

SAFEGUARDING AND CHILD PROTECTION POLICY

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1) Introduction

Cycling UK¹ is a national membership charity championing cycling since 1878. It aims to promote all forms of cycling, protect the interests of existing and potential cyclists as well as inspire people of all ages, backgrounds and abilities to discover the joys of cycling. Cycling UK's vision is of a healthier, happier and cleaner world because more people cycle for enjoyment, health benefits and environmental reasons. By encouraging more people to join and discover the delights of cycling Cycling UK aim to make positive lasting changes to people's lives, communities and the wider environment.

Children² are an important part of this strategy and therefore it is important to establish clear safeguarding procedures that everyone involved in Cycling UK understands and follows. Children have the right to be protected from harm and this Policy sets out the commitment that Cycling UK has made to ensure that the organisation achieves this.

2) Aim and scope of policy

This Policy aims to enable Cycling UK's members and participants to carry out their activities of promoting, protecting and inspiring children to cycle and keep cycling in a safe, fun, supportive and inclusive environment in which children feel valued, listened to and are respected. It aims to provide everyone involved with Cycling UK's activities, the overarching principles that guide the organisation's approach to safeguarding and child protection.

This Policy aims to ensure all those involved in Cycling UK's activities understand and follow the procedures relating to the reporting of concerns about a child and everyone knows where to go for help if they have a concern about a child. This applies to the children of adults who use the organisation's services.

This Policy applies to all trustees, board members, staff, volunteers, members, parents (including guardians and carers) and participants involved with Cycling UK activities and events organised by any of its staff or volunteers.

Where Cycling UK are working together with a third party to provide support or programmes in accordance with Cycling UK's charitable objectives it is important to ensure that there has been communication regarding safeguarding. This Policy will apply to any Cycling UK activities being carried out in conjunction with a third-party provider and unless agreed for a valid reason the procedures will be followed accordingly.

3) Policy Statement

Cycling UK acknowledges its responsibility to keeping children safe, enabling them to participate in its activities and have fun in doing so. Everyone who comes into contact with a child has a role to play in identifying concerns, sharing information and taking prompt action; the organisation aims to ensure that everyone understands their safeguarding responsibilities by providing appropriate learning opportunities

¹ Cyclists' Touring Club is a registered charity number 1147607.

² Throughout this document child and children are referred to as meaning any person under the age of 18 years. It should be noted that in Scotland a child becomes an adult at the age of 16, not 18. For further information on this and how it impacts this Policy see section 6 relating to the relevant legislation in each country.

for all staff, volunteers and trustees. Children should never experience any type of abuse and Cycling UK will take appropriate action when any concerns are raised by following robust safeguarding procedures.

Cycling UK will:

- ensure robust safeguarding arrangements and procedures are in place and followed by everyone in the organisation;
- follow safe recruitment best practice to prevent the employment/deployment of inappropriate or unsafe individuals to work with children;
- ensure that confidential detailed and accurate records of all safeguarding concerns and incidents are kept and stored securely;
- ensure safeguarding concerns are reported and action taken swiftly and efficiently; and
- support is provided to those who raise or disclose safeguarding concerns.

Cycling UK is committed to promoting the welfare of all children, keeping them safe and ensuring all those working with children follow best practice reflecting statutory responsibilities and government guidance in their cycling activities.

4) Principles

This Policy is based on the following principles:

- the welfare of the child is paramount in all the work, events, activities and programmes carried out as well as the decisions made by Cycling UK;
- it is important to value, listen to and respect children's views and opinions;
- all children, regardless of age, disability, gender reassignment, race, religion or belief, sex, or sexual orientation have an equal right to protection from all types of harm and abuse;
- some children are additionally vulnerable because of the impact of previous experiences, their level of dependency, communication needs or other issues; and
- working in partnership with children, their parents, carers and other agencies is essential in promoting children's welfare.

Cycling UK aims to ensure that all children have a positive and enjoyable experience in a safe and child-centric environment. Also that they are protected from abuse or neglect whilst participating in activities run by the organisation as well as outside those activities

5) What are safeguarding and child protection?

Safeguarding and child protection terms which are often used interchangeably; however, they are different. Safeguarding is the proactive promotion of child welfare and positive development; child protection is the reactive protection of specific children from abuse.

Child protection is protecting specific children who are suffering or are likely to suffer from significant harm. In recent times there has been a shift towards more holistic, proactive, preventative services for children leading to the term 'safeguarding' being used more generally. Safeguarding is:

- Protecting children from abuse and maltreatment;
- Preventing harm to children's health or development;
- Ensuring children grow up with the provision of safe and effective care;
- Taking action to enable all children to have the best outcomes.

Safeguards are the measures put in place to help to reduce the risk of harm to children. Child protection is part of safeguarding - it is the action taken to protect specific children from abuse or neglect.

6) Legislation

• England

This Policy is based on the current child protection legislation, policy and guidance issued by the government. The legislative framework for child protection in England is set out in the *Children Act 1989* together with the *Children Act 2004*. These were recently amended by the *Children and Social Work Act 2017*.

The key guidance for anyone working with children in England is *Working Together to Safeguard Children* (July 2018); also *What to do if you're worried a child is being abused: advice for practitioners* (2015) both written by the Department of Education. In addition the Home Office issued in 2016 *Mandatory Reporting of Female Genital Mutilation – procedural information*.

• Wales

In Wales the *Social Services and Well-being (Wales) Act 2014* provides the framework for safeguarding children and adults. The *Rights of Children and Young Persons (Wales) Measure 2011* made Wales the first, and so far only, country in the UK to make the *United Nations Convention on the Rights of the Child* (Office of the United Nations High Commissioner for Human Rights, 1989) part of its domestic law. The measure ensures that children's rights are included in all policy making in Wales. The Welsh Government issued the *Wales Safeguarding Procedures* (2019). For further information see the Wales Safeguarding website.

• Scotland

All policy, legislation and guidance relating to child protection in Scotland is issued by the Scottish government. The current approach is set out in *Getting it Right for Every Child* (2017) referred to as "GIRFEC". This explains the framework for those working with children and families to provide the right support at the right time.

In Scotland, a child legally becomes an adult at the age of 16, but statutory guidance supporting the *Children and Young People (Scotland) Act 2014* includes all people up to the age of 18. If concerns relate to a 16 or 17 year old, agencies may need to refer to the *Adult Support and Protection (Scotland) Act 2007*, depending on the situation of the person at risk. The *National Guidance for Child Protection in Scotland* (2014) (section 21) explains how professionals should act to protect people under the age of 18 from harm in different circumstances.

For further information regarding the procedures relating to child protection and safeguarding in Scotland please refer to the Cycling UK Safeguarding & Child Protection in Scotland Safeguarding Procedures.

• Northern Ireland

The legislative framework for Northern Ireland's child protection system is set out in *The Children (Northern Ireland) Order 1995*. This sets out parental responsibilities and rights and the duties and powers public authorities have to support children.

Regional Safeguarding Boards for Northern Ireland (SBNI) were created by the *Safeguarding Board Act (Northern Ireland) 2011* which also established five Safeguarding Panels to support the SBNIs work at a Health and Social Care Trust level (HSCT).

The Children's Services Co-operation Act (Northern Ireland) 2015 requires public authorities to co-operate in contributing to the wellbeing of children, in the areas of:

- physical and mental health
- enjoyment of play and leisure
- learning and achievement
- living conditions, rights, and economic wellbeing.

Under Section 5 of the *Criminal Law Act (Northern Ireland) 1967*, it is an offence not to report a 'relevant offence' to the police that includes offences against children.

7) Member groups and affiliates

Cycling UK consists of approximately 100 Member Groups spread across the United Kingdom; these are owned by Cycling UK but each has its own constitution. The Groups Handbook is the constitution for our Member Groups, they can add their own rules locally but must abide by rules in Handbook. Member Groups are the backbone of Cycling UK's activities providing their members the opportunity to take part in cycling activities that are safe, enjoyable and accessible. They carry out activities in the name of Cycling UK; formal Member Groups must comply with certain rules and regulations and are able to hold funds. There are also informal Member Groups that are smaller and must be overseen by formal member groups. One of the main benefits of membership of Cycling UK is insurance; in order to be covered by this all volunteers of any informal group must be registered with any formal member group associated with it. Member Groups are bound by this Policy and its requirements.

There are approximately 900 Affiliated Groups; these are not owned by Cycling UK and have a variety of different organisational structures. These groups become members of Cycling UK and their members have benefits through their group membership. Affiliated Groups are advised to follow this Policy otherwise they may use the template policy provided for them. They are required to provide a safeguarding policy for consideration by Cycling UK.

8) Roles and responsibilities

Safeguarding requires everyone to play their part in keeping children safe and to take on the right roles and responsibilities ensuring they have the power to keep themselves and others safe from harm. To create a safe environment, it is important to ensure that everyone is respected, knows their rights, feels able to ask questions and tell someone if they are concerned about something.

• Designated Safeguarding Lead

Cycling UK's Designated Safeguarding Lead (DSL) is the Director of Behaviour Change. The DSL role includes implementing, embedding and championing safeguarding as outlined in the following responsibilities:

- co-ordinate the development and establishment of Cycling UK's approach to safeguarding and which will include the creation of a case management plan;
- work with other members of staff, trustees and volunteers to create a positive, child-centric environment for the organisation's activities to be carried out;
- to be a central point of contact for all referrals or concerns;

- ensure the safeguarding policy is disseminated to all those involved with the organisation;
- establish the appropriate training programme for trustees, staff and volunteers
- manage safeguarding concerns, allegations and incidents;
- manage referrals to statutory agencies (social services or police) of any incidents or allegations of abuse and harm; and
- provide advice and support to staff and volunteers on safeguarding matters.

There are also three deputy DSLs: the Head of Volunteering, Head of Development in Scotland and the Head of Behaviour, Change & Development. If the DSL is unavailable then concerns should be reported to this individual. If the concern relates to the DSL then the matter should be reported to one of the trustees.

• Trustees

There is also a lead Trustee with responsibility for overseeing safeguarding strategy (who sits on the People and Culture committee) helping to ensure the policy is embedded within the organisation.

• Staff, volunteers and members

There are a variety of volunteer roles within Cycling UK – committee members such as the chairman, treasurer and secretary, ride leaders, group managers, administrators and registration officers as well as trustees of the Cyclists' Touring Club itself. With over 65,000 individual members and more than 7,000 registered volunteers taking part in rides, events, campaigns and sharing knowledge and experiences with others it is important that everyone understands their role from a safeguarding perspective.

Each Member Group (formal) must have a designated Welfare Officer who will deal impartially with any general welfare issues as well as any issues relating to discrimination and complaints from Group Members. The Welfare Officer will be offered safeguarding training as part of their volunteer role.

Cycling groups have traditionally offered advice and support for members on an informal basis above and beyond that given during cycling activities.

• Member Group Welfare Officer

A Welfare Officer is the person appointed by a group to resolve, informally in the first instance, any issues that may arise within the group, such as a complaint about a member's behaviour or concerns over an individual's ability to ride safely with the group. The Cycling UK Complaints Policy should be referred to for further information regarding the procedure to be followed for complaints. The Welfare Officer may offer advice and support for members of the group as well as ensuring that all members are treated fairly. The Welfare Officer may attempt to resolve an issue that may arise remaining neutral and impartial or may refer the matter to the committee for advice or consideration. It is recommended that the role is not fulfilled by the person acting as the secretary of the group.

When the matter relates to a safeguarding concern or involves a child then it is important to follow the procedures set out below in the section relating to responding to concerns.

The Member Groups handbook sets out clearly the duties of the Member Group Welfare Officer as follows:

- to be accessible to members to help them in addressing issues such as complaint against individuals, the protection of “adults at risk” and children, and issues of discrimination; and
- to monitor compliance with policies related to this area, such as the Cycling UK Safeguarding and Child Protection Policy.

If a group runs regular programs of rides specifically aimed at children Cycling UK recommends such a person should undertake an appropriate recruitment vetting check (for example the Disclosure and

Barring Service (DBS) check or Disclosure Scotland depending on the country the activity is being carried out in) if the activity involves coaching or training of children and have training in child protection issues. For further information on DBS checks see the section on recruitment below.

9) Responding to and reporting concerns about a child's welfare

Is the child in immediate danger or are they injured? Then the emergency services should be contacted as a priority.

Responding to concerns

It can be very hard for children to talk about abuse they have suffered, as they may fear negative consequences of doing so. It may take some children a long time to talk about abuse they have experienced, some never do. Creating an environment in which children feel comfortable talking about any abuse they may have suffered, taking them seriously and acting swiftly upon any information they disclose are all essential when working with children to ensure there is a child centric culture of openness and vigilance.

To encourage someone to speak up about abuse Cycling UK supports the following five statements produced by the National Council for Voluntary Organisations:

- *We must all stand up for people who can't speak up for themselves.*
- *Speaking up if you're worried someone is harming or abusing someone else is always the right thing to do. It's not the same as 'snitching' or 'being a grass'.*
- *People are often worried that if they report someone for doing wrong, they'll hurt that person. But doing nothing could hurt others even more.*
- *There are many reasons why people might feel uncomfortable or be scared to report suspicions of abuse. That's ok. It's worth fighting those fears so you can help someone.*
- *If you speak up, your organisation should protect you and make sure you're not harmed or criticised for it.*

It is important for staff and volunteers to follow some simple guidelines when responding to concerns or if a child makes a disclosure about behaviour that may be abusive that they have experienced. These guidelines are to:

- ensure the person feels they are being listened to and supported – show them you care and help them to open up;
- let them go at their own pace – allow them to pause and take their time – it may take more than one conversation to hear the full disclosure;
- reflect back and use their language to show that you have fully understood;
- reassure them that they have done the right thing in telling someone about what has happened to them;

- do not promise to keep anything secret as it will always be necessary to tell someone else about the disclosure – however they can be reassured that the information will only be told to certain individuals confidentially within the organisation or other child protection agencies;
- consent – it is important to ask a child for permission to share the information they have told you – if they refuse it must still be shared (it may be necessary to obtain advice about this). Do not wait for this consent – speak to the DSL about how to deal with this;
- make sure they are aware the matter is being taken seriously but it is essential to maintain an unbiased approach – following procedure and treat each case in a fair and transparent manner ensuring each child gets the help and support necessary; and
- make notes of the information – name, age and dates – as well as using the child’s language and vocabulary to record the concern. If it is inappropriate to make notes at the time of the disclosure then they should be made as soon as possible after speaking to the child. It may be appropriate to fill in the Safeguarding Reporting Form at the time of the disclosure. If not, do so as soon as possible afterwards.

It is important not to talk to the alleged perpetrator about the matter as this could possibly make the situation worse for the child involved.

It may be that a child does not disclose the abuse but that adults notice signs that may indicate abuse. These should never be ignored; waiting for a child to disclose abuse may lead to further harm being caused to them or to another child. When a child does disclose abuse it is essential to provide them with support to ensure they are not more vulnerable as a result of the abuse.

If an adult notices something which causes them concern for a child they should ask the child if they are ok or speak to Cycling UK’s DSL about the matter. It is also possible to discuss such concerns with the NSPCC’s confidential helpline (0808 800 5000).

Ignoring signs that may indicate abuse may also harm a child’s mental health leading them to feel despair and hopelessness if no one notices and takes action.

Reporting concerns

It is not the responsibility of anyone volunteering in a Cycling UK group to decide whether child abuse has taken place. However, there is a responsibility to act on any concerns by reporting these to the appropriate officer of the Group or Cycling UK’s DSL or the appropriate authorities if it is not possible to contact the DSL.

Each group should also have someone with a designated safeguarding role, such as a group welfare officer to the contact details of one.

All concerns about a child should be reported to the Welfare Officer or Cycling UK’s DSL. Once concerns have been received by the DSL, together with the relevant line manager they will investigate to understand the current risk to the child. This will be done whilst ensuring the utmost confidentiality is maintained and may include a referral to the local authority.

Appendix 1 contains a flowchart showing the reporting process for dealing with concerns as well as the safeguarding steps to take within Cycling UK.

Recording

It is important that **all** concerns are recorded – including information about:

- the concern
- how it was responded to
- who it was reported to
- and what the outcome of this report was.

Concerns should be reported on the Cycling UK Safeguarding Incident Report Form that should then be sent by email to the Cycling UK DSL.

All reporting forms and documentation relating to the management of the concern must be retained and stored confidentially for at least 25 years. Individual files may be kept for longer if this is considered appropriate. This must meet the requirements of any data protection legislation currently in force.

10) Recognising abuse

Children may not find it easy to talk about the abuse they are or have been experiencing but there are signs that everyone should be aware of and look out for that something is wrong. Everyone who works with children should be able to recognise such signs and indicators so that they are able to respond appropriately to them.

Even if a child is not able to speak to someone about what has happened to them, there may be other indicators that something is wrong. People who work with children need to be able to recognise the potential signs and know how to respond appropriately.

It is also important for those working with children to understand that it is not up to them to decide whether or not abuse has taken place; all they are required to do is to report their concerns, others will decide if abuse has taken place.

Physical abuse

Physical abuse is when someone harms or hurts a child intentionally. Examples of physical abuse are hitting, kicking, burning, poisoning and biting a child. It can also include making up the symptoms of an illness or causing a child to become unwell.

Signs and indicators of physical abuse and what this might look like at Cycling UK are if a child is taken on a ride which is too lengthy for them leading to exhaustion or they are not adequately supported on a ride they have not done before. It could also be if an adult intentionally pushed a child off their bike during a ride leading to physical injuries. It may be that a child arrives for a ride without a parent and has signs of bruising or harm as a result of abuse that may be occurring in the home. These signs should always be recorded and reported.

Emotional abuse

Emotional abuse is any type of abuse that involves the persistent emotional mistreatment of a child and may be called psychological abuse. Emotional abuse can involve deliberately trying to upset, frighten, humiliate, isolate or ignore a child as well as making them feel worthless and unloved or when their existence is only valued in meeting the needs of other people.

Emotional abuse is often found alongside other types of abuse and may mean that it may be difficult to notice the signs, though it can also happen on its own.

In a cycling environment emotional abuse may be an adult making unkind and unnecessary remarks to a child, humiliating them whilst on a ride or making insulting comments or remarks about the child's cycling ability. Having too high expectations of a child or when their worth is dependent on their sporting success are further examples of emotional abuse in a sporting context.

Sexual abuse

A child cannot consent to any type of sexual activity; they may be forced or tricked into the behaviour and not understand that it is abuse and wrong. There are two types of sexual abuse – contact and non-

contact. The latter is when the abuse takes place without any contact between the adult and the child and may be online or in person. Abusers may be male or female.

Contact abuse is where an abuser is in physical contact with a child for example:

- sexual touching of any part of a child's body, clothed or unclothed
 - using a body part or object to rape or penetrate a child
 - forcing a child to take part in sexual activities
 - making a child undress or touch someone else.
-
- Contact abuse can include touching, kissing and oral sex – sexual abuse isn't just penetrative.
 - Where there is no physical contact between a child and the abuser it is known as non-contact abuse and may be either in person or online. It may include:
 - the abuser exposing or “flashing”;
 - showing pornography to the child;
 - making a child watch sexual acts;
 - making them masturbate;
 - forcing a child to make, view or share child abuse images or videos;
 - making, viewing or distributing child abuse images or videos;or
 - forcing a child to take part in sexual activities or conversations either online or on their phone.

Within a cycling context this might be if a ride leader began a relationship with a child who is part of the group. It could be contact sexual abuse or non-contact sexual abuse – for example sending inappropriate photographs to a child or asking them to send them to the adult. Using coaching techniques to enable physical contact have been used by abusers to allow sexual abuse to go disguised and undetected in sports as well as the power of a coach to lead to situations where a child may be abused.

Neglect

Neglect is the consistent failure to meet a child's basic physical and psychological needs and it can have a serious and long-lasting impact on a child's life as well as causing serious harm and even death.

The four main types of neglect are:

- **physical neglect:** failure to meet a child's basic needs, such as food, clothing or shelter, proper supervision or provide for their safety;
- **educational neglect:** failure to provide a child with an education
- **emotional neglect:** failure to provide a child with the necessary nurture and stimulation, for example by ignoring, humiliating, intimidating or isolating them
- **medical neglect:** not providing a child with the appropriate health care refusing care or ignoring medical recommendations.

Within a cycling context it could be if a child is not advised to stay adequately hydrated on a hot summers ride or to wear the appropriate kit for the time of year. A child arriving for a ride without the necessary kit, looking dishevelled or dirty may be being neglected at home and should be spoken to carefully about this.

Bullying and Cyberbullying

Bullying is intentional behaviour that harms another person. This can be done face-to-face or online when it is known as cyberbullying. Examples of bullying are name-calling, spreading rumours, threatening or undermining an individual.

Bullying within the cycling environment might include threatening a child to attend (or not) an event, telling others that a child is not welcome on a ride because they are not capable of it (when in fact they are) or calling a child names in front of others with the intention of humiliating them.

Cyberbullying has become more prevalent in recent years with more and more children having smartphones and internet access. Any of the above behaviour could take place online as well as in person. Social media platforms such as facebook, twitter and instagram all provide bullies with the opportunity to continue to bully children wherever they are and as a result this can lead to mental health issues and further harm.

It can often be other children who bully their peers. This type of behaviour can often be disregarded as “they are just being boys”, “banter” or that the behaviour will stop if its ignore. Bullying of any type should never be allowed or ignored and it is important to report it and have an anti-bullying policy to ensure it is dealt with accordingly.

Peer-on-peer abuse

It is important to understand that children may be abused by other children and that this abuse can be sexual, emotional, physical or bullying. It can often be online as well as in person. If this type of abuse is found to be happening it is essential to realise that both the perpetrator and the victim are children and need to be treated accordingly.

Concerns of this nature should be reported in exactly the same way as those involving adults; Cycling UK’s DSL can provide further guidance and support when dealing with these types of issues.

Other types of abuse

There are within the categories outlined above other more specific types of abuse such as child sexual exploitation, female genital mutilation (FGM), domestic abuse, grooming and child trafficking. Non-recent cases of abuse are also an issue which require addressing if these are reported. All of these types of abuse are explained in more detail on the NSPCC website.

FGM is child abuse and illegal in the UK. In England and Wales, regulated health and social care professionals and teachers have a mandatory duty to make a report to the police if:

- they are informed by a child under the age of 18 that they have undergone FGM
- they observe physical signs that an act of FGM may have been carried out on a child under the age of 18 (*Serious Crime Act 2015* section 74).

The Mandatory reporting of female genital mutilation - procedural information (Home Office, 2016) sets out this duty in further detail.

In Wales, professionals who identify cases of FGM must report to the local authority as well as the police (*Female Genital Mutilation Act 2003* and *Social Services and Well-being (Wales) Act 2014*).

In Scotland there is currently a bill going through the Scottish Parliament strengthening the legal protections for women and girls at risk of FGM. At present FGM is dealt with under emergency powers of the child protection system. The *Prohibition of Female Genital Mutilation (Scotland) Act 2005* makes it an offence to aid or abet a person in carrying out FGM as well as to take or send a woman or girl abroad for to subject her to FGM.

11) Recruitment

The recruitment of the right people within an organisation is essential to its long-term development and sustainability. Encouraging more children to take part in an activity such as cycling will help to grow the sport and bring new people who want to volunteer and work within the member groups. It is important,

however, to ensure that cycling groups have the right people in the most suitable roles for them. It will ensure that groups are well organised, safe and supportive to all involved.

All roles within a Cycling UK group should be assessed to ensure that those filling the roles have the correct qualifications, training and support. When recruiting volunteers the role to be carried out should be carefully considered and described in a role description. The following are also necessary for any applicants whose role involves working with children:

- completed application form;
- a self-disclosure form;
- two referees who may be contacted to provide references (one would usually be from an employer and the other from someone who can provide information about the individual's suitability to work with children);
- information about any previous experience of working with children; and
- an appropriate vetting check such as Disclosure and Barring Service (DBS) (where the role is eligible) or if in Northern Ireland AccessNI or in Scotland a check carried out by Disclosure Scotland.
- It is also advisable to have a short interview before making a decision about whether or not an individual is suitable for the role. Any references provided should also be verified to ensure their veracity.
- Further information on recruitment vetting checks and DBS eligibility may be found at Appendix 10 and 11.

12) Safeguarding Training

Everyone at Cycling UK needs to understand this Safeguarding Policy and help to implement and embed it within the organisation, the Member Groups and all the other cycling groups affiliated to the organisation.

Once recruited, all staff and volunteers should be well informed, trained, supervised and supported to ensure that they effectively safeguard children and know how to respond to any concerns.

Cycling UK will ensure that training and resources are available to encourage the development of staff and volunteers that will include:

- an induction to the work and the organisation
- a trial period in which to develop skills whilst supervised
- ongoing support and monitoring

There are currently no formal qualifications specifically for safeguarding and protecting children in sport; however, training developed by sports and other organisations is available to strengthen the skills and knowledge of the sporting children's workforce to safeguard children within the cycling community. Cycling UK will regularly hold safeguarding training days for all staff and volunteers to ensure they all feel supported and have the awareness required to take appropriate action when necessary.

Training plays an important role in equipping staff and volunteers to do their job safely and effectively. Different safeguarding training is available depending on the person's role. For further guidance see Appendix 2 which shows the CPSU table "Choosing the right training – at a glance". Anyone who thinks they should update their safeguarding training should discuss the matter with the DSL.

It is expected that all those working with children will regularly (once every three years as a minimum) update their safeguarding training; those whose role does not directly involve children will follow any instructions and advice given by the DSL as regards safeguarding training.

13) Photography policy

Cycling UK's Photography and Filming Parental Consent form is at Appendix 3. There is also guidance on using photographs on social media available at Appendix 4 and more general photographic guidance at Appendix 5.

14) Code of Conduct

Cycling UK's Code of Conduct is set out below. This applies to all staff and volunteers in the organisation and failure to follow the outlined behaviour may lead to disciplinary action being taken.

Cycling UK's Safeguarding Code of Conduct All staff and volunteers have an obligation to avoid creating distressing situations. Therefore they are expected to follow the Code of Conduct below:

As a Cycling UK staff/volunteer, you must:

- respect everyone as an individual
- provide a good example of acceptable behaviour
- respect everyone's right to privacy
- report any concerns to Cycling UK's DSL
- show understanding when dealing with sensitive issues
- listen to any concerns from anyone, particularly children, may have
- maintain acceptable boundaries and relationships with children. Engaging in sexual behaviour with anyone under the age of 16 is illegal
- adhere to Cycling UK's policies including implementing the Safeguarding & Child Protection Policy

As a Cycling UK staff/volunteer you must not:

- permit abusive behaviour
- have inappropriate physical or verbal contact with others
- engage in a sexual behaviour with anyone under the age of 18
- make suggestive or inappropriate remarks or actions
- deliberately place yourself or others in a compromising situation

Other adults present

Staff and volunteers should avoid situations where they are alone with a *child* or and adult at risk. This precaution protects all parties by removing the feeling of threat from an insecure participant, and by providing a witness if an accusation of improper behaviour is made. However, there may be occasions where this is not possible and a judgment will have to be made as to what is in the best interests of the child or adult at risk.

Physical contact

Physical contact between an individual and the staff or volunteers should be avoided. There are instances when it is necessary, eg to demonstrate a skill, but such contact should remain impersonal so there is no risk of it being misinterpreted. If contact is necessary the volunteer should always ask permission and advise the individual of the action to be taken.

Appropriate language

Care should be taken about what is said, and the way it is said. Staff and volunteers should always avoid saying anything that could be interpreted as being aggressive, suggestive, or contain any form of innuendo.

Creating false impressions

It is important that staff and volunteers do not create a false impression. Words and actions can be misunderstood, and care should be taken to avoid awkward situations. Should such a situation arise, it is essential to handle it with care and consideration to minimise embarrassment to Ride Leaders, instructors, other volunteers and participants.

15) Social Media and Online Activity Policy

Cycling UK's Social Media Policy (Appendix 4) requires all staff and volunteers to use social media responsibly. Whilst social media has many positive benefits it is important to ensure that all groups and clubs get the best out of these platforms. The Social Media Policy establishes some best practice for groups to follow to protect both them and individuals and is set out below:

- under no circumstances is behaviour that abuses or threatens others tolerated. This includes conduct which is offence or hateful. Any material that abuses or threatens a group or individual will be dealt with through the Cycling UK Complaints Procedure, which may result in termination of membership, account suspensions or other.
- material containing inappropriate, vulgar, abusive language, photos or videos is not permitted and is in breach of Cycling UK's Safeguarding Code of Conduct. Any person who exhibits this behaviour under the Cycling UK name will be taken through the Complaints Procedure, which may result in termination of membership, account suspensions or another other action decided by the charity.
- unless Cycling UK has agreed it in writing it is not permitted for confidential information that relates to a specific individual or the charity to be published.
- ensure that individuals have given permission to be represented online. When capturing images or videos from an event, make sure everyone featured in the photograph is comfortable and has given their permission to be promoted online. If you do put a photo online without permission, it must be removed immediately, upon the request of the individual.

Employees or volunteers who do not adhere to the Cycling UK Social Media Policy may be subject to disciplinary action. Where appropriate any breaches to the Cycling UK Social Media Policy may involve the police or other law enforcement agencies.

16) Adult - Child ratios

The minimum age for unaccompanied children on any ride or event is 13 years old. Children aged 13 to 17 years old may participate unaccompanied if they have parental permission and a signed Parental Consent form (see Appendix 6). There is no lower age limit if accompanied by a responsible adult acting in loco parentis, but a signed Parental Consent form is still needed.

It is important that groups and clubs make sure that parents or guardians understand the following points:

- the demands of the cycling activity and that they alone can make the decision about the ability of their child to complete it;
- that the child may cycle with other adults and/or with other children, but that there is also a possibility of the child cycling on its own (for example with treasure hunt events);
- that while Cycling UK extends a welcome to cyclists of all ages and abilities, no special provision for children is made;
- arrangements to get to and from the event are the sole responsibility of the parent or guardian; and
- that DBS checks may not have been done on event organisers or ride leaders (in accordance with legislation).

Cycling UK, its members, agents and other participants may take photographs during the course of an event, mostly for private use but some may be for local or national publicity purposes. It may be difficult to

ensure that photographs in which your child appears will not be used in any way. If you have concerns about this please speak to the ride leader or event organiser.

17) Safer Activities and Events

Every group has a duty to safeguard children in their care. This includes making sure that all children who attend Cycling UK events and activities are kept safe, whether they are regular or one-off.

Some activities may present additional challenges and risks, which make safeguarding more complex. For example, if an event:

- includes larger numbers of children and adults than the group is used to working with, including some who are new to the group
- requires children to be taken to a different venue and location, sometimes for an overnight stay, sometimes involving activities that are less structured than the normal programme
- is organised with other groups, companies and/or individuals who may not be used to working with children.

It will be important to consider the extra measures that will be needed to be put in place to keep children safe during the event.

The event leader should liaise with Cycling UK's DSL and the key people in any other organisations involved, to draw up a safeguarding and child protection plan (or welfare plan) for the event. The plan should cover the following:

- Cycling UK's and the groups overarching safeguarding and child protection policies;
- the individual with overall responsibility for child protection at the event or activity and how to contact them on the day;
- how staff and volunteers should respond to any welfare or child protection concerns that may arise during the event or activity
- how the event organiser will respond to any allegations of abuse made against an adult or a child involved with your group or organisation during the event or activity
- whistleblowing procedures
- where to go for safeguarding advice and guidance during the event or activity (for example the NSPCC Helpline on 0808 800 5000 or the number of your local child protection services).

Make sure all staff and volunteers involved in the event or activity are aware of and understand this plan. If using a venue belonging to another organisation, a meeting should be arranged in advance to discuss the event and how safeguarding concerns will be managed on the day. There should be consideration of whether the two or more organisations safeguarding policies are aligned; if not if there are any contentious matters which need to be resolved before the event.

Issues such as consent, information sharing, supervision of children and record keeping should be discussed and agreed prior to the event. The NSPCC has guidance on events and safeguarding best practice on its website.

18) Confidentiality and Information Sharing

When a child makes a disclosure, or an adult passes on a concern it is important to understand that whilst a level of confidentiality is always necessary this does not mean that no one else should be told about it. Confidentiality means that it will only be discussed with others who are able to help and deal with the concern.

No one should promise a child to keep any type of concern a secret; it is always necessary to share concerns with others who will be able to help.

Cycling UK staff or volunteers may need to share information for a number of reasons that include:

- making a referral to an agency to arrange support
- another agency has asked for information about a child
- a statutory duty or court order requires information to be shared
- there is concern that a child or a member of their family may be at risk of significant harm
- a serious crime may have been committed or is about to be committed which involves someone in the family
-

There must always be a clear and legitimate purpose for sharing a child's personal information. Keep a record of the reasons why you are sharing or requesting information about a child or their family.

A child's safety and wellbeing must never be put at risk by sharing information about them.

Some professionals have a legal duty to share information relating to safeguarding concerns, for example concerns around female genital mutilation (FGM) or the duty to report in Wales.

19) Charity Commission Requirements

Cycling UK is a registered charity in all of the UK and as such must comply with requirements of the Charity Commission and the Office of the Scottish Charity Regulator (OSCR). The Trustees are required to take steps to protect everyone who comes into contact with the charity from harm and follow guidance issued by the Charity Commission and OSCR that will hold them to account for anything which may go wrong.

For example the Charity Commission require trustees to make sure their charity:

- has safeguarding policies, procedures and measures that comply with current legislation and guidance;
- has a properly implemented safeguarding policy ensuring that everyone is aware of their safeguarding responsibilities and understands how to respond to concerns;
- has a lead trustee for safeguarding and child protection;
- challenges any decision which adversely affect anyone's wellbeing;
- manages allegations of abuse against someone involved in the organisation; and
- reports serious incidents as necessary.

Trustees are required to respect and uphold the values of Cycling UK in accordance with the Trustees' Code of Conduct. They are also required to comply with Cycling UK's policies and procedures. Trustees will be provided with safeguarding training regularly and should report any concerns they may have in the same way that any other volunteer or staff member would.

There are similar requirements for the OSCR.

20) Storing records

Cycling UK will store all safeguarding records in accordance with NSPCC guidance which is available on their website. Records will be stored securely and confidentially. Where such records are electronic they will be stored with password protection and on computers with protection against hackers and viruses.

The length of time a record is kept will generally be 25 years but this time period should always be considered for each concern individually.

21) Positions of Trust in sport

The Child Protection in Sport Unit (“CPSU”) is part of the National Society for the Protection of Children (NSPCC) and have produced a briefing paper on the issue of “Preventing abuse of Positions of Trust in Sport” which can be found at Appendix 7.

A position of trust is when an individual is in a position of authority or power over another individual. There is a need to protect children aged 16 and 17 who, despite reaching the age of consent for sexual activity, are considered to be vulnerable to sexual abuse and exploitation, in certain circumstances. This includes sexual activity and relationships with adults who hold a position of trust, responsibility or authority in relation to them and, as a result, have a considerable amount of power and influence over them.

The current legislation in this area for England is – the *Sexual Offences Act 2003* and the *Safeguarding Vulnerable Groups Act 2006* – do not include sports roles or sports organisations and settings within these definitions. Therefore an abuse of a position of trust within most sport contexts will not be illegal. It should be noted that when a sports coach is employed and working in a school the law will apply to them. In Scotland it is an offence under the *Sexual Offences (Scotland) Act 2009* for a person in a position of trust over a child to engage in sexual activity with that child. There has been recent consultation as to whether or not to extend the definition of position of trust in Scotland but as yet this has not been done. It therefore is limited to defined situations and circumstances that do not extend to sports coaches.

The NSPCC have been lobbying government to extend the law to include sports and their employees and volunteers but at present there has been no change. The NSPCC therefore recommends that sports bodies work to the principles behind the legislation. Codes of ethics and conduct which define acceptable and unacceptable behaviour, and which clearly include any abuse of positions of trust as described above should be incorporated in sporting organisations and apply to all those working or volunteering for them. Breaches of these codes should be robustly addressed through complaints and disciplinary procedures. Cycling UK’s Code of Conduct states that volunteers must not engage in sexual behaviour with anyone under the age of 18. This makes it clear that Cycling UK do not consider it appropriate for anyone who is in a volunteering role may have a relationship with anyone under the age of 18. Whilst any breach of this code of conduct might not be illegal and therefore dealt with by the police, the matter would be significant to Cycling UK and might be subject to disciplinary action.

22) Whistleblowing and Complaints policies

Whistleblowing occurs when a person raises a concern about dangerous or illegal activity, or any wrongdoing within their organisation.

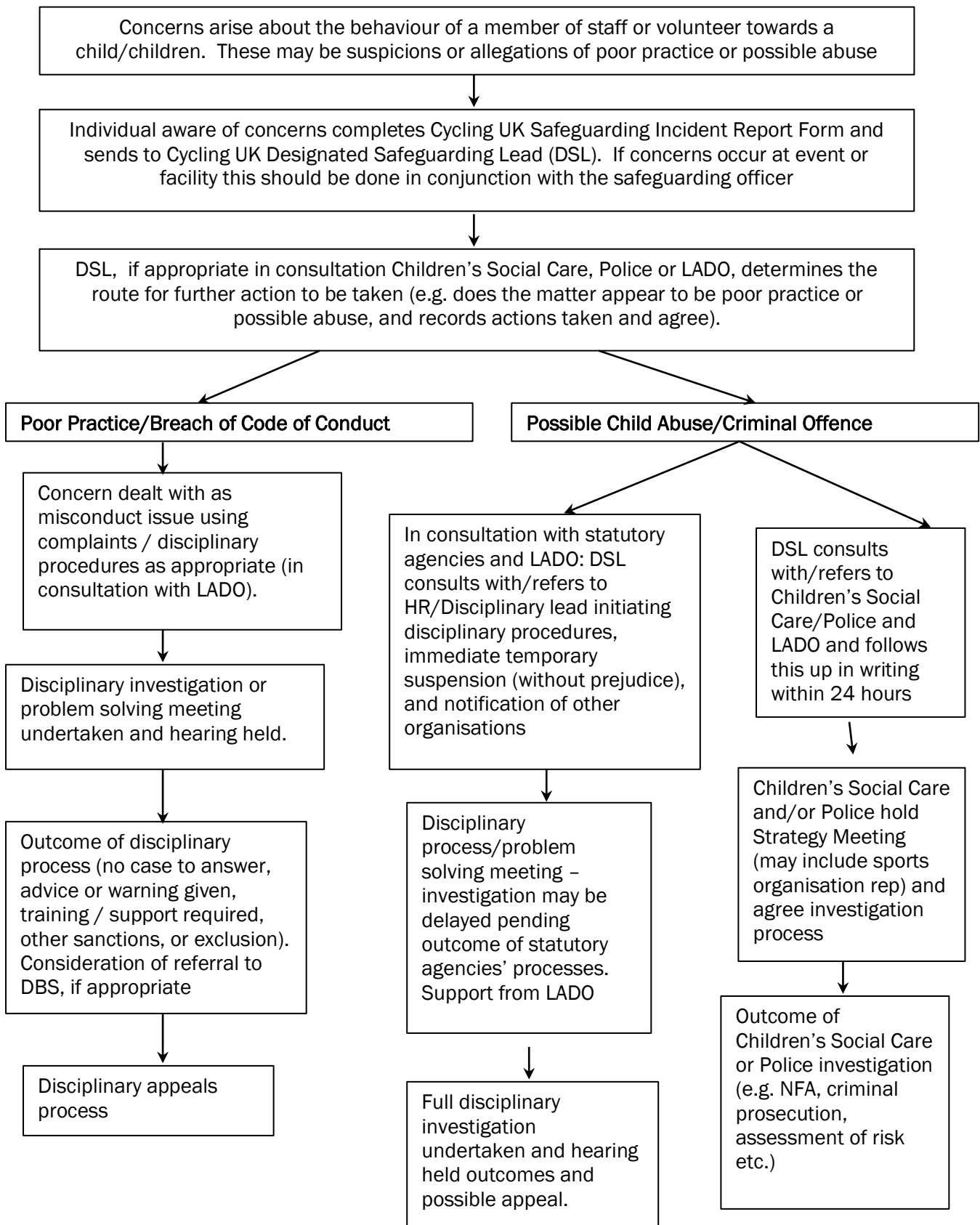
It is important to Cycling UK that any fraud, bribery, misconduct or wrongdoing by staff or others working on behalf of Cycling UK is reported and properly dealt with. Cycling UK therefore requires all individuals to raise any concerns that they may have about the conduct of others in the organisation or the way in which the organisation is run.

The Whistleblowing Policy sets out the way in which individuals may raise any concerns that they have and how those concerns will be dealt with and can be found in the Cycling UK Staff Manual. The extracted policy can be found at Appendix 8.

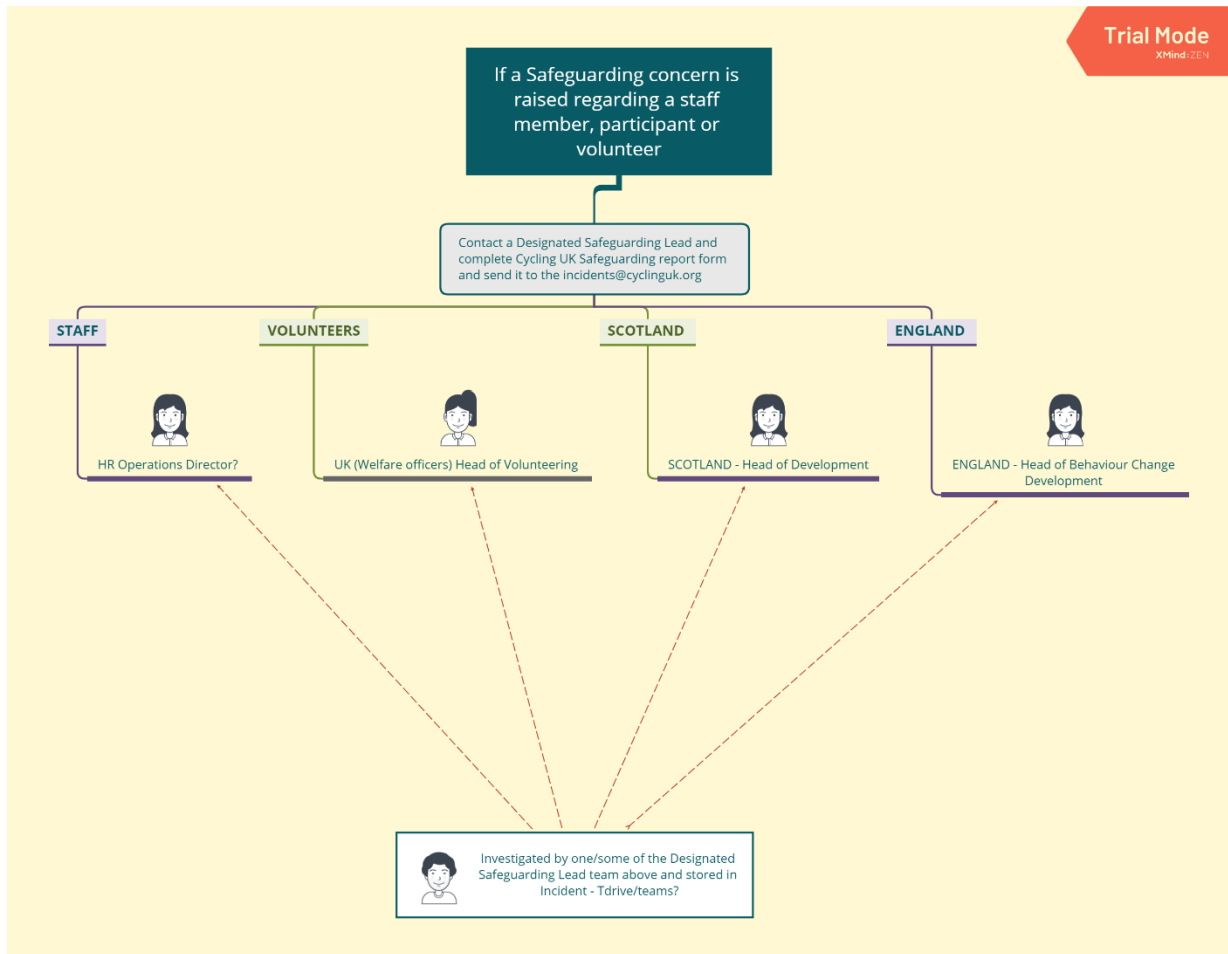
A complaint is when someone tells Cycling UK that they are dissatisfied with something Cycling UK has done (or not done) or the way its staff, members, member groups or volunteers have behaved. The Cycling UK Complaints Procedure is at Appendix 9.

Where a complaint raises a potential safeguarding issue, it should immediately be referred to the Designated Safeguarding Lead who will decide whether it should be dealt with under this Policy, rather than the Complaints Policy.

Appendix 1 - Reporting flowcharts



Safeguarding Steps in Cycling UK - Reporting flowchart



Appendix 2 – CPSU Choosing the Right Training

Safeguarding children and young people in sport

Choosing the right training – at a glance



Introductory training

Introductory courses, such as the NSPCC's *Child protection in sport* – online course, provide an overview and foundation for basic training.

Basic training

This provides opportunities for more in-depth discussions and consideration of the application of safeguarding knowledge and information.

Specialist training

Specialist training builds on this with information more specific to particular safeguarding roles (such as safeguarding lead officers, club welfare officers, or case-management panel members).

Further training

Everyone can benefit from continuing professional development on specific topics. The CPSU runs a programme of free *webinars* and workshops.

Refresher courses are typically required every 3 years or when there is a significant change in legislation or guidance.

- ☆ The right safeguarding training for you depends upon your role within sport, as well as your safeguarding experience and knowledge.
- ☆ Safeguarding training courses may be delivered face to face, online or as a combination of these (blended learning).
- ☆ The NSPCC and CPSU advise face-to-face training as it's the most appropriate format for roles with regular responsibility for children.

Your role	Introductory safeguarding training	Basic safeguarding training	Specialist safeguarding training	Continual professional development
No contact with children or young people	✓			✓
Incidental contact with children and young people	✓			✓
Regular contact with children and young people - no direct responsibility for them	✓			✓
Young volunteer	✓		✓	✓
Regular responsibility for children and young people - supervised	✓	✓	✓	✓
Regular responsibility for children and young people - unsupervised	✓	✓	✓	✓
Responsibility for children and young people - overnight or residential activities or at an event	✓	✓	✓	✓
Designated safeguarding (children and young people) - club level	✓	✓	✓	✓
Designated safeguarding (children and young people) - county/regional	✓	✓	✓	✓
Designated safeguarding (children and young people) - national level	✓	✓	✓	✓
Managerial/board/senior level of employment or deployment	✓		✓	✓
Role with responsibility for recruitment decisions	✓		✓	✓

Further information may be found on the CPSU website.

Photography and Filming Parental Consent

(to be completed for all riders under 18)



I hereby grant Cycling UK and/or (insert name of group) the right to use the photo(s) and video(s) for all general purposes in relation to Cycling UK's and/or the work of (insert name of group), including, without limitation, the right to use them in any publicity materials, books, newspapers and magazine articles.

Our full Privacy Policy can be found at www.cyclinguk.org/privacy.

Please tick boxes as appropriate:

Consent given to:

Cycling UK:

(insert name of group):

Name(s) of child(ren) if under 13 (please print):

Age(s) of child(ren):

Name and address of Parent/ Guardian/ Carer if person to be photographed and/ or videoed is less than 13 years of age or is unable to give permission themselves. Children aged 13 to 17 may complete this section themselves:

Name(s) (please print):

Address:

Signature: Date:

For organisers:

This form can be used by Cycling UK Member Groups and affiliated groups to ask for consent when taking photos or videos at rides and events. Please fill in your group name in the three gaps, print several copies out and take to rides and events.

Appendix 4 – Cycling UK's Social Media Policy

Introduction

This social media policy describes the rules governing its use at Cycling UK.

Cycling UK wants staff, volunteers and contractors to be able to enjoy the benefits of social media whilst understanding the practices we expect.

The policy sets out the rules of how staff, volunteers or contractors must behave when using social networking sites. It also sets out how employees can use these platforms safely and effectively.

You might like to read this advice alongside our Complaints Procedure, Social Media Data Protection Guidelines and Staff Handbook.

General advice

Staff, volunteers and anyone representing the charity on social networking sites should apply the same standards of conduct online as they are expected to apply in their work offline.

Before staff and volunteers start to use social media on behalf of the charity they should be familiar with privacy settings of the social networking sites to ensure that they are secure and appropriate for privacy, the content and intended audience.

Overall, any content (including videos and images) that is put out on social media should relate to directly to the charity's aims and objectives. For example:

- share advice, guidance, campaigns and stories developed by the charity
- share content or studies created by other organisations that support the Cycling UK's objectives (but make sure that the content is read thoroughly and not just the headline, so you can ensure that article is appropriate)
- support new initiatives, drives and membership recruitment

The communications team always welcomes and encourages new ideas and are happy to experiment with alternative ideas. If you have something you would like to try out on social media, please contact the Social Media Officer to discuss this before posting. Try to be positive, upbeat and helpful in the language and style of your communications online. Join in conversations you think will help the organisation, refer to our website and what we do as often as you can. If you are unsure about what to say, or whether to get involved contact the Head of Communications or Social Media Officer. Content in the public domain can be shared indeterminately. Due to the nature of social media, the platforms are in the public domain and it is not always possible to know when or where your content is being viewed, shared, bookmarked, or commented on. There can be no expectation that posts will remain private and will not be passed on to other people, intentionally or otherwise. Material published online may have the potential to be available publicly, indefinitely.

All staff, volunteers and Cycling UK representatives are responsible for the content they post this includes, but is not exclusive to words, videos and images that are shared in an online environment. Therefore, they are advised to consider whether any comment, image or video is appropriate and whether they would want the charity, fellow staff members, volunteers and anyone externally to see.

Responding to the audience

Never make any commitments or promises on behalf of Cycling UK without checking with the organisation first, in the first instance call the Social Media Officer or Head of Communications for advice.

Cycling UK are often involved with legal cases. Never comment on anything related to legal matters, litigation that the charity may be involved in or in dispute with without prior consent.

If you make a mistake online, apologise quickly and honestly and learn from them for future postings. Be shrewd about protecting yourself, your privacy, and the charity's confidential information. What you publish is widely accessible and will be around for a long time, so consider the content carefully.

Disagreements online

When disagreeing with others' opinions, remain appropriate and polite. If you find yourself in a situation online that looks as if it may be becoming hostile or aggressive, do not get overly defensive and do not disengage from the conversation abruptly; ask the Digital and Social Media Officer, Lucy Watherston for advice or disengage from the dialogue in a polite manner that reflects well on the charity. If somebody is criticising the charity directly, we advise acknowledging their complaint publicly and taking the discussion offline.

If you want to write about another organisation, make sure you behave professionally, diplomatically, ensure you have the facts straight and you have permission from the Social Media Officer or Head of Communications.

Social media is not the best way to respond to sensitive, confidential or complex issues. Take these conversations offline by obtaining an email address or phone number privately so you can discuss the issue further.

Accounts and authorised users

Only people who have been given permission to use Cycling UK's social media accounts may do so. Authorisation is granted by the Head of Communications and the Social Media Officer.

Allowing only a select number of people on the accounts enables Cycling UK to meet the demands of the charity equally, ensures that the business objectives are met and that it remains consistent and cohesive. Social Media accounts related to the organisation must not be created without the permission of the Social Media Officer. Any employee who has a case for a new social media platform being created please put this to the Social Media Officer.

All passwords must be kept confidential and must never be shared unless you have written permission from the Social Media Officer. It is highly recommended that strong passwords are used and changed regularly. If you decide to change the password please communicate this anyone using the account who may be affected and the Social Media Officer in advance.

Staff, volunteers or authorised users must not use a new software download or app with any of the social media accounts without prior written approval from the Social Media Officer. Never click on any links that you are not familiar with and look suspicious.

Use of social media in the office

The charity recognises that members of staff may occasionally wish to use social media for personal use at their place of work, by means of Cycling UK's IT resources. Such incidental and occasional use of these systems is permitted, provided that: it is not excessive, does not disrupt, distract or is intrusive to the conduct of Cycling UK's business and/or work colleagues (for example, due to volume, frequency or cost), such communications do not bring Cycling UK into disrepute.

Where appropriate, in accordance with the IT regulations and where the law permits, Cycling UK reserves the right to monitor use of social media platforms and take appropriate action to protect against any misuse that may be harmful to the charity. When highlighting your place of work on your social media profile, you need to remember that you are a representative of that organisation. Anyone who links these two together needs to make it clear in their bio's 'all views expressed are their own.'

Code of Conduct

This code of conduct is intended to establish appropriate, safe and professional use of social media. Individuals who represent the Cycling UK brand or work under its banner are expected to adhere to the policy, including staff, volunteers, contractors or anyone representing Cycling UK online.

The purpose of this Code of Conduct is:

- To encourage best practice online
- To ensure that all behaviour online is dealt with properly and professionally
- To ensure that the organisation is represented appropriately at all times

Using social media responsibly

Social media has many positive benefits and it is our aim to make sure that groups and clubs get the best out of these platforms. Below are a few rules that we have put in place to protect individuals or groups online and ensure best practice for the organisation. Material which abuses or threatens others Under no circumstances do we tolerate behaviour which abuses or threatens others. This includes conduct which is racially offensive or hateful. Any material which abuses or threatens a group or individual will be dealt with through the Cycling UK Complaints Procedure, which may result in termination of membership, account suspensions or other. Material that is illegal or contains vulgar abusive language, photos or videos

Material which contains vulgar, abusive language, photos or videos is not permitted and directly goes against Cycling UK's code of conduct. Any person who exhibits this behaviour under the Cycling UK name will be taken through our Complaints Procedure, which may result in termination of membership, account suspensions or another other action decided by the charity.

Do not publish information that is confidential

Unless it has been agreed in writing by the charity, please do not publish confidential information that relates to a specific individual or the charity.

Protecting individual's identity

If relating to an individual here are a few examples of how you could breach their confidentiality by revealing the following online without their explicit permission:

- Phone number

- Home address
- Email address
- Age or date of birth
- Health issues
- Names or names of family members
- Hobbies

Ensure that individuals have permission to be represented online. When capturing images or videos from an event, make sure everyone featured is comfortable and has given their permission to be promoted online. If you do put a photo online without permission, please remove this immediately, upon request of the individual.

Below is an example of the types of social media sites that this code of conduct may refer to, this list is not exhaustive:

- Blogger
- Facebook
- Twitter
- Instagram
- LinkedIn
- YouTube
- Pinterest
- Google Plus
- Reddit
- Tumbler

For further enquires please email publicity@cyclingsuk.org or call the Cycling UK press phone on 07786320713.

Adhering to the policy

Employees or volunteers who do not adhere to this policy may be subject to disciplinary action. Where appropriate any breaches to the Cycling UK Social Media Policy may involve the police or other law enforcements.

Appendix 5 – Cycling UK Photographic Guidance

Taking photographs to promote activities and events has never been easier than it is today with nearly everyone having a camera on their mobile phone. Using photographs to encourage more people to participate in Cycling UK’s events and activities should be straightforward, but there are some guidelines which need to be considered when taking and using photographs either online or in printed materials. Social media has also changed the way we communicate with each other and sharing photographs to encourage others to join in is an excellent use of such platforms. It is an extremely useful means of communicating with a wider audience and engaging with a group of individuals quickly and easily ensuring the same message reaches the desired audience effectively. However, it also has its problems and it is important to ensure that photographs are used carefully and responsibly when on social media platforms such. Once a photograph is online it is very difficult to control who else uses it and they can often do so for purposes outside the original intention.

The Cycling UK’s Social Media Policy should be read alongside this Guidance to ensure that it is complied with. It is important to understand each social media platforms own terms and conditions as well when using them and ensure that the privacy settings are correct to limit photographs or information being used incorrectly. For example Facebook has a license to use photos that are posted on its platform “subject to privacy and application settings” so it is important to ensure that they are set appropriately.

It is possible to limit who sees photos and posts if the appropriate settings are enabled. Also if a Facebook “Group” is created it is possible to restrict the membership of the group to a group of individuals who can be invited and to hide the group from others. It is also possible to create a “Page” – this is a space where people can publicly connect an organization and the organization can promote its activities but there is no need to accept people to allow them to see the information on the Page – it is public. So by using the two different formats it means that there can be a private Group profile for the membership and a public Page profile allowing everyone to see the information that the membership wants to promote to a wider audience.

Asking an individual for their consent to take a photograph is made simple by using the Cycling UK “Photography and Filming Consent Form” or the specific form for parents to sign in the case of children being photographed. Parents may decide they are not comfortable with photographs of their children being used or shared and so may withhold consent for a variety of reasons. If this is the case then it is important to ensure that this is known by the group. Parents should also know who to talk to if there are issues of photographs being shared inappropriately.

If an individual – child or adult – does not want to be used in photographs consider giving out stickers that can be seen in a photograph for those to wear either on themselves or on their bikes.

At large events consider putting up signs stating clearly that photos are being taken for publicity purposes. This can also be done in event information sent out prior to the event to make people aware of the photography policy of the event. An opportunity to opt out of being photographed should be given at the signing in stage.

The issue of consent is considered in the extract from the General Data Protection Regulations Guidance for Cycling UK below.

General Data Protection Regulations (GDPR)


Photographs of people are a type of personal data. However, there is not yet detailed guidance about how the GDPR applies to photos. Nevertheless, you should always seek consent before taking or publishing photos. We recommend that in the case of:

- Staged photos of a group where you gather a group of people together to take a photo (for example, after completing an activity, or at the top of a hill during a group ride)
You must inform the group if the photo will be published and where (for example, your website, social media, a newsletter) and confirm people are willing to be photographed for that purpose. If you wish to use this photo for commercial or marketing purposes (for example, on a printed leaflet), or identify individuals by name, you will need to be able to demonstrate their consent. The easiest way to do this is by completing a written photo consent form. However, if you are simply showcasing your group/area’s activity on your group/area’s website, social media, newsletter (online or print), and you don’t identify people by name or share other personal data, you do not need their written consent.
- Candid photos of a group taken when people weren’t aware and aren’t easily identifiable (for example, a group riding along the coast in the distance)
If you wish to use this photo for commercial or marketing purposes (for example, on a printed leaflet), or identify individuals by name, you will need to be able to demonstrate their consent. The easiest way to do this is by completing a written photo consent form. However, if you are simply showcasing your group/area’s activity on your group/area’s website, social media, newsletter (online or print), and you don’t identify people by name or share other personal data, you do not need their written consent.
- Photos of one or two people where the individuals are the main focus of the photo and identifiable
You must inform the person/people if the photo will be published and where (for example, your website, social media, a newsletter) and confirm they are willing to be photographed for that purpose. If you wish to publish the photo in any way (for example, your website, newsletter, social media or printed materials), you will need to be able to demonstrate their consent. The easiest way to do this is by completing a written photo consent form.
- Photos of children

You must not take photos of children unless their parent or legal guardian has given explicit permission. If you wish to publish the photo in any way (for example, your website, newsletter, social media or printed materials), you also need to have the consent of their parent or legal guardian. The easiest way to do this is by completing a written photo consent form.

Things to think about:

- If you are not sure what story you are trying to tell with the photos or if you are taking photos for someone else it is a good idea to take a range of photographs.
- Photos to be used on the Cycling UK website should be done in landscape.
- Avoid shooting photographs from a distance.
- More natural photographs tend to work best – naturally smiley individuals, unposed being active will be better than putting people into position.
- Action or reportage shots generally work much better than staged shots.
- Where it is necessary to pose individuals bunch them together for a better photograph.
- Look for unusual angles to make pictures more interesting.



Parental Consent Form

Name of Event/Ride: **Date:**

Approx. Distance: Destination:

General event/ride description (route/terrain):

Details of Participant:

Name: Age:

Cycling UK Membership No:

I, the parent or guardian of the participant above, consent to them taking part in the above event/ride.

Signature:

Emergency Contact Details:

Name:

Mobile Phone Number:

Relationship to Rider:

Parental Consent:
 Parents/guardians of riders under the age of 18 must consent in writing to their participation in Cycling UK events and rides. The only exemption is where a young person having reached the age of 16 can prove they no longer live with their parents or guardians but are living as an independent adult. This needs to be proven by the supply of evidence such as a rent book with their name and address on or a National Student Union Membership card.

Cycling UK Policy on Young People’s Participation in Cycling Activities
 The minimum age for unaccompanied children on any ride/event is 13. Children aged 13 to 17 may participate unaccompanied if they have parental permission and signed Parental Consent. There is no lower age limit if accompanied by a responsible adult acting in loco parentis, but a signed Parental Consent form is still needed. Parents or guardians must also understand: the demands of the cycling activity and that they alone can make the decision about the ability of their child to complete it; that the child may cycle with other adults and/or with other children, but that there is also a possibility of the child cycling on its own eg with treasure hunt events); that while Cycling UK extends a welcome to cyclists of all ages and abilities, no special provision for children is made; that arrangements to get to and from the event are the sole responsibility of the parent or guardian; that DBS checks may not have been done on event organisers or ride leaders.

Photography/Filming
 Cycling UK and its agents may take photographs or film footage of an event or ride. Young people under 13 must have separate signed Parental Consent for any photos to appear in local or national media. Children aged 13 to 17 may provide their own consent (see next section).

Preventing Abuse of Positions of Trust in Sport

Who is this briefing for?

This paper is for all of us involved in sport - coaches, officials, volunteers and parents, to help promote responsible relationships within sport and prevent the manipulation and exploitation of young people. Those in authority positions within sport have a positive contribution to make to a young person's welfare providing that appropriate, positive relationships are maintained.

What is a position of trust?

A position of trust involves a person in a position of authority over another person. There is a need to protect young people aged 16 and 17 who, despite reaching the age of consent for sexual activity, are considered to be vulnerable to sexual abuse and exploitation, in defined circumstances. This includes sexual activity and relationships with adults who hold a position of trust, responsibility or authority in relation to them and, as a result, have a considerable amount of power and influence in their lives.

This briefing focuses on relationships between adults in authority positions and young people aged 16 or 17 years old in a sport context. These young people may be dependent on their coach, mentor or other adults for their sporting development, success or position in a club, representative or national team. Relationships should be supportive, positive and aimed at improving the young person's skills, and progress.

The coach-participant relationship should focus on the sport, and (as with teachers and their pupils) romantic or sexual relationships between the adult and young person may be unlawful and should be clearly defined as a breach of the organisation's code of conduct.

How may positions of trust be abused in sport?

Some individuals use their authority and influence over young people in order to groom and establish a sexual relationship with them. Such a relationship may well not be a breach of the criminal law, and the young person involved may not always view it as abusive or exploitative. However the existence of a significant power differential between an adult with authority, control or influence over a significant aspect of the young person's life always raises the possibility that the relationship is unequal and constitutes an abuse of the adult's position of trust.

What does the law say?

The sexual offences legislation in the UK already provides that any sexual activity between adults and with children under 16 is illegal and constitutes abuse. The primary motivation for legislation which addresses the abuse of positions of trust is the need to protect young people aged 16 and 17 who, despite reaching the age of consent for sexual activity, are considered to be vulnerable to sexual abuse and exploitation, in defined circumstances. This includes sexual activity and relationships with adults who hold a position of trust, responsibility or authority in relation to them and, as a result, have a considerable amount of power and influence in their lives. The law defines **specific roles** and **settings** where sexual activity between 16 and 17 year olds and those in positions of trust, responsibility or authority constitutes a criminal offence. Currently being a coach/official in a sports club is currently not considered under the law as a specified role.

Examples of specific roles:

- teachers
- Connexions personal advisors (England only)
- foster carers

Examples of specific settings:

- educational institutions
- residential care homes
- hospitals
- youth offender institutions



Positions of trust in the sports context

This legislation does not include sports roles (e.g. coaches, instructors or helpers) or sports organisations and settings (e.g. clubs, leisure facilities or events) within these definitions. Thus, at present, an abuse of a position of trust within most sport contexts will not be illegal, although there may be circumstances in which the law does apply to sports coaches - for example if they are employed by and operating within a school.

The NSPCC's view is that because of the vulnerability of young people and the particular circumstances of sport that the legislation should be extended to roles and settings within sports. Irrespective of this, the NSPCC recommends that sports bodies work to the principles behind the legislation. They should put in place codes of ethics and conduct to which individuals are tied, which define acceptable and unacceptable behaviour, and which clearly include any abuse of positions of trust as described above. Breaches of these codes should be robustly addressed through complaints and disciplinary procedures.

It is important also to recognise that under the Safeguarding Vulnerable Groups Act/Order there are already relevant provisions to consider. Sports settings deemed to provide regulated activity for the purposes of the legislation must refer an individual to the Disclosure and Barring Service (DBS) if the club/sport:

- a) withdraws permission for an individual to engage in regulated activity, or would have done so had that individual not resigned, retired, been made redundant or been transferred to a position which is not regulated activity; because
- b) decides that the individual has:
 - engaged in relevant conduct
 - satisfied the Harm Test
 - received a caution or conviction for a relevant offence.

Governing bodies and other sports organisations should take disciplinary action in situations where an adult in a position of authority has abused their position of trust by having sexual contact with a 16 or 17 year old.

The nature of the problem in sport

Those in authority in sport can have substantial influence over young people dependent on the nature of the activity. In situations where young people are training within competitive sports it is not unusual for young people to train three, four or more times per week. A study undertaken jointly by NSPCC and the Amateur Swimming Association in 2002 examined the relationship between young sports people and their coaches. "In at the Deep End" showed that where serious abuse occurred within the sport, particularly sexual abuse, it was committed in the majority of cases by male coaches. It was evident from that study that in cases of serious sexual assault there had been a significant process of grooming leading to the abuse. In all the cases studied, the coach concerned had abused the position of trust vested in them through their role. CPSU research in 2011 of young athletes' experiences of sport found 29% of respondents had experienced sexual harassment.

High profile abuse cases including Jimmy Savile et al have received widespread media coverage. They have demonstrated how difficult many young people have found it to have their concerns and allegations listened to, believed and acted upon, and how individuals have been able to use their position, profile and reputation to harm children.

There have been many documented cases in the UK where sports coaches and others in positions of trust have abused their position and influence with young people to initiate sexual activity in circumstances that were either clearly non-consensual, or where the young person was in no position to give consent freely, given the power/influence imbalance between them and the adult concerned. A significant number of people in positions of responsibility in relation to children in sport have been convicted of child sexual abuse. Prosecutions for abuse include individuals from a wide range of sports.

Managing abuse of positions of trust within sport

The CPSU is aware of many sports based concerns coaches/instructors (those in authority positions) who had developed relationships with young people they had been coaching for some time, which could be



viewed as abuse of trust situations. There is currently no abuse of position of trust legislation relating to generally sport, and although referrals to police and children's services were made, no criminal convictions ensued. Thus the sports bodies were left to deal with these issues as poor practice/breaches of code of conduct on a disciplinary basis. In England there are Local Authority Designated Officers (LADOs) in place who can support sports governing bodies to manage these cases appropriately and encourage referrals to the DBS.

Why should the "Abuse of Trust" by those in authority positions in sport be addressed by governing bodies and other organisations?

Sport is an important aspect of many children's lives and development. Taking part in sport helps young people to develop social skills, learn about risk-taking in a safe environment, develop self-esteem and learn to use their own initiative.

The vast majority of children derive huge benefits from participation in sport and are a credit to the many dedicated volunteers and professionals who make this happen and who strive for a safe and caring environment in which young people can play and enjoy sport.

It is the view of NSPCC that though the current legislation covering "abuse of trust" does not regulate coach behaviour, governing bodies, clubs and other sports organisations should extend and adopt the same principles through their codes of behaviour, rules and disciplinary processes.

A compelling evidential case exists for giving young people aged 16 and 17 years in sport the same protection as 16 and 17 years olds in specified settings, by requiring coaches and others in authority roles to adhere to standards of behaviour that reflect the principles of the legislation. Sports organisations also need to ensure they have procedures in place for referring cases to the DBS (England and Wales) where they discipline and remove an individual from regulated activity as a result of concerns that they have harmed (or could harm) a young person by abusing their position of trust.

Summary

In summary there is evidence of a growing number of serious cases of abuse of positions of trust within sport. It should be remembered that research has consistently shown that reported incidences of abuse are much lower than the actual levels. The NSPCC is particularly concerned about risks to young people and has campaigned for extension of the abuse of trust provision to include sexual behaviour with 16 and 17 year olds by those with authority over them. A sexual relationship between a person with authority over the young person and the 16 or 17 year old is never healthy in our view, and can be open to abuse. While it may not currently constitute a criminal offence, it conflicts with safeguarding guidance. Such breaches of an organisation's code of conduct should result in disciplinary action, and potentially to a referral to the DBS.

What can sports organisations do?

- Sports codes of conduct and linked disciplinary processes should be reviewed and amended to include wording that supports the maintenance of healthy and positive relationships between sports coaches and young people. The code of conduct should reference the organisation's definition of roles that constitute positions of trust and ban any sexual relationships/activity between adults in those roles and 16 - 17 year olds for whom they are in a position of authority. Suggested wording may be:

"Coaches should ensure they maintain healthy, positive and professional relationships with all athletes. Coaches and others in positions of authority and trust in relation to athletes aged 16 and 17 years must not engage in sexual relationships with them while that unequal power relationship exists."

- The abuse of position of trust provision should be defined by the nature of the position in relation to the young person and not be contingent on the regularity of contact with the young person in question.
- Safeguarding training for those working with young people in the sporting sector should include material on the issue on abuse of trust and guidance on maintaining appropriate boundaries between adults and young people.



CPSU BRIEFING



- Young people in sport should be informed about these relevant rules, and assured of their right to enjoy and engage in sport freely and without pressure to comply with adults' sexual requests
- Safeguarding and disciplinary policies and procedures should include a requirement for referral to the Disclosure and Barring Service (DBS) when an individual is deemed to be unsuitable to work with young people.

What can sports coaches and others in positions of trust do?

- Ensure that you read, understand, sign up to and comply with the code of conduct/behaviour your club, organisation or relevant sports governing body has produced for the role you hold.
- Maintain a relationship with all participants that is appropriate to your role and reflects positively on the club or organisation you work or volunteer for.
- Whether or not the code explicitly refers to positions of trust (and what would constitute breach) as someone in a position of authority you should not seek or engage in sexual activity or sexualised communication via social media with 16 or 17 year olds for whom you are responsible.
- If you think that a young person's behaviour indicates that they are seeking to develop or engage in an inappropriate relationship with you, immediately bring this to the attention of your club or organisation's Welfare Officer, designated safeguarding lead or manager. Be careful not to respond to the participant in any way that could be interpreted as encouraging the young person concerned. Make a written record of your concerns and relevant details.

Advice for anyone concerned about the possible abuse of a position of trust

- If you suspect that an abuse of a position of trust has occurred, is occurring or may occur you should report this to the Welfare Officer or designated safeguarding lead for the club or organisation in line with the complaints or safeguarding policy and procedure.
- Make a written record of your concerns and relevant details.
- If you feel your concern has not been dealt with appropriately, or there is no welfare or safeguarding lead, you can consult with the Local Authority Designated Officer (LADO - England only) whose details should be available through your local authority's Children's Social Care Department and whose duties include responding to concerns about potential breaches of positions of trust.
- Alternatively, you can seek advice from the 24 hour NSPCC Helpline – 0800 800 5000.

Sign up now to the CPSU E-Newsletter, we can email you the latest information about child protection in sport, visit the [CPSU website](#). Follow us on Twitter [@TheCPSU](#)

(January 2015)



25. Whistleblowing Policy and Procedure

It is important to Cycling UK that any fraud, bribery, misconduct or wrongdoing by staff or others working on behalf of Cycling UK is reported and properly dealt with. Cycling UK therefore requires all individuals to raise any concerns that they may have about the conduct of others in the organisation or the way in which the organisation is run.

This policy sets out the way in which individuals may raise any concerns that they have and how those concerns will be dealt with.

Background

The [Public Interest Disclosure Act 1998](#) amended the Employment Rights Act 1996 to provide protection for staff who raise legitimate concerns about specified matters in the public interest. These are called "qualifying disclosures". A qualifying disclosure is one made by an employee who has a reasonable belief that

- a criminal offence;
- a miscarriage of justice;
- a risk to health and safety of an Individual;
- damage to the environment;
- a failure to comply with a legal obligation; or
- concealment of any of the above;

is being, has been, or is likely to be, committed. It is not necessary for the worker to have proof that such an act is being, has been, or is likely to be, committed - a reasonable belief is sufficient. The worker has no responsibility for investigating the matter - it is Cycling UK’s responsibility to ensure that an investigation takes place.

A worker who makes a protected disclosure has the right not to be dismissed, subjected to any other detriment, or victimised, because he/she has made a disclosure.

Cycling UK encourages staff to raise their concerns under this procedure in the first instance. If you are unsure whether to raise a concern, you should discuss the issue with your Line Manager or the Operations Director. If you wish to raise a qualifying disclosure relating to the acts or omissions of the Chief Executive, you should raise the matter with the Chair of the Board of Trustees.

Principles

- Everyone should be aware of the importance of preventing and eliminating wrongdoing at work. Staff and others working on behalf of Cycling UK should be watchful for illegal or unethical conduct and report anything of that nature that they become aware of.
- Any matter raised under this procedure will be investigated thoroughly, promptly and confidentially, and the outcome of the investigation reported back to the person who raised the issue.
- No employee or other person working on behalf of Cycling UK will be victimised for raising a matter under this procedure. This means that the continued employment and opportunities for future promotion or training of the worker will not be prejudiced because they have raised a legitimate concern.
- Victimisation of an individual for raising a qualified disclosure will be a disciplinary offence.

- If misconduct is discovered as a result of any investigation under this procedure Cycling UK's disciplinary procedure will be used, in addition to any appropriate external measures.
- Maliciously making a false allegation is a disciplinary offence.
- An instruction to cover up wrongdoing is itself a disciplinary offence. If told not to raise or pursue any concern, even by a person in authority such as a Line Manager, you should not agree to remain silent. You should report the matter to a Director.

Procedure

This procedure is for disclosures about matters other than a breach of an employee's own contract of employment. If you are concerned that your own contract has been, or is likely to be, broken you should use Cycling UK's Grievance Procedure.

Stage 1:

In the first instance, any concerns should be raised with your Line Manager. If you believe your Line Manager to be involved, or for any reason do not wish to approach your Line Manager, then you should proceed straight to Stage 3.

Stage 2:

Your Line Manager will arrange an investigation of the matter (either by investigating the matter themselves or immediately passing the issue to someone in a more senior position). The investigation may involve you and other individuals involved giving a written statement. Any investigation will be carried out in accordance with the principles set out above. Your statement will be considered, and you will be asked to comment on any additional evidence obtained. Your Line Manager (or the person who carried out the investigation) will then report to the Chief Executive who will take any necessary action, including reporting the matter to any appropriate government department or regulatory agency. If disciplinary action is required, your Line Manager will start the disciplinary procedure. On conclusion of any investigation, you will be told the outcome and what the organisation has done, or proposes to do. If no action is to be taken, the reason for this will be explained.

Stage 3:

If you are concerned that your Line Manager is involved in the wrongdoing, has failed to make a proper investigation or has failed to report the outcome of the investigations to the relevant person, you should escalate the matter to the appropriate person as set out in the Escalation Table at the end of this document. This person will arrange for a review of the investigation to be carried out, make any necessary enquiries and make their own report to the next person in the Escalation Table. Any approach to the more senior person will be treated with the strictest confidence and your identity will not be disclosed without your prior consent.

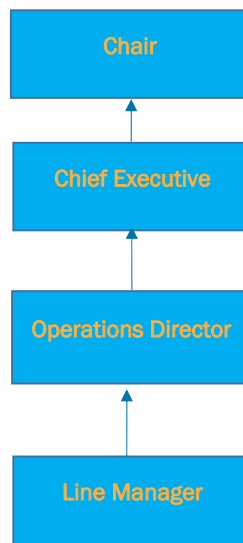
Stage 4:

If on conclusion of Stages 1, 2 and 3 you reasonably believe that the appropriate action has not been taken, you should report the matter to the proper authority. The legislation sets out several bodies to which qualifying disclosures may be made.

These include:

- HM Revenue & Customs;
- the Financial Services Authority;
- the Office of Fair Trading;
- the Health and Safety Executive;
- the Environment Agency;
- the Director of Public Prosecutions; and
- the Serious Fraud Office.

Escalation Table:



This is a non-contractual policy and procedure which will be reviewed from time to time.

Complaints Procedure

Principles

We hope everyone who encounters Cycling UK has a positive experience. However, we recognise there may be times when people have concerns. When this happens, we want to hear about their concerns, so we can deal with them and prevent similar situations in the future. When someone does this, we call it a ‘complaint’.

We aim to:

- Respond to complaints as quickly and efficiently as possible, while being fair to everyone involved.
- Provide a fair complaints procedure that is clear and easy to use, when a formal investigation is needed; and to publicise it on our website and other appropriate media.
- Handle all complaint information sensitively, in line with relevant data protection requirements.
- Make sure all our staff know what to do if someone complains to Cycling UK.
- Apologise if we have got something wrong and act quickly to put it right.
- Monitor complaints and learn from them.

What is a Complaint?

This policy applies to complaints raised by a Cycling UK Member, a Cycling UK volunteer, a member of the public or an organisation we have dealt with.

A complaint is when someone tells us they are dissatisfied with something Cycling UK has done (or not done) or the way its staff, members, member groups or volunteers have behaved.

We welcome feedback about our policies and decisions and are happy to explain the reasons for them. However, we won’t treat such feedback as a formal complaint unless there is a possibility that we have breached our own procedures or legal powers in arriving at those policies or decisions.

How to Complain to Cycling UK

We have a few rules about how to complain:

- We welcome an initial complaint by letter, email or face-to-face.
- We only accept complaints about things that have happened in the last three months.
- We encourage members to complain directly to the Chair of their Member Group if their complaint is about something that has happened in the Member Group.
- We do not generally investigate anonymous complaints.
- We do not accept complaints that are broadly the same as a previous complaint from the complainant.
- We do not progress complaints that we believe to be vexatious or malicious.
- We do not tolerate abusive behavior or language from complainants.

How we Deal with Complaints

We believe most complaints are best dealt with informally by the staff or Member Group responsible for the issue. Sometimes a formal investigation is needed. Our complaints process therefore has three stages:

Stage 1: Informal Response

We encourage people to complain to any member of Cycling UK's staff or their Member Group Committee if the complaint relates to the group. Sometimes people may also complain to trustees or other volunteers. Whoever receives the initial complaint should find out what they can about it and either deal with it themselves if they are competent to do so or refer it to an appropriate colleague.

In most cases, we expect this informal contact to resolve the situation. However, if we haven't met the complainant's expectations and they wish to take it further, the staff (or volunteer) handling the complaint should escalate it to Stage 2 by informing the Senior Manager with responsibility for the subject area of the complaint (or the Operations Director if they are not sure which person is appropriate).

Stage 2: Formal Investigation

When a complaint is escalated to Stage 2, it will be investigated by the Senior Manager with direct responsibility for the subject area of the complaint. They are referred to here as the 'Investigator'.

The Investigator will acknowledge the complaint in writing, normally within 7 working days of it being escalated. They will try to complete the investigation as quickly as possible. If it is likely to take a long time, the Investigator will let the complainant know what is happening.

After completing their investigation, the Investigator will decide whether to uphold or reject the complaint, deciding on any sanctions if applicable. They will inform the complainant in writing about the decision, any actions Cycling UK will take and their right of appeal.

Stage 3: Appeal Review

If the complainant feels their complaint was not handled appropriately, or still feels they have not had a satisfactory answer, they may appeal within 28 working days of being given a decision by emailing the Operations Director with their request - explaining the basis on which they are making the appeal.

The Operations Director will appoint another Senior Manager to review the appeal - someone who has no direct accountability for the subject area. When they have completed their review, they will inform the complainant in writing about their decision and any actions Cycling UK will take.

The original response to a complaint may be reviewed just once. Once the appeal has been reviewed and a response provided to the complainant, the matter will be closed.

Terminating Membership

Where a complaint has been upheld against a Member, the Investigator may recommend to the Board of Trustees that the person's membership be terminated. In such instances, if the Stage 3 appeal has been unsuccessful, the Member will have the opportunity to

draft a one-page letter to the Board of Trustees stating the reasons why they feel their membership should not be terminated. The Board or Trustees or delegated Trustee Committee will then decide whether to accept the Investigator's recommendation to terminate membership.

This arrangement is in accordance with the following clauses in Cycling UK's Constitution:

- 10.3** *The Board of Trustees may, in its absolute discretion, decline to admit any person as a Member.*
- 10.7.2** *if the Trustees resolve to terminate his membership provided that he shall have had reasonable opportunity to explain to the Trustees why he should not be removed*

Safeguarding

Where a complaint raises a potential safeguarding issue, staff should immediately refer it to the Operations Director who will decide whether it should be dealt with under Cycling UK's Safeguarding Policy, rather than this Complaints Policy.

Managing the Complaints Process

The Operations Director has overall responsibility for the effective implementation of this process.

This includes:

- Maintaining the policy and recommending updates when appropriate.
- Ensuring staff understand the process and how to deal with a complaint.
- Ensuring the policy is appropriately communicated.
- Assigning appropriate people to investigate a formal complaint or review an appeal.
- Recording formal complaints and their outcome.
- Informing the Senior Management Team of issues raised by complaints which might need a strategic response.

Appendix 10 – Recruitment Vetting Checks

England

Applying for a DBS check is controlled by the *Safeguarding Vulnerable Groups Act 2006* and the *Protection of Freedoms Act 2012*.

If an individual is barred from working with either vulnerable adults or children (and is therefore on the barred list) it is illegal for them to apply to work in such roles.

As a general rule, eligibility to apply for a DBS check is not based on an applicant's job/role title but by considering the activities and responsibilities of each individual and how often they carry it out. Applying for a DBS check where an individual is not eligible is illegal and would lead to the applicant's data protection rights being breached.

There is significant information about DBS checks, eligibility and the *Rehabilitation of Offenders Act 1974* and the exceptions order that relate to the Act on the DBS and NSPCC websites.

Cycling UK is responsible for deciding whether an applicant is suitable for a role and is also responsible for working out the level of check the role is eligible for. If an individual believes they do meet the criteria that mean they should have an enhanced DBS check then they should contact the DSL of Cycling UK.

Applicants cannot apply directly to the DBS for their own standard or enhanced check. The checks must be processed through Cycling UK or a partner agency/organisation

If the criteria for regulated activity have not been met because the frequency test has not been passed an enhanced check can be applied for without the barred list being check. This is known as an enhanced check without the barred list.

Where there is no eligibility for a standard or enhanced check then it is possible for a basic check to be applied for – there are no restrictions on who can apply for this. Applicants can apply for their own basic check via the DBS website. They may also apply via a responsible organisation. Basic checks provide details of unspent convictions only.

If a cycling group is aiming activities **specifically** at children, particularly those that involve training, teaching, instructing and supervising them, an enhanced DBS check with barred list check on **regular** volunteers may be considered.

However, Cycling UK have had confirmation from the Disclosure and Barring Service that most normal group rides are not an activity that would mean that ride leaders are eligible for enhanced DBS checks as unaccompanied children are **incidental** to the rides.

There is detailed guidance and advice issued by the DBS that may be found at Appendix 11. If you have any queries about eligibility for a DBS check then contact Cycling UK for advice.

Scotland

Disclosure Scotland deals with criminal records checks in Scotland. There is a Basic check, Standard, Enhanced and membership of the Protected Vulnerable Groups Scheme. For further information on all these it is best to check the Disclosure Scotland website to find out which type of check required and what information this will disclose.

Northern Ireland

As with the other schemes there is a Basic, Standard and Enhanced check carried out by AccessNI. They all disclose different information and it is important to know which is required for the job being done whether employed or voluntary. The Access NI website has the most up to date and accurate information and it is best to check there for advice and guidance.

Appendix 11 – DBS Eligibility Guidance



Disclosure & Barring Service

A GUIDE TO CHILD WORKFORCE ROLES FOR REGISTERED BODIES AND EMPLOYERS

This will help you identify whether the position you are recruiting for falls into the child workforce and where you can legally request access to a check of the children's barred list. These are roles which relate specifically to working with children.

It is important to make sure that the law allows a DBS application to be submitted. As an employer or regulator, but also as a registered body, you have a legal responsibility for making sure you can submit applications and must know the legislation that supports each application in case we need further clarification. An individual cannot request a standard or enhanced level DBS check for themselves and so as a registered body you must not submit applications from individuals where there is no employer to make the suitability decision.

Disclaimer: This is not legal advice. If you need help with making sure you are complying with the law, you should speak to a legal advisor.

Standard and enhanced DBS checks can only be undertaken if the specific role, or the specific activities carried out within the role, are included in the Rehabilitation of Offenders Act (ROA) 1974 (Exceptions) Order 1975 (access to standard DBS certificates), and are also covered by the Police Act 1997 or Police Act 1997 (Criminal Records) regulations (access to enhanced DBS certificates). These laws only provide eligibility for DBS checks, they do not make them a requirement.

Decisions on when and whether to undertake a DBS check are for the relevant employer or regulator to make based on what the law allows. It is not discretionary as such, but a matter of considering the nature of the activities undertaken and if they are eligible for DBS checks. DBS provides an electronic [eligibility tool](#) which can help you with this. [The Police Act 1997 \(Criminal Records\) \(Amendment No.2\) Regulations 2013/2669](#) (the legislative definition of work with children) and the [Department for Education \(DfE\) factual note](#) on regulated activity with children will also help.

When you request a DBS certificate to assess someone to carry out regulated activity with children this means that you are a regulated activity provider (RAP). This brings obligations under the Safeguarding Vulnerable Groups Act 2006.

As a RAP, you have a legal duty to refer an individual to DBS when you believe a person has caused harm or poses a future risk of harm to vulnerable groups, including children. You must also provide information to DBS when we ask you to and may be fined unless you have a reasonable excuse for not providing the information. The conditions you must consider before making a referral or providing information to us can be found on the [DBS website](#).

An employer or volunteer manager is breaking the law if they knowingly employ someone in a regulated activity with a group from which they are barred from working.

A barred person is breaking the law if they seek, offer or engage in regulated activity with a group from which they are barred from working.

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Further information on DBS eligibility guidance can be found on the DBS website at <https://www.gov.uk/government/publications/dbs-workforce-guidance>

