



Luton Town Football Club

Managing Safeguarding Concerns or Allegations regarding Employees or Volunteers

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Status	Current
Approved by	Senior Safeguarding lead – James Mooney
Last updated	July 2023
Date for review	July 2024
Owner	Senior Safeguarding Manager – Kim Pearce

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Policy

1. Purpose

This document sets out how safeguarding concerns or allegations about employees or volunteers taking part in activities involving children and Adults at risk under the auspices of Luton Town Football Club will be managed.

For clarity this relates to allegations or concerns raised from any source, that an employee or volunteer is behaving in such a way as to present a risk to children, young people or 'adults at risk'.

This document sets out the minimum requirements of the organisation and underpins the Club's Strategic Safeguarding Plan.

2. Definitions

Child or young person - Anyone who has not yet reached their 18th birthday.

Adult at risk - A person aged 18 or above who is unable to look after their own wellbeing, property, rights, or other interests, and is at risk of harm (either from another person's behavior or their own behavior) because they have a disability, mental disorder, illness, or physical or mental infirmity. An adult at risk is more vulnerable to being harmed than other adults.

Employee - Anyone employed by Luton Town football Club Including agency & contract staff and those on secondment or placement (including internships both paid and voluntary).

Volunteers - Anyone volunteering at Luton Town Football Club regardless of their role, including Trustees.

Senior Safeguarding Manager, the SSM oversees the clubs Safeguarding at a strategic level.

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3. Principles

Luton Town Football Club will always take concerns and allegations about employees and volunteers seriously and will respond in a way that places the protection and needs of children, young people and adults at risk first.

3.1 The procedure will always be followed in respect of all cases where it is alleged that an employee or a volunteer has:

- Behaved in a way that has, or may have, harmed a child, young person and adult at risk.
- Possibly committed a criminal offence against, or related to, a child, young person, or adult at risk.
- Behaved in a way that indicates s/he is unsuitable to work with children, young people and adults at risk. This can include behaviors in their personal life that raises safeguarding concerns.

3.2 The Club will always inform the police when information is received that indicates that the criminal law has been, or may have been, broken. Additionally, the Club will inform other Statutory and Regulatory Authorities / Agencies when it is required to do so or when the circumstances regarding the allegations are such that the Authorities / Agencies should be so notified.

3.3 The Club will work with openness and transparency with all Authorities / Agencies.

3.4 The Senior Safeguarding Manager will have full oversight of any allegations against employees or volunteers who work with children, young people, or adults at risk. The Club's Strategic Safeguarding Lead will also be informed at each stage of any allegation and or concern. The Senior Safeguarding Manager will hold management responsibility and the Club's HR Manager will hold responsibility for advising on all aspects of the HR processes.

3.5 There will be circumstances when the policy and procedures may be used concurrently with other procedures such as Disciplinary, Whistleblowing and Complaints procedures. In such circumstances, the safeguarding process takes precedence, and other processes may need to be suspended whilst safeguarding processes are completed.

In circumstances where a whistleblowing event or other complaint is made of which there are safeguarding allegations or concerns against employees or volunteers that are deemed to be only minor, the safeguarding concerns must be addressed using this policy and procedure and may require other processes to be delayed.



- 3.6 Luton Town Football Club recognises that children, young people, adults at risk, and some employees and volunteers may have disabilities that require reasonable adjustments to be made to this procedure in accordance with The Equality Act 2010. In such cases, the Senior Safeguarding Manager will make these adjustments in consultation and agreement with the HR Manager.

4. Procedures.

Reporting a safeguarding concern

4.1 Safeguarding concerns arising in relation to employees or volunteers at Luton Town Football Club must be reported to either a Designated Safeguarding Officer or the Club's Senior Safeguarding Manager immediately. If a Designated Safeguarding Officer is not known or not contactable, concerns must be directed to the Senior Safeguarding Manager.

4.2 If the allegation or concern raised relates to the Senior Safeguarding Manager, the Strategic Safeguarding Lead or it must be reported to the HR Manager.

Initial response

4.3 As soon as a report is received the following action will be taken:

- The person receiving the complaint/allegation will guide the person to make a record of what they have heard or seen.
- Identify any potential immediate risks to the complainant and take appropriate steps to mitigate such risks.
- Inform the Senior Safeguarding Manager who will ensure the concern is recorded on the Club's safeguarding system
- Where there are concerns relating to employees or volunteers, the Senior Safeguarding Manager will provide direct support in contacting the local authority and the police if required. As well as making any relevant referrals. The Senior Safeguarding Manager will provide support for all parties involved.
- The Senior Safeguarding Manager will advise the HR Manager of the concerns.



- The Senior Safeguarding Manager will convene an initial planning meeting either in person or via teleconference that includes HR and appropriate line management, to agree the next steps.
- 4.4 The agenda for planning meetings will include:
- The safety and welfare of the child or young person, or adult at risk.
 - Support for the child or young person, or adult at risk.
 - Support for the person making the allegation.
 - Consideration of the need to suspend without prejudice the employee or volunteer from duties, including:
 - Evaluating the risk of ongoing harm to children, young people or adults at risk from the employee or volunteer under investigation. A decision will be made jointly by the line manager, HR manager and the Senior Safeguarding Manager as to whether the employee or volunteer can have continued contact with children, young people, and adults at risk, or their families, or whether they should be suspended without prejudice in accordance with the Club's Disciplinary Policy. The Club's Strategic Safeguarding Lead will be notified of the decision to suspend.
 - How the employee or volunteer who has the allegation or concern raised against them is supported at this time. HR will provide guidance to managers on how this is provided.
 - Who will be responsible for the Initial fact-finding and securing evidence - the Senior Safeguarding Manager will provide guidance on how initial fact-finding can be carried out to establish basic facts and, if required, secure evidence?
- 4.5 The Senior Safeguarding manager will ensure all records are stored confidentially on the club's electronic recording system (Toot Toot)
- 4.6 The Senior Safeguarding Manager will liaise with the Senior Safeguarding Lead to make sure any electronic data is secured. This could include locking files or email accounts and securing paper records and notes. Consideration will be given to seizing the Club's IT equipment and phones.
- 4.7 Planning consultation with the Designated Officer (LADO)
- 4.7.1 Each local authority has a Designated Officer (LADO) who must be involved in the management and oversight of allegations against people working with children.
- 4.7.2 The Club's Senior Safeguarding Manager must report all Safeguarding allegations or concerns to the Designated Officer within one working day, including those that have been made directly to the police by anyone who uses The Club's services.
- 4.8 The allegations, actions taken, and outcomes must be reported to the Football Association (FA) and the English Football League (EFL) as part of the club's commitment to safeguarding, and in line with their regulations.

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- 4.9 If the allegation or concern, or any evidence seen at any stage in the process, indicates that the law in relation to safeguarding has (or may have been) broken, The Club's Senior Safeguarding Manager will report it to the police without delay.

The Club will fully cooperate with the police in any investigation. Requests for access to data will be coordinated through the data protection manager.

If a police investigation is to proceed, other processes such as disciplinary investigations are usually suspended pending the outcome of the police investigation. This is important to make sure that evidence for the police investigation is not contaminated.

- 4.10 Whilst it is rare for the regulatory body (FA/EFL) Designated Officer, Children's Services or Adult Social Care to carry out an inquiry into concerns or allegations, they can choose to do this. Should an inquiry occur, the Club will fully cooperate.

If an inquiry by the regulatory body, (FA/PL) Designated Officer or Local Authority is to proceed, other processes such as disciplinary investigations are usually suspended pending the outcome of the investigation. This is important to make sure that the evidence for the police investigation is not contaminated.

4.11 Internal investigations

- 4.11.1 Where there is no regulatory, police investigation, or investigation by the Designated Officer or Children's Services, there may be a need for an internal investigation led by The Senior Safeguarding Manager. This must be agreed in consultation with the HR manager. If new information regarding additional safeguarding concerns comes to notice, the Senior Safeguarding Manager must be informed. They must also be informed of the outcome.
- 4.11.2 The investigation will be conducted following Terms of Reference that have been agreed by the HR manager, the Senior Safeguarding Manager, the Strategic Safeguarding Lead Terms of Reference should detail who is conducting the investigation and who they are reporting to, the reasons for the investigation including the details of the concerns, the remit (or scope) including actions to be taken if new safeguarding or other concerns materialise, what may be looked at in the way of evidence including interviews, who the report will be issued to and how else it may be used. Within the Terms of Reference, realistic timescales for completing the investigation should be outlined.
- 4.11.3 Internal investigations into allegations require the Senior Safeguarding Manager to have 'full oversight'. This means oversight of all key documents that are linked to safeguarding evidence. As allegations are also a potential disciplinary matter, the HR Manager will also have full oversight.
- 4.11.4 If allegations or concerns are about a person who is a director or above, the investigation should be conducted by someone who is independent of The Club.

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- 4.11.5 Very careful consideration will need to be given regarding the need to interview a child or young person. If it is felt to be essential for the investigation, parental involvement and/or the support of an advocate must be considered.
- 4.11.6 The Investigating member of staff will produce a written report and, using the evidence found, draw conclusions, and make recommendations. Such recommendations must address outstanding safeguarding concerns. In relation to any potential disciplinary process, the report will only make a recommendation based on their findings and confirm whether there is a case to answer in a disciplinary process.
- 4.11.7 If the investigation recommends that a disciplinary hearing is required, the Disciplinary Process will be followed.
- 4.11.8 The outcome of the internal investigation, including any disciplinary outcome, must be shared with the LADO and Senior Safeguarding manager. Any advised follow-up actions from the LADO must then be prioritised.
- 4.11.9 Where an employee or volunteer resigns prior to the conclusion of a safeguarding investigation or disciplinary action relating to a safeguarding issue, or is dismissed as a result of a safeguarding concern, the investigation must be completed and the findings recorded on their personnel file and referred to the regulatory bodies.

4.12 Outcomes

- 4.12.1 Outcomes following a safeguarding investigation regarding employees and volunteers can be:
 - Substantiated allegations: This is when there is enough evidence to prove the allegation or concern that a child has been harmed, or there was a risk of harm from the actions of an employee or volunteer.
 - Malicious allegations: This is when there is enough evidence to disprove the allegation and there has been a deliberate act to deceive. In these circumstances, the police should be asked to consider what action may be appropriate.
 - False allegations: This is when there is sufficient evidence to disprove the allegation, however there is no evidence to suggest there was a deliberate intention to deceive.
 - Unsubstantiated allegations: This is when there is insufficient evidence to either prove or disprove the allegation, therefore the term does not imply guilt or innocence.

4.12 Record keeping

Clear and detailed records must be kept of the allegations, the actions taken by the Senior Safeguarding manager, or the person given the responsibility to investigate by the Senior Safeguarding Manager. Copies should be kept in the employee's HR personnel file, or in the volunteer's records.

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- 4.12.1 If the Club removes an employee or volunteer from work because the person poses a risk of harm to children or adults at risk, The Club will make a referral to the Disclosure and Barring Service (DBS). It is an offence to fail to make a referral without good reason.
- 4.12.2 If employees or volunteers are concerned about management responses to the concerns or allegations raised, then they should use the process outlined within the confidential reporting policy and procedure
- 4.12.3 If employees or a volunteer are concerned that that an allegation is not being dealt with appropriately by The Club, they can report the matter to directly to the Designated Officer (LADO)

4.13 Supporting someone who has raised a concern

Any person making an allegation about an employee or volunteer must be supported appropriately throughout the process and be kept informed and involved at each stage. Steps should be taken to make sure:

- The service they were being provided with is maintained by another employee wherever possible, if this is wanted by the child, young person or adult at risk.
- A discussion is had about what makes them feel safe and unsafe, to enable positive future contact between The Club and the person making the complaint.
- An explanation is given of the steps taken to mitigate risk of this happening again in the future, and the development of safeguarding measures within the organisation.
- A referral is made to appropriate external or internal services for support.

4.14 Timescales for safeguarding investigations

- 4.14.1 It is in everyone's interest to resolve cases as quickly as possible, consistent with a fair and thorough investigation. All allegations should be investigated as a priority to avoid any delay. The time taken to investigate and resolve individual cases depends on a variety of factors including the nature, seriousness and complexity of the allegation however the general principle is that cases should be dealt with expeditiously.
- 4.14.2 where it is immediately clear that the allegation is unsubstantiated or malicious cases should be resolved within one working week.



5. Relevant Resources

- Club Safeguarding children policy
- Club's confidential reporting policy
- List of relevant Club contacts

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