



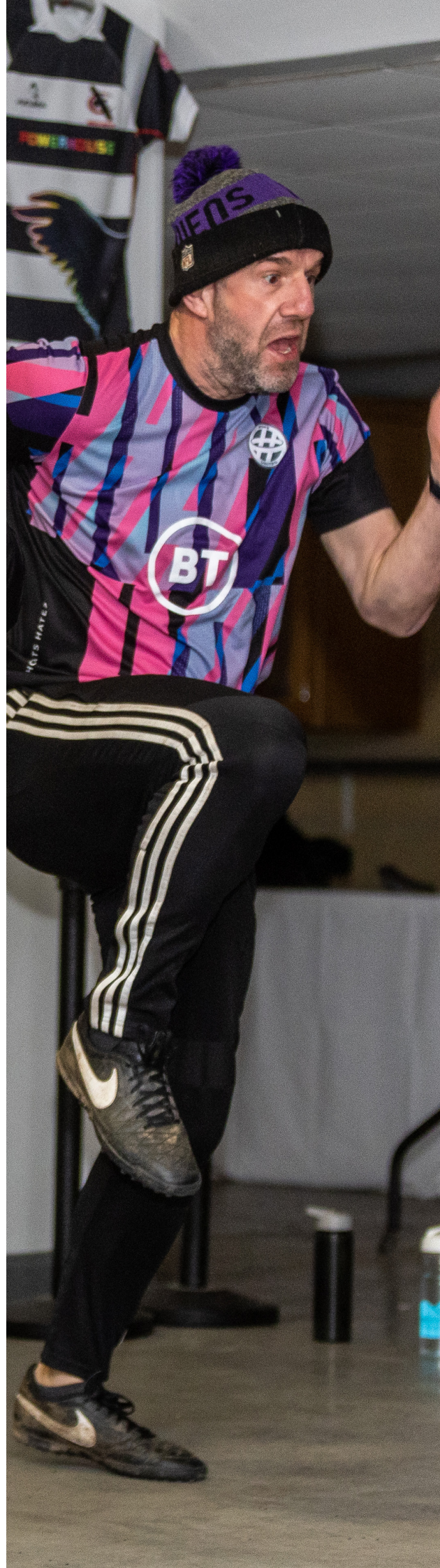
ADULT SAFEGUARDING PROCEDURES

Newcastle Rugby Limited and
Newcastle Rugby Foundation



CONTENTS

- 1) **Policy statement**
- 2) **Definitions**
- 3) **Principles**
- 4) **6 Principles of adult safeguarding**
- 5) **Making Safeguarding Personal**
- 6) **Safer recruitment**
- 7) **Safeguarding Referral Pathway**
- Recognise, Record, Report, Refer
- 8) **Guidance and Legislation**
- 9) **Key Contacts**



“Safeguarding means protecting an adult’s right to live in safety, free from abuse and neglect. It is about people and organisations working together to prevent and stop both the risks and experience of abuse or neglect, while at the same time making sure that the adult’s wellbeing is promoted”

(Care Act 2014)

1) Policy Statement

Newcastle Rugby Ltd and Newcastle Rugby foundation is committed to creating and maintaining a safe and positive environment for everyone to enjoy rugby and participate whether it be playing, volunteering, or spectating. We accept our responsibility to safeguard the welfare of all adults involved in the game, particularly those deemed at risk.

All adults working, volunteering, and participating in sport deserve their experience to be a positive one. Getting this right will ensure a wider participation in the club and ensuring safe access for all.

The Care Act 2014 put the safeguarding of adults onto a statutory footing. The club have regular contact with many people and so have a crucial role in the support, identification and reporting of adults who may be at risk of harm.

The club recognises that abuse of an adult links to circumstances rather than the characteristics of the people experiencing the harm and that labelling groups of people as inherently ‘vulnerable’ is disempowering.

2) Definitions

To assist in working through and understanding these procedures, a number of key definitions need to be explained.

An adult is anyone aged 18 or over.

Adult safeguarding is protecting a person’s rights to live in safety, free from abuse and neglect.

The safeguarding duties apply to an adult who:

- Has needs for care and support (whether or not the local authority is meeting any of those needs) and,
- Is experiencing, or is at risk of, abuse or neglect and,
- Is unable to protect themselves from either the risk of, or the experience of, abuse or neglect, as a result of those care and support needs.



Adults at risk – those who fulfil the above criteria.

An adult in need of care and support - is determined by a range of factors including personal characteristics, factors associated with their situation or environment and social factors. A person’s disability or frailty does not mean that they will inevitably experience harm or abuse.

In the context of safeguarding adults, the likelihood of an adult in need of care and support experiencing harm or abuse should be determined by considering a range of social, environmental and clinical factors, not merely because they may be defined by one or more of the above descriptors.

In recent years there has been a marked shift away from using the term ‘vulnerable’ to describe adults potentially at risk from harm or abuse.

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

Capacity - refers to the ability to make a decision at a particular time, for example when under considerable stress. The starting assumption must always be that a person has the capacity to make a decision unless it can be established that they lack capacity (Mental Capacity Act 2005).



3) Principles

- All adults, regardless of age, ability or disability, gender, race, religion, ethnic origin, sexual orientation, marital or gender status have the right to be protected from abuse and poor practice and to participate in rugby union in an enjoyable and safe environment.
- Newcastle Rugby Ltd and Newcastle Rugby Foundation will seek to ensure that rugby is inclusive and make reasonable adjustments for any ability, disability or impairment, we will also commit to continuous development, monitoring and review.
- The rights, dignity and worth of all adults will always be respected.
- The club recognise that ability and disability can change over time, such that some adults may be additionally vulnerable to abuse, particularly those adults with care and support needs.
- The club have responsibility to ensure the safety and wellbeing of all adults and will act appropriately and report concerns whether these concerns arise within rugby or in the wider community.
- All allegations will be taken seriously and responded to quickly in line with the Safeguarding Adults Procedures.
- The club recognises the role and responsibilities of the statutory agencies in Safeguarding Adults and is committed to complying with the procedures of the Local Safeguarding Adults Boards.

4) The Six Principles Of Adult Safeguarding

The Care Act 2014 sets out the following principles that should underpin safeguarding of adults. Empowerment - People being supported and encouraged to make their own decisions and informed consent. *"I am asked what I want as the outcomes from the safeguarding process and these directly inform what happens."*

Prevention – It is better to take action before harm occurs. *"I receive clear and simple information about what abuse is, how to recognise the signs and what I can do to seek help."*

Proportionality – The least intrusive response appropriate to the risk presented. *"I am sure that the professionals will work in my interest, as I see them and they will only get involved as much as needed."*

Protection – Support and representation for those in greatest need. *"I get help and support to report abuse and neglect. I get help so that I am able to take part in the safeguarding process to the extent to which I want."*

Partnership – Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse. *"I know that staff treat any personal and sensitive information in confidence, only sharing what is helpful and necessary. I am confident that professionals will work together and with me to get the best result for me."*

Accountability – Accountability and transparency in delivering safeguarding. *"I understand the role of everyone involved in my life and so do they."*

5) Making Safeguarding Personal

'Making safeguarding personal' means that adult safeguarding should be person led and outcome focussed. It engages the person in a conversation about how best to respond to their safeguarding situation in a way that enhances involvement, choice and control. As well as improving quality of life, wellbeing and safety.

Wherever possible discuss safeguarding concerns with the adult to get their view of what they would like to happen and keep them involved in the safeguarding process, seeking their consent to share information outside the organisation where necessary.

'Nothing about me without me'

Mental Capacity

Assume that people are able to make decisions, unless it is shown that they are not. If you have concerns about a person's level of understanding, you should check this with them and, if applicable, with the people supporting them.

Give people as much support as they need to make decisions. You may be involved in this – you might need to think about the way you communicate or provide information, and you may be asked your opinion.

People have the right to make unwise decisions. The important thing is that they understand the implications. If they understand the implications, consider how risks might be minimised.

If someone is not able to make a decision, then the person helping them must only make decisions in their best interests. This means that the decision must be what is best for the person, not for anyone else. If someone was making a decision on your behalf, you would want it to reflect the decision you would make if you were able to. Find the least restrictive way of doing what needs to be done.

Remember:

You should not discriminate or make assumptions about someone's ability to make decisions, and you should not pre-empt a best-interests decision merely on the basis of a person's age, appearance, condition, or behaviour.

Wellbeing Principle

The concept of wellbeing is threaded throughout the Care Act and it is one that is relevant to adult safeguarding in sport and activity. Wellbeing is different for each of us. However, the Act sets out broad categories that contribute to our sense of wellbeing. By keeping these themes in mind, we can all ensure that adult participants can take part in rugby fully.

- Personal dignity (including treatment of the individual with respect)
- Physical and mental health and emotional wellbeing
- Protection from abuse and neglect
- Control by the individual over their day-to-day life (including over care and support provided and the way they are provided)
- Participation in work, education, training or recreation
- Social and economic wellbeing
- Domestic, family and personal domains
- Suitability of the individual's living accommodation
- The individual's contribution to society.

6) Safer Recruitment

All staff, who have a role working or coming into contact with children and/or vulnerable adults must have undergone an appropriate, RFL or RFU-processed, criminal history check (currently referred to as DBS) in accordance with current government legislation and RFU/RFL regulations. This clearance must be received prior to working without supervision with children/vulnerable adults and renewed at least every three years. In addition, two satisfactory references should be received prior to an offer of employment.

Staff Training

All staff who have a role working closely with children and/or vulnerable adults in Rugby Union must have the following as a bare minimum – (supervised or unsupervised)

- An appropriate licence, certification and/or NGB qualification within their sports delivery field prior to starting employment. • Premiership Rugby Working in Community Sport Level 2 or Level 3 (as deemed appropriate by the Safeguarding Manager) training.
- Play it Safe training.
- Introduction to Safeguarding training.
- Appointed person first aid course.
- Equality and diversity training

All staff who have a role working closely with children and/or vulnerable adults in Rugby League must have the following as a bare minimum.

- An appropriate licence, certification and/or NGB qualification within their sports delivery field prior to starting employment.
- Safeguarding and Protecting children training.
- Appointed person first aid course.
- Diversity, equality, and inclusion training

In addition, staff are given training by the club's health and safety manager on how to write, review and implement risk assessments. This is a part of a wider CPD programme implemented by the organisations.



7) Safeguarding Referral Pathway - Recognise, Record, Report, Refer

Recognise

When raising your concern with the DSL remember to 'make safeguarding personal'. It is good practice to seek the adult's views on what they would like to happen next and to inform the adult of what actions you intend to take and always consider their needs and wishes.

If someone is at immediate risk of harm /danger or in need of immediate medical attention call 999 or 101 for an ambulance or police

Abuse can take place in any context and by all manners of perpetrator. Abuse may occur inside and outside rugby.

People may be abused by a wide range of people including relatives and family members, professional staff, paid care workers, volunteers, other service users, neighbours, friends and associates, people who deliberately exploit others they consider to be vulnerable, and strangers.

There are many signs and indicators that may suggest someone is being abused or neglected, these include but are not limited to:

- Unexplained bruises or injuries – or lack of medical attention when an injury is present.
- Person has belongings or money going missing.
- Person is not attending / no longer enjoying their sessions.
- Someone losing or gaining weight / an unkempt appearance including wearing unsuitable sports kit or a deterioration in hygiene.
- They may self-harm or talk about suicidal tendencies.
- They may have a fear of a particular group or individual, even family members.
- They may tell you / another person they are being abused – i.e. a disclosure.
- Harassing of a club member because they are or are perceived to have protected characteristics.
- A coach intentionally striking a player.
- A club member sending unwanted sexually explicit text messages to an adult member who has a learning disability.



Consent

If someone is at immediate risk of harm /danger or in need of immediate medical attention call 999 or 101 for an ambulance or police

If you have concerns about an adult, you have a duty to report these. You do not need consent to discuss a concern with the safeguarding leads within your club/CB or at the RFU, although it is best practice to gain consent wherever possible. Do not let the issue of consent get in the way of seeking advice.

Types of abuse and neglect

There are different types and patterns of abuse and neglect. There are different circumstances in which they may take place. The Care Act 2014 identifies the following as an illustrative guide and is not intended to be an exhaustive list as to the sort of behaviour which could give rise to a safeguarding concern.

Self-neglect - this covers a wide range of behaviour: neglecting to care for one's personal hygiene, health or surroundings and includes behaviour such as hoarding.

Modern Slavery – encompasses slavery, human trafficking, and 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 inhuman treatment.

Domestic Abuse and coercive control – including psychological, physical, sexual, financial and emotional abuse. It also includes so called 'honour' based violence. It can occur between any family members.

Discriminatory Abuse – discrimination is abuse which centres on a difference or perceived difference particularly with respect to race, gender or disability or any of the protected characteristics of the Equality Act.

Organisational Abuse – including neglect and poor care practice within an institution or specific care setting such as a hospital or care home, for example, or in relation to care provided in one's own home. This may range from one off incidents to ongoing ill-treatment. It can be through neglect or poor professional practice as a result of the structure, policies, processes and practices within an organisation.

Physical Abuse – including hitting, slapping, pushing, kicking, misuse of medication, restraint or inappropriate sanctions.

Sexual Abuse – including 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 to or was pressured into consenting.

Financial or Material Abuse – including theft, fraud, internet scamming, coercion in relation to an adult's financial affairs or arrangements, including in connection with wills, property, inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.

Neglect– including ignoring medical or physical needs, failure to provide access to appropriate health social care or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating.

Emotional or Psychological Abuse – 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.

Cyber Bullying – cyber bullying occurs when someone repeatedly makes fun of another person online or repeatedly picks on another person through emails or text messages, or uses online forums with the intention of harming, damaging, humiliating or isolating another person. It can be used to carry out many different types of bullying (such as racist bullying, homophobic bullying or bullying related to special education needs and disabilities) but instead of the perpetrator carrying out the bullying face-to-face, they use the technology as a means to do it.

Forced Marriage – forced marriage 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 make it a criminal offence to force someone to marry. The forced marriage of adults with learning disabilities occurs when the adult does not have the capacity to consent to the marriage.

Mate Crime – a 'mate crime' is defined by the Safety Net Project as 'when vulnerable people are befriended by members of the community who go on to exploit and take advantage of them. It may not be an illegal act but still has a negative effect on the individual.' Mate Crime is carried out by someone the adult knows and often happens in private. In recent years there have been a number of Serious Case Reviews relating to people with a learning disability who were murdered or seriously harmed by people who purported to be their friend.

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

Record

- Write down the information you have been given at the first opportunity then ensure the information is transferred to the Toot-Toot system within 48 hours of the incident taking place.
- Ensure all written notes are recorded 'verbatim' (in the exact words used) and record what action was taken – accuracy and detail is important.
- where appropriate, record the location of any bruises, cuts or abrasions.

Take care to distinguish between fact, observation, allegation and opinion. It is important that the information you have is accurate.

Be mindful of the need to be confidential at all times, this information must only be shared with the safeguarding leads. If the matter is urgent and relates to the immediate safety of an adult at risk or another then contact the emergency services immediately.

Confidentiality is key and at all times the adult must be kept informed. No referral should be made to an outside agency without the adult's consent unless that adult is in immediate harm or danger or poses an immediate harm or risk to others. This is especially important if there is a risk posed to children.

Remember to make safeguarding personal. Discuss your safeguarding concerns with the adult, obtain their view of what they would like to happen, but inform them it's your duty to pass on your concerns to the relevant safeguarding leads.

Report/Refer

Role of the member of staff and Designated Safeguarding Lead. Members of staff involved in supporting the alleged victim have a key role to play in making sure the correct procedures are followed and that the victim is properly advised and supported. If a number of staff are involved, it may be convenient for one person to take the lead. This is entirely a matter for the DSL or deputy to decide in the light of the individual circumstances.

The role of the DSL or deputy supporting the alleged victim includes the following:

- Ensuring the continued safety of and support to the adult
- Liaising with immediate colleagues who have been involved in order to gather all the available information together.
- Ensuring that any evidence has been preserved.
- Collating any written material relating to the incident
- Ensuring all of the information is recorded on Toot Toot.
- Ensure that the member of staff received feedback and is appropriately supported.
- Where appropriate referring the matter to the GB.

Once the DSL or deputy has been informed and a referral recorded on Toot Toot, the DSL will then make a decision on the next course of action. The DSL may request clarity and further information to be included before this decision can be made.

Consent will need to be gained before referring into Adult Social Care or other agencies unless the DSL has considered the following and deemed it necessary

- Has the adult the capacity to consent?
- Is it in the public interest to share?
- Is the adult placing themselves at further risk of harm?
- Is someone else likely to be harmed?
- Has a criminal offence taken place or is there suspicion that a crime has occurred?

If the allegation involved a person in a position of trust then the Governing Body will be informed.

How the RFU will respond to suspicions or concerns.

Matters referred to the RFU will be dealt with by the RFU Safeguarding Team. Once the RFU Safeguarding Team receives written notification of an incident, concern, allegation or disclosure it will assume management of the case. If the case is being investigated by the police or other agencies the RFU Safeguarding Team will liaise with them.

The RFU Safeguarding Team may have a consultation with the Local Adult Safeguarding Board without disclosing the adult's details to gain further advice. It can be difficult to distinguish poor practice from abuse, whether intentional or accidental. The RFU Safeguarding Team will offer reassurance, appropriate support and revisit the issues at another time which may help to change an adult's view on whether it is best to share information.

The RFU Safeguarding Team may refer the matter to the RFU's Referral Management Group (RMG) for consideration. The RMG is a cross-departmental group charged by the RFU with assessing the risk that individuals pose to children and adults at risk. Incidents may be referred by the RMG to the RFU Discipline Department.

The provisions of RFU Regulation 21 (Safeguarding) are applicable to an adult at risk in rugby union and those working with them, in the same way that they apply to children in rugby union and those working with them .

It must be emphasised that not all matters referred to the RFU Safeguarding Team will be dealt with under the Safeguarding Adults Policy.

- When an adult does not meet the definition of 'an adult at risk' then consideration should be given for the matter to be dealt with as a complaint or breach of the Core Values. The RFU Safeguarding Team may refer the matter back to the club or CB.
- Where a potential criminal offence has been committed the complainant will always be advised of their right to contact the police.

How the RFU/RFL will respond to concerns

The RFU/RFL encourages and supports "whistle-blowing" and will, where appropriate, notify the statutory agencies of any allegation and work in partnership with them. RFU investigation will usually commence once the statutory agencies have completed their investigations and refer the case back to the RFU/RFL.

Incident Referral Process

Regulation 21 requires all incidents, suspicions and concerns regarding a child to be reported to the RFU/RFL, (this is only in cases of abuse involving a member of staff or other players) Safeguarding Team as soon as possible. Once the RFU/RFL Safeguarding team receives written notification of an incident, allegation or disclosure they will assume management of the case. If the case is being investigated by the Police, the Safeguarding team will liaise with them and discuss whether to delay the RFU/RFL disciplinary action until the conclusion of the Police Investigation or are in a position to carry out a dual investigation alongside.

Once the RFU/RFL assumes management of the case the club should take no further action until advised to do so by the RFU or relevant authority. The RFU/RFL will ensure that the club and Constituent Body are kept informed of procedure and progress.

Safeguarding investigations are handled by the RFU/RFL Safeguarding team and presented to the RFU's Referral Management Group (RMG) or it's Sub-Group for consideration. The RMG is a cross-departmental group charged by the RFU with assessing the risk that individuals pose to children. The RMG is supported by an independent safeguarding advisor. Incidents may be referred by the RMG or it's Sub-Group to the RFU Discipline department.

Those under investigation

Under this Policy the RFU/RFL is committed, first and foremost, to protecting the interests of the child/vulnerable adult. In the course of a referral being made to the RFU/RFL or statutory agencies, individuals who are accused of causing harm will be informed of the procedures by the RFU/RFL. They may also request at any time an update on the progress of the referral. Investigations are concluded as quickly as possible to ensure that those guilty of causing harm are dealt with expeditiously and those falsely or mistakenly accused are able to return to the game with reputation intact.

Suspension from Rugby Union/League

A temporary suspension order or suspension order may be issued by the RFU/RFL Legal Officer in accordance with RFU Regulation 21. Please refer to the Regulations in the RFU/RFL handbook or on the RFU/RFL website for further information.

The RFU/RFL procedures establish a clear route through which complaints, incidents, problems and enquiries are handled, as set out within RFU Regulation 21.

RECOGNISE | RESPOND RECORD | REFER



8) Guidance And Legislation

The practices and procedures within this policy are based on the principles contained within the UK legislation and Government Guidance and have been developed to complement Safeguarding Adults Boards policy and procedures. They take the following into consideration:

- The Care Act 2014
- The Protection of Freedoms Act 2012
- Domestic Violence, Crime and Victims (Amendment) Act 2012
- The Equality Act 2010
- The Safeguarding Vulnerable Groups Act 2006
- Mental Capacity Act 2005
- Sexual Offences Act 2003
- The Human Rights Act 1998
- The Data Protection Act 1998

9) Key Contacts

NEWCASTLE RUGBY LTD

Shelley Hudson

Safeguarding manager
Designated Safeguarding Lead for Newcastle Rugby
and the Foundation
Shelley.hudson@newcastle-falcons.co.uk
07590535764

Dave Gould

Stadium Safety Officer
Dave.gould@newcastle-falcons.co.uk
07977551812

Angela Alderson

General Manager and HR
Angela.alderson@newcastle-falcons.co.uk
07764933305

Additional welfare officers are:

Nick Doggett

Finance Director
Nick.doggett@newcastle-falcons.co.uk
07967316779

Channtel Evans

Conference and Events manager
Channtel.evans@newcastle-falcons.co.uk
079493983094

Alison Carthy

Head of Retail
Alison.carthy@newcastle-falcons.co.uk
07964156659

Newcastle Rugby Foundation

Melanie Magee

Head of Foundation
Melanie.magee@newcastle-falcons.co.uk
07764933310

Gavin Beasley

Operations and Delivery Manager
Gavin.beasley@newcastle-falcons.co.uk
07764933290

Darren Greco

Funding and Development Manager
Darren.greco@newcastle-falcons.co.uk
07808572993

RFU

<https://www.englandrugby.com/governance/safeguarding/contact-the-rfu-safeguarding-team>

