

# The tree of protection

## Care Standards Act 2000

I ensure consistent minimum quality of day care nationally for children under eight.

## Sexual Offences (Amendments) Act 2000

I reduce the age at which, or certain circumstances in which, sexual acts are lawful. I introduced the offence of 'abuse of trust'. Because of me it is an offence for a person aged 18 or over to engage in sexual intercourse or other sexual activity with someone under that age where they are in a 'position of trust' in relation to the younger person.

## Children Act 1989

I am the primary legislation, which aims to ensure that the welfare and developmental needs of children and young people are met, including the need to be protected from harm. I work on the principle that the welfare of children is paramount and that children are best brought up within their families. I place responsibility on local authorities to provide services to children "in need". I am the Act, which gives Social Services (Children's Social Care), the Police and the NSPCC with statutory powers. I also place a duty on the statutory agencies to "make enquiries" where they have reason to suspect that a child is suffering or is likely to suffer significant harm.

## Children Act 2004

I build upon and extend the earlier Children Act 1989. I am not a replacement which is a common misconception. The key changes I make are to charge all agencies and relevant partners - which include sports organisations - with a duty to promote and safeguard children's welfare. I brought into being altogether other things the Local Children Safeguarding Boards.

## Health and Safety at Work Act 1974

I give legal responsibility to all organisations to prevent injury and ill health to my employees and others.

## Human Rights Act 1998

I am an Act that identifies and defines basic human rights. Six of my rights have particular relevance to the welfare and the protection of children.

## Sex Offenders Act 1997

I am the Act that ensures that people convicted for (or cautioned for) certain sexual offences must register their address with the police. I am also the Act that allows courts to ban convicted sex offenders from going near specified places, such as schools or from specific activities such as working with children.

## Sexual Offences Act 2003

I came into being to replace many older sexual offences laws. I give the response to the need to bring legislation up to date with current social, moral codes and values. I created new offences (voyeurism, online and off-line grooming, making and possessing child abuse images).

## Data Protection Act 1988

I regulate how organisations handle an individual's personal and private data. I set out rules about how, when and with whom organisations can share their data. My role in safeguarding is to make it clear that if the information that an organisation holds may protect a child it should be shared with relevant parties then that information cannot be withheld.

## Safeguarding Vulnerable Groups Act 2006

I am the newest "leaf" of legislation on the Tree of Protection. I was brought into being as a response to the findings and recommendations of the Richard Inquiry. I do many things and I am based on principles, which place child protection first. I bring in a single system to pull together the various lists on which people can be listed as being barred from working with children. I list 99, PoVA, PoVA Dept of Health lists and other sources of relevant data. I define how and when data should be transferred at national and local level. I have an Independent Reviewing and Barring Board who will be experts from relevant fields and disciplines who will make barring decisions.

## Protection of Children Act 1999

I build a framework that identifies those people considered to be unsuitable to work with children.

## Criminal Justice and Court Services Act 2000

I list the responsibilities of "public bodies" to prevent unsuitable people from working with children. I define a new way for the courts to disqualify unsuitable people from working with children and I provide strong criminal sanctions for those who breach a disqualification. I link with the Police Act 1997, the Protection of Children Act 1999 and the Safeguarding Vulnerable Groups Act 2006 to build a system that amongst other things defines regulated positions.

## Rehabilitation of Offenders Act 1974

I am the act that allows people not to declare convictions to employers where it may prejudice their chance of employment. HOWEVER, I also state that people involved in situations where they hold a 'regulated position' or have prolonged or sustained access to children are exempt from me and must declare all criminal convictions.

## Working Together to Safeguard Children

All of the "leaves" of legislation are a huge amount of law and to pick through them all every time we needed guidance would take forever. So the government wrote me to be the concise guidance that takes into account all of the "leaves" of legislation above. I set out the roles and responsibilities of all organisations working with children. Since the Children Act 2004, now specifically include sport and organisations providing sports services to children and that includes your National Governing Body and your club. The National Standards for Safeguarding Children in Sport provide a framework for every sports organisation to help them fulfil these responsibilities. For Local Children Safeguarding Boards I define who sits on them, what they do and how they have to do it. I also lay out the core skills and knowledge which different levels of people working with children need and this helps define how the course is developed. A shorter guide to make sure everyone understands my key messages called "What to do if you are worried a child is being abused" was produced in 2003. SEE HOW IT ALL FITS!!

## Police Act 1997

I contain the provision to set up the Criminal Records Bureau for England and Wales.

## Rights & Responsibilities

## Safeguarding checks for recruitment

## Local Safeguarding Children Boards

The Children Act 2004 made it a legal duty for each local authority to set one of me up in their area. Working Together to Safeguard Children 2006 sets out my role and responsibilities. I provide the framework/rules/guidelines, which the Police, Social Services and other agencies use to ensure they work well together to safeguard local children and investigate concerns about the abuse of children. I am involved in the planning of local services for children and I am made up of senior managers from agencies and organisations working with children, young people, families and adult abuse including the Police, Local Council, Social Services, Education, Probation, Youth Offending Team and Health. I can make links with my local sport community via my Safeguarding through Sport subgroup, which is normally facilitated by the County Sports Partnership. I used to be called an Area Child Protection Committee (ACPC).

## The Police

I have three primary duties:  
1. Uphold the law.  
2. Prevent crime and disorder.  
3. Protect the citizen - children have the right to full protection offered by criminal law. I work with Social Services where an allegation of abuse relates to a crime against a child. My officers have emergency powers to protect children under the Children Act 1989 and can take a child into emergency care for up to 72hrs.

## Social Services

I have a duty to provide services to children "in need" under section 17 of the Children Act 1989. I also have a duty to make enquiries under section 47 of the Children Act 1989 where a child is likely to be suffering, or is suffering from "significant harm". I work with the police on cases where abuse of a child relates to the possibility of a crime.

## NSPCC

I am an agency with statutory powers under the Children Act 1989. I am the home of the Child Protection in Sport Unit that works with National Governing Bodies, County Sports Partnerships, and other sports organisations to support them in implementing child protection initiatives and the Standards for Safeguarding and Protecting Children in Sport.

## National Governing Body

I have a responsibility to ensure that my sport and those affiliated to me meet the National Standards for Safeguarding and Protecting Children in Sport. In meeting the Standards I am carrying out my legal duties as set out in the Children Act 2004 and Working Together to Safeguard Children 2006. I must have a Lead Child Protection Officer who supports clubs to meet these responsibilities and manages cases of poor practice.

## The Club

I am where children participate in sport and receive sports training in safeguarding. I have a duty to provide a safe training environment free from all forms of abuse. To be a fun and safe place to play I need to be child centred in the way I operate.

## The Coach

My role in safeguarding is to work closely with and support my club in ensuring good practice and child centred thinking is embedded in all club activities. I also lead by example in good coaching practice.

## The Club Welfare Officer

It's my job to help the club write and implement child protection policies and procedures. I am key in helping the club maintain a child centred approach to make sure that it's a fun and friendly place for children. I am the first point of contact for children, staff and volunteers at my club.