



SAFEGUARDING AND WELFARE: MANAGING CONCERNS AND ALLEGATIONS

Principles

The aims of this procedure are to ensure that:

- safeguarding and welfare concerns or allegations are investigated fully and properly;
- appropriate action is taken where necessary;
- those who raise safeguarding or welfare concerns and allegations, as well as those who are the subject of them, are treated fairly and consistently.

Safeguarding Concerns and Allegations

A safeguarding concern or allegation is a concern or allegation involving harm or the risk of harm to:

- a child or young person under 18yrs of age;
- a vulnerable person over 18yrs of age.

A safeguarding concern or allegation may be made by any person to the KUGB Safeguarding Officer (safeguarding@kugb.org).

Welfare Concerns and Allegations

A welfare concern or allegation may relate to (but is not limited to) general care or support, harm or the risk of harm, discrimination, poor practice or abuse arising from:

- a member's practice of karate at an affiliated KUGB club;
- membership of the KUGB.

A welfare concern or allegation may be raised by any person and reported to the KUGB Welfare Officer (safeguarding@kugb.org)

Initial Consideration

All safeguarding and welfare concerns and allegations will be considered initially by the Safeguarding Officer or the Welfare Officer as appropriate who may:

- gather information deemed relevant or potentially relevant to the matter disclosed in the concern or allegation;

- determine that no action is necessary;
- determine that organisational action is appropriate and in which case may make a recommendation to the KUGB National Executive Committee;
- determine that the concern or allegation might appropriately be dealt with informally and may refer it to an appropriate KUGB officer;
- determine that the concern or allegation might appropriately be considered by the Safeguarding Committee and may refer it to them;
- determine that the concern or allegation should be treated as an allegation of misconduct and if so must refer the matter to the Disciplinary Committee for disciplinary proceedings;
- determine that the concern or allegation should be reported to the local authority designated officer (LADO) and/or the police;

In determining whether to treat the concern or allegation as an allegation of misconduct the Safeguarding Officer or Welfare Officer must have regard to:

- whether the conduct disclosed in the concern or allegation or its consequences is serious enough to justify referring it to the Disciplinary Committee;
- whether there is a realistic prospect of a finding of misconduct being made;
- whether it is reasonable in the circumstances to refer the matter to the Disciplinary Committee.

In determining whether to report the concern or allegation to the Local Authority Designated Officer (LADO) or the police, the Safeguarding Officer or Welfare Officer must have regard to whether the person concerned has:

- behaved in a way that has harmed, or may have harmed a child, vulnerable adult or other person;
- possibly committed a criminal offence against, or related to, a child, vulnerable adult, or other person;
- behaved towards a child, vulnerable adult or other person in a way that indicates they may pose a risk of harm;
- behaved in a way that indicates they may not be suitable to work with children or vulnerable adults.

Interim Measures

Where the Safeguarding Officer or Welfare Officer considers that the matter disclosed in the concern or allegation is so serious that an interim suspension or other appropriate measure may be necessary to protect the interests or welfare of any person or the KUGB, the Safeguarding Officer or Welfare Officer must ordinarily refer the matter to the Safeguarding Committee. The Safeguarding Committee sitting with the Chair or Vice Chair of the KUGB have the power to impose the suspension or appropriate measure with immediate effect. In exceptional circumstances the Safeguarding Officer, Welfare Officer, Chair, or Vice Chair may refer the matter to the KUGB National Executive Committee or an appropriate sub committee thereof (including the Safeguarding Committee) who have the power to impose the suspension or appropriate measure with immediate effect.

The interim suspension or other appropriate measure may be for a fixed period of time or of indeterminate length pending the investigation of the matter and or the outcome of the disciplinary process.

A member subject to an interim suspension may not participate in any KUGB activity for the period of the suspension.

Informal Resolution

Where a concern or allegation is referred by the Safeguarding Officer or Welfare Officer to a KUGB officer for informal resolution the action taken may include writing or speaking to the member concerned. Without prejudice to any other appropriate way of resolving the matter, the action may involve advice or recommending further training, mentorship or supervision. If the KUGB officer considers that the matter is not suitable for informal resolution they may:

- remit the matter back to the Safeguarding Officer or Welfare Officer;
- treat the concern or allegation as an allegation of misconduct and if so must refer the matter to the Disciplinary Committee.

Misconduct

Misconduct is defined as any behaviour falling far below the standard expected of a member of the KUGB.

The Safeguarding Committee

The Safeguarding Committee consists of at least three independent committee members:

- a chair (who is usually the Safeguarding Officer);
- two or more other members (one of whom is usually the Welfare Officer).

Where a concern or allegation is referred to the Safeguarding Committee for consideration it assesses risk and reaches decisions in the interests of protecting children and vulnerable

adults from harm. It has the same discretionary powers available to it as the Safeguarding Officer and Welfare Officer (as set out above) and exercises them in the same way.

It may:

- determine that there is no risk of harm and no action is necessary;
- determine that the risk of harm is low and may offer support, training or mentorship;
- determine that the risk of harm is low and impose an appropriate risk management plan which may involve supervision;
- determine that the risk of harm is high in which case it must refer the matter to the Chair or Vice Chair who must prohibit the applicant from instructing children and vulnerable adults and may terminate the person's membership of the KUGB.

It reaches its decisions on the basis of a majority.

Sanctions and Remedies

Where an allegation of misconduct has been admitted or proved the Disciplinary Committee may:

- offer advice;
- issue a written warning or reprimand;
- impose a support requirement involving training, mentorship or supervision;
- suspend the member's membership of the KUGB for a specified period not exceeding 12 months;
- prohibit the member from taking part in specified KUGB activities (including but not limited to competitions, courses, instructing, gradings or meetings) for a specified or indeterminate period;
- expel the member from the KUGB.

Save for expulsion these sanctions and remedies may be imposed in combination where appropriate, however the totality of the sanctions and remedies imposed must be reasonable and proportionate in all the circumstances.

Criminal Convictions, Cautions and Charges

Where it is established that a member has been charged with, cautioned for, or convicted of an imprisonable criminal offence the matter may be treated as an allegation of misconduct and referred to the Disciplinary Committee if:

- the offence or its consequences is serious enough to justify referring it to the Disciplinary Committee;

- there is a realistic prospect of a finding of misconduct being made;
- it is reasonable in the circumstances to refer the matter to the Disciplinary Committee.

DBS Referrals

A matter must be referred to the DBS where a decision is taken to prohibit a member from instructing children and vulnerable adults unsupervised and it is determined that the member has:

- harmed a child or vulnerable adult;
- or
- poses a risk of harm to a child or vulnerable adult;
- or
- received a caution or conviction for a relevant serious criminal offence.

Appeals

The member can appeal against any finding made under this procedure and/or the sanction imposed by notifying the Safeguarding Officer or Welfare Officer as appropriate within 14 days of becoming aware of it. The grounds of the appeal must be specified and it must also be made clear whether the appeal is against the finding, the sanction or both.

Appeals are heard by the Appeals Committee which consists of three independent committee members not previously concerned in the case:

- a chair (who is usually the Chair or Vice Chair of the KUGB);
- two other members (who are usually members of the KUGB National Executive Committee and/or is a KUGB officer)

The member will be given an opportunity to either attend and make oral submissions to the Appeals Committee or submit written arguments. The Appeals Committee may give permission for fresh evidence to be presented only if it appears to afford a ground for allowing the appeal and if there is a reasonable explanation for the failure to present it to the Disciplinary Committee.

The Appeals Committee may confirm, reverse or vary any aspect of the decision appealed against on the basis of a majority decision. The decision with reasons may be announced at the end of the hearing or may be notified to the member in writing within 14 days.

Confidentiality and Support

Any concern or allegation will be investigated in complete confidence and all parties concerned will be supported throughout the process. This will include:

- informing them about the concern or allegation as soon as reasonably practicable (as long as this does not create or exacerbate a risk of harm);
- informing them how the concern or allegation will be managed;
- keeping them informed about the progress and outcomes of the case.

Record keeping

A record of all concerns and allegations will be retained securely and confidentially for a reasonable period of time in accordance with the principles in the GDPR. The record will include:

- that a concern or allegation has been made;
- how the matter was dealt with;
- the decisions that were made;
- the action taken.