

This Policy and these Procedures will be regularly monitored and reviewed:

- In accordance with changes in legislation and guidance (including information and advice from Motorsport UK) on the protection of children and adults at risk of harm or any changes within Ballynahinch & District Motor Club.
- Following any issues or concerns raised about the protection of children or adults at risk of harm within Ballynahinch & District Motor Club.
- In all other circumstances, at least annually.

### **1. Purpose**

Ballynahinch and District Motor Club aims to ensure that all members, guests, entrants and officials experience an inclusive, enjoyable and safe environment, in which they feel respected and valued. We all share an objective to keep participants (at risk and in need of protection) safe from harm. This Safeguarding Policy is built upon a foundation of 'zero tolerance' of harm to all participants (at risk and in need of protection).

The purpose of this Policy and related procedures is to:

- Promote the health and welfare of children and adults at risk of harm by providing opportunities for them to participate safely.
- Respect and promote the rights of children and adults at risk of harm.
- Promote and implement appropriate procedures to safeguard the well-being of children and adults at risk of harm and protect them from abuse.
- Recruit, train, support and supervise members and volunteers to adopt best practice to safeguard and protect children and adults at risk of harm from abuse and to minimise risk to themselves.
- Inform members and volunteers about this policy and ensure they abide by it and adhere to our procedures.
- Respond to any allegations of misconduct or abuse of children or adults at risk of harm in line with this Policy and these Procedures as well as implementing, where appropriate, the relevant disciplinary and appeals procedures.
- Review and evaluate this Policy and these Procedures on a regular basis.

### **2. Context**

Ballynahinch and District Motor Club will carry out its responsibilities under all relevant legislation, regulations and professional guidelines, which include the following:

- The Policies and Procedures of Motorsport UK, including all Motorsport UK Safeguarding Policies and Procedures (see 10. Reference Section)
- The Criminal Law Act (NI) 1967
- The Health & Personal Social Services (NI) Orders and the Health & Social Care (Reform) Act (NI) 2009

- Mental Health Capacity Act (NI) 2016
- The Police & Criminal Evidence (NI) Order 1989
- The Disability Discrimination Act 1995
- The Race Relations (NI) Order 1997
- The Public Interest Disclosure (NI) Order 1998
- The Family Homes & Domestic Violence (NI) Order 1998
- The Northern Ireland Act 1998, Section 75
- The Criminal Evidence (NI) Order 1999
- The Human Rights Act 1998 – enacted 2000; Arts 2-8
- The Health & Personal Social Services Act (NI) 2001
- The Safeguarding Vulnerable Groups (NI) Order 2007 (amended 2012)
- The Forced Marriage (Civil Protection) Act 2007
- The Sexual offences (NI) Order 2008
- The Criminal Justice (NI) Order 2008
- The Children (NI) Order 1995
- Area Child Protection Committee's - Regional Policy and Procedures 2005
- Children (Leaving Care) Act (NI) 2002
- The Data Protection Act (1998)
- SENDO (NI) 2005
- Prohibition from teaching and working with children Regulations (NI) 2006
- No Secrets: Guidance on developing and implementing multi-agency policies and procedures to protect adults at risk of harm from abuse (2002) DoH
- Criminal Justice and Courts Act 2015 section 33
- Sexual Offences Act 2003
- Protection of Children (Northern Ireland) Order 1978 article 3

### **3. Scope**

This policy applies to all members and volunteers of Ballynahinch and District Motor Club, event participants, event volunteers and any third party.

### **4. General Principles**

The welfare of participants including children and adults at risk of harm is everyone's responsibility, particularly when it comes to protecting them from abuse. This Policy and these Procedures are based on the following principles:

- The welfare of participants including children and adults at risk of harm is the primary concern.
- All participants including children and adults at risk of harm, whatever their age, culture, disability, gender, language, racial origin, socio-economic status, religious belief and/or sexual identity have the right to protection from abuse.
- It is everyone's responsibility to report any concerns about abuse and the responsibility of the Police to conduct, where appropriate, a joint investigation.

- Ballynahinch and District Motor Club must follow risk assessment procedures, before enrolling any participant who has a conviction for the abuse of a child, young person, an adult at risk of harm or an adult in need of protection.
- All incidents of alleged poor practice, misconduct and abuse will be taken seriously, must be reported and will be responded to swiftly and appropriately.
- All personal data will be processed in accordance with the requirements of the Data Protection Act 1998.
- Ballynahinch and District Motor Club will NOT investigate instances of abuse as this is the role of other statutory agencies e.g. social services, PSNI.
- Ballynahinch and District Motor Club is committed to supporting, resourcing and training those who work with, or come in contact with children, young people, adults at risk of harm and adults in need of protection and to provide appropriate supervision.

## **5. Key Definitions**

The definition of a 'child' is any person that is under the age of 18, as defined in the Children (NI) Order 1995, the principal statute governing care, upbringing and protection of children in Northern Ireland.

The definition of an Adult at Risk of Harm is a person aged 18 years and over, whose exposure to harm through abuse, exploitation or neglect may be increased by their personal characteristics and/or life circumstances;

Personal characteristics may include but are not limited to; age, disability, special education needs, illness, mental or physical frailty or impairment or disturbance in the functioning of their mind or brain.

Life circumstances may include but are not limited to; isolation, socio economic factors and environmental living conditions.

The definition of an Adult in need of Protection is a person aged 18 years and over, who may be at a greater risk of exposure to harm through abuse, exploitation or neglect maybe increased by their:

- a) personal characteristics and/or;
- b) life circumstances;

And

- c) who is unable to protect their own well-being, rights, or other interests;

And

- d) where the action or inaction of other person or persons is causing, or is likely to cause him/her to be harmed.

Ballynahinch and District Motor Club understands that in order for our participants or members and volunteers, as defined above, who are an 'adult in need of protection' either (a) or (b) must be present, in addition to both elements (c) and (d).

## **6. Responsibility**

- Ballynahinch and District Motor Club should appoint a Designated Safeguarding Officer and a Deputy Safeguarding Officer who is appropriately trained to oversee and co-ordinate operational and safeguarding matters. Safeguarding Officers are not required to be members of the Club.
- It is crucial that the safeguarding policy and procedures are brought to the attention and apply to everyone who works on behalf of the organisation. This includes all professional and non-professional, full and part-time members and volunteers, paid and unpaid employees, Board members, and the children and adults at risk of harm themselves.
- It is advisable to formally require any other individual who is associated with your organisation to agree to abide by your policy and procedures for the duration of their involvement with your organisation e.g. a specialist working with a group of young people or children who is not a member of the team but whose services are used by the organisation either paid or unpaid temporarily. You should assure yourselves that this person is safe to work with all sections of the community and see a copy of their current DBS (Disclosure and Barring Service) check if this is relevant.
- Where possible members and volunteers will be provided with training in child protection and adult at risk of harm procedures. They must be made aware of their Designated Safeguarding Officer and Deputy Safeguarding Officer and how to report a disclosure.
- Members and volunteers have a responsibility for the safety of people using our services and they must not agree to 'keep things confidential' in the event of an incident happening in our facilities or if information concerning abuse taking place elsewhere is disclosed to them.
- In the event of an allegation of abuse, of disclosure of abuse or of any abusive misconduct the person receiving or witnessing this must immediately take action and without delay report the matter to the Designated Safeguarding Officer or in his/her absence the Deputy Safeguarding Officer who will automatically involve the police and other authorities where appropriate. Failure to take this action this will be a breach of our procedures and could result in dismissal.
- A statement should quickly be taken from the victim, dated and signed so that if required a copy of this can be passed on to the police or other authorities where necessary. Other authorities can include the Social Services Child Protection team who are part of the county council (they can provide support and guidance if this matter concerns a child or person under 18).
- Monitoring and evaluation are critical components of this Policy and these Procedures due to the possible amendments required as a result of changes in legislation, case reports, changes in the environment, etc.

## **7. Confidentiality**

Confidentiality and trust should be maintained as far as possible, but members and volunteers must act on the basis that the safety and welfare of the person is the overriding concern. The

degree of confidentiality will be governed by the need to protect the individual and therefore complete confidentiality cannot be guaranteed. It is therefore crucial that members and volunteers understand and implement the guidelines for Data Protection and information sharing.

## **8. Responding to a Disclosure**

Any member or volunteer who has knowledge of, or a suspicion that, any participant or member or volunteer or adult at risk of harm or adult in need of protection has been suffering abuse must refer their concern to the Designated Safeguarding Officer as soon as possible. All allegations or suspicions must be taken seriously. The participant or member or volunteer in need of protection must be advised that this information cannot be kept confidential and will be passed on to the designated Safeguarding Official in the first instance. No promise of confidentiality can or should ever be made to the participant or anyone else giving information about possible abuse.

Members or volunteers who receive an allegation or disclosure of abuse should make an immediate written record of the conversation, recording all key facts (including dates, times, names, what is said to have happened)

In completing this form, you should endeavour to include the following information:

- The person reporting the concern.
- The date of the Reported Concern.
- Your observations of the current situation.
- A record of exactly what the Participant or referring source has reported.

Questions should be kept to the minimum required for clarity, and leading questions must be avoided. For example, members and volunteers should say, "Tell me what has happened", rather than, "Did they abuse you?" The key task at this stage is to listen to the disclosure, not to interrupt, and to record it. Once the information has been captured the person disclosing the information should be reassured that the information will only be disclosed to those professionals who need to know.

Members and volunteers must refer to the Motorsport UK Safeguarding Case Investigation Procedure for guidance on correct reporting procedure.

Once the disclosure has been recorded, the record must be referred to the Designated Safeguarding Officer or in his/her absence to the Motorsport UK Safeguarding Team (at [safeguarding@motorsportuk.org](mailto:safeguarding@motorsportuk.org) or call on 01753 765000) even if the participant or member or volunteer's stated wishes are to the contrary. The Safeguarding Officer (or Motorsport UK) should then make a determination whether the matter being referred is a Safeguarding issue. Advice may be sought from the Motorsport UK Safeguarding Team and the Police Service of Northern Ireland to help reach this determination if necessary.

If it is assessed that there is 'NO' Safeguarding matter:

1. The Safeguarding Officer shall retain an electronic record of the concerns on the Safeguarding Database;
2. The Safeguarding Officer shall complete ongoing monitoring and review of the situation to determine if the level of risk changes which could indicate potential for a safeguarding issue.

If it is assessed that 'YES' it is a Safeguarding matter:

1. The Safeguarding Officer will make a referral to the Motorsport UK Safeguarding Team;
2. An investigation by the Motorsport UK Safeguarding Team and/or the PSNI is implemented.

The person disclosing the information should be advised as soon as possible by the Designated Safeguarding Officer what action will be taken as a result of the disclosure. They should also be made aware of local counselling services if required.

If a disclosure is made concerning the activities of a member or volunteer towards a participant, the matter must be referred directly to the Motorsport UK Safeguarding Team.

If any member or volunteer feels unsure about what to do if they have concerns about a child, young person, an adult at risk of harm or an adult in need of protection or if they are unsure about being able to recognise the signs or symptoms of possible abuse, they should speak directly to the Designated Safeguarding Officer.

All written records must be passed to the Designated Safeguarding Officer. Records will be uploaded to the Secure Safeguarding Database managed by the Designated Safeguarding Officer for a period of five years. Records are strictly confidential. They may be accessed by the subject of the record but not by any third party other than the aforementioned.

## **9. Monitoring**

This policy will be reviewed and monitored annually by the Club Committee.

**Next date for renewal: October 2024.**

Safeguarding is everyone's business.

## **10. Reference Section**

### **Motorsport UK Policies and Procedures:**

Can be found at: <https://www.motorsportuk.org/the-sport/safeguarding/policies-guidance/>

- Safeguarding Children Policy
- Safeguarding Children Procedure
- Adults at Risk Policy
- Safeguarding Case Investigation Procedure
- Young Person's Guide to Safeguarding
- Choosing a motorsport club, team or coach (guidance for parents and carers)
- Safer Recruitment Policy
- Recruitment of Ex-offenders Policy
- Recording and Retention of Safeguarding Records Policy

If you have any safeguarding queries that is not covered in the above policies and guidance, please contact Motorsport UK Safeguarding department at [safeguarding@motorsportuk.org](mailto:safeguarding@motorsportuk.org) or call on 01753 765000.

### **Definitions:**

#### **Types of Child Abuse (NSPCC, 2017)**

**NSPCC (2017) Child Abuse and Neglect [Online] Available from <https://www.nspcc.org.uk/preventing-abuse/child-abuse-and-neglect/> Accessed 24/7/2018**

Ballynahinch and District Motor Club recognises that harm from abuse is not always straightforward to identify and a participant may all too often experience more than one type of harm or significant harm. Harm can be caused by:

- **Emotional Abuse** is the ongoing emotional maltreatment or emotional neglect of a child. It's sometimes called psychological abuse and can seriously damage a child's emotional health and development. Emotional abuse can involve deliberately trying to scare or humiliate a child or isolating or ignoring them. Children who are emotionally abused are usually suffering another type of abuse or neglect at the same time – but this isn't always the case.

- **Sexual Abuse** -A child is sexually abused when they are forced or persuaded to take part in sexual activities. This does not have to be physical contact and it can happen online. Sometimes the child will not understand that what is happening to them is abuse. They may not even understand that it's wrong.
- **Physical Abuse** - Physical abuse is deliberately hurting a child causing injuries such as bruises, broken bones, burns or cuts. It isn't accidental - children who are physically abused suffer violence such as being hit, kicked, poisoned, burned, and slapped or having objects thrown at them. Shaking or hitting babies can cause non-accidental head injuries. Sometimes parents or carers will make up or cause the symptoms of illness in their child, perhaps giving them medicine they don't need and making the child unwell.
- **Neglect** - Neglect is the ongoing failure to meet a child's basic needs and is abuse. A child may be left hungry or dirty, without adequate clothing, shelter, supervision, medical or health care. A child may be put in danger or not protected from physical or emotional harm. They may not get the love, care and attention they need from their parents. A child who is neglected will often suffer from other abuse as well. Neglect is dangerous and can cause serious, long-term damage - even death.
- **Exploitation** - Child sexual exploitation a type of sexual abuse. Children in exploitative situations and relationships receive something such as gifts, money or affection as a result of performing sexual activities or others performing sexual activities on them. Children or young people may be tricked into believing they are in a loving, consensual relationship. They might be invited to parties and given drugs and alcohol. They may also be groomed online. Some children and young people are trafficked into or within the UK for the purpose of sexual exploitation. Sexual exploitation can also happen to young people in gangs.
- **Sexting** is defined as the 'exchange of sexual messages or images' and 'creating sharing and forwarding sexually suggestive nude or nearly nude images' through mobile phones and/or the internet.

**Types of Adult abuse (DHSSPS, 2015, Dudley Safeguarding, 2019)**

**Dudley Safeguarding (2014 - 2019) Types of abuse [Online] Available from <http://safeguarding.dudley.gov.uk/adult/work-with-adults/types-of-abuse/> Accessed 24/7/2018**

- **Physical** abuse is the use of physical force or mistreatment of one person by another, which may or may not result in actual physical injury. This may include hitting, pushing, rough handling, exposure to heat or cold, force-feeding, improper administration of medication, denial of treatment, misuse or illegal use of restraint and deprivation of liberty.
- **Sexual** abuse is any behaviour perceived to be of a sexual nature, which is unwanted or takes place without consent or understanding. Sexual violence and abuse can take many forms and may include non-contact sexual activities, such as indecent exposure, stalking, grooming, being made to look at or be involved in the



production of sexually abusive material, or being made to watch sexual activities. It may involve physical contact, including but not limited to non-consensual penetrative sexual activities or non-penetrative sexual activities, such as intentional touching (known as groping).

- **Psychological / emotional** abuse is behaviour that is psychologically harmful or inflicts mental distress by threat, humiliation or other verbal/non-verbal conduct. This may include threats, humiliation or ridicule, provoking fear of violence, shouting, yelling and swearing, blaming, controlling, intimidation and coercion.
- **Financial** abuse is actual or attempted theft, fraud or burglary. It is the misappropriation or misuse of money, property, benefits, material goods or other asset transactions which the person did not or could not consent to, or which were invalidated by intimidation, coercion or deception. This may include exploitation, embezzlement, withholding pension or benefits or pressure exerted around wills, property or inheritance.
- **Institutional** abuse is the mistreatment or neglect of an adult by a regime or individuals in settings, which adults who may be at risk, reside in or use. This can occur in any organisation, within and outside the HSC sector. Institutional abuse may occur when the routines, systems and regimes result in poor standards of care, poor practice and behaviours, inflexible regimes and rigid routines, which violate the dignity and human rights of the adults and place them at risk of harm. Institutional abuse may occur within a culture that denies, restricts or curtails privacy, dignity, choice and independence. It involves the collective failure of a service provider or an organisation to provide safe and appropriate services, and includes a failure to ensure that the necessary preventative and/or protective measures are in place.
- **Neglect** occurs when a person deliberately withholds, or fails to provide, appropriate and adequate care and support which is required by another adult. It may be through a lack of knowledge or awareness, or through a failure to take reasonable action given the information and facts available to them at the time. It may include physical neglect to the extent that health or well-being is impaired, administering too much or too little medication, failure to provide access to appropriate health or social care, withholding the necessities of life, such as adequate nutrition, heating or clothing, or failure to intervene in situations that are dangerous to the person concerned or to others particularly when the person lacks the capacity to assess risk.
- **Exploitation** is the deliberate maltreatment, manipulation or abuse of power and control over another person; to take advantage of another person or situation usually, but not always, for personal gain from using them as a commodity. It may manifest itself in many forms including slavery, servitude, forced or compulsory labour, domestic violence and abuse, sexual violence and abuse, or human trafficking.
- **Discrimination** includes forms of harassment, slurs or similar treatment because of race, gender and gender identity, age, disability, sexual orientation or religion.