



SWIM WALES  
NOFIO CYMRU

# **Swim Wales**

## **Safeguarding Adults Policy & Procedures**



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Policy Owner: Head of Governance

Policy approved by: Swim Wales Board of Directors

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This Policy is available to download via Swim Wales website: [www.swimwales.org](http://www.swimwales.org)

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(This policy will be reviewed every three years and in line with legislation).



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# Section 1: Safeguarding Adults Policy



## **Introduction**

Swim Wales is committed to creating and maintaining a safe and positive environment and accepts our responsibility to safeguard the welfare of all adults involved in Aquatics, in accordance with Welsh legislation.

Swim Wales safeguarding adult's policy and procedures apply to all individuals involved in Swim Wales activities and those of Swim Wales affiliated organisations.

Swim Wales will encourage and support partner organisations, including clubs, regions, suppliers, key partners and sponsors to adopt and demonstrate their commitment to the principles and practice of equality as set out in this safeguarding adults policy and procedures.

Swim Wales is committed to Safeguarding Adults in line with national legislation and relevant national and local guidelines.

We will safeguard adults by ensuring that our activities are delivered in a way which keeps all adults safe.

Swim Wales is committed to creating a culture of zero-tolerance of harm to adults which necessitates: the recognition of adults who may be at risk and the circumstances which may increase risk; knowing how adult abuse, exploitation or neglect manifests itself; and being willing to report safeguarding concerns.

This extends to recognising and reporting harm experienced anywhere, including within our activities, within other organised community or voluntary activities, in the community, in the person's own home and in any care setting.

Swim Wales is committed to best safeguarding practice and to uphold the rights of all adults to live a life free from harm from abuse, exploitation and neglect.



## **Policy Statement**

Swim Wales believes everyone has the right to live free from abuse or neglect regardless of age, ability or disability, sex, race, religion, ethnic origin, sexual orientation, marital or gender status.

Swim Wales is committed to creating and maintaining a safe and positive environment and an open, listening culture where people feel able to share concerns without fear of retribution.

Swim Wales acknowledges that safeguarding is everybody's responsibility and is committed to prevent abuse and neglect through safeguarding the welfare of all adults involved.

Swim Wales recognises that health, well-being, ability, disability and need for care and support can affect a person's resilience. We recognise that some people experience barriers, for example, to communication in raising concerns or seeking help. We recognise that these factors can vary at different points in people's lives.

Swim Wales recognises that there is a legal framework within which sports need to work to safeguard adults who have needs for care and support and for protecting those who are unable to take action to protect themselves and will act in accordance with the relevant safeguarding adult legislation and with local statutory safeguarding procedures.

Actions taken by Swim Wales will be consistent with the principles of adult safeguarding ensuring that any action taken is prompt, proportionate and that it includes and respects the voice of the adult concerned.



## Purpose

The purpose of this policy is to demonstrate the commitment of Swim Wales to safeguarding adults and to ensure that everyone involved in Aquatics is aware of:

- The legislation, policy and procedures for safeguarding adults.
- Their role and responsibility for safeguarding adults.
- What to do or who to speak to if they have a concern relating to the welfare or wellbeing of an adult within the organisation.

## Scope

This safeguarding adult policy and associated procedures apply to all individuals involved in Swim Wales including Board members, Staff, Coaches, Volunteers, participants and Club Members and to all concerns about the safety of adults whilst taking part in our organisation, its activities and in the wider community.

We expect our partner organisations, including for example, affiliated clubs, suppliers and sponsors to adopt and demonstrate their commitment to the principles and practice as set out in this Safeguarding Adults Policy and associated procedures.

## Commitments

In order to implement this policy Swim Wales will ensure that:

- Everyone involved with Swim Wales is aware of the safeguarding adult procedures and knows what to do and who to contact if they have a concern relating to the welfare or wellbeing of an adult.
- Any concern that an adult is not safe is taken seriously, responded to promptly, and followed up in line with Swim Wales Safeguarding Adults Policy and Procedures.
- The well-being of those at risk of harm will be put first and the adult actively supported to communicate their views and the outcomes they want to achieve. Those views and wishes will be respected and supported unless there are overriding reasons not to (see the Safeguarding Adults Procedures).
- Any actions taken will respect the rights and dignity of all those involved and be proportionate to the risk of harm.
- Confidential, detailed and accurate records of all safeguarding concerns are maintained and securely stored in line with our Data Protection Policy and Procedures and recorded on MyConcern.
- Swim Wales acts in accordance with best practice advice, for example, from UK Sport, Sport England, Sport Wales, Sport Scotland, Sport Northern Ireland,

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National Governing Bodies, NSPCC, Ann Craft Trust.

- Swim Wales will cooperate with the Police and the relevant Local Authorities in taking action to safeguard an adult.
- All Board members, staff, officials and volunteers understand their role and responsibility for safeguarding adults and have completed and are up to date with safeguarding adult training and learning opportunities appropriate for their role.
- Swim Wales uses safe recruitment practices and continually assesses the suitability of volunteers and staff to prevent the employment/deployment of unsuitable individuals in this organisation and within the sporting community.
- Swim Wales shares information about anyone found to be a risk to adults with the appropriate bodies. For example: Disclosure and Barring Service, Services, Police, Local Authority/Social Services.
- When planning activities and events Swim Wales includes an assessment of, and risk to, the safety of all adults from abuse and neglect and designates a person who will be in attendance as a safeguarding lead for that event.
- Actions taken under this policy are reviewed by the Board and senior management team on an annual basis.
- This policy, related policies (see below) and the Safeguarding Adults Procedures are reviewed no less than on a three yearly basis and whenever there are changes in relevant legislation and/or government guidance as required by the Local Safeguarding Board, UK Sport, Sport Wales and Welsh Government or as a result of any other significant change or event.





## Implementation

Swim Wales is committed to developing and maintaining its capability to implement this policy and procedures.

In order to do so the following will be in place:

- A clear line of accountability within the organisation for the safety and welfare of all adults.
- Access to relevant legal and professional advice.
- Regular management reports to the Board detailing how risks to adult safeguarding are being addressed and how any reports have been addressed.
- Safeguarding adult procedures that deal effectively with any concerns of abuse or neglect, including those caused through poor practice.
- A Safeguarding Lead/ Welfare Officer (see Appendix 1).
- A delegated Safeguarding Lead/Welfare Officer for events/trips/camps/competitions.
- A process for forming a Case Management Group on a case by case basis within clear terms of reference.
- Arrangements to work effectively with other relevant organisations to safeguard and promote the welfare of adults, including arrangements for sharing information.
- Codes of conduct for Board members, Staff, Coaches, Officials, Volunteers and Members, participants and other relevant individuals that specify zero tolerance of abuse in any form.
- Risk assessments that specifically include safeguarding of adults.
- Policies and procedures that address the following areas and which are consistent with this Safeguarding Adults policy.
  - ✓ Safeguarding Children
  - ✓ Bullying and harassment
  - ✓ Social Media
  - ✓ Equality, diversity and inclusion
  - ✓ Safe activities risk assessments
  - ✓ Code of Conducts and a process for breach of these - Staff, Coaches, Officials, Volunteers, Participants/Members, Carers/Personal Assistants, Parents
  - ✓ Discipline and grievance
  - ✓ Concerns, Complaints and Compliments
  - ✓ Whistleblowing
  - ✓ Safe recruitment and selection (staff and volunteers)
  - ✓ Contract compliance
  - ✓ Data protection Policy and information sharing

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## Section 2: Supporting Information



## Key Points

- There is a **legal duty on Local Authorities** to provide support to 'adults at risk'.
- **Adults at risk** are defined in legislation and the criteria applied differs between each home nation. (see definitions page 12).
- The safeguarding legislation applies **to all forms of abuse** that harm a person's well-being.
- The law provides a framework for good practice in safeguarding that makes the overall **well-being** of the adult at risk a priority of any intervention.
- The law in all four home nations emphasises the importance of **person-centred safeguarding**.
- The law provides a framework for making decisions on behalf of adults who can't make decisions for themselves (**Mental Capacity**).
- The law provides a framework for sports organisations to **share concerns** they have about adults at risk with the local authority.
- The law provides a framework for all organisations to **share information and cooperate** to protect adults at risk.



## Safeguarding Adults Legislation

Safeguarding Adults in all home nations is compliant with United Nations directives on the rights of disabled people and commitments to the rights of older people. It is covered by:

- The Human Rights Act 1998
- The Data Protection Act 2018
- General Data Protection Regulations 2018

The practices and procedures within this policy are based on the relevant legislation and government guidance.

- **Wales Safeguarding Procedures 2019**

Many other pieces of UK and home nation legislation also affect adult safeguarding.

These include legislation about different forms of abuse and those that govern information sharing.

Further information can be found here for regulation in Wales;

<https://gov.wales/sites/default/files/publications/2019-06/volume-6-handling-individual-cases-to-protect-adults-at-risk.pdf>

Each home nation also has legislation about the circumstances in which decisions can be made on behalf of an adult who is unable to make decisions for themselves.

Further information can be found in:

- **England and Wales - Mental Capacity Act 2005**

## Definition of an Adult at Risk

The Safeguarding Adults legislation creates specific responsibilities on Local Authorities, Health, and the Police to provide additional protection from abuse and neglect to Adults at Risk.

When a Local Authority has reason to believe there is an adult at risk, they have a responsibility to find out more about the situation and decide what actions need to be taken to support the adult. In Scotland and Wales, the Local Authority can gain access to an adult to find out if they are at risk of harm for example, if that access is being blocked by another person.

The actions that need to be taken might be by the Local Authority (usually social services) and/or by other agencies, for example the Police and Health. A sporting organisation may need to take action as part of safeguarding an adult, for example, to use the disciplinary procedures in relation to a member of staff or member who has

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been reported to be harming a participant. The Local Authority role includes having multi-agency procedures which coordinate the actions taken by different organisations.

### **Wales (Social Services and Well Being Act 2014)**

An **adult at risk** is an individual aged 18 years and over who:

- a) is experiencing or is at risk of abuse or neglect, AND;
- b) has needs for care and support (whether or not the authority is meeting any of those needs) AND;
- c) as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it.

## **Abuse and Neglect**

Abuse is a violation of an individual's human and civil rights by another person or persons. It can occur in any relationship and may result in significant harm to, or exploitation of, the person subjected to it. Any or all of the following types of abuse may be perpetrated as the result of deliberate intent, negligence, omission or ignorance.

There are different types and patterns of abuse and neglect and different circumstances in which they may take place.

Safeguarding legislation in each home nation lists categories of abuse differently however, they all include the following types of abuse:

- Physical
- Sexual
- Psychological
- Neglect
- Financial

Abuse can take place in any relationship and there are many contexts in which abuse might take place; e.g. Institutional abuse, Domestic Abuse, Forced Marriage, Human Trafficking, Modern Slavery, Sexual Exploitation, County Lines, Radicalisation, Hate Crime, Mate Crime, Cyber bullying, Scams. Some of these are named specifically within home nation legislations.

Abuse can take place within a sporting context and the person causing harm might be any other person. For example: a member of staff, a coach, a volunteer, a participant or a fan.

Some examples of abuse within sport include:



- Harassment of a participant because of their (perceived) disability or other protected characteristics.
- Not meeting the needs of the participant e.g. training without a necessary break.
- A coach intentionally striking an athlete
- One elite participant controlling another athlete with threats of withdrawal from their partnership
- An official who sends unwanted sexually explicit text messages to a participant with learning disabilities.
- A participant threatens another participant with physical harm and persistently blames them for poor performance.

Abuse or neglect outside sport could be carried out by:

- A spouse, partner or family member
- Neighbours or residents
- Friends, acquaintances or strangers
- People who deliberately exploit adults they perceive as vulnerable
- Paid staff, professionals or volunteers providing care and support

Often the perpetrator is known to the adult and may be in a position of trust and/or power.

## Table 2

The Safeguarding Adults Legislation in each Home Country defines categories of adult abuse and harm as follows.

<b>Wales (Social Services and Well Being Act 2014)</b>
Physical Sexual Psychological Neglect Financial



## Signs and Indicators of Abuse and Neglect

An adult may confide to a member of staff, coach, volunteer or another participant that they are experiencing abuse inside or outside of the organisation's setting. Similarly, others may suspect that this is the case.

There are many signs and indicators that may suggest someone is being abused or neglected. There may be other explanations, but they should not be ignored. The signs and symptoms include but are not limited to:

- Unexplained bruises or injuries – or lack of medical attention when an injury is present.
- Person has belongings or money going missing.
- Person is not attending / no longer enjoying their sessions. You may notice that a participant in a team has been missing from practice sessions and is not responding to reminders from team members or coaches.
- Someone losing or gaining weight / an unkempt appearance. This could be a player whose appearance becomes unkempt, does not wear suitable sports kit and there is a deterioration in hygiene.
- A change in the behaviour or confidence of a person. For example, a participant may be looking quiet and withdrawn when their brother comes to collect them from sessions in contrast to their personal assistant whom they greet with a smile.
- Self-harm.
- A fear of a particular group of people or individual.
- A parent/carer always speaks for the person and doesn't allow them to make their own choices
- They may tell you / another person they are being abused – i.e. a disclosure

## Wellbeing Principle

*The success of sport, in terms of helping people achieve their potential, making the most of existing talent, and attracting new people to sport relies on putting people – their safety, wellbeing and welfare – at the centre of what sport does.*

Duty of Care in Sport Independent Report to Government Baroness Tanni Grey-Thompson DBE, DL.

The concept of 'well-being' is threaded throughout UK legislation and is part of the Law about how health and social care is provided. Our well-being includes our mental and physical health, our relationships, our connection with our communities and our contribution to society.

Being able to live free from abuse and neglect is a key element of well-being.

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The legislation recognises that statutory agencies have sometimes acted disproportionately in the past. For example, removing an adult at risk from their own home when there were other ways of preventing harm. In the words of Justice Mumby '*What good is it making someone safe when we merely make them miserable?*' What Price Dignity? (2010)

For that reason any actions taken to safeguard an adult must take their whole well-being into account and be proportionate to the risk of harm.

## **Person Centred Safeguarding/ Making Safeguarding Personal**

The legislation also recognises that adults make choices that may mean that one part of our well-being suffers at the expense of another – for example we move away from friends and family to take a better job. Similarly, adults can choose to risk their personal safety; for example, to provide care to a partner with dementia who becomes abusive when they are disorientated and anxious.

None of us can make these choices for another adult. If we are supporting someone to make choices about their own safety we need to understand 'What matters' to them and what outcomes they want to achieve from any actions agencies take to help them to protect themselves.

The concept of 'Person Centred Safeguarding'/'Making Safeguarding Personal' means engaging the person in a conversation about how best to respond to their situation in a way that enhances their involvement, choice and control, as well as improving their quality of life, well-being and safety. Organisations work to support adults to achieve the outcomes they want for themselves. The adult's views, wishes, feelings and beliefs must be taken into account when decisions are made about how to support them to be safe. There may be many different ways to prevent further harm. Working with the person will mean that actions taken help them to find the solution that is right for them. Treating people with respect, enhancing their dignity and supporting their ability to make decisions also helps promote people's sense of self-worth and supports recovery from abuse.

If someone has difficulty making their views and wishes known, then they can be supported or represented by an advocate. This might be a safe family member or friend of their choice or a professional advocate (usually from a third sector organisation).

<b>Table 1</b>
<b>The Principles of Adult Safeguarding in Wales (Social Services and Well Being Act 2014)</b>
<b>The Act's principles are:</b>
<ul style="list-style-type: none"><li>● <b>Responsibility</b> - Safeguarding is everyone's responsibility.</li><li>● <b>Well-being</b> - Any actions taken must safeguard the person's well-being.</li></ul>





- **Person-centred approach** - Understand what outcomes the adult wishes to achieve and what matters to them.
- **Voice and control** - Expect people to know what is best for them and support them to be involved in decision making about their lives.
- **Language** - Make an active offer of use of the Welsh language and use professional interpreters where other languages are needed.
- **Prevention** - It is better to take action before harm occurs.

## Mental Capacity and Decision Making

We make many decisions every day, often without realising. UK Law assumes that all people over the age of 16 have the ability to make their own decisions, unless it has been proved that they can't. It also gives us the right to make any decision that we need to make and gives us the right to make our own decisions even if others consider them to be unwise.

We make so many decisions that it is easy to take this ability for granted. The Law says that to make a decision we need to:

- Understand information
- Remember it for long enough
- Think about the information
- Communicate our decision

A person's ability to do this may be affected by things such as learning disability, dementia, mental health needs, acquired brain injury and physical ill health.

Most adults have the ability to make their own decisions given the right support however, some adults with care and support needs have the experience of other people making decisions about them and for them.

Some people can only make simple decisions like which colour T-shirt to wear or can only make decisions if a lot of time is spent supporting them to understand the options. If someone has a disability that means they need support to understand or make a decision this must be provided. A small number of people cannot make any decisions. Being unable to make a decision is called "lacking mental capacity".

Mental capacity refers to the ability to make a decision at the time that decision is needed. A person's mental capacity can change. If it is safe/possible to wait until they are able to be involved in decision making or to make the decision themselves.

For example:

- A person with epilepsy may not be able to make a decision following a seizure.
- Someone who is anxious may not be able to make a decision at that point.
- A person may not be able to respond as quickly if they have just taken some medication that causes fatigue.



Mental Capacity is important for safeguarding for several reasons.

Not being allowed to make decisions one is capable of making is abuse. For example, a disabled adult may want to take part in an activity but their parent who is their carer won't allow them to and will not provide the support they would need. Conversely the adult may not seem to be benefiting from an activity other people are insisting they do.

Another situation is where an adult is being abused and they are scared of the consequences of going against the views of the person abusing them. It is recognised in the law as coercion and a person can be seen not to have mental capacity because they cannot make 'free and informed decisions'.

Mental Capacity must also be considered when we believe abuse or neglect might be taking place. It is important to make sure an 'adult at risk' has choices in the actions taken to safeguard them, including whether or not they want other people informed about what has happened, however, in some situations the adult may not have the mental capacity to understand the choice or to tell you their views.

Each home nation has legislation that describes when and how we can make decisions for people who are unable to make decisions for themselves. The principles are the same.

- We can only make decisions for other people if they cannot do that for themselves at the time the decision is needed.
- If the decision can wait, wait – e.g. to get help to help the person make their decision or until they can make it themselves.
- If we have to make a decision for someone else, then we must make the decision in their best interests (for their benefit) and take into account what we know about their preferences and wishes.
- If the action we are taking to keep people safe will restrict them then we must think of the way to do that which restricts to their freedom and rights as little as possible.

Many potential difficulties with making decisions can be overcome with preparation. A person needing support to help them make decisions whilst taking part in a sports organisation will ordinarily be accompanied by someone e.g. a family member or formal carer whose role includes supporting them to make decisions.

It is good practice to get as much information about the person as possible. Some people with care and support needs will have a 'One page profile' or a 'This is me' document that describes important things about them. Some of those things will be about how to support the person, their routines, food and drink choices etc. but will also include things they like and don't like doing. It's also important to have an agreement with the person who has enrolled the adult in the sports activity about how different types of decisions will be made on a day to day basis.

If a person who has a lot of difficulty making their own decisions is thought to be being abused or neglected you will need to refer the situation to the Local Authority, and this should



result in health or social care professionals making an assessment of mental capacity and/or getting the person the support they need to make decisions.

There may be times when a sporting organisation needs to make decisions on behalf of an individual in an emergency. Decisions taken in order to safeguard an adult who cannot make the decision for themselves could include:

- Sharing information about safeguarding concerns with people that can help protect them.
- Stopping them being in contact with the person causing harm.

## Recording and Information Sharing

All sports organisation must comply with the Data Protection Act (DPA) and the General Data Protection Regulations (GDPR).

Information about concerns of abuse includes personal data. It is therefore important to be clear as to the grounds for processing and sharing information about concerns of abuse.

Processing information includes record keeping. Records relating to safeguarding concerns must be accurate and relevant. They must be stored confidentially with access only to those with a need to know.

Sharing information, with the right people, is central to good practice in safeguarding adults. However, information sharing must only ever be with those with a 'need to know'. This does **NOT** automatically include the persons spouse, partner, adult, child, unpaid or paid carer. Information should only be shared with family and friends and/or carers with the consent of the adult or if the adult does not have capacity to make that decision and family/ friends/ carers need to know in order to help keep the person safe.

The purpose of Data Protection legislation is not to prevent information sharing but to ensure personal information is only shared appropriately. Data protection legislation allows information sharing within an organisation. For example:

- Anyone who has a concern about harm can make a report to an appropriate person within the same organisation
- Case management meetings can take place to agree to co-ordinate actions by the organisation

There are also many situations in which it is perfectly legal to share information about adult safeguarding concerns outside the organisation. Importantly personal information can be shared with the consent of the adult concerned. However, the adult may not always want information to be shared. This may be because they fear repercussions from the person causing harm or are scared that they will lose control of their situation to statutory bodies or because they feel stupid or embarrassed. Their wishes should be respected unless there are over-riding reasons for sharing information.



The circumstances when we need to share information without the adult's consent include those where:

- it is not safe to contact the adult to gain their consent – i.e. it might put them or the person making contact at further risk.
- you believe they or someone else is at risk, including children.
- you believe the adult is being coerced or is under duress.
- it is necessary to contact the police to prevent a crime, or to report that a serious crime has been committed.
- the adult does not have mental capacity to consent to information being shared about them.
- the person causing harm has care and support needs.
- the concerns are about an adult at risk living in Wales or Northern Ireland (where there is a duty to report to the Local Authority).

When information is shared without the consent of the adult this must be explained to them, when it is safe to do so, and any further actions should still fully include them.

If you are in doubt as to whether to share information seek advice e.g. seek legal advice and/or contact the Local Authority and explain the situation without giving personal details about the person at risk or the person causing harm.

Any decision to share or not to share information with an external person or organisation must be recorded together with the reasons to share or not share information.

## **Multi-Agency Working**

Safeguarding adults' legislation gives the lead role for adult safeguarding to the Local Authority. However, it is recognised that safeguarding can involve a wide range of organisations.

Sports bodies may need to cooperate with the Local Authority and the Police including to:

- Provide more information about the concern you have raised.
- Provide a safe venue for the adult to meet with other professionals e.g. Police/Social Workers/Advocates.
- Attend safeguarding meetings.
- Coordinate internal investigations (e.g. complaints, disciplinary) with investigations by the police or other agencies.
- Share information about the outcomes of internal investigations.
- Provide a safe environment for the adult to continue their sporting activity/ their role in the organisation.



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# Section 3: Appendices



## Appendix 1 - Example Role Description: Safeguarding Lead/Welfare Officer

The designated person within a sports organisation has primary responsibility for putting into place procedures to safeguard adults at risk, supporting club, county and regional welfare/safeguarding leads, where relevant and for managing concerns about adults at risk.

Duties and responsibilities include:

- Working with others within the organisation to create a positive inclusive environment within the sport.
- Play a lead role in developing and establishing the organisation's approach to safeguarding adults and in maintaining and reviewing the organisation's implementation plan for safeguarding adults in line with current legislation and best practice.
- Coordinate the dissemination of the safeguarding adult policy, procedures and resources throughout the organisation.
- Contribute to ensuring other policies and procedures are consistent with the organisation's commitment to safeguarding adults.
- Advise on the organisation's training needs and the development of its training strategy.
- Receive reports of and manage cases of poor practice and abuse reported to the organisation – including an appropriate recording system.
- Support the chair to co-ordinate the case management process.
- Manage liaison with, and referrals to, external agencies for example adult social-care services and the police.
- Create a central point of contact for internal and external individuals and agencies concerned about the safety of adults within the organisation.
- Provide advice and support to welfare officers and play a lead role in their recruitment, selection and training.
- Represent the organisation at external meetings related to safeguarding.



## Appendix 2 - Case Management Groups

Case Management Groups comprise of a select number of individuals with identified and relevant skills, knowledge experience and/or status within the organisation and include at least one member with safeguarding adult expertise. The group's role and decision-making powers need to be embedded within the organisation's governance structure and be linked to related organisational functions such as codes of conduct, and the disciplinary policy and procedures.

The senior management team and Swim Wales Board should receive regular reports from the Case Management Group summarising the cases that have been addressed and their outcomes, as well as any issues that require action by Swim Wales e.g. changes to policy or procedures.

Case Management Groups should have clear terms of reference. They may be 'standing committees' who meet regularly or can be brought together as the need arises.

### **Case Management Group roles include:**

- to ratify any actions already taken by Safeguarding Lead Officer.
- to initially assess and agree immediate response to a safeguarding case (does there appear to be a case to answer?).
- to identify appropriate 'route' for case (e.g. internal/ disciplinary action alone or referral to statutory agencies plus internal/ disciplinary action).
- to decide the level (from local to national) at which the organisation will deal with the concern.
- to consider the need for temporary/ interim suspension order (some organisations' Case Management Group issue suspensions directly, while others can only make recommendations to their disciplinary group).
- to review progress of case(s).
- to identify/ communicate learning from cases.

Case Management Groups' membership should include:

- A designated Chair
- A secretary (often the designated Safeguarding Lead).
- Managers from relevant parts of the organisation where appropriate e.g. Human Resources, Membership, Legal.
- Co-opted independent safeguarding expertise (e.g. from another Sport or relevant profession such as the Police or Social services).



## Appendix 3 – Sources of Information and Support

### Action on Elder Abuse

A national organisation based in London. It aims to prevent the abuse of older people by raising awareness, encouraging education, promoting research and collecting and disseminating information.

Tel: 020 8765 7000

Email: [enquiries@elderabuse.org.uk](mailto:enquiries@elderabuse.org.uk)

[www.elderabuse.org.uk](http://www.elderabuse.org.uk)

### Ann Craft Trust (ACT)

A national organisation providing information and advice about adult safeguarding. ACT have a specialist Safeguarding Adults in Sport and Activity team to support the sector

Tel: 0115 951 5400

Email: [Ann-Craft-Trust@nottingham.ac.uk](mailto:Ann-Craft-Trust@nottingham.ac.uk)

[www.anncrafttrust.org](http://www.anncrafttrust.org)

### Men's Advice Line

For male domestic abuse survivors

Tel: 0808 801 0327

### National LGBT+ Domestic Abuse Helpline

Tel: 0800 999 5428

### National 24Hour Freephone Domestic Abuse Helplines

Wales
Llinell Gymorth Byw HebOfn/ Live free from fear helpline Tel: 0808 8010 800 Type Talk: 18001 0808 801 0800 Text: 078600 77 333

### Rape Crisis Federation of England and Wales

Rape Crisis was launched in 1996 and exists to provide a range of facilities and resources to enable the continuance and development of Rape Crisis Groups throughout Wales and England.

Email: [info@rapecrisis.co.uk](mailto:info@rapecrisis.co.uk)

[www.rapecrisis.co.uk](http://www.rapecrisis.co.uk)

### Respond

Respond provides a range of services to victims and perpetrators of sexual abuse who have learning disabilities, and training and support to those working with them.

Tel: 020 7383 0700 or

0808 808 0700 (Helpline)

Email: [services@respond.org.uk](mailto:services@respond.org.uk)

[www.respond.org.uk](http://www.respond.org.uk)

### Stop Hate Crime

V4 September 2023. Reviewed internally and externally

(This policy will be reviewed every three years and in line with legislation).





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Works to challenge all forms of Hate Crime and discrimination, based on any aspect of an individual's identity. Stop Hate UK provides independent, confidential and accessible reporting and support for victims, witnesses and third parties.

24 hours' service:

Telephone: 0800 138 1625

Web Chat: [www.stophateuk.org/talk-to-us/](http://www.stophateuk.org/talk-to-us/)

E mail: [talk@stophateuk.org](mailto:talk@stophateuk.org)

Text: 07717 989 025

Text relay: 18001 0800 138 1625

By post: PO Box 851, Leeds LS1 9QS

### **Susy Lamplugh Trust**

The Trust is a leading authority on personal safety. Its role is to minimise the damage caused to individuals and to society by aggression in all its forms – physical, verbal and psychological.

Tel: 020 83921839

Fax: 020 8392 1830

Email: [info@suzylamplugh.org](mailto:info@suzylamplugh.org)

[www.suzylamplugh.org](http://www.suzylamplugh.org)

### **Victim Support**

Provides practical advice and help, emotional support and reassurance to those who have suffered the effects of a crime.

Tel: 0808 168 9111

[www.victimsupport.com](http://www.victimsupport.com)

### **Women's Aid Federation of England and Wales**

Women's Aid is a national domestic violence charity. It also runs a domestic violence online help service.

[www.womensaid.org.uk/information-support](http://www.womensaid.org.uk/information-support)

### **Further resources can be found;**

Ann Craft Trust - Safeguarding Adults in Sport and Activity:

Website: [www.anncrafttrust.org](http://www.anncrafttrust.org)

Email: [Ann-Craft-Trust@nottingham.ac.uk](mailto:Ann-Craft-Trust@nottingham.ac.uk)

Telephone: 0115 951 5400



# Swim Wales

## Safeguarding Adults Procedures

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# Introduction

Swim Wales is committed to providing a safe environment for everyone to participate in our organisation and its activities. These procedures must be followed in any circumstances where an adult is at risk of harm.

The procedures should be implemented with reference to Swim Wales Safeguarding Adults Policy and supporting information.

These procedures detail the steps to be taken in responding to any concern that an adult involved in Swim Wales, or its activities, is at risk of or is experiencing harm.

The procedures have two main sections:

Section 1: Reporting concerns- **For everyone**

Section 2: What happens next – **For Safeguarding Lead and organisational response**

The information is presented in flow charts with accompanying text. Please refer to both as the text contains more detail.



## Glossary

For more details please see the additional information sections of Swim Wales Safeguarding Adults Policy.

<b>Adult</b>	<b>A person over the age of 18</b>
<b>Adult at risk</b>	Definition used in legislation (different in each home nation) for adults who the Local Authority has a responsibility to support to prevent them from experiencing (further) harm caused by abuse and neglect.
<b>Abuse</b>	A violation of a person's physical, emotional or mental integrity by any other person.
<b>Case Management Group</b>	A group created by a sports organisation to ensure the organisation carries out its role/s in individual cases of abuse or neglect AND to maintain an overview of the implementation of the organisation's safeguarding functions.
<b>Harm</b>	Damage done to a person's well-being.
<b>MASH</b>	Multi-Agency Safeguarding Hubs are used as a one point of contact/safeguarding referrals in some areas. Where they exist a referral to MASH benefits from the information held by and the expertise of various agencies e.g. Local Authority, Police and Health.
<b>Mental Capacity</b>	The ability to consider relevant information, make and communicate a decision.
<b>Safeguarding</b>	Work to prevent and to stop abuse and neglect.
<b>Safeguarding Adult Team</b>	A team set up to manage the safeguarding of adults at risk within an organisation or more commonly across a Local Authority district.
<b>Safeguarding Adults Board (SAB)</b> (England and Wales)	A statutory body set up in line with national legislation. Statutory membership includes the Local Authority, Police and NHS. Representatives from the voluntary sector and of 'citizens' e.g. a representative from a disabled people's forum are often also included. Their role is to coordinate safeguarding work across the Local Authority district.



# Section 1: Reporting Concerns (For everyone)



## Reporting Concerns About Yourself

**If you are experiencing harm within your club contact the club Welfare Officer or Swim Wales Head of Governance who is the Safeguarding Lead for Swim Wales**

If you are in immediate danger or need immediate medical assistance contact the emergency services 999.

Please contact the Safeguarding Lead. If you would prefer, please contact another member of staff who will help you raise the issue to the Safeguarding Lead.

If the Safeguarding Lead or Welfare Officer is implicated or you think has a conflict of interest, then report to the club Chairperson or Swim Wales Chief Executive Officer.

You can also contact the Police, Social Services, your doctor or other organisations that can provide information and give help and support.

Swim Wales will follow the procedure in this document. If you do not think your concerns are being addressed in the way that they should be please contact your club Chairperson/Chief Executive Officer or a member of the Swim Wales Board.

At all stages you are welcome to have someone who you trust support you and help you to explain what happened and what you want to happen.

**It is of utmost importance to Swim Wales that you can take part in our activities safely and we will take every step to support you to do that.**



## Reporting Concerns About Others (Flowchart 1)

You have a concern, or have been told about, possible abuse of someone else, poor practice or wider welfare issues.

Is the person in immediate danger or need immediate medical attention?

No

Yes

Seek medical attention or contact emergency services **999**

Is a serious crime in progress or been committed?

No

Yes

Contact the police  
**999**

Is it safe to speak with the adult?  
What does the adult want to happen?  
If you know their views include those throughout the process.

Speak to your Club Welfare Officer or National Governing Body Safeguarding Lead and report your concerns without delay.  
If you have concerns that they are implicated or may not act appropriately contact the club Chairperson/Swim Wales CEO

Record all notes using MyConcern.  
If a referral is required, please check with Swim Wales Safeguarding Lead for further support about local authority for the correct/method/form to make a referral. Ensure the referral is recorded on MyConcern using the referral made tab





## Reporting Concerns About Others

You may be concerned about harm to another person because of something you have seen or heard, information you have been told by others or because someone has confided in you about things that are happening or have happened to them.

**You should not keep safeguarding concerns to yourself. If you have concerns and/or you are told about possible or alleged abuse, poor practice or wider welfare issues you must contact Swim Wales Safeguarding Lead or the Club Welfare Officer as soon as you can.**

If the Safeguarding Lead or Welfare Officer is implicated or you think has a conflict of interest, then report to Swim Wales Chief Executive Officer.

**If you are concerned** about harm being caused to **someone else**, please follow the guidance below.

- It is not your responsibility to prove or decide whether an adult has been harmed or abused. It is however, everyone's responsibility to respond to and report concerns they have.
- If someone has a need for **immediate medical attention** call an ambulance on 999.
- If you are concerned someone is in **immediate danger** or a **serious crime** is being committed contact the police on 999 straight away. Where you suspect that a crime is being committed, you must involve the police.
- Remember to be **person centred/make safeguarding personal**. If it will not put them or you at further risk, discuss your safeguarding concerns with the adult and ask them what they would like to happen next. Inform them that you have to pass on your concerns to your Safeguarding Lead or Welfare Officer. **Do not** contact the adult before talking to your Safeguarding Lead or Welfare Officer if the person allegedly causing the harm is likely to find out.
- **Remember not to confront the person thought to be causing the harm.**



## Responding to a Direct Disclosure

If an adult indicates that they are being harmed or abused, or information is received which gives rise to concern, the person receiving the information should:

- Take it seriously.
- Stay calm.
- Listen carefully to what is said, allowing the adult to continue at their own pace,
- Be sensitive.
- Keep questions to a minimum, only ask questions if you need to identify/ clarify what the person is telling you.
- Reassure the person that they have done the right thing in revealing the information.
- Ask them what they would like to happen next.
- Explain what you would like to do next.
- Explain that you will have to share the information with the Club Welfare Officer or Swim Wales Safeguarding Lead or Welfare Officer.
- Ask for their consent for the information to be shared outside the organisation.
- Make an arrangement as to how the Club Welfare Officer/the Safeguarding Lead can contact them safely.
- Help them to contact other organisations for advice and support (e.g. Police, Domestic Abuse helpline, Victim Support -see Appendix 6).
- Act swiftly to report and carry out any relevant actions.
- Record in writing what was said using the adult's own words as soon as possible.

It is important **not** to:

- Dismiss or ignore the concern.
- Panic or allow shock or distaste to show.
- Make negative comments about the alleged perpetrator.
- Make assumptions or speculate.
- Come to your own conclusions.
- Probe for more information than is offered.
- Promise to keep the information secret.
- Make promises that cannot be kept.
- Conduct an investigation of the case.
- Confront the person thought to be causing harm.
- Take sole responsibility.
- Tell everyone.



## Record Keeping

- The club Welfare Officer will complete a Safeguarding Adults Report Form and submit a copy to the relevant local authority and record on MyConcern and notify Swim Wales Safeguarding Lead without delay.
- Describe the circumstances in which the concern came about and what action you took/ advice you gave.
- It is important to distinguish between things that are facts, things that have been observed or over-heard and opinions, in order to ensure that information is as accurate as possible.
- If someone has told you about the harm or abuse, use the words the person themselves used. If someone has written to you (including by email, message) include a copy with the form.

**Be mindful of the need to be confidential at all times.  
This information must only be shared with your Safeguarding Lead or  
Welfare Officer and others that have a need to know –e.g. to keep the  
person safe whilst waiting for action to be taken.**



## **Section 2: What happens next? (Safeguarding Lead and organisational response)**

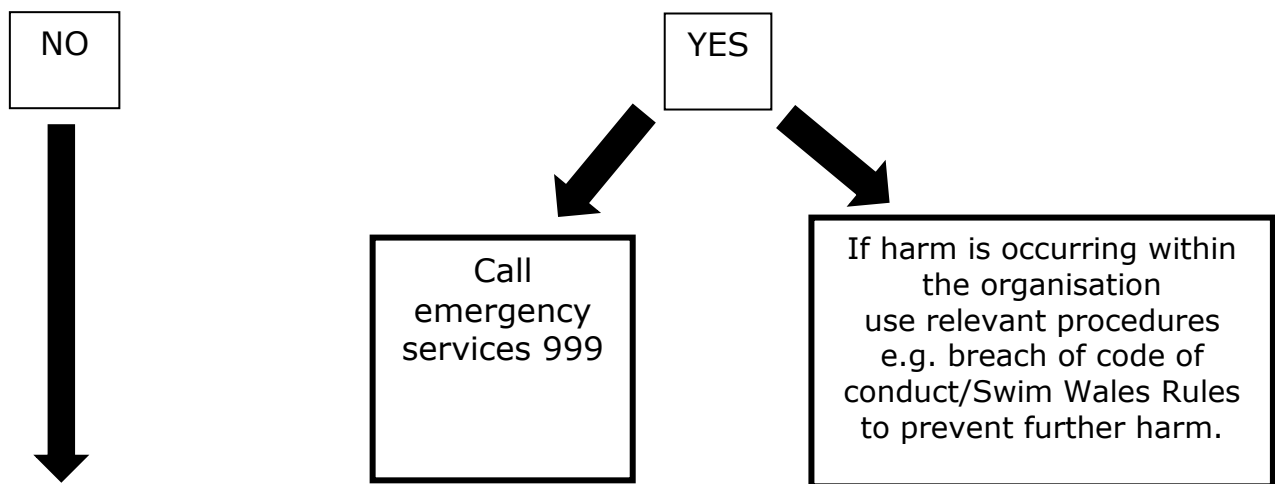


## Procedure for Safeguarding Lead\* (Flowchart 2)

Swim Wales (\*or appointed individual)

Steps 1-5 **Initial response** (as soon as you receive the Safeguarding referral)

**Step 1: Is someone at immediate risk of harm/ danger or in need of immediate medical attention?**



### Step 2 – Safeguarding Report Details

If you have been sent a Safeguarding Adults Report Form check that you can understand what is written and that all the necessary parts have been completed  
If you are being contacted directly request a completed Safeguarding Adults Report Form (staff and volunteers) or fill in the form with the person making the report (public/adult themselves).

### Step 3- Person Making the Report

Inform, reassure and advise the person making the report e.g. what to do/what not to do. Explain what will happen next. Reinforce the need for confidentiality.

### Step 4- Person at Risk

What are the risks? What are the views of the adult? Are they an adult at risk? Do they need support to make decisions about their safety?

Do you need to contact the adult directly? Is it safe for you to do so?

### Step 5 – Person at Risk

If it is safe to do so - ensure the person at risk has information about what will happen next.

Make sure they have been given information about other organisations that can support them (see Appendix 2)



## Steps 6- 14 Taking Action

### Step 6 – Consult and Decide

As needed consult with case management group, Local Authority/the Police and decide which one or more of the following actions need to be taken.

#### Step 7

**If a serious crime is suspected contact the police**

Criminal enquiry, investigation, proceedings

#### Step 8

**If you believe there is an 'adult at risk' make a safeguarding adults report to the Local Authority**

Safeguarding adults process led by Local Authority

#### Step 9

**If harm is suspected of being caused within the club**  
e.g. by an employee, contracted worker, volunteer or member report to relevant manager/s

Organisation takes **short term steps** within relevant policy to **prevent harm** e.g. suspend employee, coach, volunteer or member

#### Step 10

**Consult with and inform the adult**

Organisation decides who will maintain regular contact with the adult/s who have been at risk of harm

### Step 11

Take advice from and **coordinate actions** taken by Swim Wales and with those of **other agencies. Attend and contribute to Safeguarding Adults strategy meetings (Swim Wales will attend all these meetings)**

### Step 12

**Hold Case Management meeting** to coordinate actions by Swim Wales

#### Possible outcomes: e.g.

- Criminal Caution or Conviction
- Police referral back to organisation
- Referral to Independent Barring Board
- Unsubstantiated – no further action

#### Possible outcomes e.g.

- LA enquiries triggered
- Adult supported to 'make safeguarding personal'
- Other adults at risk identified
- Multi-agency meetings to coordinate actions
- New/changed care and support and protection plan for any adult at risk
- NOT an adult at risk – information and advice provided

#### Possible outcomes: e.g.

- Informal resolution
- Education and training
- Formal warning
- Dismissal
- Role conditions applied
- Contract ended
- Referred to Independent Barring Board
- Unsubstantiated – no further action

#### Possible Outcomes: e.g.

- Adult receives information about the process
- Adult supported to have their views and experience heard
- Adult supported to gain support from other agencies
- Adult continues to participate in organisation/sport

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### Steps 13 and 14

Recording and reporting  
Ensure decisions made, actions taken, and outcomes logged and reported.



Once a concern has been passed to Swim Wales Safeguarding Lead, they will coordinate the [ Safeguarding Adults Procedure (see Flowchart 2 below).

The Safeguarding Lead will keep clear **records of** decision making, actions taken, and the outcomes achieved. They will also collect feedback from the adult.

The Safeguarding Lead, where appropriate, in consultation with the Case Management Group, will take the following actions:

## Immediate Response

1. Ensure any **immediate actions** necessary to safeguard anyone at risk have been taken.

If the risk is said to be due to the behaviour of an employee or other person involved in the organisation/activities use the relevant procedures (e.g. breach of code of conduct, breach of contract, disciplinary or grievance procedures) to prevent that person making contact with the adult being harmed.

2. If you have been sent a **Safeguarding Adults Report** check that you can understand what is written and that all the necessary parts have been completed.

If you are being contacted directly by a member of staff or a volunteer request that they complete a Safeguarding Adults Report if they have not already done so (see Appendix 1) as soon as possible.

If the report is being made by the adult themselves or a member of the public fill in the safeguarding report yourself gaining the details with the person contacting you.

3. Inform, reassure, and advise the **person making the report** e.g. what to do/what not to do. Explain what will happen next. Reinforce the need for confidentiality.
4. Consider what is known about the situation, what the risks are, what is known of **the views of the adult**, whether they have given their consent to the report being made and whether they might be considered to be an 'adult at risk'.

Find out whether the person making the report believes the adult has the mental capacity to make decisions about what safeguarding actions they want to be taken (they are not expected to assess this, only provide their opinion).



Decide if you need to **contact the adult** to get more information, determine their wishes, or explain what actions you need to take.

5. Ensure that the **adult has been given information** about the process and what will happen next. Ensure that they have been provided with information about other organisations that can support them (see Appendix 2).

**ONLY do this if you have a known safe way of contacting them.**

## Taking Action

In all situations you should ensure those in your organisation who can act (within their remit) to prevent further harm have the information to do so. This includes supporting the person at risk. Depending on the situation you may need to pass information to and work together with other organisations such as the Police and the Local Authority safeguarding team.

### 6. Consult and Decide

If necessary, consult with Case Management Group and with the Local Authority/the Police and decide which of the following actions need to be taken.

### 7. Contact the police (where the crime took place)

**If:**

- a serious crime has been committed.
- a crime has been committed against someone without the mental capacity to contact the police themselves.
- the adult has asked you to make a report to the Police on their behalf because they are unable to themselves.

### 8. Make a referral/report to the Local Authority Safeguarding Adults Team or Multi-Agency Safeguarding Hub (MASH) (where the adult lives) if you believe they may be an **adult at risk**

**AND**

- the adult appears not to have the mental capacity to make decisions about their own safety and well-being.
- the risk is from a person employed or volunteering in work with adults with care and support needs (including within a sports organisations).
- there are other 'adults at risk' (e.g. another family member, another club member or other people using a service).
- the adult at risk lives in Wales or Northern Ireland (no consent required).
- the adult at risk lives in England or Scotland and they have asked you to make a report or have given their informed consent to you making it.

If a child is at risk you must also make a child safeguarding referral to the Local Authority. This includes all situations where there is domestic abuse within the household where the





child lives.

**If you are unsure whether or not to make a referral/report you can ask for advice by contacting the Local Authority Safeguarding Adults Team/Multi-agency Safeguarding Hub and discuss the situation with them without disclosing the identity of the adult or the person who may be causing harm**

**9. Use policy and procedures to stop harm within the organisation**

If the person who may be causing harm is a person involved in a club/Swim Wales in whatever capacity inform the Chair/Welfare Officer/Swim Wales.

Decide what policy and procedures the organisation will use to decide which actions will be taken e.g. breach of code of conduct, disciplinary procedures, breach of contract.

Agree what short term arrangements can be put in place to enable the adult, who may be being harmed, to be able to continue participating in the organisation/their sport.

The arrangements made must respect the rights of the person who may be causing harm and must be consistent with the relevant policy and procedures.

**10.** If statutory agencies are involved **work together** with them to agree the next steps. E.g. the Police may need to interview an employee before a disciplinary investigation is conducted.

Attend and contribute to any safeguarding adults strategy or case meetings that are called by the Local Authority.

If statutory agencies say that they will not be taking any action in relation to a referral this should not stop the club or Swim Wales taking internal steps to safeguard the adult. E.g. the Police may decide not to pursue a criminal investigation where there is an allegation against an employee, but the organisation should still follow its complaints and concerns or disciplinary procedures

**11.** Decide who in the organisation will **maintain contact with the adult** to consult with them, keep them informed and make sure they are receiving the support they need.

Unless advised not to by the Police or Local Authority, and only if there is a safe way to do so, contact the adult to let them know about the actions you have taken and the outcomes so far. Find out if the actions taken are working, what matters to them, what they would like to happen next and what outcomes they want to achieve.

**12.** Convene a **meeting with appropriate people** to coordinate actions internally to your organisation:



- share information about what has happened with those within the club/Swim Wales who have a role in safeguarding the adult.
- share the views of the adult.
- share any actions being taken by the Police/Local Authority.
- agree who will coordinate between club/Swim Wales and other agencies.
- decide what actions club/Swim Wales will take.
- Coordinate action by club/Swim Wales

These actions can include:

- Use of internal procedures such as breach of code of conduct/disciplinary procedures to address any behaviour that may have caused harm.
- Reporting any employee or volunteer found to have caused harm to the Disclosure and Barring Service.
- Communication with the adult about the safeguarding process, offering support to the adult and making any arrangements needed for them to continue their involvement with the organisation/sport.
- Offering support to staff, volunteers and members affected by the circumstances.
- Ensuring senior managers will be updated as needed.

### 13.

Case Management Group meeting must be **recorded** so that decision making is transparent, and actions agreed are followed. **Follow up meetings** should be held as necessary until the actions needed are complete.

- 14.** Ensure **records are complete and stored securely on MyConcern**. Collate monitoring information, including feedback from the person who was at risk of harm and **report to senior management team/ the Board as requested**.

#### **Adult support/resources can be sourced from:**

**Ann Craft Trust**- Safeguarding Adults in Sport and Activity

Website: [www.anncrafttrust.org](http://www.anncrafttrust.org)

Email: [Ann-Craft-Trust@nottingham.ac.uk](mailto:Ann-Craft-Trust@nottingham.ac.uk)

Telephone: 0115 951 5400

Swim Wales

[www.swimwales.org](http://www.swimwales.org)

