

Boccia Bermuda

CHILD AND VULNERABLE PERSONS POLICY

approved, endorsed and adopted by the Board of Directors of Boccia Bermuda on
17 November 2015

This policy applies to all Charity Trustees (as that term is defined in the Charities Act 2014), all employees of Boccia Bermuda “Trustees”), all volunteers and, if there be any, all staff, all temporary staff, and certain contractors (collectively “Boccia Bermuda Representatives” or “Representatives” and each a “Representative”). For the avoidance of doubt, persons who are legal guardians and other caregivers of vulnerable persons who are participating in the sport of boccia or who are otherwise associating with the Company, are not volunteers of the Company solely by virtue of such legal guardianship or caregiver position and are not thereby subject to this Policy.

Distribution

Boccia Bermuda Representatives, vulnerable persons, their family, guardians and/or carers shall be given copies of this Policy as appropriate and on request.

Policy Statement

All people have an absolute right to be safe from abuse regardless of gender, ethnicity, disability, sexuality or beliefs. Children and vulnerable adults (collectively “Vulnerable Persons”), must be safeguarded against abuse, their welfare is paramount. Boccia Bermuda understands its duty of care to Vulnerable Persons and will take all necessary steps to ensure that everyone with whom it works is safeguarded against emotional and physical abuse. All expressions of concern and allegations of abuse will be taken seriously and responded to appropriately, this may require a referral to the appropriate social and human services officer and in emergencies, the Police.

Policy Objectives

- Raising the awareness of the duty of care responsibilities relating to children and vulnerable adults among all Boccia Bermuda Representatives.
- Actively encouraging good practice by all Boccia Bermuda Representatives throughout the organization and promoting wider awareness amongst other associated organisations and user groups.
- Creating a safe and healthy environment with all our services, avoiding situations where abuse or allegations of abuse may occur.
- Respecting and promoting the rights, wishes and feelings of children and vulnerable adults. Listening to children and vulnerable adults and minimising dangers.
- Recruiting, training, supervising and supporting Boccia Bermuda Representatives who work with children and vulnerable adults to adopt best practice to safeguard and protect them from abuse and themselves against false allegations. Responding to any allegations appropriately and implementing the appropriate disciplinary and appeals procedures.

Policy Strategies

- To provide appropriate training to all Boccia Bermuda Representatives to enable them to recognise the potential signs and indicators of abuse and to improve good practice.
- To provide appropriate training to all Representatives to enable them to respond appropriately to a child or vulnerable adult who discloses information about abuse, and be confident and able to take appropriate action swiftly, regardless of whom the allegation is about, e.g. relative/carer/Representative.
- To exercise good practice at all times thereby reducing the risk to children and vulnerable adults under the supervision or care of our Representatives.
- To promote the general welfare and well being of children and vulnerable adults while under the supervision or care of our Representatives.
- To develop and implement effective procedures for recording and responding to incidents and accidents.
- To develop and implement effective procedures for recording and responding to complaints of alleged or suspected abuse.

Abuse - What we are guarding against

What Is Abuse?

A person may abuse or neglect a child or vulnerable adult by inflicting harm or by failing to act to prevent harm. Children and vulnerable adults may be abused in a family or in an institutional or community setting; by those known to them or by a stranger.

Children

The Main Forms of Child Abuse

It is recognised that there are four main areas of abuse:

Physical Abuse

Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scolding, drowning, suffocating or otherwise causing physical harm to a child.

Physical abuse, as well as being a result of a deliberate act, can also be caused through omission or the failure to act to protect.

Physical harm may also be caused when a parent or carer feigns the symptoms of, or deliberately causes ill health to a child whom they are looking after. The situation is commonly described as factitious illness, fabricated or induced illness in children and young people or 'Munchausen's Syndrome by Proxy' after the person who first identified the situation. A person might do this because they enjoy or need the attention they get through having a sick child.

Emotional Abuse

Emotional abuse is the persistent emotional ill treatment of a child such as to cause severe and persistent adverse effects on the child or young person's emotional development. It may involve making a child or young person feel or believe that they are worthless or unloved, inadequate or valued only insofar as they meet the needs of another person.

It may feature age or developmentally inappropriate expectations being imposed on children. It may also involve causing children to frequently feel frightened or in danger, or the exploitation or corruption of a child.

Some level of emotional abuse is involved in all types of ill treatment of a child, though it may occur alone.

Sexual Abuse

Sexual abuse is forcing or enticing a child to take part in sexual activities, whether or not the child is aware of, or consents to, what is happening. The activities may

involve physical contact, including penetrative acts such as rape, buggery or oral sex or non-penetrative acts such as fondling.

Sexual abuse may also include non-contact activities, such as involving children in looking at, or in the production of, pornographic material or watching sexual activities, or encouraging children to behave in sexually inappropriate ways.

Boys and girls can be sexually abused by males and/or females, by adults and by other young people. This includes people from different walks of life.

Neglect

Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. It may involve a parent or carer failing to provide adequate food, shelter and clothing, leaving a young child home alone or the failure to ensure that a child gets appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

Multiple Forms of Abuse

It is accepted that in all forms of abuse there are some elements of emotional abuse and that some children are subjected to more than one form of abuse at any one time.

Child Abuse - How to recognise it

Recognising Child Abuse

Recognising child abuse is not easy, and it is not Boccia Bermuda Representatives responsibility to decide whether or not child abuse has taken place or if a child is at significant risk. However, Representatives do have a responsibility to act if they have concern.

Signs And Indicators

Every child and young person is unique and it is difficult to predict how their behaviour will change as a result of their experience of abuse. Listed below are some physical signs and behavioural indicators that may be commonly seen in children who are abused, but remember they may only be an indication and not confirmation that abuse is taking place.

Physical Abuse

<u>Physical Signs</u>	<u>Behavioural Indicators</u>
<p>Unexplained bruising, marks or injuries on any part of the body.</p> <p>Bruises which reflect hand marks or fingertips (from slapping or pinching).</p> <p>Cigarette burns.</p> <p>Bite marks.</p> <p>Broken bones.</p> <p>Scalds.</p>	<p>Fear of parents being approached for an explanation.</p> <p>Aggressive behaviour or severe temper outbursts.</p> <p>Flinching when approached or touched.</p> <p>Reluctance to get changed, for example wearing long sleeves in hot weather.</p> <p>Depression.</p> <p>Withdrawn behaviour.</p> <p>Running away from home.</p>

Emotional Abuse

<u>Physical Signs</u>	<u>Behavioural Signs</u>
<ul style="list-style-type: none"> • A failure to thrive or grow. • Sudden speech disorders. • Developmental delay, either in terms of physical or emotional progress. 	<ul style="list-style-type: none"> • Neurotic behaviour, e.g. hair twisting, rocking. • Being unable to play. • Fear of making mistakes. • Self harm. • Fear of parent being approached regarding their behaviour.

Sexual Abuse

<u>Physical Signs</u>	<u>Behavioural Signs</u>
<ul style="list-style-type: none"> • Pain or itching in the genital/anal areas. • Bruising or bleeding near genital/anal areas. • Sexually transmitted diseases. • Vaginal discharge or infection. • Stomach pains. • Discomfort when walking or sitting down. • Pregnancy . 	<ul style="list-style-type: none"> • Sudden or unexplained changes in behaviour, e.g. becoming aggressive or withdrawn. • Fear of being left with a specific person or group of people. • Having nightmares. • Running away from home. • Sexual knowledge which is beyond their age or development age. • Sexual drawings or language. • Bedwetting. • Saying they have secrets they cannot tell anyone about. • Self harm or mutilation, sometimes leading to suicide attempts. • Eating problems such as overeating or anorexia.

Neglect

<u>Physical Signs</u>	<u>Behavioural Signs</u>
<ul style="list-style-type: none">• Constant hunger, sometimes stealing food from others.• Constantly dirty or 'smelly'.• Loss of weight, or being constantly underweight.• Inappropriate dress for the conditions	<ul style="list-style-type: none">• Complaining of being tired all the time.• Not requesting medical assistance and/or failing to attend appointments• Having few friends.• Mentioning them being left alone or unsupervised.

Note: The above chart is intended to serve as a guide, it is neither exhaustive nor definitive.

Important –factors other than abuse underlying behaviour

There may be other reasons that a child or young person is exhibiting some of the signs and indicators set out above. It is important to remember that many children and young people will exhibit some of these signs and indicators at some time, and the presence of one or more should not be taken as proof that abuse is occurring. There may well be other reasons for changes in behaviour such as death, birth of a new baby in the family, relationship problems between parents/carers, etc.

Vulnerable Adults

What Is Vulnerable Adult Abuse?

In an adult context, abuse may be described as the violation of an individual's human and civil rights by any other person or persons. This can occur in many forms and may consist of a single act or repeated acts. It may also arise from a failure to act in order to protect vulnerable people. Abuse may, or may not, result in the person being physically injured or ill.

The Main Forms Of Vulnerable Adult Abuse

Abuse may take many different forms but there is agreement that, primarily, it comprises one or more of the following:

Physical Abuse

Hitting, slapping, pushing, kicking, misuse of medication, restraint, or inappropriate sanctions.

Sexual Abuse

Rape, sexual assault or sexual acts to which the vulnerable adult has not consented, or could not consent or was pressured into consenting. These may involve physical contact, including penetrative acts such as intercourse, buggery or oral sex or non-

penetrative acts such as fondling. Sexual abuse may also comprise non-contact activities, such as unwanted viewing of pornographic material or sexual activities.

Psychological abuse

Emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or supportive networks.

Financial or Material Abuse

Theft, fraud, exploitation, pressure in connection with wills, property or inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.

Neglect and Acts of Omission

Ignoring medical or physical care needs, failure to provide appropriate health, social care or educational services, the withholding of necessities of life, such as medication adequate nutrition and heating.

Discriminatory Abuse

Racism, sexism or bigotry based on a person's disability, together with other forms of harassment, belittlement, slurs or similar actions.

This is a guide to the most common forms of abuse. Any or all of these types of abuse may arise from a deliberate intent to harm, however a number may also arise from ignorance, indifference or negligence.

Signs And Indicators

Indicators of abuse are signs that draw attention to the fact that something is wrong. They do not necessarily confirm that abuse has occurred, but suggest a need for further enquiries to be made. The list below is not exhaustive but gives an idea of the range of indicators that may be seen.

Physical Abuse

- Multiple bruising that is not consistent with the explanation given i.e. a fall.
- Cowering and flinching.
- Back eyes, marks resulting from a slap and/or kick, or other unexplained bruises.
- Abrasions, especially around the neck, wrists and/or ankles.
- Unexplained burns, especially on the back of the hands.
- Scalds, especially with a well- defined edge from immersion in water.
- Hair loss in one area- scalp sore to touch.
- Unexplained features.

- Frequent 'hopping' from one GP to another or from one care agency to another.

Sexual Abuse

- Recent development of openly sexual behaviour/language, including inappropriate dressing and masturbation.
- Deliberate self harm.
- Incontinence/bedwetting.
- Irregular sleep patterns.
- Repeated urinary tract infections.
- Bruising or bleeding in the genital or rectal area.

Psychological Abuse

- Disturbed sleep or tendency to withdraw to a room or to bed.
- Loss of appetite or overeating especially at inappropriate times.
- Anxiety, confusion or general resignation.
- Extreme submissiveness or dependency in contrast with known capacity.
- Sharp changes in behaviour in the presence of certain persons.
- Excessive or inappropriate craving for attention.
- Extreme self- abusive behaviour especially self- mutilation, head banging, hand biting.

Financial or Material Abuse

- Unexplained or sudden inability to pay bills.
- Unexplained or sudden withdrawal of money from accounts.
- Contrast between known income and unnecessary poor living conditions especially where this has developed recently.
- Personal possessions of value go missing from home without satisfactory explanation.
- Someone has taken responsibility for paying rent, bills, buying food etc; but is not clearly doing so.
- Next of kin refuse to follow advice regarding control of property via court of protection or through securing enduring power of attorney, but insist on informal arrangements.
- Where care services are refused under clear pressure from family or other potential inheritors.
- Unusual purchase unrelated to the known interests of the vulnerable adult.

General

Photography

There is evidence that some people have used activities and events involving children and/or vulnerable adults as an opportunity to take inappropriate photographs or video footage. Representatives present at any such events sponsored by Boccia Bermuda should

be vigilant at all times and any person using cameras or videos should be monitored to ensure that they are acting appropriately.

It is recommended that the names of children and vulnerable adults should not be used in photographs or video footage, except with the express permission of the child's parent or carer(s), or of the vulnerable adult or their carer(s) or legal guardian if they are adjudged to be incapable of self-determination.

Who Might Abuse?

Abuse of vulnerable adults may be perpetrated by a wide range of people, including relatives and family members, professional staff, paid care workers, volunteers, other service users, neighbours, friends and associates, people who deliberately exploit vulnerable people and strangers.

Be mindful that abuse may be perpetrated by someone in a position of power or authority who uses his or her position to the detriment of the health, safety, welfare and general wellbeing of a vulnerable person.

Where Might Abuse Occur?

Abuse can occur in any setting.

Abuse – What to do about it

Important – Duty to inform

It is important that all Representatives understand that they are not responsible for deciding whether or not abuse has occurred. However, Representatives do have a duty of care to report any suspicions they may have. Refer to the Children's Act 1998 and to the Protecting Vulnerable Persons policy promulgated under the Charities Act 2014, each of which is set out as an appendix hereto, for further guidance.

**It is not the Representative's job to judge or investigate,
but it is the Representative's job to inform.**

Responding to concerns and allegations

These procedures inform all Representatives of what actions they should take if they have concerns or encounter a case of actual, alleged or suspected child or vulnerable adult abuse.

Protection Officer

There shall be at least two Protection Officers in office, one of whom shall be appointed from the Board. The Protection Officers (PO) shall be appointed by the Directors of the Company. The persons designated by the Directors as Protection Officers are

Theresa Hall – Email theresavhall@gmail.com – (441) 335 0040

Troy Farnsworth – Email – farnswortht@hotmail.com – (441) 504 1978

The Protection Officers are responsible for dealing with reports or concerns about the protection of children and vulnerable adults appropriately. The relevant contact numbers for Child and Family Services, the Police and other useful contacts are shown as Appendix C.

Response situations

In general there are three situations that Representatives may encounter:

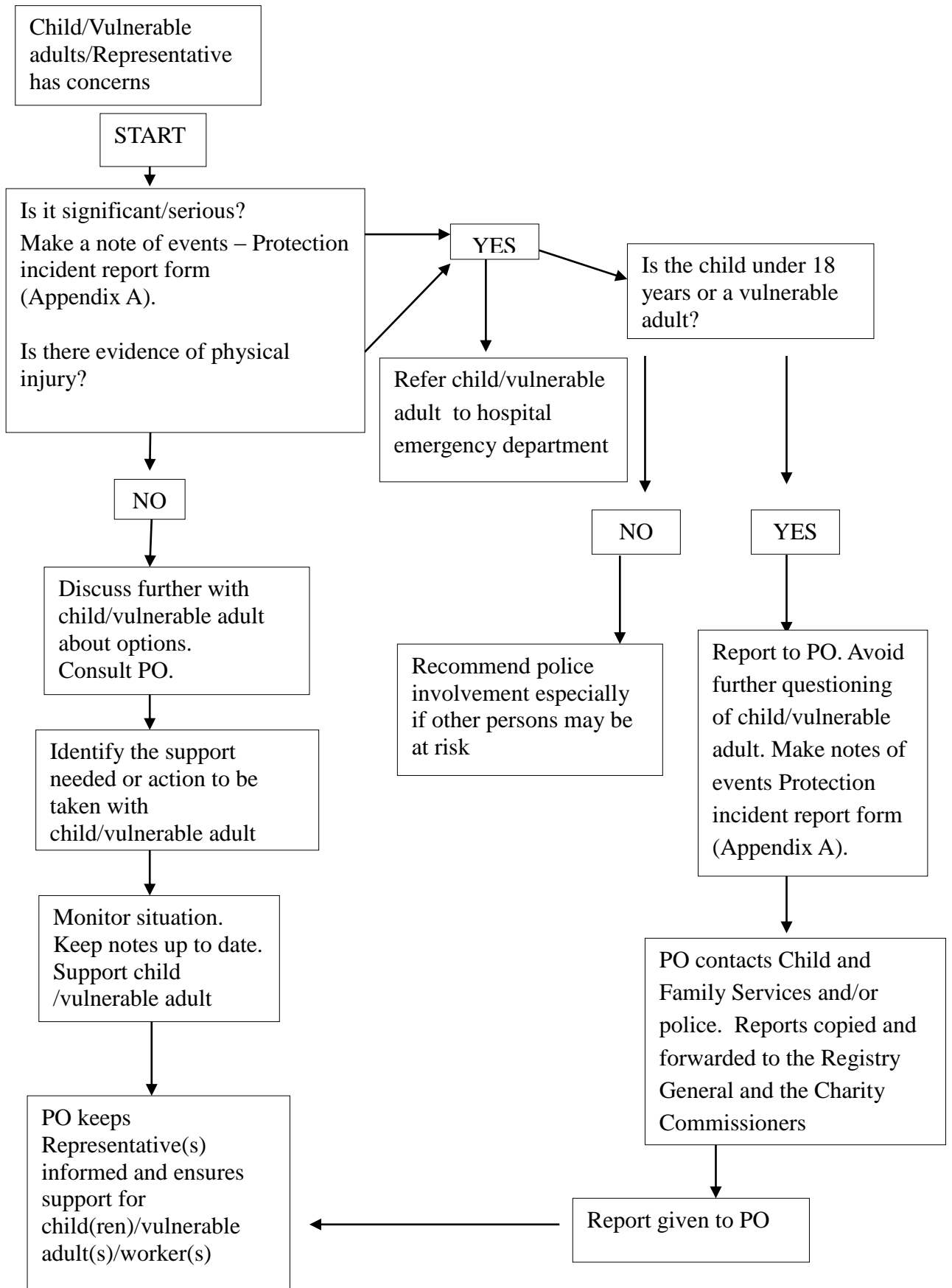
1. Responding to a child or vulnerable adult disclosing abuse, (i.e. they make an allegation of abuse).
2. Responding to third party allegations or concerns about a Representative.
3. Responding to third party allegations or concerns about any other person, e.g. parent, carer, other service user.

Right to self determination

If an adult is not determined as “vulnerable” then they are deemed able to protect themselves from an abusive situation if they so choose. However, when an adult is

“vulnerable”, by definition they will find it difficult to protect themselves from actual or potential abuse without intervention by other parties. In such cases, the fact that a vulnerable adult states that they do not want intervention should not stop Representatives from sharing their concerns and information under the adult protection procedure.

Protection Procedures



Specific Response Procedures

The following specific procedures should be followed.

Abused children or vulnerable adults will often only discuss abuse with people they trust and with whom they feel safe. By listening and taking seriously what the child or vulnerable adult is saying, you are already helping the situation.

Responding to disclosure of abuse by child or vulnerable adult

When dealing with a disclosure, do this:

- Stay calm.
- Listen carefully to what is said.
- Find an appropriate early opportunity to explain that it is likely that the information will need to be shared with others- do not promise to keep secrets.
- Allow the child or vulnerable adult to continue at their own pace.
- Ask questions for clarification only, and at all times avoid asking questions that suggest a particular answer – be very careful not to ask leading questions.
- Reassure the child or vulnerable adult that they have done the right thing in telling you.
- Tell them what you will do next and with whom the information will be shared.
- Contact and inform the Protection Officer (PO).
- Record in writing on a Protection Incident Reporting Form (Appendix A) all the details that you are aware of and what was said using the child's or vulnerable adult's own words, as soon as possible. In order to record you should include:
 - The date and time.
 - The child or vulnerable adult's name and address and date of birth if known.
 - The nature of the allegation.
 - A description of any visible injuries.
 - Your observations – e.g. a description of the child or vulnerable adult's behaviour and physical and emotional state.
 - Exactly what the child or vulnerable adult said and what you said. Record the child or vulnerable adult's account of what has happened as closely as possible.
 - Any action you took as a result of your concerns e.g. who you spoke to and resulting actions. Include names, addresses and telephone numbers.
 - Sign and date what you have recorded.
 - PO informs the relevant authorities, i.e. Child and Family Services and/or the Police, as appropriate. Reports copied and forwarded to the Registry General and the Charity Commissioners.

When dealing with a disclosure, do not:

- Appear shocked, horrified, disgusted or angry.
- Ask too many questions or press for individual details (it is not your duty to undertake the investigation).
- "Put words into their mouth."

- Make comments or judgement other than to show concern.
- Do not give the promise of confidentiality.
- Risk contaminating the evidence.
- Confront the abuser.

Responding to allegations or concerns against a Boccia Bermuda Representative

- Take the allegation or concern seriously.
- Consider any allegation or concern to be potentially dangerous to the child or vulnerable adult.
- Report the incident promptly to the Protection Officer (or to the designated Charity Trustee if the allegation or concern involves the PO).
- Record in writing on a Protection Incident Form (Appendix A) all the details that you are aware of as soon as possible.
- PO informs the relevant authorities, i.e. Child and Family Services and/or the Police, as appropriate. Reports copied and forwarded to the Registry General and the Charity Commissioners.

Responding to allegations or concerns against any other person, e.g. parent, carer, service user

- Take the allegation or concern seriously.
- Consider any allegation or concern to be potentially dangerous to the child, young person or vulnerable adult.
- Report the incident promptly to the Protection Officer.
- Record in writing on a Protection Incident Form (Appendix A) all the details that you are aware of as soon as possible.
- PO informs the relevant authorities, i.e. Child and Family Services and/or the Police, as appropriate. Reports copied and forwarded to the Registry General and the Charity Commissioners.

Remember, when dealing with any form of allegation, expression of concern or disclosure of abuse do not:

- Appear shocked, horrified, disgusted or angry.
- Ask too many questions or press for individual details (it is not your duty to undertake the investigation).
- "Put words in their mouth."
- Make comments or judgement other than to show concern.
- Do not give the promise of confidentiality.
- Risk contaminating the evidence.
- Confront the abuser.

Witnessing abuse

In situations of immediate danger, take urgent action by calling the emergency services by dialling 911. It may also be appropriate to contact the victim's medical doctor, bearing in

mind that emergency services may benefit from the doctor's knowledge of the victim's medical history.

You may wish to challenge the person who is abusing the individuals and try to persuade them to stop whilst ensuring your personal safety is not compromised. Remember to have regard for your own safety, leave the situation if you feel you are in danger.

Report the incident to the Protection Officer.

Responsibilities towards victims of abuse

- Ensure the child or vulnerable adult is safe and supported.
- Consider whether the individual requires urgent medical attention and if so make arrangements with an explanation to health staff that abuse is suspected.
- Consider a vulnerable adult's capacity to make decisions and whether an advocate/appropriate adult might be necessary.
- A vulnerable adult must be given information and advice as well as choice about the way in which an investigation will proceed. Where the individual expresses a wish for an incident not to be pursued this should be recorded and respected wherever possible. However, decision about whether to respect the service user's wishes must have regard to the level of risk to the individual and/or others and their capacity to understand the decision in question and to make decisions relating to it. If choice has to be denied to an individual as to if/how an investigation is to take place, it must be clear on what grounds this is justifiable, and these grounds must be made clear to the individual and be recorded. Where it is felt the responsibility to public interest outweighs the duty to protect the confidence of the individual, refer to the Protection Officer for a decision.

Confidentiality

Every effort should be made to ensure that confidentiality is maintained for all concerned. Information should be handled and disseminated on a need to know basis only, i.e. Protection Officer, Child and Family Services and the police.

It is extremely important that allegations or concerns are not discussed, as a breach of confidentiality could be damaging to the child or vulnerable adult, their family and any protection investigations that may follow.

Where you have concerns, informing the parent(s) or carer(s) of a child or vulnerable adult needs to be dealt with in a sensitive way and should be done by the PO in consultation with Child and Family Services and the police as appropriate.

Any individual under Boccia Bermuda supervision has the right to be notified about any causes for concern. This should be done in joint consultation with the PO, Child and, where appropriate, Child and Family Services and/or the police. It is important that the timing of any disclosure does not prejudice an investigation.

Recorded information should be stored by the Protection Officer (or, if involving the PO, by the designated Charity Trustee) in a secure place with limited access.

No Representative shall make any comment to parents, carers, the public or the press about any matter covered by this Policy. Any questions should be referred to the PO. If confronted by the press or member of the public, a Representative shall respond “no comment” to all questions or statements.

Deciding whether to refer to another agency – guidance for the Protection Officers

It is crucial that the Protection Officer takes into account the following when taking the decision to refer concerns/allegations of abuse to Child and Family Services and/or the Police:

- The wishes of the vulnerable adult.
- The mental capacity of the vulnerable adult.
- Known indicators of abuse.
- Definitions of abuse.
- Level of risk to the child or vulnerable adult.
- Level of risk to others.

Decisions as to whether to inform others will be concerned with:

- The individual’s right to self- determination.
- The seriousness of the abuse.
- The effect of the abuse on the child or vulnerable adult in question and on other children or vulnerable adults.
- The ability of other agencies to make a positive contribution to the situation.
- Whether a criminal offence has been committed or whether there is a statutory duty to report (e.g. to the Director of Child and Family Services pursuant to the relevant provisions of the Children’s Act 1998 – see Appendix D and/or to the Registry General and the Charity Commissioners - see Appendix E).
- The need for others to know (e.g. to protect others who may be involved in the immediate situation).

Reporting abuse for investigation

Save as provided herein, the PO shall report all cases of child abuse for investigation to the Director of Child and Family Services. Concerns of abuse towards a child or vulnerable adult should be referred/reported to the police if urgent and outside of normal office hours.

Where a crime may have been committed the Police must always be contacted, and if in any doubt, they should still be notified so that they can make that judgement.

Contact numbers for these agencies are listed in Appendix C.

Next steps

Any report of abuse will be taken seriously and looked into in a fair and throughout manner.

The Director of Child and Family Services will be responsible for co-ordinating the investigation of all cases of suspected child abuse unless the Police assume that responsibility where a crime has been committed. Working with other relevant agencies, Child and Family Services will:

- Talk to the child or vulnerable adult and others involved.
- Carry out an investigation.
- Undertake a risk assessment.
- Plan what to do to protect the child or vulnerable adult.
- Support the person and their carer(s) through the investigation.
- Closely monitor the situation.

Representatives are required to liaise with Child and Family Services throughout the investigation and provide any necessary information or assistance. This may include attending meetings and case conferences.

Representatives must keep Child and Family Services informed of outcomes of any internal investigations and disciplinary proceedings being undertaken alongside Child and Family Services own investigation.

All agencies will work together and decide on the best possible course of action for both the perpetrator and the victim.

Internal investigation for Representatives

When a complaint or allegation has been made against a Representative, he/she must be made aware of their rights under relevant legislation and the terms of their employment contract.

It is the responsibility of the Board of Directors to conduct a thorough investigation.

A risk assessment must be undertaken immediately to assess the level of risk to all service users posed by the Representative. This must include whether it is safe for them to continue their role or any other role within Boccia Bermuda whilst the investigation is being undertaken. The consideration of risk must be considered alongside the rights of the Representative. Decisions not to suspend a Representative must be properly and fully documented.

Action to be considered will include the following:

- Is this a supervisory issue?

- Is this a training issue?
- Is it a disciplinary issue?
- Is this a capability issue?
- Does discussion need to take place with other agencies, e.g. the Police, Child and Family Services?

Registry General

Separately, there shall be a summary report of any incidents, written in a manner designed to preserve confidentiality, submitted to the Registry General.

Training, Vetting and Supervision

Training

The PO shall be responsible for ensuring that every Representative receives training in the matters covered by this Policy appropriate to their role in the organization.

SCARS Training

Every Qualified Representative working directly with children in a supervisory capacity shall receive training information offered by Saving Children and Revealing Secrets ("SCARS") (www.scarsbermuda.com)

Annual training

The PO shall provide annual training to all Representatives who work directly with children or vulnerable adults in a supervisory capacity. Such training shall include a review of all matters addressed by this Policy, together with such additional material as the PO shall determine appropriate.

Vetting

Every Representative working directly with children and/or vulnerable adults shall be subject to a prior Criminal Record Check by the Bermuda Police Service. Every employee shall consent to a Criminal Records Check as a condition of their employment and, to the extent possible, such check shall be completed prior to the commencement of their employment. In addition, Boccia Bermuda will conduct in-person interviews with prospective employees and relevant volunteers. Hypothetical scenarios, wherein the interests of Vulnerable Persons are threatened, will be posed and the interviewee will be questioned as to their proposed response.

Qualified Representative

A Representative who has received a clean Criminal Record Check, has received training in the matters addressed by this Policy, and has signed a Declaration in the form appended hereto as Appendix B shall be a Qualified Representative.

Supervision

No volunteers, save a Qualified Representative, shall be permitted to have direct contact with children or vulnerable persons.

Code of Conduct For Representatives

A breach of this Code will result in disciplinary procedures up to and including dismissal.

Care of children and vulnerable adults

It is possible to limit the situations where child and vulnerable adult abuse may occur, by ensuring consistent best practice by all Representatives.

Guidelines

The following guidelines will help safeguard children, vulnerable adults and Representatives.

Good practice for staff and volunteers:

- Children and vulnerable adults should be supervised in a manner consistent with their abilities.
- Respect the child or vulnerable adult and provide a safe and positive environment. Representatives must respect the rights, dignity and worth of every person and treat everyone equally within the context of the activity.
- Representatives must place wellbeing and safety of the child or vulnerable adult above the development of performance.
- Avoid where possible situations where a Representative and an individual child or vulnerable adult are alone unobserved.
- If any form of physical contact is required it should be provided openly and be appropriate to the abilities of the child or vulnerable adult.
- If supervision in changing rooms or restrooms is required, Representatives should work in pairs where possible.
- Representative must feel confident to report concerns or worries about other staff members or volunteers to the PO.
- The PO and parents must be informed of all incidents and accidents at the earliest opportunity. This can be done in person, by telephone or writing depending on the situation.
- If the child or vulnerable adult is accidentally injured as a result of a Representatives' actions, seems distressed in any way, appears to be sexually aroused by your actions, misunderstands or misinterprets something you have done, always report such incidents as soon as possible to another colleague and make a written report.
- If a child or vulnerable adult arrives at the activity or service showing any signs or symptoms that give you cause for concern you must act appropriately and follow the procedures detailed above.

It is not good practice for Representatives, without explicit permission from the parent/guardian/carer, to:

- Spend unreasonable amounts of time alone with children and vulnerable adults away from others.

- Take children and vulnerable adults alone on a car journey, however short
- Take children or vulnerable adults to their home.
- Arrange to meet children and vulnerable adults outside an organised activity or service.

Representatives should never:

- Let any allegation made by a child or vulnerable adult be ignored or go unrecorded.
- Engage in rough physical games including horseplay.
- Engage in sexually suggestive games.
- Allow or engage in inappropriate touching of any form.
- Allow children or vulnerable adults to use inappropriate language unchallenged, or use it themselves.
- Make sexually suggestive comments about, or to, a child or vulnerable adult, even in fun.
- Except as provided herein, do things of a personal nature for children and vulnerable adults that they are able to do themselves, e.g. assist in changing. It may sometimes be necessary to do things of a personal nature for children and vulnerable adults, particularly if they are very young or are disabled. The tasks should only be carried out with the full understanding and consent of the parent(s), carer(s) or guardian(s) of the child or the carer(s) or legal guardian(s) of a vulnerable person if they are adjudged to be incapable of self-determination. In an emergency situation that requires this type of help, you should endeavour to have someone present and fully inform the parent(s), carer(s) or guardian(s) as soon as it is reasonable possible. In such situations it is important that you ensure that all staff etc are sensitive to the child or vulnerable adult and undertake personal care tasks with the utmost sensitivity and discretion.
- Except as may be explicitly agreed between the Representative, Boccia Bermuda and the parent(s), carer(s) or guardians of the child or the carer(s) or legal guardian of a vulnerable person if they are adjudged to be incapable of self-determination, share a room with such child or vulnerable person.
- Access pornography sites while acting as a Boccia Bermuda Representative.

Appendix A

PROTECTION INCIDENT REPORTING FORM

All information will be treated in strict confidence

Date: ___/___/20___ Time: _____ Venue: _____
Name of Child/Person: _____ Age: _____
Address (if known): _____
_____ Postcode: _____
Telephone Number (if known): _____

Next of Kin: _____
Address (if different from above): _____
_____ Postcode: _____
Telephone Number (if different from above): _____

Are you reporting you concerns or passing on those of someone else?
Please give details:

Please give a brief description of what has prompted the concerns including any specific incidents, places, dates, times etc:

Any physical signs? Behavioural signs? Indirect signs?

Have you spoken to the child/person? If so what was said?

Has anybody been alleged to be the abuser? If so, give details:

Have you consulted anybody? If so give details:

Your name: _____

Position: _____

To whom reported: _____

Date of reporting: __/__/20

Signature: _____ Date: __/__/20__

This form should now be given to the Protection Officer by hand in a sealed envelope marked Private and Confidential.

Appendix B

DECLARATION

Boccia Bermuda is fully committed to safeguarding the well being of children and vulnerable adults by protecting them from neglect, physical, sexual and emotional harm.

Working as a Representative of Boccia Bermuda, it is important that you have taken time to thoroughly read this Child and Vulnerable Person Protection Policy and procedures.

By being made aware of the policy it is our intention to ensure that all are proactive in providing a safe and secure environment for the children, young people and vulnerable adults people in our care.

Declaration:

I have read and understand the Boccia Bermuda Child and Vulnerable Person Policy and Procedures and I accept the principles therein.

Signed: _____ Date: __/__/20__

Name: _____
(please print)

Title: _____

This will be kept in your personnel file.

Appendix C

Useful contacts

Police/Ambulance/Fire Emergency	Tel: 911
Hamilton Police Station	Tel: 295-0011
Vulnerable Protection Officer – Theresa Hall	Tel: 335 0040
Vulnerable Protection Officer – Troy Farnsworth	Tel: 504 1978
Hospital	Tel: 236-2345
Mid Atlantic Wellness Institute	Tel: 236-3770
Emergency Counselling Lifelines (9:00 am – 5:00 pm)	Tel: 239-2261
(5:00 pm – 8:00 pm)	Tel: 236-3770
Medical Social Workers	Tel: 236-2345
Bermuda Youth Counselling Services	Tel: 296-7458
Child and Family Services (Administration)	Tel: 296-7575
Child Abuse Referral Hotline	Tel: 278-9111
Family Services	Tel: 294-5870
Child and Adolescent Services	Tel: 236-3770 ext. 3463
Bermuda Family Council	Tel: 278-4903
National Office for Seniors and the Physically Challenged (National Office for Persons with Disabilities)	Tel: 292-7802
Physical Abuse Centre – Hotline	Tel: 297-8278
or	Tel: 292-4366
Teen Services	Tel: 292-4598
Bermuda Islands Assoc. for the Deaf	Tel: 238-8116
Bermuda Physically Handicapped Assoc.	Tel: 293-5035
Bermuda Red Cross	Tel: 236-8253
Bermuda Society for the Blind	Tel: 292-3231
Centre Against Abuse	Tel: 292-4366
Centre For Community and Family Mediation	Tel: 292-7675
Coalition for the Protection of Children	Tel: 295-1150
Committee of 25 For Handicapped Children	Tel: 292-4324
Community Nursing Service	Tel: 292-3015
The Family Centre	Tel: 232-1116
Project Action (free transportation for seniors)	Tel: 297-5044
Human Rights Commission	Tel: 295-5859
Multiple Sclerosis Society of Bermuda	Tel: 297-0575
Women’s Resource Centre	Tel: 295-3882

Appendix D

Children's Act 1998 – select provisions

2. Interpretation

"child" means ... a person who is under the age of 18 years

"Director" means the Director of Child and Family Services

PART III - ABUSE OF CHILDREN

19. Mistreatment, abandonment etc of child

Any person who, having the care and control of, or parental responsibility for, any child, wilfully abuses, mistreats, neglects, deserts or abandons the child or causes or procures the child to be abused, ill - treated, neglected, deserted or abandoned is guilty of an offence and is liable on summary conviction to a fine not exceeding \$3,000 or imprisonment for a term not exceeding 6 months.

20. Mandatory reporting of child abuse

(1) Every person who has information indicating that a child is suffering or has suffered significant harm, shall forthwith report that information to the Director.

(2) Notwithstanding subsection (1) or any statutory provision, a person who performs professional or official duties with respect to a child, including –

- (a) a physician, nurse, dentist, pharmacist, psychologist or other health care professional;
- (b) a school principal, teacher, counsellor, social worker, youth or recreational leader, member of the clergy or child care worker; or
- (c) a police officer, probation officer or youth care worker,

who, in the course of that person's professional or official duties, has reasonable grounds to suspect that a child is suffering or has suffered significant harm, shall forthwith report the suspicion to the Director together with the information upon which it is based.

(3) Subsections (1) and (2) apply whether or not the information is confidential or privileged except that nothing in this section shall be taken to affect or abrogate the privilege that attaches to a communication between a solicitor and his client.

(4) No civil action lies against a person by reason of that person reporting information pursuant to subsection (1) or (2) unless the reporting of that information is done falsely and maliciously.

(5) Every person who –

- (a) contravenes subsection (2) or (6); or

(b) falsely and maliciously reports information to the Director indicating that a child is suffering significant harm or is suspected thereof, is guilty of an offence and is liable on summary conviction to a fine not exceeding \$3,000 or imprisonment for a term not exceeding 6 months.

(6) No person shall reveal or be compelled to reveal the identity of a person who has reported information to the Director pursuant to subsection (1) or (2).

(7) On receiving a report pursuant to subsection (1) or (2) the Director shall —

- (a) cause an investigation to be made into the circumstances of the case;
- (b) arrange for the provision of such child care services as he considers necessary; and
- (c) make application for such order under this Act as he considers appropriate.

Appendix E

PROTECTING VULNERABLE PERSONS

Policy for charities working with vulnerable persons because of age, physical or mental ability, ill health or because of affiliation with crime

PROTECTING VULNERABLE PERSONS

Policy for charities working with vulnerable persons because of age, physical or mental ability, ill health or because of affiliation with crime.

Introduction

Certain types of charity are set up to assist or care for those who are particularly vulnerable, perhaps because of their age, physical or mental ability or ill health. Charity trustees (that is, those persons responsible for oversight of a charity) are responsible for ensuring that those benefiting from, or working with, their charity is not harmed in any way through contact with it. They have a legal duty to act prudently, and this includes taking all reasonable steps within their power to ensure that harm does not happen.

It is particularly important where beneficiaries are vulnerable persons in the community. Trustees are expected to find out what the relevant law is, how it applies to their organization, and to comply with it accordingly. They should also adopt best practice as far as possible - advice on this is available from a number of knowledgeable sources, some of which are listed on the final page below.

Children are an especially vulnerable group and therefore the Registry General and Charity Commissioners are concerned to stress the importance of charities having proper safeguards in place for their protection.

If your charity works with vulnerable people, you need to take the necessary steps to safeguard them in order to be regarded as 'fit and proper'.

Charities which are accredited or certified by the Bermuda National Standards Committee can provide the Registry General and Charity Commissioners with proof of up-to-date and current accreditation or certification status to discharge their requirements under this policy. Proof of accreditation or certification should be provided in their annual reports and as part of their applications for registration.

For more information on accreditation or certification and the Bermuda National Standards Committee which administers the process, please visit <http://www.centreonphilanthropy.org/pages/bermuda-national-standards>.

The role of the Registry General and the Charity Commissioners

Although the Registry General and the Charity Commissioners do not administer child protection legislation, we aim to increase public trust and confidence in charities. As part of the registration process, organizations working with vulnerable persons will be asked for (a) information about the policies and procedures which they have in place for keeping vulnerable persons safe, (b) disclosure of criminal background checks in respect of trustees where the charity is required to do so, and (c) disclosure of the fact of a disqualification from caring for seniors pursuant to the Seniors Abuse Register Act 2006.

PROTECTING VULNERABLE PERSONS

Policy for charities working with vulnerable persons because of age, physical or mental ability, ill health or because of affiliation with crime.

Where it is determined that a particular organization works with vulnerable persons, it will be registered as a charity unless it has met the requirements of this policy. An organization failing to make such appropriate safeguards will be regarded as not fit and proper.

An organization will not be registered as charitable where it has trustees, staff or volunteers who possess a conviction which is relevant to any services it might provide to a vulnerable person. For example, persons convicted of a sex offence or committing senior abuse will not be allowed to work with children and seniors respectively.

Safeguarding

Safeguarding is a relatively new term which is broader than 'protection' as it also includes prevention. Safeguarding has been defined as:

- All agencies working with vulnerable person's and their families taking all reasonable measures to ensure that the risks of harm to vulnerable persons' welfare are minimized; and
- Where there are concerns about the vulnerable person's welfare, all agencies taking appropriate actions to address those concerns, working to agreed policies and procedures in full partnership with other local agencies.

Safeguarding vulnerable persons is vital for charities as charity trustees have a duty of care towards those with whom they have contact. Having safeguards in place within an organization not only protects and promotes the welfare of vulnerable persons but also it enhances the confidence of trustees, staff, volunteers, parents/carers and the general public. Safeguarding vulnerable persons is beneficial to a charity in many ways: protecting its reputation, helping to effectively meet its objectives and protecting its finances.

The necessity to safeguard vulnerable persons applies both to charities working in Bermuda and other countries where beneficiaries may face different or additional risks of abuse or exploitation. These safeguards should include protection policies and procedures for dealing with issues of concern or abuse.

Safeguards include internal procedures and policies, for example:

- making trustees, staff and volunteers aware of what abuse is and how to spot it
- having a clear system of reporting concerns as soon as abuse is identified or suspected
- responding to abuse rapidly and carrying out investigations confidentially
- preventing harm and abuse with a rigorous recruitment and interview process

Having proper safeguards in place means your charity can promote a safe place for your beneficiaries, and gives the public confidence in your charity and trustees. For example, a charity that works with children should:

- have a child protection policy – a statement explaining how the charity protects children from harm
- put in place child protection processes which give clear, step-by-step guidance if abuse is identified
- carry out the appropriate background checks on staff, volunteers and trustees (depending on their access to children)
- have policies and procedures to help prevent abuse happening in the first place, such as adult workers not having one-to-one access to young people

For the purposes of child protection legislation the term 'child' refers to anyone up to the age of 18 years.

Criminal record checks

Employees, volunteers and trustees who will work directly with vulnerable persons must have a criminal background check. The background check must show that the person has no criminal past that involved vulnerable persons. Persons with a prior criminal record related to vulnerable persons cannot serve at a minimum in a direct contact role with such vulnerable persons, and this may include that they cannot be a trustee, employee or volunteer with the charity. You can arrange for a check by submitting a form SF39 to the Bermuda Police Service together with a \$100 processing fee. A copy of the form can be found online at <http://www.bps.bm/>.

The vulnerable person protection policy

This is a statement of intent that demonstrates a commitment to safeguard vulnerable persons involved with a charity from harm. The essential inclusions for such a protection policy are outlined below:

- the welfare of the vulnerable person is paramount;
- all vulnerable persons without exception have the right to protection from abuse regardless of gender, ethnicity, disability, sexuality or beliefs;
- the policy is approved and endorsed by the charity trustees;
- who the policy applies to (i.e. all trustees, staff and volunteers);
- vulnerable persons, their family and carers are informed of the policy and procedures as appropriate;
- all concerns, and allegations of abuse will be taken seriously by trustees, staff and volunteers and responded to appropriately - this may require a referral to the appropriate social and human services and in emergencies, the Police;
- a commitment to safe recruitment, selection and vetting;
- reference to principles, legislation and guidance that underpin the policy;
- arrangements for policy and procedures review;
- reference to all associated policies and procedures which promote vulnerable persons' safety and welfare e.g. with regards to: health and safety, anti-bullying, protection of children online, and photography.

Vulnerable persons protection procedures and systems

Procedures and systems provide clear step-by-step guidance on what to do in different circumstances and they clarify roles and responsibilities. Systems for recording information and dealing with complaints are also needed to ensure implementation and compliance.

The procedures and systems should include:

- A named person (and deputy) with a clearly defined role and responsibilities in relation to vulnerable person protection, appropriate to the level at which s/he operates.
- A description of what abuse is, how to spot it and the procedures for how to respond to it where there are concerns about a vulnerable person's safety or welfare or concerns about the actions of a trustee, staff member or volunteer. Relevant contact details for social and human services, police, and telephone hotlines should be available (for example, those of Centre Against Abuse and Women's Resource Centre – see below).
- A mandated reporting requirement for employees, volunteers and trustees when they have suspicion of abuse of a vulnerable person. This includes inclusion of reports of suspected abuse being part of the charity's internal incident reporting and review process system and external reporting as legally required to appropriate authorities.
- Guidance on confidentiality and information sharing, legislation compliance, and which clearly states that the protection of the vulnerable person is the most important consideration.

- A code of behaviour for trustees, staff and volunteers. The consequences of breaching the code are clear and linked to disciplinary and grievance procedures.
- Safe recruitment, selection and vetting procedures that include checks into the eligibility and the suitability of all trustees, staff and volunteers who have direct or indirect (e.g. helpline, email) contact with vulnerable persons. In addition, charities will be required to conduct in-person interviews for new hires and volunteers, where they will have queried on their response to certain hypothetical scenarios where the interests of vulnerable persons are threatened.
- A complaints procedure which is open and well publicized where adults and children can voice concerns about unacceptable and/or abusive behaviour towards vulnerable persons.
- Systems to ensure that all staff and volunteers working with vulnerable persons are monitored and supervised, in particular, as this relates to one-on-one interactions between adults and children.
- Requirements for trustees, staff and volunteers to learn about vulnerable person protection in accordance with and as appropriate to their roles and responsibilities.
- A transportation policy which spells out precisely the circumstances in which a vulnerable person can travel alone with another.
- Documented annual training which addresses the above, and in particular: (1) what abuse is and how to spot abuse; (2) mandated reporting requirement and procedures; (3) what “duty of care” means and how the charity fulfills that requirement to protect vulnerable populations being saved from harm; and (4) how client confidentiality of vulnerable persons is addressed.

It is important that each charity's safeguarding policy and procedures are tailored to the type of contact that the charity has with vulnerable persons and it also needs to take into account any particular vulnerabilities of the vulnerable persons with whom the charity has contact; for example disabled children who are at increased risk of abuse; babies and toddlers who are vulnerable due to their age and dependence on adults; chronically ill seniors and disabled adults who depend on the care of others; etc.

Particular vulnerability because of affiliation with crime

In Bermuda, the scourge of crime affects everyone. Gang-related activity is particularly problematic. Oftentimes, charities spring into action to assist those who are affected by crime, either as victims of crime, offenders seeking the rehabilitative assistance of services provided by such organizations or family and friends of such persons.

In addition to the requirements set out in this paper, charities working with such vulnerable persons need to have in place appropriate policies which manage the risk of their involvement. Beneficiaries and staff of a charity need to be protected – against those from outside the organization and from within. To that end, the Registry General and Charity Commissioners would need to be satisfied that such policies exist in respect of charities that deal with vulnerable persons because of affiliation with crime, and that such policies are appropriate for managing to types of risk faced by such an organization.

Reporting on a charity

Most charities don't encounter any serious incidents or problems. When they do, the trustees have a duty and responsibility to report the incident as soon as they become aware of it. Reports should be forwarded to the appropriate authorities, and such reports should be copied and forwarded to the Registry General and the Charity Commissioners.

Where volunteers and employees of a charity, and concerned members of the public, are aware of any issues in respect of a particular charity, they should report such concerns to the Registry

General and the Charity Commissioners. All concerns will be considered. The action taken as a result of the concerns will of course depend on the nature of these concerns. Confidences will be respected, with due regard to the individual's rights to privacy under the law. However, a person who is under inquiry is entitled to know the nature of any allegations being made, and any person criticized as a result of an inquiry has a right to be told the nature of the evidence upon which the criticism has been based.

Every step will be taken to try to ensure that a complainant's identity is not revealed without their consent. In some cases the nature of the allegations or evidence may give an indication as to their source. Also, in limited cases there may be an obligation to reveal information by order of the court in legal proceedings.

Where information touches upon activities and behaviours within the scope of another regulatory authority, this information will be forwarded as appropriate. For example, if a complaint received points strongly to criminal behavior, we will refer the matter to the Bermuda Police Service.

Further resources and contact information

Call 911 if in immediate danger or for the Sexual Assault Response Team (SART)

Age Concern	238-7525 www.ageconcern.bm/
Bermuda Islands Association of the Deaf	238-8116
Bermuda National Standards Committee	
http://www.centreonphilanthropy.org/pages/bermuda-national-standards	
Bermuda Police Service	295-0011 or 247-1678 www.bps.bm
Centre Against Abuse Women's Hotline	297-8278 www.abusefree.org
Centre Against Abuse Men's Hotline	332 1293 www.abusefree.org
Centre on Philanthropy	236-7706 http://www.centreonphilanthropy.org/
Child & Family Services	278-9111 or 294-5882
The Coalition for the Protection of Children	295-1150 www.coalition.bm
The Family Centre	232-1116 www.tfc.bm
Mid Atlantic Wellness Institute	236-3770
The National Office for Seniors and The Physically Challenged (NOSPC)	292-7802
SCARS: Saving Children and Revealing Secrets	297-2277 www.scarsbermuda.com/
Women's Resource Centre	295-3882 (main) or
www.wrcbermuda.com	295-7273 (hotline)

Contacting the Registry General and Charity Commissioners

General Enquiries: 297-7739

The Registry General
1st floor, Government Administration Building
30 Parliament Street,
Hamilton HM 12
Bermuda