



Safeguarding Adults Policy and Guidelines

for clubs, class associations and recognised training centres

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RYA Safeguarding Adults Policy and Guidelines

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Part 1 – Policy

1 Introduction

Revised April 2017

These guidelines have been produced by the RYA to help your organisation to enable all adults, especially those who could be defined as ‘at risk’ or ‘vulnerable’, to enjoy the sports of sailing, windsurfing and power boating in all their forms, in a safe environment. They can be copied or adapted to meet the requirements of your organisation. The document can be downloaded from the RYA’s website: www.rya.org.uk/go/safeguarding

If your club or organisation provides training or activities for adults at risk, it is strongly recommended that you adopt a **policy** and some straightforward **procedures** to put the policy into practice.

There are several good reasons for doing this:

- to safeguard adults, both on and off the water
- to assure adults at risk, and their carers where relevant, that they are safe when taking part in activities at your organisation
- to raise awareness amongst all of your members, volunteers or employees so that they know what to do if they are concerned about an adult, whether the concern relates to their welfare at your site, or to something happening outside that environment that the individual discloses to someone they trust in your organisation
- to protect volunteers and staff by giving them some practical, common sense guidelines to avoid placing themselves in situations where they are open to allegations which could seriously damage their lives and careers
- to protect the organisation, by showing that you have taken ‘all reasonable steps’ to provide a safe environment.

Your organisation is therefore strongly advised to take the following steps:

Adopt a policy statement that defines the organisation’s commitment to providing a safe environment.

Produce a simple code of practice and procedures governing how the organisation runs. This should cover:

- the safe recruitment of staff or volunteers who will be in contact with adults at risk (*see Section 4*)
- good practice guidelines to ensure the safety and welfare of adults at risk at all times whilst at your site, both on and off the water (*see Section 5*)
- handling concerns, reports or allegations (*see Section 6*).

You can take as your starting point the basic sample policy on page 8 and add to it the sections of these Guidelines that are relevant to your club, centre, class association or Sailability group.

Everyone in the organisation should be aware of the policy and have access to the supporting procedures, and those working with adults at risk must be familiar with the procedures.

If your organisation also works with children and young people aged under 18, please refer to the separate RYA Safeguarding and Child Protection Guidelines at www.rya.org.uk/go/safeguarding

Volunteers or staff who work with sailors with disabilities on a regular basis are strongly encouraged to attend Disability Awareness Training provided through RYA Sailability; see <http://www.rya.org.uk/programmes/ryasailability/Pages/AwarenessTraining.aspx> These guidelines are only concerned with safeguarding and are not a substitute for awareness training.

What is an ‘adult at risk’ or ‘vulnerable adult’?

Revised April 2017

In recent years there has been a shift away from using the term ‘vulnerable’, which can be perceived as a disempowering term, to describe adults who are potentially at risk of harm or abuse (for more information on types of abuse, see Appendix A).

The term ‘Adult at Risk’ as defined by the Care Act 2014¹ applies to people aged 18 or over who are in need of care or support, regardless of whether they are receiving them, and because of those needs are unable to protect themselves against abuse or neglect.

There are also adults who are at risk due to a specific circumstance they may find themselves in, for example: domestic abuse, forced marriage, sexual or commercial or financial exploitation. Adults at risk may include individuals who are vulnerable as a consequence of their role as a carer.

All of us could be regarded as at risk or vulnerable at certain times in our lives, for example when undergoing medical treatment or experiencing a period of mental ill-health. Equally, not all people with a disability would identify themselves as being vulnerable or at risk at all times.

In a sailing and boating context, clubs and centres may work with:

- people who have a physical disability, whether from birth or acquired through injury, illness or advancing age, ranging from those who can sail independently but need some assistance getting afloat, to those who depend on others for physical care and support
- people who are blind or visually impaired, who may need to be guided around the site and when getting on board, and sail with sighted crew
- people who are deaf or hearing impaired, whose needs are largely connected to communication and inclusion
- people who have learning disabilities or who for some other reason (eg. brain injury, dementia) may not have the capacity (see Mental Capacity below) to make independent decisions or to assess risk
- people who are on the autism/Asperger spectrum
- people who are experiencing mental illness.

¹ The Care Act 2014 only applies to local authorities in England. Social Care in Scotland, Wales and Northern Ireland is a devolved matter. However the principles of good practice set out in this document apply throughout the UK.

Mental capacity and consent

Revised April 2017

Although many of the good practice guidelines and principles to be followed when safeguarding children also apply to adults, there is a key difference.

In the case of a child, there is a clear duty to act if we suspect that the child has been harmed or is at risk of harm. In the case of an adult, the starting assumption must always be that they have the capacity to make a decision and have the right to do so. If there is an allegation or concern about an adult who has capacity, **their consent must be obtained** before any referral is made, unless others are at risk of harm. No information should be given to the adult's family or carers without their consent.

If the adult does not have capacity and is unable to give consent, a referral may be made and their family or carers informed, provided that they are involved in the individual's life and are not implicated in the allegation.

Mental capacity refers to the ability to make a decision at a particular time. The term 'lacks capacity' means that a person is unable to make a particular decision or take a particular action for themselves at a particular point in time – although they may still be able to express an opinion or preference or take a less complex decision.

Under the Mental Capacity Act 2005² a person lacks capacity to make a decision if they have an 'impairment of or disturbance in the function of their mind or brain' (either temporary or permanent), and as a result they cannot do **one or more** of the following:

- Understand the information relating to this particular decision (including its benefits and risks)
- Retain the information for long enough to make this decision
- Weigh up the information involved in making this decision
- Communicate their decision in any way.

The Act also says that:

- A person is not to be treated as unable to make a decision unless all practical steps to help him/her to do so have been taken without success.
- A person is not to be treated as unable to make a decision merely because he/she makes an unwise decision.
- An act carried out or decision made, for or on behalf of a person who lacks capacity must be undertaken, or made, in their best interests.
- Before the act is carried out, or the decision is made, regard must be paid to whether the purpose for which it is needed can be as effectively achieved in a way that is less restrictive of the person's rights and freedom of action.

² England and Wales only. In Scotland the relevant legislation is the Adults with Incapacity (Scotland) Act 2000 and in Northern Ireland the Mental Capacity Act Northern Ireland 2016.

2 Policy Statements

RYA Safeguarding Adults Policy Statement

Revised Nov 2016

This policy refers to anyone who may be defined as an 'Adult at Risk'. An 'Adult at Risk' is a person aged 18 or over who is in need of care or support, and who because of those needs is unable to safeguard themselves at all times. They may have a physical, sensory or learning disability, mental illness or other health or social care need which causes them to be dependent on others for care and assistance, and/or they may have difficulty communicating their needs and wishes. The policy applies to all RYA employees, contractors and volunteers.

The RYA is committed to safeguarding adults at risk taking part in its activities from physical, sexual, psychological, emotional or financial harm or neglect. We recognise that everyone, irrespective of age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, pregnancy and maternity, marriage or civil partnership or social status, has a right to protection from discrimination and abuse.

The RYA takes all reasonable steps to ensure that, by providing staff and volunteers with appropriate procedures and training, it offers a safe environment to adults at risk participating in RYA events and activities. All participants will be treated with dignity and respect.

We encourage RYA recognised training centres, affiliated clubs and class associations and Sailability groups, especially those working with adults at risk, to adopt and implement similar policies and procedures and provide them with relevant information and support.

The RYA seeks to:

- create a safe and welcoming environment, both on and off the water, where participants can have fun and develop their skills and confidence
- run RYA-organised training and events to the highest possible safety standards
- treat all participants with respect and celebrate their achievements.

The RYA:

- recognises that safeguarding adults who may be at risk of abuse is the responsibility of everyone, not just those who work directly with them
- carefully recruits and selects all RYA employees, contractors and volunteers in roles involving close contact with adults at risk and provides them with appropriate information or training
- responds swiftly and appropriately to all complaints and concerns about poor practice or suspected or actual abuse
- regularly reviews safeguarding procedures and practices in the light of experience or to take account of legislative, social or technological changes
- communicates changes and shares good practice with clubs, class associations, training centres and Sailability groups.

This policy will be reviewed by the RYA Safeguarding Steering Group annually and by the RYA Board at least every four years.

The RYA Safeguarding and Equality Manager should be notified of all relevant concerns, allegations or complaints.

Sample Club/Sailability Group Safeguarding Policy and Procedures

April 2017

Note: this is an example of how a Club/Sailability Group policy might be laid out. The exact content and level of detail should reflect the Club's own requirements and practices. The references in italics are suggested attachments. Those working directly with adults at risk should also have access to the RYA's full Safeguarding Adults Guidelines.

Policy Statement

(Organisation name) is committed to safeguarding adults at risk taking part in its activities from physical, sexual, psychological, emotional or financial harm or neglect. We recognise that everyone, irrespective of age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, pregnancy and maternity, marriage or civil partnership or social status, has a right to protection from discrimination and abuse.

(Organisation name) takes all reasonable steps to ensure that, by providing staff and volunteers with appropriate procedures and training, it offers a safe environment for all participants. Everyone will be treated with dignity and respect.

All members and volunteers should be aware of the policy.

Club Welfare Officer

The Club Welfare Officer is:
(Phone, e-mail, mobile etc)

Staff and Volunteers

All Club staff and volunteers whose role brings them into regular contact with adults at risk will be asked to provide references. The Club Welfare Officer and those regularly instructing, coaching or supervising adults at risk will also be asked to apply for an Enhanced Criminal Records Disclosure. Those providing personal care will be asked to apply for an Enhanced Disclosure with Barred List check (in Scotland, to apply for PVG Scheme membership).

Good Practice

All members of the Club should follow the good practice guidelines attached (see RYA Sample Document 4). Those working with adults at risk should be aware of the guidance on recognising abuse (see *RYA Appendix A*).

Concerns

Anyone who is concerned about the welfare of an adult, either outside the sport or within the Club, should inform the Club Welfare Officer immediately, in strict confidence. The Club Welfare Officer will follow the attached procedures (see *RYA Flowcharts 1 and 2*).

Any member of the Club failing to comply with the Safeguarding Adults policy and any relevant Codes of Conduct may be subject to disciplinary action under Club Rule XX.

Part 2 – Procedures

3 Designated Person

March 2015

Although everyone has a role to play in ensuring that participants are safe, it is recommended that a designated individual has specific responsibility for implementing your policy, and acts as the point of contact to receive information and advice from the RYA. You could use the term 'Welfare Officer' or 'Safeguarding Officer'. This may be, but does not have to be, the same person who undertakes that role in relation to children.

Ideally it should be someone with relevant knowledge and experience, who is perceived as being approachable by both adults at risk and, where relevant, their carers. They don't need to be an expert – that is the role of Adult Social Care Services.

The designated person's general terms of reference could include:

- Maintaining an up to date policy and procedures, compatible with the RYA's.
- Ensuring that relevant staff and/or volunteers are aware of and follow the procedures, including implementing safe recruitment procedures.
- Advising the management committee on safeguarding issues.
- Maintaining contact details for local Adult Social Care Services.

If there is a concern, the designated person would:

- Be the first point of contact for any concerns or allegations from adults at risk, carers or others, ensuring that confidentiality is maintained in all cases.
- Decide on the appropriate action to be taken, in line with the organisation's procedures and in conjunction with the person in charge (Commodore, Principal etc).
- Keep the RYA informed as necessary (*see flowcharts in Section 6*).

Everyone in the organisation should know who the Welfare Officer is and how to contact them.

RYA designated person

The RYA's Safeguarding and Equality Manager is Jackie Reid, tel. 023 8060 4104, e-mail safeguarding@rya.org.uk

4 Recruitment and training

Revised April 2017

If a good recruitment policy is adopted, and safeguarding is covered in the organisation's risk assessment and operating procedures, the opportunity for an individual with poor intent towards children or adults to gain access to the organisation or to abuse a position of trust should be minimised.

All applications, whether for paid or voluntary work, should be subject to an appropriate level of scrutiny. The level of checking you carry out should be proportionate to the role and the level of risk involved and in line with relevant statutory requirements. The risk is higher if the person will be in regular contact with the same adult at risk, in sole charge with no carers or other adults present, and/or in a role involving authority and trust, such as an instructor or coach.

The organisation should agree a clear policy and apply it fairly and consistently:

- **who to check**
 - paid staff and/or volunteers (if they have the same level of responsibility and contact, they should be treated in the same way whether they are paid or not)
 - new applicants only or existing volunteers/staff as well (if you are introducing checking for the first time you might want to start with new applicants and then check your existing volunteers or staff in priority order, depending on their role)
 - those with specific responsibilities (eg. instructor, centre principal, welfare officer, coach) or anyone who regularly supports adults at risk
- the **level of check** to be conducted for each category
 - references
 - self-declaration – see Sample Document 3 (please note that the revised version does not ask about criminal record; if you are entitled to ask an applicant about their spent criminal record it is recommended that you request a Criminal Records Disclosure)
 - Enhanced Criminal Records Disclosure (and Barred List check if appropriate) or membership of the Protection of Vulnerable Groups Scheme (Scotland only), if the post is eligible.

It is a criminal offence under the Safeguarding Vulnerable Groups Act 2006 for a Barred individual to work in Regulated Activity (Regulated Work in Scotland), for an organisation to knowingly allow someone who has been Barred to work in Regulated Activity/ Work, and for an organisation to fail to make a referral to the DBS/Disclosure Scotland if they have dismissed someone from Regulated Activity/Work for harming or posing a risk of harm to a vulnerable person.

Are they competent?

You are more likely to recruit and retain someone who is well suited to their role, and ensure equality of opportunity, if you:

- provide the applicant with a clear job or role description so that they understand what the work involves

- draw up a 'person specification' listing the key qualifications, skills, experience and qualities you're looking for
- check that the applicant is competent for the role, eg. they hold an appropriate and valid RYA instructor certificate, coach qualification or powerboat/safety boat certificate if required
- provide an induction, training, mentoring or supervision to cover any areas where they may lack experience or confidence and familiarise them with your organisation's operating procedures.

Are they safe?

If the role involves regular contact with adults at risk, you should at least:

- ask them to provide information about their past career or relevant experience (*see Sample Document 1 for sample application form*)
- ask their reasons for leaving earlier posts, or moving area, and make sure there are no unexplained gaps in their career history
- explore their experience of and attitude towards working with adults at risk
- take up references, at least one of which should ideally be from someone who has first-hand knowledge of their previous work with adults at risk, and make the nature of the work clear to the referees (*see Sample Document 2 for sample reference request*).

If the role involves regularly training or supervising adults at risk, providing personal care, or providing day-to-day management of people who do such roles, you are strongly advised to:

- First ask the applicant to complete a self-declaration form (*see Sample Document 3*). Although they might make a false declaration, the fact that your organisation has these procedures in place may deter anyone with a criminal record related to their suitability to work with adults at risk from proceeding any further
- Before confirming their appointment, ask the applicant to apply for an Enhanced Criminal Records Disclosure (with Barred List check if appropriate) or Protection of Vulnerable Groups scheme membership (see below).

Criminal Records Disclosures (DBS/AccessNI) and Protection of Vulnerable Groups (PVG) Scheme

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Organisations affiliated to or recognised by the RYA can access the DBS, Access NI or PVG processes through the RYA, which is a registered Umbrella/Intermediary Body. The procedure varies according to the home country and legal jurisdiction in which your organisation is located (see below). The RYA does not make an administrative charge for this service, but a fee is payable to the DBS/AccessNI/Disclosure Scotland in the case of paid staff. The service is free for volunteers. Up to date information is available from the RYA website www.rya.org.uk/go/safeguarding or contact the RYA's Safeguarding and Equality Manager on 023 8060 4014, e-mail disclosure@rya.org.uk

DBS checks, Access NI checks and the PVG Scheme should only be used in conjunction with the other checks listed above and not relied on in isolation. A clear

Disclosure is not a guarantee that the applicant has never done anything wrong, it only shows whether or not they have been caught.

Although it is not currently a legal requirement for voluntary sports clubs or private employers to ask their staff or volunteers to apply for Disclosures, it is an offence to allow a person to undertake regulated activity (regulated work in Scotland) with the relevant vulnerable group if they have been barred from working with that group. There is a risk that determined offenders who are no longer able to work undetected in the statutory sector, where checks are normally compulsory, may move into the voluntary and sports sectors. If groups from local day centres etc come to your site, they may request that you check your instructors or volunteers.

The sections below refer to 'Vulnerable Adults' in England, Wales and Northern Ireland and 'Protected Adults' in Scotland. The legislation governing criminal records disclosures pre-dates the Care Act 2014 and the terminology used has not yet been updated.

England, Wales and Northern Ireland

An individual is only eligible to apply for an Enhanced Disclosure, which will disclose their 'spent' as well as their 'unspent' record, if they will be in a position listed under the Exceptions to the Rehabilitation of Offenders Act 1974, ie. one that involves regularly caring for, training, supervising or being solely in charge of vulnerable adults. They can only be required to apply for the additional Adults Barred List check if they will be undertaking 'regulated activity' with vulnerable adults as defined under the Safeguarding Vulnerable Groups Act 2006, amended by the Protection of Freedoms Act 2012, ie. providing personal care.

Scotland

If the normal duties of someone in your organisation include 'regulated work' with protected adults they are required to apply for membership of the Protection of Vulnerable Groups (PVG) Scheme. In the case of work with adults, only those providing a 'welfare service', such as providing personal care to a person with a particular need, are defined as undertaking regulated work. Once an individual is a member of the Scheme, their existing or subsequent employers or voluntary organisations can ask them to apply for a 'scheme record update' to check whether their PVG status has changed or any new information has been added to their record.

Confidentiality and data storage

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All personal information, including Disclosure information, should be treated as confidential, stored securely and only shared with those who need to see it in the course of their duties or to protect adults at risk, in accordance with the DBS/PVG/AccessNI Codes of Conduct and your organisation's Data Privacy Policy.

RYA recruitment and induction policy

Revised April 2018

The RYA requires all employees and contractors recruited to posts involving regular contact with children or adults at risk to provide references and to obtain an Enhanced

Criminal Records Disclosure, with Barred List check if applicable, prior to confirmation of appointment. All RYA Instructors and Racing Coaches sign up to the Codes of Conduct (see Appendices B and C).

RYA employees and contractors whose work will involve contact with adults at risk are required to familiarise themselves with these Guidelines.

Safeguarding Training

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The Ann Craft Trust is a charity that champions the rights of disabled people and pushes forward the UK's understanding of safeguarding. They offer training on Safeguarding Adults in Sport designed for different roles and levels of responsibility. For more information see <https://www.anncrafttrust.org/safeguarding-adults-sport-activity/level-2>

Many local authorities offer training on safeguarding adults, although it will generally be more relevant to a social care setting.

The RYA has developed an online safeguarding awareness course 'Safe + Fun' which is available through a number of RYA Training Centres. The course is primarily concerned with safeguarding children, but many of the learning outcomes also apply to adults at risk. To find a centre that offers the course, use the 'Where's my nearest' function on the RYA website:

<http://www.rya.org.uk/wheresmynearest/Pages/Directory.aspx#list/> . It is a mandatory requirement for those intending to qualify as RYA Instructors, Senior Instructors or Racing Coaches to complete the online course prior to their Instructor or Coach course. The course is available to anyone wishing to gain a basic awareness of safeguarding issues, or to refresh their knowledge.

A further online module for Club Welfare Officers is also available. Contact Jackie Reid, the RYA's Safeguarding and Equality Manager, safeguarding@rya.org.uk or 023 8060 4104 to enrol.

5 Good practice guidelines

Culture

March 2015

It is important to develop a culture within your organisation where adults at risk, their carers and others feel able to raise concerns, knowing that they will be taken seriously, treated with an appropriate level of confidentiality and will not make the situation worse for themselves or others.

Minimising risk

Revised April 2018

(see Good Practice Guide, Sample Document 4)

Plan the work of the organisation and promote good practice to minimise situations where people are working unobserved or could take advantage of their position of trust. Good practice protects everyone – participants, volunteers and staff.

These common sense guidelines should be available to everyone within your organisation:

- Always communicate clearly, in whatever way best suits the individual, and check their understanding and expectations
- Always try to work in an open environment in view of others
- Avoid spending any significant time working with adults at risk in isolation
- Do not take an adult at risk alone in a car, however short the journey, unless you are certain that the individual has the capacity to decide to accept a lift
- Do not take an adult at risk to your home as part of your organisation's activity
- Where any of these is unavoidable, ensure that it only occurs with the full knowledge and consent of someone in charge of the organisation or the person's carers
- Design activities and training programmes that are within the ability of the individual
- If you need to help someone with a wetsuit or buoyancy aid or provide physical assistance or support, make sure you are in full view of others
- Take great care with communications via mobile phone, e-mail or social media that might be misunderstood or shared inappropriately. In general, only send group communications about organisational matters using these methods. If it's essential to send an individual message to a person who has a learning disability or other impairment that might affect their understanding, copy it to their carer.

You should never:

- engage in rough, physical or sexually provocative games or activities
- allow or engage in inappropriate touching of any form
- use inappropriate language
- make sexually suggestive comments, even in fun
- fail to respond to an allegation made by an adult at risk; always act
- do things of a personal nature that the person can do for themselves.

It may sometimes be necessary to do things of a personal nature to help someone with a physical or learning disability. These tasks should only be carried out with the full understanding and consent of both the individual (where possible) and their carers. In an emergency situation which requires this type of help, if the individual lacks the capacity to give consent, carers should be fully informed as soon as possible. In such situations it is important to ensure that anyone present is sensitive to the individual and undertakes personal care tasks with the utmost discretion.

Responsibilities of staff and volunteers

March 2015

Make sure your staff or volunteers are given clear roles and responsibilities, are aware of your organisation's safeguarding policy and procedures and are issued with guidelines on:

- following good practice (see above and Sample Document 4) and
- recognising signs of abuse (see Appendix A)

RYA Coaches and Instructors are expected to comply with the RYA Codes of Conduct (see Appendices B and C).

Responsibilities of participants and carers

March 2015

Clubs and organisations may wish to consider adopting a Code of Conduct (see Sample Document 5) that can be signed up to by everyone involved, whether they are participants (where they have the capacity to do so), carers, staff or volunteers, so that everyone is aware of their responsibilities towards each other and appropriate action can be taken if anyone's behaviour fails to meet the expectations set out in the Code.

Individual responsibility and club liability

Revised April 2017

Clubs or other organisers of training or coaching sessions have a duty of care to their members and must ensure that on-water activities are conducted safely. Adults are normally responsible for their own safety, welfare and behaviour. In the case of a person who lacks the capacity to take responsibility for their own welfare, the club/centre/organisation may require a carer or designated adult to be on site. It must be made clear at what point responsibility transfers from the instructor, coach or organiser to that person.

For further information on a club's legal liability and duty of care, please go to the Club Zone of the RYA's website www.rya.org.uk (you'll need your affiliated club's login) and select Club Management, Health & Safety, Organising and Managing Events, or click on this link: <http://www.rya.org.uk/club-zone/club-management/health-safety/Pages/organising-managing-events.aspx>

Changing rooms and showers

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Shower areas should, where possible, be designed to allow all participants to shower and dress in reasonable privacy. As a minimum there should be separate male and female changing rooms and, if relevant, unisex disabled toilet and changing facilities to

cater for a disabled male with a female carer and vice versa. If there is an opportunity to redevelop or refurbish changing facilities, clubs/centres should endeavour to provide some flexible family changing areas similar to those provided at public swimming pools.

If it is essential, in an emergency situation, for a male to enter a female changing area or vice versa, it is advised that they are accompanied by another adult of the opposite sex.

First aid and medical treatment

Revised April 2017

First aid, provided by an appropriately trained and qualified person, is part of an organisation's normal duty of care. If the individual lacks the capacity to give consent, and medication or medical treatment may be required in the absence of their carer, obtain prior consent from the carer (see *Sample Document 6*).

6 Handling concerns, reports or allegations

March 2015

This section is primarily for the organisation's designated Welfare Officer, but everyone should be aware of the procedures to follow if there are concerns (see flowcharts below).

A complaint, concern or allegation may come from a number of sources: the adult at risk, their carers, someone else within your organisation. It may involve the behaviour of one of your volunteers or employees, or something that has happened to the person outside the sport. Vulnerable people may confide in someone they trust, in a place where they feel at ease.

An allegation may range from mild verbal bullying to physical or sexual abuse. It can be difficult to distinguish poor practice, whether intentional or accidental, from abuse. If you are concerned that an adult at risk may be being abused, it is NOT your responsibility to decide whether it is poor practice or abuse, or to investigate further, BUT it is your responsibility to act on your concerns. For guidance on recognising abuse, see Appendix A.

If there is an allegation or concern about an adult at risk who has capacity (see page 5), **their consent must be obtained** before any referral is made, unless others are also at risk of harm. No information should be given to the adult's family or carers without their consent.

If the adult does not have capacity and is unable to give consent, a referral may be made and their family or carers informed, provided that they are involved in the individual's life and are not implicated in the allegation.

Handling an allegation from an adult at risk

Revised April 2017

Always:

- stay calm – ensure that the person is safe and feels safe
- show and tell the person that you are taking what he/she says seriously
- reassure the person and stress that he/she is not to blame
- be careful about physical contact, it may not be what the person wants
- be honest, explain that you will have to tell someone else to help stop the alleged abuse
- make a record of what the person has said as soon as possible after the event, using their own words
- follow your organisation's safeguarding procedures.

Never:

- rush into actions that may be inappropriate
- make promises you cannot keep (eg. you won't tell anyone)
- ask leading questions (see 'Recording and handling information' below)
- take sole responsibility – consult someone else (ideally the designated Welfare Officer or the person in charge or someone you can trust) so that you can begin to protect the adult at risk and gain support for yourself.

You may be upset about what the person has said or you may worry about the consequences of your actions. However, one thing is certain – you cannot ignore it. Professionals involved in taking decisions about adults at risk must take all of the circumstances into account and act in the individual's best interests. You are not expected to be able to take such decisions.

Recording and handling information

Revised April 2018

If you suspect that an adult at risk may have been the subject of any form of physical, emotional or sexual abuse or neglect, the allegation must be referred as soon as possible to Adult Social Care who have trained experts to handle such cases. Do not start asking leading questions which may jeopardise any formal investigation.

A leading question is where you suggest an answer or provide options that only need a 'yes' or 'no' answer, instead of allowing the person to explain things in their own words. An example would be asking 'did X hit you?' instead of 'how did you get that bruise?'. Use open questions such as 'what happened next?'. Only ask questions to confirm that you need to refer the matter to someone else. If the person has difficulty communicating, ask them if they would like someone there to assist or interpret, but do not assume that they want their regular carer present.

Listen to and keep a record of anything the person tells you or that you have observed and, with their consent where possible, pass the information on to the statutory authorities (see Sample Document 7 for Referral Form). Take care to distinguish between fact, observation, allegation and opinion. It is important that the information is accurate.

All information must be treated as confidential and only shared with those who need to know. If the allegation or suspicion concerns someone within your club or centre, only the person's carers, the organisation's Welfare/Safeguarding Officer, the person in charge of the organisation (unless any of them are the subject of the allegation), the relevant authorities and the RYA Safeguarding Manager should be informed. If the alleged abuse took place outside the sport, Adult Social Care will decide who else needs to be informed. It should not be discussed by anyone within the organisation other than those who received or initiated the allegation and, if different, the person in charge.

Confidential information must be processed, stored and destroyed in accordance with your organisation's Data Privacy Policy and Data Protection legislation.

Procedures

Revised April 2017

It is essential to have clear and agreed procedures to follow. These include:

- procedures to be followed by anyone concerned about an adult's welfare, either outside the sport or within your organisation (*see flowcharts below*)
- a disciplinary procedure (which may be included in a staff handbook or contract, depending on the nature of the organisation) setting out the process to be followed if an allegation or complaint is made about an employee
- a procedure for handling a complaint about a member or volunteer

The RYA's information sheet on the Conduct of Members, which includes the key elements of a fair hearing. It can be found on the website in the Club Zone (you will need your club's login) under Your People, Members, Expulsion of Members, or click on [Conduct of Members](#).

Statutory Authorities

March 2015

If your club or centre is contacted by the Local Authority or Police concerning information received or a complaint made by or about a member, volunteer or employee, you are advised to contact the RYA Safeguarding and Equality Manager as soon as possible for guidance and support. Co-operate fully with official requests for factual information, but do not express any personal opinions on the person's conduct.

Handling the media

March 2015

If there is an incident at your premises which attracts media interest, or if you are contacted by the media with an allegation concerning one of your members or employees, do not give any response until you have had an opportunity to check the facts and seek advice. You may wish to contact the RYA's Communications department on 023 8060 4215 for professional advice on handling the media.

Insurance

Added April 2018

If there is a serious allegation involving harm caused to a child or adult at risk, either at your premises or as a result of taking part in your activities, the person in charge should consider notifying your insurers in case there is a subsequent claim against the organisation.

Charity Commission

Added April 2018

If your organisation is a Registered Charity, the Charity Commission requires Trustees to report serious incidents. A serious incident is an adverse event, whether actual or alleged, which results in or risks significant: loss of your charity's money or assets, damage to your charity's property, or harm to your charity's work, beneficiaries or reputation. This includes serious safeguarding issues.

Reference to the Disclosure and Barring Service or Disclosure Scotland

March 2015

The Disclosure and Barring Service (DBS) maintains the lists of people barred from working with children or with vulnerable adults in England and Wales and in Northern Ireland. Disclosure Scotland fulfils this function in Scotland. If your organisation permanently dismisses or removes someone from regulated activity/work, or would have dismissed them if they had not resigned, because they have harmed a child or vulnerable adult or placed them at risk of harm, you have a duty to refer them to the DBS or Disclosure Scotland, as appropriate. *It is a criminal offence not to make such a referral.* For guidance on the grounds and process for making a referral, see the relevant website (see Section 7 Useful Contacts) or contact the RYA Safeguarding and Equality Manager.

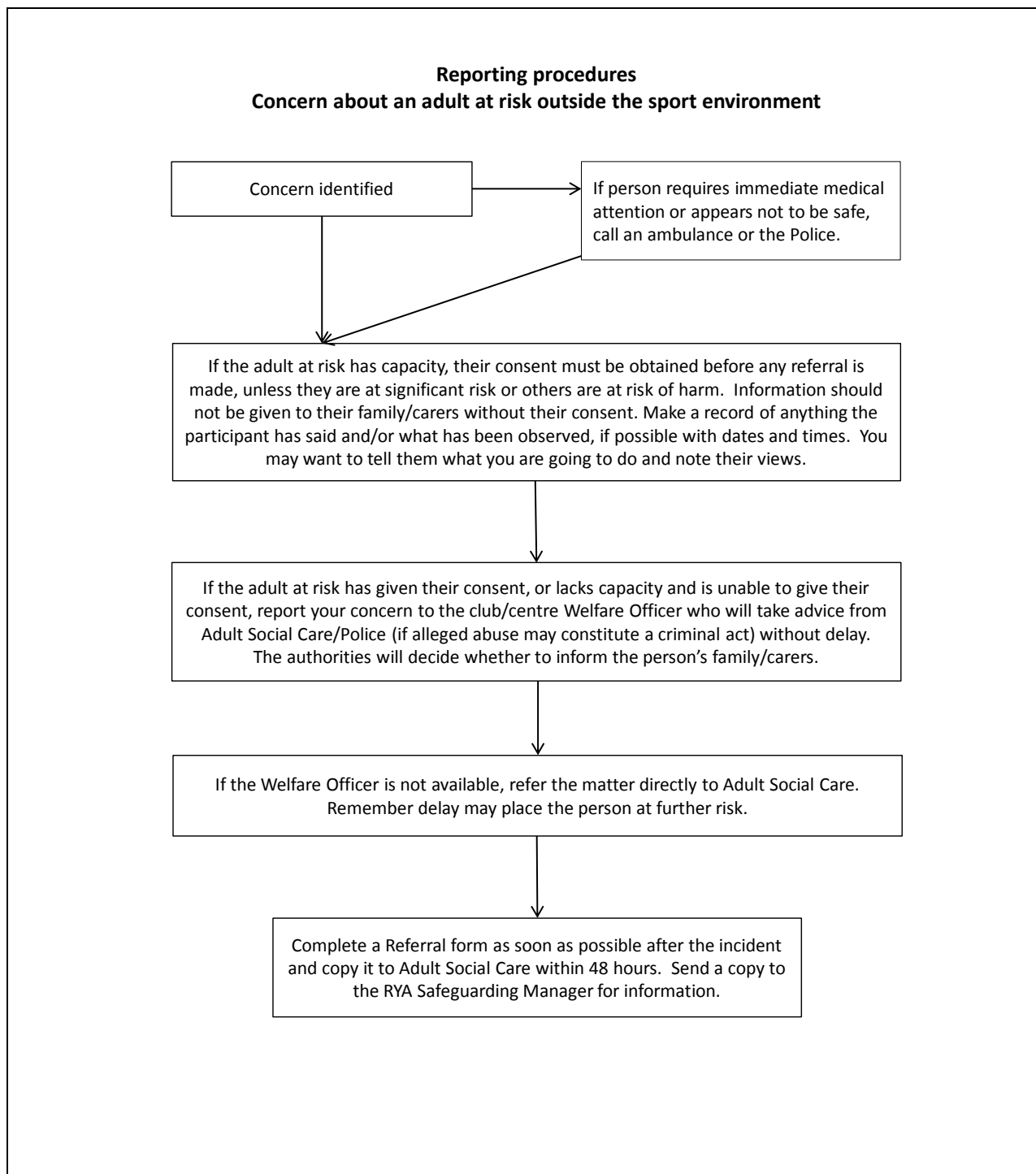
Reporting Procedures

March 2015

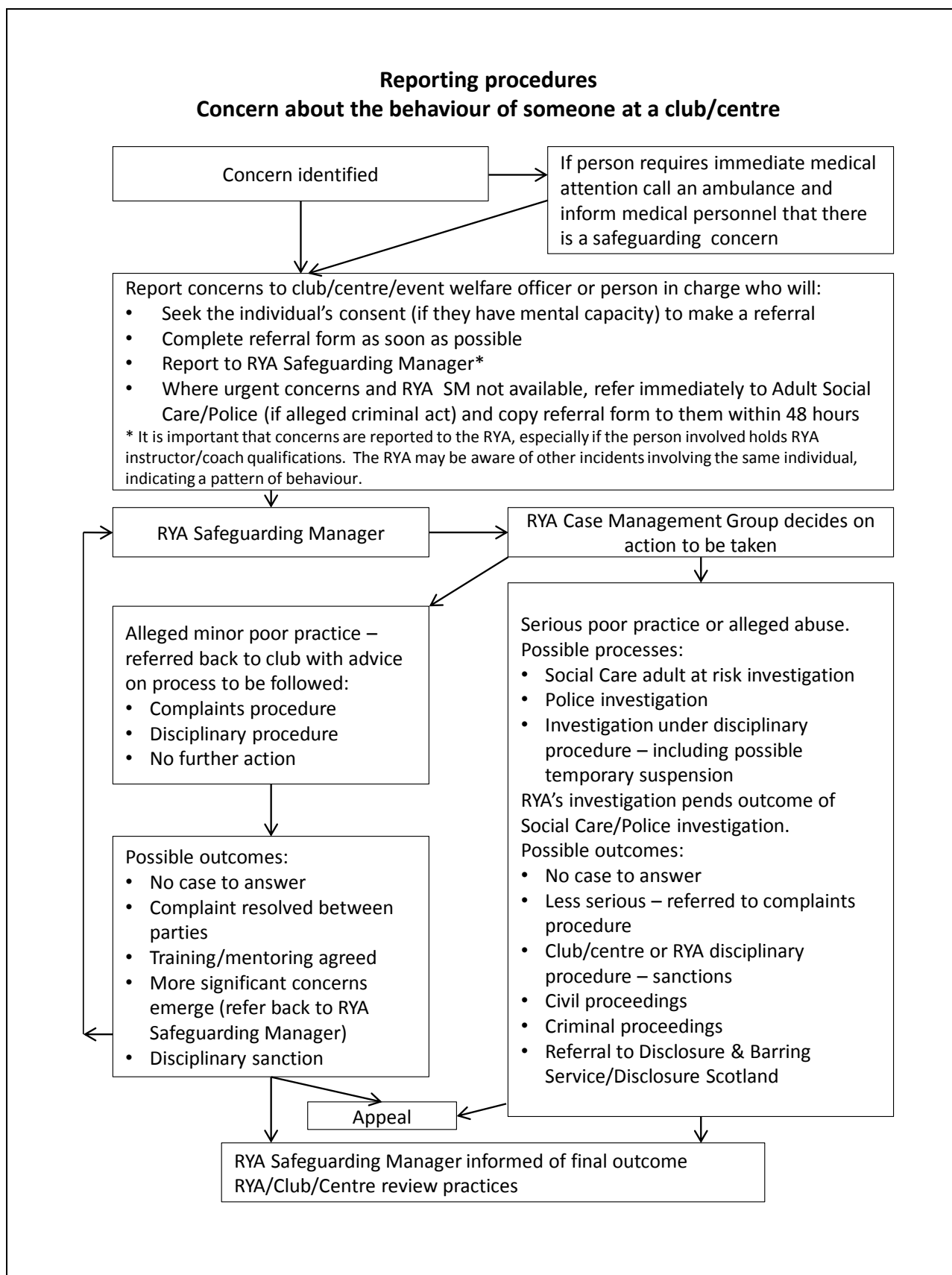
If you are uncertain what to do at any stage, contact the RYA's Safeguarding Manager on 023 8060 4104 or your local authority Adult Social Care department.

Details of Adult Social Care departments and emergency duty teams are listed on local authority websites and in local phone books. If you are unable to find the appropriate contact number, call the RYA's Safeguarding Manager or, if the person is at immediate risk, the Police.

Flowchart 1



Flowchart 2



Part 3 – Information

7 Useful Contacts

Revised April 2018

Royal Yachting Association

Jackie Reid, Safeguarding and Equality Manager
RYA House, Ensign Way
Hamble
Southampton
SO31 4YA
Tel: 023 8060 4104
E-mail: safeguarding@rya.org.uk
Website: www.rya.org.uk/go/safeguarding

Social Care Services

Your local phone book or the website for your County Council or unitary local authority will list numbers for Adult Services, generally with separate numbers for Adult Social Care and for the Emergency Duty Team (out of hours service).

Ann Craft Trust

The Ann Craft Trust (ACT) supports organisations in the statutory, independent and voluntary sectors across the UK to protect disabled children and adults at risk.

‘Safeguarding Adults in Sport and Physical Activity’ is a programme supported by Sport England to help sports organisations to develop best practice in safeguarding adults at risk. They provide a range of resources and training.

Tel: 0115 9515 400

Website: <http://www.anncrafttrust.org/safeguarding-adults-sport-activity/>

The following is a small selection of charities that support people with different needs and disabilities. A more comprehensive list can be found in the Resource Pack on the Ann Craft Trust website.

Action on Elder Abuse helpline

Tel: 0808 808 8141

Website: www.elderabuse.org.uk

Dementia UK

Tel: 0800 888 6678

Website: www.dementiauk.org

Mencap Direct

Tel: 0808 808 1111

E-mail: help@mencap.org.uk

Website: www.mencap.org.uk

MIND – mental health charity

Tel: 0300 123 3393

Text: 86463

E-mail: info@mind.org.uk

Website: www.mind.org.uk

National Autistic Society

Tel: 020 7833 2299

Website: www.nas.org.uk

Victim Support

Tel: 0808 168 9111

www.victimsupport.com

Disclosure and Barring Service (DBS) – RYA is Registered Body

Website: <https://www.gov.uk/government/organisations/disclosure-and-barring-service>

AccessNI – RYA is Registered Body

Website: www.nidirect.gov.uk/accessni

Volunteer Scotland Disclosure Services – RYA is Enrolled Body

Website: www.volunteerscotland.net/disclosure-services

Disclosure Scotland (for referrals)

<https://www.mygov.scot/pvg-referrals/>

UK Coaching

Provide training on coaching people with disabilities

Website: www.ukcoaching.org

8 Sample Documents

These documents are intended as a useful reference for clubs, class associations and training centres but must be adapted to fit the requirements of the organisation, activity or event and should not be taken as prescriptive.

Sample Document 1 – Application form

Revised April 2018

To be adapted for voluntary role or paid employment

Application for the post/role of (job/role title)

When completed this form should be returned, marked 'Private and Confidential', to:

The closing date for applications is (date)

Personal details

Title:

Surname:

Other names in full:

Contact details

Address:

Home phone:

Work phone:

(state if you do not wish to be contacted at work)

Mobile:

E-mail:

Training and Qualifications

Academic and/or vocational qualifications

RYA or other qualifications relevant to the role

Do you hold a valid UK driving licence? YES / NO

Summary of past experience

Please state the name of organisation, position held, dates and a brief description of responsibilities and duties (continue on separate sheet if required)

Please state how you think your skills and experience match the requirements of this role and give your reasons for applying.

Other relevant information

eg. recreational interests, hobbies, voluntary or community work

Criminal record

Having a criminal record will not necessarily bar you from working with us. This will depend on the position applied for and the nature of your offence. If you are applying for a position involving regular contact with children or vulnerable adults you will be required, at the offer stage, to apply for an Enhanced Criminal Records Disclosure, with Barred List check if relevant (*in Scotland: to apply for membership of the Protection of Vulnerable Groups Scheme*).

References

Please give names and addresses of two people who can be asked to provide a reference. At least one should have first-hand knowledge of your previous work with children or adults at risk (as appropriate). References from relatives will not be accepted. Please indicate if you do not want us to contact any of your referees before interview or before an offer of employment.

Referee 1

Name

Address

E-mail address

Phone number

Capacity in which known to you

Referee 2

Name

Address

E-mail address

Phone number

Capacity in which known to you

Data Protection

In order to recruit to this role *[insert name of organisation]* will process personal information given in connection with this application. Information relating to the successful applicant will form part of personnel records. All personal data will be handled in accordance with *[name of organisation's]* Data Privacy Policy which can be found *[provide link]*.

Applicant's Declaration

I declare that to the best of my knowledge the information given on this form is correct and understand that misleading statements or deliberate omission may be sufficient grounds for cancelling any appointment arising from this application.

Signature

Date

Sample Document 2 – Reference request

Revised April 2018

Confidential

(Name) has expressed an interest in working with (organisation) in the role of (position) and has given your name as a referee. This role involves substantial access to (children and/or) adults at risk. As an organisation committed to safeguarding the welfare of participants, we are anxious to know if there are any reasons to be concerned about this applicant being in contact with vulnerable people.

If you agree to complete this reference, any information will be treated with due confidentiality and in accordance with relevant legislation and guidance and will only be shared with the person conducting the assessment of the applicant's suitability, should they be offered the role. We would appreciate you being candid, open and honest in your evaluation of this person.

How long have you known this person?

In what capacity?

What attributes does this person have which would make them suitable for this role?

Please rate this person on the following (please tick one box for each question)

	Poor	Average	Good	Very good	Excellent
Responsibility					
Maturity					
Self-motivation					
Motivation of others					
Commitment					
Energy					
Trustworthiness					
Reliability					

Do you have any reason at all to be concerned about this applicant being in contact with (children/) adults at risk?

YES / NO

If you answer 'Yes' we will contact you in confidence.

Name: (please print)

Tel. No:

Signed:

Date:

Please return this form, marked 'Confidential' to:

Note: A reference is personal data and the subject is entitled to request a copy from the recipient.

Sample Document 3 – Self-declaration form

Revised April 2018

Can be adapted for roles involving working with children

Private and Confidential Self-declaration form for roles involving contact with adults at risk

(*Organisation name*) is committed to safeguarding adults at risk taking part in its activities from physical, sexual, psychological, emotional or financial harm or neglect. As part of our Safeguarding policy, we require applicants for posts involving contact with adults at risk to complete this self-declaration form.

If your role will involve regular or frequent contact with or responsibility for adults at risk you may also be required to provide a valid Enhanced Criminal Records Disclosure, with Barred List check if relevant (*Scotland: to be a member of the Protecting Vulnerable Groups Scheme*). Having a criminal record will not necessarily bar you from working with us. This will depend on the nature of the position and the circumstances and background of your offences.

All information will be treated as confidential and managed in accordance with our Data Privacy Policy and current data protection legislation and guidance.

Name

1. Have you ever been known to any Adult Services Department as being an actual or potential risk to adults at risk?

YES / NO

If yes, please supply details.

2. Have you ever been the subject of any disciplinary investigation and/or sanction by any organisation due to concerns about your behaviour towards adults at risk?

YES / NO

If yes, please supply details.

Declaration

I declare that to the best of my knowledge the information given above is correct and understand that any misleading statements or deliberate omission may be sufficient grounds for disciplinary action and/or the withdrawal of my appointment.

If required I agree to provide a valid Criminal Records Disclosure (*Scotland: PVG Scheme Membership certificate*).

I agree to inform the organisation within 24 hours if I am subsequently investigated by any agency or organisation in relation to concerns about my behaviour towards adults at risk.

I understand that the information contained in this form and in the Disclosure, or supplied by third parties, may be shared with other persons or organisations in circumstances where this is considered necessary to safeguard adults at risk.

Signed: Date:

Note: if the applicant is aged under 18, this form should be counter-signed by a parent or guardian

Sample Document 4 – Good Practice Guide

Revised April 2018

Handout for Instructors, Coaches and Volunteers

This guide only covers the essential points of good practice when working with adults at risk. You should also read the organisation's Safeguarding Policy and Procedures which are available for reference at all times.

- Always communicate clearly, in whatever way best suits the individual, and check their understanding and expectations
- Always try to work in an open environment in view of others
- Avoid spending any significant time working with adults at risk in isolation
- Do not take an adult at risk alone in a car, however short the journey, unless you are certain that the individual has the capacity to decide to accept a lift
- Do not take an adult at risk to your home as part of your organisation's activity
- Where any of these is unavoidable, ensure that it only occurs with the full knowledge and consent of someone in charge of the organisation or the person's carers
- Design training programmes that are within the ability of the individual
- If you need to help someone with a wetsuit or buoyancy aid or provide physical assistance or support, make sure you are in full view of others
- Take great care with communications via mobile phone, e-mail or social media that might be misunderstood or shared inappropriately. In general, only send group communications about organisational matters using these methods. If it's essential to send an individual message to a person who has a learning disability or other impairment that might affect their understanding, copy it to their carer.

You should never:

- engage in rough, physical or sexually provocative games or activities
- allow or engage in inappropriate touching of any form
- use inappropriate language
- make sexually suggestive comments, even in fun
- fail to respond to an allegation made by an adult at risk; always act
- do things of a personal nature that the person can do for themselves.

It may sometimes be necessary to do things of a personal nature to help someone with a physical or learning disability. These tasks should only be carried out with the full understanding and consent of both the individual (where possible) and their carers. In an emergency situation which requires this type of help, if the individual lacks the capacity to give consent, carers should be fully informed. In such situations it is important to ensure that anyone present is sensitive to the individual and undertakes personal care tasks with the utmost discretion.

Sample Document 5 – Club/Class/Centre Code of Conduct

March 2015

It is the policy of (organisation name) that all participants, coaches, instructors, officials, parents/carers and volunteers show respect and understanding for each other, treat everyone equally within the context of the sport and conduct themselves in a way that reflects the principles of the organisation. The aim is for all participants to enjoy their sport and to improve performance.

Abusive language, swearing, intimidation, aggressive behaviour or lack of respect for others and their property will not be tolerated and may lead to disciplinary action.

Participants

- Listen to and accept what you are asked to do to improve your performance and keep you safe
- Respect other participants, coaches, instructors, officials and volunteers
- Abide by the rules and play fairly
- Do your best at all times
- Never bully others either in person, by phone, by text or online
- Take care of all property belonging to other participants, the club/organisation or its members

Carers

- Accept that adult participants have a right to take risks and to take decisions about their welfare, unless they lack the capacity to do so as defined by the Mental Health Act 2005
- Support the participant's involvement and help them enjoy their sport
- Help the participant to recognise good performance, not just results
- Never force the participant to take part in sport
- Never punish or belittle the participant for losing or making mistakes
- Encourage and guide the participant to accept responsibility for their own conduct and performance
- Respect and support the instructor/coach
- Accept officials' judgements and recognise good performance by all participants
- Use established procedures where there is a genuine concern or dispute
- Inform the club or event organisers of relevant medical information
- Ensure that the participant wears suitable clothing and has appropriate food and drink
- Provide contact details and be available when required
- Take responsibility for the participant's safety and conduct in and around the clubhouse/event venue

Coaches, Instructors, Officials and Volunteers

- Consider the welfare and safety of participants before the development of performance
- Encourage participants to value their performance and not just results

- Promote fair play and never condone cheating
- Ensure that all activities are appropriate to the age, ability and experience of those taking part
- Build relationships based on mutual trust and respect
- Work in an open environment
- Avoid unnecessary physical contact with young or vulnerable people
- Be an excellent role model and display consistently high standards of behaviour and appearance
- Do not drink alcohol or smoke when working directly with young people
- Communicate clearly with participants and carers
- Be aware of any relevant medical information
- Follow RYA and club/class guidelines and policies
- Holders of RYA Instructor and Coach qualifications must also comply with the RYA Code of Ethics and Conduct
- Holders of RYA Race Official appointments must also comply with the RYA Race Officials Code of Conduct.

If you are concerned that someone is not following the Code of Conduct, you should inform your organisation's Welfare Officer or the person in charge of the activity.

Sample Document 6 – Booking and Parental Consent form

Revised April 2018

This document is an extract from the RYA's booklet **Race, Training and Event Management** which can be downloaded from the website here: <http://www.rya.org.uk/club-zone/club-management/health-safety/Pages/organising-managing-events.aspx> Please see the booklet for full guidance notes, alternative clauses for different types of event, etc.

This template has been produced as a Model Booking Form for a boating event organised by a club or class association (e.g. a taster day, training/coaching etc). The form will need to be modified for use in relation to specific events.

EVENT DETAILS

Event name	
Venue	
Date	
Event Co-ordinator	
Event details	

PARTICIPANT CONTACT DETAILS

Name	
Address	
Contact no.	
Email address:	
If you are under 18, your parent or guardian must complete and sign the Parental/Guardian Agreement Form at page []	

ABOUT YOU

Do you have any previous boating experience or qualifications? If yes, please give brief details.	
Can you swim 25 metres?	
In the interests of your safety do you have any medical conditions or physical or mental impairments that the organiser needs to be aware of that may affect your ability to take part in the Event?	Yes/ No If you answer yes please provide further details in the Medical Information and Impairments section of this form at page [].
Telephone number of emergency contact.	

BOOKING TERMS

1. RISK STATEMENT

It must be recognised that sailing is by its nature an unpredictable sport and therefore inherently involves an element of risk. By taking part in the Event, you agree and acknowledge that:

- (i) You are aware of the inherent element of risk involved in the sport and you accept responsibility exposing yourself to such inherent risk whilst taking part in the Event;
- (ii) You will comply at all times with the instructions of the Event Co-ordinator particularly with regard to handling of boats, wearing of buoyancy aids and the wearing of suitable clothing for the conditions;
- (iii) You accept responsibility for any injury, damage or loss to the extent caused by your own negligence;
- (iv) You will not participate in the Event if your ability to participate is impaired by alcohol, drugs or if you are otherwise unfit to participate;
- (v) You will inform the Event Co-ordinator if there have been any changes to the information provided on this form at the time of the Event.
- (vi) The provision of patrol boat cover is limited to such assistance as can be practically provided in the circumstances;
- (vii) You are aware of any specific risks drawn to your attention by the Event Co-ordinator.

2. CANCELLATION

You understand that the Event Co-ordinator may cancel or postpone the Event at any stage in the event of bad weather, equipment failure or otherwise.

3. MISCONDUCT

You understand that the Event Co-ordinator may exclude anyone from a particular session and evict anyone from the premises who refuses to comply with these Booking Terms or who misconducts themselves in any way or who causes damage or annoyance to other persons.

4. DATA PROTECTION

The Organiser has a Data Privacy Policy which can be found at []
Your data will be stored and used in accordance with that policy.

The information you provide in this form will be used to facilitate your participation in the Event and to contact you. The Organiser would also like to include your contact details on a mailing list in order to make you aware of membership opportunities and future events.

If you would like to be included on this mailing list please tick here

If you wish to withdraw your agreement at any time, please contact []

5. USE OF YOUR IMAGE

The Organiser may arrange for images or videos to be taken at the Event and published on the Event or Organiser's website or social media channels to promote the Event or Organiser.

If you agree to images of you being used for this purpose, please tick here.

If you are taking part in the Event as a family, your family members, aged 18 and over, should indicate their agreement to the use of their image separately below. **Parental agreement for images of participants aged under 18 is included in the Parental/Guardian Agreement Form at page [].**

Family member

Family member

Family member

If you later wish to withdraw your agreement, please contact []. Please be aware that if you later decide to withdraw your agreement it will not be possible to remove your image from any printed material in circulation, or until the next edition or print of the item containing your image is released.

By agreeing to your images being used, you agree to assign any copyright or any other right of ownership of these images to the Organiser.

AGREEMENT

I confirm that I have read and fully understand the above Booking Terms and agree to comply with them.

Signed..... (The Participant) Date.....

PARENTAL/GUARDIAN AGREEMENT

(to be completed if the participant is aged under 18)

Name of participant	
Name of parent/guardian completing this form	
Relationship to participant	
Contact number during Event	

Optional clause to be used where Event organisers require a responsible adult to remain on site during the Event

Supervision

I will be responsible for my child throughout the Event. I will be available at the Event venue

OR

I appoint the person named below, who has agreed to act in loco parentis. He/she will be responsible for my dependant throughout the event. He/she will be available at the Event venue.

Name of person appointed in loco parentis.....

Mobile number.....

Optional Medical consent if parent/guardian is not on site

Medical treatment

I give permission to the organisers to administer any relevant treatment or medication to the above-named participant when or if necessary.

In an emergency situation I authorise the organisers to take my child to hospital and give my full permission for any treatment required to be carried out in accordance with the hospital's diagnosis. I understand that I shall be notified, as soon as possible, of the hospital visit and any treatment given by the hospital.

Use of your child's image

The Organiser may arrange for images or videos to be taken at the Event and published on the Event or Organiser's website or social media channels to promote the Event or Organiser.

If you agree to the use of images of your child being used for this purpose, please tick here.

If you agree to the use of images of your child being used, please confirm below that your child is not under a court order which may prevent their image being published. I confirm that my child is not under a court order which may prevent their image from being published.

If you later wish to withdraw your agreement, please contact []. Please be aware that if you later decide to withdraw your agreement it will not be possible to

remove your image from any printed material in circulation, or until the next edition or print of the item containing your image is released.

By agreeing to images being used, you agree to assign any copyright or any other right of ownership of these images to the Organiser

PARENTAL/GUARDIAN AGREEMENT (if under 18)

I agree that _____ may take part in the Event. I confirm that I have read through the above conditions with him/her and that she/he understands and agrees with them. I also confirm that he/she takes part in the Event with my full agreement that that the particulars given above are correct and complete in all respects.

Signed.....Parent/Guardian.....

Date.....

MEDICAL INFORMATION AND IMPAIRMENTS

*(For full guidance on collecting personal medical information, in relation to compliance with the General Data Protection Regulations, please see the RYA's **Race, Training and Event Management** booklet)*

If you declared that you have a medical condition or physical or mental impairment that the organiser needs to be aware of because it may affect your ability to take part in the Event please provide details below.

SPECIAL CATEGORY DATA

I confirm that I have given the Organiser the medical information listed on this page (if any) for the purposes of my participation in the Event. I understand that this information will only be used for that purpose and will be retained for as long as necessary to comply with the Organiser's legal obligations.

I agree/ I do not agree (Please circle)

Sample Document 7 – Safeguarding referral form

Revised April 2018

Date and time of incident	
Name and position of person about whom report, complaint or allegation is made	
Name and age (if known) of adult at risk involved	
Name of club or organisation	
Nature of incident, complaint or allegation (continue on separate page if necessary)	
Action taken by organisation (continue on separate page if necessary)	
If Adult Social Care or Police contacted, name, position and telephone number of person handling case	
Name, organisation and position of person completing form	
Contact telephone number and e-mail address	
Signature of person completing form	
Date and time form completed	
Name and position of organisation's welfare officer or person in charge (if different from above)	
Contact telephone number and e-mail address	

This form should be copied, marked 'Private and Confidential', to the RYA Safeguarding and Equality Manager, Jackie Reid, RYA House, Ensign Way, Hamble, Southampton, SO31 4YA, e-mail safeguarding@rya.org.uk and to the statutory authorities (if they have been informed of the incident) within 48 hours of the incident.

Appendix A – What is abuse?

Revised April 2018

(Based on the statutory guidance supporting the implementation of the Care Act 2014)

Abuse is a violation of an individual's human and civil rights by another person or persons.

Adults at risk may be abused by a wide range of people including family members, professional staff, care workers, volunteers, other service users, neighbours, friends, and individuals who deliberately exploit vulnerable people. Abuse may occur when an adult at risk lives alone or with a relative, within nursing, residential or day care settings, hospitals and other places assumed to be safe, or in public places.

The following is not intended to be an exhaustive list of types of abuse or exploitation but an illustrative guide as to the sort of behaviour which could give rise to a safeguarding concern:

Physical abuse - including assault, hitting, slapping, pushing, misuse of medication, restraint, or inappropriate physical sanctions.

Domestic violence – including psychological, physical, sexual, financial, emotional abuse; so called 'honour' based violence. This won't happen at a club/centre, but there could be concerns about a participant's home situation.

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

Psychological abuse - including emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or unreasonable and unjustified withdrawal from services or supportive networks. In a club context this might include excluding a member from social activities.

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. People with learning disabilities or dementia are particularly vulnerable to this type of abuse. An example might be encouraging someone to book and pay for training courses that are inappropriate for their level of ability, or to purchase sailing clothing or equipment they don't need.

Discriminatory abuse - including forms of harassment, slurs or similar treatment; because of race, gender and gender identity, age, disability, sexual orientation or religion.

Neglect and acts of omission - including ignoring medical, emotional or physical care needs, failure to provide access to appropriate health, care and support or educational services, the withholding of the necessities of life, such as medication, adequate

nutrition and heating; or in a watersports context, failing to ensure that the person is adequately protected from the cold or sun or properly hydrated while on the water.

Self-neglect – this covers a wide range of behaviour neglecting to care for one’s personal hygiene, health or surroundings and includes behaviour such as hoarding. Self-neglect might indicate that the person is not receiving adequate support or care, or could be an indication of a mental health issue such as depression.

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 on-going ill-treatment. It can be through neglect or poor professional practice as a result of the structure, policies, processes and practices within an organisation.

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

Not included in the Care Act 2014 but also relevant:

Bullying (including ‘cyber bullying’ by text, e-mail, social media etc) - may be seen as deliberately hurtful behaviour, usually repeated or sustained over a period of time, where it is difficult for those being bullied to defend themselves. The bully may be another vulnerable person. Although anyone can be the target of bullying, victims are typically shy, sensitive and perhaps anxious or insecure. Sometimes they are singled out for physical reasons – being overweight, physically small, having a disability - or for belonging to a different race, faith or culture.

Mate Crime – a ‘mate crime’ as defined by the Safety Net Project is ‘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. There have been a number of serious cases relating to people with a learning disability who were seriously harmed by people who purported to be their friends.

Radicalisation

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

Recognising abuse

Revised April 2017

Patterns of abuse vary and include:

- Serial abusing in which the perpetrator seeks out and ‘grooms’ individuals. Sexual abuse sometimes falls into this pattern as do some forms of financial abuse
- Long-term abuse in the context of an ongoing family relationship such as domestic violence between spouses or generations or persistent psychological abuse; or

- Opportunistic abuse such as theft occurring because money or valuable items have been left lying around.

Signs and indicators that may suggest someone is being abused or neglected include:

- Unexplained bruises or injuries – or lack of medical attention when an injury has occurred
- Someone losing or gaining weight, or an unkempt appearance
- A change in behaviour or confidence
- Self-harming
- A person's belongings or money go missing
- The person is not attending, or no longer enjoying, their sessions
- A person has a fear of a particular group or individual
- A disclosure – someone tells you or another person that they are being abused.

If you are concerned

Revised April 2017

If there are concerns about abuse taking place in the person's home, talking to their carers might put them at greater risk. If you cannot talk to the carers, consult your organisation's designated Welfare Officer or the person in charge. It is this person's responsibility to make the decision to contact Adult Social Care Services. It is NOT their responsibility to decide if abuse is taking place, BUT it is their responsibility to act on your concerns.

Social care professionals involved in taking decisions about adults at risk must take all of the circumstances into account and act in the individual's best interests. You are not expected to be able to take such decisions.

The following six principles inform the way in which professionals and other staff in care and support services and other public services work with adults:

- **Empowerment** – People being supported and encouraged to make their own decisions and informed consent
- **Prevention** – It is better to take action before harm occurs
- **Proportionality** – The least intrusive response appropriate to the risk presented
- **Protection** – Support and representation for those in greatest need
- **Partnership** – Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse
- **Accountability** – Accountability and transparency in delivering safeguarding.

Some instances of abuse will constitute a criminal offence, for example assault, sexual assault and rape, fraud or other forms of financial exploitation and certain forms of discrimination. This type of abuse should be reported to the Police.

Appendix B – RYA Instructor Code of Conduct

Revised Feb 14

RYA Instructor Code of Conduct for RYA Instructors, Coach Assessors, Trainers and Examiners

This document outlines the code of conduct under which all holders of RYA instructor qualifications and RYA training appointments (hereafter referred to as instructors) are required to comply. The code of conduct is intended to make clear to all participants, instructors and RYA appointment holders the high standards to which all are expected to conform. Instructors must:

- If working with people under the age of 18, read and understand the Child Protection Policy as detailed on the RYA website at www.rya.org.uk
- Respect the rights, dignity and worth of every person and treat everyone equally within the context of their sport.
- Place the wellbeing and safety of the student above the development of performance or delivery of training.
- They should follow all guidelines laid down by the RYA with regards specific training or coaching programmes.
- Hold appropriate insurance cover either individually or through the training centre in which they are working.
- Not develop inappropriate working relationships with students (especially children). Relationships must be based on mutual trust and respect and not exert undue influence to obtain personal benefit or reward.
- Encourage and guide students to accept responsibility for their own behaviour and performance.
- Hold relevant up to date governing body qualifications as approved by the RYA.
- Ensure that the activities they direct or advocate are appropriate for the age, maturity, experience and ability of the individual.
- At the outset, clarify with students (and where appropriate their parents) exactly what is expected of them and what they are entitled to expect.
- Always promote the positive aspects of the sport (eg courtesy to other water users).
- Consistently display high standards of behaviour and appearance.
- Not do or neglect to do anything which may bring the RYA into disrepute.
- Act with integrity in all customer and business to business dealings pertaining to RYA training.
- Not teach or purport to provide RYA courses or RYA certification outside of the framework of an RYA recognised training centre
- Notify the RYA immediately of any court imposed sanction that precludes the instructor from contact with specific user groups (for example children and vulnerable adults).
- Not carry out RYA training, examining or coaching activities whilst under the influence of alcohol or drugs.

Failure to adhere to the RYA Instructor Code of Conduct may result in the suspension or withdrawal of RYA qualifications or appointments.

Appendix C – RYA Coach Code of Ethics and Conduct

Revised Jan 12

Sports Coaching helps the development of individuals through improving their performance.

This is achieved by:

1. Identifying and meeting the needs of individuals.
2. Improving performance through a progressing programme of safe, guided practice, measured performance and/or competition.
3. Creating an environment in which individuals are motivated to maintain participation and improve performance.

Coaches should comply with the principles of good ethical practice listed below.

1. All RYA Coaches working with sailors under the age of 18 must have read and understood the Child Protection Policy as detailed on the RYA website at www.rya.org.uk. If you are unable to access the website please contact the Racing Department for a copy.
2. Coaches must respect the rights, dignity and worth of every person and treat everyone equally within the context of their sport.
3. Coaches must place the well-being and safety of the performer above the development of performance. They should follow all guidelines laid down by the RYA and hold appropriate insurance cover.
4. Coaches must develop an appropriate working relationship with performers based on mutual trust and respect. Coaches must not exert undue influence to obtain personal benefit or reward. In particular they must not abuse their position of trust to establish or pursue a sexual relationship with a sailor aged under 18, or an inappropriate relationship with any sailor.
5. Coaches must encourage and guide performers to accept responsibility for their own behaviour and performance.
6. Coaches must hold up to date and nationally recognised governing body coaching qualifications.
7. Coaches must ensure that the activities they direct or advocate are appropriate for the age, maturity, experience and ability of the individual.
8. Coaches must, at the outset, clarify with performers (and where appropriate their parents) exactly what is expected of them and what performers are entitled to expect from their coach. A contract may sometimes be appropriate.
9. Coaches must co-operate fully with other specialists (eg. other coaches, officials, sports scientists, doctors, physiotherapists) in the best interests of the performer.
10. Coaches must always promote the positive aspects of their sport (eg. fair play) and never condone rule violations or the use of prohibited substances.
11. Coaches must consistently display high standards of behaviour and appearance.