

**Active Black Country Safeguarding Policy**

April 2023

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**Control Sheet**

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| **Approval**  | **Review Date** |
| Active Black Country Board | April 2023 |
| Active Black Country Audit Risk and Compliance Committee |  |

**Next Scheduled Review Dates**

This policy will be reviewed as set out below or in the following circumstances:

* changes in legislation and/or government guidance
* as required by local safeguarding partnerships or Sport England
* as a result of any other significant change or event.

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| Review Date | Approval  |
| August 30th 2024  |   |
| August 30th 2025 |  |
| August 30th 2026 |  |

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**In a Safeguarding Emergency, where a young person or adult is at immediate risk of Harm call 999**

**Safeguarding Statement of Intent**

Active Black Country acknowledges the duty of care to safeguard and promote the welfare of every child and adult and is committed to ensuring safeguarding practice reflects statutory responsibilities, government guidance and complies with best practice.

The safeguarding policy recognises that the welfare and interests of children and adults are paramount in all circumstances. It aims to ensure that regardless of age, ability or disability, gender reassignment, race, religion or belief, sex or sexual orientation, socio-economic background, all children, young people and adults who participate in activities, either directly organised by Active Black Country or through a third party working collaboratively with us,

1. Have a positive and enjoyable experience in a safe and child centred environment
2. Are protected from abuse whilst participating in or outside of the activity.

ABC’s safeguarding policy sets out a clear and consistent framework for paid and unpaid staff and 3rd parties working on behalf of Active Black Country who are delivering this commitment. It will be achieved by:

* Promoting and prioritising the safety and wellbeing of children and adults
* Valuing, listening to and respecting children and adults
* Ensuring robust safeguarding arrangements and procedures are in operation
* Adopting safeguarding best practice through our policies, procedures and code of conduct for staff and volunteers
* Adopting safe recruitment procedures for paid and non-paid team members that help deter, reject or identify people who might pose a risk or inappropriate influence to children or adults at risk.
* Ensure everyone understands their roles and responsibilities in respect of safeguarding and are provided with appropriate learning opportunities to recognise, identify and respond to signs of abuse, neglect and other safeguarding concerns
* Ensuring that organisations who work on our behalf, through their operations, policies and procedures, commit to protecting children and/or adults from harm.
* Providing effective management for staff and volunteers through supervision, support, training and quality assurance measures so that all staff and volunteers know about our policies, procedures and behaviour codes and follow them confidently and competently
* Ensuring appropriate action is taken in the event of incidents/concerns of abuse and support provided to the individual/s who raise or disclose the concern
* Ensuring that confidential, detailed and accurate records of all safeguarding concerns are maintained and securely stored, in line with data protection legislation and guidance
* Appointing a nominated safeguarding lead for children and young people, a deputy and a lead board member for safeguarding
* Implementing an effective online safety policy and related procedures
* Ensuring all children, young people, adults, parents and carers are informed of the policy and procedures as fully as possible
* Ensuring the Policy and its application is overseen through corporate governance arrangements including the ABC Board of Directors and ABC Audit Risk and Compliance Committee.

The BCC Ltd designated safeguarding lead (and in their absence the deputy) will take all concerns and allegations of abuse seriously. These will be escalated by referring to the Local Authority Multi-Agency Safeguarding Hub (MASH) and the relevant independent Local Authority Designated Officer (LADO) for social care for children (DO for allegations against staff and volunteers). In emergencies, this obligation may extend to contacting the Police.

The safeguarding policy and supporting procedures will be widely promoted and mandatory for all team members at Active Black Country. Failure to comply with the safeguarding policy and procedures will be addressed without delay and dismissal from the organisation may be the result.

**Signed by: Date:**

**Safeguarding Policy**

**1. Introduction**

1.1 Active Black Country (ABC) are an ‘enabling’ organisation, performing in a strategic role, facilitating effective and deep collaboration between the four local authorities, communities and other identified stakeholders. Active Black Country co-ordinate joint working, where it adds most value, to tackle issues and contribute to better outcomes for Black Country stakeholders and communities. Our core role is to understand the regions communities and residents, connect and collaborate to align strategic priorities and influence policy, investment, initiatives and campaigns to get people more active positively influencing the health of those who live, work, learn and play in the region. In this role, we provide strategic leadership for physical activity and sport in the Black Country, in addition to co-ordinating a programme of activities that promotes the economic and social benefits of sport and Physical Activity. We work closely with key stakeholders and partners from within the Sport sectors as well as alongside other sectors to achieve this and where we invest, we ensure we hold others to account for their delivery. We value our commitment to maintain and improve our NSPCC/Sport England Safeguarding Advanced Standards.

**2. Definition**

2.1 All children, young people and adults should be allowed to participate in activities provided by Active Black Country and its partners in a safe environment. For the purposes of this policy, Active Black Country will define safeguarding as the term that describes the function of protecting adults and children from abuse and neglect whilst participating in activity provided by ABC or a third-party organisation working in collaboration with us. This includes protecting children and adults who may be at risk of abuse or neglect, due to the actions (or lack of actions) of another person or in some circumstances, themselves. Children and adults are both protected by law however, legislation covering both these groups is significantly different. More information can be found regarding definitions and legislation in the documents stated in 2.2.

2.2 This policy should be read in conjunction with:

* Working together to safeguard Children 2018
* The Safeguarding of Vulnerable Groups Act 2006
* The Care Act 2014
* Active Black Country Safeguarding Procedures Manual
* ABC Safeguarding Children and Young People and Adult staff Handbooks
* The ABC Staff Handbook
* The ABC Safeguarding Implementation Plan
* Active Black Country Social Media Policy

2.3 This policy recognises the welfare and interests of children and adults are paramount in all circumstances and their rights, dignity and worth will always be respected

2.4 This policy aims to ensure that regardless of age, gender, religion or beliefs, ethnicity, disability, sexual orientation or socioeconomic background, all children and adults, are protected from abuse whilst participating in activities either directly organised by ABC or through a third party working collaboratively with us.

2.5 ABC recognises that ability and disability can change over time, such that some adults may be additionally vulnerable to abuse, for example those who have a dependency on others or have different communication needs. We recognise that a disabled adult may or may not identify themselves or be identified as an adult ‘at risk’.

2.7 We all have a shared responsibility to ensure the safety and well-being of all adults and children will act appropriately and report concerns whether these concerns arise within ABC, for example the inappropriate behaviour of a coach, or in the wider community.

**3. Legal Framework**

3.1 This policy will have consideration for and be in compliance with the following legislation and statutory guidance:

* Safeguarding of Vulnerable Groups Act 2006
* Children’s Act 2004
* Working together to Safeguard Children 2018
* Keeping Children Safe in Education 2023

# Child sexual exploitation: definition and guide for practitioners 2017

* Equality Act 2010
* The Care Act 2014
* The Mental Capacity Act 2005
* Deprivation of Liberty Safeguards
* Disclosure & Barring Service 2013
* Making Safeguarding Personal Guide 2014
* Office of the Public Guardian – Safeguarding Policy May 2013
* The Protection of Freedoms Act - 2012
* PREVENT Strategy 2015
* Domestic Violence, Crime and Victims (Amendment) Act 2012
* Sexual Offences Act 2003
* The Human Rights Act 1998
* The Data Protection Act 1994 and 1998 and GDPR 2018
* Duty of Care review 2017

**4. Roles and Responsibilities**

4.1 ABC’s Board of Directors have a duty to:

4.1.1 Ensure that BCC Ltd complies with its duties under the above safeguarding legislation.

4.1.2 Ensure that the policies, procedures and training in ABC are effective and comply with the law at all times.

4.1.3 Ensure that the company contributes to inter-agency working in line with the statutory guidance *‘Working Together to Safeguard Children 2018’*.

4.1.4 Ensure that the company safeguarding arrangements take into account the procedures and practice of the local authority as part of the inter-agency safeguarding procedures established by each Local Authority Safeguarding Partnership.

4.1.5 Ensure a senior board level champion with the required knowledge, skills and expertise is in place for Active Black Country

4.1.6 Ensure, in line with safe recruitment procedures, all board members appointed are, where appropriate, subject to relevant DBS checks.

4.1.7 Ensure that there are both effective Child and Adult Protection Policies in place together with a Staff Code of Conduct.

4.1.8 Ensure robust and safe recruitment procedures are in place for paid and non-paid team members that help deter, reject or identify people who might pose a risk to children or adults.

4.1.9 Ensure that there are procedures in place to handle allegations, including processes of investigation, against members of staff, third party deliverers or volunteers.

4.1.10 Ensure that there are procedures in place to handle suspicions, allegations or disclosures of safeguarding issues.

4.1.11 Ensure that there are procedures in place to make a referral to the Disclosure and Barring Service (DBS) for recruitment, maintenance of DBS checks when team members stay in post beyond three years and if a person in regulated activity has been dismissed or removed due to safeguarding concerns, or would have been had they not resigned. This is a legal duty.

4.1.11 Ensure that team members have the skills, knowledge and understanding necessary to keep children and adults safe.

4.1.13 Ensure that third party deliverers understand and accept their contractual responsibility to prioritise the safety and wellbeing of children and young people in their care.

4.1.14 Ensure robust Health, Safety and Safeguarding Risk Assessment procedures are in place.

4.1.15 Promote safeguarding at a strategic level to the wider network.

4.2 **The Chief Executive has a duty to**:

4.2.1 Ensure appropriate standards and that public trust is maintained in respect of work undertaken by Active Black Country regarding safeguarding.

4.2.2 Ensure that the policies and procedures adopted by Directors are kept up to date and followed by all team members.

4.2.3 Ensure that third party deliverers enter into a formal contract for safeguarding which is monitored regularly, ensuring they are aware of their duties and responsibilities for the protection of children and adults at risk and that action is taken in the event of contractual breach.

4.2.4 Ensure that the Health and Safety and Safeguarding Risk Assessment procedures are utilised at every child and adult event.

4.3 **The ABC Ltd designated lead for Safeguarding has a duty to:**

4.3.1 Ensure all cases of suspected neglect and abuse are escalated and reported to the local authority Designated Officer (LADO) and the police, in cases where a crime may have been committed or a person may be in imminent danger of harm.

4.3.2 Inform the Chief Executive of any safeguarding issues.

4.3.3 Act as a source of support, advice and expertise to staff members on matters of safeguarding and when deciding what action to take in the event of an allegation, suspicion or disclosure being made to the MASH/IRIS or Social Services.

4.3.4 Ensure that all staff members have read and understood their responsibilities regarding Health and Safety and Safeguarding Risk Assessment procedures for events and activities.

4.3.5 Keep detailed, accurate and secure records of concerns and referrals and comprehensive Risk, Assumptions, Issues and Dependencies Logs (RAID).

4.3.6 Obtain access to resources and attend any relevant or refresher training courses.

4.3.7 Monitor corporate compliance with safeguarding procedures through a range of measures including spot checks.

4.3.8 Ensure that the Safeguarding Policy is reviewed in accordance with the timescales outlined in paragraph 9.1 and the control sheet and the procedures manual is updated and reviewed regularly.

4.3.9 To create appropriate signposting and guidance materials for organisations who wish to review their current safeguarding policy and procedures.

4.3.10 Ensure the Safeguarding Policy is available publicly via the ABC Ltd website, and that parents, third party deliverers and volunteers are aware that referrals regarding suspected abuse or neglect must be made and the role ABC Ltd has in this. ABC Ltd will escalate a referral where necessary.

4.3.11 To ensure a programme of training, information and guidance on Safeguarding is available to contractors and 3rd party deliverers.

4.3.12 Report corporate compliance and incidents through to the ABC Audit Risk and Compliance Committee. and Active Black Country board.

4.3.13 Ensure arrangements are in place to collaborate and work effectively with the safeguarding partners as required by any local safeguarding arrangements,

4.4 **The ABC Ltd Deputy lead for Safeguarding has a duty to:**

4.4.1 Ensure the health, safety and wellbeing of BCC staff. Acting as a source of support, advice and expertise to staff members on any matters arising.

4.4.2 In the absence of the designated lead ensure that the Health and Safety and Safeguarding Risk Assessment procedures are completed and utilised at every child and adult event as per the safeguarding procedures.

4.4.3 Deputise for the BCC Ltd safeguarding lead during any extended absence from the business including planned Annual Leave.

**4.5 The ABC Ltd Business Operations Manager has a duty to:**

4.5.1 In the absence of the designated lead be responsible for ensuring compliance with the safeguarding recruitment, employment and deployment of staff and volunteer procedures found in the procedure manual. This will include ensuring the DBS application process is compliant with Sandwell MBC as the Umbrella organisation.

* 1. **The ABC Audit Risk and Compliance Committee has a duty to:**

4.6.1 Support the Active Black Country team and ABC Board of Directors in maintaining safeguarding standards and embedding good practice.

4.6.2 Ensure safeguarding is embedded within ABC’s work, discussions and decisions at board meetings, utilising Safeguarding updates from the designated lead, reports and the ABC Dashboard to assess, monitor and mitigate safeguarding risk.

4.6.3 Provide support, check and challenge to the safeguarding lead and ABC team through meetings and discussions.

4.7 **All other team members have a duty to**:

4.7.1 Comply with the Safeguarding Policy and Procedures at all times.

4.7.2 Attend all Safeguarding training as prescribed.

4.7.3 To declare any Safeguarding concerns to the designated lead officer for safeguarding at ABC and/or the LADO of the Local Authority Multi Agency Safeguarding Hub (MASH/IRIS) if appropriate.

4.7.4 Have a duty to escalate any safeguarding concerns to the ABC Designated Safeguarding Officer and/or DO if insufficient action has been taken by others.

4.7.5 Ensure contractual arrangements are in place with accompanying obligations and procedures are monitored where the team member is either a Senior Responsible Officer or Contracting Officer as defined by the corporate Contract Management Policy and Procedures.

4.7.6 Ensure that the Health and Safety and Safeguarding Risk Assessment procedures are utilised at every children and adult event.

**5.0** **Safe Recruitment and Continuing Employment of Team Members**

5.1 All reasonable steps will be taken to ensure those who may pose risk to children and adults are identified, deterred and rejected, including risks to connected persons.

5.2 The designated safeguarding lead and ABC Business Operations Manager will be responsible for ensuring compliance with the Safeguarding Recruitment, Employment and Deployment of Staff and Volunteers procedures found in the procedure manual. In absence this will be carried out by the deputy lead and ABC Business Operations Manager.

5.3 Failure to comply with the safeguarding policy and procedures will be addressed without delay and dismissal/exclusion from the organisation may be the result.

**6.0** **Training**

6.1 All team members will be made aware of the corporate Safeguarding Policy and any subsequent changes/updates at induction and throughout their working life with ABC Ltd. These sessions will be led by the Designated Safeguarding Officer and delivered bi-annually or as often as required to ensure safeguarding awareness remains up to date.

6.2 All team members will be made aware of their responsibilities when contracting third parties to work with children and adults on behalf of ABC Ltd by attending Contract Management training at regular intervals.

6.3 The designated safeguarding lead and deputy will be compliant with statutory multi-agency training and the ABC Business Operations Manager should undergo updated Safeguarding in Employment training every two years.

6.4 All team members will receive training annually on how to recognise, report and record an allegation, suspicion or disclosure of a safeguarding issue in a concise and consistent way.

**7.0** **Reporting**

7.1 The procedures for reporting a safeguarding issue will be reviewed annually in line with new government legislation.

**8.0** **Record Keeping**

8.1 The safeguarding lead and deputy are responsible for maintaining comprehensive safeguarding records that can be accessed at all times. These records will be held on file for a minimum of 7 years, in line with ABC Ltd record keeping policy and GDPR Guidelines.

**9.0** **Policy Review**

9.1 This policy will be reviewed, approved and endorsed by ABC Ltd Board of Directors after development and then every year, or in the following circumstances:

* changes in legislation and/or government guidance
* as required by local safeguarding partnerships or Sport England
* as a result of any other significant change or event.