

Vulnerable Adults in Sport
Frequently Asked Questions

NB The coalition government announced that there will be a fundamental remodelling of the vetting and barring scheme. The answers provided by the Department of Health are given based on the legislation as it stands on **17th October 2010** and the responses may change following the outcome of the remodelling.

1. What do we need to consider if we have a disabled player who plays with the club side regardless of disability?

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| Best Practice Answer Provided by the Ann Craft Trust |
| <p>The club should ask the person with the disability how they can help them to integrate and discuss any special arrangements that they may need to ensure they enjoy and benefit from the sport and the social experience of being a member of the club. The coach should be given the opportunity for advice and support to help them deliver their role in full for the team and the individual.</p> <p>Practical Ideas for you to consider:</p> <ul style="list-style-type: none"> - You could make arrangements for the person to have a ‘buddy’ or ‘mentor’ who they can choose to approach with any difficulties or questions they have; - You could also think about conducting a practical assessment with the individual to ensure they are able to use all the clubs facilities; - You may want to offer assistance in transport to and from the club and to matches/events to help them enjoy the sport or activity fully; - You may want to offer the coaches and trainers ‘inclusivity training’ or ‘disability awareness training’. For details of suitable courses contact CCPR. <p>Your club should be thinking about putting in place these practices in preparation for being inclusive and not only doing this as a reactive measure.</p> |
| Legal Duties Answer Provided by the Department of Health |
| <p>Enabling a sports person with a disability to join a club which is not specifically designed for disabled people, does not require any special considerations in respect of vetting the staff or coaches who will be working with them, although you may want to consider this under best practice. The clubs standard good practice pre-employment procedures (whether for voluntary or paid staff) will be the same.</p> |

2. What do we need to do or consider if we are looking to establish a specific disabled squad/team as one part of the overall club?

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| Best Practice Answer Provided by the Ann Craft Trust |
| <p>Depending on the disability you should consider the practical implications before you establish the team and make adjustments as necessary to accommodate their needs. This may include access requirements, changing room, communication aids, specialist help and additional training for coaching staff or volunteer helpers. You should do this in consultation with the players/users themselves to ensure you don’t make assumptions about their needs and overlook their specific requirements. From a coaching and team management perspective it is a good idea to ensure that you have people who have specific skills and an interest in being a part of this team/squad, although from an inclusivity perspective the people</p> |

you have has coaches or trainers should all be able to work with this team. In addition to the legal requirements outlined below, you should also ensure anyone involved in the team management fosters a culture of inclusion. It is also important to see this as a team which is part of the overall club and therefore put in place appropriate ways to integrate this team with the rest of the club.

Practical Ideas for you to consider:

- Member nights which include all teams;
- Information about the team is integrated into information about all other teams;
- Make people aware that you are planning to establish this team and set the culture of inclusion from the beginning;
- You may want to offer the coaches and trainers 'inclusivity training' or 'disability awareness training'. For details of suitable courses contact CCPR.

Legal Duties Answer Provided by the Department of Health

A club which is established specifically for people with a disability, will mean that the staff working with sports people are in 'regulated activity' if the staff working with the sports people assist them in carrying out the activity. If the disabled sportsperson requires assistance, under the Safeguarding Vulnerable Groups Act, this defines the person as a vulnerable adult at the time they are receiving the help.

The requirement for CRB disclosures for sports workers with vulnerable adults remains optional, and the decision to do them rests with sports organisation. If you decide to carry out CRB checks and you are eligible to do so, and you find out a person is barred, you commit an offence if you permit them to engage in regulated activity (because you knew they were barred). If you don't carry out CRB checks, and it comes to light that you have unknowingly employed a barred person, you have not committed an offence.

If an enhanced CRB disclosure is carried out, the club must do a risk assessment of any criminal convictions and make a risk assessment regarding suitability for the position. Criminal convictions DO NOT preclude a person from assisting with the person with a disability. If the disclosure reveals that the person is on the ISA Adult barred list it will be a criminal offence for the person to have applied for the position and to carry out the role. If the club knowingly employs the person who is barred, they too will be committing criminal offence.

3. We are looking to set up a new club purely for sport for disabled people. What do we need to be aware of?

Best Practice Answer Provided by the Ann Craft Trust

In considering setting up this club you should ensure that this club does not sit in isolation from any other local clubs. It may be when you do this you decide that a better model would be to include this club within existing club structures. This would ensure that participants get the full experience of being able to interact fully with other team players/enthusiasts.

If you do set up a sports club purely for disabled people you should consider everything mentioned in previous answers including:

- access requirements;
- the type of support you might need;
- 'buddying' or 'mentoring' for specific support;

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| <ul style="list-style-type: none"> - number of helpers/volunteers you might need; - transport requirements; - risk assessments; - accompanied support person (family member or personal assistant); - 'inclusivity training' and 'diversity training' for coaches and trainers; and - the legal requirements outlined below. |
| <p>Legal Duties Answer Provided by the Department of Health</p> |
| <p>It is important to ensure that the club has good recruitment procedures, whether for volunteers or paid employees. Good practice suggests this should include an application form, requesting two character references and a question to ask whether the person has any previous criminal records.</p> <p>The person should be aware that the position is classified as 'regulated activity' before they formally apply. This will assist in preventing barred workers applying for a position, that they did not realise was in regulated activity.</p> <p>The person should also be made aware that an enhanced CRB disclosure may be required, if this is the Clubs (or Sport Governing body internal policy).</p> <p>Any advert or job specification (however simple) should declare that the roles are in 'regulated activity' and CRB checks may be required.</p> <p>Apart from this, the process for deciding whether any person is suitable to assist with a sport and the level of support and supervision given as they learn their new role would remain the same.</p> |

4. What are the risks and what do we need to consider if we have someone within our membership who doesn't declare to the club that they are receiving help from care services?

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| <p>Best Practice Answer Provided by the Ann Craft Trust</p> |
| <p>Don't expect people to tell you if you have not provided them with the means to do so. You should consider whether you offer individuals the opportunity to inform you either through written forms or by providing a culture which encourages people to feel comfortable disclosing personal information. If you have done this and they have decided to with-hold this information then you have fulfilled your responsibility.</p> |
| <p>Legal Duties Answer Provided by the Department of Health</p> |
| <p>There are no risks to the club at all. The workers are only engaged in 'regulated activity' if they are helping the person because of their disability.</p> <p><u>Example 1</u></p> <p>A young woman joins a netball team. It has been recommended by her counsellor whom she sees weekly for depression. The Netball club is an open club and she joins alongside other women in the community. If she decides to disclose she is receiving counselling, is her choice. <u>The netball team coaches and staff are not in 'regulated activity'.</u></p> <p><u>Example 2</u></p> <p>The local netball club have been asked by the local MIND charity to set up a netball team for people whom they support who have mental health problems. The majority of the team are</p> |

referred via MIND. The netball team coaches and staff who support this team are in 'regulated activity'.

The club feel that it would be helpful if they have a better understanding of any issues that could affect the person's ability to participate in the sport. The player is to be asked (with the support of MIND) if they want to disclose, confidentially, if there are any special areas of support the person may require or if there are any aspects of their health the club need to be aware of. If the player has capacity to make decisions, it is their decision what is disclosed. The only caveat would be if the support worker from MIND felt that it was in the public interest that the club was made aware of any specific issues. Providing this has happened, the club do not need to be concerned as they have taken all reasonable steps.

5. What do we need to consider if we have social members of the club who help out occasionally and who have mental health issues?

Best Practice Answer Provided by the Ann Craft Trust

Certain good practice measures should be taken to ensure that both the volunteer and the participants have a positive experience. A risk assessment is always a useful tool to establish the specific needs of the volunteer and help you decide the best roles and functions for the individual to take on. You should also think about giving the volunteer access to additional support if they feel they require it and that your other team volunteers are encouraged to raise concerns if they have any. This should be considered best practice throughout the club regardless of any mental health issues.

Legal Duties Answer Provided by the Department of Health

Firstly, enabling people to help out in any capacity is a very positive aspect of club life. The other club members who work alongside helpers with mental health problems are not engaged in 'regulate activity' and the person with the mental health problem (in this context) is not a vulnerable adult. Support and considerations extend to the level the club would give to any person helping out, whom the club wanted to support and encourage.

CCPR would like to thank:

The Ann Craft Trust



ACTing against abuse

The Department of Health

