

## England Basketball

### Child Protection Policy & Procedures

#### Standard Procedure for Investigations into Alleged Minor Poor Practice

This procedure has been drawn up to provide support and direction to those individuals and organisations charged with the responsibility of conducting investigations into alleged minor poor practice. It should be used in conjunction with, and adherence to, the EB Child Protection Policy and Procedures.

The aim is to provide some consistency in how investigations are conducted into allegations of minor poor practice and to ensure fairness and equity for both the complainant and the person against who the allegations have been made.

This procedure assumes that:

1. a concern has been identified
2. the incident has been reported to the Club Welfare Officer or the relevant designated person
3. the incident does not warrant an immediate response
4. the person in (2) has completed an EB Incident Referral Form and reported the matter to the EB Lead Officer
5. the EB Referral Case Management Group has deemed the case to be alleged minor poor practice

OR

1. a concern has been identified directly to the EB HQ / EB Lead Officer
2. the incident does not warrant an immediate response
3. the EB Referral Case Management Group has deemed the case to be alleged minor poor practice

The investigation must be clear and transparent and should not be undertaken by a single individual. To bring objectivity to the process ideally an investigating panel of three people, who have the appropriate training and expertise, should collectively seek to establish the facts of the case and to draw a conclusion so that all parties involved can see it as fair and honest.

It is important that all cases should be managed within what is seen as an acceptable timeframe for the complainant and the person against who the allegations have been made, yet allowing time for the case to be properly considered. Inordinate time delays are not acceptable and cases of alleged minor poor practice should be concluded from start to finish in no more than six weeks from the date of the original complaint. The EB Child Protection Lead Officer to ensure compliance with this timeframe.

The investigating panel should assess both verbal and written evidence from the complainant. The complainant should be given the opportunity to explain

the nature of the complaint in person to those carrying out the investigation, should they wish to do so. This may bring to light issues from the complainant that they felt unable to articulate when submitting their written complaint.

The person against who the allegation has been made must be made fully aware of the allegations. This should be done 'face to face' and may include providing copies of the written allegations or a summary of the allegations on plain paper should the complainant request anonymity. The person against who the allegation has been made should be given the opportunity to be accompanied by a friend or advisor and be given every opportunity to respond fully to the allegations. If the complainant is a child he/she should be accompanied by his/her parent/guardian.

The panel (who will have the appropriate expertise and training) will conduct their investigation sensitively concentrating on the detail relating to the specific allegations and gather evidence from other sources where appropriate to assist them in determining whether the allegations are proven or not.

Once they have reached a conclusion on the balance of probability and which will reflect the primacy of the welfare of the child, the panel should inform both the complainant and the person against who the allegation has been made immediately. Neither party should hear about the conclusion of the investigation from a third party.

In the case of the allegations to be found unproven there will be 'no case to answer'

In the case where the allegations are proven the panel should:

1. Seek to resolve the complaint with agreement between the two parties
2. Agree training / mentoring agreed
3. Recommend Disciplinary sanction
4. More significant concerns emerge with the case being referred back to the Case Management Referral Group

The investigating panel should ensure that all events and processes are recorded, dates, times, notes taken of meetings, evidence given. It is important to maintain a chronology of the case as it progresses. The Chair of the panel will ensure compliance.