



Stevenage Swimming Club in accordance with Swim England. Reporting a Child Welfare Management Concern - The Procedure

Swim England is committed to ensuring that all children (at all times a person under the age of 18 years) who participate in our sports are able to take part in an enjoyable, safe environment and be safeguarded from harm.

This Procedure is designed to provide an avenue for people to raise concerns they have about alleged instances where the management of concerns in clubs or in their activities falls short of providing a safe environment for children and/or where child welfare is not being promoted or managed appropriately. Child welfare includes concerns about abuse, maltreatment, risk of safety, and impairment of children's health or development.

All Swim England members should be aware and adhere to the policies and guidance contained in **Wavepower**. Section 2.1 of Wavepower provides detailed advice on reacting, recording and reporting concerns.

In all emergency situations where you believe a child has been harmed or is at risk of harm and you are unable to contact the club welfare officer or Swim England Safeguarding Team then immediate contact should be made with Police, Children's Social Care, Multi Agency Safeguarding Hub (MASH), NSPCC Child Protection Helpline or other agencies as appropriate. Take the name and contact details of the person you have spoken to and the incident/referral reference number (if applicable) so you have a record and report this to the club welfare officer and Swim England Safeguarding Team as soon as possible e.g. next working day.

It should be remembered children are equally as entitled to express concerns as an adult is. Everyone within Swim England must be aware and ensure they have an understanding of the procedures for dealing with them in a child centred way whilst ensuring (i) these Procedures are followed; (ii) the child's rights are protected; and, most importantly (iii) the child's safety and wellbeing remains paramount. Equally, parents, guardians and carers of Swim England members must be assured that they will also be listened to and appropriate action taken if they have cause for concern.

Approximately 75% of Swim England members are under the age of 18. This means management concerns will often involve a child but will not be alleging a child has been harmed or is at risk of harm. The club welfare officer is not responsible for dealing with such non-child safeguarding management concerns although they may play a supporting role to ensure any child involved in a dispute is supported and able to give their version of events. Detailed guidance on other concerns for children is provided in Wavepower 2020-23 on page 36 and all club officers should follow this guidance in respect of a non-child safeguarding concern.



Office of Judicial Administration (“OJA”)

The Stevenage Swimming Club in accordance with Swim England Judicial Regulations, managed by the OJA, provide the procedure to raise a complaint for matters *other than* child welfare, for example, breaches of the Code of Ethics and accompanying Codes of Conduct and matters may be more appropriately raised under those Regulations.

Why is this procedure necessary?

Adults often do not realise the impact their actions can cause children.

In return, children often do not realise that adults can find it difficult to recognise problems, which would cause a child to be worried or unhappy. A concern, which may appear minor to an adult, can be overwhelming for a child. Because of this, it is vital to encourage communication between adults and children not least to promote an environment whereby a child feels confident that they can let someone know their concerns and that these will be addressed.

The following is the recommended Procedure for dealing with a management concern in clubs or their activities made by, or on behalf of, a child and which a parent, guardian, carer, other individual or statutory agency may make. At all times action should be immediate where possible and all stages outlined within the Procedure should be carried out within the timescale provided, where practicable.

It is important to acknowledge that a child welfare concern, from the point of view of someone under 18 years of age, will be something very important to them and potentially may have been causing them concern for some time.

It is important that management concerns of this nature are dealt with at the earliest opportunity and as such the following Procedure should be a last resort and for matters that have been incapable of resolution.

The Procedure

Stevenage Swimming Club in accordance with Swim England Child Welfare Complaints Procedure.

Step one – informal resolution locally

Timescale: Immediate

As an adult member of Stevenage Swimming Club in accordance with Swim England, if a management concern is drawn to your attention you must first assess whether it is appropriate for you to resolve it. In general terms, if it is relatively minor in its nature, not



potentially a criminal act, if you are able to address the management concern, you should address it.

Ideally, if at all possible, you should consult your club welfare officer before embarking on any course of action.

Confidentiality must be maintained on a '*need to know basis*' i.e. only the club welfare officer, child's parents and perhaps the coach, may need to know and no one else. Sometimes the information sharing may need to be extended to other relevant club personnel. The important factor is to keep the information restricted to as small a circle as possible. A secure record should be kept of the action taken.

Step two – resolution through Club Welfare Officer

Timescale: intervention seven days or as soon as possible thereafter.

The primary role of the club welfare officer will be to resolve the management concern if at all possible.

A club welfare officer may have matters referred to them, for example, through **Step One** or have matters brought directly to their attention.

The Chairperson will consider the nature of the management concern and if they are able to, address it. It is anticipated that the Chairperson will be able to address issues such as minor code of conduct issue, poor practice and bullying through the club's own internal disputes processes or by following the advice and guidance in Wavepower. The club welfare officer can assist the Chairperson and guidance and support can be obtained from the ICPO and Safeguarding Team at any time.

If the assistance of the ICPO and / or Safeguarding Team is not sought before the issues are resolved, the management concerns and outcomes should be reported to the Safeguarding Team afterwards.

The club welfare officer should at all times be mindful of the support and guidance that can be accessed from the Safeguarding Team.

The Club Welfare Officer must:

1. Record the details of the management concern– what was the problem?
2. How it was resolved? The actions taken and by whom (the club welfare officer or others).
3. Observe confidentiality and secure storage of referral documentation (see appropriate policies within Wavepower).

Step three – National Level – The Independent Child Protection Officer

Timescale: Brief Review in three days or as soon as possible thereafter.



The ICPO will have a right to be involved in any child welfare management concern, which the ICPO may review in consultation with the Head of Safeguarding, for example:

- Where one party remains unhappy that the problem has not been resolved at Step One or Step Two.
- Where a matter is brought to the ICPO's attention by a welfare officer at Steps One or Two.
- At any stage, by direct referral to the ICPO by a member (child or adult), parent, guardian or carer of a member or statutory agency.

Once notified, the ICPO may conduct a brief overview, and determine whether a full Step 3 intervention is appropriate. If not, then suitable advice may be given to parties, including, potentially, for resolution under the Judicial Regulations via the OJA – see above.

The ICPO will liaise with the club welfare officer to ensure that the club is handling the child welfare management concern correctly. The club welfare officer will be responsible for ensuring that the club follows the ICPO's guidance. It is entirely a matter for the ICPO as to the level of involvement and the guidance given.

It may be that further/differing concerns emerge during the ICPO's involvement and the ICPO may decide the matter is then appropriate to be dealt with under the processes outlined in Wavepower.

At any point throughout the ICPO's involvement, the issues will be kept under regular review and a decision may be taken, including, but not limited to:

- Implement a referral to a statutory agency;
- Appoint an investigator to complete a fact-finding investigation under the Protocols for Child Safeguarding Investigations; or
- Take such action as recommended by the ICPO (e.g. a direction that an individual be required to submit to a risk assessment.)

All clubs must note that if the guidance of the ICPO is not followed, the ICPO may complete a report to the Head of Safeguarding and may recommend that a Judicial Complaint is filed against the club under the Judicial Regulations. The basis of a Judicial Complaint will be that the club has failed to comply with the required level expected of Swim England clubs in complying with Child Safeguarding Procedures.

In the case of clubs with Swim Mark / Stronger affiliation accreditation (or some other such similar accreditation in place from time to time) the ICPO's Report may be submitted to the Swim England Clubs Team or an individual with responsibility for that accreditation in Swim England. The ICPO may recommend, including but not limited to, (i) ongoing monitoring of the club; (ii) highlight support needs for that club; or (iii) in certain cases recommend



suspension / removal of that accreditation if it is believed the club has not met its accreditation requirements.

The above timescale provides an indication that within three days of accepting a child welfare management concern under Step 3, the ICPO will decide the level of their involvement and will inform all parties accordingly. The ICPO will have children's welfare as the main concern and will try to resolve the issues with that in mind. As a guide, the ICPO will try to achieve a successful resolution or to decide other appropriate action or to have concluded and closed the file within three months of the original referral.

Where a three month conclusion is not possible e.g. because of the involvement of a statutory agency, the ICPO will seek to keep the appropriate individuals informed of progress being made.

Note

The ICPO's report and any determination contained therein is final. There is no avenue of appeal available under this Procedure.

In the case of a decision being taken under Swim England's Child Protection Regulations 241 et al i.e. a suspension for a specified term imposed by the Chief Executive (capable of appeal) the parties are referred to [Regulation 241 available](#).

Failure to comply with this Procedure may result in a recommendation from the ICPO that a club is not meeting its child safeguarding obligations. This may result in a formal Judicial Complaint or other action being taken under Swim England's Child Safeguarding Regulations 241 et al.

It is possible for a child welfare management concern to amount to a breach of Swim England Regulations or of the Code of Ethics and for a Judicial Complaint to be filed for the same set of circumstances. **Where a Judicial Complaint is filed with the OJA and a Child Welfare Management Concern exists, the child welfare matter will take precedence.**

This Procedure is subject to continuous review and amendment as best practice evolves and accordingly Swim England reserves the right in particular cases to depart from the above Procedures where it is deemed to be appropriate by the ICPO in consultation with the Head of Safeguarding.