

**BRITISH KENDO
ASSOCIATION**

CHILD PROTECTION
SECTION 1 – POLICIES & PROCEDURES
MARCH 2018

INDEX

| | |
|--|----|
| Child Protection Policy Statement | 2 |
| Procedure for Reporting a Concern | 3 |
| Child Welfare at Events Policy | 4 |
| Appendix to Child Welfare at Events Policy, "Procedure for Missing Participants" | 6 |
| Photography of Juniors Policy | 7 |
| Criminal Records Checks Policy (2017) England/Wales/Northern Ireland | 8 |
| Criminal Records Checks Policy (2017) Scotland | 9 |
| Policy Statement on the Recruitment of Ex-offenders | 12 |

Child Protection Policy Statement

The British Kendo Association acknowledges the duty of care to safeguard and promote the welfare of children and is committed to ensuring that its safeguarding practice reflects statutory responsibilities, government guidance and complies with best practice insofar as possible.

The policy recognises that the welfare and interests of children are paramount in all circumstances. It aims to ensure that regardless of age, ability or disability, gender reassignment, race, religion or belief, sex or sexual orientation, socio-economic background all children-

- have a positive and enjoyable experience of Kendo, Iaido or Jodo, under the British Kendo Association in a safe environment
- are protected from abuse whilst participating in kendo, Iaido or Jodo, with at least one DBS or PVG checked coach per dojo (where eligible)

The British Kendo Association acknowledges that some children, including disabled children and young people or those from ethnic minority communities, can be particularly vulnerable to abuse and we accept the responsibility to take reasonable and appropriate steps to ensure their welfare.

There will be at least one first aider per dojo.

As part of our safeguarding policy The British Kendo Association will endeavour to:

- promote and prioritise the safety and wellbeing of our members
- ensure everyone understands their roles and responsibilities in respect of safeguarding and is provided with appropriate learning opportunities to recognise, identify and respond to signs of abuse, neglect and other safeguarding concerns relating to children and vulnerable people
- ensure appropriate action is taken in the event of incidents/concerns of abuse and support provided to the individual/s who raise or disclose the concern
- ensure that confidential, detailed and accurate records of all safeguarding concerns are maintained and securely stored
- prevent the enrolment of unsuitable volunteers
- ensure robust safeguarding arrangements and procedures are in operation

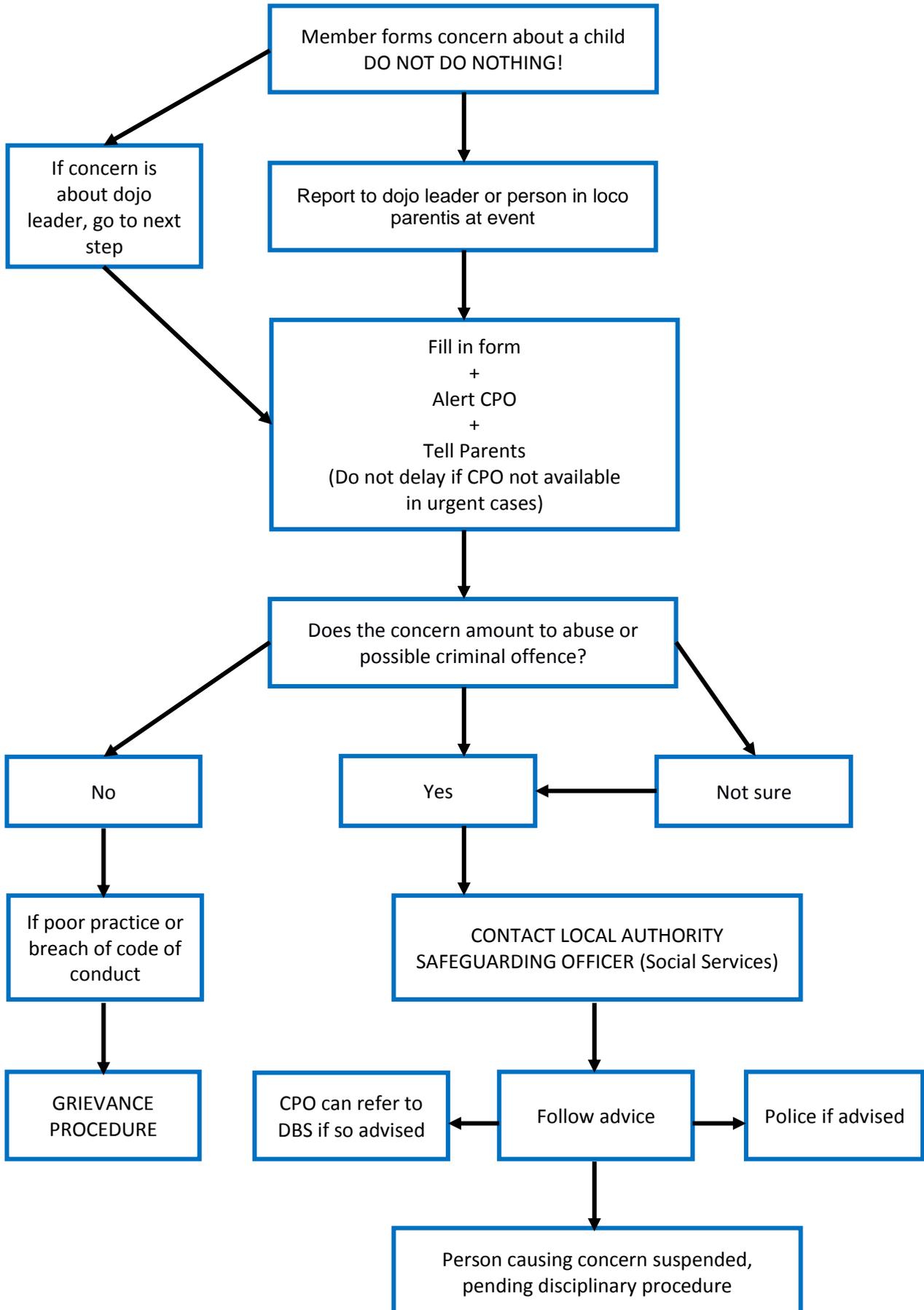
The policy and procedures will be widely promoted and are mandatory for everyone involved in The British Kendo Association. Failure to comply with the policy and procedures will be addressed without delay and may ultimately result in dismissal/exclusion from the organisation.

Monitoring

The policy will be reviewed every three years, or in the following circumstances:

- changes in legislation and/or government guidance
- as required by the Local Safeguarding Children & Vulnerable Adults Board, UK Sport and/or Home Country Sports Councils and The British Kendo Association

Procedure for Reporting a Concern



Child Welfare at Events Policy

Purpose

The purpose of this document is to promote and ensure the well-being of children and young people (under 18) taking part in training events organised by the BKA.

Values and Principles

- The welfare and well-being of children and the young is paramount.
- All participants, whatever their age, gender, culture, language, racial origin, religious beliefs, sexual identity or ability, have equal rights to safety and protection.
- All suspicions, concerns or allegations of harm will be taken seriously and responded to swiftly and appropriately.

Definitions

For the purpose of this document-

BKA- the British Kendo Association

CPO- Child Protection Officer

Child- person under the age of 18 unless otherwise stated

“Parent” shall include natural parents and any person with parental responsibility

Clearance certificates:

DBS- Disclosure and Barring Service (England & Wales)

PVG- Protection of Vulnerable Groups (Scotland)

Access – (Northern Ireland)

Policies

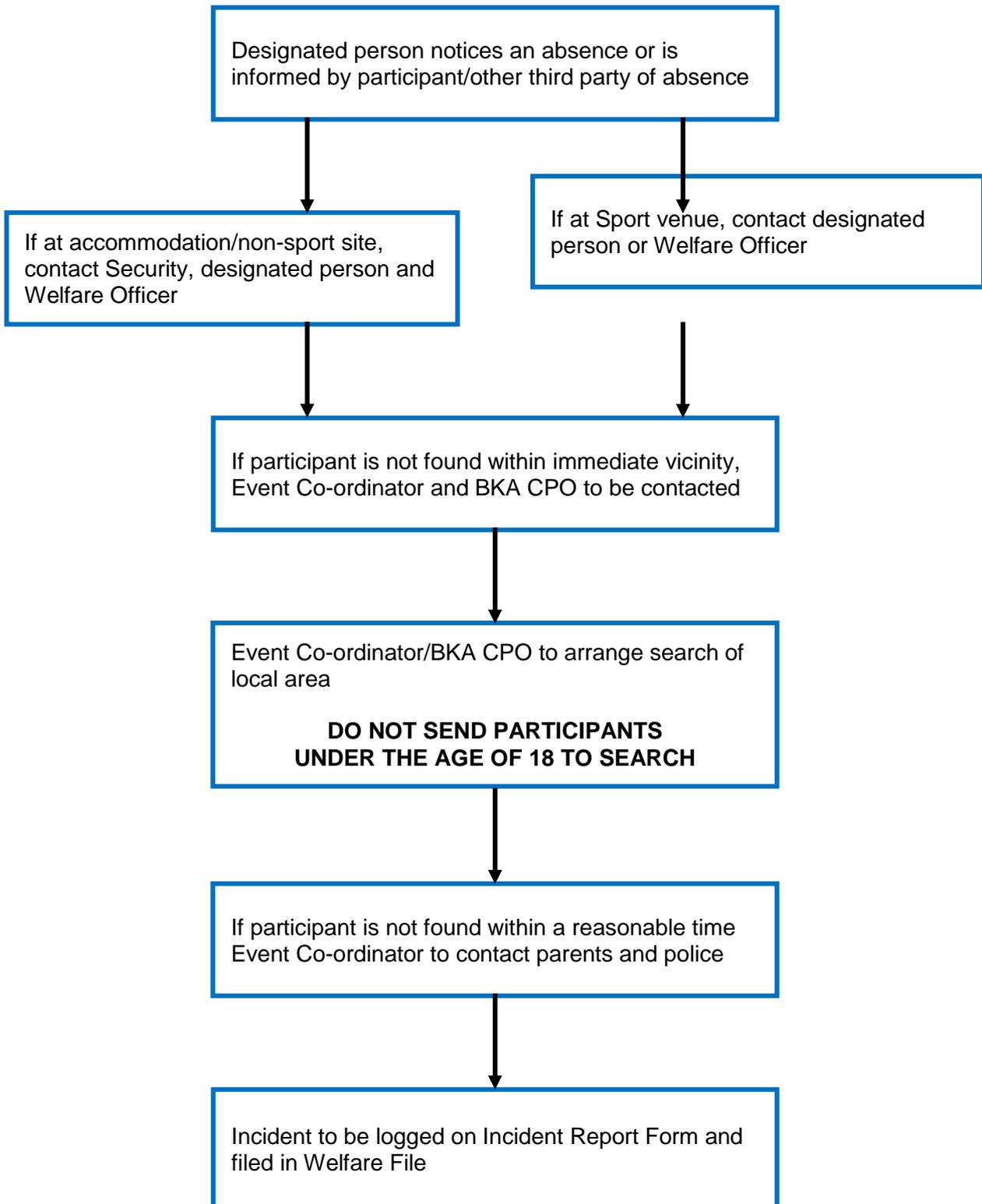
- The provisions of the BKA's Child Protection policy and Code of Practice for Coaches, Safety policy, equality policies, and complaints procedures, shall apply at all BKA events attended by a minor.
- All events' participants are expected to behave with courtesy to others, with due regard to the principles of 'fair play', and respect for differences in gender, disability, culture, race, ethnicity, and religious belief systems between themselves and others.
- Responsibilities for child welfare at events
 1. The child's parent should either be present or have nominated a person to be in loco parentis during the event. This person will be primarily responsible for the child's welfare during the event, except that the provisions concerning loco parentis shall not apply to a child aged 16 or 17 with no relevant additional needs. In this case the Events Organiser shall advise, assist and befriend the child.
 2. The parent will be asked via a notice on the website to download and return the Consents form to the Events officer. If the application is not made online the Events officer will send the parent the relevant forms. These provisions will not apply to children of 16 or 17 who are of sufficient understanding to consent on their own behalf.
 3. The Events Officer will ensure that a copy of the Consent form is brought to the seminar.
 4. The parent will also be made aware via the website, of the availability of the “in loco parentis” and travel forms which should be retained by the person acting in loco parentis and should preferably be brought to the seminar.
 5. (a) The child's parent is responsible for making arrangements for the child to travel to and from the seminar. Any arrangements between the parent and person in loco parentis are private arrangements and should not be regarded as brokered in any way by the BKA.
(b) If the child is 16 or 17 and the parent is content for the child to travel to the venue unaccompanied then the parent should notify the events officer that this is the arrangement.
 6. The person in loco parentis should be present throughout the seminar (at the same venue as the child if the seminar is on more than one site). If the person is not directly participating in the seminar there

should be a participant nominated from whom the child can seek advice whilst in the dojo, preferably someone known to the child.

7. Any concerns which arise should be reported to the Instructors or Events Officer, and the CPO should be kept informed of major issues which have arisen from events.
 8. The CPO will offer the Events Officer advice on request.
 9. There will be sufficient instructors to ensure a child; instructor ratio of 10:1. Instructors should be aware of the number and identity of any minors present at the seminar.
 10. The Events Officer will ensure that there is sufficient First Aid cover for the event.
 11. Photography: the general Photography of Juniors Policy shall apply.
 12. The BKA will take reasonable steps to accommodate any additional needs (eg. caused by disability) notified to them, insofar as this is practicable.
- Reporting of serious incidents
 1. The Events Officer should ensure that s/he has the contact numbers of the local authority designated officer (social services) at the seminar. If requested in advance the CPO will assist in researching any relevant numbers. The Reporting of a Concern policy should be followed.
 2. (a) Where a concern emerges that a child may be being abused at home, or where this is disclosed at the Event, this should be reported to social services/police where the child lives.
(b) Any significant allegations about the abuse of children and young people by any person attending the Event should be reported to the CPO(if present) and Events Officer who will refer the situation to the social services police local to the event. The Events Officer in consultation with the parent, will have overall responsibility for deciding if the individual should remain at the Event or be sent home. The police will advise as to who should contact the child's parents or carers.
 3. Supervision and missing participants: the person nominated by the parent to act in loco parentis will be responsible for the supervision of the child at all times when the child is not within the dojo. Should a child go missing the procedure in Appendix 3 should be followed. "A reasonable time" referred to in appendix 3 will depend on the age of the child and the circumstances but in most cases will be around 20 minutes.
 - Other practical matters
 1. The duty of care for those acting in loco parentis is that of "a reasonably prudent parent". In practice the level of supervision needed of a child will depend on the age of the child.
 2. Participants will need to be informed that their parents/carers will be contacted if they become involved in an accident or a serious breach of safety or discipline.
 3. Parents/carers may be asked to remove their child from the Event at their own cost. The child or young person will be sent home if they engage in any illegal behaviour, behaviour putting either themselves or others in danger, or any other seriously inappropriate behaviour.
 4. A copy of this plan will be provided to parents on request.
 5. Parents should advise their Dojo Leader or Events officer of any non-sport related issues which may affect their child's participation at the Event. This may include:
 - a) a child who may be affected by bereavement
 - b) a child who is 'looked after' by the local authority
 - c) a child who is being bullied in another setting
 - d) any child protection issues
 6. Dojo Leaders, Instructors and other officers involved in the management of the event must be fully conversant with the BKA Child Protection Policies and events procedures. Opportunities will be provided for dojo leaders to request further information or clarification about any points on which they are unsure.

PROCEDURE FOR MISSING PARTICIPANTS

If any person designated on this flow chart is not available then the procedures should still be followed – substituting the most suitable, senior person available. The child/young person’s welfare is paramount at all times.



Photography of Juniors Policy

1. Photography or filming of participants will only be allowed at the event by BKA members and other authorised persons, for the purposes of training, or promotion of the BKA.
2. The parent must consent in advance to the taking of photographic images. Such consent may be general, to cover all dojo sessions or multiple events.
3. Parental consent may be withdrawn at any time.
4. There shall not be unsupervised access to child participants or one-to-one photographic sessions.

Criminal Records Checks Policy (2017)

England/Wales/Northern Ireland

1. Where a fully paid up member who intends to coach under 18 year-olds on behalf of the British Kendo Association (BKA) on a regular basis, he or she will require:
 - a. Shodan grade in the art being coached
 - b. To be nominated by the dojo leader
 - c. A Level 1 or above coaching certificate
 - d. Coaching insurance
 - e. A criminal records check if he/she requires one under the law or this policy

A member meeting criteria (a) to (e) will be entitled to an enhanced Disclosure and Barring Service (DBS) check arranged by the BKA. Where a dojo affiliated to the BKA requires an additional person with a valid criminal records check to meet any legal or policy requirements, the NC will meet any administrative charges made by its agents DDC Ltd, or the DBS.

2. Subsequent to a successful DBS check
 - a. The member will apply for a new certificate every three years whilst he or she continues to be eligible (subject to provision 9f below).
 - b. If the member subscribes to the DBS Online Updating System and maintains this subscription each year, he or she should supply the subscription information to the CPO. The BKA then has the discretion to seek updated information every three years rather than requiring a new certificate.
 - c. Even if subscribed to online updating the member may choose to apply for a new certificate if he or she prefers.
3. A member can rely on an enhanced (with vetting and barring) DBS certificate obtained other than through the BKA, provided that:
 - a. If subscribed to the DBS online updating service, he/she provides the enhanced DBS certificate and subscription details and
 - b. evidence of identity to the CPO to allow a request for an online update to be pursued
 - c. If not subscribed online he/she provides details and sight of the enhanced DBS certificate to the Child Protection Officer ("CPO") and the certificate was granted within the previous three years; and that he/she provides the CPO with details and sight of subsequent certificates
 - d. OR
 - e. The CPO has the discretion to accept a certificate of less than 5 years old if there are circumstances in which it appears to him/her to be practically warranted for example the enhanced DBS certificate is from an organisation operating on a 5 yearly cycle in requiring certificates.
4. The BKA reserves the right:
 - a. not to accept a DBS or other check which shows evidence of convictions or other information relevant to child protection matters. In any such cases the member will not be entitled to coach juniors on behalf of the BKA, and further junior coaching will not be insured by the BKA.
 - b. to refuse a member with a clear enhanced DBS check, the status of coach or right to instruct for the following behaviour:
 - i. Misconduct
 - ii. Being charged with an offence which would give rise to protection concerns in respect of any BKA member
 - iii. Inappropriate behaviour

A BKA member has a duty to inform his or her dojo leader and the Child Protection Officer if he or she is charged with a sexual offence, an offence of violence or any other serious offence which may give rise to possible child protection concerns, and may not rely on any existing certificate in these circumstances.
5. The CPO will record the type, date of issue and serial number of the disclosure certificate on the membership database.
6. If the member ceases to coach or no longer requires a certificate for other reasons he or she must inform the CPO, who will ensure that the records are updated.
7. Where a member intends to open a new dojo open to juniors attending on a weekly or more frequent basis, the dojo leader (or a coach nominated by him to coach juniors) should have a check in place upon opening. For

coaches joining existing dojos, the application should be made within 6 weeks, during which time any teaching of juniors should be supervised.

8. Junior dojos:

Where the dojo is specifically run for junior members, or a majority of members are juniors, all registered coaches who are teaching juniors regularly (monthly or more) will require full DBS checks.

9. Mixed-age dojos:

Where a dojo is run principally for adult members, but accepts juniors, and juniors do not form the majority of members, the following will apply:

- a. The dojo leader or main coach will require a DBS check.
- b. The dojo leader will ensure that the dojo has enough checked coaches to cover in his/her absence or the absence of the main coach.
- c. Subject to the approval of the dojo leader, other registered coaches may elect to:
 - i. Opt out of coaching juniorsOR
 - ii. Teach juniors only under supervision of a checked person (which will not cover them to teach in the absence of the dojo leader)

In either of these cases there will be no requirement for a check. In the context of this clause supervision will mean that the other person is present in the same room/hall.

- d. In the case of (c) i or ii above, the dojo leader should keep a written record of who in the dojo is authorised to teach juniors.
- e. Where there are no juniors present in the dojo three years after the DBS check has been carried out and there have been no junior members attending the dojo in the previous year, then: the coaches teaching only at that dojo will not be required to undertake a new check until another junior member joins the dojo.

10. Events

a. Run for juniors:

where an event is aimed specifically at juniors or the majority of participants are likely to be juniors and a coach has been/is teaching juniors for 4+ consecutive days, overnight, or for 4 days in a 30 day period, the coach will require a check; otherwise they will not require one.

Furthermore, where a coach is teaching only under the supervision of a person with a check, they will not require one.

Visiting sensei are therefore unlikely to be required to have a check.

b. Aimed principally at adults but admitting (less than 50% of) junior members:

Attendance of junior members at this type of event will qualify as "activity merely incidental to adult activity" and therefore coaches will not require checks.

In both cases, this policy is additional to the BKA's 'Child welfare at Events' Policy, which will continue to apply. At both types of events, there should however be at least one person present who holds an accepted enhanced DBS check (or is a member of the PVG scheme), and if there are more than 10 juniors there should be a ratio of 1:10 checked persons to juniors.

11. Infrequent coaching of juniors

- a. A person who is teaching regularly but not frequently, should notify the CPO of his/her situation; the CPO will give advice on entitlement and need for a check (enhanced but not including vetting and barring lists).
- b. The CPO will have the discretion to require a check if the circumstances justify one in her/his view- for example if the person will be in sole charge of children. However the BKA will not routinely require a check in all circumstances where a person falls within the category in 11(a) above.
- c. If a member falling within 11(a), 8(e) or regularly teaching but only under supervision, wishes to have a check as a matter of 'good practice', even though not required by this policy, he/she will be entitled to seek one through the BKA, but the BKA will not meet the costs.

12. Where a dispute arises between a member and the CPO concerning the need for a check, the entitlement to a check or a decision to accept a check and an agreement cannot be reached, then:

- a. the CPO shall make a decision together with the Chair and Vic-Chair (or Secretary if one of those two is not available) and
- b. the member may appeal the matter to the appropriate complaints panel for a decision. Representations to the panel should be made in writing.

Criminal Records Checks Policy (2017)

Scotland

1. Where a fully paid up member who intends to coach under 18-year-olds on behalf of the British Kendo Association (“BKA”) on a regular basis, he or she will require:
 - a. Shodan grade in the art being coached
 - b. To be nominated by his or her dojo leader
 - c. A Level 1 or above coaching certificate
 - d. Coaching insurance
 - e. Where eligible, either:
 - i. Protection of Vulnerable Groups (PVG) Scheme membership, or
 - ii. A Disclosure and Barring Service (DBS) check, if he/she requires one under the law or this policy.

A member meeting criteria (a) to (d) will be entitled to either: PVG membership where required by law, in which case the BKA will meet any administrative charges made by its agents DDC Ltd or Disclosure Scotland; or, where the Child Protection Officer (CPO) has specifically requested a member to undergo an enhanced DBS check then the BKA will meet any administrative charges made by its agents DDC Ltd, or the DBS.

2. Where a member already belongs to the PVG scheme, he or she will provide details of such membership to the CPO. The BKA will seek an updated PVG Scheme record and will meet any fees charged by DDC Ltd and Disclosure Scotland.
3. Where a member holds an enhanced DBS check and the check is 3 years old or over they shall apply for membership of PVG if eligible to do so.

If not eligible for PVG membership but requiring a check under BKA policy they may apply for an enhanced DBS check at the expense of the BKA and the CPO will review the situation 3 years thereafter and advise accordingly.
4. If a member is relying on an enhanced DBS certificate then para 3 of the Criminal records policy for England and Wales shall apply; but the member should seek to join the PVG if possible rather than renewing the DBS certificate.
5. The BKA reserves the right:
 - a. not to accept a PVG record or other check, which shows evidence of convictions relevant to child protection matters. In any such cases the member will not be entitled to coach juniors on behalf of the BKA, and further junior coaching will not be insured by the BKA. This will also apply if at any time the PVG bring convictions to the attention of the BKA.
 - b. to refuse a member with PVG membership or a clear enhanced DBS check, the status of coach or right to instruct for the following behaviour:
 - i. Misconduct
 - ii. Being charged with an offence which would give rise to protection concerns in respect of any BKA member
 - iii. Inappropriate behaviour

In the event that the member is relying on a DBS certificate, he or she has a duty to advise his/her dojo leader and the CPO if charged with any sexual or violent offence or an offence which might give rise to child protection concerns.

6. The CPO will record either details of the PVG scheme membership, or the type, date of issue and serial number of any enhanced disclosure certificate, on the membership database.
7. If the member ceases to coach, ceases to be a PVG scheme member, or no longer requires a check for other reasons he or she will inform the CPO, who will ensure that the records are updated.
8. Where a member intends to open a new dojo open to juniors attending on a regular basis, the dojo leader (or a coach nominated by him to coach juniors) should have PVG scheme membership (or other valid check) in place upon opening. For coaches joining existing dojos, the application should be made as soon as possible after joining.
9. Junior dojos:

Where the dojo is specifically run for junior members, or a majority of members are juniors, all registered coaches who are teaching juniors regularly (monthly or more) will require PVG scheme membership (or alternatively enhanced DBS checks at discretion of CPO).

10. Mixed-age dojos:

- a. Where a dojo is run principally for adult members, but accepts juniors, and juniors do not form the majority of members, the activity may constitute “activity merely incidental to activity with adults” falling outside the PVG scheme. This will depend on the exact circumstances- the dojo leader must contact the CPO to give details of the situation. The CPO will advise the dojo leader whether the BKA wishes to request the member to undertake PVG scheme membership or a DBS check.
- b. Where the activity appears to the CPO to fall outside of the PVG scheme by reason of being ‘incidental activity’, but would constitute ‘regulated activity’ under the Protection of Freedoms Act 2012 (frequent teaching and the coach exercises safeguarding responsibilities), the CPO may request DBS checks for the dojo leader or main junior coach, where the CPO considers it necessary for the purpose of fulfilling the BKA’s common law duty of care of ‘safe recruitment’.
- c. If an activity is believed to be ‘incidental activity’ it is the responsibility of the dojo leader to notify the CPO of any significant changes in that activity to allow the need for PVG scheme membership to be reviewed.
- d. The dojo leader will ensure that the dojo has enough PVG members or checked coaches to cover in his/her absence/the absence of the main coach.
- e. Subject to the approval of the dojo leader, other registered coaches may elect to opt out of coaching juniors, in which case there will be no requirement for a check. The dojo leader should keep records of who is authorised to teach juniors.
- f. Where the activity is held to be ‘incidental activity’ and a coach teaches children only occasionally (less than monthly) there may be no need for a check and the Dojo leader should contact the CPO for advice.
- g. Where a member has an existing DBS check, but there are no juniors present in the dojo 3 years after the check has been carried out; and there have been no junior members attending the dojo in the previous year, then – the coaches teaching only at that dojo will not be required to undertake new checks until another junior member joins the dojo and then they should seek PVG membership if eligible.

11. Events

a. Run for juniors:

where an event is aimed specifically at juniors or the majority of participants are likely to be juniors, and a coach has been/is teaching juniors on a regular basis , the coach will require PVG membership or a check; otherwise they will not require one.

Visiting sensei are therefore unlikely to be required to have a check.

b. Aimed principally at adults but admitting (less than 50% of) junior members:

Attendance of junior members at this type of event may qualify as “activity merely incidental to adult activity” and therefore all coaches may not require either PVG membership or checks.

In both cases, this policy is additional to the BKA’s ‘Child welfare at Events’ Policy, which will continue to apply. At both types of event, there should however be at least one person present who is a member of the PVG scheme (or holds an accepted enhanced DBS check), and if there are more than 10 juniors there should be a ratio of 1:10 checked persons to juniors.

12. Where a dispute arises between a member and the CPO concerning the need for a check, the entitlement to a check or a decision to accept a check and an agreement cannot be reached, then:

- a. the CPO shall make a decision together with the Chair and Vic-Chair (or Secretary if one of those two is not available) and
- b. the member may appeal the matter to the appropriate complaints panel for a decision. Representations to the panel should be made in writing.

Policy Statement on the Recruitment of Ex-offenders

1. Background

All individuals or organisations using the DBS (disclosure and barring service) to help assess the suitability of applicants for positions of trust and who are recipients of Disclosure information must comply fully with the DBS Code of Practice. Amongst other things, this requires them to treat all applicants for positions who have a criminal record fairly and not to discriminate unfairly against the subject of a Disclosure on the basis of conviction or other information revealed. It also obliges them to have a written policy on the recruitment of such individuals, which can be given to all applicants for positions where a Disclosure is requested and to ensure that a body or individual at whose request applications are countersigned has such a written policy. Also, if necessary, to provide a model for that body or individual to use or adapt for this purpose. To assist individuals/organisations to meet this requirement the DBS has produced a policy statement, which can be used or adapted for this purpose. Adherence to this policy will ensure compliance with the DBS Code of Practice in this respect. If appropriate, this policy statement may, optionally, be included within a Company Equal Opportunities policy.

2. Policy Statement

As an organisation using the DBS Disclosure service to assess applicants' suitability for positions of trust, the British Kendo Association ("The BKA") complies fully with the DBS Code of Practice and undertakes to treat all applicants for positions fairly. It undertakes not to discriminate unfairly against any subject of a Disclosure on the basis of conviction or other information revealed.

The BKA is committed to the fair treatment of its staff, potential staff or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.

We have a written policy on the recruitment of ex-offenders, which is made available to all Disclosure applicants at the outset of the recruitment process.

We actively promote equality of opportunity for all with the right mix of talent, skills, and potential and welcome applications from a wide range of candidates, including those with criminal records. We select all candidates for interview based on their skills, qualifications, and experience.

A Disclosure is only requested after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. For those positions where a Disclosure is required, all application forms, job adverts and recruitment briefs will contain a statement that a Disclosure will be requested in the event of the individual being offered the position.

Where a Disclosure is to form part of the recruitment process, we encourage all applicants called for interview to provide details of their criminal record at an early stage in the application process. We request that this information is sent under separate, confidential, cover to a designated person within the BKA and we guarantee that this information is only be seen by those who need to see it as part of the recruitment process.

Unless the nature of the position allows the BKA to ask questions about your entire criminal record we only ask about "unspent" convictions as defined in the Rehabilitation of Offenders Act 1974.

We ensure that all those in The BKA who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences. We also ensure that they have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974.

At interview, or in a separate discussion, we ensure that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment. We make every subject of a DBS Disclosure aware of the existence of the DBS Code of Practice and make a copy available on request.

We undertake to discuss any matter revealed in a Disclosure with the person seeking the position before withdrawing a conditional offer of employment.

Having a criminal record will not necessarily bar you from working with us. This will depend on the nature of the position and the circumstances and background of your offences.