Safeguarding Policy

This policy will be reviewed annually or when there is a legislative change or review due to lessons learned or best practice guidelines

Introduction

Ludlow Castle Motor Club Ltd (LCMC Ltd) is committed to creating and maintaining a safe and positive environment and accepts our responsibility to safeguard the welfare of all involved in motorsport in accordance with the Care Act 2014. LCMC Ltd safeguarding policy and procedures apply to all individuals involved in LCMC Ltd. This includes:

- Club members
- Club volunteers (eg. scrutineers, marshals, event secretaries, Clerks of the Course)
- Children in the club environment (including those that are not members themselves but are related to club members who may attend events)
- Adults at risk
- Parents and carers of the children in the club environment

LCMC Ltd will encourage and support partner organisations, including other clubs, Motorsport UK and any sponsors to adopt and demonstrate their commitment to the principles and practice as set out in this safeguarding policy and procedures.

Definitions

To assist working through and understanding this policy a number of key definitions need to be explained:

- **Adult at Risk** is a person aged 18 or over who needs care and support regardless of whether they are receiving them, and because of those needs are unable to protect themselves against abuse or neglect. 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. See section 5 for further explanations.

- **Adult** is anyone aged 18 or over.

- **Child** is anyone aged 17 or below

- **Adult safeguarding** is protecting a person's right to live in safety, free from abuse and neglect.

- **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 (MCA 2005).

Roles and Responsibilities of those within LCMC Ltd

LCMC Ltd is committed to having the following in place:

- A Safeguarding Officer to produce and disseminate guidance and resources to support the policy and procedures.

- A clear line of accountability within the club for work on promoting the welfare of all adults.

- Procedures for dealing with allegations of abuse against club members.

- Arrangements are in place to work effectively with other organisations to safeguard and promote the welfare of adults, including arrangements for sharing information.

- Appropriate whistleblowing procedures and an open and inclusive culture that enables safeguarding and equality and diversity issues to be addressed.

Principles

The guidance given in the policy and procedures is based on the following six principles that should underpin safeguarding of adults:

- **Empowerment** - People being supported and encouraged to make their own decisions and informed consent.

- **Prevention** – It is better to take action before harm occurs.

- **Proportionality** – The least intrusive response appropriate to the risk presented.

- **Protection** – Support and representation for those in greatest need.

- **Partnership** –Communities have a part to play in preventing, detecting and reporting neglect and abuse

- **Accountability** – Accountability and transparency in delivering safeguarding.

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 an enjoyable and safe environment.

LCMC Ltd will seek to ensure that our sport 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.

We recognise that ability and disability can change over time, such that some adults may be additionally vulnerable to abuse, for example those who have a dependency on others or have different communication needs.

We recognise that a disabled adult may or may not identify themselves or be identified as an adult 'at risk'.

We all have a shared responsibility to ensure the safety and well-being of all adults and will act appropriately and report concerns whether these concerns arise within LCMC Ltd or in the wider community.

All allegations will be taken seriously and responded to quickly in line with this Safeguarding Adults Policy and Procedures.

LCMC Ltd recognises the role and responsibilities of the statutory agencies in safeguarding adults and is committed to complying with the procedures of Motorsport UK, as the governing body.

Types of Abuse and Neglect - Definitions from the Care Act 2014

This is not intended to be an exhaustive list but an illustrative guide as to the sort of behaviour or issue 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, forced labour and domestic servitude.

Domestic Abuse – including psychological, physical, sexual, financial and emotional abuse. It also includes so called 'honour' based violence.

Discriminatory – including harassment, slurs or similar treatment because of race, gender and gender identity, age, disability, sex, sexual orientation, marital status or religion.

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 on-going ill-treatment.

Physical Abuse – includes 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 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 and acts of omission - Including, ignoring medical, emotional or physical care, needs, failure to provide access to appropriate health, care and support 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.

Not included in the Care Act 2014 but also relevant:

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 educational needs and disabilities) but instead of the perpetrator carrying out the bullying face-to-face, they use 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 makes it a criminal offence to force someone to marry.

Mate Crime - a 'mate crime' is '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.

Signs and Indicators of Abuse and Neglect

There may be physical and/or behavioural signs and symptoms that might raise your concern about the welfare or safety of an adult. The following are only indicators and should not be seen as confirmation. Abuse is not always easy to identify and can be a combination of signs or symptoms, sometimes forming a pattern over time.

Significant changes in behaviour such as:

- Low self-esteem, passivity, becoming withdrawn, quiet
- Isolates themselves from the group and seems unable to make friends.
- Fear, defensiveness
- Some people with physical and/or learning disabilities may use alternative forms of communication which may indicate that abuse is happening to them
- Change in relationship with carers/relatives/family members, e.g., reacting differently to usual around someone
- Not wanting to go home, seemingly afraid or anxious of carers/ family members
- Becomes aggressive/verbally and/or physically
- Significant change in sexual behaviour or attitude
- Change in appetite- excessive weight loss or weight gain for no obvious reason

Unexplained/Unlikely/Inconsistent explanations of physical injuries/indicators such as:

- Consistent untreated injuries or health issues
- Marks on body, including slap marks, finger-marks, bruising
- Unusual difficulty in walking or sitting
- Multiple fractures
- Pregnancy

Unexplained changes in living conditions such as:

- Uncharacteristic inability to pay bills or maintain lifestyle, including lack of heating, clothing, food
- Physical appearance becomes unkempt, including change in personal grooming
- Unusual interest shown by family members or others in the person's assets
- No identification documents in possession
- Other adults in a non-family/caring role appearing to have control over person's time and/or decisions
- Little or no finances of their own

Remember - It is never your responsibility to investigate allegations or to decide whether an adult is being abused - it is your responsibility to pass the information on to the Safeguarding Officer.

Mental Capacity

There may be situations where a person's lack of capacity impacts a safeguarding decision, people who lack capacity can be more at risk from abuse and neglect and may also not have the ability to consent to decisions made about their life and/or the reporting of a safeguarding incident or concern.

Decisions about reporting and any actions taken should where possible and appropriate be in line with the Mental Capacity Act (2005) principals as stated below.

If you are working with someone who lacks capacity in areas affecting their decision-making ability, you should ensure you have consulted with the appropriate people in their lives for example an Independent

Mental Capacity Advocate (IMCA), family member, social worker, etc. to ensure a best interest decision is reached.

The key principles of the Mental Capacity Act (2005) are:

- A person must be assumed to have capacity unless it is established that they lack capacity.
- The term 'lacks capacity' means a person cannot make a specific decision or take a particular action for themselves at a particular point in time, even if they are able to make other decisions.
- A person is not to be treated as unable to make a decision unless all practical steps to help him/her to do so have been taken without success.
- A person is not to be treated as unable to make a decision merely because he/she makes an 'unwise' decision.
- It may be that a person, who lacks capacity to make a decision at a certain time due to illness or an accident, is able to make that decision at a later date.
- An act carried out or decision made, for or on behalf of a person who lacks capacity must be undertaken, or made, in their best interests with minimal restriction to their freedom and rights as possible.

The immediate safety of the adult at risk is paramount, the need to report a safeguarding incident can override the Mental Capacity Act if it means making someone safe.

What to do if you have a concern or someone raises concerns with you

You are advised to discuss any concerns with the Safeguarding Officer, or, if the Safeguarding Officer is implicated then report to the Chairman of LCMC Ltd in the first instance.

Before reporting any suspected/known abuse against an adult, remember adults have the right to self-determination and this means:

- Consent from the adult MUST be granted before reporting any concerns (except for the exceptions listed below).
- We must respect the decision of the adult, regardless of our own assessment of a situation.

The starting position is always to assume capacity unless proven otherwise. This should only be overridden when:

- Protecting others
- Where not intervening would cause further harm to the individual
- If the adult lacks the capacity to make the decision for themselves

If an adult does not give their consent to report concerns, where possible you should always explain to, and involve the adult concerned with what you plan to do and why.

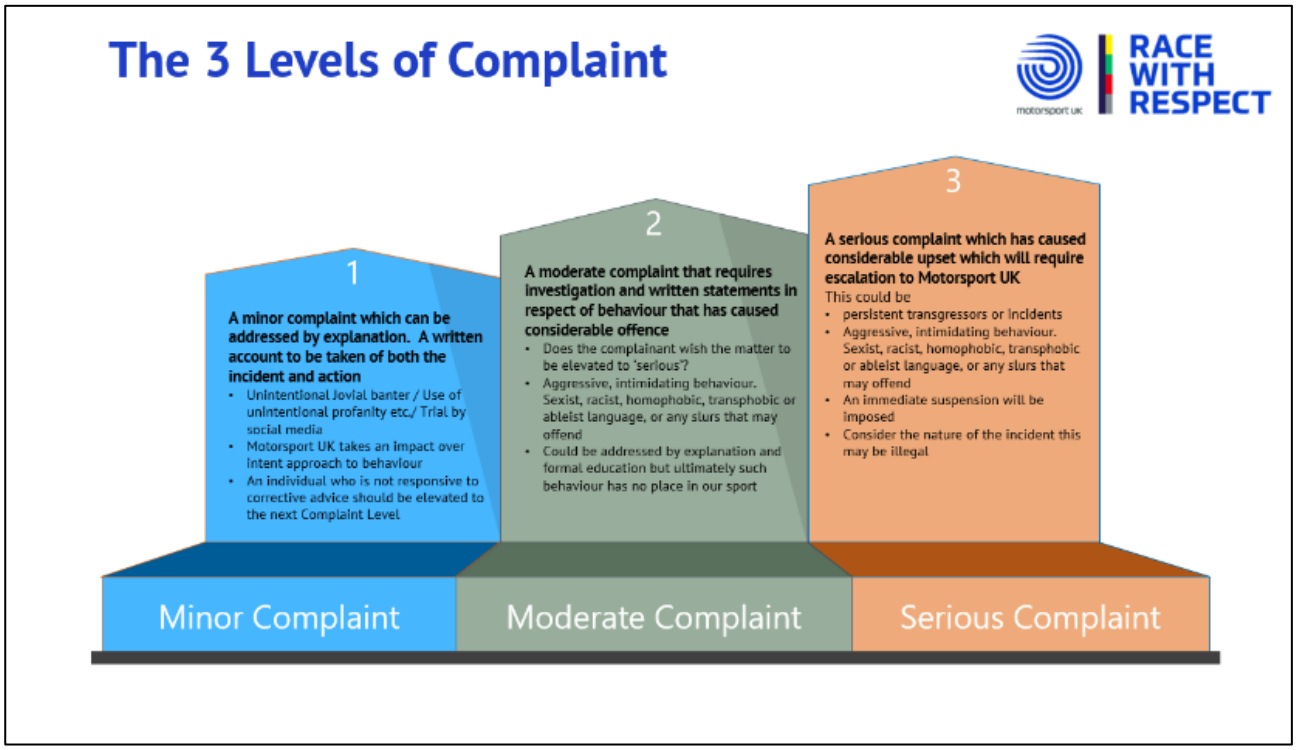
LCMC Ltd club members do not have to determine whether an adult has capacity (this is to be assumed). If abuse is experienced, reported, witnessed or disclosed, the responsibility is to:

Recognise possible signs of abuse, Respond to disclosures or concerns, Report them to the appropriate person, Record the concerns quickly and confidentially

If you are concerned someone is in immediate danger, contact the police straight away.

How the Safeguarding Officer will Record a Disclosure

If you have a safeguarding concern or worry about an adult at risk, whether it relates directly to you, is something you have witnessed or is something that someone has reported or disclosed to you, even if it does not relate to the Club, don't keep it to yourself.



Even if you think that it is a lower-level concern or are not sure about it, report it to the Safeguarding Officer. Small pieces of information can help to create a big picture. The Safeguarding Officer will:

- Listen carefully to what is said, allowing the person to continue at their own pace. Present as believing what is being said and show that you are taking the concerns seriously. Be open and encouraging and use body language to show that you are listening.

- Explain that you cannot keep the information secret and you have a duty to report this but that you will not tell anyone other than people you need to tell. This may be parents or social care or the police.

- Check the person's account and that you have correctly understood what they have told you.

- Make a note of what the person has said using his or her own words as soon as practicable and follow this up with the LCMC Ltd Safeguarding Officer. If you are unable to speak to the Club's Safeguarding Officer or there may be a conflict of interest, please contact the Motorsport UK Safeguarding Team via the Safeguarding Referral Form accessible from the Motorsport UK website. www.motorsportuk.org >The Sport>Safeguarding>Sharing a concern and complete the form.

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

- Reassure the person that they have done the right thing by talking to you and it is a step towards making things better. Before they leave you, try to make sure they are calm and to the best of your understanding, are not at harm from others or themselves.

- Be mindful of the need to be confidential at all times, this information must only be shared with the Safeguarding Officer and others on a need-to-know basis only.

- If the Safeguarding Officer feels that the concern needs escalating (or if they are unsure) they should contact the Motorsport UK Safeguarding Team as soon as possible via the Safeguarding Referral Form accessible from the Motorsport UK website. www.motorsportuk.org >The Sport>Safeguarding>Sharing a concern and complete the form or by telephone 01753 765000.

- Any concerns about the behaviour of Club members or Committee members involved with the Club should be reported to Motorsport UK Safeguarding Team via the Safeguarding Officer within 24 hours via the Safeguarding Referral Form accessible from the Motorsport UK website. www.motorsportuk.org >The Sport>Safeguarding>Sharing a concern and complete the form or by telephone 01753 765000.

- If the matter is urgent and relates to the immediate safety of an adult at risk then contact the police immediately.

- For out of hours advice and guidance you can contact:

    - NSPCC on 08088005000 or help@nspcc.org.uk

    - Child Protection in Sport Unit on 01163665590 or cpsu@nspcc.org.uk

    - Ann Craft Trust on 01159515400 or ann-craft-trust@nottingham.ac.uk

- Avoid:

    - Showing any negative feelings

    - Doubting the person, looking bored or disinterested, you may prevent them from fully disclosing something very painful

    - Probing for more information than is offered or conducting an investigation of the case

    - Allowing any personal feelings/experiences towards the person reporting or person of concern

- Don't:

    - Interrupt, ask lots of question or leading questions

    - Dismiss the concern, minimise it or attempt to explain it on behalf of someone else

    - Allow any previous negative experiences with statutory agencies to influence reporting or sharing concerns

    - Panic or allow shock or distaste to show

Additional Key Points

Self-care

Dealing with difficult situations and listening to disclosures can be difficult. It is important to make sure you look after your own emotional well-being and mental health. If you are struggling with something you have

seen or heard, please talk to someone without disclosing any sensitive information, you can talk to the Safeguarding Officer, Motorsport UK Safeguarding Team or you can contact The Samaritans: 116 123

Allegations

If you have allegations made against you as a club member and you wish to discuss the matter with an impartial person, please contact Motorsport UK Safeguarding Team. They will arrange contact with a Safeguarding Support Officer who can inform you of the investigation process and what you can expect as well as signposting for support and advice.

Confidentiality

LCMC Ltd will take seriously and respond to all safeguarding concerns reported in good faith. All information reported to the Club Safeguarding Officer or Motorsport UK Safeguarding Team will be treated confidentially and will only be shared with others where there is a need to do so, such as for the safety of others or prevention or detection of a crime.

Complaints

If you are unhappy with how a safeguarding concern has been responded to, in the first instance please contact the Motorsport UK Safeguarding Team

Guidance and Legislation

The practices and procedures within this policy are based on the principles contained within the UK and legislation and Government Guidance and have been developed to compliment the Motorsport UK policy and procedures, and take the following into consideration:

Sexual Offences Act 2003

The Sexual Offences Act introduced a number of new offences concerning vulnerable adults and children.

Mental Capacity Act 2005

Its general principle is that everybody has capacity unless it is proved otherwise, that they should be supported to make their own decisions, that anything done for or on behalf of people without capacity must be in their best interests and there should be least restrictive intervention.

Safeguarding Vulnerable Groups Act 2006

Introduced the new Vetting and Barring Scheme and the role of the Independent Safeguarding Authority. The Act places a statutory duty on all those working with vulnerable groups to register and undergo an advanced vetting process with criminal sanctions for non-compliance.

Deprivation of Liberty Safeguards

Introduced into the Mental Capacity Act 2005 and came into force in April 2009. Designed to provide appropriate safeguards for vulnerable people who have a mental disorder and lack the capacity to consent to the arrangements made for their care or treatment, and who may be deprived of their liberty in their best interests in order to protect them from harm.

The Protection of Freedom Act 2012

The Act includes changes to freedom of information, rights to data and criminal history checks (Vetting and Barring – DBS checks) amongst other civil liberty issues. This Act will affect sport organisations when undertaking safe recruitment and DBS checks.

Disclosure & Barring Service 2013

Criminal record checks: guidance for employers - How employers or organisations can request criminal records checks on potential employees from the Disclosure and Barring Service (DBS). www.gov.uk/government/organisations/disclosure-and-barring-service

The Care Act 2014 – statutory guidance

The Care Act introduces new responsibilities for local authorities. It also has major implications for adult care and support providers, people who use services, carers and advocates. It replaces No Secrets and puts adult safeguarding on a statutory footing. www.gov.uk/government/publications/care-act-2014-statutory-guidance-for-implementation

Data Protection Act 2018

The Act controls how personal information is used by organisations. It is the implementation of the UK General Data Protection Regulation 2016.

Relevant Policies

This policy should be read in conjunction with the following policies:

- Social media
- Complaints
- Grievance and Disciplinary