

# PICKLEBALL ASSOCIATION OF BERMUDA

## VULNERABLE PERSONS PROTECTION POLICY

September 2, 2021

### INTRODUCTION

The Children Act 1998 defined any person under the age of 18 as a ‘child’. In this document and in day to day communications the terms ‘children’ and ‘young people’ are both used, recognizing that young people may prefer not to be referred to as ‘children’. The safeguarding principles in these guidelines also apply to ‘vulnerable adults’, encompassing adults who have learning disabilities, or who have difficulty communicating, or who rely on others to provide personal care.

Pickleball Association of Bermuda has adopted the following policy and procedures for several reasons, including to:

- Safeguard children from physical or emotional harm, at school, at home and in their communities
- Assure parents that their children are as safe at Pickleball Association of Bermuda organized events as they are when taking part in any other school, sport or leisure activity
- Raise awareness amongst all of our members and volunteers and employees (if any) such that they know what to do if they are concerned about a child, whether the concern relates to: the child’s welfare at Pickleball Association of Bermuda events or something happening outside Pickleball Association of Bermuda that a child discloses to someone they trust within Pickleball Association of Bermuda
- Protect board members, members, staff or volunteer helpers by giving them some practical, common sense guidelines to avoid placing themselves in situations where they are open to allegations which could seriously damage their lives and careers
- Protect the Pickleball Association of Bermuda, by showing that we have taken ‘all reasonable steps’ to provide a safe environment.

Pickleball Association of Bermuda has taken the following steps:

1. Adopted a policy statement that defines Pickleball Association of Bermuda’s commitment to providing a safe environment for children.
2. Produced a simple code of practice and procedures governing how Pickleball Association of Bermuda operates.

This covers the:

- Safe recruitment of staff/volunteers who will be in contact with young people and vulnerable adults.

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- Good practice guidelines to ensure the safety and welfare of children at all times whilst at Pickleball Association of Bermuda organized events.
- Handling of concerns, reports or allegations

Pickleball Association of Bermuda informs any new Directors/Officers/employees/volunteers/members of this policy at the point of onboarding. All Pickleball Association of Bermuda Directors/Officers/employees/volunteers/members have access to this policy and supporting procedures through the website and other means. Pickleball Association of Bermuda requires those with direct contact with vulnerable persons to be familiar with Pickleball Association of Bermuda policy and procedures.

Abuse is defined as actions to deliberately annoy, bother, cause trouble or touch someone without his or her consent. Actions may be considered abusive if they intentionally cause injury or a series of injuries, are neglectful, sexually molest and/or emotionally abuse another person. Abuse falls into four main categories; (a) physical, (b) neglect, (c) emotional or verbal, and (d) sexual.

## **SAFEGUARDING AND YOUNG PEOPLE AND VULNERABLE ADULT PROTECTION POLICY STATEMENT**

It is the policy of the Pickleball Association of Bermuda to safeguard young people and vulnerable adults taking part in Pickleball Association of Bermuda events from physical, sexual or emotional harm. Pickleball Association of Bermuda will take all reasonable steps to ensure that, through appropriate procedures and training, young people and vulnerable adults participating in Pickleball Association of Bermuda activities do so in a safe environment. We recognize that the safety and welfare of the young people and vulnerable adults is paramount and that all young people and vulnerable adults, irrespective of sex, age, disability, race, religion or belief; sexual identity or social status, have a right to protection from abuse.

For the purposes of this policy anyone under the age of 18 and adults who have learning disabilities, or who have difficulty communicating, or who rely on others to provide personal care should be considered as a young person or vulnerable adult. All Directors/Officers/employees/volunteers/members of Pickleball Association of Bermuda should be aware of the policy.

## **STAFF AND VOLUNTEERS**

Pickleball Association of Bermuda requires criminal background check for Directors/Officers/Volunteers serving in positions involving training or supervising young

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people and vulnerable adults or in positions of trust or authority over young people and vulnerable adults' welfare.

## **GOOD PRACTICE**

All Directors/Officers/employees/volunteers/members of Pickleball Association of Bermuda should follow the good practice guidelines outlined below:

## **GOOD PRACTICE GUIDELINES**

### **Culture**

It is important to develop a culture within Pickleball Association of Bermuda where both young people, vulnerable adults and Directors/Officers/employees/volunteers/members feel able to raise concerns, knowing that they will be taken seriously, treated confidentially and will not make the situation worse for themselves or others.

Some young people and vulnerable adults may be more vulnerable to abuse or find it more difficult to express their concerns. For example, a disabled child who relies on a caregiver to help them do things or get around may worry that they won't be able to attend events any more if they report the caregiver. A young person or vulnerable adult, i.e. deaf child may not be able to express themselves or speak confidentially if they need an interpreter. A young person or vulnerable adult who has experienced racism may find it difficult to trust a Director/Officer/employee/ volunteer/ member from a different ethnic background.

Examples: Children with low self-esteem or mental health problems can be more vulnerable to bullying or abuse, as can gay, lesbian, bisexual or transgender young people, or any child who has a characteristic that marks them out in others' eyes as 'different'.

Pickleball Association of Bermuda will promote good practices to minimize situations where adults are working unobserved or could take advantage of their position of trust. Good practice protects everyone — young people, vulnerable adults, Directors/Officers/employees /volunteers /members.

These common sense guidelines are made available to everyone within Pickleball Association of Bermuda:

- Avoid spending any significant time working with young people or vulnerable adults in isolation
- Avoid transporting young people or vulnerable adults in the car alone where possible

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- Do not take young people or vulnerable adults to your home as part of your Pickleball Association of Bermuda activity

Where any of these are unavoidable, ensure that they only occur with the full knowledge and consent of a Pickleball Association of Bermuda executive member or the young people or vulnerable adults' parent/guardian.

- Design events that are within the ability of the young people or vulnerable adults in attendance.

One should never:

- Engage in rough, physical or sexually provocative games
- Allow or engage in inappropriate touching of any form
- Allow young people or vulnerable adults to use inappropriate language unchallenged, or use such language yourself when with young people or vulnerable adults
- Make sexually suggestive comments to a young person or vulnerable adult, even in fun
- Fail to respond to an allegation made by a young person or vulnerable adult; always act
- Do things of a personal nature that young people or vulnerable adults can do for themselves

It may sometimes be necessary to do things of a personal nature for young people or vulnerable adults, particularly if they are very young or disabled. These tasks should only be carried out with the full understanding and consent of both the young person or vulnerable adult (where possible) and their parent/caregiver. In an emergency situation which requires this type of help, parents/caregivers should be informed as soon as possible. In such situations it is important to ensure that any adult present is sensitive to the young person or vulnerable adult and undertakes personal care tasks with the utmost discretion.

## CONCERNS

Anyone who is concerned about a young person or vulnerable adult, either on or off of the pickleball court, should inform a Director or Officer immediately, in strict confidence. The Director or Officer will follow the attached procedures.

Any member of Pickleball Association of Bermuda failing to comply with this Safeguarding policy and any relevant Codes of Conduct may be subject to disciplinary action.

## SAFEGUARDING TRAINING

Pickleball Association of Bermuda will ensure that all Directors, Officers, staff or volunteers working with young people or vulnerable adults have undertaken training appropriate to their role. This may be through formal training or an online course, ie SCARS Training.

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Training will be required for those roles that involve regularly training or supervising young people or vulnerable adults or is a position of trust or authority over young person or vulnerable adult's welfare and will address the following:

- What abuse is and how to spot abuse
- Reporting requirements and procedures
- What “duty of care” means and how Pickleball Association of Bermuda fulfils that requirement
- How client confidentiality of vulnerable persons is addressed

## **HANDLING CONCERNS, REPORTS OR ALLEGATIONS**

A complaint, concern or allegation may come from a number of sources: the child, their parents, someone else within Pickleball Association of Bermuda. It may involve the behaviour of a Director, Officer, volunteer or employee, or something that has happened to the child outside the sport, perhaps at home or at school. The young person or vulnerable adult may confide in Director, Officer, staff/volunteers they trust, in a place where they feel at ease.

An allegation may range from mild verbal bullying to physical or sexual abuse. If you are concerned that a young person or vulnerable adult may be being abused, it is not your responsibility to investigate further but it is your responsibility to act on your concerns and report them to the appropriate statutory authorities. For guidance on recognising abuse, see Appendix B.

## **HANDLING AN ALLEGATION FROM A YOUNG PERSON OR VULNERABLE ADULT**

Always:

- Stay calm, ensure that the young person or vulnerable adult is safe and feels safe
- Show and tell the young person or vulnerable adult that you are taking what he/she says seriously
- Reassure the young person or vulnerable adult and stress that he/she is not to blame
- Be careful about physical contact, it may not be what the young person or vulnerable adult wants
- Be honest, explain that you will have to tell someone else to help stop the alleged abuse
- Make a record of what the young person/vulnerable adult has said as soon as possible after the event, using the young adult/vulnerable person's own words
- Follow the young person/vulnerable adult protection procedures laid out in this policy

Never:

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- Rush into actions that may be inappropriate
- Make promises you cannot keep (e.g. You won't tell anyone)
- Ask leading questions (see 'recording and handling information' below)
- Take sole responsibility — consult someone else (ideally a Director or Officer of the Pickleball Association of Bermuda) so that you can begin to protect the young person or vulnerable adult and gain support for yourself

You may be upset about what the young person or vulnerable adult has said or you may worry about the consequences of your actions. Sometimes people worry about young people or vulnerable adults being removed from their families as a result of abuse, but in reality this rarely happens. However, one thing is certain you must act and not ignore it.

## RECORDING AND HANDLING INFORMATION

If you suspect that a young person/vulnerable adult may have been the subject of any form of physical, emotional or sexual abuse or neglect, refer the allegation to Child and Family Services or the Police within 24 hours. They have trained experts who will handle the situation.

Do not ask leading questions which may jeopardize any formal investigation. A leading question is where you suggest an answer or provide options that only need a 'yes' or 'no' answer, instead of allowing the young person or vulnerable adult to explain things in their own words. An example would be asking 'did X hit you?' instead of 'how did you get that bruise?'

You may ask questions which enable you to confirm that you need to refer the matter to someone else. Use open questions such as 'what happened next?'

Listen to and keep a record of anything the young person or vulnerable adult tells you or that you have observed and pass the information on to the statutory authorities (included in Supporting Documents).

All information must be treated as confidential and only shared with those who need to know. The protection of the vulnerable person is the most important consideration.

If the allegation or suspicion concerns someone within Pickleball Association of Bermuda, only the young person, vulnerable adult, parent/caregiver, the Pickleball Association of Bermuda Directors/Officers (unless they are the subject of the allegation), the relevant authorities should be informed. If the alleged abuse took place outside a Pickleball Association of Bermuda event, the Police or Child and Family Services will decide who else needs to be informed, including the young person or vulnerable adult's parent/caregiver. It should not be discussed by anyone within the organisation other than the person who received or initiated the allegation and, if different, the Pickleball Association of Bermuda Directors/Officers.

Confidential information must be stored securely. It is recommended that it should be retained for at least 7 years and destroyed by secure means.

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## **CO-OPERATION WITH AUTHORITIES**

If Pickleball Association of Bermuda is contacted by the Police or Child and Family Services concerning information received or a complaint made by or about a Director, Officer, member, volunteer or employee, you are advised to co-operate fully with official requests for factual information, but do not express any personal opinions on the person's conduct. See also 'Handling the Media' below.

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## **REFERRAL TO AUTHORITIES**

If Pickleball Association of Bermuda permanently dismisses or removes a Director, Officer, employee /volunteer /member from involvement with Pickleball Association of Bermuda activities, or would have dismissed them if they had not resigned, because they have harmed a vulnerable person or placed them at risk of harm, Pickleball Association of Bermuda will refer them to Child and Family Services, and/or the Bermuda Police Service, as appropriate.

## **HANDLING THE MEDIA**

If there is an incident which attracts media interest, or if you are contacted by the media with an allegation concerning a Pickleball Association of Bermuda Director, Officer, member or employee, do not respond and contact a Pickleball Association of Bermuda Director or Officer immediately.

## **REPORTING PROCEDURES**

If you are uncertain what to do at any stage, contact a Director or Officer of Pickleball Association of Bermuda.

1. Ensure that the young person/vulnerable adult is safe
2. If young person/vulnerable adult requires immediate medical attention call ambulance and inform attendants there is a young person/vulnerable adult protection concern
3. Make a record of anything the young person/vulnerable adult has said and/or what has been observed, if possible with dates and times
4. Report your concern by submitting a Referral Form (included in Supporting Documents) as soon as possible to a Director or Officer.
5. The Pickleball Association of Bermuda Director or Officer will decide on the appropriate action to be taken
  - a. If the alleged is a minor poor practice, determine disciplinary procedure, including possible temporary suspension
  - b. If the alleged is serious poor practice or alleged young person/vulnerable adult abuse, contact Child and Family Services or the Police
6. The Pickleball Association of Bermuda Director or Officer will report any young person/vulnerable adult protection issues to the Board and will securely store a copy of the incident report for a minimum of seven years.

Details of additional resources are included in Useful Contact Section of this document.



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## USEFUL CONTACTS

Local Resources 911 — if in immediate danger or for the Sexual Assault Response Team

### **Bermuda Police Service**

441-295-0011 or 441-247-1678

[www.bps.bm](http://www.bps.bm)

### **Child and Family Services**

441-278-9111 or 441-294-5882

### **Bermuda Islands Association of the Deaf**

441-238-8116

### **Centre Against Abuse Women's Hotline**

441-297-8278

[www.abusefree.org](http://www.abusefree.org)

### **Centre Against Abuse Men's Hotline**

441-332-1293

[www.abusefree.org](http://www.abusefree.org)

### **Centre on Philanthropy**

441-236-7706

[www.centreonphilanthropy.org](http://www.centreonphilanthropy.org)

### **Coalition for the Protection of Children**

441-295-1150

[www.coalition.bm](http://www.coalition.bm)

### **Family Centre**

441-232-1116

[www.tfc.bm](http://www.tfc.bm)

### **Mid Atlantic Wellness Institute**

441-236-3770

### **SCARS: Saving Children Revealing Secrets**

441-297-2277

[www.scarsbermuda.com](http://www.scarsbermuda.com)

### **Women's Resource Centre**

441-295-3882 (main)

441-7273 (hotline)

[www.wrcbermuda.com](http://www.wrcbermuda.com)

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# Memo

To: Insert name of Director/Officer, Position  
From: Insert name of author, Position within the charity Contact Number:  
Date: Date of composition  
Re: Safeguarding and Protection Referral

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Insert date and time of incident:

Insert Name and position of person about whom report, complaint or allegation is made:

Insert Name and age of vulnerable person involved:

Insert Nature of incident, complaint or allegation (continue on separate page if necessary).

Insert Action taken (continue on separate page if necessary)

Insert if Police or Child and Family Services contacted, name, position and telephone number of person handling case:

Insert Name, organisation and position of person completing form

Contact phone number -

**THIS MEMO SHOULD BE SENT, MARKED 'PRIVATE AND CONFIDENTIAL', TO THE Pickleball Association of Bermuda DIRECTOR/OFFICER AND TO THE STATUTORY AUTHORITIES (IF THEY HAVE BEEN INFORMED OF THE INCIDENT) WITHIN 48 HOURS OF THE INCIDENT.**

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## APPENDIX A: GOOD PRACTICE GUIDELINES

Example:

This guide only covers the essential points of good practice when working with young people and vulnerable adults.

- Avoid spending any significant time working with children in isolation Do not take children alone in a car, however short the journey
- Do not take children to your home as part of your organisation's activity. Where any of these are unavoidable, ensure that they only occur with the full knowledge and consent of someone in charge of the organisation or the child's parent/guardian
- Design training programmes that are within the ability of the individual child

You should never:

- Engage in rough, physical or sexually provocative games
- Allow or engage in inappropriate touching of any form
- Allow children to use inappropriate language unchallenged, or use such language yourself when with children
- Make sexually suggestive comments to a child, even in fun
- Fail to respond to an allegation made by a child
- You should never do things of a personal nature that children can do for themselves.

It may sometimes be necessary to do things of a personal nature for young people/vulnerable adults, particularly if they are very young or disabled. These tasks should only be carried out with the full understanding and consent of the child (where possible) and their parents/caregivers. In an emergency situation which requires this type of help, parents/caregivers should be fully informed. In such situations it is important to ensure that any adult present is sensitive to the child and undertakes personal care tasks with the utmost discretion.

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## APPENDIX B: WHAT IS CHILD ABUSE?

Based on the UK Government statutory guidance ‘Working Together to Safeguard Children’ 2015, abuse and neglect are forms of maltreatment of a child. Somebody 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 others (including via the internet). They may be abused by an adult or adults, or another child or children.

Physical abuse may involve adults or other children inflicting physical harm:

- By Hitting, Shaking, Throwing, Poisoning, Burning Or Scalding, Drowning Or Suffocating
- Giving Children Alcohol Or Inappropriate Drugs
- In Sport situations, physical abuse might also occur when the nature and intensity of training exceeds the capacity of the child’s immature and growing body.

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 a child that they are worthless, unloved or inadequate
- Not giving the child opportunities to express their views, deliberately silencing them or ‘making fun’ of what they say or how they communicate
- Imposing expectations which are beyond the child’s age or developmental capability i.e. Overprotection and limitation of exploration and learning or preventing the child from participating in normal social interaction
- Allowing a child to see or hear the ill-treatment of another person
- Serious bullying (including cyber bullying), causing children frequently to feel frightened or in danger
- The exploitation or corruption of children
- Emotional abuse in sport might also include situations where parents or coaches subject children to constant criticism, bullying or pressure to perform at a level that the child cannot realistically be expected to achieve.

Some level of emotional abuse is involved in all types of maltreatment of a child.

Sexual abuse involves an individual (male or female, or another child) forcing or enticing a child or young person to take part in sexual activities, whether or not the child is aware of what is happening, to gratify their own sexual needs. The activities may involve:

- Physical contact (e.g. Kissing, touching, masturbation, rape or oral sex)
- Involving children in looking at, or in the production of, sexual images
- Encouraging children to behave in sexually inappropriate ways or watch sexual activities

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- Grooming a child in preparation for abuse (including via the internet) sport situations which involve physical contact (e.g. Supporting or guiding children) could potentially create situations where sexual abuse may go unnoticed. Abusive situations may also occur if adults misuse their power over young people.

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 involve a parent or caregiver failing to:

- Provide adequate food, clothing and shelter
- Protect a child from physical and emotional harm or danger
- Ensure adequate supervision
- Ensure access to appropriate medical care or treatment
- Respond to a child's basic emotional needs
- Neglect in a pickleball situation might occur if an instructor or coach fails to ensure that children are safe, or exposes them to undue cold or risk of injury.

Bullying (including 'cyber bullying' by text, e-mail, social media etc.) may be seen as deliberately hurtful behaviour, usually repeated or sustained over a period of time, where it is difficult for those being bullied to defend themselves. The bully may often be another young person.

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.

The acronym STOP — Several Times On Purpose - can help you to identify bullying behaviour.

### RECOGNISING ABUSE

It is not always easy, even for the most experienced caregivers, to spot when a child has been abused. However, some of the more typical symptoms which should trigger your suspicions would 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
- Sexually explicit language or actions
- A sudden change in behaviour (e.g. Becoming very quiet, withdrawn or displaying sudden outbursts of temper)
- The child describes what appears to be an abusive act involving him/her
- A change observed over a long period of time (e.g. The child losing weight or
- Becoming increasingly dirty or unkempt)

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- A general distrust or avoidance of adults, especially those with whom a close relationship would be expected
- An unexpected reaction to normal physical contact or difficulty in making friends or abnormal restrictions on socialising with others

It is important to note that a child could be displaying some or all of these signs, or behaving in a way which is worrying, without this necessarily meaning that the child is being abused. Similarly, there may not be any signs, but you may just feel that something is wrong. If you have noticed a change in the child's behaviour, first talk to the parents or care givers. It may be that something has happened, such as a bereavement, which has caused the child to be unhappy.

### **IF YOU ARE CONCERNED**

If there are concerns about sexual abuse or violence in the home, talking to the parents or caregivers might put the child at greater risk. If you cannot talk to the parents/caregivers, consult a Director or Officer of the Pickleball Association of Bermuda. It is this person's responsibility to make the decision to contact Child and Family Services or the Police. It is NOT their responsibility to decide if abuse is taking place, BUT it is their responsibility to act on your concerns.

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*[Insert Charities letter head]*

Insert Date [within 2 working days of alleged incident]

## **The Registrar General**

The Registry General's Office  
Government Administration Building  
1<sup>st</sup> Floor  
30 Parliament Street  
Hamilton HM12

Dear Registrar:

### **STATUTORY REPORTING FOR VULNERABLE PERSONS**

Pickleball Association of Bermuda hereby notifies the office of the Registrar General and the Charity Commissioners that we have reported an allegation of [insert description] of a vulnerable [minor, senior, person who is physically challenged etc.] to the following agency/s:-

- Department of Child & Family Services
- National Office for Seniors and the Physically Challenged
- Bermuda Police Service
- Other, please specify: \_\_\_\_\_

This action is in compliance with Pickleball Association of Bermuda's Vulnerable Person Policy.

Total Reports during this fiscal year:

Total Reports Substantiated during this fiscal year:

Total Reports Un-Substantiated during this fiscal year:

Insert name of reporter

Signature of reporter

Insert date of signature

Insert name of Director/Chair

Signature of Director/Chair

Insert date of signature