

Lawn Tennis Association Safeguarding remains dysfunctional

The LTA Chief Executive Scott Lloyd said on the 25/1/19: “the LTA has now undertaken a “root and branch review of its safeguarding” and “is committed to having the best safeguarding procedures possible at every level of the game.” Our review of the LTA safeguarding template reveals dysfunctional safeguarding has been retained despite MR Lloyd’s assertions.

Little reliance can be placed on the [County Association Safeguarding Template policy](#). In England, Wales and Scotland there is still [no statutory obligation to report either known or suspected abuse to the Local Authority](#) (or the police) for independent assessment. LTA policy provides no commitment even to consult with external agencies, such as the local Authority Designated Officer (“LADO”) for advice and/or guidance, when a safeguarding concern arises.

The LTA claims a child is a person under the age of 18 years. The proposed extension of the [Position of Trust Law](#) to sports coaches was put on hold by the Government many months ago. [Here are the roles to which the law currently applies](#), **sports coaches are not included**.

The LTA policy is a Potemkin village. Like all safeguarding policies its foundation is DEPARTMENT FOR EDUCATION ‘statutory guidance’ which is meant to assist Regulated Activities, like the LTA, deliver law effectively. But there is no law to report known or suspected child abuse. As a result the term ‘statutory guidance’ is little more than an oxymoron. The reality is that the head of the LTA, who has statutory responsibility for safeguarding, cannot be held to account by safeguarding legislation for failures to refer known or suspected child abuse to the statutory agencies. Furthermore, absence of legislation means staff who make a report in good faith have no protection against legal action if the report they make is not validated in law.

The LTA is free to exceed the de minimis expectations of ‘statutory guidance’ to produce a safeguarding policy on which greater reliance can be placed. Unfortunately it has made no attempt to address the legislative vacuum in order to support staff and better protect young players in LTA care. What hope for culture change?

About Mandate Now

Mandate Now is a pressure group that led the agenda for the introduction of mandatory reporting of known and suspected abuse by those employed in Regulated Activities (schools, faith, [sport](#), scouts, cadets, healthcare) since 2005. Over 200,000 people [signed the Mandate Now petition](#) in 2016 which called for the introduction of law which [exists in the majority of jurisdictions on all four continents](#). It is now being discussed at Independent Inquiry into Child Sexual Abuse and Mandate Now is a participany in these engagements.

Tom Perry the founder of Mandate Now is available for interview. M: 077987 43210
www.mandatenow.org.uk



Mandate Now

Review

of

Lawn Tennis Association

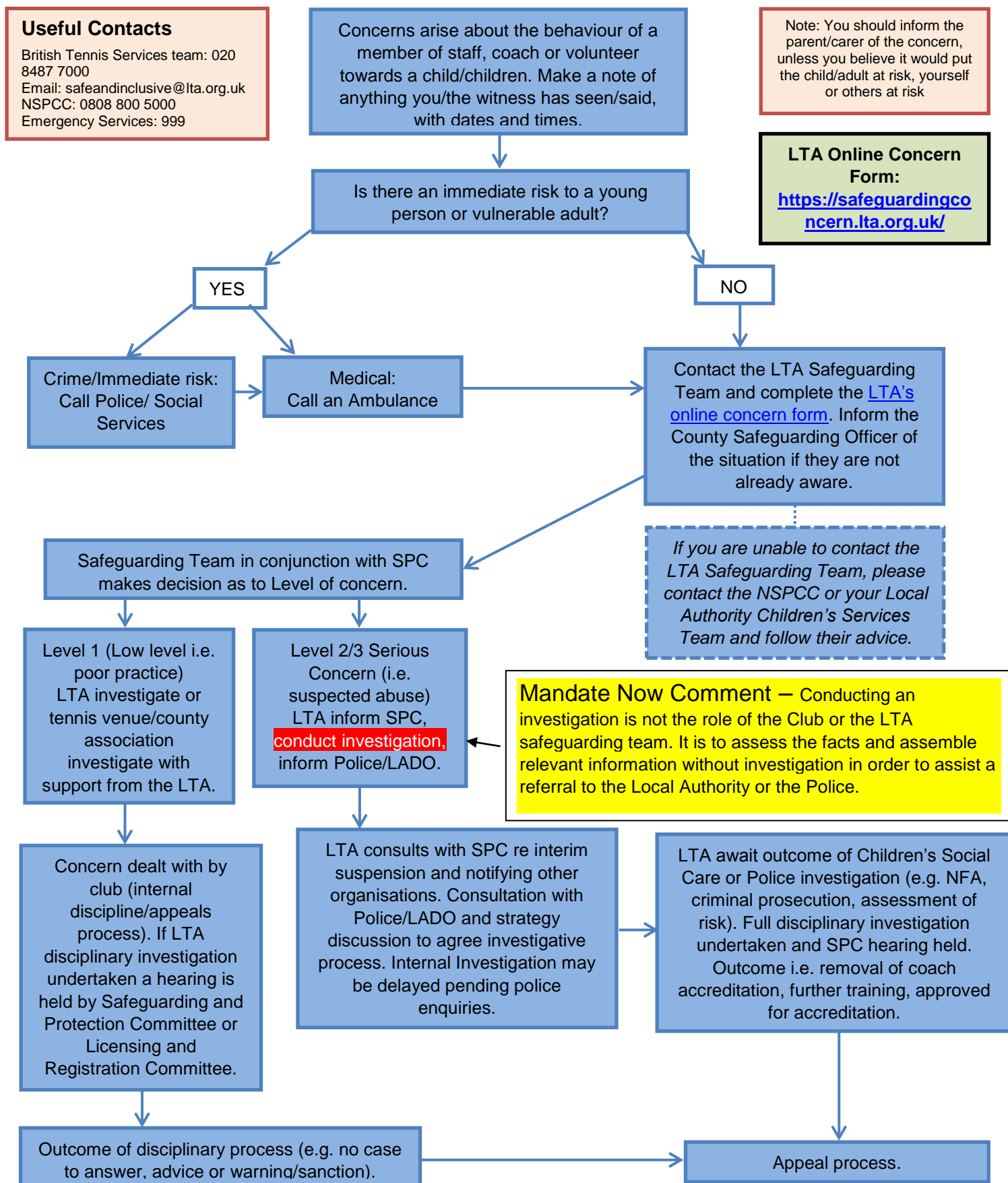
Template County Association

Safeguarding Policy (children and adults)



***[insert name of county
association]***
Safeguarding Policy

What to do if the County Association becomes aware of a safeguarding concern



Safeguarding Policy	Mandate Now observations
<p>1. Policy statement</p>	
<p>The [name of county association] is committed to prioritising the well-being of all children and adults at risk, promoting safeguarding in our county at all times, including all programmes and events we run. All activities, events and trips arranged by the county association run in accordance with the LTA's Safeguarding at Events and Competitions guidance. This Policy strives to minimise risk, deliver a positive tennis experience for everyone and respond appropriately to all safeguarding concerns/disclosures.</p>	
<p>2. Use of terminology</p>	
<p>Child: a person under the age of eighteen years.</p>	
<p>Note that some legislation in Scotland defines a child as a person under sixteen years old. However, where there is any safeguarding concern, anyone under the age of 18 is regarded as a child unless advised otherwise by the LTA Safeguarding Team.</p>	<p>Is this an LTA initiative or a mistake? It is not supported by statutory legislation following the Government's decision to drop Position of Trust law being extended to sports coaches. How this might function when an LTA club attempts to report a concern to a statutory agency or return a Disclosure and Baring Service referral about a coach who has allegedly abused a teenager between the ages of 16- 18? We are left uninformed.</p>
<p>Adult at risk of abuse or neglect: a person aged eighteen years or over who is, or may be, in need of community care services by reason of disability, age or illness; and is, or may be, unable to take care of, or unable to protect him or herself against abuse or neglect.</p>	
<p>Safeguarding children: protecting children from abuse and neglect, preventing the impairment of children's health or development, ensuring that they grow up in circumstances consistent with the provision of safe and effective care, and taking action to enable all children to have the best life chances.</p>	
<p>Safeguarding adults at risk: protecting adults from abuse and/or neglect. Enabling adults to maintain control over their lives and make informed choices without coercion. Empowering adults at risk, consulting them before taking action, unless someone lacks the capacity to make a decision, or their mental health poses a risk to their own or someone else's safety, in which case, always acting in his or her best interests.</p>	

(See appendix A for full glossary of terms).	
3. Scope	
This Policy is applicable to all staff, volunteers and people affiliated to [name of county association] [add/amend list to include any other relevant roles] . It is in line with national legislation and applicable across the UK.	
Guidance on implementing the policy is outlined in the following documents:	
<ul style="list-style-type: none"> • <i>What's the Score toolkit</i> • [add any other relevant guidance documents here]. 	
Advice, guidance and support is available from the LTA Safeguarding Team.	
4. Responsibility for the implementation of the Safeguarding Policy, Code of Conduct and Reporting Procedure	
SAFEGUARDING IS EVERYONE'S RESPONSIBILITY: NOT RESPONDING TO A SAFEGUARDING CONCERN IS NOT AN OPTION.	Motherhood and apple pie. There is no legal obligation on <u>anyone</u> with responsibility for children within the 'Regulated Activity' (as defined by the Safeguarding Vulnerable Groups Act 2006) to report even the witnessed rape of a child to the statutory agencies.
<ul style="list-style-type: none"> • Our [name of county association] [board/committee] has overall accountability for this Policy and its implementation • Our County Safeguarding Officer is responsible for updating this Policy in line with legislative, county and LTA developments • All individuals involved in the [name of county association] are required to adhere to the Policy and Code of Conduct • The LTA Safeguarding Team and Tennis Scotland, Tennis Wales and Tennis Foundation Safeguarding Leads can offer support to [name of county association]. 	
Where there is a safeguarding concern/disclosure:	
<ul style="list-style-type: none"> • The individual who is told about, hears, or is made aware of the concern/disclosure is responsible for following the Safeguarding Reporting Procedure. Unless someone is in immediate danger, they should inform their County Safeguarding Officer, LTA Safeguarding Team or National Safeguarding Lead 	How is this well intentioned statement delivered reliably when there is no legal requirement to report? There is no paragraph titled "Safeguarding Reporting Procedure" within this document. There is a brief paragraph with this heading in another document titled ' Team Captain Guidance ', but it does not mention passing concerns to the authorities. It is doubtful that a document attached to the 2017 fixture list is going to be read much. This clause in effect expects the "individual" to follow an imaginary procedure.
<ul style="list-style-type: none"> • The Count Safeguarding Officer is responsible for reporting 	

safeguarding concerns to the LTA Safeguarding Team	
<ul style="list-style-type: none"> The LTA Safeguarding Team is responsible for assessing all safeguarding concern/disclosures that are reported to them and working with the County Safeguarding Officer to follow up as appropriate on a case-by-case basis, prioritising the well-being of the child/ adult at risk at all times. Dependent on the concern/disclosure, a referral may be made to: <ul style="list-style-type: none"> The police in an emergency (999); Local Authority Children’s Services <i>[insert contact details]</i> Local Authority Adult Services <i>[insert contact details]</i> Designated Officer (England only) for concerns/disclosures about a member of staff, consultant, coach, official or volunteer <i>[insert contact details]</i> 	<p>‘Assessing’ a safeguarding concern, certainly. But in page 2 in the flowchart above (highlighted in red) it says ‘investigate’ which is against guidance and if it happened could prejudice a criminal case.</p> <p>Which is it?</p> <p>It says a referral “may” be made. Not even “should” be made let alone “must”. Plainly this is discretionary and quite contrary to good safeguarding practice which (although not legally mandatory) recommends that the LADO is immediately contacted in every case for children.</p> <p>The fact is that the LTA is doing the legal minimum. It’s not trying to compensate for the lack of any legal obligation to report abuse by putting in strong contractual obligations. Any claim the LTA might want to make concerning the high priority given to safeguarding is simply not credible in the light of this paragraph.</p>
<ul style="list-style-type: none"> o The police in an emergency (999); 	
<ul style="list-style-type: none"> o Local Authority Children’s Services <i>[insert contact details]</i> 	
<ul style="list-style-type: none"> o Local Authority Adult Services <i>[insert contact details]</i> 	
<ul style="list-style-type: none"> o Designated Officer (England only) for concerns/disclosures about a member of staff, consultant, coach, official or volunteer <i>[insert contact details]</i> 	
<p>5. Breaches of the Safeguarding Policy, Code of Conduct and Reporting Procedure</p>	
<p>Breaches of this Policy and/or failure to comply with the outlined responsibilities may result in the following:</p>	
<ul style="list-style-type: none"> Disciplinary action leading to possible dismissal and legal action; 	
<ul style="list-style-type: none"> Termination of current and future roles within the <i>[name of county association]</i> and other roles in clubs, the LTA, Tennis Wales, Tennis Scotland and the Tennis Foundation. 	<p>In the absence of law this is a valiant attempt to introduce a form of professional sanction. It provides little more than an ineffective stable door sanction that, if it is delivered at all, happens years after the event. How can the Club / LTA be relied upon to apply such a sanction if to do so will damage its reputation for employing the person for years in the first place? As far as can be told from the paucity of anonymised child abuse data in this country, professional sanction does not impact the reliability of safeguarding. It is a only a sanction that fails to deliver contemporaneous</p>

	<p>legal protection to staff who see a concern and wish to report but understandable fear the consequences. Here is empirical evidence which demonstrates 'gaze aversion' was common in a profession that had a professional sanction for failing to report concerns. The transformation in reporting once there is a mandate offering legal protection, a sanction for failing to report (accountability) is significant. It transforms the cultural approach to safeguarding in institutional settings.</p>
<p>Actions taken by staff, consultants, volunteers, officials, coaches who are engaged by [name of county association] that are seen to contradict this Policy may be considered a violation of this Policy.</p>	<p>Is a failure by an individual to follow the “Safeguarding Reporting Procedure” a violation of this policy when the procedure doesn’t exist? Is a failure by the LTA Safeguarding Team to forward a concern to the authorities a violation when the policy only says they “may” not that they “must” refer?</p>
<p>Where an appeal is lodged in response to a disciplinary action made by the [name of county association], the individual should adhere to the [name of county association's] appeal procedure [for guidance on developing an appeal procedure – see What's the Score toolkit].</p>	
<p>6. Related policies and guidance</p>	
<ul style="list-style-type: none"> [insert here as applicable] 	
<p>Codes of Conduct</p>	
<p>All members of staff and volunteers agree to:</p>	
<ul style="list-style-type: none"> Prioritise the well-being of all children and adults at risk at all times 	
<ul style="list-style-type: none"> Treat all children and adults at risk fairly and with respect 	
<ul style="list-style-type: none"> Be a positive role model. Act with integrity, even when no one is looking 	
<ul style="list-style-type: none"> Help to create a safe and inclusive environment both on and off court 	
<ul style="list-style-type: none"> Not allow any rough or dangerous behaviour, bullying or the use of bad or inappropriate language 	
<ul style="list-style-type: none"> Report all allegations of abuse or poor practice to the club Welfare Officer 	
<ul style="list-style-type: none"> Not use any sanctions that humiliate or harm a child or adult at risk 	
<ul style="list-style-type: none"> Value and celebrate diversity and make all reasonable efforts to meet individual needs 	

<ul style="list-style-type: none"> • Keep clear boundaries between professional and personal life, including on social media 	
<ul style="list-style-type: none"> • Have the relevant consent from parents/carers, children and adults before taking or using photos and videos 	
<ul style="list-style-type: none"> • Refrain from making physical contact with children or adults unless it is necessary as part of an emergency or congratulatory (e.g. handshake / high five) 	
<ul style="list-style-type: none"> • Refrain from smoking and consuming alcohol during club activities or coaching sessions 	
<ul style="list-style-type: none"> • Ensure roles and responsibilities are clearly outlined and everyone has the required information and training 	
<ul style="list-style-type: none"> • Avoid being alone with a child or adult at risk unless there are exceptional circumstances 	
<ul style="list-style-type: none"> • Refrain from transporting children or adults at risk, unless this is required as part of a club activity (e.g. away match) and there is another adult in the vehicle 	
<ul style="list-style-type: none"> • Not abuse, neglect, harm or discriminate against anyone; or act in a way that may be interpreted as such 	
<ul style="list-style-type: none"> • Not have a relationship with anyone under 18 for whom they are coaching or responsible for 	<p>As mentioned above in the section 'Child: a person under the age of eighteen years' here is the NSPCC's take on putting sport on a par with education in recognising that a pupil who is under 18 years is recognised as a child.</p> <p>Here is Mandate Now's review of the campaign.</p>
<ul style="list-style-type: none"> • Be acutely aware of the power that coaches and coaching assistants develop over players in the coaching relationship and avoid any intimacy (sexual or otherwise) with players 	
<ul style="list-style-type: none"> • [Insert additional points as required] 	
All children agree to:	
<ul style="list-style-type: none"> • Be friendly, supportive and welcoming to other children and adults 	
<ul style="list-style-type: none"> • Play fairly and honestly 	
<ul style="list-style-type: none"> • Respect club staff, volunteers and Officials and accept their 	

decisions	
<ul style="list-style-type: none"> Behave, respect and listen to your coach 	
<ul style="list-style-type: none"> Take care of your equipment and club property 	
<ul style="list-style-type: none"> Respect the rights, dignity and worth of all participants regardless of age, gender, ability, race, culture, religion or sexual identity 	
<ul style="list-style-type: none"> Not use bad, inappropriate or racist language, including on social media 	
<ul style="list-style-type: none"> Not bully, intimidate or harass anyone, including on social media 	
<ul style="list-style-type: none"> Not smoke, drink alcohol or drugs of any kind on club premises or whilst representing the club at competitions or events 	
<ul style="list-style-type: none"> Talk to the club Welfare Officer about any concerns or worries they have about themselves or others 	
<ul style="list-style-type: none"> <i>[Insert additional points as required]</i> 	
This Policy and Code of Conduct is reviewed every two years (or earlier if there is a change in national legislation).	
This Policy and Code of Conduct is recommended for approval by:	
<i>[name of county association]</i> Chair <i>[insert name]</i> : Date:	
<i>[name of county association]</i> County Safeguarding Officer <i>[insert name]</i> : Date:	
Appendix A: Glossary of Terms	
Safeguarding: protecting children from abuse and neglect, preventing the impairment of children’s health or development, ensuring that children are growing up in circumstances consistent with the provision of safe and effective care, and taking action to enable all children to have the best life chances. Enabling adults at risk to achieve the outcomes that matter to them in their life; protecting their right to live in safety, free from abuse and neglect. Empowering and supporting them to make choices, stay safe and raise any concerns. Beginning with the assumption that an individual is best-placed to make decisions about their own wellbeing, taking proportional action on their behalf only if someone lacks the capacity to make a decision, they are exposed to a life-threatening risk, someone else may be at risk of harm, or a criminal offence has been committed or is likely to be committed.	
Abuse and neglect	
Physical abuse: A form of abuse which may involve hitting, shaking,	

<p>throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child or adult at risk. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces illness</p>	
<p>Sexual abuse: Involves forcing or enticing a child or young person to take part in abuse sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet). Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children</p>	
<p>Emotional abuse: The persistent emotional maltreatment of a child or adult at risk such as to cause severe and persistent adverse effects on their emotional development. It may involve conveying to a child/ adult at risk that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person; not giving them opportunities to express their views; deliberately silencing them or 'making fun' of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed, including interactions that are beyond a child or adult at risk's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing them participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyber bullying), causing a child or adult at risk to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.</p>	
<p>Neglect: The persistent failure to meet a child/ adult at risk's basic physical and/or psychological needs, likely to result in the serious impairment of their health or development. It may involve a parent or carer failing to:</p>	
<ul style="list-style-type: none"> ○ provide adequate food, clothing and shelter (including exclusion from home or abandonment); 	
<ul style="list-style-type: none"> ○ protect a child/ adult at risk from physical and emotional harm or 	

danger;	
○ ensure adequate supervision (including the use of inadequate care-givers); or	
○ ensure access to appropriate medical care or treatment.	
It may also include neglect of, or unresponsiveness to, a child's or adult at risk's basic emotional needs. Neglect may occur during pregnancy as a result of maternal substance abuse.	
Additional examples of abuse and neglect of adults at risk	
Financial abuse: having money or property stolen; being defrauded; being put under pressure in relation to money or other property; and having money or other property misused.	
Discriminatory abuse: treating someone in a less favourable way and causing them harm, because of their age, gender, sexuality, gender identity, disability, socio-economic status, ethnic origin, religion and any other visible or non-visible difference.	
Domestic abuse: includes physical, sexual, psychological or financial abuse by someone who is, or has been a partner or family member. Includes forced marriage, female genital mutilation and honour-based violence (an act of violence based on the belief that the person has brought shame on their family or culture). Domestic abuse does not necessarily involve physical contact or violence.	
Psychological abuse: including 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.	
Organisational abuse: where the needs of an individual are not met by an organisation due to a culture of poor practice or abusive behaviour within the organisation.	
Self-neglect: behaviour which threatens an adult's personal health or safety (but not that of others). Includes an adult's decision to not provide themselves with adequate food, clothing, shelter, personal hygiene, or medication (when indicated), or take appropriate safety precautions	
Modern slavery: encompasses slavery, human trafficking, criminal and	

sexual exploitation, forced labour and domestic servitude. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment.	
<ul style="list-style-type: none"> • A person who is being abused may experience more than one type of abuse 	
<ul style="list-style-type: none"> • Harassment, and bullying are also abusive and can be harmful 	
<ul style="list-style-type: none"> • Female Genital Mutilation (FGM) is now recognised as a form of physical, sexual and emotional abuse that is practised across the UK 	
<ul style="list-style-type: none"> • Child Sexual Exploitation is recognised as a form of sexual abuse in which children are sexually exploited for money, power or status 	
<ul style="list-style-type: none"> • Child trafficking is recognised as child abuse where children are often subject to multiple forms of exploitation. Children are recruited, moved or transported to, or within the UK, then exploited, forced to work or sold 	
<ul style="list-style-type: none"> • People from all cultures are subject to abuse. It cannot be condoned for religious or cultural reasons 	
<ul style="list-style-type: none"> • Abuse can have immediate and long-term impacts on someone's well-being, including anxiety, depression, substance misuse, eating disorders and self-destructive Conducts, offending and anti-social Conduct 	
<ul style="list-style-type: none"> • Those committing abuse are most often adults, both male and female. However, child-to-child abuse also takes place. 	
Appendix B: What to do if a disclosure from a child or adult at risk is made to you:	
1. Listen carefully and calmly to the individual	
2. Reassure the individual that they have done the right thing and what they have told you is very important	
3. Avoid questioning where possible, and never ask leading questions	
4. Do not promise secrecy. Let the individual know that you will need to speak to the Welfare Officer/LTA Safeguarding Team because it is in their best interest. If you intend to speak to the police or social care, you should let them know this too.	
5. Report the concern. In an emergency, call the police (999), otherwise talk to the Welfare Officer/LTA Safeguarding Team as soon as possible. Do not let doubt/personal bias prevent you from reporting the allegation	

6. Record details of the disclosure and allegation using the LTA's online reporting a concern form within 24 hours. *If you do not have access to the online form, write down the details using what you have available then sign and date it.*

Appendix C: Reporting a Safeguarding Concern outside the Tennis Environment that is brought to the attention of the County Association

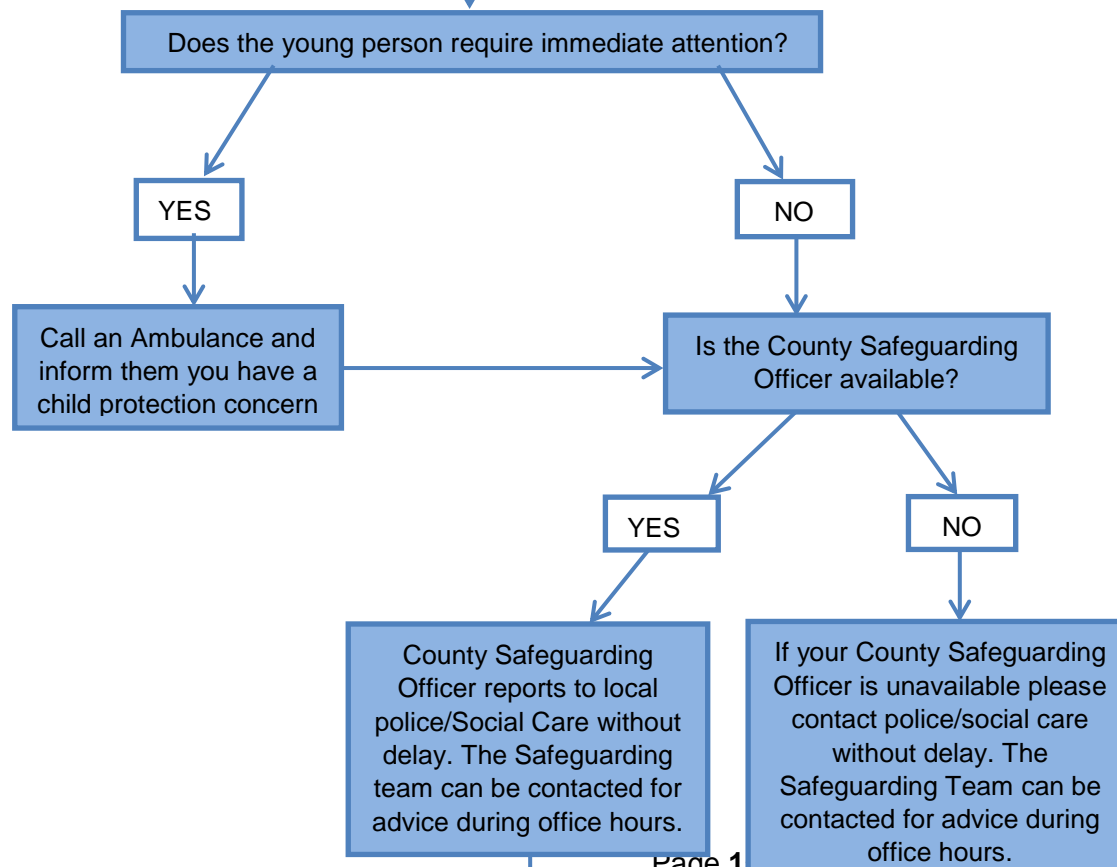
What to do if you are worried that a child is being abused outside the tennis environment (e.g. at home, school or in the community) but the concern is identified through the child's involvement in tennis

Useful Contacts
 British Tennis Services team: 020 8487 7000
 Email: safeandinclusive@lta.org.uk
 NSPCC: 0808 800 5000

Member of staff, coach or volunteer made aware of concerns about child's welfare or safety (e.g. suspicions of bullying at school, allegations of abuse within the family etc.) Make a note of anything the young person/witness has said, and what you have seen with dates and times

Note: You should inform the parent/carer of the concern, unless you believe it would put the child/adult at risk, yourself or others at risk

Mandate Now comment
 This is otherwise known as 'sentinel' reporting. It's good to see it contained prominently in the LTA county template. The caveat being there is no obligation to report suspected abuse and so one can only hope a concern is reported in each link of the long safeguarding chain. No reliance can be placed on it occurring with this policy.



Appendix D: Reporting a Safeguarding Concern within the Tennis Environment

How to respond to allegations against a member of staff/volunteer or another young person within the Tennis Environment

