



British Kung Fu Association
Safeguarding 'At Risk' Adults
Policy and Procedure

Part 1 - Safeguarding 'At Risk' Adults Policy

Part 2 - Procedures for Safeguarding 'At risk' Adults

(January 2020)

Safeguarding 'At risk' Adults
Who Participate in Kung Fu

Part 1 - Safeguarding 'At Risk' Adults Policy

The Scope of this Policy

This policy applies to registered BKFA Instructors, coaches, volunteers and all licensed members of the BKFA.

Purpose Statement

The British Kung Fu Association (BKFA) Board is aware of the importance of safeguarding 'at risk' adults in the practice of Kung Fu. It is a corporate responsibility of the BKFA to ensure that **all** participants in the practice of Kung Fu placed in the care of its instructors, coaching staff and volunteers are appropriately protected. This policy has been created to set out the directives to be adopted by all members and instructors of the BKFA.

Values and Principles

Safeguarding adults is about protecting those at risk of harm (**'at risk' adults**) from suffering abuse or neglect. Abuse can happen anywhere. Safety from harm and exploitation is one of our basic needs. Being or feeling unsafe undermines our relationships and self- belief. Safeguarding is a range of activities aimed at upholding a person's right to be safe.

It is of particular importance for people, who because of their situation or circumstances, may be unable to keep themselves safe from harm or exploitation.

The BKFA has a moral, legal and social responsibility to set out guidance for providing a safe, respectful and inclusive environment for all who participate in the practice of Kung Fu in accordance with the Safeguarding Vulnerable Groups Act 2006.

It is a key objective of the BKFA Board to regularly review the latest good practice in Safeguarding and to amend and update this policy as necessary.

The BKFA Board believes that 'safeguarding 'at risk' adults is everyone's responsibility'.

The BKFA Board have appointed a Safeguarding Officer who is responsible for;

- Providing advice on the Safeguarding of 'at risk' adults (as well as child protection) to the BKFA Board and any member of the BKFA or, where appropriate, their carers.
- reporting and recording (as appropriate) of these issues.

The BKFA Board, through its directives and training programmes, works to ensure that BKFA Instructors and coaches adopt best practice in: the management of its classes and training; the

recruitment of its Instructors, coaching staff and volunteers; and dealing with accusations of abuse in its classes, activities and events.

BKFA Instructors, coaching staff and volunteers must be aware of this policy and adopt good practice within their Kung Fu training sessions as detailed in this policy.

All instructors will have Professional Indemnity Insurance which must be renewed annually.

The BKFA is open to working with other organisations (as appropriate) to promote the safeguarding of 'at risk' adults in the wider community.

This Policy will be reviewed and approved by the BKFA Board annually. It will be published on the BKFA website www.laugar-kungfu.com so will be readily available to all students and Instructors.

What does the term 'At risk' Adult Mean?

Someone who is aged 18 years or over:

- Who is unable to protect him or herself against significant harm or exploitation
 - Who is or may be in need of community care services because of mental or other disability, increasing frailty or illness, alcohol or drug dependency
- Or
- Who is unable to take care of him or herself (including alcohol and drug dependency)
 - 'The Association of Directors of Adult Services' safeguarding guidance further defines an 'at risk' (or vulnerable) adult as someone who is unable to retain independence, well-being and choice and to access their human right to live a life that is free from abuse and neglect.

Relationship to BKFA Child Protection and Safeguarding Policy

Any organisation working with 'at risk' adults should have in place appropriate policies and procedures. Including 'at risk' adults within existing safeguarding children policies is not an acceptable practice as only in extreme circumstances will the law intervene.

- Legislative guidance is not so clear for 'at risk' adults
- The definition of 'at risk' adult is always open to interpretation and vulnerability may change over time and in different contexts.
- Adults have a right to self-determination. They may not wish others to intervene to safeguard them
- Adults may consent to sexual activities and the issue of consent may affect the reporting and management of allegations
- Local Authorities are organised differently to receive and manage referrals. There is not a uniform approach to the safeguarding of 'at risk' adults.

Guidance on Effective Safeguarding Practice

The following are common sense examples of how to promote the welfare of 'at risk' adults and reduce the likelihood of abuse occurring and allegations of abuse being made:

- Always work in an open environment, e.g. avoid private or unobserved situations and encourage openness, e.g. no secrets.
- Maintain a safe and appropriate relationship with all (e.g. it is not appropriate to have an intimate relationship with an 'at risk' adult).
- Build balanced relationships based on mutual trust which empower 'at risk' people to share in the decision-making process.
- Ensure that if any form of manual/physical support is required, it is provided openly and according to guidelines set out in this policy. Care is needed with physical contact, as it is difficult to maintain hand positions when the person is constantly moving. Students should always be consulted and their agreement gained.
- If groups have to be supervised in the changing rooms, always ensure Instructors, coaches or volunteers work in pairs.
- Ensure that if mixed gender participants are taken away they are accompanied by a male and female member of the instructing/coaching staff. (NB: however, same gender abuse can also occur).
- Ensure that at competitions or residential events, e.g. the annual Summer Course, instructors/coaches do not enter 'at risk' people's rooms alone or invite people into their rooms unaccompanied.
- Give enthusiastic and constructive feedback rather than negative criticism.
- Recognise the developmental and specific needs and capacity of people -avoid excessive training or competition and do not push them against their will.
- Secure permission, in writing, for the administration of emergency first aid and/or other medical treatment.
- Keep a written record of any injury that occurs, along with the details of any treatment given.
- If students are required to be transported in the Instructors/coaches/officials/volunteers' cars, it is recommended that they do not travel unaccompanied with the student. Ensure that your motor insurance covers the transportation of students.

Legislative Framework

This Policy has been developed with reference to the following legislation:

- **The Care Act 2014** sets out a clear legal framework for how local authorities and other parts of the system should protect adults at risk of abuse or neglect.
- **Mental Capacity Act 2005 Code of Practice (Department of Constitutional Affairs, 2007)**
The legal framework provided by the Mental Capacity Act 2005 is supported by this Code of Practice (the Code), which provides guidance and information about how the Act works in practice. The Code has statutory force, which means that certain categories of people have a legal duty to have regard to it when working with or caring for adults who may lack capacity to make decisions for themselves.
- **The Human Rights Act 1998** means that people can defend their rights in UK courts and that public organisations must treat everyone equally, with fairness, dignity and respect.

Definitions of Abuse

The Department of Health (DoH) in their guidance states that:

Abuse is a violation of an individual's human and civil rights by any other person or persons.

It continues:

Abuse may consist of a single act or repeated acts. It may be physical, verbal or psychological. It may be an act of neglect or an omission to act, or it may occur when an 'at risk' person is persuaded to enter into a financial or sexual transaction to which he or she has not consented, or cannot consent. Abuse can happen in any relationship and may result in significant harm to, or exploitation of, the person subjected to it.

Currently the Department of Health identifies six categories of abuse:

physical; sexual; psychological/emotional; financial or material; neglect and acts of omission; and discriminatory. Definitions of these are as follows:

Neglect

Where a person's basic needs like food or warm clothing, are denied, or failure or refusal to give a person appropriate affection and attention.

Neglect in a sporting situation could include an instructor not ensuring that people are safe, exposing them to undue heat or cold, or to unnecessary risk of injury.

Physical

Where adults or young people physically hurt or injure other people, for example by hitting, slapping, pushing, kicking, shaking, squeezing, burning, biting, restraint, inappropriate sanctions or by giving young people alcohol, inappropriate drugs or poisonous substances. In sports situations,

physical abuse might occur when the nature and intensity of training exceeds the capacity of the individual student.

Sexual

'At risk' adults are abused when they are used by other adults (both male and female) to meet the other adult's own sexual needs. This could include full sexual intercourse, masturbation, oral sex, anal intercourse and fondling. The display of pornographic material (books, videos or pictures) to young people is also a form of abuse. Coaching or activities which involve physical contact with 'at risk' adults could create potential situations where sexual abuse could go unnoticed. The power of the instructor over these students, if misused, could also lead to the development of situations in which abuse may occur.

Emotional

Persistent lack of love and affection, where a child may be constantly shouted at, threatened or taunted and become very nervous and withdrawn, would constitute emotional abuse. Emotional abuse could also occur when there is constant overprotection (which prevents an 'at risk' adult from socialising), or there is neglect, physical or sexual abuse. Emotional abuse might occur in sport sessions if students are subjected to constant criticism, bullying or unrealistic pressure to perform to high expectations.

Financial

This could include:

- Theft of money or possessions
- Fraud, scamming
- Preventing a person from accessing their own money, benefits or assets
- taking a loan from the student
- Undue pressure, duress, threat or undue influence put on the person in connection with loans, wills, property, inheritance or financial transactions
- Arranging less care than is needed to save money to maximise inheritance
- Denying assistance to manage/monitor financial affairs
- Denying assistance to access benefits
- Someone moving into a person's home and living rent free without agreement or under duress
- False representation, using another person's bank account, cards or documents
- Exploitation of a person's money or assets, e.g. unauthorised use of a car.

Neglect And Acts Of Omission

Could include ignoring medical or physical care needs, failure to provide access to appropriate health, social care or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating.

Discriminatory Abuse

Could include discrimination and harassment that is based on a person's disability, race, gender, etc. Other forms of harassment, slurs or similar treatment.

We should also be aware of the following:

"Mate Crime" where an 'at risk' adult is befriended for the purpose of exploitation or abuse.

Bullying may be described as deliberately hurtful behaviour, usually repeated over a period of time, where it is difficult for those bullied to defend themselves.

Although anyone can be the target of bullying, victims are often 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.

Bullying is more likely to occur where there is inadequate supervision and where there is a lack of awareness of the specific needs of students.

Modern slavery.

Types of modern slavery

- Human trafficking
- Forced labour
- Domestic servitude
- Sexual exploitation, such as escort work, prostitution and pornography
- Debt bondage – being forced to work to pay off debts that realistically they never will be able to

Possible indicators of modern slavery

- Signs of physical or emotional abuse
- Appearing to be malnourished, unkempt or withdrawn
- Isolation from the community, seeming under the control or influence of others
- Living in dirty, cramped or overcrowded accommodation and or living and working at the same address
- Lack of personal effects or identification documents
- Always wearing the same clothes
- Avoidance of eye contact, appearing frightened or hesitant to talk to strangers
- Fear of law enforcers

Indicators of Abuse

Some indications that a person has been abused may include:

- Unexplained or suspicious injuries such as bruising, cuts or burns, particularly if situated on a part of the body not normally prone to such injuries.
- An injury for which the explanation seems inconsistent or for which multiple explanations are given.
- The person describes what appears to be an abusive act involving him/her.
- Someone else expressing concern about the person's welfare.
- Unexplained changes in behaviour over time eg. becoming very quiet, withdrawn or displaying sudden bursts of temper.
- Distrust of others and/or an apparent difficulty in making friends.
- The prevention, by another person, of a student socialising with others/deliberate isolation.
- Displaying variations in eating patterns including overeating or loss of appetite.
- Weight loss for no apparent reason.
- An increasingly dirty or unkempt appearance.
 - Unexplained and unexpectedly not having money/access to money is limited by another

This list is not exhaustive and the presence of one or more indicators is not proof that abuse has taken place. It is not the responsibility of those working with students to decide whether abuse has occurred but it is their responsibility to recognise and act on any concerns. For instance, by discussing any concerns with the **BKFA's Safeguarding Officer** and recording their concerns for referral to the appropriate authority as appropriate. Procedures vary locally but this would normally be **the Local Adult Safeguarding Board**, details of which can be found on the Local Authority website along with other useful information. If you are concerned that a student is at risk of immediate injury or death, then phone 999 **NOW**.

Definition of Volunteer

The DBS definition of a volunteer is defined in *the Police Act 1997 (criminal records) Regulations 2002* as:

"Any person engaged in an activity which involves spending time, unpaid (except for travel and other approved out-of-pocket expenses), doing something which aims to benefit some third party and not a close relative."

To qualify for a free-of-charge criminal record check, the applicant must not:

- benefit directly from the position for which the DBS application is being submitted;
- receive any payment (except for travel and other approved out of pocket expenses);
- be on a work placement;
- be on a course that requires them to do this job role; or
- be in a trainee position that will lead to a full time role/qualification.

Safe Participation in Kung Fu

Kung Fu has a history dating back thousands of years. In comparison to other sports, the benefits of participation in Kung Fu has been shown to be wide ranging for young and old alike. Kung Fu has been described as an art form and a sport - one which can be practiced from childhood to old age. Participation in Kung Fu has a track record for improving concentration, coordination, flexibility, endurance, stamina and strength -it is a comprehensive sporting activity.

Kung Fu has undisputed long term health benefits, these include:

Managing obesity and improved physical fitness which may lead to a reduction in the risk of some health problems. Experience of these benefits has been proven to be significant as BKFA classes are regarded as high quality, enjoyable and safe, which has motivated participants to adopt a healthy lifestyle, and to continue to participate in Kung Fu in adulthood and through into old age.

Part 2 - BKFA Procedures to Safeguard 'At risk' Adults

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BKFA Procedures

1 Safeguarding 'At risk' Adults

All BKFA Instructors, coaching staff and volunteers, whether acting on a paid or voluntary basis, must be aware of, and demonstrate effective safeguarding practice (as set out in part 1) within their Kung Fu training sessions.

Any adult working in the provision of Kung Fu, in either a paid or voluntary capacity, has a duty of care to provide a safe and caring environment. It is vital that any coach, instructor, official or any other person assisting has the ability to exercise patience, understanding and encouragement.

Understanding of an individual's specific needs and the ability to communicate with them is very important. All students have a right to protection from the potential threat of abuse. They must be protected from all forms of discrimination and abuse and treated equally, regardless of age, gender, race, culture, religion, language, sexual orientation or ability. All BKFA Instructors, coaching staff and volunteers, whether acting on a paid or voluntary basis, must be aware of the dangers of abuse, the forms it can take and its recognition (as set out in part 1).

2 Instructors' Responsibilities

BKFA registered Instructors must:

- have met the grading requirements laid down by the BKFA.
- have completed (as a minimum) training in: Coaching (Level 1), First Aid and Child Protection.
- be 18 years of age or older.

- have a DBS check (currently updated every three years).

BKFA Assistant Instructors (aged at least 16 years) do not require a DBS check but may only teach when supervised by a registered BKFA Instructor.

The grading regime for member clubs of the BKFA is operated autonomously by its Instructors. BKFA Instructors work with students to develop qualities including team work, confidence, cooperation, independence, leadership and self-esteem. Self-discipline, self-control, self-respect and mutual-respect are integral to the kung fu instruction imparted by BKFA Instructors.

3 'At risk' Adults and Kung Fu

The BKFA ensures that all Instructors and volunteers are aware of the BKFA's policies and procedures on safeguarding 'at risk' adults. Emphasis has been placed on the importance of listening to students, particularly when they are expressing concerns about their welfare and the welfare of others whilst practising Kung Fu.

The BKFA Board recommend that each BKFA club report their safeguarding concerns initially to the Child Protection and Safeguarding Officer with their contact details being identified to new participants.

In each BKFA club, a BKFA member (or anyone associated with the club), in consultation with the BKFA Child Protection and Safeguarding Officer, should act where there are concerns that safeguarding and promotion of student's welfare has not been undertaken in accordance with the BKFA's procedures. It is also the responsibility of the officer to address accusations of abuse between students (non-coaching staff related); to investigate these accusations and to take the necessary action which may include excluding perpetrators, and informing the authorities, where appropriate.

Participation in Kung Fu may include risk of personal injury.

Countermeasures (specific class programmes) are put in place to ensure that this risk is mitigated for adults and eliminated in the case of children. Although the BKFA makes every effort to manage any risk of personal injury, it is a requirement for all Instructors and students to be insured and licensed to participate in Kung Fu.

Self-defence simulation such as two-person choreographed sequences will enable the student to take part in contact training. Sets training, including the use of weapons, will also allow the student to develop coordination and sparring tactics. There are also internal and external body training methods to condition the body in line with martial arts training demands. In the intermediate to advanced stages of training, students may commence sparring practice.

Kung Fu training is an activity where safe practice is essential to help prevent injury. 'At Risk' adults (and Children) are particularly vulnerable, so training methods need to be modified as described below...

I. Warm Ups

All activities should first include a thorough warm up, head to toe stretching and gradual cardiovascular activity. To help reduce injury, specific attention should be paid to those muscle groups that will be used during later activity.

II. Kung Fu training involving locks and throws

The risks include: falling on unsuitable surfaces: landing on the head: damage to the joints from locks.

Safe practice must include:

- (a) Checking the matted area for suitability, particularly where the mats have been joined.
- (b) Checking that there are no hard surfaces or sharp/hard objects around the matted area.
- (c) Having an experienced instructor who will ensure that children are not taught to use locks, or throws which will injure their training partner.

III. Kung Fu training involving strikes, punches and kicks

The risks are: concussion (brain injury) from heavy blows to the head; damage to internal organs and joints from heavy blows; injury from inappropriate stretching and other exercises. This type of injury can occur during traditional Kung Fu training as well as kickboxing training.

Safe practice must include:

- (a) Light contact only, especially to the head. (Light contact means the technique is targeted but controlled so that whilst the opponent is touched the technique is not followed through). The use of helmets, mitts or foot pads does not eliminate the risk of brain injury from full contact strikes. Therefore, only light contact should be used even when protective equipment is being worn.
- (b) In sparring sessions and competition, participants should be matched for height, weight and gender.

IV. Kung Fu training involving weapons

Safe practice must include:

- (a) No live blades (sharp or otherwise) in the training hall when children are present
- (b) Participants should receive a safety briefing in the use of training weapons
- (c) Good supervision at all times by Instructors

Above all, safe practice means having a suitably qualified and experienced instructor who will ensure that participants are not exposed to the above risks and who can make a training session enjoyable whilst maintaining the discipline essential to learning Kung Fu.

The BKFA firmly believe that all students should be able to enjoy physical activity whatever their circumstances or abilities, and for many this is a valuable opportunity which may otherwise not be available to them.

4 Tackling Bullying in Martial Arts

The BKFA Board recognises that bullying can have a profound impact on emotional and mental health, leading to depression, self-harming and even suicide. The BKFA has an anti-bullying policy setting out the respective rights and responsibilities of all in preventing and dealing with bullying.

The BKFA Board encourages members to combat bullying through developing a culture in which respect and consideration for others is fundamental. We encourage students to report bullying in the knowledge that it will be taken seriously.

BKFA Instructors should seek to eliminate bullying behaviour. They should aim to boost students' self-esteem and create a positive environment both of which we recognise as important factors in preventing people from being bullied and/or becoming bullies.

5 Instructor (Coach) to Student Ratio

Kung Fu is practised by both male and female students of all ages and abilities. It is the registered instructor's responsibility to ensure that they have undertaken a risk assessment for the session and that there is sufficient supervision to carry out the planned activities in a safe and open environment.

A general guideline would be:

3-5 years old students - One coach to 6-8 participants;

6-11 years old students - One coach to 8-10 participants;

12-16 years old students - One coach to 10-12 participants;

17 + years old - One Instructor to 20 participants.

In BKFA Kung Fu classes it is usually the case that there are sufficient senior students or assistant Instructors to work with smaller groups under the supervision of the club instructor.

6 Appropriate Behaviour in Changing Rooms or when providing First Aid

Changing Rooms

If you are involved in a mixed gender activity, separate facilities should be made available to students.

If students are uncomfortable changing or showering in public, no pressure should be placed on them to do so. If your activity/event has participants with disabilities involve them in deciding how they should be assisted and ensure they are able to consent to the assistance that is offered.

No photographic equipment should be used in the changing room environment. This includes cameras, video cameras, mobile phones with photographic capabilities, etc.

Providing First Aid Treatment

It is recommended that no student should be treated when the student is on his/her own in a treatment room with the door closed. Prior to medical treatment being carried out consent in writing must be sought where possible.

It is recommended that all treatment procedures are explained fully to the student and verbal consent is given before they are carried out.

It is strongly recommended that as a minimum, all treatment procedures should be 'open', i.e. the door remains open. It is recommended that if treating an area of the body which is potentially embarrassing to a student (i.e. the groin), another adult, acting as a chaperone should be present.

It is important to maintain medical confidentiality and patient dignity at all times.

7 Inappropriate Practices That Should Be Avoided

- Transporting students unaccompanied in a car.
- Spending time alone with a student away from others.

If cases arise where these situations are unavoidable they should only occur with the full knowledge and consent of someone in charge at the activity/event. For example, a student sustains an injury and needs to go to hospital. Students sharing accommodation by prior agreement with event organiser.

Inappropriate Practice

The following should NEVER be sanctioned;

BKFA members in a position of trust, such as an Instructor or Coach should never:

- Take a student to their home where they will be alone with them;
- Engage in rough, physical or sexually provocative games, including horseplay;

- Share a room with a student except where this has been agreed as part of the organisation for an event;
- Allow or engage in any form of inappropriate touching;
- Allow students to hear or use inappropriate language unchallenged;
- Make sexually suggestive comments to students even in fun;
- Reduce a student to tears as a form of control;
- Allow allegations made by a student to go unrecorded or not be acted upon;
- Do things of a personal nature for students that they can do for themselves

It may sometimes be necessary for coaching staff or volunteers to do things of a personal nature for students, particularly if they are young or have a disability. These tasks should only be carried out with their full understanding and, ideally, written consent. There is a need to be responsive to a person's reactions at all times.

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 so if you are involved in any dressing or undressing of outer clothing, or where there is physical contact, lifting or assisting a student to carry out particular activities. Instructors should avoid taking on responsibility for tasks which may leave them open to accusations of abuse, where appropriate conditions cannot be established, i.e. the presence of witnesses/chaperones.

If any of the following incidents should occur, they should be reported immediately to a colleague and a written record made of the event:

- accidentally hurting a student;
- if a student seems in major distress for any reason.

8 Concerns About an 'At risk' Person

If an 'at risk' person chooses to share information with a BKFA member about an abusive incident:

1. Your club Welfare Officer can offer support and advise...

Name:

Contact number:

2. The matter should be reported to the BKFA Safeguarding Officer who will ensure that the person feels supported and knows that they have done the right thing. The Officer role will be one of listening as opposed to questioning, in order that any subsequent investigation is not impeded. This is undertaken in line with achieving best evidence confidentially. The matter will be recorded and reported to the appropriate authorities as appropriate.

3. If you are concerned about an 'at risk' person, or concerned for yourself, then you or the BKFA Safeguarding Officer should report this to the appropriate body within your Local Authority, usually the Local Adult Safeguarding Board. Procedures vary across the country, so check your Local Authority website.
4. If you are concerned that a student is at risk of immediate injury or death, then phone 999 **NOW** and report it.

9 - Help and Advice

- **BKFA Safeguarding Officer** Information:

For more information on the BKFA's policy and procedures regarding safeguarding 'at risk' adults, please contact the BKFA's Safeguarding Officer (Alec Clark):

E-mail: alecclark@hotmail.com

Telephone: 07508007624

- Search on line for your **Local Adult Safeguarding Board** for useful local and National information. For information about the role and duties of Boards Nationally check out <http://www.scie.org.uk/care-act-2014/safeguarding-adults/safeguarding-adults-boards-checklist-and-resources/role-and-duties.asp>
- For more information and guidance about **Mate Crime** check out <http://arcuk.org.uk/safetynet/examples-of-mate-crime/>
Or
<http://www.learningdisabilitytoday.co.uk/mate-crime-how-to-spot-it-and-stop-it.aspx>
- For more information about **Self Harm** check out <http://www.mind.org.uk/information-support/types-of-mental-health-problems/self-harm/#.WIDJRRuLSUk>
- For more information about the types of abuse check out <http://www.scie.org.uk/publications/ataglance/69-adults-safeguarding-types-and-indicators-of-abuse.asp>