SAFEGUARDING ADULTS POLICY AND PROCEDURES TIVERTON RUGBY FOOTBALL CLUB

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Applies to	Adults teams, coaches, managers, volunteers and visitors

This policy was written by the RFU and is effective as of June 2020. Tiverton RFU have reviewed and adopted this policy in its entirety to promote governance in best practice in ensuring adults deemed at risk, are appropriately safeguarded by the Club.

"Safeguarding means protecting an adult's right to live in safety, free from abuse and neglect. It is about people and organisations working together to prevent and stop both the risks and experience of abuse or neglect, while at the same time making sure that the adult's wellbeing is promoted" (Care Act 2014)

Policy Statement

The Rugby Football Union (RFU) is the national governing body for rugby union in England. The RFU is committed to creating and maintaining a safe and positive environment for everyone to enjoy rugby union and participate whether it be playing, volunteering or spectating. We accept our responsibility to safeguard the welfare of all adults involved in the game, particularly those deemed at risk.

All adults working, volunteering and participating in sport deserve their experience to be a positive one. Getting this right will ensure a wider participation in rugby union and ensuring safe access for all.

The Care Act 2014 put the safeguarding of adults onto a statutory footing. The RFU member clubs have regular contact with many people and so have a crucial role in the support, identification and reporting of adults who may be at risk of harm.

The RFU recognises that abuse of an adult links to circumstances rather than the characteristics of the people experiencing the harm and that labelling groups of people as inherently 'vulnerable' is disempowering. This policy and procedures applies to all individuals involved in rugby union in England.

Core Values - Teamwork, Respect, Enjoyment, Discipline and Sportsmanship

The RFU, in partnership with Premiership Rugby and the Rugby Players Association, promotes the core values to everyone from the England team to those in the grassroots game. The core values are reflected throughout this document.

Definitions

To assist you in working through and understanding this policy a number of key definitions need to be explained.

An adult is anyone aged 18 or over.

Adult safeguarding is protecting a person's rights to live in safety, free from abuse and neglect.

The safeguarding duties apply to an adult who:

- Has needs for care and support (whether or not the local authority is meeting any of those needs)
- Is experiencing, or is at risk of, abuse or neglect
- Is unable to protect themselves from either the risk of, or the experience of, abuse or neglect, as a result of those care and support needs

Adults at risk – those who fulfil the above criteria.

Adult in need of care and support - is determined by a range of factors including personal characteristics, factors associated with their situation or environment and social factors. A person's disability or frailty does not mean that they will inevitably experience harm or abuse.

In the context of safeguarding adults, the likelihood of an adult in need of care and support experiencing harm or abuse should be determined by considering a range of social, environmental and clinical factors, not merely because they may be defined by one or more of the above descriptors.

In recent years there has been a marked shift away from using the term 'vulnerable' to describe adults potentially at risk from harm or abuse.

Abuse - is a violation of an individual's human and civil rights by another person or persons. See page 9 for further explanations.

Capacity - refers to the ability to make a decision at a particular time, for example when under considerable stress. The starting assumption must always be that a person has the capacity to make a decision unless it can be established that they lack capacity (Mental Capacity Act 2005).

Guidance and Legislation

The practices and procedures within this policy are based on the principles contained within the UK legislation and Government Guidance and have been developed to complement Safeguarding Adults Boards policy and
procedures They take the following into consideration:

- The Care Act 2014
- The Protection of Freedoms Act 2012
- Domestic Violence, Crime and Victims (Amendment) Act 2012
- The Equality Act 2010
- The Safeguarding Vulnerable Groups Act 2006
- Mental Capacity Act 2005
- Sexual Offences Act 2003
- The Human Rights Act 1998
- The Data Protection Act 1998

Principles

- All adults, regardless of age, ability or disability, gender, race, religion, ethnic origin, sexual orientation, marital or gender status have the right to be protected from abuse and poor practice and to participate in rugby union in an enjoyable and safe environment.
- The RFU will seek to ensure that rugby union is inclusive and make reasonable adjustments for any ability, disability or impairment, we will also commit to continuous development, monitoring and review.
- The rights, dignity and worth of all adults will always be respected.
- The RFU recognise that ability and disability can change over time, such that some adults may be additionally vulnerable to abuse, in particular those adults with care and support needs.
- The RFU and its member clubs have shared responsibility to ensure the safety and wellbeing of all adults and will act appropriately and report concerns whether these concerns arise within rugby union or in the wider community.
- All allegations will be taken seriously and responded to quickly in line with the RFU Safeguarding Adults Policy and Procedures.
- The RFU recognises the role and responsibilities of the statutory agencies in safeguarding adults and is committed to complying with the procedures of the Local Safeguarding Adults Boards.

The six principles of adult safeguarding

The Care Act 2014 sets out the following principles that should underpin safeguarding of adults.

- Empowerment - People being supported and encouraged to make their own decisions and informed consent.

"I am asked what I want as the outcomes from the safeguarding process and these directly inform what happens."

• Prevention – It is better to take action before harm occurs.

"I receive clear and simple information about what abuse is, how to recognise the signs and what I can do to seek help."

• Proportionality – The least intrusive response appropriate to the risk presented.

"I am sure that the professionals will work in my interest, as I see them and they will only get involved as much as needed."

• Protection – Support and representation for those in greatest need.

"I get help and support to report abuse and neglect. I get help so that I am able to take part in the safeguarding process to the extent to which I want."

• Partnership – Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse

"I know that staff treat any personal and sensitive information in confidence, only sharing what is helpful and necessary. I am confident that professionals will work together and with me to get the best result for me."

• Accountability – Accountability and transparency in delivering safeguarding.

"I understand the role of everyone involved in my life and so do they."

Making safeguarding personal

'Making safeguarding personal' means that adult safeguarding should be person led and outcome focussed. It engages the person in a conversation about how best to respond to their safeguarding situation in a way that enhances involvement, choice and control. As well as improving quality of life, wellbeing and safety.

Wherever possible discuss safeguarding concerns with the adult to get their view of what they would like to happen and keep them involved in the safeguarding process, seeking their consent to share information outside the organisation where necessary.

Mental Capacity

Assume that people are able to make decisions, unless it is shown that they are not. If you have concerns about a person's level of understanding, you should check this with them and, if applicable, with the people supporting them.

Give people as much support as they need to make decisions. You may be involved in this – you might need to think about the way you communicate

or provide information, and you may be asked your opinion.
People have the right to make unwise decisions. The important thing is that they understand the implications. If they understand the implications, consider how risks might be minimised.

If someone is not able to make a decision, then the person helping them must only make decisions in their best interests. This means that the decision must be what is best for the person, not for anyone else. If someone was making a decision on your behalf, you would want it to reflect the decision you would make if you were able to.

Find the least restrictive way of doing what needs to be done.

Remember:
You should not discriminate or make assumptions about someone's ability to make decisions, and you should not pre-empt a best-interests decision merely on the basis of a person's age, appearance, condition, or behaviour.

Wellbeing Principle
The concept of wellbeing is threaded throughout the Care Act and it is one that is relevant to adult safeguarding in sport and activity. Wellbeing is different for each of us. However, the Act sets out broad categories that contribute to our sense of wellbeing. By keeping these themes in mind, we can all ensure that adult participants can take part in rugby union fully.

- Personal dignity (including treatment of the individual with respect)
- Physical and mental health and emotional wellbeing
- Protection from abuse and neglect
- Control by the individual over their day-to-day life (including over care and support provided and the way they are provided)
- Participation in work, education, training or recreation
- Social and economic wellbeing
- Domestic, family and personal domains
- Suitability of the individual's living accommodation
- The individual's contribution to society.

Type of abuse and neglect
There are different types and patterns of abuse and neglect. There are different circumstances in which they may take place. The Care Act 2014 identifies the following as an illustrative guide and is not intended to be an exhaustive list as to the sort of behaviour which could give rise to a safeguarding concern.

Self-neglect - this covers a wide range of behaviour: neglecting to care for one's personal hygiene, heath or surroundings and includes behaviour such as hoarding.

Modern Slavery – encompasses slavery, human trafficking, and forced labour and domestic servitude. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive an d force individuals into a life of abuse, servitude and inhuman treatment.

Domestic Abuse and coercive control – including psychological, physical, sexual, financial and emotional abuse. It also includes so called 'honour' based violence. It can occur between any family members.

Discriminatory Abuse – discrimination is abuse which centres on a difference or perceived difference particularly with respect to race, gender or disability or any of the protected characteristics of the Equality Act.

Organisational Abuse – including neglect and poor care practice within an institution or specific care setting such as a hospital or care home, for example, or in relation to care provided in one's own home. This may range from one off incidents to ongoing ill-treatment. It can be through neglect or poor professional practice as a result of the structure, policies, processes and practices within an organisation.

Physical Abuse – including hitting, slapping, pushing, kicking, misuse of medication, restraint or inappropriate sanctions.

Sexual Abuse – including rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography or witnessing sexual acts, indecent exposure and sexual assault or sexual acts to which the adult has not consented to or was pressured into consenting.

Financial or Material Abuse – including theft, fraud, internet scamming, coercion in relation to an adult's financial affairs or arrangements, including in connection with wills, property, inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.

Neglect –including ignoring medical or physical needs, failure to provide access to appropriate health, social care or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating.

Emotional or Psychological Abuse – this includes threats of harm or abandonment, deprivation of contact, humiliation, blaming , controlling , intimidation, coercion, harassment, verbal abuse , isolation or withdrawal from services or supportive networks.

Not included in the Care Act 2014 but also relevant:

Cyber Bullying – cyber bullying occurs when someone repeatedly makes

fun of another person online or repeatedly picks on another person through emails or text messages, or uses online forums with the intention of harming , damaging , humiliating or isolating another person. It can be used to carry out many different types of bullying (such as racist bullying, homophobic bullying or bullying related to special education needs and disabilities) but instead of the perpetrator carrying out the bullying face-to- face, they use the technology as a means to do it.

Forced Marriage – forced marriage is a term used to describe a marriage in which one or both of the parties are married without their consent or against their will. A forced marriage differs from an arranged marriage, in which both parties consent to the assistance of a third party in identifying a spouse. The Anti-social Behaviour, Crime and Policing Act 2014 make it a criminal offence to force someone to marry. The forced marriage of adults with learning disabilities occurs when the adult does not have the capacity to consent to the marriage.

Mate Crime – a 'mate crime' is defined by the Safety Net Project as 'when vulnerable people are befriended by members of the community who go on to exploit and take advantage of them. It may not be an illegal act but still has a negative effect on the individual.' Mate Crime is carried out by someone the adult knows and often happens in private. In recent years there have been a number of Serious Case Reviews relating to people with a learning disability who were murdered or seriously harmed by people who purported to be their friend.

Radicalisation – the aim of radicalisation is to attract people to their reasoning, inspire new recruits and embed their extreme views and persuade vulnerable individuals of the legitimacy of their cause. This may be direct through a relationship, or through social media.

Signs and indicators of abuse and neglect

Abuse can take place in any context and by all manners of perpetrator. Abuse may occur inside and outside rugby union.

People may be abused by a wide range of people including relatives and family members, professional staff, paid care workers, volunteers, other service users, neighbours, friends and associates, people who deliberately exploit others they consider to be vulnerable, and strangers.

There are many signs and indicators that may suggest someone is being abused or neglected, these include but are not limited to:

- Unexplained bruises or injuries – or lack of medical attention when an injury is present.
- Person has belongings or money going missing.
- Person is not attending / no longer enjoying their sessions.
- Someone losing or gaining weight / an unkempt appearance

including wearing unsuitable sports kit or a deterioration in hygiene.
• They may self-harm or talk about suicidal tendencies.
• They may have a fear of a particular group or individual, even family members.
• They may tell you / another person they are being abused – i.e. a disclosure.
• Harassing of a club member because they are or are perceived to have protected characteristics.
• A coach intentionally striking a player.
• A club member sending unwanted sexually explicit text messages to an adult member who has a learning disability.

Safer Recruitment
The RFU wants to ensure that all of our volunteers and staff have the right skills and qualities to create a safe environment. All clubs and Constituent Bodies (CBs) should ensure that their recruitment and vetting are sufficiently stringent and robust to ensure employees and volunteers are appropriately qualified and personally suitable for the responsibilities of their role.

This can be achieved by adopting an effective safer recruitment procedure designed to identify and exclude those candidates who may pose a risk of abuse to all members including adults.

Disclosure and Barring Service check eligibility differs from those in regulated activity with children. Further advice should therefore be sought from the RFU Safeguarding Team.

Guidance for DBS Checks in Sport – Working with Adults (England and Wales).
DBS checks in sport - working with adults - GOV.UK

Procedures
Respond, Record, Report and Refer

Respond
RFU members and volunteers are not expected to be experts in recognition of a safeguarding concern; however, all adults working, volunteering and participating have a duty of care to be vigilant and respond appropriately to suspicions of poor practice, abuse or bullying.

The RFU and its members have a duty to respond if they feel that an adult is suffering, or likely to suffer, harm inside or outside rugby union.

The RFU and its members are required to respond if they consider that an adult poses a risk of harm to others. In respect of harm to children please see the RFU Safeguarding Children Policy:

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Every club should have an appropriate named person, and you should report the matter to them in the first instance. In most instances this is the Club Safeguarding Officer (CSO).

Abuse should always be taken seriously, and any concerns should be reported to the CSO. In their absence of if the concern relates to the CSO then Constituent Body Safeguarding Manager (CBSM) and RFU Safeguarding Team should be informed at the earliest possible opportunity regardless of whether you have already contacted the emergency services.

When raising your concern with the CSO, CBSM or RFU Safeguarding Team remember to 'make safeguarding personal'. It is good practice to seek the adult's views on what they would like to happen next and to inform the adult of what actions you intend to take and always consider their needs and wishes.

If someone is at immediate risk of harm /danger or in need of immediate medical attention call 999 or 101 for an ambulance or police.

Consent

If you have concerns about an adult, you have a duty to report these as mentioned above. You do not need consent to discuss a concern with the safeguarding leads within your club/CB or at the RFU, although it is best practice to gain consent wherever possible.

In the absence of the RFU Safeguarding Team, advice can be sought from your Local Safeguarding Adults Board without giving the adult's personal details. Do not let the issue of consent get in the way of seeking advice.

Record your concerns

Make a note of what the person has said using his or her own words as soon as practicable.

Completing a Safeguarding Referral Form may assist in the recording of information. The form can be found on the below link.

Describe the circumstances in which the disclosure came about. Take care to distinguish between fact, observation, allegation and opinion. It is important that the information you have is accurate.

Be mindful of the need to be confidential at all times, this information must only be shared with the safeguarding leads.

If the matter is urgent and relates to the immediate safety of an adult at risk or another then contact the emergency services immediately.

Confidentiality is key and at all times the adult must be kept informed. No referral should be made to an outside agency without the adult's consent unless that adult is in immediate harm or danger or poses an immediate harm or risk to others. This is especially important if there is a risk posed to children.

Remember to make safeguarding personal. Discuss your safeguarding concerns with the adult, obtain their view of what they would like to happen, but inform them it's your duty to pass on your concerns to the relevant safeguarding leads. An individual who becomes aware of any concerns should pass these to the CSO. The CSO must contact the RFU Safeguarding Team and their CBSM.

If the matter concerns the behaviour or wellbeing of the CSO, contact the CBSM and RFU Safeguarding Team.

If ever in doubt contact the RFU Safeguarding Team for further advice.

How the RFU will respond to suspicions or concerns
Matters referred to the RFU will be dealt with by the RFU Safeguarding Team.

Once the RFU Safeguarding Team receives written notification of an incident, concern, allegation or disclosure it will assume management of the case. If the case is being investigated by the police or other agencies the RFU Safeguarding Team will liaise with them.

The RFU Safeguarding Team may have a consultation with the Local Adult Safeguarding Board without disclosing the adult's details to gain further advice. It can be difficult to distinguish poor practice from abuse, whether intentional or accidental.

The RFU Safeguarding Team will at all times work with the wishes of the adult at risk. No referral will be made to an outside agency without the consent of the adult but will take into consideration the below:

- Has the adult the capacity to consent?
- Is it in the public interest to share?
- Is the adult placing themselves at further risk of harm?
- Is someone else likely to be harmed?
- Has a criminal offence taken place or is there suspicion that a crime has occurred?

The RFU Safeguarding Team will offer reassurance, appropriate support and revisit the issues at another time which may help to change an adult's view on whether it is best to share information.

The RFU Safeguarding Team may refer the matter to the RFU's Referral Management Group (RMG) for consideration. The RMG is a cross-departmental group charged by the RFU with assessing the risk that individuals pose to children and adults at risk. Incidents may be referred by the RMG to the RFU Discipline Department.

The provisions of RFU Regulation 21 (Safeguarding) are applicable to an adult at risk in rugby union and those working with them, in the same way that they apply to children in rugby union and those working with them.

It must be emphasised that not all matters referred to the RFU Safeguarding Team will be dealt with under the Safeguarding Adults Policy.

- When an adult does not meet the definition of 'an adult at risk' then consideration should be given for the matter to be dealt with as a complaint or breach of the Core Values. The RFU Safeguarding Team may refer the matter back to the club or CB.
- Where a potential criminal offence has been committed the complainant will always be advised of their right to contact the police.

Those under investigation

Under this policy the RFU is committed, first and foremost, to protecting the interests of the adult at risk. In the course of a referral being made to the RFU or statutory agencies, individuals who are accused of causing harm will be informed of the procedures by the RFU. They may also request at any time an update on the progress of the referral.

Investigations are concluded as quickly as possible to ensure that those guilty of causing harm are dealt with expeditiously and those falsely or mistakenly accused are able to return to the game with reputation intact.

Barring from rugby union

A bar may be issued by the Head of Safeguarding or an RFU Legal Officer in accordance with RFU Regulation 21 (Safeguarding). Please refer to RFU Regulation 21 – Safeguarding | Rugby Football Union

Complaints

If you have a complaint in relation to a safeguarding process undertaken by the RFU, the RFU's safeguarding complaints procedure can be found at: https://rfu.widen.net/s/xpkdk5rbgt/rfusafeguardingcomplaints

This policy should be read in conjunction with the following policies and RFU Regulations.

- RFU Safeguarding Children Policy
- RFU Speak Up Policy (Whistleblowing)
- Transgender Policy
- Regulation 21(Safeguarding)
- Regulation 20 (Anti- Doping)
- Regulation 19 (Discipline)
- Regulation 17 (Anti-Corruption & Betting)
- RFU Safeguarding Complaints Policy

Further Information
Policies, procedures and supporting information are available
RFU Rules & Regulations | Rugby Football Union
Rules & Governance | Rugby Football Union

Ann Craft Trust – A leading UK Authority on Safeguarding Adults at Risk
Ann Craft Trust: Safeguarding Adults

RFU Contact Details
The RFU Safeguarding Team contact details can be found here
Contact RFU Safeguarding | Rugby Football Union

Alternatively you can email safeguarding@rfu.com