

Safeguarding Policy

BWB Document Control Procedure	
Policy Name	Safeguarding Policy
Version	1.3
Date Updated	March 2021
Date Reviewed	December 2020

1. Embedding British Wheelchair Basketball's Mission and Values

1.1 British Wheelchair Basketball (BWB) is committed to enabling a safe, inclusive and welcoming environment across our sport. Our mission to transform people's lives through wheelchair basketball threads through all aspects of participation, from training to competition, supporters to players, from domestic to international competition.

1.2 Our values symbolise our unique DNA and the culture of British Wheelchair Basketball – the values of pride, grit, united and drive.

1.3 British Wheelchair Basketball's policies support the delivery of world-class governance across the sport and enable the realisation of our commitment to safely and inclusively engage with all participants and deliver both the mission and values of this outstanding sport.

2. Data Notice

2.1 Personal Data will be handled during the implementation of British Wheelchair Basketball's policies. This Personal Data will be managed in line with British Wheelchair Basketball's [Data Privacy Notice](#).

2.2 Please note that there will also be instances where personal data will be shared with third parties outside of British Wheelchair Basketball, either in carrying out our legal responsibilities or in retaining professional support.

2.3 Where the implementation of the Safeguarding Policy concludes in the imposition of sanctions, the individuals name, violation and sanction will be shared with interested parties (inside and outside of the sport) and via the British Wheelchair Basketball website.

2.4 Data retention periods will be sent in line with British Wheelchair Basketball's [Data Privacy Notice](#).

3. Definitions

Adult at Risk	Any person aged 18 or over who has needs for care and support (whether or not the local authority is meeting any of those needs) and is experiencing, or at risk of, abuse or neglect and as a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect. An individual's level of vulnerability to harm may vary over time depending on the circumstances they are in and their needs at that time.
Alleged	Person against whom an allegation has been made
BWB	British Wheelchair Basketball
Case File	The file of evidence relating to the allegation
Child or Young Person	Any individual under the age of 18 in England, Wales and Northern Ireland, and 16 in Scotland. All individuals under the age of 18 will

Please read this Policy alongside the [Safeguarding Procedures and Guidance](#)

	be treated as a child or young person, regardless of country of residence.
Complainant	The person making the allegation
Disciplinary Panel	Panel of independent people who will hear the evidence and make a decision as to whether the allegation is proven or not.
Evidence	Facts or information that give further information regarding an allegation. Evidence can take a number of forms (including documents, emails, text messages, oral accounts of what happened that can then be reflected in statements, interviews). Evidence is used to prove facts, i.e. to prove that something happened.
Parent	Any person who has legal responsibility for a child or young person.
Participant	Any person involved in British Wheelchair Basketball affiliated activity.
Safeguarding Adults at Risk	Taking action to protect an adult's right to live in safety, free from abuse and neglect. It is about people and organisations working together to prevent and to stop both the risks and experience of abuse and neglect, while at the same time making sure that the adult's wellbeing is promoted including, where appropriate, having regard to their views, wishes and feelings.
Staff and Volunteer	Anyone in a paid or voluntary role in BWB, including coaches and officials.
Witness	A person who sees an event take place.

3. Purpose of Policy

3.1 Our mission is to transform people's lives through wheelchair basketball and to ensure we achieve our mission, we must ensure that everyone participating in wheelchair basketball has a fun, safe and inclusive experience. Everyone who engages in wheelchair basketball has a legal, moral and mission-driven responsibility to:

- Protect children, young people and adults at risk from all forms of discrimination, abuse, exploitation and harm.
- Create and maintain a safe culture throughout our sport.
- Acknowledge that protecting children, young people and adults at risk is everyone's responsibility.
- Put children, young people and adults at risk at the centre of decision-making processes.

BWBs approach to safeguarding is based on the principles recognised within the UK and international legislation coupled with government and statutory guidance.

3.2 This Policy should be read in conjunction with the following BWB policies and procedures:

- [Closed Training Session Policy](#)
- [Codes of Conduct](#)

Please read this Policy alongside the [Safeguarding Procedures and Guidance](#)

- [Customer Charter and Complaints Procedure](#)
- [Disciplinary Policy](#)
- [Equal Opportunities Policy](#)
- [Whistleblowing Policy](#)
- [Safeguarding Procedures – Children](#)
- [Safeguarding Procedures - Adults](#)

3.3 Breaches of the documents listed above may result in disciplinary action from BWB in line with the procedures outlined in the safeguarding and/or disciplinary policies.

3.4 BWB has also provided guidance for the administration and delivery of wheelchair basketball for affiliated member organisations. Failing to follow the guidance with these documents may result in a breach of the Codes of Conduct.

- [Safer Recruitment Guidance](#)
- [Away Trips and Hosting Guidance](#)
- [Safe Use of Changing Facilities Guidance](#)
- [Photography and Livestream Guidance](#)
- [Physical Contact in Sport Guidance](#)
- [Personal Care Guidance](#)
- [Responding to Allergies Guidance](#)
- [Transporting Children or Young People in your Car Guidance](#)

4. Our Commitment to Members

4.1 Safeguarding children, young people and adults at risk is of paramount importance to BWB and we are committed to raising awareness and empowering everyone we engage with to recognise, respond, record, report and refer safeguarding concerns.

4.2 This policy is based on the following key principles:

- The welfare of children and adults at risk of harm is paramount.
- All participants regardless of ages, sex, ability, disability, ethnicity, religious belief and sexual identity have the right to protection from harm.
- All allegations, suspicions of harm and concerns will be taken seriously and responded to swiftly, fairly and appropriately.
- Everyone will work in partnership to provide a fun, inclusive and safe experience in our sport.

5. Our Commitment to being a Safe Sport

5.1 We commit to:

- Having strong leadership and governance which puts safeguarding at the heart of wheelchair basketball in Great Britain.
- Developing a safe culture within British Wheelchair Basketball and all its activities.
- Implementing strategies and systems which prevent discrimination, abuse, exploitation or harm from occurring.

Please read this Policy alongside the [Safeguarding Procedures and Guidance](#)

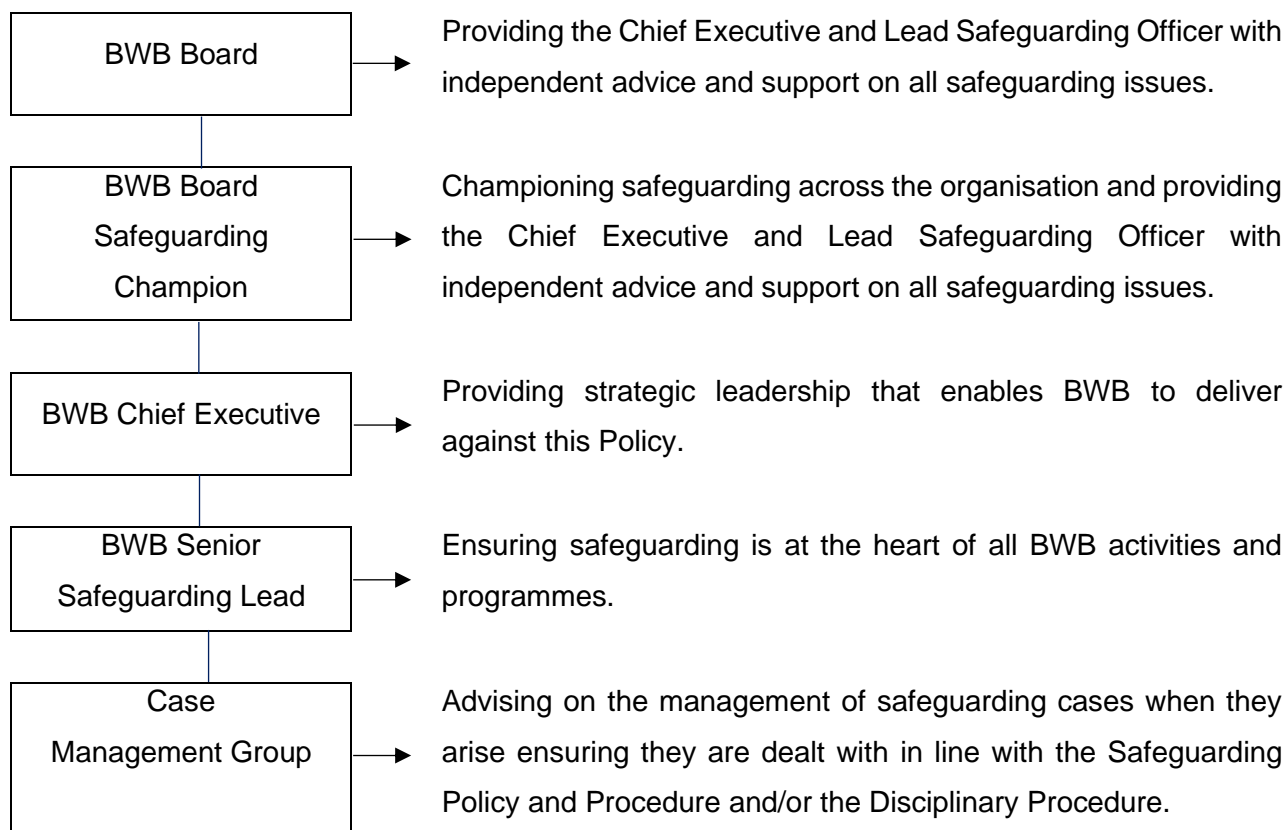
- Safer recruitment strategies to ensure we have the right people working in our sport.
- Providing training for our staff and volunteers to recognise, respond, report, record and refer safeguarding concerns.
- Listening to and consulting with children, young people and adults at risk.
- Having clear codes of conduct which set out our expectations of behaviour from coaches, officials, players and parent/carers.
- Ensuring our physical and online environments promote the safety and wellbeing for all children, young people and adults at risk.
- Ensuring that those working with children, young people and adults at risk know how to work safely and in line with the professional boundaries we outline in our Codes of Conduct.

6. Responsibility

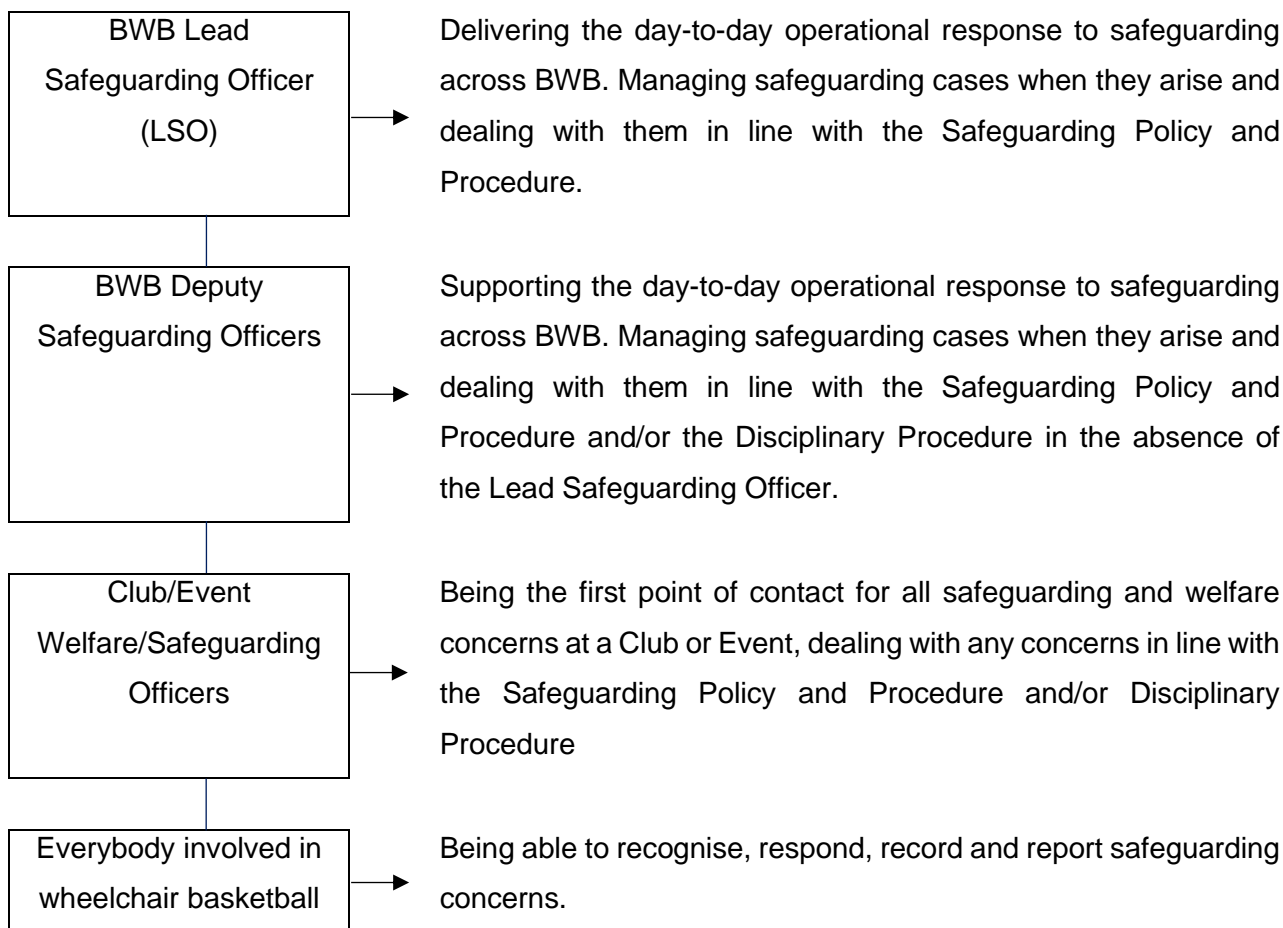
6.1 This Policy applies to all clubs, organisations and participants who are taking part in BWB sanctioned activity at all levels. This includes BWB staff and Board members, players, officials, administrators, support staff, club officials, volunteers and spectators including parents and carers.

6.2 The Policy refers to Safeguarding Children, Young People and Adults at Risk (see definitions on page 2).

7. Our Roles and Responsibilities in Safeguarding



Please read this Policy alongside the [Safeguarding Procedures and Guidance](#)



8. Procedure Principles

8.1 BWB will ensure that:

- All allegations are investigated in a fair and reasonable manner.
- All parties to an allegation are treated with respect.
- All parties have a fair opportunity to present their views.

9. Definitions of Abuse

9.1 Definitions of child abuse

9.1.1 The definitions below are taken from *Working Together to Safeguard Children - A guide to inter-agency working to safeguard and promote the welfare of children* (Department of Health, 2018). In addition, examples of how these concerns may arise within wheelchair basketball activities are given.

9.1.2 Children may be abused in a family or in an institutional or community setting, by those known to them or, more rarely, by a stranger for example, via the internet. They may be abused by an adult or adults, or another child or children.

<p>Physical Abuse Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child. Physical harm may</p>	<p>Examples of physical abuse in wheelchair basketball could be handling a child</p>
---	---

Please read this Policy alongside the [Safeguarding Procedures and Guidance](#)

<p>also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.</p>	<p>deliberately roughly or hitting a child as a means of control or punishment. It could include overplaying a player.</p>
<p>Emotional Abuse Emotional abuse is the persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child’s emotional development. It may involve conveying to children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person.</p> <p>It may include not giving the child opportunities to express their views, deliberately silencing them or ‘making fun’ of what they say or how they communicate.</p> <p>It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond the child’s developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another.</p> <p>It may involve serious bullying (including cyber-bullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.</p>	<p>Examples of emotional abuse in wheelchair basketball could be repeatedly humiliating or belittling a child when they make a mistake or setting them drills that are above their age and ability and making them feel worthless when they fail.</p>
<p>Sexual Abuse Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing.</p> <p>They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse. Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.</p>	<p>Examples of sexual abuse in wheelchair basketball could be a coach developing a sexual relationship with a young person, touching a young person in a sexually inappropriate way or targeting a child through text or social networking in order to form an inappropriate relationship with them. Sharing or asking for candid images by phones or the internet.</p>
<p>Neglect Neglect is the persistent failure to meet a child’s basic physical and/or psychological needs, likely to result in the serious impairment of the child’s health or development. Neglect may occur during pregnancy as a result of maternal substance</p>	<p>Examples of this in wheelchair basketball could include overtraining a young athlete to the extent that they are very</p>

Please read this Policy alongside the [Safeguarding Procedures and Guidance](#)

<p>abuse. Once a child is born, neglect may involve a parent or carer failing to:</p> <ul style="list-style-type: none"> • provide adequate food, clothing and shelter (including exclusion from home or abandonment) • protect a child from physical and emotional harm or danger • ensure adequate supervision (including the use of inadequate caregivers), or • ensure access to appropriate medical care or treatment. <p>It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.</p>	<p>dehydrated or placing a child at risk of harm through making them train on with an injury.</p>
---	--

9.1.3 If any of the following incidents should occur, you should report them immediately to the Club Welfare Officer and/or Lead Safeguarding Officer and make a written record of what you have done, seen or heard. Parents/carers should also be informed of the incident if:

- you accidentally hurt a player
- he/she seems distressed in any manner
- a player appears to be sexually aroused by your actions
- a player misunderstands or misinterprets something you have said or done.

9.2 Other forms of abuse to be aware of

Hazing	Any rituals, initiation activities, actions or situations, with or without consent, which recklessly, intentionally or unintentionally endangers the physical or emotional wellbeing of children, young people and adults at risk. BWB deems all hazing to be unacceptable.
Peer-on-peer abuse	Children and young people can be taken advantage of or harmed by their peers. Peer-on-peer abuse is any form of physical, sexual, emotional and financial abuse, and coercive control, exercised between individuals and within relationships (both intimate and non- intimate).
Infatuations	Children and young people may develop an infatuation with a member of Staff or volunteer who works with them. Such situations should be handled sensitively to maintain the dignity and safety of all concerned. Staff should be aware that in such circumstances, there is a high risk that words or actions may be misinterpreted and that allegations could be made against Staff or volunteer. They should therefore ensure that their own behaviour is above reproach.
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.
Bullying	Bullying is behaviour that hurts someone else such as name-calling, hitting, pushing, spreading rumours, threatening or undermining someone.

9.2.1 In addition to the above categories, there are other forms of harm or abuse that should involve the police and other organisations working together to intervene under safeguarding policies and procedures to ensure a robust and timely response. These include:

Please read this Policy alongside the [Safeguarding Procedures and Guidance](#)

- Sexual exploitation
- Honour based violence
- Forced marriage
- Membership of gangs inclined to use violence.

9.3 Forms of Abuse - Adults

Self-neglect	Neglecting to care for one's personal hygiene, health or surroundings, including behaviour such as hoarding.
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.
Domestic violence	Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged sixteen or over, who are or have been intimate with partners or family members regardless of gender or sexuality. This can encompass, but is not limited to; psychological, physical, sexual, financial, emotional abuse and so called 'honour' based violence.
Discriminatory	Abusive or bullying because of discrimination occurs when motivated by a prejudice against certain people or groups of people. This may be because of an individual's ethnic origin, colour, nationality, race, religion or belief, gender, gender reassignment, sexual orientation or disability. Actions may include unfair or less favourable treatment, culturally insensitive comments, insults and 'banter'.
Organisational	Neglect and poor care practice within an institution or specific care setting such as a hospital or care home, or where care is provided within an Adult at Risk's own home. This may range from one-off incidents to ongoing ill-treatment. It can be through neglect or poor professional practice as a result of the structure, policies, processes or practices within an organisation.
Physical	This includes hitting, slapping, pushing, kicking, restraint, and misuse of medication. It can also include inappropriate sanctions
Sexual	This includes rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography or witnessing sexual acts, indecent exposure and sexual assault or sexual acts to which the adult has not consented, or was pressured into consenting.
Financial or material abuse	Stealing from a vulnerable person, using them for financial gain, putting pressure on them about wills, property, inheritance or financial transactions, misusing or stealing their property, possessions or benefits. It may include depriving a person access to their money, property or assets. This might include inappropriate payments, or

Please read this Policy alongside the [Safeguarding Procedures and Guidance](#)

	mismanagement of funds held or managed on behalf of athletes.
Neglect and Acts of Omission	This includes ignoring medical or physical care needs and failing to provide access to appropriate health social care or educational services. It also includes the withdrawing of the necessities of life, including medication, adequate nutrition and heating.
Emotional or Psychological	This includes threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or supportive networks.

9.4 Four additional Types of Harm

Cyber Bullying	Cyber bullying occurs when someone repeatedly makes fun or another person online, or repeatedly picks on another person through emails or text messages. It can also involve using online forums with the intention of harming, damaging, humiliating or isolating another person. It includes various different types of bullying, including racist bullying, homophobic bullying, or bullying related to special education needs and disabilities. The main difference is that, instead of the perpetrator carrying out the bullying face-to-face, they use technology as a means to do it.
Force Marriage	This is a term used to describe a marriage in which one or both of the parties are married without their consent or against their will. A forced marriage differs from an arranged marriage, in which both parties consent to the assistance of a third party in identifying a spouse. The Anti-Social Behaviour, Crime and Policing Act 2014 makes it a criminal offence to force someone to marry.
Mate Crime	A “mate crime” is when “vulnerable people are befriended by members of the community who go on to exploit and take advantage of them” (Safety Network Project, ARC). It may not be an illegal act, but it still has a negative effect on the individual. A mate crime is carried out by someone the adult knows, and it often happens in private.
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.

9.4.1 In addition to the above categories, there are other forms of harm or abuse that should involve the police and other organisations working together to intervene under safeguarding policies and procedures to ensure a robust and timely response. These include:

- Sexual exploitation
- Honour based violence
- Membership of gangs inclined to use violence.

Please read this Policy alongside the [Safeguarding Procedures and Guidance](#)

9.4.2 Many of these areas are addressed in your local multi-agency child or adults at risk safeguarding procedures.

10. Procedure

10.1 Receipt of concern

10.1.1 The process begins with the receipt of a safeguarding concern. Concerns can be raised to any member of BWB staff and can be current or historical.

10.1.2 The immediate safety of the child, young person or adult at risk will be determined. Where there is an immediate risk this will be escalated to the relevant emergency service and/or Local Authority Designated Person.

10.1.3 Details of the concern will be recorded using the Incident Referral Form.

10.1.4 An internal triage will take place and a record made. Actions from the internal triage include:

- a. Referral to the Police and/or Local Authority Designated Person
- b. Referral to the Case Management Group (CMG)
- c. Referral to Complaints and Disciplinary
- d. Further information requested

10.1.5 The CMG will review the Case against the Safeguarding Policy and Procedures and decide on a course of action, recording decisions and actions taken. BWB investigations should wait until any police or child/adult social care enquiries have been concluded. Outcomes from the initial CMG meeting include:

- a. Referral to or consultation with statutory agencies
- b. Investigation – no suspension
- c. Investigation – suspension from position of responsibility as a precautionary measure and pending the determination of any allegations
- d. Investigation – suspension from all BWB and affiliated activity as a precautionary measure and pending the determination of any allegations
- e. No further action
- f. Gathering further information
- g. Recommendation for training, support or supervision
- h. Referral to initiate Disciplinary Processes

10.1.6 Breach of a suspension may result in further investigations and disciplinary action as set out in the safeguarding and/or disciplinary policies and procedures.

10.1.7 Each case will be considered by the CMG based upon the actual or potential risk of harm to a child, young person or adult at risk. The person who asserts a particular fact or matter has to prove in the balance of probabilities (i.e. more likely than not). The assessment of risk might require facts to be proven, but it might be possible to assess the risk without facts being proven.

- In all cases of serious or repeated poor practice or suspected abuse, statutory agencies should be contacted.
- Following advice from statutory agencies, the person subject to the allegation will be informed of the receipt of a report. There may be situations where this is delayed or the nature of the concern isn't revealed where statutory agencies

Please read this Policy alongside the [Safeguarding Procedures and Guidance](#)

believe that this may put the individual at further risk of abuse and where evidence may be lost or destroyed.

- The CMG will advise the Club and/or Regional Association whether it has decided to suspend the person without prejudice pending further statutory agency and/or internal enquiries, investigations and risk assessments. The CMG will inform the region/club/affiliated organisation as necessary.
- Information will be shared in line with the BWB Data Privacy Notice.

10.1.8 Dealing with a disclosure or suspicion of abuse can be distressing for all concerned. Whilst the priority must be the welfare and safety of the child, young person or adult at risk, it is also important to make sure that any member of staff, coach or volunteer has the right to advice and support following any involvement in a case.

10.1.9 The CMG and/or the LSO should give consideration to what support may be appropriate to the individual and others affected such as parents / carers and members of staff. Use of helplines, support groups and meetings will maintain an open culture. Thought should also be given about what support may be appropriate to the alleged perpetrator of the abuse.

10.2 Investigation of concern

10.2.1 An investigator will be assigned to the Case.

10.2.2 The investigator will contact those involved in or who witnessed the incident and ask them to provide statements and evidence.
Where the Alleged accepts the charge, the process will move straight to the application of sanctions.

10.2.3 Where evidence is verbal, notes will be taken and presented back to the provider for agreement. Photographs and videos and private/public communications can be submitted as evidence in line with BWB's Data Privacy Notice.

10.2.4 When all evidence has been collated the investigator will present a report with recommendation for the CMG to decide on the next steps.
The CMG will recommend one of the following possible actions:

- **Disciplinary Panel:** The allegation is serious or repeated and is supported by evidence and should be passed to the Disciplinary Panel for a decision and if appropriate, a sanction. See 10.3.1 below.
- **Recommendation:** The concern is not a serious or repeated breach but an example of poor practice. See 10.5.1 below.
- **Unproven:** The evidence does not support the concern. See 10.6.1 below.

10.2.5 BWB will ensure that all notes and evidence are stored appropriately. Access will be restricted to members of the triage/case management group. These notes and evidence will comprise the case file.

10.3 Disciplinary Hearing/Panel

10.3.1 Explanation of the composition and remit of the Disciplinary Panel is explained in Appendix 1.

10.3.2 A meeting of the Disciplinary Panel will be arranged. The meeting will either be face-to-face or conducted via video link.

Please read this Policy alongside the [Safeguarding Procedures and Guidance](#)

- 10.3.3 BWB must give 3 weeks' notice for the Disciplinary Panel.
- 10.3.4 The accused person will be given an opportunity to attend the Disciplinary Hearing and answer the charge. The invite will give all parties 2 weeks' notice of the date of the Panel.
- 10.3.5 Where the Alleged accepts the charge, the Panel will meet to agree the penalty only.
- 10.3.6 A summary of the allegation along with the case file will be sent to the Disciplinary Panel at least 1 week before the date of the meeting. The summary will outline the breach and a description of the incident. The summary will be accompanied by the case file of evidence collated.
- 10.3.7 The Disciplinary Panel will base their decisions on the contents of the case file only.
- 10.3.8 The Disciplinary Panel will review the information and make a decision:
- a. They decide that the allegation has been proved and recommend a penalty for the Defendant. See 10.3.2 below.
 - b. They decide that the allegation has not been proven but that there have been examples of poor practice, BWB will send through a list of recommended actions. See 10.5.1 below.
 - c. They decide that the allegation has not been proven and the case is dismissed. See 10.6.1 below.
 - d. They decide that there is not sufficient evidence to make a decision and ask for more evidence to be gathered before re-convening.
- 10.3.9 When reaching the decision to sanction, the Disciplinary Panel will assess whether there has been any aggravating or mitigating factors.
- Mitigating factors include an unintentional breach, a track record of exemplary behaviour.
 - Aggravating factors include an intentional breach, a history of repeated transgressions, actions resulted in or could have resulted in serious injury or harm to others.
- 10.3.1 BWB will inform the Alleged of the decision of the Disciplinary Panel within 5 working days of the date of the Panel meeting.
- 10.3.2 BWB will inform the Complainant of the decision of the Disciplinary Panel within 5 working days of the final decision of the Disciplinary Panel, once any appeals have been completed.

10.4 Sanctions

- 10.4.1 The Disciplinary Panel will recommend a sanction for those cases that have been proven.

10.4.2 The following sanctions will apply to breaches upheld through this process:

Description of Breach	Suspension/Sanction	Data Retention Period
<p>Level one – concern that does not require consultation with statutory agencies or require notification/referral to social care and/or police but requires referral to BWB and action from BWB.</p>	<p>Suspension for a period of time, from the following roles but not limited to:</p> <ul style="list-style-type: none"> • position of trust • all BWB activity • role related suspension <p>Education and Training Where the implementation of the Policy concludes in the imposition of sanctions, the individuals name, violation and sanction will be shared with interested parties (inside and outside of the sport) and via the British Wheelchair Basketball website.</p>	<p>Until the individual is aged 65 years or 10 years, whichever is longer</p>
<p>Serious or repeated breach – concern that requires consultation with statutory agencies or requires notification/referral to social care and/or police.</p>	<p>Suspension for a period of time, from the following roles but not limited to:</p> <ul style="list-style-type: none"> • position of trust • all BWB activity • role related suspension <p>Education and Training Where the implementation of the Policy concludes in the imposition of sanctions, the individuals name, violation and sanction will be shared with interested parties (inside and outside of the sport) and via the British Wheelchair Basketball website.</p>	<p>Until the individual is aged 65 years or 10 years, whichever is longer</p>

10.5 Recommendations

10.5.1 Where the allegation is not deemed to have been a serious breach but there have been examples of poor practice, a list of recommendations along with expected timeframes for completion will be sent to the relevant parties.

10.5.2 If either party disagrees with the recommendations, the case will be referred to the Disciplinary Panel.

10.5.3 BWB will agree a review date with the Defendant to assess whether they have taken on board the recommendations. If the actions are not completed within the agreed timeframe, the case will be referred to the Disciplinary Panel.

Please read this Policy alongside the [Safeguarding Procedures and Guidance](#)

10.6 Unproven

- 10.6.1 BWB will inform the Complainant and the Alleged that the case has not been proved. This could mean:
- a. There was not sufficient evidence available to make a decision.
 - b. The investigation collected during the investigation does not support the complaint.

10.7 Appeals

- 10.7.1 The Alleged party can appeal the outcome of an investigation only where they can prove that evidence was not considered.
- 10.7.2 The Alleged party wishing to make an appeal must notify BWB within 2 weeks of being notified of the decision of the investigation. The Alleged must submit any missing evidence with the notification.
- 10.7.3 The CMG will review the evidence and determine the following:
- a. If the evidence has a material impact on the case, the case will be re-opened and the new evidence will be added to the case file.
 - b. If the new evidence does not materially impact the decision, BWB will decline the appeal.
- 10.7.4 BWB will inform the Alleged of the result of their appeal decision. No further appeal will be allowed on the case.
- 10.7.5 Refer to the following procedures for safeguarding procedure flow diagrams.
- [Safeguarding Procedures – Children](#)
 - [Safeguarding Procedures – Adults](#)

BWB reserves the right to engage a support body in the Triage, Investigation, Hearing, Appeal and Case Management of any BWB Safeguarding/Disciplinary Case. All Case data will be shared with the supporting body for the purposes of case resolution only.

11. Reporting to the Disclosure and Barring Service

11.1 England, Wales and Northern Ireland

- 11.1.1 The duty to refer to the DBS is met when an employer (includes those who volunteer) has dismissed or removed a person from regulated activity or would or may have if the person had not left, resigned, retired, been made redundant or moved to another position because the person has:
- Been cautioned or convicted for a 'relevant offence'. A 'relevant offence' for the purposes of referrals to the DBS is an offence that would result in the individual's automatic inclusion in the Children's or Adults' barred list.
 - Engaged in 'relevant conduct'. 'Relevant conduct' is that which endangers or is likely to endanger children, young people or adults at risk.
 - Satisfied the 'harm test.' The 'harm test' is met when an employer believes that an individual may harm, may cause to be harmed, may put at risk of harm, may attempt to harm or may incite another person to harm a child, young person or adult at risk.
- 11.1.2 Referrals to the DBS should be made once investigations and disciplinary processes are complete (even if the person has left their role). Referrals must be made even if a

Please read this Policy alongside the [Safeguarding Procedures and Guidance](#)

significant period has passed between the allegation and the gathering of evidence to support a decision to make a referral.

11.2 Scotland

11.2.1 The duty to refer to Disclosure Scotland is met when an individual (staff or volunteer) has engaged in harmful behaviour when working with children, young people or adults at risk and this meant that as a result of that behaviour the person was dismissed, would have been dismissed but they left before they could be or was transferred permanently away from work with children, young people and adults at risk. Reports should be made to Disclosure Scotland within three months of a disciplinary decision being made.

11.2.2 The decision to refer to DBS or Disclosure Scotland will be taken by the Case Management Group.

12. How will we ensure our Policy is Continuously Improved?

12.1 We are committed to continuous improvement and review:

- We welcome feedback on our policies and practices, and will endeavour to ensure our complaints processes are developmentally appropriate, visible and accessible.
- We commit to responding to feedback and complaints in a timely manner.
- We commit to ensuring complaints and concerns are analysed to identify any causes and trends to inform our continuous improvement.
- We will review this Policy annually or sooner if there is a change in safeguarding guidance, legislation or a safeguarding case.

13. How will we ensure our Policy is Implemented?

13.1 To help all those involved in wheelchair basketball to implement our Policy, we have developed the Safeguarding Procedures as well as bite sized guidance documents which set out how individuals, Clubs and BWB can ensure children, young people and adults at risk in our sport are kept safe.

13.2 Training will be provided for members and staff to support the implementation of the principles of this policy.

13.3 We will also ensure that our Lead Safeguarding Officer will undertake an annual analysis of how this Policy is being implemented by seeking feedback from BWB staff, coaches, volunteers, parents, carers, children, young people and adults at risk, and providing this feedback to our Board.

13.4 We will analyse the data from our safeguarding cases to implement further prevention and governance strategies whilst also undertaking quality assurance processes at our events and with our teams.

Please read this Policy alongside the [Safeguarding Procedures and Guidance](#)

14. Appendices

Appendix 1 – Disciplinary Panel

The Disciplinary Panel exists to provide impartial and independent judgement on cases submitted to them by the case worker. The Panel will comprise of a combination of; Independent Trustees, independent suitably qualified individuals appointed by a supporting body and members of BWB's Senior Leadership Team.

Where there is a conflict of interest (for instance where a Panel Member knows one of the parties involved in the case), the individual will remove themselves from the panel.

The panel will consist of:

- a. Chairperson
- b. Two Panel members
- c. Panel Disciplinary Secretary

There is no requirement for anyone on the Panel (including the Chairperson) to be legally or medically qualified.

The Disciplinary Secretary will be a member of BWB staff. They should not be involved (or give the impression that they are in any way involved) in the decision making. They bring the charge, obtain and serve the evidence relied upon (both from the Witnesses and the accused person) and select the panel members to hear the case. They must remain impartial at all times.

Those sitting on Disciplinary Panels must ensure that the principles of natural justice are followed. All hearings must be conducted fairly, by an objective panel, with the accused person given a full opportunity to answer the charge and call any evidence in support. Those accused are also entitled to be assisted or represented by a person of their choice.

The Panel Chairperson should have experience of chairing hearings and/or meetings.

Although the BWB Board retain responsibility for setting the rule and policies, members of the Disciplinary Committee will be asked for input to ensure we capture lessons and create a robust process.

Appendix 2 – Our Safeguarding Officers

We have a dedicated Lead Safeguarding Officer at BWB to help respond to safeguarding concerns which arise. Our Lead Safeguarding Officer's contact details are:

Name: Samantha Rock
Email: safeguarding@britishwheelchairbasketball.co.uk
Phone number: 01509 279900

If you have a Safeguarding concern you can also contact:

Name: Jo Richards
Role: Senior Safeguarding Lead/Participation Director
Email: safeguarding@britishwheelchairbasketball.co.uk
Phone number: 01509 279900

Name: Jay Popat
Role: Engagement Manager
Email: safeguarding@britishwheelchairbasketball.co.uk
Phone number: 01509 279900

Name: Jayne Ellis
Role: Performance Director
Email: safeguarding@britishwheelchairbasketball.co.uk
Phone number: 01509 279900

Safeguarding concerns can be disclosed to any member of BWB staff.