authority is exercised must be reported urgently to the Diving Officer or Trustees as appropriate.

Where Safe Diving has been compromised, the relevant Diving Officer should be informed urgently for advice. A note of every relevant fact, conversation or allegation should be made with photographs taken if possible, in order to inform later and for consideration by the proper authority.

However, the Child Protection incident form is mandatory whenever Child Protection is at issue.

APPENDIX 13 - Investigation Timescales

Stage One: Informal Resolution

Timescale: Immediate

As an adult member of Dive Ability, when a child or vulnerable person has disclosed a complaint or concern to you, your first duty is to assess if it is appropriate for you to deal.

In general terms if it is of a minor nature and you feel able to address the concern, you should do so. Ideally, if circumstances enable, you should always consult the Safeguarding Officer before embarking on this course of action.

Remember that 'confidentiality' must be adopted whenever and wherever possible subject to the constraints outlined in this Safeguarding Policy.

Having successfully addressed the concern to the satisfaction of the child or vulnerable person, parent, guardian, carer or friend, you must inform the Safeguarding Officer of the circumstances and outcomes.

You should always inform the vulnerable persons parents or guardian regarding the disclosure and resolution, as the matter which you have resolved may be one of a number of indicators to the parent or guardian that there are other concerns to be addressed. The task of informing the parents or guardian at this stage is best placed with the Safeguarding Officer.

If the complaint is 'more than' minor, for example, poor practice by an instructor or bullying, you should always seek intervention by the Safeguarding Officer. This person is trained to identify and assess levels of poor practice, abuse and importantly, access to advice or help. The vulnerable person must be informed that you intend referring the matter to the Charity Safeguarding Officer.

Stage Two: Resolution through Safeguarding Officer

Timescale: Within 7 days

The primary role of the Safeguarding Officer will be one of resolution to the satisfaction of the vulnerable person, parent, guardian, carer or friend if possible.

The Safeguarding Officer may deal with such matters within his / her threshold for instance minor and rule infringements, poor practice and bullying. The Safeguarding Officer should at all times be mindful of the various areas of support he can access.

The Safeguarding Officer must document the disclosure and the outcomes whilst observing confidentiality and secure storage of referral documentation.

Stage Three: Investigation and / or Dispute Resolution

Timescale: Within 7 days

If the Safeguarding Officer defines the disclosure / complaint as 'more than' the Safeguarding Officer's intervention threshold [demands formal investigation and / or clear evidence of abuse or breach of Codes of Conduct] the Safeguarding Officer must refer the matter to the appropriate authority

APPENDIX 14 - Disciplinary jurisdiction

Normally, incidents are dealt with under the law applying where they occur. Exceptionally, should the authorities waive their interest or the incident falls to Dive Ability for resolution, this will not apply.

Scope of this policy:

The Disciplinary policy and process applies to incidents witnessed, allegations made by victims, complaint or whistle-blowing by third parties and also reported suspicion.

In any case of alleged or suspected child abuse

If the Safeguarding Officer has any doubt about what to do they must consult to children's social care or the police. It is not the responsibility of members to enquire into or investigate child abuse. Referrals made in good faith will be looked into sensitively.

Process for complaints, appeals, etc.

Disciplinary panels

Depending upon the gravity and potential consequences of an incident, it may be necessary to set up a properly constituted disciplinary panel. Panel members should clearly not be influenced by gossip or prejudice. Where it is clear that a case must be answered, whether it arises from incident or complaint, a panel of at least three persons shall be convened. Panel members must not be associated with either the persons or events concerned. It follows that they must not have been present at the time and place concerned. The panel should have a similarly independent clerk, to take notes of proceedings. To save time, panels may wish to take written evidence in advance and then hear different 'sides' only in the presence of the other.

It is considered wise for office holders (Trustees & Council members) to avoid appointment to such panels, so that exercise of their office under the direction of the panel should not be compromised. (E.g. Diving Officer in connection with diving incident; Safeguarding Officer with safeguarding issue.)

A Member responsible for setting up such panels should act swiftly to identify and brief those appointed so that they may declare any interest and preserve their independence.

Hearings

A disciplinary hearing should follow this broad running order:

- Evidence from the complainant;
- Evidence gathered by inquiry (presented by the manager concerned);
- Challenge by person against whom allegation is made;
- Alleged offender's alternate evidence;
- Challenge by complainant and/or manager;
- Questions from the panel; and
- Opportunity for final questions.

Except in clarifying evidence as it is presented, members of the panel should generally keep their questions to the end. However, the Clerk to the panel may wish to clarify at any point, in order to keep an accurate record.

Both parties shall withdraw before the panel considers its decision, though they should remain close at hand should further clarification be needed. As soon as possible after the parties withdraw the Chair should ascertain that, in the absence of questions, other persons may leave and instruct the Clerk accordingly.

Decisions shall always be given in writing to all parties as soon as possible and reported to the relevant authority before being retained as minuted documents.

APPENDIX 15 - The Procedure In Relation To Appeals and Means of Escalation

Appeal against a panel ruling (without fresh evidence) shall be made in writing to a further panel constituted at the level of governance above that whose ruling is contested. Where new evidence is produced, the original panel or its equivalent should re-open the case.

Only in the most extreme cases will evidence be taken orally a second time. Written evidence presented at the original hearing by all parties, a report from the chair of the original panel regarding verbal evidence given and enquiries made by the panel together with the notes of the Clerk may be examined by an appeal panel of three members not associated with the incident, complaint or hearing.

Disciplinary Sanctions

Members may be formally warned as to their future conduct, required to apologise to the person(s) affected and instructed to make restitution for the consequence(s) of their actions.

Beyond restoration of the status quo in this way, the most serious cases may lead to suspension from charitable activities and ultimately dismissal from the Charity.

APPENDIX 16 - Advice for vulnerable persons:

If you think you are being abused, or have been in the past, it is really important to tell an adult you trust. This may not be easy. You may feel worried about what will happen if you do. Here are some other reasons why you may not want to tell anyone:

- The abuser may have told you to keep quiet and not to talk to anybody
- They may have threatened you about what might happen to you or your place in the charity if you tell anyone
- They may have made threats about your friends or family
- They may have said "No one will believe you" or "No one will do anything if you tell"
- You may feel guilty that you did not stop the abuse happening
- The person may be someone who everyone in your charity looks up to - perhaps including your parents
- You may not want to let your parents down
- You may even think the problem will go away if you ignore it.

Do not let any of these things stop you getting help. By telling someone, you can stop the abuse. You will also be helping to protect other vulnerable persons from the abuser.

APPENDIX 17 - Advice if you are accused

Following all good practices is the best way to avoid a misunderstanding, misinterpretation or situation that could give rise to any doubts.

You should not take any actions yourself to have the accusations retracted and you should await any actions by the charity and authorities.

You may or may not be suspended from the charity depending upon the accusation. It is often a good idea to refrain from teaching until the investigation is completed. If the police are involved they may tell you what you can and cannot do.

Action in case of Unfounded Accusations

This section relates to all instructors / assistant instructors /volunteers engaged in teaching snorkelling or scuba diver training programmes and to all Diving Officers who take responsibility for others in the course of Charity activities.

Following all good practices is the best way to avoid a misunderstanding, misinterpretation or situation that could give rise to any doubts.

Although this is a sensitive and difficult issue, student abuse has occurred within other institutions and may equally occur in our Charity environment. We must be prepared to accept the concerns of others and to respond to them with compassion and do everything we can to re-assure them of the safety of the children in our care.

It does happen that responsible members may have allegations made against them by students, parents or other members. Such allegations should only be taken seriously if the accusers are prepared to be identified and put their suspicions in writing.

It is crucial that those involved in sport are aware of this possibility and that all allegations are taken seriously and appropriate action taken.

There may be circumstances where allegations arise from poor practice rather than abuse, but those responsible should always record the allegation and gain advice from Social Services or the NSPCC if there is any doubt.

Actions to Take

- If the allegation is clearly one about poor practice then the person in charge (Dive Officer) may deal with the matter.
- Any suspicion that a vulnerable person has been abused by a responsible member should be reported to the Safeguarding Officer or in their absence, the Diving Officer/person in charge who will take such steps as considered necessary to ensure the safety of the child in question and any other children who may be at risk.

(This may involve the temporary suspension from similar activities of the responsible member – but in no way implies or infers any guilt. It is merely a way of removing all concerned from possibly awkward situations until a satisfactory investigation is completed.)

- The person in charge should notify the Trustees who will then deal with any media enquiries.
- Every effort should be made to ensure that confidentiality is maintained for all concerned.
- If the person in charge is the subject of the suspicion then the Trustees must be informed directly and they will then be responsible for taking the action outlined above.
- Ensure that all stages are written down accurately.

APPENDIX 18 - photographic policy

There is evidence that certain individuals will visit sporting events to take inappropriate photographs or video footage of young and disabled sports people in vulnerable positions. We must all be vigilant about this possibility. Any concerns during an event should be reported to a Council member or other responsible person.

If a professional photographer is commissioned or the press are invited to an event, it is important that they understand the expectations of them in relation to protection of vulnerable persons. The responsible person should:

- Provide a clear brief about what is considered appropriate in terms of their behaviour and the content of the photography
- Issue them with identification which they must display at all times
- Inform participants and parents/guardians/carers that a photographer will be present at the event and ensure they consent to filming and/or photography and to its publication
- Not allow photographers unsupervised access to children or one-to-one photo sessions during the event
- Not approve photo sessions outside the events or at a participant's home.

Permission for the filming/photographs must be obtained from both from the subjects and their parents/guardians/carers.

Photographs of children and young people on websites can pose direct or indirect risks to their subjects. For example, images accompanied by personal information - 'this is X who likes to collect stamps' - could be used by an individual to learn more about a child prior to 'grooming' them for abuse. Or the content of the photograph could be used or adapted for inappropriate use. This kind of adapted material has appeared on child pornography sites. We should be careful about the type of images we might use. When assessing risk, the most important factor is the potential of inappropriate use of the images. The following steps help to reduce the potential for misuse:

- Avoid using children's names (first name or surname) in photograph captions. So if the child is named, avoid using his or her photograph. If the photograph is used, avoid naming the child
- Use a parental permission form to request and record parental permission to use an image of their person. This ensures that parents know that an image of their child is being used to represent the sport
- Ask for children's permission to use their image. This ensures that they are aware of the way their image is being used to represent the sport
- Only use images of children in suitable dress to reduce the risk of inappropriate use. Certain sports activities including swimming, snorkelling and scuba, present a greater risk of potential misuse. Images of these should therefore focus on the overall activity, not on a particular child, and should avoid full face and body shots. This means, for example, that photographs of children in a pool would be appropriate if shot poolside from waist or shoulder up. The age of children is another factor to consider when deciding what is appropriate.

Consent Forms

Sample consent form for the use of photographs or video. (Parents and children)

Dive Ability Limited recognises the need to ensure the welfare and safety of all young people in sport. In accordance with our safeguarding policy we will not permit photographs, video or other images of young people to be taken without the consent of the parents/carers and children.

Dive Ability Limited will follow the guidance for the use of photographs a copy of which is available from the Dive Officer.

Dive Ability Limited will take all steps to ensure these images are used solely for the purposes they are intended. If you become aware that these images are being used inappropriately you should inform a Trustee of Dive Ability Limited immediately.

I (parent/carer) consent to Dive Ability Ltd photographing or videoing (insert name)
Date:.....

I (insert name of child) consent to Dive Ability Ltd photographing or videoing my involvement in (diving/snorkelling)
Date:

APPENDIX 19 - Sources of Support and Information

NSPCC

National Centre, 42 Curtain Rd, London EC2A 2NH.

Tel: 0207 825 2500 Free phone 24 hour helpline: 0808 800 5000

<http://www.nspcc.org.uk>

NSPCC advice for young people:

<http://www.achance2talk.com> or

<http://www.worriedneed2talk.org.uk>

Child Protection in Sport Unit

NSPCC National Training Centre, 3 Gilmour Close, Beaumont Leys, Leicester LE4 1EZ

Tel: 0116 234 7278

<http://www.thecpsu.org.uk>

Childline UK

Freepost 1111, London N1 OBR

Tel: 0800 1111

Kidscape

Support on Bullying

Tel: 0207 730 3300

Disability Sport England

Tel: 0207 490 4919

British Association of Counselling and Psychotherapy

Tel: 0870 444 5252

POLICE

In an emergency contact via 999

N.B. . Please note that throughout the policy Social Services is also referred to as Children's Services and Children's Social Care