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# BAB Case Management & Steering Groups

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## Minutes of meetings held at Novotel, Bristol 24<sup>th</sup> April 2010

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## Terms of Reference

The Role of the BAB's Case Management Group can be found on page 38 Appendix 5 of the BAB's Child Safeguarding & Protection Policy [BAB CSPP].

The Role of the BAB's Steering Group can be found on page 41 Appendix 8 of the BAB's Child Safeguarding & Protection Policy.

## CASE MANAGEMENT GROUP (CMG)

At present, the CMG comprises 3 people:

Sue Ward: Lead CPO, Francis Burgess (Association CPO) and Celia Tierney (former Association CPO)

Both Sue Ward and Francis Burgess have attended training in the process of risk assessing recruitment decisions. This training was provided by the Child Protection in Sport Unit (a 'branch' of the NSPCC). Celia Tierney is a practising solicitor and has relevant professional experience.

We would love to hear from any member of the BAB (with an appropriate professional background) who would like to offer their services to the CMG.

## CMG Agenda

1. To review current CRB Disclosures (confidential and therefore not minuted here)
2. To discuss the use of protocols to the decision making process with regard to risk assessing CRB Disclosures
3. To review concerns raised by Mick Sheridan of the Aikido Research Federation with regard to the processes and procedures of the CMG

## Use of protocols in risk assessing CRB Disclosures

Due to the uniqueness of every CRB Disclosure the CMG felt it would be neither appropriate nor helpful to try and create such protocols.

The details surrounding each CRB are so varied it is unlikely that we could arrive at any useful benchmarks.

Each Disclosure containing information will continue to be reviewed on an individual basis by the Group.

Where appropriate we will draw on previous decisions of a similar nature to inform current decision-making processes. This will ensure the fair and equitable treatment of all those members whose Disclosures are considered by the CMG.

## Concerns and queries raised by Mick Sheridan (ARF)

These concerns relate specifically to the review of information contained on a CRB Disclosure

### **Concern 1. Length of time taken to conduct the process**

In 2009/10 the BAB CMG considered a Disclosure from an ARF member. The circumstances surrounding (but not directly related to) this disclosure were unusual. There were problems in locating the member's club. This led to an investigation conducted by the Association and the net result was a delay in obtaining the necessary information upon which to base a decision.

Sue presented the full background information to the CMG to explain this delay, and the CMG agreed that it was not representative of normal practice, and was largely a result of these unusual circumstances.

However, the CMG did feel that it would be helpful to set some timescales for dealing with CRB Disclosures. It was agreed that the process of convening a CMG meeting to consider a Disclosure would take place within 2 weeks. It was not possible to give any other timeframes. More often than not a decision is made at the initial 'virtual' meeting. But if a case required further investigation then it was not possible to say how long this would take.

### **Concern 2. Lack of regular feedback to the applicant**

The Lead CPO is happy to address this and agrees that in all future cases under consideration (and where the member is involved in/aware of the process) the member will be contacted with an update every 4 weeks.

### **Concern 3. Who is allowed to know of the CMG's decision?**

When reviewing a CRB Disclosure any information on the Disclosure is confidential and may not be disclosed to any third party. This means that if an Association is required to take any action subsequent to the CMG's review of a Disclosure, then the Association CPO would be informed of this necessary action. The Association CPO would not usually be given any other information. The member would also have had a copy of their Disclosure and of course they are at liberty to share this with anyone they so wish. But the Lead CPO is bound by strict rules of confidentiality. Under some circumstances the BAB Lead CPO will obtain permission from the member concerned to share the CRB Disclosure information and to speak with other people to obtain further background details. If this permission is in place then some sharing of information may take place. However this would be discretionary and the principles of 'need to know' would still apply. There is no automatic right for the Association CPO or Head of Association to be privy to any information behind a CMG decision.

### **Concern 4. The initial information given to applicants could be much more**

There is a section at the end of the Guidance Notes for the Applicant which explains what happens to the Disclosure information, how it is used and what the outcomes may be. Association CPOs are responsible for disseminating this information. It is also available to download from the BAB web site.

### **Concern 5. What criteria are used when 'judging' an individual's Disclosure information?**

The basis for all decisions is very simple: what are the concerns and risks to the safety and welfare of children.

**Concern 6. The confidentiality of the CMG process might affect the accuracy of information disclosed. Confusion in records may occur.**

The CMG were unsure as to why Mr Sheridan felt this was an issue. The information upon which decisions are initially based is clearly stated on the CRB Disclosure Certificate – and the applicant has their own copy of this. Subsequent investigations are recorded and held in accordance with the BAB's Data Protection Guidelines.

**Concern 7. There is a worry over 'soft data'. The kind of thing that might turn up should be detailed.**

All information on CRB Disclosures is confidential – but is shared with the applicant (unless the issue of 'additional information' applies – see footnote<sup>1</sup>). Any other data gathered as part of the investigative process would be documented as part of the risk assessment process. It may or may not be appropriate to share this with the applicant. All cases are dealt with individually.

**Concern 8. All CMG meetings should take place with an Agenda, and should be minuted.**

This has been the case since the CMG started.

**Concern 9. Minutes should be scrutinised by an independent body to ensure objectivity and relevance of any decision.**

The CMG responded with their own questions: "Who?" and "Why?". Members of the CMG are trained in this risk assessment work and keep records in line with prevailing best practice and legislation. Part of what guides the process is the legal requirement to keep records confidential. If a CMG decision was challenged then the process would be subject to review by the appropriate BAB committee. The CMG's work is objective in as much as all identifying information is removed from cases – and they are dealt with purely on the basis of the facts.

**Concern 10. As much information as possible should be provided to the members with regard to a) the work of the CMG and b) the results (i.e. how many children have been safeguarded as a result of the processes)**

Reports from Steering Group Meetings were produced in 2007 and 2008 when Sue was Lead CPO. There was a break during 2009 when Barbara Barrett was in post. The 2010 meeting is minuted in this document along with the CRB statistics.

## **CMG AOB: The BAB Appeals Process**

Celia – drawing on her legal background – highlighted a potential problem with the current BAB Disciplinary procedures.

At present any individual who is not approved to coach children must appeal through their Association (see page 24 of the BAB Child Safeguarding and Protection Policy). This is fine if the Association is prepared to act on behalf of, or support, the individual concerned. However, if the individual's Association was not prepared to support an appeal then it should be possible for that person to appeal direct to the BAB. This would be in line with basic human rights and associated laws.

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<sup>1</sup> Sometimes additional information is sent under separate cover at the discretion of the Chief Constable. This may not under any circumstances be shared with the applicant.

We also need a legal view, and clarity, on what data can be shared with the BAB's Disciplinary Panel

Sue will ask the BAB's new legal officer to review the relevant sections of the BAB CSPP and Constitution.

## STEERING GROUP (SG)

In attendance: Sue Ward (Lead CPO)  
Vincent Sumpter (Chairman)  
Steve Billett (Webmaster)  
Celia Tierney (CMG representative)  
Grev Cooke (BAB Coaching)  
Kim Mathers (Parent)  
Ruth Mathers (under 18)  
Francis Burgess (Association Representative)

## Steering Group Agenda

The Agenda was lengthy to ensure that as many items as possible could be discussed. As the day progressed it became clear that not all items could be covered and so we prioritised those indicated with a tick. The other items will be dealt with as paper exercises via email

Report from CMG and stats for the period ✓  
Licensing of junior coaches – CRB ISA and PI ✓  
Training of CPOs and CWOs ✓  
Coach education ✓  
CRB and ISA – migration to new system ✓  
Review Flow Charts  
Report from Ruth Mathers U18 ✓  
Web site ✓  
Club audits ✓  
Non compliance/enforcement ✓  
New member processes

Completion of policy appendices

National course for under 18s ✓

Support for those against whom an allegation has been made ✓

Amend pain compliance section (ref Lesley Hepden BAA) ✓

Membership category for non players ✓

Policy statement re use of CRB checks

NSPCC items

AOB

## CMG statistics

- o Total CRB checks to date: 950
- o Disclosures put through Case Management: 53
- o Disclosures resulting in a negative recruitment decision: 2

### **Cases/Concerns/referrals since the last report:**

- o 2 cases of alleged poor practice: both cases closed
- o Concerns raised re a club operating outside of BAB policy: case closed

Whilst she was in post, Barbara Barrett identified two individuals (no longer in membership) who she felt were unsuitable to re-join as members or coaches. At present the BAB does not have a system to deal with this – as we have no central register of individual members.

This is a matter that needs to be looked at and discussed further.

## Licensing of Coaches teaching Under 18s

It was generally agreed that this should be our aim. Possibly looking to phase this in over a 3 year period.

The rationale behind this is that we could initially tie in CRB, ISA, PI to the licence, and then phase in mandatory training such as Sports Coach UK modules and the BAB's Coaching Children course.

Sue will liaise with Grev on this and come up with a proposal that can be taken forward to the Executive Committee.

## Training of CPOs and CWOs

Sue flagged up that The Child Protection in Sport Unit (CPSU) has now withdrawn its support for smaller NGBs such as the BAB.

Previously we have been able to access training opportunities 'on the coat tails' of the bigger NGBs, along with 2/3 days consultancy work a year. This has now disappeared.

The BAB CSPP requires CPOs and CWOs to undertake the Sports Coach UK Safeguarding and Protecting Children course – and this is generally available throughout the country – often at subsidised prices. We need Associations to support their CPOs and CWOs to attend these courses. Links to local training opportunities are on the BAB website.

We also now have the CWO support pack (Booklet and DVD) and this is also available on the web site.

Given our current resources this is all we can offer at this time.

## Coach Education

It was generally agreed that the BAB's Coach Level 1 course is now better structured and resourced. There are still some issues around quality control and auditing – examples were given where the course content has varied from that prescribed.

The current system is able to deliver prescriptive safeguarding training at 'entry level' standards.

It was agreed that we should work towards scUK SPC becoming mandatory for coaches working with under 18s.

Given our current structure and resources, coach education is fit for purpose.

## CRBs and ISA

Sue gave a short presentation re the new ISA system – with special reference to the timeline. This will also be emailed to Association CPOs.

All present appreciated the need for the ISA message to get down to club level as, strictly speaking, it will be the club which is legally responsible for checking ISA registration.

Sue was asked to get some information on how Scotland and Northern Ireland will implement the ISA process. Below is an extract from an email received from TMG (the organisation which processes our CRB checks, and who also be arranging our ISA registrations):

*Disclosure Scotland will operate their own equivalent of the ISA but this won't be available until the end of the year at the earliest.*

## Report from Ruth Mathers

Ruth had prepared for today's meeting by consulting with children and young people in her own club.

She gave an eloquent presentation which highlighted the following areas:

1. The need for a specific national or regional course for Under 18s
2. Pages on the web site specifically for young people
3. Regional reps for under 18s who then report back to BAB meetings

Ruth's presentation was discussed extensively and it was agreed that we should investigate a course for 14 – 20 year olds, possibly something run on a regional basis to avoid extensive travelling.

Vincent agreed to contact the BAA to see if we could tap in to their expertise in organising such events

Steve Billett agreed to arrange a forum for young people and Ruth agreed to be the junior co-ordinator (role to be defined).

## Web site

Steve Billett gave a presentation of the junior sections of the web site. Ruth was able to give her input as to the suitability of the content and presentation. Steve took note of any amendments that were needed.

*(After meeting note: Steve confirmed that a 'report abuse' button has been added to the newly created forum for Young Aikidoka)*

## National course for under 18s

See above

## Support for those against whom an allegation has been made

Sue Ward reported that Sue Baird from Lancashire Aikikai had voiced concerns that there was not enough provision to assist those who have been complained about.

We do now have an information sheet on the web site offering sources of support. This is in line with the support offered by other NGBs such as the Football Association.

The BAB simply does not have the resources to offer "in house" support or counselling.

Vincent did point out that we now have the additional £10 insurance premium which is optional for those working with under 18s. In the event of an allegation this premium would give cover for costs related to defending the case. Some instructors have already taken advantage of this.

## Amendment of the pain compliance advice

Sue Ward reported that Lesley Hepden of the BAA and others have raised concerns about the wording of the section on page 54 of the current policy document.

Lesley was concerned that whilst locks may be 'banned' it was still possible under the strict letter of the policy to use repetitive training practices which could also be harmful.

There was a strong feeling at the meeting that locks should be re-introduced for under 18s.

Ruth presented a passionate argument in favour of having locks on the syllabus that she follows. Other indicated that, despite the policy, locks were being used in some clubs anyway.

Grev had conducted some research via Associations and he presented this feedback which was also in favour of allowing locks to be applied to under 18s.



There was a long discussion about the pros and cons. It was suggested that whilst locks were 'banned', children were – nonetheless – still allowed to undertake possibly the most dangerous aspect of aikido i.e. ukemi/breakfalls.

Sue said that just because everyone 'wanted' something didn't mean that it was necessarily in the best interests of children. Her role was to safeguard children – not the fundamentals of aikido.

It was agreed that this section did need revision – and that any revision should be done in such a way as to prevent the topic being endlessly revisited.

Sue agreed to consult more widely on this topic and prepare a paper for further discussion.

*(Note: this consultation is already underway)*

## **Membership category for 'non players'**

It was agreed that we should investigate the provision of a 'no cost' membership category for those volunteers who do not participate in aikido.

This would ensure that anyone acting as, for example, a helper or CWO, would a) be bound by the BAB's policies and procedures and b) be afforded some insurance cover.

Sue has previously checked this with regard to our right to CRB check non members. The advice she was given was that you don't have to formally sign up as a member to be bound by its rules i.e. membership can be inferred by the fact that someone takes on a role.

The BAB's new recruitment policies mean that all new people should go through a formal process which would further substantiate membership and compliance with relevant policies and procedures

However, there is no clarity as to whether these people would be insured under the Association insurance.

Vincent will check with Perkins Slade to check the situation.

## **SUMMARY**

The meetings were really informative and productive – most notably the section delivered by Ruth.

It was an opportunity to highlight the priority areas we need to address – but also to reflect on how far we have come in a little over 4 years.

Sincere thanks to those who have given up their valuable time to attend the event. Your work and commitment to safeguarding is much appreciated.

Sue Ward May 2010.