



National Basketball Youth Mentorship Programme

Safeguarding Children, Young People, and Adults at Risk of Abuse Policy and Procedures

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Policies and procedures in this document must be followed. Thank you to the National Society for the Prevention of Cruelty to Children for the tips on how to write safeguarding policies and procedures.



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Document Introduction

1. Purpose

1.1. This document sets out the National Basketball Youth Mentorship Programme's approach to safeguarding. Including the following:

- The National Basketball Youth Mentorship Programme's commitment to safeguarding
- Key safeguarding principles and terms
- Safeguarding governance and accountabilities
- Safeguarding procedures for all employees and volunteers to follow
- Working with a local authority on safeguarding
- Specific safeguarding circumstances

1.2. Volunteer managers in all directorates must follow additional specific requirements and guidance available to them upon employment

2. Definitions

2.1. **Child or young person:** Anyone who has not yet reached their 18th birthday.

2.2. **Adult at risk:** Anyone aged 18 or over who is unable to look after their own well-being, property, rights, or other interests and is at harm (either from another person's behaviour or their own behaviour) due to disability, illness, physical, or mental infirmity.

2.3. **Employees:** Anyone employed by the National Basketball Youth Mentorship Programme, including agency employees and those on secondment or placement (including internships both paid and voluntary).

2.4. **Volunteers:** Anyone volunteering for the National Basketball Youth Mentorship Programme, regardless of their role, including trustees.

2.5. **Child and adult Abuse:** Children and adults that may be vulnerable to neglect and abuse or exploitation from within their family and from individuals they come across in their daily lives. Abuse can take a variety of different forms, including:

- Sexual, physical, emotional abuse, and neglect
- Exploitation by criminal gangs and organised crime groups

- Trafficking and modern slavery
- Online abuse
- Sexual exploitation
- Influences of extremism leading to radicalisation
- Domestic abuse
- Financial abuse
- Female genital mutilation (FGM)
- Discriminatory abuse
- Organisational abuse

2.6. **Safeguarding children:** Safeguarding children is defined as the following:

- Protecting children from maltreatment
- Preventing impairment of children’s health or development
- Ensuring that children are growing up in circumstances consisted with the provision of safe and effective care
- Taking action to enable all children to have the best outcomes

2.7. **Safeguarding adults:** Safeguarding adults is defined as the following:

- Protecting the rights of adults to live in safety, free from abuse and neglect
- People and organisations working together to prevent and stop both the risks and experience of abuse or neglect
- People and organisations making sure that the adult’s well-being is promoted including, where appropriate, taking their views, wishes, feelings and beliefs fully into account when deciding any action
- Recognizing that adults sometimes have complex interpersonal relationships and may be ambivalent, unclear, or unrealistic about their personal circumstances and therefore potential risks to their safety or well being

Policies

3. Commitment to Safeguarding

- 3.1. The National Basketball Youth Mentorship Programme is committed to, and has a duty to, safeguard and promote the welfare of children, young people, and adults at risk who use its services or with whom it comes into contact.

- 3.2. The National Basketball Youth Mentorship Programme aims to ensure that employees and volunteers comply with all legal, contractual, and professional standards and responsibilities in their work with children and adults – whether in a group work setting or on an individual basis.
- 3.3. The National Basketball Youth Mentorship Programme is committed to building and embedding a culture that places transparency and sound safeguarding practice at the centre of all its activities – from the services delivered, to retail shops, to partnership work with supporters and stakeholders.
- 3.4. Everyone at the National Basketball Youth Mentorship Programme has the responsibility to make sure that children are safeguarded and protected from abuse and neglect.
- 3.5. The Care Act 2014 sets out a clear legal framework for how local authorities and other stakeholders should protect adults at risk of abuse or neglect. These safeguarding duties include the requirement for a multi-agency, local adult safeguarding system that seeks to prevent abuse and neglect, and stop it quickly when it happens.
- 3.6. Since young people are at the heart of the National Basketball Youth Mentorship Programme’s work, acting on any safeguarding concern is key to achieve its goals.

4. Key Safeguarding Principles of this Document

- 4.1. The well-being of children, young people, and adults at risk is paramount to the work of the National Basketball Youth Mentorship Programme.
- 4.2. All employees and volunteers have a responsibility to safeguard and promote the well-being of children, young people, and adults at risk. They must read and understand this policy and procedure, be aware of their responsibilities, and undertake their duties with care for quality, efficiency, and effectiveness.
- 4.3. The National Basketball Youth Mentorship Programme works in partnership on safeguarding matters. While everyone who works with children and adults at risk has a responsibility to keep them safe, no one person or organisation alone can have a full picture of an individual’s needs and circumstances. All partners involved have a role to play in identifying concerns, sharing information, and taking appropriate action.

- 4.4. The National Basketball Youth Mentorship Programme ensures that employees, volunteers, and trustees are provided with training and support to help them safeguard children and adults at risk within their day-to-day practices and operations.
- 4.5. This document reflects the legal framework set out in The Children Act 1989 and the Care Act 2014.
- 4.6. The National Basketball Youth Mentorship Programme's safeguarding policy must always take precedence over all internal organisational policies or frameworks for all employees and volunteers.
- 4.7. The care and support of children and young people is the responsibility of the National Basketball Youth Mentorship Programme and not that of an individual or a service.

5. Safeguarding Corporate Governance Accountability

- 5.1. The protection and safeguarding of children and adults at risk is paramount in all the work the National Basketball Youth Mentorship Programme undertakes. The corporate governance accountability for safeguarding set out below shows lines of accountability for safeguarding throughout the programme.

Board of Trustees

- 5.2. The National Basketball Youth Mentorship Programmes' Board of Trustees is accountable for ensuring that the organisation has appropriate structure, processes, and resources in place to ensure safeguarding is central to all the organisation does, and for monitoring compliance. Trustees are accountable for ensuring that the organisation has appropriate structures, processes, and resources in place to ensure safeguarding is central to all the organisation does, and for monitoring compliance. The National Basketball Youth Mentorship Programme holds trustees to account if things go wrong and will check that trustees followed the guidance and the law. As part of fulfilling their duties, trustees must take reasonable steps to protect from harm, people who come into contact with the National Basketball Youth Mentorship Programme. This includes:
 - People who benefit from the National Basketball Youth Mentorship Programme
 - Staff
 - Volunteers
 - People who come into contact with the National Basketball Youth Mentorship Programme

The Chief Executive Officer

- 5.3. The Chief Executive Officer (CEO) is the senior accountable individual for all aspects of safeguarding across the organisation. This includes ensuring that there is a strong culture of safeguarding across the work of the National Basketball Youth Mentorship Programme and that there are clear reporting processes, structures, and line management accountability to safeguard children and adults at risk.
- 5.4. The CEO discharges their responsibilities by:
- Ensuring that the executive leadership team are held accountable for safeguarding within their respective directorates and across the organisation as a whole
 - Be accountable for safeguarding matters within the programme. This ensures that robust reporting and escalation processes are in place
 - Delegate responsibilities to volunteers and staff of the National Basketball Youth Mentorship Programme

Employees and Volunteers

- 5.5. All employees and volunteers have the responsibility to recognise, report, and record safeguarding concerns about children, young people, and adults at risk in line with this policy document and associated guidance. This includes a responsibility to work closely with local authorities in order to share current information and effectively take part in multi-agency discussion.
- 5.6. Volunteers must work with employees directly on the reporting and recording of safeguarding concerns.

Procedures

6. Safeguarding Procedures for All Employees

- 6.1. If an employee is informed about or concerned about the abuse of a child or young person, they must take the following steps:
- Always place the child or adult's welfare and interests as the paramount consideration
 - Make safeguarding personal using a person-led and outcomes-focused approach. Employees must talk with the child, young person, or adult at risk about how best to

- respond to their safeguarding situation in a way that enhances their involvement, control, and choice throughout the safeguarding process.
- Listen carefully and actively to the person – at this stage, there is no necessity to ask questions. Let the person guide the pace and remember their ability to recount a disclosure will depend on age, culture, language and communication skills, and disability.
 - Do not show shock at what is being said. This may discourage the child or adult from talking, as they may feel you are unable to cope with what they're saying, or perhaps that you're thinking badly of them.
 - Do not investigate. If anything needs to be clarified in order to understand the safeguarding risk, ask clear, open questions:
 - use the TED rule: tell, explain, and describe
 - ask 'what, when, who, how, where' questions
 - ask 'do you want to tell me anything else?'
 - do not ask any 'why' questions as these can suggest guilt or responsibility.
 - Remain calm and reassure the person that they have done the right thing by talking to a responsible adult.
 - Never promise to keep a secret or confidentiality. The National Basketball Youth Mentorship Programme works within wider statutory systems and must collaborate in order to effectively support and care for children and young people at risk. It is important that this fact, and its implications of transparency and reporting, are emphasised in early and ongoing conversations.
- 6.2. If the person disclosing is a child, employees have a duty to ensure that the information is passed on in order to keep the child safe. If a child requests confidentiality, employees must explain the National Basketball Youth Mentorship Programme's requirements, for example, 'I'm really concerned about what you have told me, and I have a responsibility to ensure that you are safe'.
- 6.3. As concerns arise, employees must talk to their manager or, if they're not available, another relevant manager.
- 6.4. Where there are concerns or allegations about an adult employee or volunteer who is working with children or adults at risk (often called someone in a "position of trust") within the National Basketball Youth Mentorship Programme, employees must follow similar procedures as stated above and below this paragraph.

7. Responding to a safeguarding concern

Immediate Risk of Harm

- 7.1. If an employee believes a child to be at immediate risk of harm or abuse, and/or a criminal offence is taking place, they must take immediate steps to protect that person by calling 999.
- 7.2. If the employee works or volunteers outside of the NBYMP, the manager must then consult with the National Basketball Youth Mentorship Programme team, who will advise on other steps that may be required.
- 7.3. Employees must contact their supervisors at once about any safeguarding concerns that they have.
- 7.4. Employees must write down their concerns immediately on the shared messaging system and google docs shared files. If the employee has any issues with this, they must contact their manager who may then agree to take it into record.
- 7.5. The volunteering team must be informed of all safeguarding issues and concerns relating to volunteers as soon as an issue is identified by the volunteer manager, or when other employees are informed/involved.
- 7.6. The Female Genital Mutilation (FGM) Act 2003 provides a mandatory duty for reporting FGM. This legislation requires regulated health and social care professionals and teachers in England and Wales to make a report to the police were, in the course of their professional duties, they either:
 - Are informed by a girl under 18 that an act of FGM has been carried out on her; or
 - Observe physical signs which appear to show that an act of FGM has been carried out on a girl under 18 and they have no reason to believe that the act was necessary for the girl's physical or mental health or for purposes connected with labour or birth.

No Immediate Risk of Harm

- 7.7. Employees must consult with a line manager as soon as possible on the same working day of the safeguarding concern. Concerns from the general public can be forwarded to the NBYMP UK email address: info@nbymp.org.uk
- 7.8. If there are concerns that a child is, or has been, at risk of abuse, employees must make a referral on the same working day to the local authority children's services in the area where the child is living (or is found). Employees must take guidance from their manager as needed.

- 7.9. For safeguarding concerns raised by volunteers, a manager must appoint an appropriate employee to make the referral. This must be done as soon as possible on the same working day. Employees and volunteers (subject to issues of confidentiality) must keep volunteers informed as to the outcome of the referral.

8. Recording Safeguarding Concerns

- 8.1. As soon as possible, employees must factually record, on google docs, what the child has told them and what they have observed.
- 8.2. If practical barriers exist to prevent employees from making timely entries, they must discuss this with their manager or supervisor on the same day as the concern is initially raised.
- 8.3. Volunteers must consult with the volunteer manager to provide the necessary information for the manager to record their concerns on google docs.
- 8.4. If employees fail to record accurately, or if they write down their interpretation of the child or adult's account (as opposed to a factual account), this may lead to inadmissible or unusable evidence should the information be required for court processes.
- 8.5. Employees must not contact any individual about whom an allegation or concern is being raised. This could be putting the person making the allegations in serious danger, for example, where domestic violence is taking place. It could also prejudice an investigation.

9. Making Referrals

- 9.1. Any sensitive information sent outside the National Basketball Youth Mentorship Programme must be sent using a secure email.
- 9.2. Referrals must be made on the same day where harm or risk of harm has been identified. If concerns arise out of office hours, referrals must be made to the local authority out of hours service.
- 9.3. Employees must make referrals to the local authority children's social care services, following local procedures. Employees must always confirm the referral in writing via secure email.

- 9.4. In order to assess capacity of a child or adult, employees should apply the two-stage test. To do so, employees must answer two questions:
1. Is there an impairment of, or disturbance in the functioning of a person's mind or brain? This could be due to long-term conditions such as mental illness, dementia, or learning disability, or more temporary states such as confusion, unconsciousness, or the effects of drugs or alcohol.
 2. Is the impairment or disturbance sufficient that the person lacks the capacity to make a particular decision when they need to?
- 9.5. Where possible, employees must discuss their concerns with the child's parent, and an agreement should be sought for a referral to the local authority children's social care. Employees must only do this if it does not increase risk to the child (through either delay, or the parent's possible actions or reactions). If employees decide not to seek parental permission before making a referral to children's social care, they must record and date this along with reasons. This must also be confirmed in the referral to children's social care via secure email.
- 9.6. If a serious crime has been committed, managers must also contact the police following the local SAB procedures. This must happen on the same working day the concern was noted.
- 9.7. In cases where a local authority children's service decides that a child is not at risk of abuse, consideration must be made about whether other services are required.
- 9.8. Any referral or signposting to other agencies for help and support for a child and family must be recorded on the google doc. Volunteers must ensure the volunteer manager records this information.

10. Escalating a Concern

- 10.1. If an employee within the National Basketball Youth Mentorship Programme believes that a local authority is not responding to a concern in a suitable or timely way, or that safeguarding concerns are not being responded to suitably, they must raise their concerns with their manager
- 10.2. Service managers must then review the concerns and, if agreed, contact the local authority team manager to discuss the decisions and issues of concern

10.3. Safeguarding is a multi-agency activity. Children and young people at risk can only be kept safe when agencies working together effectively and efficiently. The National Basketball Youth Mentorship Programme's employees at all levels must be clear on their responsibilities in the management of safeguarding risk for children young people and adults at risk.

11. Responsibilities for Managing Safeguarding Risk

11.1. Employees must play an active role in managing safeguarding risk by:

- identifying safeguarding concerns (new or changed) quickly
- discussing these with managers as soon as possible
- sharing concerns quickly with local authority and police as relevant
- quickly escalating concerns where the response is insufficient or slow
- participating in multi-agency planning activity
- supporting children, young people, and adults at risk to consider how they can take action to help protect themselves
- recording their conversations, decisions, and actions

11.2. Managers, the Board of Trustees, and the CEO must play an active role in managing safeguarding risk by:

- Prioritising conversations with employees who have safeguarding concerns
- Supporting employees to think through concerns and decide a suitable course of action
- Ensuring discussions and decisions are recorded properly
- Ensure safety planning
- Ensure employees and volunteers are adequately supported
- Informing and working with family, friends and/or other support networks as appropriate

12. Consulting the National Basketball Youth Mentorship Programme Safeguarding Team

12.1. The Safeguarding team provides tailored support depending on the circumstances of the safeguarding issue. This may be guidance, advice, or instruction to individuals involved.

12.2. Safeguarding concerns outside the National Basketball Youth Mentorship Programme must always lead to a consultation with the safeguarding team.

12.3. The Safeguarding team must be consulted if:

- An allegation is made against the National Basketball Youth Mentorship Programme's employees or volunteers
- There is a serious injury or death of a participant of the National Basketball Youth Mentorship Programme's initiatives
- Efforts to escalate a safeguarding issue are not effective

13. Age assessment and age disputes

- 13.1. Most unaccompanied children arriving in the UK have their age accepted upon arrival, but in some cases, where there is little or no documentary evidence of the child's age or if the child looks like an adult, the Home Office or local authorities may dispute the age stated by the child
- 13.2. In cases where there is a dispute regarding the age of the young person, the young person must be treated as a child by the local authority while the dispute is ongoing (refer to local statutory guidance).
- 13.3. Age assessments can be challenged. If a National Basketball Youth Mentorship Programme employee or manager believes this is warranted, they must follow the escalation procedure in this document. The National Basketball Youth Mentorship Programme may require solicitor support for such a challenge.

14. Contextual Safeguarding

- 14.1. Contextual safeguarding is an approach to understanding, and responding to, young people's experiences of significant harm beyond their families. It recognises that the different relationships young people form – in their neighbourhoods, through their networks, at school and online – can feature violence and abuse.
- 14.2. Because young people are vulnerable to abuse in a range of contexts, responding to contextual safeguarding concerns means working with children's social care, and other relevant partners, to collectively assess the risks for young people and plan suitable interventions.
- 14.3. Where employees are concerned about contextual safeguarding factors for a child or young person (or group of children or young people) they must speak with a local authority and provide information about what they know.

14.4. While contextual safeguarding work occurs, all relevant safeguarding processes for individual children must operate in parallel.

15. Complex, Organized, or Multiple Abuse

15.1. Complex or organised abuse involves one or more abusers and a number of abused children.

15.2. Where complex or organised abuse is suspected, staff must notify the relevant authorities

15.3. Notes must be taken by managers to ensure that issues and potential implications are properly laid out for review.

16. Digital Safeguarding

16.1. Online based forms of child or adult at risk, physical, sexual, or emotional abuse can include bullying via mobile telephones or online (internet) with verbal and visual images

16.2. Information communication technology (ICT) can be used to facilitate a wide range of abuse and exploitation, including online based physical abuse (such as children constrained to fight each other or filmed being assaulted), radicalisation, sexual exploitation, or exploitation for criminal purposes.

16.3. If an employee or volunteer suspects that child or young person is being subjected to physical, sexual, or emotional abuse through the use of ICT, they must report it immediately.

16.4. If the concern is in regard to the sexual abuse or grooming of a child online, a referral may also be made to the Child Exploitation and Online Protection Command (CEOP), which is part of the UK's National Crime Agency (NCA). Where an employee is unable to establish a local police force area in relation to the abuse, a referral to CEOP must be undertaken. CEOP will make the necessary arrangements to liaise with appropriate police force areas.

17. Domestic Abuse

- 17.1. If employees suspect a child or adult at risk to be involved in domestic violence or abuse (whether as a victim, bystander, or perpetrator), they must discuss this with their line manager on the same working day as concerns arise.
- 17.2. If the concerns present an immediate threat to the safety and welfare of the individual, employees must take care not to put themselves at risk, and to seek the assistance of the police.
- 17.3. A child who is within a household where there is domestic abuse may be considered a child in need, and therefore a referral to the local authority must be made.
- 17.4. If at any time a view is reached that an incident, or an accumulation of incidents, may be placing a child at risk of significant harm, a referral to the local authority must be made.

18. Non-Recent (Historical) Abuse

- 18.1. Non-recent abuse is an allegation of neglect, physical, sexual, or emotional abuse made by, or on behalf of, someone who is now 18 years or over, relating to an incident that took place when the alleged victim was under 18 years old.
- 18.2. If an employee suspects historical abuse to have taken place, they must immediately discuss this with their manager or a member of the safeguarding team. The employee must also note this down on the shared google docs.

19. Managing Safeguarding Allegations/Concerns Regarding Employees or Volunteers

- 19.1. If safeguarding allegations or concerns relate to a National Basketball Youth Mentorship Programme employee or volunteer, employees must not alert the individual in question of their concerns before taking advice from a member of the Safeguarding team, as subsequent enquiries may potentially be compromised.
- 19.2. Where there is a specific identified child at risk of significant harm from that employee or volunteer, the children's safeguarding process must run in parallel. The Safeguarding team will advise on this.

20. Peer on Peer Abuse

- 20.1. Children and young people who themselves are perpetrators of abuse / harm to other children and/or adults (such as family members) are likely to be children in need, and some may have suffered, or be likely to suffer, significant harm and need protection. It is important to share any information pertaining to these concerns or behaviours with social care, which will inform social care's decision about how most appropriately to proceed. It is also important to consider any experiences of the child as a victim as well as a perpetrator when sharing information with social care and/or the police.
- 20.2. In all cases where a child harms, or is alleged to have seriously / sexually harmed another child or adult, a referral, verbally, and in writing, should be made to the relevant local authority for both:
- The identified victim
 - The alleged abuser
- 20.3. The organisation must base their decision on whether behaviour directed at another child should be categorised as harmful or not on the circumstances of each case.