

Case Management Group – Terms of Reference

BWB Document Control Procedure	
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1. Embedding British Wheelchair Basketball's Mission and Values

British Wheelchair Basketball is committed to enabling a safe, inclusive and welcoming environment across our sport. Our mission to transform people's lives through wheelchair basketball threads through all aspects of participation; from training to competition, supporters to players, from domestic to international competition.

Our values symbolise our unique DNA and the culture of British Wheelchair Basketball – the values of pride, grit, united and drive, will be considered in the execution and interpretation of all policies and governance.

British Wheelchair Basketball's policies support the delivery of world-class governance across the sport and enable the realisation of our commitment to safely and inclusively engage with all participants and deliver both the mission and values of this outstanding sport.

2. Data Notice

Personal Data will be handled during the implementation of British Wheelchair Basketball's policies. This Personal Data will be managed in line with British Wheelchair Basketball's Privacy Notice.

Please note that there will also be instances where personal data will be shared with third parties outside of British Wheelchair Basketball, either in carrying out our legal responsibilities or in retaining professional support.

Where the implementation of the Policy concludes in the imposition of sanctions, the individuals name, violation and sanction will be shared with interested parties (inside and outside of the sport) and via the British Wheelchair Basketball website.

3. Terms of Reference

1. In particular and without limiting that responsibility, the Case Management Group shall:
 - I. Inform the appropriate statutory agency (the police and/or the Local Authority Adult or Children's Social Care Department) where necessary where a report is made relating to the concerns about suspected or actual abuse of a child/young person and adult at risk, and to comply with any directions or requirements they may make regarding the case.
 - II. Give direction where appropriate to the BWB Lead Safeguarding Officer, colleagues, clubs and affiliated organisations as to the level of cases; level one or level two.
 - III. Advise on what level of investigation should be undertaken.
 - IV. Analyse any reports commissioned and determine whether any further actions are required.
 - V. Make initial decisions regarding risk from the information received and determine how such risks are to be managed.
 - VI. Monitor and review the progress on all cases and identify any trends emerging which may require a review of current policies and procedures. Make regular reports to the BWB Senior Management Team and Board.
 - VII. Consider cases and decide whether to issue any conditions regarding further participation in the sport.

- VIII. Consider any criminal records disclosure information in accordance with the BWB safer recruitment protocol. Any disclosures which contain “non-conviction information” should be considered by the Case Management Group.
 - IX. Advise generally on matters of safeguarding policy, strategy, procedure and guidance.
 - X. Advise on referrals of individuals to the Disclosure and Barring Service, Access NI or Disclosure Scotland.
2. The CMG must ensure that all deliberations are child/adult at risk focused. In any decisions made by the CMG, the welfare of the child/young person or adult at risk is the paramount concern and takes precedence of those of any adult where there is a perceived conflict of interest.
 3. All decisions made by the CMG must be fair, open and transparent. The CMG must adopt an open-minded approach until allegations/concerns have been investigated. The CMG will be guided by the Equal Opportunities Policy and the principle that all children and adults at risk have the right to be safeguarded and protected from abuse regardless of their age, ability, race, ethnic origin, gender, disability, religious or sexual orientation.
 4. All safeguarding, child protection and adults at risk matters must be regarded as highly confidential and not for disclosure outside of the CMG unless so agreed, and this will be on a strictly need to know basis in accordance with the Data Protection Act 2018 and Human Rights Act 1998.

All members of the CMG will maintain the confidentiality of children, young people and/or adults involved in the cases considered. All members of the CMG have an overriding obligation to protect children and adults at risk of harm and may therefore share information with third parties.

5. The CMG may refer any cases which deal solely with poor practice to Disciplinary procedures.
6. Any member of the CMG will inform the Lead Safeguarding Officer if they discover they are connected, or have an interest in, any referral case which would disqualify them from participating in any matters relating to that case.
7. The CMG will have the following core membership:
 - Lead Safeguarding Officer
 - Deputy Safeguarding Officers
 - Independent Safeguarding/Child Protecting Advisor
 - Board Safeguarding Champion
 - BWB Legal Services Provider (may not attend all meetings)
8. The quorum for every decision is a minimum of three members of the CMG.

9. General principles of the CMG

- The welfare of children, young people and adults at risk shall be the paramount consideration.
- Any decision is to proceed on the basis that the primary consideration will be a determination of the risk posed to children, young people and adults at risk.
- Unless there is no, or an insignificant risk, effective steps must be taken to manage or reduce the risk.
- The individual about whom there are concerns should be treated fairly and honestly and should be provided with support throughout the process.

10. Risk Assessment

- The assessment of risk involves the consideration of the actual or potential harm that an individual poses to children, young people and adults at risk in the sport.
- The assessment of risk does not involve making a finding based upon either the criminal or civil standards of proof. The assessment requires a defensible decision that a risk does or does not exist and, where it does, a determination of the extent of such risk.
- Save in exceptional cases, the assessment will not require the production of a formal risk assessment report.

Risk Management

- The steps taken to address any perceived risk to children, young people and adults at risk must have regard to the nature and extent of the risk as well as to any particular and relevant aspects of the sport in question and, in the light of this, must seek to ensure that such steps will be effective.
- In cases where the perceived risk is low, and no criminal or disciplinary charge could be made, it may be nonetheless necessary to impose stringent restrictions on an individual or remove their ability to participate in the sport BWB regulated activity.

11. Approach and Criteria to be used by the CMG

Initial Meeting

The CMG will consider cases in the initial meeting against the following criteria:

- Is there any immediate risk to an individual child or children? If yes, the Police and/or Local Authority Child/Adult social care department will be notified.
- Is there a need to preserve evidence – i.e. keep the alleged offending person unaware as well as report to Police/ Local Authority Child/Adult social care department.
- Is the alleged offending person suitable to be in a position of trust/responsibility?
- Is there a risk to the organisation or sport of reputational damage?

Outcomes from the initial CMG meeting include:

- Referral to or consultation with statutory agencies
- Investigation – no suspension
- Investigation – suspension from position of responsibility without prejudice
- Investigation – suspension from all BWB and affiliated activity without prejudice
- No further action
- Gathering further information
- Recommendation for training, support or supervision
- Referral to initiate Disciplinary Processes

Decision on next step after reading investigator report and recommendations.

The CMG will make one of the following recommendations:

- **Disciplinary Panel:** The allegation is serious and is supported by evidence and should be passed to the Disciplinary Panel for judgement and penalty to be agreed. See 12 below.
- **Recommendation:** The concern is not a serious breach but an example of poor practice. See 24 below.
- **Unproven:** The evidence does not support the concern. See 27 below.

12. Timescales

The CMG will maintain communication and continually update those involved of the status of the case.

13. Confidentiality

Every effort should be made to ensure that confidentiality is maintained for all concerned.

Information should be handled and disseminated on a 'need to know' basis only. This may include the following persons/organisations:

- The person making the allegation
- The Club Welfare Officer, Club Contact or Club Chair
- The Regional Association Welfare Officer or Chair
- The parents/carers of the individual who is alleged to have been abused
- BWB Lead Safeguarded Officer and Case Management Group
- The alleged (and parents/carers if the individual is a child or young person (upon guidance from statutory agencies
- Statutory agencies/Police

Information collated by BWB will be stored in a secure place with limited access for designated people in line with Data Protection Act 2018.

BWB reserves the right to engage a support body in the Triage, Investigation, Hearing, Appeal and Case Management of any BWB Safeguarding/Disciplinary Case. All Case data will be shared with the supporting body for the purposes of case resolution only.