

***Safeguarding
Adults Policy
September 2024***

Purpose of policy: The principles of both the Policy and the Guidance documents are based on our moral and ethical duty to ensure everyone can enjoy paddlesport in a safe environment and as such they reflect current best practice and the legislative framework. This document sets out our commitment to safeguarding and the roles and responsibilities for Paddle Scotland and Affiliated Clubs.

The policy outlines the behaviours and provides a standardised process on how to monitor, record and respond to concerns effectively.

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Policy Statement & Definitions

Paddle Scotland is fully committed to safeguarding the welfare of all members and recognises that while this policy provides for all adult members, there are certain groups within our adult membership that have higher risk factors such as Adults at Risk. Paddle Scotland is responsible for promoting safe practice and protecting all members, from harm, poor practice and abuse.

Staff and volunteers will work together to embrace difference and diversity and respect the rights of all persons within our sport.

Safeguarding is a collective responsibility. Everybody involved in paddlesports has a duty of care to safeguard and protect adults, both inside and outside our sport. Safeguarding training is mandatory for anyone working/volunteering with adults and Paddle Scotland will ensure that all those working or volunteering in regulated activity have access to appropriate learning opportunities to recognise, identify and respond to signs of abuse, neglect and other safeguarding concerns relating to adults.

Paddle Scotland is fully committed to a rights-based approach within our sport. To that end we recognise and implement the general principles of the UN Convention on Human Rights and the UN Convention on the Rights of Persons with Disabilities. Our safeguarding policy also takes into account principles from the Adult Support (Scotland) Act 2007.

This document outlines Paddle Scotland's commitment to protecting Adults and particularly adults at risk within the Paddlesport Family. A separate Paddle Scotland Child Wellbeing & Protection Policy is also available covering those under the age of 18.

Definition

Definition – "Adult":

- A person aged 18 years or above
- We recognise that young people in Scotland gain adult rights at the age of 16. For young people aged 16 and 17 they are afforded protection under both the Child Wellbeing and Protection Policy and this Safeguarding Adults Policy

Definition – "Adult at Risk":

The term adult at risk replaces the previously used term "vulnerable adult"

- Is an adult who is unable to safeguard their own wellbeing, property, rights or other interests;

- is at risk of harm;
- AND
- because they are affected by disability, mental disorder, illness or physical or mental infirmity, are more vulnerable to being harmed than adults who are not so affected. An adult is at risk of harm if: • another person's conduct is causing (or is likely to cause) the adult to be harmed, or
- the adult is engaging (or is likely to engage) in conduct which causes (or is likely to cause) self-harm

Definition taken from The Adult Support and Protection (Scotland) Act 2007

The vulnerability of an adult at risk is related to how able they are to make and exercise their own informed choices free from duress, pressure or undue influence of any sort, and to protect themselves from abuse, neglect and exploitation. It is not a given that by being in one of the above categories an adult is automatically considered to be at risk.

"A disabled/older person is not necessarily an adult at risk, and an adult at risk may not have impairment.

Definition – "Protected Adult":

When talking about Adults at Risk, the term Protected Adult is often mentioned, the 'protected adult' definition relates to the PVG process, and the term is used because:

- unlike children, not all adults are deemed in need of protection so a subcategory of adults had to be identified for the legislation to operate as intended;
- those adults receiving services become 'protected' from those who are unsuitable to deliver such work
- it avoids identifying adults by reason of a condition, or characteristic e.g. everyone over a certain age or by disability

Definition: "Capacity"

Capacity relates to the ability of an individual to make a decision at a particular time. Under the Mental Capacity Act 2005, an individual may be considered to 'lack capacity' if they cannot:

- Understand information given to them to make a particular decision
- Retain that information long enough to make the decision

- Use or weigh up the information to make the decision
- Communicate their decision

The above might be as a consequence of illness or impairment (such as mental health problems, dementia or learning disability (intellectual impairment)).

The law focuses on the principle that everyone has capacity to make a decision if given sufficient support, time and information; and will not treat individuals as 'lacking capacity' just because a decision appears to be unwise or ill-judged.

Whilst it is important to have an appreciation of capacity in order to appropriately support adults at risk it WILL NOT be your role to make a decision about whether an adult 'lacks capacity' or not. Paddle Scotland encourages all within the Paddlesport Family to:

- assume that all adults at risk have capacity, and therefore the ability to make decisions;
- support communication in such a way that the adult at risk can understand information being given and be understood when giving information back;
- treat decisions made by an adult at risk with respect, even if it is felt that a decision is unwise; and
- work with the adult at risk and their advocates (and Independent Mental Capacity Advocate (IMCA) if relevant) to ensure that they are appropriately supported, and capacity continues to be effectively assessed.

Definition – “Adults with a protected characteristics”:

Relates to adults who have one or more of the protected characteristics,

identified by the Equality Act 2010:

- Age
- Disability
- Gender reassignment
- Pregnancy and maternity
- Marriage and civil partnership
- Race
- Religion and belief
- Sex
- Sexual orientation

Paddle Scotland has a separate Equality Policy and recognises when dealing with adult protection issues, that there may be instances where concerns arise as a result

of an equality issue. In those circumstances both this Policy and Paddle Scotland Equality Policy will apply.

Equality:

- We believe the principles of equality should be integral to every aspect of our sport - development, delivery, decision-making - and everyone working in Paddlesport whether in a paid or voluntary capacity should give due regard to equality as a matter of course
- Paddle Scotland fundamentally believes that unlawful discrimination is unacceptable. Paddle Scotland will endeavour through our policies, procedures, actions and decision making, to ensure that no member of the Paddlesport Family receives less favourable treatment or is discriminated against on the grounds of race, disability, gender, religious or political belief, sexual orientation, age, social background, marital status or pregnancy.

Policy Review

We will regularly review this policy and associated procedures:

- In accordance with changes in legislation and guidance on the protection of adults.
- Following any issues or concerns raised about the wellbeing and protection of children and young people within Paddle Scotland.
- In all other circumstances, at least every three years.

Principles

The key principles that underwrite this Policy are:

- Dignity - The wellbeing and dignity of adults is the primary concern
- Equality - All adults, whatever their age, sex, gender identity, disability, marital or civil partnership status, pregnancy or maternity, religion, race, ethnic origin, nationality, political beliefs, socio-economic status or sexual orientation have the right to protection from all forms of harm, poor practice and abuse
- Empowerment - People are supported and encouraged to make their own decisions and informed consent, involving them by asking what outcomes they would like from the safeguarding process and keeping them directly informed.

Adults have the right to express views on all matters which affect them, should they wish to do so

- Prevention – it is always better to take action before harm occurs, providing information, support and an avenue to seek help if required. It is everyone's responsibility to promote and safeguard the welfare of adults
- Proportionality - The least intrusive response appropriate to the risk presented, working in the best of the individual
- Protection - All suspicions and allegations of poor practice, wellbeing concerns or abuse will be taken seriously and responded to swiftly and appropriately. Adults will be provided with help and support to report abuse, wellbeing concerns and poor practice. They will be supported to take part in the safeguarding process to the extent that they wish to
- Partnership - Working in partnership with adults and adults at risk and where appropriate their carers/family/support workers is essential for the promotion of an inclusive sport and a safe and protected environment and to achieve the best result for the individual
- Accountability - Ensuring transparency when delivering safeguarding, where the role of everyone involved is clear; and necessary. Treating any personal and sensitive information that is used in adult safeguarding in confidence, only sharing what is helpful and required
- Support— Affiliated Clubs, Delivery Partners and other organisations involved in the sport of Paddlesport will be provided with the appropriate documentation, education/training and support to ensure the effective implementation of this Policy. Staff, Coaches and Volunteers working with adults should access all available education and training opportunities to ensure best practice becomes the norm

Roles and Responsibilities

Paddle Scotland:

- Provide and implement robust procedures, support and guidance to safeguard the wellbeing of those in the scope of the policy
- Promote the health and welfare of adults by providing opportunities for them to take part in Paddlesport safely
- Respect and promote the rights, wishes and feelings of adults
- Appoint a Lead Safeguarding Officer
- Recruit, train, support and supervise its staff, and volunteers to adopt best practice to safeguard and protect adults from abuse and to reduce risk to themselves
- Require staff, affiliated clubs and volunteers to adopt and abide by this
- Safeguarding Adults Policy and procedures
- Respond to any allegations of misconduct or abuse of adults in line with this Policy and procedures as well as implementing, where appropriate, the relevant disciplinary and appeals procedures
- Maintain confidential records of all complaints, concerns and sanctions against clubs and individuals
- Require all affiliated clubs to adhere to Paddle Scotland's Safe Recruitment processes
- Require all those who are deployed by Paddle Scotland who work with adults at risk including those who act in a pastoral role whilst on trips, to attend available education and training opportunities such as working with disabled performers or adult safeguarding training to ensure best practice becomes the norm

Affiliated Clubs :

- Adhere to the guidelines and procedures contained within this Policy
- Adopt the Paddle Scotland Safeguarding Adults Policy (or have an equivalent policy in place)
- Appoint a Safeguarding Officer
- Safely recruit volunteers/staff in accordance with the safer recruitment procedures
- Champion best practice, set up and implement guidelines on key areas – minimum coach to paddler ratios, transport, accident reporting, consent forms, social media, overnight trips/accommodation, safe use of public facilities
- Have all volunteers, coaches and paddlers agree to and sign appropriate Codes of Conduct

- Accept that all office bearers and committee members have a responsibility for safeguarding, adults and be prepared to respond to any indication of abuse or poor practice or wellbeing concerns
- Be prepared to challenge and alter poor practice
- Maintain confidentiality of all parties involved when investigating, managing and responding to concerns and allegations
- Implement any recommendations from Paddle Scotland relating in this area
- Promote an environment where all legitimate concerns can be raised without fear of victimisation or reprisal
- Require all those working with Adults at Risk to have a satisfactory PVG check and to attend available education and training opportunities such as working with disabled performers or adult safeguarding training to ensure best practice becomes the norm
- Ensure that Paddle Scotland's Equality Policy is adhered to, and that discrimination is prohibited at all levels

Club Safeguarding Officer

All clubs are required to have a Safeguarding Officer in place.

The club safeguarding officer will:

- Ensure all persons working either paid or unpaid with adults and young people at the club are fully aware of what is required of them within their guidelines, the Safeguarding Adults Policy and Codes of Conduct
- Conduct the administrative work associated with processing of information on volunteers/staff (e.g. PVG scheme applications)
- Liaise closely with club volunteers/staff ensuring that agreed procedures for the prevention of risk are followed
- Counsel/advise the club committee on matters of policy relating to adult protection
- Advise/circulate details of opportunities for coaches, volunteers/staff to undertake training
- Act as the contact person for coaches, helpers, club volunteers, parents and participants on any issues concerning the wellbeing of adults within the club, (poor practice, wellbeing concerns or alleged abuse) as well as matters relating to adult protection at the club
- Ensure all incidents are correctly recorded and reported in accordance with Paddle Scotland's Policy and procedures

Adults Working in a Position of Trust/Power/Authority

- All adults who hold an appointed role within a club, e.g. coach, assistant coach, committee member, technical official, team manager etc are in a position of trust which has been invested in them by the members and the sport. This relationship can be described as one in which the adult is in a position of power and influence over the other person by virtue of their position
- Codes of Conduct covering in detail expected behaviour and boundaries are set out in appendix 16 of this Policy
- In the sport of Paddlesport, it is recognised that there are certain boundaries between the coach/ official/volunteer and the paddler which must not be crossed. The relationship is no different to that between a boss in the workplace and their subordinate employee, the circumstances are such that even though both parties are adults there is an inequality of power and status and the position is one of trust
- Adults in positions of trust/authority must not encourage a physical or emotionally dependent relationship to develop between themselves and a person in their care
- Sexual activity or touching by an adult with a protected adult in their care or an adult at risk who does not have capacity is unlawful, even where there is apparent consent.
- Any sexual relationship between an adult in a position of trust within the Paddlesport setting and a person over 16 years of age [consensual or otherwise] is a breach of the Paddle Scotland Wellbeing and Adult/Child Protection Policy and will result in disciplinary action being taken.
- Adults who do not observe best practice in their role and deportment will be in breach of Paddle Scotland's Safeguarding Adults Policy/Anti Bullying Policy/Codes of Conduct and may find that they are investigated and either dealt with via Paddle Scotland's RESPECT Process or referred to the Paddle Scotland Wellbeing and Protection Panel.
- Adults who do not observe best practice with young people will be in breach of Paddle Scotland's Wellbeing & Child Protection Policy/Anti-Bullying Policy/Paddle Scotland's Codes of Conduct and may find that they are investigated via the responding to concerns process set out in this policy.

Protecting Adults

Wellbeing concerns, poor practice and abuse can occur in many situations including the home and within the Paddlesport environment. We know that within sport sometimes adults hurt each other and there are individuals who will actively seek opportunities through sport in order to cause harm to others.

Harm is defined as all harmful conduct:

- Wellbeing concerns
- Poor practice
- Abuse

Wellbeing Concerns

The concept of 'wellbeing' is threaded throughout UK legislation and is part of the Law about how health and social care is provided. Adult wellbeing includes mental and physical health, relationships, connection with their communities and their contribution to society. Being able to live free from abuse and neglect is a key element of wellbeing.

Mental Health & Wellbeing is like physical health, everyone will struggle/ have a challenge with their mental health from time to time and when someone is struggling you may notice changes in them that give rise to a concern.

Bullying is not identified as an explicit form of abuse. Paddle Scotland recognises that bullying is something which may be more frequently experienced by adults at risk and/ or people with Protected Characteristics and therefore have an Equality Policy and Respect Process for Managing Complaints to ensure that bullying is not tolerated and does not persist.

Negative Discrimination (including racism)

Adults may experience harassment or negative discrimination because of their age, sex, gender identity, disability, marital or civil partnership status, pregnancy or maternity, religion, race, ethnic origin, nationality, political beliefs, socio-economic status or sexual orientation. Although not in itself a category of abuse, it may be necessary for the purposes of the Safeguarding Adults Policy and Procedures, for negative discriminatory behaviour to be categorised as emotional abuse.

Poor Practice

Poor practice includes any behaviour that contravenes the Safeguarding Adults Policy or any procedures and guidelines that accompany it or any behaviour that does not respect an adult's /adult at risk's rights or that of their carers/family/support workers. This is behaviour that falls short of abuse but is still considered unacceptable.

The following definitions set out common areas within sport where poor practice can occur, further details for each heading and specific examples are contained in appendix 18

- Breaches of Paddle Scotland's/Club's Policy and Procedures
- Breaches of recognised best practice in coaching
- Practices that may be carried out with the best intentions but fall into a category of behaviours that are used by people who sexually abuse, 'groom' or exploit

Adult Abuse

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.

"Abuse and neglect are forms of maltreatment of an adult. Somebody may abuse or neglect an adult by inflicting, or by failing to act to prevent, significant harm to the adult. Adults may be abused in a family or in an institutional setting, by those known to them or, more rarely, by a stranger."

This definition includes placing an adult at risk through something a person has done to them or something a person is failing to do for them e.g. negligence, omission or ignorance.

There are different types and patterns of abuse and neglect and different circumstances in which they may take place. The Scottish Government's information sheet: 'Adult Support and Protection: Ensuring Support and Preventing Harm' include the following types of abuse:

- Physical: hitting, slapping, pushing, shaking, locking them in a room, tying them to a chair, restricting their freedom
- Psychological: threats of harm, being left alone, humiliation, intimidation, causing distress, verbal abuse, bullying, blaming, constant criticism, controlling, depriving contact with others

- Neglect: failure to provide medical or physical care, access to a doctor or other services, or denying someone medication, food or heating, privacy or dignity, self-neglect
- Financial: stealing, fraud, pressure to hand over or sign over property or money, misuse of property or welfare benefits, or stopping someone getting their money or possessions
- Sexual: any sexual activity that a person doesn't understand or want, photographing, sexual harassment, voyeurism, exhibitionism, grooming
- Information: withholding information or advice about rights or entitlements
- Discrimination: because of age, colour, disability, gender, race, religion, cultural background or sexual orientation
- Institutional: an isolated or persistent and frequent ill treatment, poor or unsatisfactory professional practice, or gross misconduct, perpetrated by an individual or number of individuals within environments where an adult at risk would receive professional 'care'.

These categories are not mutually exclusive, for example, an adult experiencing physical abuse will undoubtedly experience emotional abuse as well. The definitions show the different ways in which abuse may be experienced by an adult but are not exhaustive, as the individual circumstances of abuse will vary from adult to adult.

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.

Identifying Adult Abuse/Harm

There are many indicators that an adult may be suffering abuse, some general signs are included in the following list. Please note that this list is not exclusive.

- unexplained or unusual injuries
- a delay in seeking treatment for injuries or illness;
- sudden increase in confusion;
- unexplained deterioration of health or appearance
- people being anxious or afraid;
- misuse of medication, e.g. not giving medicines properly;
- unexplained changes of behaviour, e.g. becoming anxious and withdrawn, fear of another person;
- pressure by family or professionals(s) to have someone moved into or taken out of care
- hostile or unkind behaviour by a person;
- unexplained debt, not paying bills for services;
- not having their basic needs met, such as adequate food or heating;
- not being provided with adequate information about their rights or entitlements, or being misinformed;
- prejudicial actions or remarks to the adult at risk about age, gender, disability, race, colour, sexual or religious orientation;
- another person using the adult's possessions, bank account or property without his or her informed consent
- the adult at risk not receiving appropriate care, which would protect them from harm

Identifying Adult Abuse

Although the physical and behavioural signs listed may be symptomatic of abuse it does not automatically follow that if these indicators are present an adult is being abused. Also adults experiencing abuse may not demonstrate any of these signs.

Adult abuse is often difficult to recognise. It is not the responsibility of anyone involved in sport to decide whether or not an adult has been abused. This is the role of trained professionals. It is their duty to act on any concerns and report these via the appropriate channels.

All definitions taken from the Scottish Government's information sheet: 'Adult Support and Protection: Ensuring Support and Preventing Harm'

Abuse of Position of Trust

A Relationship of Trust can be described as one in which one party is in a position of power or influence over another by virtue of their position – such as a coach, staff member, club official or other appointed volunteer. A genuine relationship can start between two people within a relationship of trust; however, it is important to recognise that relationships where an unequal power dynamic exists can become exploitative and lead to abuse. Should a genuine romantic relationship develop, the relationship of trust must end (e.g. a coach can no longer coach that athlete) or the relationship must be declared to the person in charge before it progresses and any sexual relationship develops.

Abuse of trust and sexual or other abuse

Any sexual activity, which is not freely consenting, is criminal. The sexual activity covered by abuse of trust may be ostensibly consensual but rendered unacceptable because of the relative positions of the parties concerned. There is also the abuse of trust - where a person is indoctrinated with attitudes to training, drugs and cheating, or social, political and religious views which are unacceptable, community or rules of the sport.

Conduct Requirements on sexual activity between individuals in a relationship of trust aims to:

- Protect an adult from an unequal and potentially damaging relationship
- Protect the person in a position of trust by preventing him/her from entering into such a relationship deliberately or accidentally by providing clear and enforceable guidance on what behaviour is acceptable.

It is acknowledged that in some situations a shared attraction may develop between two people within a relationship of trust. In such circumstances, it is essential that the individual who holds the position of trust behaves in an open manner, makes the Wellbeing & Protection Officer aware of the situation, and resigns from this position of trust if the parties involved wish the relationship to develop beyond the existing

professional one. This will ensure that the previous power differential is not a factor in any future relationship. It is the responsibility of the person in the position of trust to ensure that his or her conduct is fully in line with Paddle Scotland and the affiliated Club Safeguarding and any other relevant policy.

Additional Vulnerabilities

Adults and Children and Young People with a learning or physical disability

Research, including "It doesn't happen to disabled children" Child Protection and Disabled Children, NSPCC (2003), tells us that children and young people who have a learning or physical disability are more vulnerable to abuse; this also applies to adults at risk. This is because:

- They are often dependent on a number of people for care and handling, some of which can be of an intimate nature.
- They may be unable to understand the inappropriateness of the actions or unable to communicate to others that something is wrong.
- Signs of abuse can be misinterpreted as a symptom of the disability.
- Like other children, they are fearful of the consequences of disclosing abuse.
- Attitudes and assumptions that children with disabilities are not abused.
- They may be unable to resist abuse due to physical impairment.
- Of negative attitudes towards children with disabilities.
- Volunteers / Staff should be aware of the additional vulnerabilities that may affect deaf and disabled children and be mindful of this when working with them.

Talented and Elite Paddler

A major independent report called the duty of care review, commissioned by the UK government, led by Baroness Tanni Grey-Thompson, identified common factors that can make some talented players more vulnerable to harmful behaviours, either from themselves, their coaches or parents, or members of their entourage.

These factors include:

- a win at all costs approach
- intense coach-player relationships
- a self-image that is linked closely with performance excellence
- child players operating in an adult-focused environment
- being away from family and support networks
- fear of losing funding or a place on the programme if they speak out

For more information on the additional vulnerabilities and how to safeguard talented and elite adult athletes see appendix A17 – the Vulnerability of Adult Elite Athletes document produced by the Ann Craft Trust

Responding to Concerns

Following Paddle Scotland's Responding to Wellbeing and Protection Concerns procedure when dealing with concerns and disclosures helps:

- Avoid those receiving information from engaging in judgements
- Reassure those who report concerns that an appropriate course of action will ensue
- Support those charged with managing concerns by providing them with a step by step process to follow
- Safeguard the rights of those against whom complaints or allegations have been made

Self Determination

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:

- To protect 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.

Paddle Scotland Staff/Volunteers/Clubs/Delivery Partners 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 (see reporting concerns), RECORD the concerns quickly and confidentially.