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Responsible person	Peter Brooke Operations Manager

BRITISH ORIENTEERING – O-Safe

CHILD SAFEGUARDING POLICY

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Change Log

Date	Section	Description
28/06/2022	5, Positions of trust New sections added 5.4.1 & 5.4.2	Law change in this area from 28 June 2022 now referenced within the new sections.
	5.4 Positions of trust	This has been re written to reference the amended law which states sexual relations for those in a position of trust with those aged up to 17 years old is illegal.

1. CHAIR'S FOREWORD

British Orienteering is committed to ensuring that everyone who participates in orienteering has a positive and fulfilling experience. As the national governing body for orienteering, British Orienteering has a particular duty to protect children from harm that might arise out of their participation in orienteering and related activities. However, this duty is not confined to British Orienteering. It is shared by everyone involved in orienteering.

The important role of sports governing bodies (such as British Orienteering) in safeguarding is recognised across guidance issued by the UK Government and the devolved administrations. In accordance with such guidance, British Orienteering has, and will continue to, put in place practical measures that seek to minimise the risk of harm to children, and enable British Orienteering to respond appropriately to safeguarding concerns whenever and wherever they might arise.

This Child Safeguarding Policy addresses the following:

- Key safeguarding terms (Section 2)
- British Orienteering's key safeguarding principles (Section 3)
- Who is covered by this Child Safeguarding Policy? (Section 4)
- Harm and abuse, positions of trust, and poor practice (Section 5)
- Becoming aware of and reporting safeguarding concerns (Section 6)
- British Orienteering's approach to information sharing (Section 7)
- Safer recruitment practices and criminal records checks (Section 8)
- Useful contact details and sources of further information (Section 9)

This Child Safeguarding Policy is also complemented by:

- the British Orienteering [Code of Ethics and Conduct](#), which sets the behavioural standards across the sport (in respect of child protection, safeguarding and other matters); and
- the British Orienteering [Safeguarding Regulations](#), enabling British Orienteering to support the aims of this Child Safeguarding Policy, including by taking appropriate risk management measures where necessary.

Additionally, British Orienteering will produce guidance and facilitate training in relation to safeguarding issues in orienteering. This Child Safeguarding Policy supersedes all previous British Orienteering safeguarding policies from its effective date 6th February 2021 and will be reviewed every three years (or earlier should circumstances require).

I know all those involved in British Orienteering will welcome and support British Orienteering's safeguarding efforts.

Drew Vanbeck
Chair, British Orienteering
5th February 2021

2. KEY SAFEGUARDING TERMS

Safeguarding is an area in which there is some commonly used terminology, including the following key terms that are used in this Child Safeguarding Policy.

Child

In accordance with the UN Convention on the Rights of the Child and domestic legislation (e.g. the Children Act 1989), a 'child' is any person under the age of eighteen.

Child protection

'Child protection' is activity that is undertaken to protect specific children who are suffering or are likely to suffer significant harm. Child protection is, of course, a critically important aspect of safeguarding.

Safeguarding

'Safeguarding' concerns all activities that support the wellbeing of children generally (so it is a wider concept than 'child protection'), including activities aimed at (i) protecting children from maltreatment; (ii) preventing impairment of children's health or development; (iii) ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and (iv) taking action to enable all children to have the best outcomes. British Orienteering believes that best safeguarding practice in orienteering encompasses all efforts aimed at maintaining or improving the wellbeing of children in the context of orienteering and related activities.

Harm

The Children Act 1989 defines 'harm' as 'ill-treatment' (including sexual abuse and non-physical forms of ill-treatment) or the impairment of health (physical or mental) or development (physical, intellectual, emotional, social or behavioural).

Abuse

Statutory guidance ('Working together to safeguard children, 2018) defines abuse as *"A form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm, or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting [such as sport] by those known to them or, more rarely, by others. Abuse can take place wholly online, or technology may be used to facilitate offline abuse. Children may be abused by an adult or adults, or another child or children"*.

Poor practice

Poor practice refers to instances when the behaviour of an individual in a position of responsibility falls below that which is acceptable. Such behaviour might not be immediately dangerous or intentionally harmful to a child, but it is likely to set a poor example.

Further information about harm, abuse, and poor practice is set out in Section 5 below (Harm and abuse, positions of trust, and poor practice).

3. BRITISH ORIENTEERING'S KEY SAFEGUARDING PRINCIPLES

Safeguarding and promoting the welfare of children within orienteering is paramount, and all children participating in orienteering have the right to be protected from all forms of abuse and harm. The following key principles will guide British Orienteering's approach to safeguarding children within orienteering:

- Where a child is being abused (or at risk of being abused), the most appropriate body to address such concerns will typically be the child protection team at the relevant local authority (where the child lives). In an emergency, or where it is believed that the child may be in immediate danger of harm, or if it is suspected a crime has been committed, the police will typically be the most appropriate body to which concerns should first be reported. However, in its capacity as the governing body of orienteering, British Orienteering also has an important role to play, and it too must have the ability to learn of safeguarding concerns, respond to them, investigate them, and take such action as might be necessary to protect children in the sport.
- British Orienteering will work in partnership with the police, local council child protection teams, local safeguarding partners, the Disclosure and Barring Service, Disclosure Scotland and any other appropriate authorities in accordance with their procedures, and in order to enable them to carry out their statutory and/or other duties to investigate concerns and protect children. The British Orienteering Lead Safeguarding Officer will be the person with primary responsibility for reporting to and liaising with external authorities.
- British Orienteering will work in partnership with all stakeholders in orienteering to support them in the investigation of concerns and to protect children. British Orienteering will seek to provide appropriate support to stakeholders in improving their safeguarding practices, with a view to achieving high safeguarding standards across orienteering.
- British Orienteering will adopt a child-centred approach to all concerns raised, take all allegations of abuse seriously, and respond swiftly and appropriately.
- British Orienteering will challenge conduct within orienteering that is, or might be, harmful to children.
- British Orienteering will support all of those involved in safeguarding cases, including affected children, their families, and those who report concerns to British Orienteering. The level of support will be appropriate to the circumstances of each individual case, the circumstances of each affected individual, and the resource available to British Orienteering (but in all cases affected individuals will as a minimum be directed to any third party organisation(s) that might be able to assist them).

4. WHO IS COVERED BY THIS CHILD SAFEGUARDING POLICY?

4.1 This Child Safeguarding Policy is designed primarily to protect all children who are engaged in orienteering activities overseen by British Orienteering.

4.2 This Child Safeguarding Policy therefore applies to everyone engaged in orienteering activities overseen by British Orienteering, at every level, including (but not limited to) the following participants:

- Competitors
- Officials
- Instructors/coaches (i.e., anyone licensed by British Orienteering to instruct or coach orienteering)
- Administrators
- Clubs
- Club Officials
- Affiliated Associations
- British Orienteering members
- Parents of children who participate in orienteering activities
- Those who are not performing roles licensed or permitted by British Orienteering, but who are otherwise involved in orienteering activities overseen by British Orienteering.
- Anyone else who has agreed to be covered by this Child Safeguarding Policy.

5. HARM AND ABUSE, POSITIONS OF TRUST, AND POOR PRACTICE

What constitutes harm/abuse?

5.1 Statutory guidance ('Working together to safeguard children', 2018) identifies four types of abusive conduct, which are summarised below along with examples of how that conduct can manifest itself in orienteering (as it can in other sports):

- **Sexual abuse**

Sexual abuse occurs when a child is forced, persuaded or encouraged to take part in sexual activities. Such abuse does not have to involve physical contact and can take place online. Children may not always understand that they are being sexually abused.

In orienteering, coaching techniques that involve physical contact with children can create situations where sexual abuse can be disguised. An abusive situation can also develop if a person in a position of trust, such as a coach, misuses their power (see further below in relation to positions of trust).

Contacts made within sport and pursued through other routes, such as social media, can be used to groom children for abuse. Sexual abusers can also groom protective adults (e.g., parents/carers) and organisations (e.g., clubs) in order to create opportunities for abuse to take place.

- **Physical abuse**

Physical abuse is causing physical harm to a child, including by causing injuries such as bruises, broken bones, burns or cuts.

In orienteering, physical abuse might occur:

- if the nature and intensity of training or competition exceeds the capacity of the child's immature growing body
- where coaches encourage the use of drugs or harmful substances to enhance performance
- if children are required to participate when injured
- if coaching practices involve inflicting pain

- **Emotional abuse**

Emotional abuse is the emotional mistreatment of a child. It can also be considered as psychological abuse and can seriously damage mental health and wellbeing. Emotional abuse can involve scaring or humiliating a child and bullying behaviour. It may also involve a child seeing or hearing the ill-treatment of another, or the exploitation or corruption of a child.

In orienteering, emotional abuse might occur if:

- children are subjected to repeated criticism, sarcasm, or name-calling

- a child is ignored or excluded
- children feel pressure to perform to unrealistically high expectations
- children are made to feel like their value or worth is dependent on their sporting success

- **Neglect**

Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in serious impairment of their health or development, e.g., by not meeting their essential needs for food, warmth and care, or failing to adequately supervise them.

In orienteering, examples of neglect could include a coach or supervisor repeatedly:

- failing to ensure children are safe
- exposing children to undue cold, heat or extreme weather conditions without ensuring adequate clothing or hydration
- exposing children to unnecessary risk of injury by ignoring safe practice guidelines
- failing to ensure the use of safety equipment
- requiring children to participate when injured or unwell

5.2 Whilst all forms of abuse are to be taken very seriously, no matter who is affected, British Orienteering will treat it as an aggravating factor if abuse is motivated or involves reference (explicit or implicit) to ethnic origin, nationality, colour, race, religion or belief, gender, gender reassignment, sexual orientation or disability.

Common signs of child abuse

The signs of child abuse are not always obvious, and a child might not feel able to tell anyone what's happening to them. Sometimes, children don't even realise that what's happening to them is abuse.

The signs that a child is being abused might depend on the type of abuse – for example, the signs that a child is being neglected may be different from the signs of sexual abuse. However, some common signs that there may be something concerning happening in a child's life include:

- unexplained changes in behaviour or personality
- becoming withdrawn
- seeming anxious
- becoming uncharacteristically aggressive
- lack of social skills, and few friends (if any)
- poor bond or relationship with a parent/carer
- knowledge of adult issues inappropriate for their age
- running away or going missing
- always choosing to wear clothes that cover their body.

These signs do not necessarily mean that a child is being abused, there could be other things happening in their life that are affecting their behaviour. If a child displays one of more of these signs, it should not lead to an automatic conclusion that they are suffering from abuse. However, the display of one or more of these indicators may – in the context of the circumstances relating to the individual – prompt concern that warrants further attention. The above list is not intended to be exhaustive.

Source: National Society for the Prevention of Cruelty to Children (NSPCC)

Positions of trust

5.3 An adult in a position of trust – meaning where an adult employs, cares for, advises, mentors, supervises or coaches a child in the context of orienteering activities – must not enter into an inappropriate sexual relationship with a child (whom they employ, care for etc.).

5.4 A sexual relationship between an adult in a position of trust and a child up to and including 17 year olds will be a breach of trust, an abuse of the relevant adult's position and is a criminal offence. However, even if the relationship does not involve the commission of a criminal offence it might nonetheless be abusive, and if concerns of an inappropriate relationship are reported to British Orienteering, British Orienteering will treat such concerns very seriously. The circumstances will be investigated and action may be taken under the British Orienteering Safeguarding Regulations and, depending on the circumstances of the relationship, British Orienteering may have a legal duty to refer the matter to law enforcement authorities.

5.4.1 From 28 June 2022, the Sexual Offences Act 2003 in England and Wales and the Sexual Offences (Northern Ireland) Order 2008 were amended to expand position of trust roles to include sports coaches. Currently, the 'positions of trust' law in Scotland remains as originally set out in the [Sexual Offences Act \(2009\)](#), which does not cover religious or sports settings.

5.4.2 It is now against the law for someone in a position of trust to engage in sexual activity with a child in their care, even if that child is over the age of consent (16 or over).

Poor practice

5.5 Poor practice refers to instances when the behaviour of an individual in a position of responsibility falls below that which is acceptable, including in particular a failure to meet the standards of behaviour set by the British Orienteering Code of Ethics and Conduct in respect of safeguarding. Such behaviour might not be immediately dangerous or intentionally harmful to a child, but it is likely to set a poor example. Examples of poor practice include coaching with alcohol on the breath, smoking and swearing in front of children as well as not paying due care and attention to child participants.

5.6 Poor practice can sometimes lead to an environment that is conducive to more serious abuse. It can also raise doubts about the person's motivation, even if no harm is intended. For example, if a coach or supervisor gives one child more attention than others, or encourages physical contact without explaining the reason.

6. BECOMING AWARE OF AND REPORTING SAFEGUARDING CONCERNS

- 6.1 Where there are concerns in relation to the safety and/or wellbeing of a child, it is important that those concerns are reported to the appropriate authorities in order that appropriate action may be taken to protect that child. In emergencies and criminal/serious cases, this means reporting to the police and/or local council child protection teams.
- 6.2 British Orienteering's core aims in relation to safeguarding (as a sports governing body) are to (i) seek to prevent harm to children in orienteering, and (ii) take appropriate action against those who harm, or pose a risk of harm, to children within orienteering. It is for those reasons that British Orienteering itself wishes to receive reports of concerns relating to abuse or poor practice, and it is appropriate that it does so.
- 6.3 In all cases of concerns reported to British Orienteering, British Orienteering will consider how best to respond, but all concerns that warrant and/or require referral to police and/or local child protection teams will be referred (if not already reported directly to the police and/or the relevant local child protection team), who will be best placed to manage such cases. British Orienteering will then liaise with those authorities in relation to any action British Orienteering may propose to take in the context of orienteering, and support those authorities as may be necessary or appropriate.
- 6.4 If an individual has made a report about someone in orienteering to the police and/or local council child protection team, but does not wish to report it to British Orienteering for any reason, then British Orienteering should instead be informed on a 'no names' basis that a report has been made, and to which force/council it has been made (British Orienteering can then liaise with that force/council to determine whether any action by British Orienteering is appropriate).
- 6.5 A summary flowchart setting out how British Orienteering will handle reports of safeguarding concerns is set out at the end of this Section 6.

Becoming aware of a concern

- 6.6 Concerns might be raised as a result of the following (this list is not intended to be exhaustive):
- Something a child has said.
 - Signs or suspicions of abuse.
 - Allegations made against an individual.
 - Observation or perception of inappropriate behaviour.
- 6.7 Individuals who become aware of another's concern (whether a child or someone else) should:
- stay calm and reassure the person who has made them aware of the concern;
 - listen carefully to what they are told and carefully document it in writing, and then sign, date and securely keep any notes should they later be required for evidentiary purposes;
 - not investigate, interrogate or decide if the child is telling the truth (let the child explain in his/her own words what happened but do not ask leading questions - if

necessary to obtain more information, ask open questions like “is there anything else that you want to tell me?”);

- explain that they will need to report the concern to others, and explain who those others might be (do not make any promises about confidentiality or keeping secrets);
- not approach an alleged abuser;
- maintain confidentiality beyond those who need to know of the concern, e.g. do not discuss the concern with others, including friends, family and colleagues; and
- report the concern to the appropriate authorities and British Orienteering as a matter of urgency (dial 999 in an emergency).

6.8 In the event that a child is injured (for example following an assault), medical attention should be obtained and the medical professionals should be informed if there is a safeguarding concern relating to the injury.

Club Welfare Officers

6.9 Club Welfare Officers will ordinarily be the first point of contact within a club in respect of safeguarding queries and concerns (including in respect of poor practice), and they will in turn report concerns to British Orienteering using the procedures detailed in this Child Safeguarding Policy. However, reports can also be made directly to British Orienteering.

Making a report directly to British Orienteering

6.10 British Orienteering wants to be presented with any information, from any source, where there is reason to believe that a participant in orienteering has presented or presents a risk of harm to a child or children (and the information relates thereto).

6.11 It is not the responsibility of those reporting concerns to British Orienteering to determine if a child has been abused or is otherwise at risk of harm. British Orienteering will support those who wish to make a report, and provide any guidance that may be necessary in relation to the making of a report.

6.12 Reports can be made directly to British Orienteering either:

- via email to safeguarding@britishorienteering.org.uk; or
- by telephone to the British Orienteering Lead Safeguarding Officer, Peter Brooke, on 07540 150963.

A British Orienteering Incident Report Form has also been produced, in order to assist the reporting process. This can be located on British Orienteering's website at <https://www.britishorienteering.org.uk/safeguardingandsafety>

6.13 In the event that the safeguarding concern relates to the British Orienteering Lead Safeguarding Officer, the report should instead be made to;

- British Orienteering Chief Executive, Peter Hart, by email on Peter.Hart@britishorienteering.org.uk or phone 07384 462432 or;

- British Orienteering Chair, Drew Vanbeck by email on Drew.Vanbeck@britishorienteering.org.uk or phone 07774 813311 and/ or:
- To the NSPCC Child Protection in Sport Unit (by email to cpsu@nspcc.org.uk).

6.14 When reporting a concern to British Orienteering, the person making the report should:

- focus on the facts rather than opinion i.e. what exactly has been observed, seen, heard, or disclosed; and
- distinguish clearly between what the person making the report knows first-hand, and what he or she has been told by others.

6.15 All reports received by British Orienteering will be treated in confidence and will be shared only with appropriate individuals within British Orienteering, or with those from whom British Orienteering may seek advice on confidential terms, on a strictly 'need to know' basis. The details of the report may also be shared with other bodies (again on a 'need to know' basis and to the extent appropriate) where that is in the interests of preventing harm to any young person(s) or adult(s) at risk. British Orienteering's approach to information sharing is set out in section 7 of this Child Safeguarding Policy.

British Orienteering's response to safeguarding concerns

6.16 Depending on the circumstances of each case, the following people will determine British Orienteering's response to a safeguarding concern:

- The British Orienteering Lead Safeguarding Officer

The British Orienteering Lead Safeguarding Officer is responsible for promoting the welfare of children in orienteering. His or her role includes the development, implementation, operation and enforcement of this Child Safeguarding Policy.

- The British Orienteering Case Management Group

The British Orienteering Case Management Group comprises a small number of individuals with relevant skills, knowledge and experience, whose primary role is to manage British Orienteering's response to reported safeguarding concerns, and the identifiable potential safeguarding risks individuals pose, in accordance with its terms of reference.

- Independent safeguarding experts

Independent safeguarding experts may be drawn from a mix of legal, policing, social work, offender management and sports administration backgrounds. Independent safeguarding experts may:

- (a) undertaking investigations into reports of safeguarding concerns; and
- (b) sitting on specialist, independent arbitration panels to handle British Orienteering safeguarding cases.

6.17 All reports of safeguarding concerns received by British Orienteering will be considered by the British Orienteering Lead Safeguarding Officer, in consultation with the British Orienteering Case Management Group. The British Orienteering Lead Safeguarding Officer may, in his/her

discretion, handle reports of poor practice without reference to the British Orienteering Case Management Group, but (where he/she elects to do so) he/she will report to the British Orienteering Case Management Group in respect of such cases at least once every six months. British Orienteering's initial response to a safeguarding concern will depend on the nature of the concern and its specific facts (but, as above, will always include referral to the police and/or the relevant local council child protection team where warranted and/or required).

- 6.18 All cases progressed by British Orienteering will be investigated by British Orienteering and/or by an expert investigator appointed by British Orienteering.
- 6.19 Where (in a particular case) it is determined by British Orienteering (whether as the result of a report or otherwise) that a person poses a risk of harm to a child or children, the matter will be dealt with in accordance with the British Orienteering Safeguarding Regulations. This may result in a temporary suspension order until the matter is determined (which is a neutral act that is not indicative of a person's guilt) and, should it be found that wrongdoing has occurred, risk management orders up to and including a lifetime ban from orienteering.
- 6.20 Where (in a particular case) it is determined by British Orienteering that no relevant person poses a foreseeable risk of harm to a child or children, but an understandable concern was raised, it might be the case that guidance is provided to any relevant individual in relation to his or her future conduct (for example for less serious or inadvertent breaches of the British Orienteering Code of Ethics and Conduct in respect of safeguarding).
- 6.21 Whilst the welfare of children is at all times paramount, British Orienteering recognises it also has a duty to those accused of wrongdoing. Consideration will therefore be given as to what level of support might be appropriately provided to such persons, which may include such things as access to support services and pro bono legal advice.
- 6.22 It is unlikely that it will be possible in any case to determine exact timescales for when cases will be resolved. However, British Orienteering will always try to ensure that all parties know what procedure will be followed and what the expected time scales are, as well as any changes to those timescales and why.

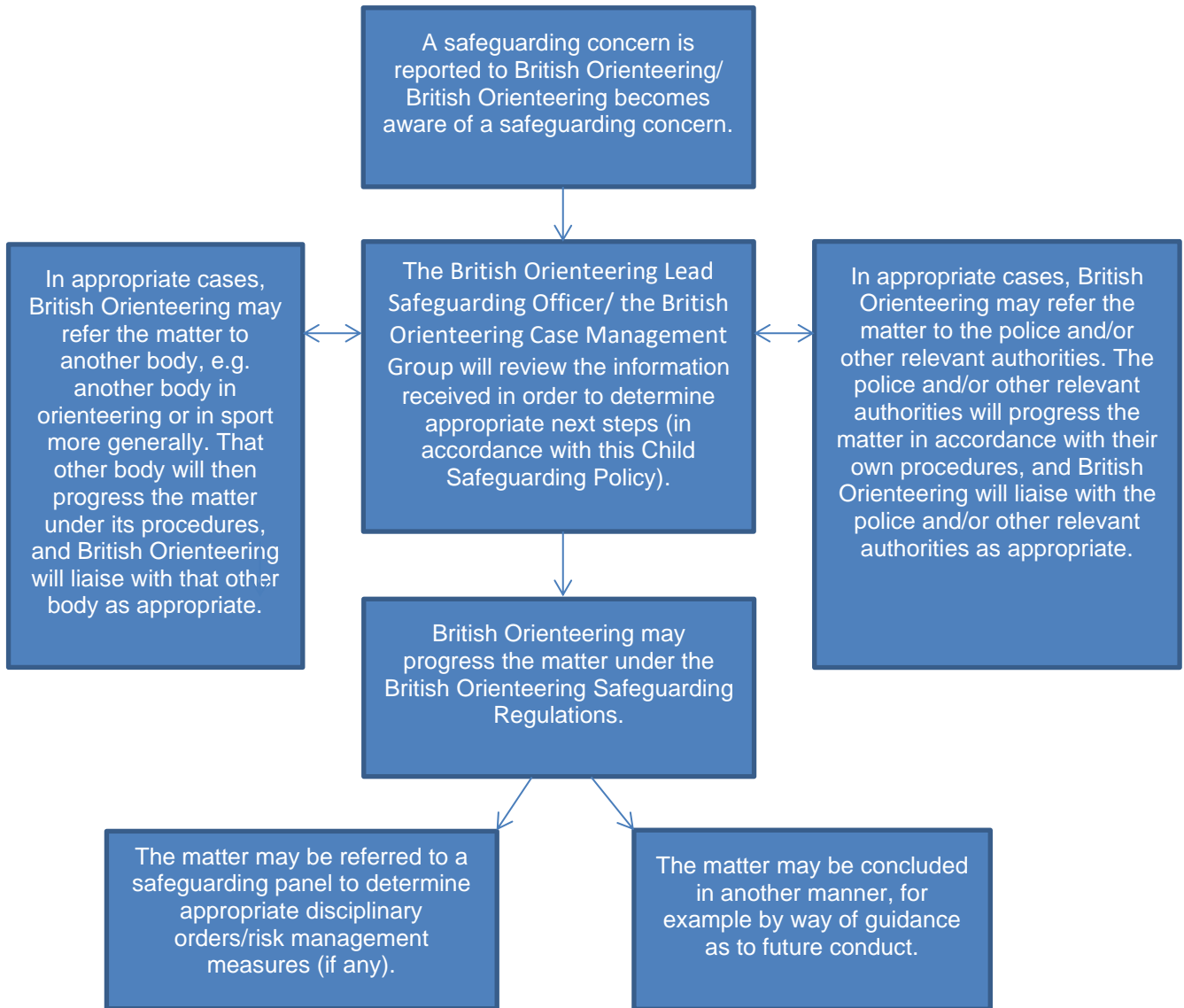
Non-recent abuse

- 6.23 British Orienteering recognises that abuse might have taken place within the sport that has gone unreported, and that the reporting of abuse could be delayed for a short or lengthy period of time for a wide variety of reasons, including (but not limited to) differing cultural mindsets of the past, a fear of reprisals, the degree of control exercised by an abuser, and a sense of shame or fear.
- 6.24 British Orienteering encourages the reporting of non-recent abuse, which it considers to be important for a number of reasons that include:
- the alleged abuse may not have been an isolated incident (it might be ongoing and being committed by the same person or someone else);
 - it may come to light that the non-recent abuse is part of a wider pattern of abuse;
 - there is a likelihood that a person who abused a child in the past may still be abusing others;
 - the abuse may still be working with or caring for children; and

- the importance of making the report to the person who has been abused.

6.25 British Orienteering will treat any reports of non-recent abuse in the same way as any other report of abuse, taking into account the circumstances of any individual report.

Summary flowchart outlining how British Orienteering will handle safeguarding concerns



7. BRITISH ORIENTEERING'S APPROACH TO INFORMATION SHARING

7.1 British Orienteering recognises that information sharing is vital to safeguarding and promoting the welfare of children. British Orienteering also recognises that decisions about how much information to share, with whom and when, can have a profound impact on individuals' lives.

7.2 British Orienteering adopts the following principles of information sharing in relation to safeguarding (adapted from the 'Golden Rules' concerning information sharing, contained within the 'Advice for practitioners providing safeguarding services to children, young people, parents and carers' government advice document):

- Data protection legislation, human rights law and the law relating to confidentiality are not barriers to justified information sharing, but provide a framework to ensure that personal information about living individuals is shared appropriately.
- British Orienteering will be open and honest with individuals (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.
- Where there is any doubt as to the appropriateness of information sharing, British Orienteering will provide guidance to those who wish to provide information to it, and where necessary seek advice from other practitioners and experts in relation to information sharing (in each case without disclosing concerned individuals' identities if possible).
- British Orienteering will share information to the extent it is necessary, proportionate, and relevant, and will do so in a manner that is adequate, accurate, timely and secure.
- British Orienteering will keep an adequate record of its decision-making in relation to information sharing.

7.3 British Orienteering processes personal data received in reports and otherwise collected as part of its safeguarding investigations in accordance with applicable data protection law, for the purposes of meeting its safeguarding responsibilities as set out in this policy. More information on British Orienteering's processing of personal data can be found in British Orienteering's Privacy Statement, available at:

https://www.britishorienteering.org.uk/images/uploaded/downloads/governance_policies_privacy.pdf.

8. SAFER RECRUITMENT PRACTICES, CRIMINAL RECORD CHECKS, AND CONTRACTING FOR SERVICES

8.1 In the course of employing, engaging or instructing any individual in work that involves working with or alongside children, appropriate steps should be undertaken to seek to ensure that the person to be employed, engaged or instructed is suitable for such work i.e. that they do not present a known or foreseeable risk of harm to children.

Safer recruitment practices

8.2 In the context of seeking to protect children, this includes such recruitment steps as:

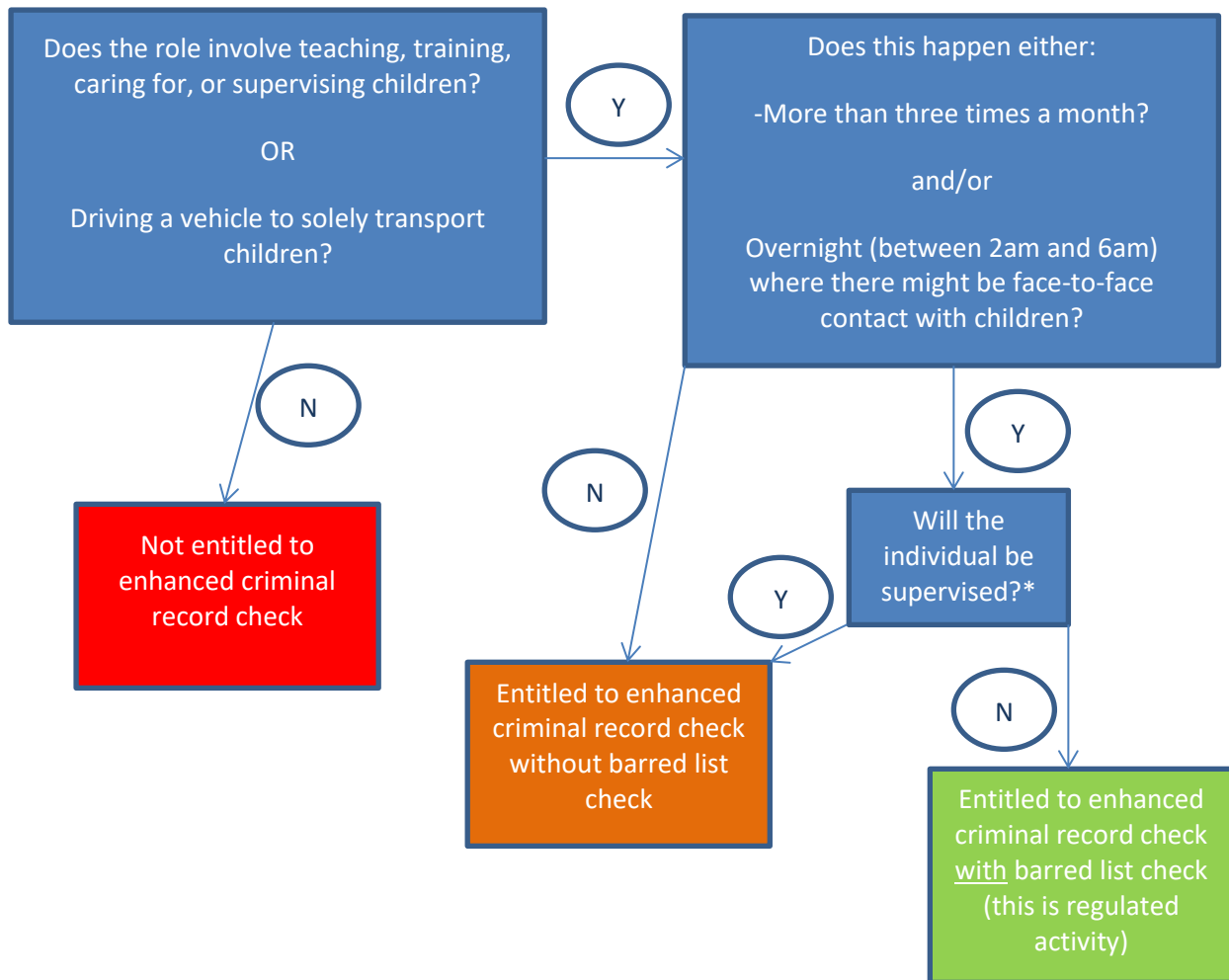
- obtaining written references, particularly from people who are in a position to comment on the individual's previous work with children;
- exploring the individual's attitudes towards, and ability to communicate with, children;
- ensuring that the individual is aware of this British Orienteering Child Safeguarding Policy, British Orienteering Code of Ethics and Conduct, the British Orienteering Safeguarding Regulations, and any relevant guidance, as well as any relevant policies and procedures of the employer/engager/instructor. Similarly, safeguarding training may also be appropriate;
- seeking voluntary disclosure of criminal records and asking the individual whether they have ever been (i) known to any local authority as being a risk or potential risk to young people and/or adults at risk, and/or (ii) the subject of any disciplinary investigation and/or sanction by any organisation due to concerns about their behaviour towards young people and/or adults at risk; and
- undertaking criminal record checks, subject to eligibility requirements (see further below).

Criminal record checks (England and Wales)

8.3 Where an individual's role in orienteering is eligible for an 'enhanced disclosure' criminal record check – with or without barred list check (as explained below) - such checks must be undertaken in accordance with British Orienteering's criminal record check procedures (which are set out in the British Orienteering Safeguarding Regulations and are the subject of separate guidance).

8.4 An enhanced disclosure will provide details of criminal convictions and/or cautions, any police reprimands and warnings, and any relevant police information. Where an individual will be undertaking 'regulated activity', an enhanced disclosure will also contain any information stored about the individual in respect of the statutory barred list, i.e., those who are barred from undertaking 'regulated activity' with children.

Eligibility for enhanced criminal record checks (England and Wales)



**Government guidance states that supervision must be "reasonable in all the circumstances to ensure that protection of children".*

This means that it is:

- *is "regular and day to day" (supervision must not be concentrated initially, and then tail off)*
- *undertaken by someone who is in 'regulated activity' themselves*

The following considerations are likely to be relevant as to whether supervision is reasonable:

- *the number of children the individual is working with*
- *the ages of the children, including whether ages differ widely between them*
- *whether or not others are helping to look after the children*
- *the nature of the individual's work*
- *how vulnerable the children are; and*
- *how many individuals would be supervised by each supervising person who is in 'regulated activity'.*

- 8.5 In England and Wales, the criminal record checking process is overseen by the Disclosure and Barring Service – see <https://www.gov.uk/government/organisations/disclosure-and-barring-service>.

Criminal record checks (Northern Ireland)

- 8.6 The position in Northern Ireland is very similar to England and Wales. In Northern Ireland, the criminal record checking process is overseen by AccessNI - see <https://www.nidirect.gov.uk/campaigns/accessni-criminal-record-checks>.

Eligibility for Protecting Vulnerable Groups (PVG) Scheme (Scotland)

- 8.7 In Scotland criminal records checks are overseen by Disclosure Scotland, which operates a similar system, the PVG Scheme, in relation to 'regulated work' – see <https://www.mygov.scot/disclosure-types/>). Those undertaking 'regulated work' with children must apply for membership of the PVG scheme and obtain a PVG Scheme Record. There is not a definitive list of what roles will or will not be covered under 'regulated work', which will require consideration of the role that the relevant person will undertake. However, in respect of work with children it is defined by reference to the following criteria:

- It has to be work (paid or unpaid)
- It has to be part of normal duties, i.e., the activity is reasonably anticipated and could appear on the person's job description (if one exists/were to exist)
- The work has to include:
 - caring for children
 - teaching, instructing, training or supervising children
 - being in sole charge of children
 - having unsupervised access to children/young people
 - being a host parent
- The activity has to be targeted at children, e.g., where children are present, but their attendance is incidental, the activity will not constitute regulated work.

Contracting for services

- 8.8 When contracting for services with third parties that may involve any individual working closely alongside, or coming into close contact with, children, British Orienteering recommends that comfort is obtained that such individuals will not pose a foreseeable risk of harm to children. This may include taking such steps as obtaining the relevant third party's child protection/safeguarding policies, obtaining confirmation that no individual will be left unsupervised with children, and/or that individuals involved in the provision of services have been subject to (and passed) appropriate screening processes (e.g. criminal record checks).

Further guidance

- 8.9 Practical guidance as to how to obtain a criminal record check can be found in the British Orienteering guidance, [X].

9. USEFUL CONTACT DETAILS AND FURTHER INFORMATION

Police and local authorities

As addressed above (section 2, British Orienteering's key safeguarding principles), where a child is being abused (or at risk of being abused), the most appropriate body to address such concerns will typically be the child protection team at the relevant local authority. If you do not know your local authority (or, if different, the local authority where the concern arises), can be identified using <https://www.gov.uk/find-local-council>.

In an emergency, or if it is suspected a crime has been committed, the police will typically be the most appropriate body to which concerns should first be reported, i.e., 999. Your local police force (or, if different the force where the concern arises), can be identified using <https://www.police.uk/forces/>.

British Orienteering

Email: safeguarding@britishorienteering.org.uk; or

Tel: Peter Brooke, British Orienteering Lead Safeguarding Officer, 07540 150963.

Independent external bodies

Child Protection in Sport Unit

Email: cpsu@nspcc.org.uk

NSPCC Helpline

Tel: 0808 800 5000

Email: help@nspcc.org.uk

Children 1st (Scotland's National Children's Charity)

Tel: 08000 28 22 33

Email: cfs@children1st.org.uk

Childline

Freephone: 0800 1111

www.childline.org.uk/get-support/1-2-1-counsellor-chat/

Legislation and guidance

The content below identifies some of the key legislation and guidance in respect of child protection and safeguarding applicable across the UK. Further information can be found on the NSPCC's website, at <https://learning.nspcc.org.uk/child-protection-system>.

England and Wales

The Children Act 1989 provides the legislative framework for child protection in England and Wales. Key principles established by the Act include: (1) the paramount nature of the child's welfare; and (2) the expectations and requirements around duties of care to children.

The Children Act 1989 was strengthened by the Children Act 2004, which encourages partnerships between agencies and creates more accountability, by (1) placing a duty on local authorities to appoint children's services members who are ultimately accountable for the delivery of services, and (2) placing a duty on local authorities and their partners to co-operate in safeguarding and promoting the wellbeing of children and young people.

Both of these Acts are amended by the Children and Social Work Act 2017, which (among other things) reformed child protection and safeguarding arrangements at the local level.

The primary government guidance relating to child protection and safeguarding in England is 'Working together to safeguard children' (Department for Education, 2018), and in Wales it is 'Working together to safeguard people' (Welsh Government, 2019).

Scotland

The Children (Scotland) Act 1995 outlines the legislative framework for Scotland's child protection system covering parental responsibilities and rights and the duties and powers local public authorities have for supporting and promoting the safety and welfare of children. This is amended by the Children and Young People (Scotland) Act 2014, which focuses on children and young people in planning services to make sure their rights are respected across the public sector.

Government guidance relating to child protection and safeguarding in Scotland includes 'Getting it right for every child' (Scottish Government, 2018) and 'National guidance for child protection in Scotland' (Scottish Government, 2014).

Northern Ireland

The legislative framework for Northern Ireland's child protection system is set out in The Children (Northern Ireland) Order 1995. This sets out parental responsibilities and rights and the duties and powers public authorities have to support children.

The primary government guidance relating to child protection and safeguarding in Northern Ireland is 'Co-operating to safeguard children and young people in Northern Ireland' (Department of Health, 2017).