



SAFEGUARDING CHILDREN AND VULNERABLE ADULTS

A Guide for Affiliated Clubs,
Counties and Associations

May 2009



INTRODUCTION:

Bowls England does not make the law but is responsible for implementing it.

In order to safeguard Affiliated Clubs and Associated Members, the following guidance has been prepared to advise clubs of Bowls England's agreed policy on Safeguarding Children and Vulnerable Adults.

This guidance note provides some simple guidance in the following areas:

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1. CRIMINAL RECORDS BUREAU (CRB)

1.1 *What is a CRB check?*

The Criminal Records Bureau (CRB) is an Executive Agency of the Home Office that provides access to criminal record information and to the lists of those people barred from working with children and vulnerable adults through its Disclosure service. This service enables organisations to make safer recruitment decisions by identifying candidates who may be unsuitable for certain work, paid and unpaid, that involves children or vulnerable adults.

This service is NOT available for people who are not in particular roles with children or Vulnerable Adults and it is not legal to seek Disclosures for those not 'eligible' for such checks.

1.2 *Why is a CRB check necessary?*

The CRB was established under Part V of the Police Act 1997 and was launched in March 2002.

It is the only safe, reliable and legal way to access information held by the Police and other agencies which may indicate that a person may be a risk to children or Vulnerable Adults.

1.3 *CRB checks explained*

Each CRB check and the subsequent decision made on it is an individual piece of work.

This means that although a person may have been deemed 'fit' to carry out the duties in one particular role (i.e. at work) following a CRB check, it DOES NOT mean they are automatically suitable to work within your club.

It's important to also recognise that any CRB

- Is only as good as the day it is issued. Somebody may

come to your Club with a clear Disclosure from another organisation but may have obtained this prior to a recent serious or relevant offence.

- May not have been quality assured. For example if the date of birth or post code is incorrect the check will not be accurate.
- May have had 'additional information' released to the employer who requested the check and which is not visible on the applicant's copy. This information is private and only for the employer that requested the CRB. The applicant will not know about it. In a worse case scenario such information may indicate the person is currently being monitored and considered as a risk but the check shown to you by the new member may be clear of any criminal history.

If a Club or Association relies on a previously issued Disclosure it should carefully assess the degree of risk in not obtaining up to date information on the applicant. The CRB does not recommend this process and does not endorse it.

For more information please see www.crb.gov.uk and select Portability from 'Quick Links'

Example One:

A new member joins your club from another area of the country and says they have a current CRB certificate issued through a previous employer. They volunteer to become a driver for your junior section. Bowls England carries out a new check and finds they have several convictions for drink-driving over many years making them unsuitable for driving Bowls Junior sections.

This does not mean the previous employer made a wrong decision; it simply means that Bowls England finds that this particular person is not 'fit' for this particular role. Under our 'Duty of Care' we have to ensure that the person is 'fit for purpose'.

Example Two:

A new member joins your club and shows you their Disclosure from August 2008. It is clear of any information and you encourage them to work with the Junior Section. Later you hear a rumour that they were convicted for downloading indecent images of children in October 2008.

A new CRB would have shown Bowls England this information and they could have prevented them from helping with children. On this occasion you may find the person has been active in your club for many months before the risk is known.

Example Three:

The new person shows you a clear Disclosure. You do not know whether or not there was 'Additional Information' released with that Disclosure. This person may for example be mixing with known offenders or having their computer monitored. This will not show on their copy of the Disclosure and again you may be unknowingly accepting a high risk person in to the Club.

Obtaining a fresh Bowls Disclosure gives the club renewed assurance that all issues have been examined. Bowls England uses the services of TMG CRB as its umbrella body for CRB checks. By using this service Bowls England offers clubs a dedicated and confidential method of compliance.

Bowls England RECOMMENDS that all CRB checks are conducted using the services of TMG CRB, which means clubs can be sure that the correct checks have been taken and that all relevant information regarding the applicant for the position applied for is received.

By using this process, Bowls England and its clubs/associations can act appropriately should any information be received regarding the applicant.

It is NOT however necessary to have a new check on a Bowls England Member who has already had a Bowls England CRB check in another Club or area. Bowls England can tell you whether or not that person has had an acceptable check.

All Clubs and Counties approached by people who tell you they already have a Bowls England check can ensure the process has been completed by contacting Bowls England's National Child Protection Officer. Contact details are shown in Section 5 of this Guidance.

CRB Disclosure Application forms are available from Gwen Sabin at Bowls England on 01926 430686 or e-mail: gwen.sabin@bowlsengland.com.

TMG CRB currently charge the 'Family of Bowls' £10 for each CRB check until 31st August 2009 and then £12.50 after this date.

1.4 Who should have a CRB check?

Bowls England has agreed that is MANDATORY that people in the following categories who regularly teach, train, supervise and/or are in sole charge of a child and/or vulnerable adult should have a CRB check. Regular contact is defined as 'Frequently' (once a month or more); 'Intensively' (2 or more days in every 30 day period) and/or 'Overnight' (any activity between 12am and 6am).

- Bowls England Employees and Officials (including Team Managers/Selectors/Performance Director)
- Club Child Protection Officer
- County Child Protection Officer
- National Child Protection Officer
- Any other person who has or is likely to have regular and relevant contact with children and/or vulnerable adults. Examples include Junior Coach/Junior Team Manager/regular driver for the Junior Team.

1.5 Statement on use of other CRB clearance providers

Bowls England is aware that some clubs may be offered free CRB Disclosure services provided by local organisations.

Clubs should be aware that if they do this they are fully responsible for Code of Practice requirements, proper identity checking, the receipt, secure use and disposal of the Disclosure and for the management of any information released to them.

In addition they may not share the Disclosure content with anyone else in bowls.

If the Disclosure reveals adverse information indicating that the applicant poses a risk to the vulnerable, it is the sole and personal responsibility of the members of the Club Committee to decide how that risk is managed.

Bowls England is prohibited from any use of the information disclosed and thus will be unable to assist them.

We are confident that using the Bowls England CRB route protects you, and your club, from this and enables Bowls England to manage a nationwide system to protect children and vulnerable adults through consistent decision making, record keeping and information sharing across the sport, plus enforcement of supervision and suspensions when necessary.

BOWLS ENGLAND WILL NOT BE HELD RESPONSIBLE FOR ANY CLUB OR ASSOCIATION THAT CHOOSES TO USE THE SERVICES OF ANOTHER THIRD PARTY PROVIDER OR TO RELY ON A DISCLOSURE NOT ISSUED THROUGH TMG FOR THE SPORT OF BOWLS.

1.6 Update on Safeguarding Vulnerable Groups Act (SVGA) 2006

The SVGA is a new Act, with phased implementation from July 2010, to prevent unsuitable people from working or volunteering with children or vulnerable adults.

It includes the Independent Safeguarding Authority (ISA), Vetting and Barring Scheme (VBS) and CRB.

Although final details are still being finalised, Bowls England understands The Act will have little impact on Members who use Bowls England's recommended route to process CRB Disclosures as ISA registration can be included as part of the CRB process through TMG.

Bowls England is currently awaiting sector specific guidance from the Government and will work with the Child Protection in Sport Unit to ensure appropriate understanding and roll out of the scheme.

1.7 How long is a CRB check valid?

Bowls England has agreed that CRB checks conducted for the sport of bowls through TMG CRB are valid for a period of three years from date of issue.

Bowls England reserve the right to seek a check at any point if it has reason to believe there has been a cause for concern or further offending by any individual.

2. ROLES AND RESPONSIBILITIES

2.1 *Club Child Protection Officer*

Bowls England RECOMMENDS all clubs should have a CLUB CHILD PROTECTION OFFICER, whose duties should include:

- To be responsible for Young People and Vulnerable Adults
- To act as a point of referral for concerns for Club Members

Each club only requires ONE Club Child Protection Officer. Small clubs with less than 20 members may choose to share this role with another local club.

The Club Child Protection Officer DOES NOT need to be present at the club at all times that children and/or vulnerable adults are present.

The Club Child Protection Officer DOES need to receive Criminal Records Bureau (CRB) clearance through Bowls England.

Bowls England has agreed that it is MANDATORY that all clubs, regardless of size, providing any of the following, or similar, activities must have a CLUB CHILD PROTECTION OFFICER.

- Youth programmes
- School links
- Activities for vulnerable adults
- Junior tournaments
- Any other frequent/intensive activities for children and/or vulnerable adults

2.2 *Coaches*

It is MANDATORY that all coaches/helpers, regardless of level, who have regular contact (see 1.4) with Children and Vulnerable Adults at Bowls England Affiliated Clubs MUST have a CURRENT CRB CLEARANCE OBTAINED THROUGH BOWLS ENGLAND.

2.3 CRB Checklist

The following checklist is designed to advise Clubs and Counties which individuals require CRB clearance through Bowls England.

ROLE/RESPONSIBILITY	BE CRB RECOMMENDED OR MANDATORY
Bowls England Employees and Officials (including Team Managers/Selectors/Performance Director)	Recommended (Mandatory for those who have regular contact with children and vulnerable adults as outlined in 1.4)
Club Child Protection Officer	Recommended (Mandatory in all clubs providing activities for children and vulnerable adults outlined in 2.1)
County Child Protection Officer	Mandatory
National Child Protection Officer	Mandatory
Any other person who has or is likely to have regular and relevant contact with children and/or vulnerable adults. Examples include Junior Coach/Junior Team Manager/regular driver for the Junior Team	Mandatory
Coaches/helpers, regardless of level, who have regular contact (see 1.4) with Children and Vulnerable Adults at Bowls England Affiliated Clubs	Mandatory

3. DEFINITIONS

3.1 *What is a Child?*

The Children's Act 1989 defines a child as any male or female person aged under 18 years of age.

3.2 *What is a Vulnerable Adult?*

There are various definitions of Vulnerable Adult but for the purposes of CRB at present it is currently defined as:

A vulnerable adult for the purposes of an Enhanced Check is a person aged 18 or over who receives services of a type listed in paragraph 1) below and in consequence of a condition of a type listed in paragraph 2) below, has a disability of a type listed at 3) below.

1) The services are:

- a) accommodation and nursing or personal care in a care home,
- b) personal care or support to live independently in his or her own home,
- c) any services provided by an independent hospital, independent clinic, independent medical agency or National Health Service body,
- d) social care services; or
- e) any services provided in an establishment catering for a person with learning difficulties.

2) The conditions are:

- a) a learning or physical disability,
- b) a physical or mental illness, chronic or otherwise, including an addiction to alcohol or drugs; or
- c) a reduction in physical or mental capacity.

3) The disabilities are:

a) a dependency upon others in the performance of, or a requirement for assistance in the performance of, basic physical functions,

b) severe impairment in the ability to communicate with others, or

c) impairment in a person's ability to protect him or herself from assault, abuse or neglect.

From October 2009 the eligibility criteria will expand to include more positions. This will mean that many more people posing a risk to the vulnerable will be checked and prevented from working with vulnerable groups.

Bowls England will advise you nearer the time of these changes.

As it can be difficult to decide who is and who is not a Vulnerable Adult, Bowls England recommends you contact TMG CRB directly before seeking a check.

Please telephone TMG CRB directly on 0115 969 4606.

4. NOTICE OF INTENT

Bowls England gives 'Notice of Intent' to change its Regulations with regard to Safeguarding Children and Vulnerable Adults at the EGM in November 2009 as follows:

Regulation 3 – Safeguarding Children and Vulnerable Adults Policy

3.5 (h) All categories of Membership shall have in place an appropriate policy for the safeguarding children and vulnerable adults while on their premises. A statement of the policy shall be prominently displayed at their premises.

Regulation 7 - Safeguarding Children and Vulnerable Adults

7.3 It is a legal requirement on Bowls England that all Members providing activities for children and vulnerable adults shall have in place a policy for safeguarding them.

They shall appoint a Child Protection Officer to administer their policy who will be required to be cleared through Bowls England by the Criminal Records Bureau (CRB) and Independent Safeguarding Authority (ISA).

MEMBERS WHO DO NOT PROVIDE SUCH ACTIVITIES AND DO NOT INTEND TO DO SO, ARE NOT REQUIRED TO MEET THE PROVISIONS OF THIS REGULATION BUT ARE ADVISED TO ADOPT BOWLS ENGLAND'S CHILD AND VULNERABLE ADULT SAFEGUARDING POLICY STATEMENT.

Copies of the Statement will be circulated to all Affiliated Clubs.

5. USEFUL CONTACTS

Tony Allcock MBE

Bowls England Chief Executive

T: 01903 820222

E: tony@bowlsengland.com

W: www.bowlsengland.com

Pat Ostler

Bowls England National Child Protection Officer

T: 01295 720531

E: patnrod19@aol.com

W: www.bowlschildprotect

TMG CRB

T: 0115 969 4606

E: crb@tmgcrb.co.uk

W: www.tmgcrb.co.uk

NSPCC Child Protection in Sport Unit (CPSU)

T: 0116 234 7278

E: cpsu@nspcc.org.uk

W: www.nspcc.org.uk

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