

# THE BRITISH WHEEL OF YOGA



## CHILD PROTECTION POLICY AND IMPLEMENTATION PROCEDURES

Amended April 2014



### **GLOSSARY of ABBREVIATIONS**

- ASA • Amateur Swimming Association
- CEO • Chief Executive Officer
- CO • Central Office
- CP • Child Protection
- CPDT • Child Protection Disciplinary Team
- CPRT • Child Protection Referral Team
- CPSU • Child Protection in Sport Unit
- DBS • Disclosure & Barring Service
- EWM • Equity & Welfare Manager (who is also the LCPO)
- LCPO • Lead Child Protection Officer
- LSCB • Local Safeguarding Children's Board
- NI • Northern Ireland
- NSPCC • National Society for the Prevention of Cruelty to Children
- PN • Post Natal
- PVG • Protection of Vulnerable Groups (scheme, Scotland)
- RCPO • Regional Child Protection Officer
- YfC • Yoga for Children

<b>CONTENTS</b>		<b>Page No</b>
<b>1.0</b>	<b>Policy Statement</b>	
	Responsibilities and Principles	6
<b>2.0</b>	<b>Teachers – Selection Procedure</b>	
2.1	Introduction	8
2.2	Selection Procedure	8
2.3	Checks and References	8
2.4	Post-Natal Yoga	9
2.5	Adult Classes with Under 18s in Attendance	9
2.6	On-going Safeguarding Training	9
2.7	Complaints	
2.8	Teachers Teaching Children for an Organisation other than BWY	
<b>3.0</b>	<b>Promoting Good Practice with Young People</b>	
3.1	Introduction	11
3.2	Good Practice Guidelines	11
3.3	Code of Ethics and Conduct	13
3.4	Guidelines for Use of Photographic Filming Equipment	14
<b>4.0</b>	<b>Recognition of Poor Practice, Abuse and Bullying</b>	
4.1	Introduction	15
4.2	Poor Practice	15
4.3	Abuse – Neglect, Physical, Sexual and Emotional Abuse	15
4.4	Bullying	18
<b>5.0</b>	<b>Responding to Complaints about Poor Practice and Allegations of Abuse</b>	
5.1	Introduction	20
5.2	Responding to Disclosure	20
5.3	Roles and Responsibilities of BWY Officers and Outside Agencies	21
5.4	Actions to Take Regarding Concerns and Complaints	23
	5.4.1 Poor Practice and Abuse Within the BWY	24
	5.4.2 Concerns and Complaints Outside of the BWY	26
	5.4.3 Records and Information	27
	5.4.4 Confidentiality	27
	5.4.5 Expert Advice	28
	5.4.6 Whistleblowing – Support and Advice for the Reporter of the Suspected Abuse	28
5.5	Allegations of Previous Abuse	28
5.6	Action if Bullying is Suspected	29

<b>APPENDICES</b>		<b>Page No</b>
<b>A</b>	<b>A Quick Guide to Procedures</b>	
	Poor Practice within the BWY	<b>31</b>
	Child Abuse within the BWY	<b>31</b>
	Behaviour of Someone Outside of the BWY	<b>32</b>
	Flowchart re BWY Member	<b>33</b>
	Flowchart re Someone Outside of the BWY	<b>34</b>
<b>B</b>	<b>Essential Contacts</b>	<b>35</b>
	Children’s Social Care	
	Emergency	
	BWY Lead Child Protection Officer (LCPO)	
	BWY Regional Child Protection Officer (RCPO)	
	National Contacts	
	<b>Useful Weblinks</b>	<b>36</b>
<b>C</b>	<b>Legislation &amp; Government Guidance</b>	<b>37</b>
<b>D</b>	<b>Code of Ethics and Conduct</b>	<b>39</b>
<b>E</b>	<b>Guidelines on Use of Photographic and Filming Equipment</b>	<b>40</b>
<b>F</b>	<b>Summary of Forms and Related Paperwork</b>	<b>42</b>
<b>G</b>	<b>References and Acknowledgements</b>	<b>43</b>

### **IMPORTANT - PLEASE NOTE**

- The term “**child**” or “**children**” used throughout the Policy refers to any young person under the age of 18. Where a distinction between under 16s and under 18s is important in terms of procedures, this is indicated
- The term “**parents**” is used throughout this document as a generic term to represent parents, carers and guardians

## **1.0 POLICY STATEMENT**

## 1.1 Responsibilities

The British Wheel of Yoga will:

- Accept that all young people regardless of age, gender, ability, race, creed, nationality, ethnicity, sexual orientation and/or social/economic status have a right to be protected from abuse.
- Accept the moral and legal responsibility to provide a duty of care for young people and implement procedures to safeguard their well-being and protect them from abuse.
- Respect and promote the rights, wishes and feelings of young people.
- Recruit, train and supervise its employees, volunteers and teachers to adopt the best practice to safeguard and protect young people from abuse, and themselves against allegations.
- Require employees, volunteers and teachers to adopt and abide by the British Wheel of Yoga's Code of Ethics and Conduct and the Child Protection Policy and Procedures.
- Respond to any concerns and/or allegations appropriately and swiftly, and implement the appropriate disciplinary and appeals procedures.
- The British Wheel of Yoga has a responsibility to implement a Child Protection Policy that protects and upholds the safe practice of teaching yoga to children as part of its overall aim to provide good, safe, qualified teachers. A qualified British Wheel of Yoga teacher will be expected to uphold these values and respect the Child Protection Policy and processes.

## 1.2 Principles

The guidance given in the Procedures is based on the following principles:

- A child/young person is recognised as being under the age of 18 years (Children Acts 1989 and 2004). The Acts define a **child** as anyone who has not yet reached their 18th birthday. 'Children' therefore means 'children and young people' throughout. The fact that a child has reached

### 1.2 Principles (continued)

16 years of age, is living independently or is in further education, is a member of the armed forces, is in hospital, in prison or in a Young

Offenders' Institution, does not change his or her status or entitlement to services or protection under the Children Act 1989.

- An adult has a moral and statutory duty for the care, custody and control of any child under the age of 18 who is under their supervision.
- The child's welfare is paramount.
- All incidents of suspected/alleged poor practice and allegations of the same should be taken seriously and responded to swiftly and appropriately.
- All young people, whatever their age, ability, culture, gender, language, race, ethnicity, religious belief, nationality, social/economic status and/or sexual identity have the right to protection from abuse.
- All young people have the right to practise yoga in an enjoyable and safe environment.
- All young people learning yoga with a BWY teacher have the right to appropriate management, support, personal and social development with regard to their involvement in yoga.
- It is the responsibility of the statutory child protection experts to determine whether or not abuse has taken place, but it is everyone's responsibility to report any concerns.
- Confidentiality will be upheld in line with Data Protection and Human Rights legislation.

## **2.0 TEACHING YOGA TO CHILDREN – THE POLICY**

This section applies to any teachers who are taking the BWY Yoga for Children Module or who present themselves with other relevant qualifications to teach children in the name of The British Wheel of Yoga

## **2.1 INTRODUCTION**

All reasonable steps must be taken to ensure unsuitable people are prevented from working with young people. (Refer to Appendix C for information on the relevant legislation and government guidance.)

## **2.2 SELECTION PROCEDURE**

All teachers teaching dedicated classes to under 18s must complete an Application Form (Form A) as well as a Self-Declaration Form (Form B). These forms will elicit the following information:

- Name, address and National Insurance Number (to confirm identity and right to work)
- Relevant experience, qualifications and training undertaken
- Past career or any former involvement in yoga (to confirm experience and identify any gaps)
- Whether the applicant is known to Children's Social Care as being an actual or a potential risk to children or young people
- Establish whether the applicant has ever had action taken against them in relation to child abuse, sexual offences or violence
- The names of 2 people (not relatives) willing to provide written references that comment on the applicant's previous experience of, and suitability for, working with children and young people (e.g. previous employer)
- The applicant's consent to criminal record checks being undertaken if appropriate.
- The applicant's agreement to abide by The British Wheel of Yoga's Code of Ethics and Conduct

The forms state that failure to disclose information or subsequent failure to conform to the Code of Ethics and Conduct may result in disciplinary action and possible exclusion from The British Wheel of Yoga.

## **2.3 CHECKS and REFERENCES**

### **2.3.1 References**

A minimum of 2 written references will be taken up and, if possible, one to be associated with former work with children/young people. Written references will be followed up and confirmed by telephone if it is considered necessary.

### **2.3.2 Checks**

Checks will be carried out with the following organisations that maintain information about individuals who are deemed to be unsuitable to work with children:

- England and Wales - Disclosure & Barring Service (DBS)
- Scotland - Disclosure Scotland
- Northern Ireland - Access Northern Ireland

## **2.4 POST-NATAL YOGA**

Following the Protection of Freedoms Act 2012, what is deemed *Regulated Activity* and who may be required to undergo a DBS check has been redefined (see Appendix C). As babies attending yoga classes with their mothers are not in the care of the teacher, the BWY no longer requires teachers of such classes to be DBS checked. However, in keeping with best practice, teachers should undergo Safeguarding Training – see 2.6

## **2.5 ADULT CLASSES WITH UNDER 18s IN ATTENDANCE**

When there is no parent / guardian / suitable adult in loco parentis attending an adult class with a young person, a teacher must undergo a DBS check if the child is under 16 years of age. 16 & 17 year olds may attend adult classes unaccompanied without the teacher undergoing a DBS check.

## **2.6 ON-GOING SAFEGUARDING TRAINING**

Checks are only part of the process to protect children from possible abuse. All teachers working with under-18s are required to undergo, and keep updated, recognised Safeguarding Training. Such training will enable individuals to recognise their responsibilities with regard to their own good practice and the reporting of suspected poor practice/ concerns of possible abuse. The LCPO and the BWY website can advise on how to access training opportunities.

## **2.7 COMPLAINTS PROCEDURE**

The British Wheel of Yoga's Complaints and Appeals Procedures will be used to deal with any formal complaints and/or appeals. (See Operating Procedure 66). The British Wheel of Yoga will ensure that parents and young people are aware of the existence of these procedures.

## **2.8 TEACHERS TEACHING CHILDREN FOR AN ORGANISATION OTHER THAN BWY**

Any teacher teaching for another organisation (e.g. school, health club, nursery, gym etc) must follow that organisation's own Child Protection Policy and Procedures.

The teacher is required to:

- ask for a copy of the organisation's CP Policy and Procedures
- ask for the name and contact details of the "referral" person within the organisation,
- know the organisation's procedure with reference to Hands-On Adjustment and use of Photographic Images (see 3.2 Good Practice Guidelines; 3.4 Use of Photographic Filming Equipment; Appendix E – Guidelines on the Use of Photographic and Filming Equipment)
- discuss with the organisation the NSPCC and BWY guidelines on recommended teacher/pupil ratio, including the presence of another adult/s in an official capacity

When teachers are contracted by those organisations, rather than employed, they are still required to undergo the BWY selection and checking procedure (see paragraphs 2.2 and 2.3)

## **3.0 PROMOTING GOOD PRACTICE WITH YOUNG PEOPLE**

### **3.1 INTRODUCTION**

Child abuse, particularly sexual abuse, can arouse strong emotions in those facing such a situation. It is important to understand these feelings and not allow them to interfere with your judgement about any action to take. Abuse can occur within many situations including the home, school and the sporting environment. Some individuals will actively seek employment or voluntary work with young people in order to harm them. A teacher or volunteer will have regular contact with young people and be an important link in identifying cases where a young person needs protection. All suspicious cases of poor practice should be reported to The British Wheel of Yoga.

Sometimes allegations can be made against a teacher. Where possible there should be 2 teachers or helpers in the room and they should follow the good practice guidelines (3.2 below) at all times.

Should a teacher or volunteer be alleged to have committed abuse, they should make sure they have the following:

- record of lesson plans,
- their own written statement of 'the incident'.

### **3.2 GOOD PRACTICE GUIDELINES**

All personnel in the British Wheel of Yoga should demonstrate exemplary behaviour in order to protect children and young people from harm, and to protect themselves from allegations. They should be aware of the impact of their words and actions on young people. From an ethical and legal point of view they have a duty to ensure that their verbal and non-verbal communication with everyone, particularly young people, is positive. Any behaviour, words or actions which could be construed, by others or the child, as sexual in nature should be of very serious concern. The following are commonsense examples of how to create a positive culture and climate within yoga:

#### **3.2.1 Good practice means:**

- Recognising the developmental needs and capacity of young people – avoiding excessive training and not pushing them against their will.
- Using the appropriate techniques taking into consideration factors such as group size, age and gender.

- Always working in an open environment (e.g. avoiding private or unobserved situations and encouraging an open environment (e.g. no secrets).
- Treating all young people equally, with respect and dignity.
- Always putting the welfare of each young person first.
- Maintaining a safe and appropriate distance from students.
- At the beginning of a class or series of classes, instructing the children on what will be included in the sessions and why you will be teaching certain things.
- Building balanced relationships based on mutual trust which empowers children to share in the decision-making process.
- Making yoga fun, enjoyable and promoting fairness.
- Keeping up to date with the technical skills, qualifications and insurance in yoga
- Giving enthusiastic and constructive feedback rather than negative criticism.
- If you feel that you would like to teach with the aid of hands-on adjustment, written parental permission should be obtained before the class or series of classes start.
- Always ask a child or young person if you need to move them physically.
- It is better not to adjust unless the child is practising in an unsafe way and the instruction cannot be communicated in any other way, eg verbally or through demonstration.
- Involving parents/carers wherever possible (e.g. for the responsibility of their children in the changing rooms). If groups have to be supervised in changing rooms, always ensure parents/teachers work in pairs.
- Awareness of any medicines being taken by participants, or of any existing injuries.
- Keeping a written record of any injury that occurs, together with the details of any treatment given.
- Securing written parental consent if you are required to transport young people in your car.
- Being an excellent role model – this includes not smoking or drinking in the company of young people and adhering to the principles of yoga philosophy.

### 3.2.2 Practices to be Avoided

The following should **never** be sanctioned. You should **never**:

- Engage in rough, physical or sexually provocative games; including horseplay.
- Share a room with a child.
- Allow or engage in any form of inappropriate touching.
- Allow children to use inappropriate language unchallenged.
- Make sexually suggestive comments to a child, even in fun.

- Reduce a child to tears as a form of control.
- Allow allegations made by a child to go unchallenged, unrecorded or not acted upon.
- Do things of a personal nature for children or young adults that they can do for themselves.
- Invite or allow children to stay with you at home unsupervised.

**NB:** It may sometimes be necessary for teachers to do things of a personal nature for children, particularly if they are young or disabled. These tasks should only be carried out with the full understanding and consent of parents and the students involved. There is a need to be responsive to a person's reactions. If a person is fully dependent on you, talk with him/her about what you are doing and give choices where possible. This is particularly important if you are involved in any dressing or undressing of outer clothing, or where there is physical contact, lifting or assisting a child to carry out particular activities. Avoid taking on the responsibility for tasks for which you are not appropriately trained.

If any of the following incidents occur, it should be reported immediately to another colleague and a written note made of the event. Parents should also be informed of the incident:

- If you accidentally hurt a student.
- If he/she seems distressed in any manner.
- If a student appears to be sexually aroused by your actions.
- If a student misunderstands or misinterprets something you have done.

### **3.3 CODE OF ETHICS AND CONDUCT**

In 1999 the Government produced '*Caring for the Young and Vulnerable? Guidance for Preventing Abuse of Trust*'. The guidance is based on the principle that all organisations involved with caring for young people or vulnerable adults should have Codes of Conduct to protect against sexual activity within the relationships of trust. It is possible to reduce situations for abuse and, at the same time, protect teachers and volunteers. The welfare of the child is paramount; however, Child Protection is not just about protecting young people, it is also about ensuring that teachers and volunteers are not the subject of accusations. British Wheel of Yoga teachers are required to sign up to the British Wheel of Yoga's Code of Ethics and Conduct. (see Appendix D)

The Code encourages:

- The development of an open and positive climate in yoga.
- Poor practice to be identified.

- Investigations to be carried out.
- Disciplinary action to be taken if appropriate

### **3.4 GUIDELINES FOR THE USE OF PHOTOGRAPHIC FILMING EQUIPMENT AT YOGA EVENTS AND APPROPRIATE CONDUCT**

- **Benefits and Risks**

It is recognised that photographing and videoing children in yoga classes is a positive way in which to provide feedback and encouragement to the young person and, for parents, a record of their child's achievement/s. There is, however, evidence that some people have used general sporting events as an opportunity to take inappropriate photographs or film footage of young and disabled sportspeople in vulnerable positions. The British Wheel of Yoga, as a sporting organisation<sup>1</sup>, adheres to the appropriate guidelines<sup>2</sup> detailed in Appendix E.

- **Parental Consent**

Parents and young persons must provide written consent for the young person's images to be taken.

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<sup>1</sup> The British Wheel of Yoga is recognised as a sporting organisation by Sport England. Sport England classifies Yoga under their 'Movement and Dance' category.

<sup>2</sup> These guidelines have been adapted from the Amateur Swimming Association/ Sportscoach UK and the Internet Watch Foundation, and are reproduced with their kind permission

## 4.0 RECOGNITION OF POOR PRACTICE, ABUSE AND BULLYING

### 4.1 INTRODUCTION

Even for those experienced in working with child abuse, it is not always easy to recognise a situation where abuse may occur or has already taken place. The teachers, staff and volunteers in yoga are not experts at such recognition. The British Wheel of Yoga teachers, volunteers and staff have a responsibility to act if they have any concerns about the behaviour of someone (an adult or another child) towards a young person. The British Wheel of Yoga encourages and expects teachers, volunteers and staff to discuss any concern they may have about the welfare of a person immediately with the BWY Lead Child Protection Officer.

### 4.2 POOR PRACTICE

Poor practice includes any behaviour that contravenes the British Wheel of Yoga Equity Policy and the Code of Ethics and Conduct, which is constituted around the following:

- **Rights** – to promote and respect the rights, dignity and worth of every human being.
- **Relationships** – to develop a relationship with students (and others) based on openness, honesty, mutual trust and respect.
- **Personal Responsibilities** – to demonstrate proper personal behaviour and conduct at all times and be fair, honest and considerate to all students.
- **Professional Standards** – to maximise benefits and minimise risks to students; to attain a high level of competence through qualifications and a commitment to ongoing training that ensures safe and correct practice.

### 4.3 ABUSE

Abuse can happen wherever there are young people, and young people and disabled adults of any age can be abused. The effects of abuse can be extremely damaging and, if untreated, may follow a person into adulthood. For example, a person who has been abused as a child may find it difficult or impossible to maintain stable, trusting relationships, may become involved with drugs or prostitution, may attempt suicide or even abuse a child in the future.

#### 4.3.1 People with Disabilities

There have been a number of studies<sup>3</sup>, which suggest children (or adults) with disabilities are at increased risk of abuse. Various factors contribute to this, such as stereotyping, prejudice, discrimination, isolation and a powerlessness of the person to protect themselves, or adequately communicate that abuse has occurred<sup>4</sup>.

#### **4.3.2 Racial Discrimination and Equity**

Children from black and minority ethnic groups (and their parents) may have experienced harassment, racial discrimination and institutional racism. Although racism causes significant harm it is not, in itself, a category of abuse. However, this may be categorised as emotional abuse, and in law racism is illegal. Equal treatment must be provided for all, regardless of gender, race or culture and we must endeavour to protect ethnic minority groups from racial harassment, racial discrimination and institutional racism. Through adherence to The British Wheel of Yoga Equity Policy, issues such as discrimination against ethnic minority groups should be avoided.

#### **4.3.3 Abuse and Neglect**

Someone may abuse or neglect a child by inflicting harm, or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting by those known to them, or more rarely by a stranger. Children can be abused by adults or other children. There is growing evidence to suggest that peer abuse is an increasing concern for young people.

### **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. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to:

- provide adequate food, clothing and shelter (including exclusion from home or abandonment)
- protect a child from physical and emotional harm or danger
- ensure adequate supervision (including the use of inadequate care-givers)
- ensure access to appropriate medical care or treatment.

It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

### **PHYSICAL ABUSE**

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<sup>3</sup> The Abuse of Children and Adults with Disabilities, Westcott H (1983), London, NSPCC

<sup>4</sup> Protecting Disabled Children and Adults in Sport and Recreation, Kerr, A (1999) Contact Disability Sport England (Tel: 020 7490 4919)

Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.

### **SEXUAL ABUSE**

Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, including prostitution, whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative (e.g. rape, buggery or oral sex) or non-penetrative acts. They may include non-contact activities, such as involving children in looking at, or in the production of, sexual online images, watching sexual activities, or encouraging children to behave in sexually inappropriate ways.

### **EMOTIONAL ABUSE**

Emotional abuse is the persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children 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. These may include interactions that are beyond the child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying, causing children frequently 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.

(The above definitions are adapted from Department of Health (2006) *Working Together to Safeguard Children – A Guide to Inter-Agency Working to Safeguard and Promote the Welfare of Children.*)

#### **4.3.4 Indicators of Abuse**

Indications that a child may be being abused include the following:

- Unexplained or suspicious injuries such as bruising, cuts or burns, particularly if situated in a part of the body not normally prone to such injuries.
- An injury for which explanation seems inconsistent.
- The child describes what appears to be an abusive act involving him/her.
- Someone else (child or adult) expresses concern about the welfare of another child.
- Unexplained changes in behaviour (eg becoming very quiet, withdrawn or displaying sudden outbursts of temper).

- Inappropriate sexual awareness.
- Engaging in sexually explicit behaviour.
- Distrust of adults, particularly with those with whom a close relationship would normally be expected.
- Difficulty in making friends.
- The child is prevented from socialising with other children.
- The child displays variations in eating patterns including overeating or loss of appetite.
- Loss of weight for no apparent reason.
- The child becomes increasingly dirty or unkempt.

It should be recognised that this list is not exhaustive and the presence of one or more of the indicators is not proof that abuse is actually taking place. It is not the responsibility of those working in yoga to decide that child abuse is occurring but it is their responsibility to act on any concerns. (See Section 5)

## **4.4 BULLYING**

It is important to recognise that in some cases of abuse, it may not always be an adult abusing a young person. It can occur that the abuser may be a young person, for example in the case of bullying. Bullying may be seen as deliberately hurtful behaviour, usually repeated over a period of time, where it is difficult for those bullied to defend themselves.

**4.4.1** Although anyone can be the target of bullying, victims are typically shy, sensitive and perhaps anxious or insecure. Sometimes they are singled out for physical reasons – being overweight, physically small, having a disability or belonging to a different race, faith or culture.

**4.4.2** Girls and boys can be bullies although it seems to be more conspicuous in boys. Although bullying often takes place in schools<sup>5</sup> research shows it can and does occur anywhere where there is inadequate supervision - on the way to and from school, at a sporting event, in the playground and changing rooms.

**4.4.3** Bullies come from all walks of life; they bully for a variety of different reasons and may even have been abused themselves. Typically bullies can have low self-esteem, be excitable, aggressive and jealous. Crucially they have learned how to gain power over others and there is increasing evidence to suggest that this abuse of power can lead to crime<sup>6</sup>.

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<sup>5</sup> Research by Sheffield University, reported in the BBC Education publication (1994) by Goldsmiths College, London showed that 10% of primary school children and 4% of secondary school children are bullied once a week.

<sup>6</sup> The BBC Education publication (1994) also indicates that bullies are four times more likely to become criminal.

**4.4.4** The nature of yoga makes it an unlikely environment for the bully. However, the bully in yoga can be:

- A parent who pushes too hard.
- A teacher who pushes too hard.
- A student who intimidates inappropriately.
- A teacher who places unfair pressure on a person.

**4.4.5** Bullying can take many forms; the main types are:

<b>Physical:</b>	Hitting, kicking, theft.
<b>Verbal:</b>	Racist or homophobic remarks, threats, name calling, constant teasing, sarcasm, threats, graffiti and gestures.
<b>Sexual:</b>	Unwanted physical contact or abusive comments.
<b>Emotional:</b>	Isolating an individual from activities and social acceptance within the peer group.
<b>Racist:</b>	Racial taunts, graffiti, gestures.
<b>Homophobic:</b>	Any of the types above, connected with, or focussing on a persons sexual orientation.
<b>Cyber:</b>	Any of the types above, such as email and internet chat room misuse, mobile threats by text messaging and calls, misuse of social technology, ie camera and video facilities.

**4.4.6** The damage inflicted by bullying can frequently be underestimated. It can cause considerable distress to children and disabled adults, to the extent that it affects their health and development or, at the extreme, causes them significant harm (including self-harm). There are a number of signs that may indicate that a young person is being bullied:

- Behavioural changes such as reduced concentration and/or becoming withdrawn, clingy, depressed, tearful, emotionally up and down, reluctance to go to school, training or sports club.
- A drop-off in performance at school.

- Physical signs such as stomach aches, headaches, difficulty in sleeping, bed-wetting, scratching and bruising, damaged clothes and bingeing for example on food, cigarettes or alcohol.
- A shortage of money or frequent loss of possessions.

## 5.0 RESPONDING TO COMPLAINTS ABOUT POOR PRACTICE AND ALLEGATIONS OF ABUSE BOTH INSIDE AND OUTSIDE THE YOGA CONTEXT

### 5.1 INTRODUCTION

There are a number of ways in which concerns about children and young persons may arise. These are more likely to be through observation rather than the young person informing an adult directly as it is extremely difficult for a young person to divulge information about abuse. There are a variety of reasons why a young person may not feel able to tell an adult that they are being abused including:

- being told by their abuser that they will not be believed,
- they may have been threatened by their abuser,
- the abuser may be a close family relative and the young person feels a sense of loyalty,
- the young person may fear family relationships breaking down as a result of divulging information,
- while the young person wants the abuse to stop, they may fear that the healthy aspects of the relationship will also finish.

This section informs on:

- appropriate response to a disclosure,
- the role of designated Child Protection officers within The British Wheel of Yoga and outside agencies,
- actions to take in response to a concern, complaint or disclosure, and
- issues around bullying.

### 5.2 HOW TO RESPOND TO A DISCLOSURE FROM A YOUNG PERSON

**5.2.1** If a young person informs you directly that s/he, or another young person, is concerned about someone's behaviour towards them (this is termed a 'disclosure') the person receiving the information should **always**:

- React calmly so as not to frighten the child/young person.
- Tell the child/young person she/he is not to blame and that she/he was right to tell.
- Take what the child/young person says seriously, recognising the difficulties inherent in interpreting what is said by a child/young person who has a speech disability and/or differences in language.

- Keep questions to the absolute minimum to ensure a clear and accurate understanding of what has been said.
- Reassure the young person but do not make promises of confidentiality which might not be feasible in the light of subsequent developments.
- Make a full record of what had been said, heard and/or observed as soon as possible (Appendix F - Incident Record Form).

### **5.2.2 How Not to Respond**

The person receiving the disclosure should **never**:

- Ignore or put off
- Rush into actions that may be inappropriate
- Allow their shock or distaste to show
- Probe for more information than is offered
- Speculate or make assumptions
- Make negative comments about the alleged abuser
- Approach the alleged abuser
- Make promises or agree to secrets

Children and young people are not always able to express themselves verbally and communication difficulties may mean that it is hard for them to complain or be understood. Sometimes it is difficult to distinguish the signs of abuse from the symptoms of some disabilities or conditions, in relation to the nature of the individual's impairment. However, where there are concerns about the safety of a child or young person action should be taken.

## **5.3 ROLES AND RESPONSIBILITIES OF DESIGNATED BWY OFFICERS and OUTSIDE AGENCIES**

### **DESIGNATED BWY OFFICERS:**

- **Lead Child Protection Officer**

The British Wheel of Yoga's Sageguarding and Diversity Manager will be the Lead Child Protection Officer (LCPO) to handle child protection issues. The LCPO will receive support and guidance from The British Wheel of Yoga National Executive Committee, which will include opportunities to access appropriate training and information.

- **Regional Child Protection Officers**

The Regional Child Protection Officers (RCPOs) will be the BWY Regional Officers. The RCPOs will receive appropriate Child Protection Training.

- **Referral Team and Disciplinary Team**

There will be a Referral Team and a Disciplinary Team. The Referral Team will be made up of the Lead Child Protection Officer, the Chair and the Vice-Chair of The British Wheel of Yoga executive committee's. The Teams will be made up of both paid and volunteer BWY Officers. Members of both the Referral Team and the Disciplinary Team will receive appropriate Child Protection training.

- **Independent and Expert Advisor**

There will be a named person from outside The British Wheel of Yoga, who has expertise in Child Protection issues – e.g. a police officer from a Child Protection Team or a Social Worker Team Manager, to offer independent advice and guidance to the Referral Team and/or the Disciplinary Committee.

- **Responsibilities of Designated Officers**

**Regional Child Protection Officers** It is the responsibility of the RCPO to inform Children's Social Care or the Police without delay if there are concerns that a young person is at risk from abuse, and to inform the LCPO or Chair of the NEC as appropriate (see Appendix A). Children's Social Care or the Police will decide how and when parents or carers will be informed. If there are concerns about poor practice, the RCPO will inform the LCPO or Chair as appropriate (see Appendix A). An Incident Record Form (Form F) will be completed and forwarded to Children's Social Care/Police and the LCPO or Chair/CEO within 24 hours.

**Lead Child Protection Officer** The LCPO is responsible for taking concerns and complaints of poor practice and/or abuse to the Referral Team, and if appropriate to the Disciplinary Committee. There may be circumstances where allegations are about poor practice rather than about abuse. The LCPO on behalf of the Referral Team may take advice from the local Local Authority Designated Officer or other source of professional advice (NSPCC). This is because it may be just one of a series of other instances which together cause concern.

**Referral and Disciplinary Teams.** The Referral Team will decide whether a case is dealt with internally by the BWY alone (poor practice) or referred to external statutory agencies (suspected abuse). They will decide the level at which each case will be dealt within the BWY – minor poor practice (referred back to regional level), serious poor practice or suspected abuse (dealt with at national level through the Disciplinary Team – see Internal Enquiries and Suspension below). The Disciplinary Team will follow BWY Operational Procedure 66, dealing with Complaints in Relation to Child Protection Issues.

## **OUTSIDE AGENCIES:**

It is not the responsibility of anyone working under the auspices of yoga in a paid or voluntary capacity, or those working in affiliated organisations, to take responsibility or to decide whether or not child abuse is taking place. However,

there is a responsibility to protect children in order that appropriate agencies can then make enquiries and take any necessary action to protect the young person.

- **Children's Social Care and the Police**

Children's Social Care have a statutory duty under The Children Act 1989 to ensure the welfare of children and work with the local Local Safeguarding Children's Board (or local Child Protection Committee in Scotland) to comply with its procedures. When a child protection referral is made, the Children's Social Care Staff have a legal responsibility to investigate. This may involve talking to the child and family, and gathering information from other people who know the child. Enquiries may be carried out jointly with the police. If action needs to be taken urgently, then the matter will be referred to the Local Authority Designated Officer (LADO) who will assist in determining the appropriate response. If the action is outside of normal working hours the Police and Children's Social Care departments have 24 hour arrangements available.

- **Sharing Concerns with Parents** There is always a commitment to work in partnership with parents or carers where there are concerns about their children. Therefore, in most situations, it would be important to talk to parents or carers to help clarify any initial concerns. For example, if a child seems withdrawn, there may be a reasonable explanation. He/she may have experienced an upset in the family, such as a parental separation, divorce or bereavement.

- **When it is Not Appropriate to Share Concerns with Parents**

There are circumstances in which a young person might be placed at even greater risk if concerns are shared (e.g. where a parent or carer may be responsible for the suspected abuse or not able to respond to the situation appropriately). In these situations or where concerns still exist, any suspicion, allegation or incident of abuse must be reported to the person in charge, if there is someone, and the Children's Social Care or the Police, who will advise on contacting parents.

## **5.4 ACTIONS TO TAKE REGARDING CONCERNS AND COMPLAINTS**

Action to be taken when a Safeguarding concern or complaint arises, divide into two distinct categories:

1. An allegation towards someone involved **within** The British Wheel of Yoga.
2. An allegation towards someone **outside of** The British Wheel of Yoga.

The adult needs to distinguish which of the categories the concern/complaint falls into.

#### **5.4.1 Action to take regarding Concerns and Complaints WITHIN the BWY (See Appendix A)**

If a young person informs you directly that s/he is being abused within the context of yoga, or from your own observations, or (through a third party) you become aware of possible abuse or poor practice within the yoga environment you must REACT IMMEDIATELY.

#### **POOR PRACTICE within the BWY**

Contact the RCPO. If, following consideration, the allegation is considered poor practice (see 4.2), the RCPO will report it to the LCPO. If the RCPO is unavailable, or is the subject of the allegation, the matter should be reported directly to the LCPO. If the LCPO is unavailable, or is the subject of the allegation, the matter should be reported directly to the BWY or BWYT Chair.

An Incident Record Form (Form F) should be completed and forwarded to the LCPO or respective Chair, if practicable, **within 24 hours**.

The LCPO will consult with the Referral Team and, if appropriate, the BWY will conduct a Disciplinary Hearing. The LCPO may if appropriate take advice from the local LADO.

- **Possible outcomes of the Disciplinary Hearing**
  - No case to answer
  - Advice/warning as to future conduct/sanctions
  - Further training and support needed
  - Suspension of BWY Teacher status

- **Appeals**

The subject of the concern/complaint will have the opportunity of an Appeal following the BWY Operating Procedures for Appeals.

- No case to answer
- Advice/warning as to future conduct/sanctions
- Further training and support needed
- Suspension of BWY Teacher status

- **Monitoring and Evaluation**

Will be conducted at the close of the case to see if changes need to be made to policies/procedures or if lessons can be learnt.

#### **ABUSE within the BWY**

If a child/young person says or indicates that she/he is being abused, or information is obtained or observations made which gives concern that a child/young person is at risk, you must REACT IMMEDIATELY.

- Ensure the safety of the child/young person. If they need immediate medical attention call an ambulance. Inform doctors of concerns and ensure they are aware that it is a child welfare issue.
- Follow the procedure below.

- **Reporting Procedures for Suspected Abuse**

- Contact the BWY Regional Child Protection Officer (RCPO) as soon as possible. The RCPO will contact LADO, Children's Social Care or the Police.
- If the RCPO is unavailable, or is the subject of suspicion or allegation, contact the BWY Lead Child Protection Officer (LCPO).
- If the LCPO is unavailable, or is the subject of the allegation, the matter should be reported directly to the BWY Chair person.
- If neither the RCPO or the LCPO/Chair, as appropriate, is available, contact the Police and/or Children's Social Care who will advise including advice on contacting parents.
- Make a factual record of events, using the Incident Record Form (Form F).
- Send a copy of the Incident Record Form (Form F), including details of any action taken, to both Children's Social Care and the LCPO or Chair/CEO, as appropriate, **within 24 hours**; they will take appropriate action.

- **Possible Outcomes**

Where there is a complaint of abuse against a member or teacher, investigations may include:

- Police enquiry
- Criminal proceedings
- Civil proceedings
- Referral Team guided action

The results of the Police and Children's Social Care investigations will influence the British Wheel of Yoga's Disciplinary investigation. Further information on the potential actions of Children's Social Care/Police may be found in the Local Safeguarding Children's Board guidelines.

- **Internal Enquiries and Suspension**

- The British Wheel of Yoga Disciplinary Team should make an immediate decision about whether any member or volunteer suspected of abuse should be recommended to be temporarily suspended (in line with Constitutional powers) pending further Police and Children's Social Care inquiries.
- Irrespective of the findings of the Children's Social Care or Police inquiries, The British Wheel of Yoga must risk assess all individual cases under the appropriate Complaints & Appeals Procedures, to

decide whether a teacher can be reinstated, and how this can be sensitively handled with other teachers, volunteers and staff. This may be a difficult decision, particularly where there is insufficient evidence to uphold any action taken by the Police. In such cases, The British Wheel of Yoga must reach a decision based on the available information that could suggest, on a balance of probability; it is more likely that the allegation is true. The welfare of children always remains paramount.

- The BWY is under a legal duty to report to the Disclosure & Barring Service (DBS) any person it bars from its organisation following an internal enquiry procedure. See Appendix C

- **Post investigation support**

- Consideration should be given about what support may be appropriate to children, parents and teachers. The use of help-lines, support groups and open meetings will maintain an open culture and help with the healing process. The British Association of Counselling and Psychotherapy<sup>7</sup> may be a useful resource.
- Consideration should be given about what support may be appropriate to the alleged perpetrator of the abuse.

#### **5.4.2 Action to take regarding Concerns and Complaints OUTSIDE of the BWY (See Appendix A)**

If a child/young person says or indicates that s/he is being abused, or information is obtained or observations made which gives concern that a child/young person is being abused, you must REACT IMMEDIATELY. (see 4.3.4 Indicators of Abuse)

- Ensure the safety of the child/young person. If they need immediate medical attention call an ambulance. Inform doctors of concerns and ensure they are aware that it is a child welfare issue.
- Follow the procedure below.

- **Reporting Procedures for Suspected Abuse**

- Report your concerns to the person in charge, if there is someone. If that person is unavailable, or is the cause of your concern, or if there is no-one in charge, seek immediate advice from Children's Social Care, the Police, the NSPCC (0808 800 5000) or Childline (0800 1111).
- Take action as advised by these agencies, including advice on contacting parents.
- Make a factual record of events, using the Incident Record Form (Form F).

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<sup>7</sup> The British Association for Counselling & Psychotherapy, BACP House, 14 St. John's Business Park, Lutterworth. LE17 4HB. Telephone: 01455 883300. E-mail [bacp@bacp.co.uk](mailto:bacp@bacp.co.uk)  
Internet: [www.bacp.co.uk](http://www.bacp.co.uk)

- Forward the completed Form F to Children’s Social Care/Police and to the LCPO **within 24 hours**.
- If the concern is about someone who plays a role with or in the British Wheel of Yoga (eg a teacher), the Regional Child Protection Officer should be informed.

It is not easy to respond to a child/young person who tells you that they are being abused; you may feel upset and worried yourself. Support is available by contacting the LCPO.

### **5.4.3 Records and Information**

The disclosure/concern to Children’s Social Care or the Police must be recorded in detail, as information passed to them needs to be as helpful as possible.

Information should include the following:

- The nature of the allegation
- A description of any visible bruising or other injuries
- The child’s account, if it can be given, of what has happened and how any bruising or other injuries occurred
- Witnesses to the incident(s)
- Any times, dates or other relevant information
- A clear distinction between what is fact, opinion or hearsay

Reporting the matter to the Police or Children’s Social Care should not be delayed by attempts to obtain more information. Wherever possible, referrals telephoned to Children’s Social Care should be confirmed in writing within 24 hours. A record should also be made of the name and designation of the Children’s Social Care member of staff or police officer to whom the concerns were passed, together with the time and date of the call, in case any follow-up is needed.

A copy of this information should be sent to the Children’s Social Care department to whom the case has been referred and to the British Wheel of Yoga Lead Child Protection Officer. (See Form F – Incident Record Form in the Forms Folder at the back of the Policy.)

### **5.4.4 Confidentiality**

Every effort should be made to ensure that confidentiality is maintained for all concerned. Information should be handled and disseminated at the appropriate time on a *need-to-know* basis only. This could include the following people:

- The designated person in charge, if there is one.
- The parents of the person who is alleged to have been abused, at the appropriate time as advised by Children’s Social Care or the Police.
- The person making the allegation.

- Children's Social Care/Police.
- The alleged abuser\* (and that person's parents if that person is a child).  
\* Children's Social Care will advise on who should approach the alleged abuser.
- The person against whom the complaint has been made.

The legal principle that the 'welfare of the child is paramount' means that the considerations which might apply to other situations in The British Wheel of Yoga should not be allowed to over-ride the right of young people to be protected from harm.

Information will be stored in a secure filing cabinet at The British Wheel of Yoga's Central Office, with limited access to designated people, in line with Data Protection laws (e.g. that information is accurate, regularly updated, relevant and secure).

#### **5.4.5 Expert Advice**

If the person with a concern is not sure what to do, expert advice can be obtained by telephoning the local Children's Social Care Department (see Appendix B – Essential Contacts for information on telephone numbers), or the Police, or the NSPCC 24-hour free phone Helpline (0808 800 5000), or Childline (0800 1111). The police have specially trained child protection teams who give guidance and support, and deal with out-of-office-hours' enquiries when Children's Social Care are not available.

#### **5.4.6 Whistleblowing - Support and Advice for the Reporter of Suspected Abuse**

The British Wheel of Yoga Lead Child Protection Officer will be sensitive to any concerns about poor practice or abuse and act on them at an early stage. It is acknowledged that feelings generated by the discovery that a member of staff or volunteer is, or may be, abusing a child will raise concerns among other staff or volunteers. This includes the difficulties inherent in reporting such matters.

The British Wheel of Yoga assures all teachers that it will fully support and protect anyone who, in good faith (without malicious intent), reports his or her concern about a colleague's behaviour and the possibility of a child being abused.

### **5.5 ALLEGATIONS OF PREVIOUS ABUSE**

Allegations of abuse may be made some time after the event (e.g. by an adult who was abused as a child or abused by a teacher who is still currently working with children). Where such an allegation is made, The British Wheel of Yoga should follow the procedures as detailed above and take advice from the LADO about reporting the matter to Children's Social Care or the Police, as other children, either within or outside yoga, may be at risk from this person. Anyone

who has a previous criminal conviction for offences related to abuse is automatically excluded from working with children.

## **5.6 ACTION IF BULLYING IS SUSPECTED**

If bullying is suspected, the same procedure should be followed as set out in Section 5.4 above. All settings in which children are provided with services or are living away from home should have rigorously enforced anti-bullying strategies in place.

### **5.6.1 Action to Help the Victim and Prevent Bullying in Yoga**

- Take all signs of bullying very seriously.
- Involve parents and carers.
- Investigate all allegations and take action to ensure the victim is safe.
- Speak with the victim and bully/bullies separately.
- Encourage all children to speak and share their concerns<sup>8</sup> both with you and, if appropriate, with others within the group. Create an open environment.
- Reassure the victim that you can be trusted and will help them, although you cannot promise to tell no-one else.
- Follow general guidelines – listen, record, report, reassure and take appropriate action.
- The yoga teacher should report any concerns as outlined in Section 5.3 above, or to the organisation where the bullying is said to have occurred.

### **5.6.2 Action Towards the Bully/Bullies**

This is an area of sensitivity and should be approached from as fully informed a position as possible, the yoga teacher may:

- Talk with the bully/bullies explaining the situation with a view to them understanding the impact and consequences of their behaviour.
- Seek an apology to the victim(s) if appropriate.
- Inform the bully's parents.
- If appropriate, insist on the return of borrowed items, and that the bully/bullies compensate the victim.
- Impose sanctions as practicable, which may include.
- Encouraging and supporting the individual to change their bullying behaviour.
- Holding meetings with respective parents to report on progress.
- Inform RCPO/LCPO of action taken.
- Keep a written record of the incident/s and action taken.

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<sup>8</sup> It is believed that up to 12 children a year commit suicide as a result of bullying, so if anyone talks about or threatens suicide, seek professional help immediately.

## **APPENDIX A – A QUICK GUIDE TO PROCEDURES**

### **CONCERN ABOUT THE BEHAVIOUR OF SOMEONE WITHIN THE BRITISH WHEEL OF YOGA**

#### **POOR PRACTICE**

##### **Reporting**

1. Contact the BWY Regional Child Protection Officer (RCPO) or Lead Child Protection Officer (LCPO).
2. If, following consideration, the allegation is considered “poor practice”, the RCPO will report it to the BWY Lead Child Protection Officer (LCPO). If the RCPO is unavailable, or is the subject of the allegation, the matter should be reported directly to the LCPO.
3. If the LCPO is unavailable, or is the subject of the allegation, the matter should be reported directly to the BWY Chair person.
4. Complete Incident Record Form (Form F) and forward to the LCPO or Chair, if appropriate, **within 24 hours**.
5. The BWY will contact the local Local Authority Designated Officer to decide how to handle the issue.

##### **Referral and Disciplinary Hearing**

The case will be referred to the BWY Referral Team and, if appropriate, the BWY will conduct a Disciplinary Hearing.

##### **Possible outcomes of the Disciplinary Hearing:**

- No case to answer
- Advice/warning as to future conduct/sanctions
- Training and support needed
- Suspension of BWY Teacher status

##### **Appeal**

The subject of the allegation will have the opportunity of an Appeal.

##### **Monitoring and Evaluation**

The case will be monitored and evaluated

## **APPENDIX A – A QUICK GUIDE TO PROCEDURES (continued)**

## **CONCERN ABOUT THE BEHAVIOUR OF SOMEONE WITHIN THE BRITISH WHEEL OF YOGA**

### **CHILD ABUSE**

1. Contact the BWY Regional Child Protection Officer (RCPO) as soon as possible. The RCPO will contact Children's Social Care or the Police via the Local Authority Designated Officer.
2. If the RCPO is unavailable, or is the subject of suspicion or allegation, contact the BWY Lead Child Protection Officer (LCPO).
3. If the LCPO is unavailable, or is the subject of the allegation, the matter should be reported directly to the BWY Chair person.
4. If neither the RCPO or the LCPO/Chair, as appropriate, is available, contact the Police and/or Children's Social Care who will advise including advice on contacting parents.
5. Make a factual record of events, using the Incident Record Form (Form F).
6. Send a copy of the Incident Record Form, including details of any action taken, to both Children's Social Care and the LCPO or Chair/CEO, as appropriate, **within 24 hours**; they will take appropriate action.

#### **Possible Processes:**

- Child protection investigation
- Criminal procedures
- Civil proceedings
- Referral back to the BWY Child Protection Disciplinary Panel

#### **Possible Outcomes:**

- No case to answer
- Less serious – referred to Complaints Procedure
- Disciplinary Hearing – Sanctions
- Civil proceedings

**IF YOU CANNOT CONTACT THE RCPO or THE LCPO, YOU SHOULD NOT DELAY PASSING ON YOUR CONCERNS TO THE POLICE OR CHILDREN'S SOCIAL CARE**

## APPENDIX A – A QUICK GUIDE TO PROCEDURES (continued)

### CONCERN ABOUT THE BEHAVIOUR OF SOMEONE OUTSIDE OF THE BRITISH WHEEL OF YOGA

1. Report your concerns to the person in charge, if there is someone. If that person is unavailable, or is the cause of your concern, or if there is no-one in charge, seek immediate advice from Children's Social Care, the Police, the NSPCC (0808 800 5000) or Childline (0800 1111).
2. Take action as advised by these agencies, including advice on contacting parents.
3. Make a factual record of events, using the Incident Record Form (Form F).
4. Forward the completed Form F to Children's Social Care/Police and to the LCPO **within 24 hours**.
5. If the concern is about someone who plays a role with or in the British Wheel of Yoga (e.g. a teacher), the Regional Child Protection Officer should be informed.

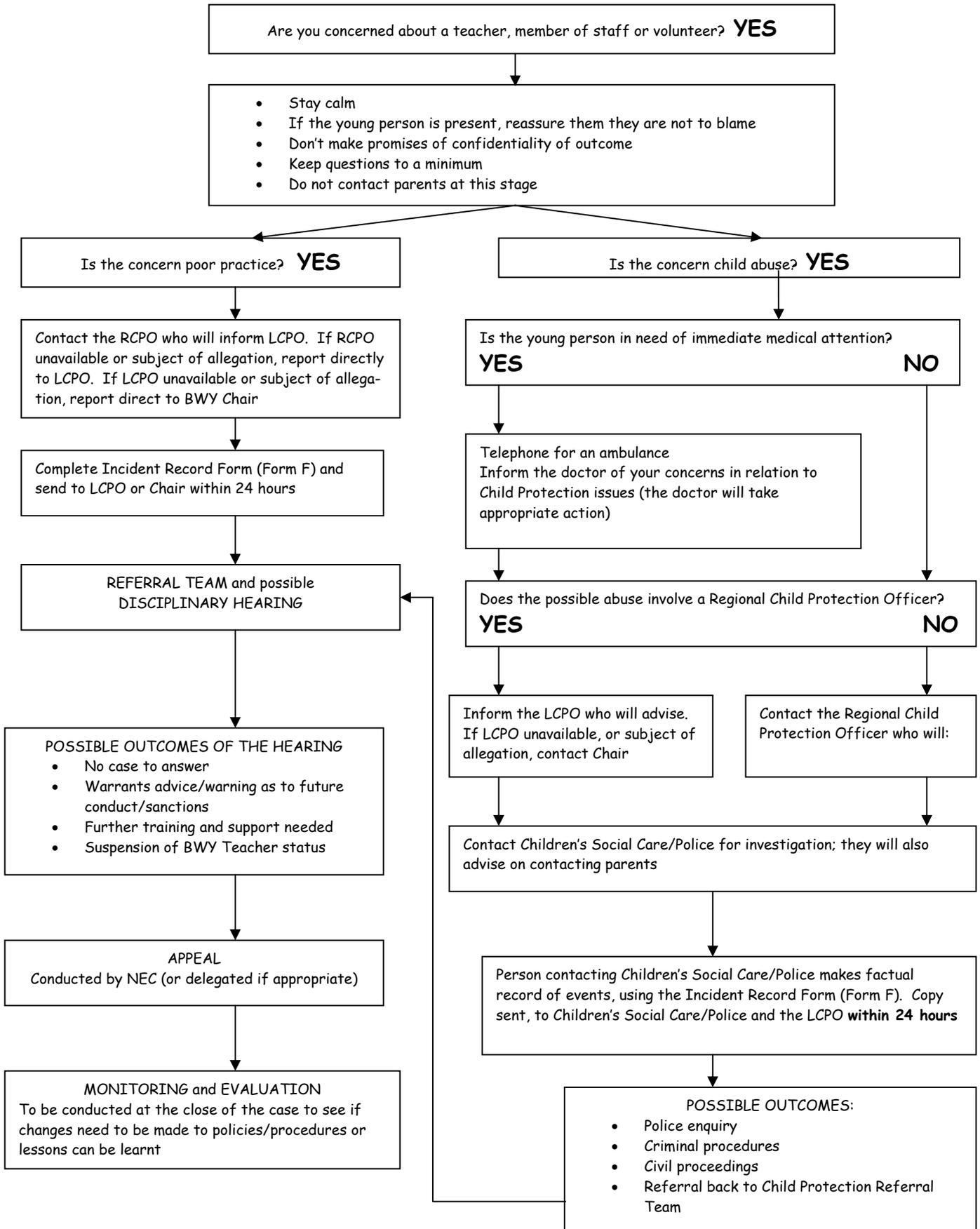
#### Remember:

- Maintain confidentiality on a need-to-know basis.
- If you have reported to the person in charge, ensure they follow up with Children's Social Care.

IF YOU CANNOT CONTACT THE PERSON IN CHARGE,  
YOU SHOULD NOT DELAY PASSING ON YOUR  
CONCERNS TO CHILDREN'S SOCIAL CARE OR THE  
POLICE

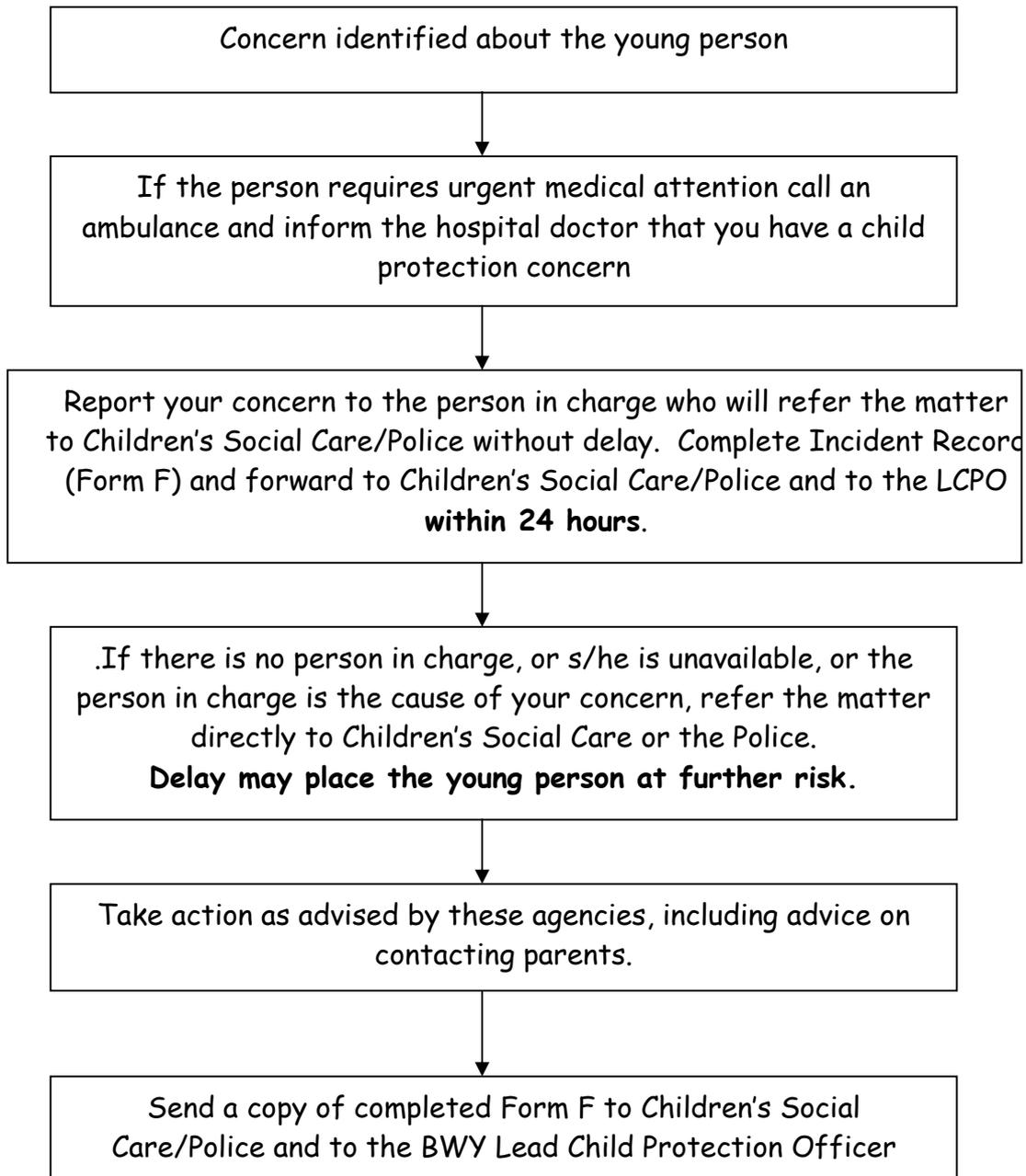
### Flowchart For Appendix A

### Dealing with concerns regarding poor practice and/or abuse by a BWY Teacher, Member of Staff or Volunteer



**Flowchart for Appendix A**  
**Dealing with concerns, disclosure or allegations outside the BWY setting**  
**(e.g. concerns about a parent or carer)**

What to do if you are worried that a young person is being abused outside the BWY setting (but the concern is identified through the young person's involvement in yoga)



If you are uncertain as to what to do at any stage, contact the NSPCC free 24-hour Helpline - 0808 800 5000

## APPENDIX B – ESSENTIAL CONTACTS

Contact Telephone Number for  
**CHILDREN'S SOCIAL CARE**  
in your region/area using the telephone directory:

1. Look up your “**local County Council**” where there is a whole page giving an A-Z list of Services
2. Look under ‘S’ – **Children’s Social Care Services**
3. “**First Helpline**” OR
4. “**Emergency Out of Hours**”

### IN AN EMERGENCY

Contact the local Police Child Protection Teams by dialling **999**

### BWY LEAD CHILD PROTECTION OFFICER (LCPO)

LCPO (Tel: 07738 946320) or contact BWY Central Office (Tel: 01529 306851)

### BWY REGIONAL CHILD PROTECTION OFFICER (RCPO)

This is your Regional Officer. Refer to your Regional Newsletter or contact BWY Central Office (Tel: 01529 306851) or LCPO

### NATIONAL CONTACTS

NSPCC	NSPCC □ Weston House, □ 42 Curtain Road, □ London □ EC2A 3NH □	Tel: 0207 852 2500 Helpline: 0800 800 5000
Childline UK	Freepost 1111, London, N1 OBR	Tel: 0800 1111
N.I Childline	PO Box 1111 BELFAST BT1 7DZ 24	Tel: 0800 1111
Disclosure & Barring Service	PO Box 91, Liverpool, L69 2UH	Tel: 0870 90 90 811
Child Protection in Sport Unit	3 Gilmour Close, Beaumont Leys, Leicester, L4 1EZ	Tel: 0116 234 7278
Sportscoach UK Training	Sports Coach UK. □ Chelsea Close, off Amberley Road, Armley, Leeds LS12 4HP	Tel: 0113 274 4802 Workshop enquiries: 0845 601 3054
Department of Health	Public Enquiries Unit, Department of Health. Richmond House 79 Whitehall London SW1A 2NS	020 7210 4850
Disclosure Scotland	Disclosure Scotland. PO Box 250 Glasgow G51 1YU	Tel: 0870 609 6006
Northern Ireland Anti Bullying Forum	C/o NCB NI □ Albany House □ 73-75 Great Victoria Street □ Belfast □ BT2 7AF	Tel: 028 9089 1738
NSPCC	Freephone 24 hour Helpline	Tel: 0800 800 5000

## USEFUL WEBLINKS

<b>Access Northern Ireland</b>	<a href="http://www.accessni.gov.uk">www.accessni.gov.uk</a>
<b>British Wheel of Yoga</b>	<a href="http://www.bwy.org.uk">www.bwy.org.uk</a>
<b>Child Protection in Sport Unit</b>	<a href="http://www.thecpsu.org.uk">www.thecpsu.org.uk</a>
<b>Childline</b>	<a href="http://www.childline.org.uk">www.childline.org.uk</a>
<b>Children's Social Care</b>	<a href="https://www.gov.uk/government/collections/childrens-social-care-and-childcare-guidance">https://www.gov.uk/government/collections/childrens-social-care-and-childcare-guidance</a>
<b>Disclosure &amp; Barring Service</b>	<a href="https://www.gov.uk/government/organisations/disclosure-and-barring-service">https://www.gov.uk/government/organisations/disclosure-and-barring-service</a>
<b>Department of Health</b>	<a href="https://www.gov.uk/government/organisations/department-of-health">https://www.gov.uk/government/organisations/department-of-health</a>
<b>Disability Sport England</b>	<a href="http://www.sportengland.org/our-work/disability/">http://www.sportengland.org/our-work/disability/</a>
<b>Disclosure Scotland</b>	<a href="http://www.disclosurescotland.co.uk">www.disclosurescotland.co.uk</a>
<b>English Federation for Disability Sport</b>	<a href="http://www.efds.co.uk">http://www.efds.co.uk</a>
<b>Equality &amp; Human Rights Commission</b>	<a href="http://www.equalityhumanrights.com">www.equalityhumanrights.com</a>
<b>Internet Watch Foundation</b>	<a href="http://www.iwf.org.uk">www.iwf.org.uk</a>
<b>NSPCC</b>	<a href="http://www.nspcc.org.uk">www.nspcc.org.uk</a>
<b>Training: Educare</b>	<a href="http://www.educare.co.uk">www.educare.co.uk</a>
<b>Training: Sportscoach UK</b>	<a href="http://www.sportscoachuk.org">www.sportscoachuk.org</a>

## **APPENDIX C: LEGISLATION & GOVERNMENT GUIDANCE**

### **The Protection of Children Act 1999, The Safeguarding Vulnerable Groups Act 2006 and The Protection of Freedoms Act 2012**

On the introduction of the 1999 Act, the then Minister of State, John Hutton, said

*“This new Act enhances significantly the level of protection for children. However, it remains of paramount importance that all organisations entrusted with the care of children practise the full range of pre-employment checks. This includes the full investigation of applicants’ employment history and taking up references”*

*John Hutton, July 2000*

Although The British Wheel of Yoga does not employ any teachers to teach, we do ask all those who teach Yoga to children in our name to complete self-declaration forms, provide references and to pay for a Criminal Records Bureau check.

### **The Safeguarding Vulnerable Groups Act 2006**

The aim of this act was to better identify those people deemed inappropriate to be working with vulnerable groups, including those under 18.

The Act established the Independent Safeguarding Authority (subsequently named the Disclosure & Barring Service) to take decisions about barring individuals considered unsuitable to work with vulnerable groups. The existing lists of barred individuals relating to children (PoCA List and List 99) have been replaced by a single list – The Children’s Barred List. There is a parallel Barred List for Vulnerable Adults.

It is a criminal offence for barred individuals to apply to work with vulnerable groups in *Regulated Activity* and for organisations to engage someone in regulated activity whom they know or have reason to believe has been barred from that activity. Organisations recruiting individuals to work with vulnerable groups also have a duty to refer to the DBS any information about an individual where they consider them to have caused harm or pose a risk of harm to a child or vulnerable adult.

## **The Protection of Freedoms Act 2012**

This Act merged the Criminal Records Bureau and the Independent Safeguarding Authority into one body named the Disclosure & Barring Service. It also redefined *Regulated Activity* and placed some tighter controls on organisations' rights to request criminal records checks on individuals they recruit. There are now two levels of Enhanced Disclosure certificate, one with information from the Children's and/or Adult's Barred List and one without.

In Scotland, Wales and Northern Ireland, parallel and similar pieces of legislation and guidance apply.

## **APPENDIX D - CODE OF ETHICS AND CONDUCT**

Teaching Yoga to children aids the development of individuals. This is achieved by:

- Identifying and meeting the needs of individuals.
- Improving practice of yoga through a progressive programme of safe, guided practice.
- Creating an environment in which students are motivated to maintain and improve their practice.
- Identifying, and acting upon, poor practice and/or inappropriate teacher behaviour.

Teachers must comply with the principles of good, ethical practice as listed below:

- Respect the right, dignity and worth of every person and treat everyone equally within the context of yoga.
- Place the well-being and safety of the student above the development of the practice. They should follow all guidelines laid down by The British Wheel of Yoga and hold appropriate insurance cover.
- Develop an appropriate working relationship with students (especially children), based on mutual trust and respect. Teachers must not exert influence to obtain personal benefit or reward.
- Encourage and guide students to accept responsibility for their own behaviour and practice.
- Hold up-to-date and nationally recognised Governing Body teaching qualifications (i.e. The British Wheel of Yoga Teaching Diploma, or accredited qualification and Children's Module or equivalent specialist qualification).
- Ensure the activities they direct or advocate are appropriate for the age, maturity, experience and ability of the individual.
- Clarify with students at the outset (and where appropriate with their parents) exactly what is expected of them and what they are entitled to expect from the teacher.
- Cooperate fully with other specialists (e.g. other teachers, doctors, etc.) in the best interests of the student.
- Always promote the positive aspects of yoga (e.g. non-competitiveness) and never condone rule violations such as bullying.
- Consistently display high standards of behaviour and appearance.

## **APPENDIX E – GUIDELINES ON USE OF PHOTOGRAPHIC AND FILMING EQUIPMENT**

(Adapted and reproduced with the kind permission of the ASA1999/Sports Coach UK and IWF)

### **GUIDELINES**

The British Wheel of Yoga is committed to providing a safe environment for children and young people under the age of 18. Essential to this commitment is to ensure that all necessary steps are taken to protect children/young people from the inappropriate use of their images in resource and media publications, on the internet and elsewhere. The British Wheel of Yoga wish to promote positive images within the following guidelines, which should be followed if filming or photography of children is used in yoga classes and/or yoga events.

#### **Videoing as a Teaching Aid**

There is no intention to prevent teachers using digital/video equipment as a legitimate teaching aid. However, students and their parents should be aware that this is part of the teaching programme and written consent should be obtained from the parent and student. Care should be taken in the storage of such films.

### **WHY BE CONCERNED ABOUT IMAGES OF CHILDREN?**

- Potential abusers may use information from any sources to identify, target, groom and abuse children.
- There may be legal restrictions on taking and using images (e.g. Children subject to proceedings under the Children Act 1989, or children may be witnesses in criminal cases).
- There may be valid reasons for a parent wishing to avoid any potential publicity about a child's whereabouts or activities (e.g. in the case of separations due to domestic violence).

### **PRINCIPLES**

- The interests and welfare of children taking part in yoga practice and events are paramount.
- Parents and children have a right to decide whether children's images are to be taken and how those images may be used.
- Parents must provide written consent for children's images to be taken.
- Images should convey the best principles and aspects of yoga, such as fairness and safety (e.g. children should be seen wearing clothing appropriate to the practice of yoga).

## **APPENDIX E – GUIDELINES ON USE OF PHOTOGRAPHIC AND**

## **FILMING EQUIPMENT** (continued)

### **PRINCIPLES** (continued)

- Care should be taken to ensure that images are not sexual or exploitative in nature, nor open to obvious misinterpretation and misuse.
- All images of children should be securely stored.
- Ensure that no identifying details facilitate contact with a child by a potential abuser.
- All images of children should be securely stored.
- In the case of images used on web-sites, particular care must be taken to ensure that no identifying details facilitate contact with a child by a potential abuser.
- With adequate negotiation and planning it is possible to meet the welfare, protection, rights and needs of children and young persons practising yoga, and facilitate the making of appropriate images for a range of purposes.

### **PHOTOGRAPHIC IMAGES OF CHILDREN/YOUNG PERSONS ON WEB SITES**

The Internet Watch Foundation at [www.iwf.org.uk](http://www.iwf.org.uk)

## APPENDIX F – SUMMARY OF FORMS AND RELATED PAPERWORK:

The forms listed are to be used to ensure that:

- The British Wheel of Yoga takes all steps within its power to prevent unsuitable people from working within yoga.
- Standard procedures are followed if incidences of suspected child abuse do occur.

### ALL FORMS ARE AVAILABLE FROM THE LCPO

Forms F – K, along with this policy document, available on the British Wheel of Yoga national website [www.bwy.org.uk](http://www.bwy.org.uk)

FORMS		To be completed by:
FORM A	Application Form	BWY Teacher
FORM B	Self-Declaration Form	BWY Teacher
FORM D	Reference Form	2 Referees (LCPO sends direct to named referees)
FORM F	Incident Record Form	Person reporting an allegation or incident
FORM G	Hands-On Adjustment Consent Forms	BWY Teacher and parent
FORM H / K	Use of Photos and Recorded Images Consent Forms	BWY Teacher and parent

## **APPENDIX G – REFERENCES**

**Standards for Safeguarding and Protecting Children in Sport**, CPSU (2003)

**Child Protection Policy and Implementation Procedures, Guidelines for Governing Bodies of Sport and Local Authorities incorporating Standards for Safeguarding and Protecting Children In Sport**, CPSU (2010)

**Protecting Children – A Guide for Sportspeople**, Crouch, M (1995)

**Caring for Young People and the Vulnerable? Guidance for Preventing the Abuse of Trust**. Home Office (1999) Home Office Sentencing and Offences Unit

**Protecting Disabled Children and Adults in Sport and Recreation**, Kerr, A (1999) Disability Sport England Tel: 020 7490 4919

**Safeguarding and Protecting Children, a guide for sportspeople** Sportscoach UK (2008)

**Working Together to Safeguard Children – statutory guidance**. Department of Health 2010

**HM Government, Disclosure & Barring Service - supporting information pack**, October 2012

**Sport & Recreation Alliance – Protection of Freedoms Act 2012 Compliance Guidance Notes 2012**

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- The Football Association
- The Internet Watch Foundation

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