

# Safeguarding Procedures for Affiliated Clubs, Class Associations and Recognised Training Centres

## 1. Safeguarding and Welfare Team Contact Details

<b>Club Welfare Officer</b>	<b>Name: Aidan Pounder</b>  <b>Number:</b>  <b>Email:</b>
<b>Club Welfare Officer</b>	<b>Name: Deirdre Pringle</b>  <b>Number: 07740 675055</b>  <b>Email: <a href="mailto:dfgilpin112@gmail.com">dfgilpin112@gmail.com</a></b>
<b>Police Emergency</b>	<b>Number: 999</b>
<b>Police Non-Emergency</b>	<b>Number: 101</b>
<b>SEHCT Gateway Service</b>	<b>Number:</b> 0300 100 0300 (Mon-Fri 9-5) OUT OF HOURS(028) 9056 5444
<b>RYA Safeguarding Team</b> Office Opening hours: <ul style="list-style-type: none"> <li>• 09:00-17:00 Monday to Friday</li> </ul> Out of Hours Service (Urgent enquiries which cannot wait) <ul style="list-style-type: none"> <li>• 17:00-22:00 Monday to Friday</li> <li>• 09:00-22:00 Bank Holidays</li> </ul>	<b>Number: 02380 012796</b> (Choose option 1 for Safeguarding and Option 3 for out of hours service)  <b>Email: <a href="mailto:safeguarding@rya.org.uk">safeguarding@rya.org.uk</a></b>
<b>RYA Legal Team</b>	<b>Email: <a href="mailto:legal@rya.org.uk">legal@rya.org.uk</a></b>

## 2. Ballyholme Yacht Club Safeguarding Reporting Procedure

### Stage 1 – Referral Process

#### BALLYHOLME YACHT CLUB SAFEGUARDING REPORTING PROCEDURE

##### STAGE 1- REFERRAL PROCESS

Concerns arise about the welfare of a child, young person, adult or adult at risk

Is there an immediate risk to a child, young person, adult or adult at risk?

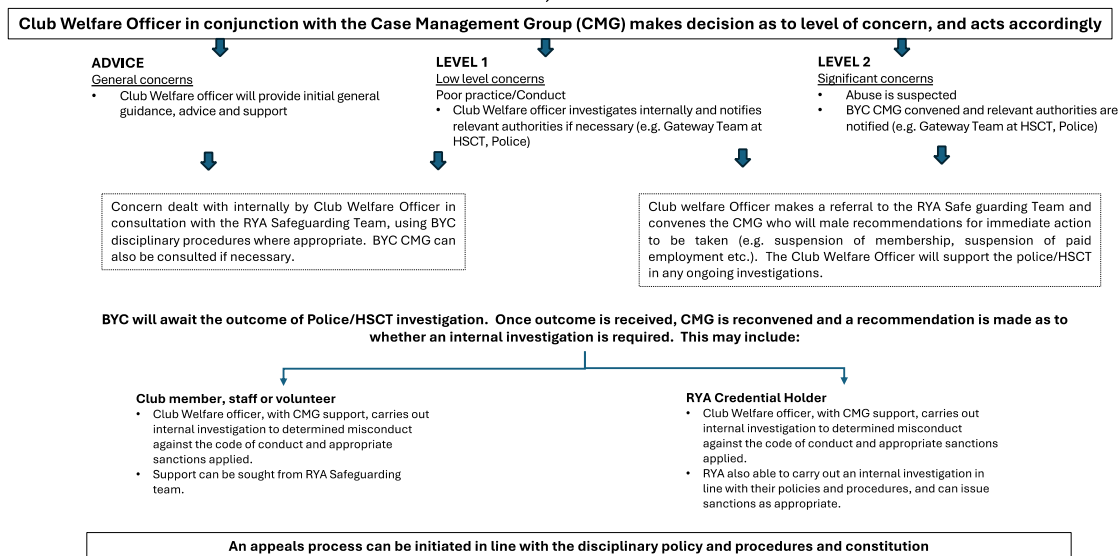


Where concerns are raised against RYA Staff members, volunteers or credential holders, please contact the RYA Safeguarding team straight away

### Stage 2 – Classification, Assessment and Action

#### BALLYHOLME YACHT CLUB SAFEGUARDING REPORTING PROCEDURE

##### STAGE 2- CLASSIFICATION, ASSESSMENT AND ACTION



### **3. Breaches of the Safeguarding Policy**

Where there are concerns that this safeguarding policy has not been followed, or there is a safeguarding concern, all members, volunteers, staff and participants are encouraged in the first instance, to contact the Club Welfare Officer 07740 675055/XXXXXX or [dfgilpin112@gmail.com](mailto:dfgilpin112@gmail.com)/XXXXXX. If further support or guidance are required, The RYA Safeguarding Team can be contacted on 02380 012796 / [safeguarding@rya.org.uk](mailto:safeguarding@rya.org.uk). Alternatively the NSPCC Whistleblowing advice line can be contacted on 0800 028 0285 or [help@nspcc.org.uk](mailto:help@nspcc.org.uk)

Breaches of this Safeguarding Policy and /or failure to comply with the outlined responsibilities within it may result in disciplinary action in accordance with the club's disciplinary procedure and constitution.

### **4. Implementation, Review and Reporting**

BYC have overall accountability for this Policy and for its implementation

The Club Welfare Officer for **BYC** is responsible for updating this Policy in line with legislative and organisational developments.

The **BYC Safeguarding Case Management Group** is responsible for advising and making recommendations on safeguarding cases, in line with this Policy.

All staff, volunteers, members and participants are responsible for raising safeguarding concerns /disclosures with the Club Welfare Officer or senior club official as outlined in the Reporting a Safeguarding Concern Procedure.

The Club Welfare Officer with support from Senior Club Officials is responsible for ensuring appropriate safeguarding training is put in place, specifically for those deemed to be in regulated activity with vulnerable groups and kept up to date with any safeguarding developments.

#### **Where there is a safeguarding concern /disclosure:**

The individual who is told about, hears, or is made aware of the concern / disclosure is responsible for following the Reporting a Safeguarding Concern Procedure.

The Club Welfare Officer is responsible for assessing all safeguarding concerns / disclosures that are reported to them and collaborating with the RYA Safeguarding Team to follow up as appropriate on a case-by-case basis, always prioritising the well-being of all those involved in the disclosure. Dependent on the concern / disclosure, a referral may be made to:

- The police in an emergency (999)
- Local Authority Children's Social Care Services for concerns / disclosures about a child
- For referrals involving adults at risk - Local Authority Adult Social Care Services for concerns / disclosures about an adult at risk
- For referrals involving children and young people - Local Authority Designated Officer (LADO) (England; Wales); and the Criminal Records Disclosure Service<sup>1</sup> for concerns / disclosures about a member of staff, consultant, coach, official or volunteer in a Position of Trust.
- The RYA Safeguarding Team for all Level 1 and Level 2 categorised concerns

## **5. Implementation, Review and Reporting**

### **5.1 Case Management**

All safeguarding records are categorised to a level accordingly:

- Advice** Any concern which does not meet the threshold for Levels 1 or 2 and involves seeking support or guidance for a specific matter. Advice cases can often escalate depending on the situation.
- Level 1** Any concern about a named adult or child's behaviour towards a child or adult at risk that does not meet the allegation threshold or is not otherwise serious enough to consider a referral to the Police, LADO, and or Children or Adult Services of a Local Authority. Concerns may arise from both within the sport and outside of it.
- Level 2** Any concern that meets the threshold for a referral to the Police, LADO, and or Children or Adult Services of a Local Authority. Alongside this an internal rating system can also be used of Low, Medium and High.

The threshold criteria outlined above is underpinned by guidance provided by the Child Protection in Sport Unit (CPSU).

Highly sensitive information contained within safeguarding case records are restricted to the Club Welfare Officer. If the Case Management Group is convened, information pertaining to the concern will be shared securely and confidentially.

### **5.2 Data Storage**

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<sup>1</sup> Criminal Records Disclosure Service providers: England and Wales - Disclosure and Barring Service (DBS), Scotland - Protection of Vulnerable Groups (PVG) & Northern Ireland - AccessNI

All case records are stored in line with the **BYC Data Storage and Privacy Policies** and relevant national legislation and guidance.

**Advice** All advice case data is stored for **5 years** from the date the referral was received.

**Level 1** All level 1 case data is stored for **10 years** from the date the referral was received.

**Level 2** All level 2 case data is stored for **90 years** from the date of birth of the subject of concern.

Case records are deleted / destroyed after the retention period set out above, unless the Club Welfare Officer decides that there is a reason to retain the information for a longer period.

### 5.3 Case Management Group

The BYC Case Management Group (CMG) is convened when a Level 2 referral is received. The group can also be convened if a Level 1 referral is serious enough in nature. The group can consist of any of the following members depending on where the referral originates from.

Name	Role / Position
Aidan Pounder	Child Welfare Officer
Deirdre Pringle	Child Welfare Officer
Rob Milligan	Commodore

The CMG is responsible for:

- Ensuring that all allegations, incidents, or referrals related to the safeguarding of children and adults are dealt with in accordance with BYC policies with appropriate timescales.
- Making recommendations to the appropriate decision-making body regarding the appropriate steps to be taken.

### 5.4 External Assistance

The BYC CMG may choose to appoint an external independent body to assist in any investigations where the following criteria is met:

- BYC does not have the expertise or skill set required to undertake the investigation
- BYC is under a conflict of interest
- The case is so complex by nature that a third party would be necessary to support / undertake the investigation

In the case where the CMG chooses to instruct an independent body, it reserves the right to choose whichever independent body it deems most suitable given the circumstances. The BYC CMG will make such a decision on a case-by-case basis.

## **6. Safe Recruitment & Criminal Records Disclosure**

### **Checks**

BYC is committed to ensuring that only those with the right motivations and suitability are recruited into positions involving regular contact with children, young people and adults at risk within its work and volunteer force. BYC understands its legal responsibility within the Safeguarding Vulnerable Groups Act 2006, to ensure that all its staff and volunteer recruitment practices are safe, fair and equal and allows it to identify, deter and reject staff or volunteers who may be at risk of abusing vulnerable groups.

#### **BYC will:**

Ensure the best possible staff and volunteers are recruited based on their merits, abilities and suitability for the position.

Ensure that all applicants are considered equally and consistently, and that no applicant is treated unfairly based on any protected characteristics in compliance with the Equality Act 2010<sup>2</sup>.

Comply with all relevant legislation, recommendations and guidance including the statutory guidance published by the DfE (keeping children safe in education, the PREVENT Duty guidance) and any codes of practice published by any of the disclosure service providers.

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<sup>2</sup> <https://www.legislation.gov.uk/ukpga/2010/15/contents>

Meet its commitment to safeguarding and promoting the welfare of children, young people and adults at risk by carrying out all necessary pre-employment checks.

**BYC uses the following safe recruitment practices when recruiting staff and volunteers:**

- Advertisements will make clear BYC commitment to safeguarding children, young people and adults at risk.
- Application forms are used which contain questions surrounding employment and academic history and a person's suitability for the role which includes the requirement to explain any gaps or discrepancies in the employment or academic history.
- The application form has a declaration regarding convictions and working with vulnerable groups and will make it clear if the post is exempt from the provisions of the Rehabilitation of Offenders Act 1974.
- All role descriptions are clear and concise and accurately set out the duties and responsibilities of the role
- Volunteers will be informed of the expectations of them in carrying out their role
- Where appropriate, three references are requested alongside an offer and a minimum of two must be received and reviewed before the individual commences their role.
- Interviews are face-to-face where possible and will cover the person's suitability for the role.
- For paid roles, applicants who are offered the position will be required to supply proof of their ID in the form of original documents and confirm their right to work within the UK
- Where any position amounts to "regulated activity<sup>3</sup>" with children and or adults at risk an appropriate disclosure check will be carried out which will include the Adults Barred List and Children's Barred List where appropriate, and an original certificate will be seen by the recruiting manager or HR personnel prior to the applicant commencing the role. Further information on Criminal Records Disclosures can be found in Part 4.

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<sup>3</sup> Regulated activity with adults: [ES573375\\_CCS156\\_CCS0318265556-1\\_NHS\\_Eligibility\\_Roles\\_Leaflet\\_Adults\\_v2\\_EB.pdf \(publishing.service.gov.uk\)](#)

Regulated Activity with Children: [ES573374\\_CCS156\\_CCS0318265556-1\\_NHS\\_Eligibility\\_Roles\\_Leaflet\\_Children\\_v3\\_EB.pdf \(publishing.service.gov.uk\)](#)

- Additional checks will be carried out if the applicant has lived or worked outside of the UK (certificate of good conduct, certificate of Sponsorship).

## **7. Dealing with a Safeguarding Disclosure & Information Sharing**

Being the recipient of a safeguarding disclosure can be incredibly difficult, especially if the recipient is not a Safeguarding Lead. However, choosing not to respond to a disclosure can **never** happen, regardless of how uncomfortable the recipient is. The referral flowchart in section 2 acts as a guide to the physical steps that can be taken if a referral or disclosure is received. Below is a list of dos and don'ts to support anyone if they receive a disclosure.

### **Dos**

- Keep calm and remain receptive and approachable
- Assess the situation, has a crime been committed? Do you need to contact the emergency services?
- Listen carefully and patiently without interrupting if possible and let the victim recount the details in their own time
- Use the victim's own words if you need to seek clarification
- If you need more information, use TED: Tell me... Explain to me... Describe to me...
- Acknowledge how difficult it must have been to disclose
- Reassure them that they have done the right thing in telling you and they are not to blame
- Let them know that you will do everything you can to help them
- Advise the victim what will happen next
- Make a written record as soon as you can
- Report the disclosure to the Club Welfare Officer or the RYA Safeguarding Team
- **Adults:** Gain consent from the victim to share the information<sup>4</sup> - If you feel that the adult does not have sufficient capacity to make a decision about sharing information, you should consider if breaking confidentiality is in the best interests of the victim<sup>5</sup> - see Part 3 "Assessing Capacity" - a flow chart created by the NHS

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<sup>4</sup> Capacity: The ability to understand and make a decision when it needs to be made

<sup>5</sup> Further reading on mental capacity: <https://www.gov.uk/government/collections/mental-capacity-act-making-decisions>

- **Children and Young People:** Gain consent from the parent / carer to share the information – Only speak with the parents / caregivers of the victim if this does not pose a risk to the child

### **Don'ts**

- Don't make a promise to keep secrets
- Don't ask leading questions or put words in the mouth of the victim
- Don't repeatedly ask the victim to repeat their disclosure
- Don't discuss the referral with anyone who does not need to know
- Don't be judgmental
- Never ignore what you have been told – **you must pass it on**
- Don't confront or contact the Subject of Concern<sup>6</sup>
- Don't remove or contaminate any evidence that may be present
- Never dismiss your concerns – even a gut feeling is worth reporting

## **8. Confidentiality:**

The sharing of personal information within an organisation is not prevented by law. While appropriate confidentiality should be maintained, it is important to make sure the right people within the organisation are informed if the circumstances require this which is outlined in the BYC Privacy Policy. If you are the recipient of a safeguarding disclosure, contact the Club Welfare Officer who will advise on the next steps, which may or may not include sharing that information with external agencies, however the following considerations should be taken into account:

### **8.1 Children and Young People<sup>7</sup>**

Information sharing is essential for effective safeguarding and promoting the welfare of children and young people. It is a key factor identified in many Serious Case Reviews (SCRs), where poor information sharing has resulted in missed opportunities to take action that keeps children and young people safe

#### **There are seven golden rules to confidentiality and Information Sharing:**

1. Remember that the General Data Protection Regulation (GDPR), Data Protection Act 2018 and Human Rights law are not barriers to justified information sharing

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<sup>6</sup> Subject of Concern - The person to whom the complaint or concern has been raised against

<sup>7</sup> Information was taken directly from the HM Government Information Sharing Guidance: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/721581/Information\\_sharing\\_advice\\_practitioners\\_safeguarding\\_services.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/721581/Information_sharing_advice_practitioners_safeguarding_services.pdf)

but provide a framework to ensure that personal information about living individuals is shared appropriately.

2. Be open and honest with the individual (and / or their family where appropriate) from the outset about why, what, how and with whom information will, or could, be shared, and seek their agreement, unless it is unsafe or inappropriate to do so.
3. Seek advice from other practitioners, or RYA Data Protection Officer, if you are in any doubt about sharing the information concerned, without disclosing the identity of the individual where possible.
4. Where possible, share information with consent, and where possible, respect the wishes of those who do not consent to having their information shared. Under the GDPR and Data Protection Act 2018 you may share information without consent if, in your judgement, sharing falls within one of the specified lawful basis to do so, . You will need to base your judgement on the facts of the case. When you are sharing or requesting personal information from someone, be clear on the basis upon which you are doing so. Where you do not have consent, be mindful that an individual might not expect information to be shared. If you are in any doubt, contact the RYA Data Protection Officer.
5. Consider safety and well-being: base your information sharing decisions on considerations of the safety and well-being of the individual and others who may be affected by their actions. Necessary, proportionate, relevant, adequate, accurate, timely and secure: ensure that the information you share is necessary for the purpose for which you are sharing it, is shared only with those individuals who need to have it, is accurate and up to date, is shared in a timely fashion, and is shared securely.
6. Keep a record of your decision and the reasons for it – whether it is to share information or not. If you decide to share, then record what you have shared, with whom and for what purpose.
7. Keep a record of your decision and the reasons for it – whether it is to share information or not. If you decide to share, then record what you have shared, with whom and for what purpose.

## 8.2 Confidentiality: Adults

Individuals may not give their consent to the sharing of safeguarding information for several reasons. For example, they may be frightened of reprisals, they may fear losing control, they may not trust social services or other partners, or they may fear that their relationship with the subject of concern will be damaged. Reassurance

and appropriate support along with gentle persuasion may help to change their view on whether it is best to share information.

If a person refuses intervention to support them with a safeguarding concern, or requests that information about them is not shared with other safeguarding partners, their wishes should be respected. However, there are several circumstances where the person who has received the disclosure can reasonably override such a decision, including:

- the person lacks the mental capacity to make that decision – this must be properly explored and recorded in line with the Mental Capacity Act
- other people are, or may be, at risk, including children
- sharing the information could prevent a crime
- the alleged subject of concern has care and support needs and may also be at risk
- a serious crime has been committed
- staff are implicated
- the person has the mental capacity to make that decision, but they may be under duress or being coerced
- In cases of domestic abuse, if the risk is unreasonably high and meets the criteria for a multi-agency risk assessment referral
- a court order or other legal authority has requested the information.

If none of the above apply and the decision is not to share safeguarding information with other safeguarding partners, or not to intervene to safeguard the person:

- support the person to weigh up the risks and benefits of different options
- ensure they are aware of the level of risk and possible outcomes
- offer to arrange for them to have an advocate or peer supporter
- offer support for them to build confidence and self-esteem if necessary
- agree on and record the level of risk the person is taking
- record the reasons for not intervening or sharing information
- regularly review the situation
- try to build trust and use gentle persuasion to enable the person to better protect themselves.

If it is necessary to share information outside the organisation:

- explore the reasons for the person's objections – what are they worried about?

- explain the concern and why you think it is important to share the information
- tell the person who you would like to share the information with and why
- explain the benefits, to them or others, of sharing information – could they access better help and support?
- discuss the consequences of not sharing the information – could someone come to harm?
- reassure them that the information will not be shared with anyone who does not need to know
- reassure them that they are not alone, and that support is available to them.

If the person cannot be persuaded to give their consent, then, unless it is considered dangerous to do so, it should be explained to them that the information may be shared without consent in some situations (as set out above). The reasons should be given and recorded. The safeguarding principle of proportionality should underpin decisions about sharing information without consent, and decisions should be on a case-by-case basis.

If it is not clear that information should be shared outside the organisation, a conversation can be had with the Data Protection Officer or the safeguarding partners in the police or local authority without disclosing the identity of the person in the first instance. They can then advise on whether full disclosure is necessary without the consent of the person concerned.

It is very important that the risk of sharing information is also considered. In some cases, such as domestic violence or hate crime, it is possible that sharing information could increase the risk to the individual. Safeguarding partners need to work jointly to provide advice, support and protection to the individual to minimise the possibility of worsening the relationship or triggering retribution from the abuser.

[SafeLives](#) (previously CAADA) provide resources for identifying the risk victims face including a Dash risk checklist, which is a risk assessment tool for practitioners who work with adult victims of domestic abuse. It offers a consistent approach to identifying those who are at high risk of harm and whose cases should be referred to a MARAC (multi-agency risk assessment conference) meeting to manage their risk. If there are concerns about a risk to a child or children, then a referral to ensure that a full assessment of their safety and welfare needs to be made.



April 2025