



FA Learning

Licensed Tutor **Information Pack**

**Generic resource
across all applications**

FA Learning (FAL) Licensed Tutor Information Pack

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Section 1. Introduction

The FA Learning Licensed Tutor Information Pack has been developed to ensure that all tutors are aware of the significance of their role, in both the delivery aspects and personal and professional expectations of FA Learning Tutors. The following documentation is provided in order to clarify your role and ensure that minimum standards are in place across the Tutor workforce.

We strive to have a team of Tutors who are excellent presenters and facilitators, who understand the process of learning, and have specialist knowledge in their own discipline as well as football specific knowledge. Tutors are in the front line of effecting standards of behaviour and influencing young players in football and therefore the quality of our tutors is paramount to the development of the game.

Because of the number of FA learners under the age of eighteen and because vulnerable adults also attend FA courses we require an FA CRB at an Enhanced level for all FAL Tutors. Please note that the possession of a criminal record will not necessarily prevent you from being a tutor. The information released on the Disclosure will be assessed alongside other information from your application form, your references and from any subsequent discussion we may have with you about any criminal record.

The FA will be fair and will consider all information available and the relevance or otherwise to the tutor role. Tutor applicants should note this position will be reviewed in July 2010 and registration with the Independent Safeguarding Authority (ISA) may also be required.

FA Learning is committed to providing a programme of continuing professional development for all tutors. It is our aim to ensure that a long term investment in tutors will ensure retention, consistency and a quality of workforce that we can be proud of.

Section 2. FA Licensed Tutor Pathway

All Trainee Tutors will undertake the following 6-step process:

Step 1 Tutor Identification

- Need established in a specific area by FA / County FA / FA Regional Staff
- FA / County FA or approved centre advertises new Tutor opportunities
- Potential Tutor approaches / is approached by FA / County FA / FA Regional Staff
- Licensed Tutor Application Pack is sent to Potential Tutor

Recruitment (refer to Licensed Tutor Application Pack)

In order to be considered, the Potential Tutor must meet the Tutor criteria. It is a requirement that Potential Tutor's undertake a FA CRB Enhanced Disclosure, then the details of this will be checked via The FA's database to ensure that the potential tutor has 'accepted' status. A new current FA CRB may be requested at this point.

- Potential Tutor returns FAL Tutor Application Form and if they already have completed an FA CRB Enhanced Disclosure, provides the Disclosure Number
- The Potential Tutor is informed whether they have been successful with their application or not
- If Potential Tutor does not already have an accepted FA CRB Enhanced Certificate, then The FA requests a FA CRB Enhanced Disclosure before a formal offer of further training is made

Step 2 Observation of tutor requirements

- Trainee Tutor observes full delivery of a course (training and assessment) that they wish to be trained to deliver

Step 3 Tutor Training and Assessment

- Trainee Tutor progresses to FA Generic Tutor Training (GTT) at own cost (National Course). Following GTT the Trainee Tutor receives an individual Action Plan, and proceeds to step 4, or is deferred or asked to withdraw from the programme

The FA Generic Tutor Training programme is one of the minimum entry requirements to be considered as an FAL Licensed Tutor. This 3-day course of training consists of the following units:

- Modelling good practice
- Planning using a learning cycle
- Learning styles
- Inclusive methods
- Activation and engagement of individuals and groups
- Giving and receiving feedback

Step 4

- Trainee Tutor progresses to FA run course specific Tutor Training (TT) at their own cost Following course specific TT, Trainee Tutor receives an individual Action Plan, and then proceeds to co-tutor a course or is deferred or asked to withdraw from the programme

Step 5

- Trainee Tutor undertakes co-tutoring / shared delivery of relevant course of training
- Formal assessment will be carried out by a Lead Tutor during which the Trainee Tutor is observed solo/co-delivering the full course of training
- Trainee Tutors have up to two opportunities to complete a solo/co-tutoring assessment, after which a review takes place between the Trainee Tutor, Lead Tutor and an FA Representative to see whether it is appropriate for the Trainee Tutor to continue.

Step 6 Completion of training

- Following successful completion of the solo/co-tutoring experience the Trainee Tutor is awarded Licensed Tutor status (course specific).

Continuing Professional Development

- Tutors are required to attend a number of mandatory Continuing Professional Development (CPD) sessions to be determined on an annual basis. For example:
 - In-service tutor training
 - The FA conferences or other In-service events
 - Tutors observe/co-tutor sessions with other tutors as appropriate

Employment and Deployment

- The FA, CFA or Approved Centres manage employment and deployment issues of Tutors
- Tutors are accredited annually, by FAL subject to attendance of ongoing mandatory CPD events, as above
- Tutors are re-accredited in line with adherence to the Tutor Agreement and Tutor Code of Conduct
- Tutors will be monitored on an ongoing basis as part of the Quality Assurance process involving a review of course evaluation forms, attendance at CPD events and visits from FAL Lead Tutors
- A Tutor may be referred back to step 5 in the pathway process, should a quality assurance visit identify areas of tutor delivery that need additional support
- Tutors will receive ongoing CPD opportunities and support through the FA Lead Tutor network, The FAL Tutor Training Manager and the discipline specific managers (See Useful Contact Details).

Section 3 The FA Learning Code of Conduct for Licensed Tutors

FA Learning acknowledges the importance and the potential impact of the tutoring role. Indeed, Tutors have the primary responsibility of ensuring that participants have a positive learning experience on all courses. It is these experiences that will do much to increase participation levels and enhance the experience of people in football which can ultimately result in changes in behaviour. Best practice in tutoring promotes a professional image and demands that tutors demonstrate the highest levels of honesty, integrity and competence.

This FA Learning Code of Conduct is a measure and a guide to best practice for Tutors. A commitment to 'living' this code is an integral aspect of being an FA Learning Licensed Tutor.

FA Learning Licensed Tutors should exhibit the following behaviours:

Personal responsibility

Tutors should demonstrate exemplary personal behaviour and conduct at all times. This includes:

- ✓ Being a positive role model
- ✓ Refraining from smoking during a course
- ✓ Refraining from drinking alcohol prior to and during delivery of a course
- ✓ Refraining from using drugs of any nature
- ✓ Being well prepared, punctual and reliable
- ✓ Being appropriately and cleanly dressed according to the environment in which they are working
- ✓ Using diversity sensitive language
- ✓ Being supportive and sensitive to all course participants
- ✓ Acting in an honest and truthful manner
- ✓ Being non-judgemental
- ✓ Allowing others to state their own point of view
- ✓ Refraining from any behaviour that is inappropriate or that may cause offence to individuals or which may bring The FA / CFA / FA Learning or the Approved Centre into disrepute.
- ✓ Abiding by the requirements of The FA's Equality, Safeguarding Children and Safeguarding Vulnerable Adults Policies

Professional responsibility

Tutors should act in a professional manner and with integrity at all times, this includes:

- ✓ Remembering they are representing FA Learning when delivering courses
- ✓ Using course resources and delivering courses in the manner intended by FA Learning
- ✓ Keeping up-to-date in the discipline specific areas
- ✓ Being able to self-analyse and develop on personal performance
- ✓ Committing to CPD
- ✓ Committing to FAL philosophy on developing the game

Practical responsibility

Tutors should strive to attain, and maintain a high level of competency at all times in the delivery of courses. This includes:

- ✓ Arriving at least 30 minutes prior to the start of the course in order to set up the learning environment appropriately and to greet the course participants
- ✓ Delivering all courses in a positive way
- ✓ Maintaining confidentiality, anonymity and privacy within the course setting and beyond, unless doing so potentially compromises a child's welfare
- ✓ Creating a supportive learning environment
- ✓ Achieving a balance of facilitation and information giving to enable participants to learn
- ✓ Employing a positive approach to best practice
- ✓ Engaging participants in discussions and valuing their contributions
- ✓ Challenging negative or inappropriate attitudes and behaviour in a constructive way
- ✓ Being flexible and adaptable
- ✓ Adhere to FA Policies, rules and regulations
- ✓ Display and promote high standards of behaviour
- ✓ Promote the FA's Respect Programme and Get Into Football

Section 4. Disciplinary and Grievance Procedures

The following procedures apply to all FA Learning Tutors to ensure that everyone knows and understands the standards and behaviour expected. These procedures are not exhaustive, but exist to ensure we work together effectively and that everyone is treated fairly and reasonably. FA Learning reserves the right not to follow the Disciplinary Procedure in the case of tutors undergoing accreditation.

Disciplinary Procedure

General principles

The Disciplinary Procedure is provided to ensure consistency of approach and to assist Tutors in achieving lasting changes in behaviour where necessary.

At each stage of the Disciplinary Procedure, the Tutor will be informed of the nature of the complaint and shall have the opportunity to attend a disciplinary meeting.

There are three stages to the Procedure. FA Learning reserves the right, however, to initiate the Procedure at any stage, or jump stages, depending on the circumstances of the case and the seriousness of the misconduct/poor performance.

No disciplinary action will be taken until the matter has been fully investigated. The investigation will be completed as soon as is practicable in the circumstances.

FA Learning Tutors will normally receive such advance written notice of a disciplinary meeting as is reasonably practicable in the circumstances. This will include, where appropriate, the receipt by the Tutor of documents, or information in any other form, which will be referred to at the disciplinary meeting.

In appropriate circumstances FA Learning reserve the right to suspend the Tutor from tutoring while carrying out its investigation.

In appropriate circumstances and subject to an informed decision, FA Learning may require a new FA CRB Enhanced Disclosure in order to obtain objective and potentially relevant information.

At each stage of the Procedure, the Tutor will be informed of the nature of the complaint against them and shall have an opportunity to state his/her case before a decision is taken.

The Tutor must take all reasonable steps to attend disciplinary meetings. However, the Tutor must notify FA Learning if is unable to attend a meeting and a re-scheduled meeting will be arranged within (usually) 5 days of the date originally proposed for the meeting.

The Tutor may be accompanied at disciplinary meetings, and any appeal, by a colleague of his/her choice (provided that presence of such colleague does not prejudice the hearing or where such colleague may have a conflict of interest). During the meeting, the accompanying person may consult with the Tutor, and address the meeting, but may not answer questions on his/her behalf.

Warnings will normally give details of the complaint(s), the improvement(s) required and timescale, as well as informing the Tutor of the consequences of failure to improve conduct to acceptable standards.

All warnings will remain upon the Tutor's personal file indefinitely. However, subject to satisfactory conduct, verbal warnings will be disregarded for disciplinary purposes after a period of 12 months and final written warnings after a period of 12 months from the date of the letter/memorandum confirming the warning. These periods will still apply where any time for improvement specified in the warning letter expires before the period set out in this paragraph.

At each stage of the Procedure, FA Learning will inform the Tutor of his/her rights to appeal against the disciplinary penalty imposed. Should any new evidence emerge during the appeal, the Tutor will be given an opportunity to comment on this before the final decision is taken.

Standard Disciplinary Process (Stages of the Procedure)

Stage 1 – Formal Verbal Warning

If a Tutor's conduct or performance does not meet acceptable standards then a recorded verbal warning will be issued. The fact that this warning has been given, by whom, when and for what reason will be recorded on the Tutor's personal file. The FAL Support Manager and the relevant FA Discipline Specific Manager will advise the Tutor of how long the warning lasts, what improvements are required and that a stage 2 warning will be considered if there is no improvement or in the event of a further breach of any rule or performance standard.

Stage 2 – Written and Final Warning

If the Tutor's performance does not improve, or if there is a further misconduct, a final written warning will be issued. A copy of the warning will be placed on the Tutor's personal file and will include details of the specific complaint regarding conduct, performance or attendance, the improvement required, the duration of the warning.

Stage 3 - Dismissal

If, after a final written warning, the Tutor's performance has not improved or he/she continues to be in breach of the requirements, his/her licence to tutor will be removed. All tutors should be aware that consecutive warnings need not necessarily be for the same type of misconduct, and FA Learning will take into account other misconduct when deciding upon appropriate disciplinary action.

One of the key purposes of the Disciplinary Procedure is to define the standard of performance required and encourage Tutors to meet these standards. To encourage Tutors to improve their performance and or conduct, any warning given will be extinguished from the disciplinary record after the time periods specified below.

Summary Dismissal

A licence to tutor will only be summarily removed in the event of gross misconduct, or some other offence. Summary dismissal is dismissal without notice; before deciding upon this course of action, FA Learning will usually undertake an investigation and hold a disciplinary meeting with the tutor.

Examples of Misconduct

General misconduct

This category covers less serious infringements of the Code of Conduct, on FA Policy or The FA Rules and Regulations.

The following are examples of types of misconduct that may lead to verbal or written warnings. These examples are provided for guidance only and should not be seen as exhaustive:

- Poor time keeping, attendance and reliability.
- Failing to represent FA Learning in a professional manner at all times.
- Failing to create a supportive learning environment.

Gross misconduct

This category covers serious violations of the Code of Conduct, FA Policy, The FA Rules and Regulations and certain acts of a criminal nature that may lead to summary dismissal. These examples are provided for guidance only and should not be seen as exhaustive:

- Breach of any FA policy, in particular, The FA Equality Policy, Safeguarding Children Policy or Safeguarding Vulnerable Adults Policy
- Willfully making false statements relating to employment records, expense sheets, purchase orders, contracts, evaluation forms and other documentation in whatever form.
- Defrauding or stealing property from The FA, FAL, CFA, Approved Centre, customers, suppliers or the general public.
- Commissioning or receiving improper payments, or gifts in kind (including hospitality) from participants, customers, distributors or suppliers of goods or services.
- Acting in an inappropriate manner or performing malicious, criminal or destructive acts harmful to person or property and/or likely to bring FA Learning into disrepute.
- Physical or sexual assault, provocation or intimidation of course participants.
- Being unfit for tutoring due to the influence of non-prescribed drugs or alcohol.
- Refusing to comply with reasonable and proper instructions.

Following an allegation of gross misconduct, a full investigation will be undertaken. Tutors may be suspended during this time. Upon completion of this investigation, if FA Learning is satisfied that the circumstances constitute gross misconduct, unless there are extraordinary extenuating circumstances, the tutor will be dismissed without notice.

Tutors have the right to appeal against any disciplinary decision (see "Appealing against a disciplinary decision").

Appealing against a disciplinary decision

A tutor has the right to appeal against any disciplinary decision. Should a tutor wish to exercise this right of appeal, he/she should in the first instance write to the Head of FA Learning within five working days of the date that the disciplinary action was decided, giving the reason for the appeal.

The person hearing the appeal will be nominated by FA Learning will be of senior status and (wherever possible) not have had direct involvement in the previous decision. They will hear

the appeal on FA Learning's behalf and with full authority to act in any way they consider appropriate following this appeal hearing. The result of this final stage in the appeals process will be communicated to the tutor in writing.

The appeals process will be regarded as complete once such an appeal has been heard and the nominated person has taken their decision based on the evidence presented and after having conferred with other senior colleagues or a legal specialist as appropriate. The decision may be given at the time or at a later date should the person hearing the appeal wish to have more time to take advice or reflect upon the circumstances.

Grievance Procedure

Every effort will always be made to ensure that tutors are able to tutor with enthusiasm and a sense of satisfaction. Nevertheless, queries, problems or grievances may arise and the aim of this procedure is to resolve such issues in a simple, fair and rapid manner and as near to the point of origin as possible. The Grievance Procedure is not part of the Disciplinary Procedure and accordingly can not be relied upon in connection with the same.

Stage 1

If a tutor has any questions, queries or wishes to formally discuss any matter, the issue should be raised initially with the approved centre or the FA Learning Support Manager and the relevant FA Discipline Specific Manager. The FA Learning Support and Content Managers should deal with the matter within ten working days.

Stage 2

Failing satisfactory resolution of any grievance at Stage 1, the tutor may then take the matter to the Head of FA Learning. A discussion should take place within a further ten working days of the matter being raised. This meeting should be attended by the person raising the grievance together with a colleague, as required.

This is the final stage of the procedure and the Head of FA Learning (or nominated deputy) will make their decision having heard all the appropriate evidence. Wherever possible the decision will be made known at the time of the hearing but in certain circumstances may be adjourned for a reasonable period to provide time for further consideration of the matter and / or to take advice or confer with other senior colleagues or legal specialists as appropriate. Details of the discussions should be recorded in writing.

Section 5. Privacy Statement

This should be read in conjunction with the FA Learning Licensed Tutor Application Form and retained for your information.

General

The Football Association has introduced a comprehensive system for the promotion of best practice and FA Learning, as part of this, requires every person wishing to become an FA Learning Licensed Tutor to complete the FA Learning Tutor Application Form. We take your privacy very seriously, please read this Statement carefully to see how we will use the personal information that you provide to us when you submit the application form. We will take reasonable care to keep your information secure and to prevent any unauthorised access or use of it. We will process all information in accordance with the applicable UK data protection legislation.

CRB information will be stored, used and destroyed in keeping with the CRB Code of Practice. For more about this please visit www.crb.gov.uk and follow the links to Code of Practice.

All sections in the FA Learning Tutor Application Form **must** be completed with the exception of the Equal Opportunities Monitoring section, the completion of which is optional.

The information that you provide

We ask you to provide details of your name, address, e-mail address, contact details, your relevant qualifications, details of your experience and any relevant information which may affect your suitability to be an FA Learning Licensed Tutor. We also request details of your ethnicity, religion, sexual orientation and disability status for equality monitoring purposes – please see below for further details. You must provide all the information relevant to each question. Failure to provide full details or the provision of false or misleading information may lead to the refusal to license you as a Licensed Tutor or the withdrawal of your licence at a later date.

How we use the information

We will use your personal information to consider and, if appropriate, approve your application to become an FA Learning Licensed Tutor and for administrative, customer services and marketing purposes.

We will publish a directory of FA Learning Licensed Tutors from time to time and will include your name and contact details into this directory. If for any reason you do not wish your details to be published in the directory, please contact the FA Learning Support Manager or indicate this when returning your form.

We will, if necessary, disclose your information (except for CRB information) to our third party service providers. Such third party service providers are not entitled to use your information for their own purposes.

We may keep your information for a reasonable period of time to contact you about our services. If you become a customer of ours by purchasing goods or services from us we may send you further information by post or e-mail that is related to your purchase. If you do not wish to receive this information please write to the Data Protection Officer at the address below.

We ask for details of ethnicity, religion, sexual orientation and disability status for equality monitoring purposes. Monitoring is recommended by the Codes of Practice published by the Equality and Human Rights Commission to eliminate discrimination and promote equality. In this regard this information will be used to monitor the impact of our action plans to increase diversity within the licensed tutor pool.

We may send you information from time to time that you may find useful in your capacity as an FA Learning Licensed Tutor and we may use your monitoring information specifically to send you information about various training opportunities and access to our services that are available to all tutors.

We will not use your monitoring information for any other purpose nor will we disclose these details to any third party. The provision of this information is optional.

Sharing information

We may share your information with our group companies and with organisations which are our commercial partners if you have indicated that you are happy to receive information from them. For clarification, CRB information will not be shared. We, or they, may contact you by mail, telephone, electronic messaging services, fax or e-mail to let you know about any goods, services or promotions, which may be of interest to you. Please indicate your preference for receiving this information at the appropriate stage on the application form or write to the Data Protection Officer at the address below. The Football Association's group companies include Wembley National Stadium Limited, National Football Centre Limited and FA Learning Limited.

Your right to access the information

You have the right to access the information that we hold about you. In order to do this, please make a written application to the Data Protection Officer at the address below. We may require you to provide verification of your identity and to pay an administrative fee (which is currently £10) to provide a copy of the information that it holds. Please note that in certain circumstances we may withhold access to your information where it has the right to do so under current data protection legislation.

Updating your information

In the event that there is a change to your personal information, for example your contact details, please let us know of this by writing or email to TutorTrainingQuery@TheFA.com or Tutor Training, FA Learning, Wembley Stadium, PO Box 1966, London, SW1P 9EQ so that we can keep your information up to date and accurate.

If at any time you are cautioned for or convicted of a criminal offence, you must contact FA Learning to inform us. If at any time you come to the notice of the statutory authorities due to your behaviour towards children or vulnerable adults, you are expected to contact FA Learning to inform us.

Contact us

If you have any queries about this Privacy Statement please write to the Data Protection Officer, The FA Group, Wembley Stadium, PO Box 1966, London, SW1P 9EQ.

Section 6. The FA Safeguarding Children Policy

FA Tutors are expected to abide by The FA Safeguarding Children Policy at all times. Any alleged breach of the Safeguarding Policy detailed below may result in an interim suspension, whilst an investigation is undertaken in accordance with the Disciplinary Procedures set out in The FA Regulations.

The Football Association's Safeguarding Children Policy

Every child or young person, defined as any person under the age of 18, who plays or participates in football should be able to take part in an enjoyable and safe environment and be protected from abuse. This is the responsibility of every adult involved in football, thus every club is required to endorse and adhere to The FA's Safeguarding Children Policy.

The FA recognises its responsibility to safeguard the welfare of all children and young people by protecting them from physical, sexual or emotional harm and from neglect or

bullying. The FA is committed to working to provide a safe environment for all children and young people to participate in the sport to the best of their abilities for as long as they choose to do so. The Safeguarding Children policy is supported by The FA's Respect Programme, to address verbal abuse and bullying of youngsters by parents and coaches on the sidelines. The FA's Safeguarding Children Policy principles are that:

- the child's welfare is, and must always be, the paramount consideration
- all children and young people have a right to be protected from abuse regardless of their age, gender, disability, culture, language, racial origin, religious beliefs or sexual orientation
- all suspicions and allegations of abuse will be taken seriously and responded to swiftly and appropriately
- working in partnership with other organisations, children and young people and their parents and carers is essential.

The FA is committed to working in partnership with the Police, Children's Services Departments, and Local Safeguarding Children's Boards (LSCB) in accordance with their procedures. This is essential to enable these organisations to carry out their statutory duties to investigate concerns and protect all children and young people.

The FA's Safeguarding Children Policy is in response to government legislation developed to safeguard the welfare and development of children and young people.

Section 7. The FA Equality Policy

The FA is responsible for setting standards and values to apply throughout football at every level. Football belongs to, and should be enjoyed by anyone who wants to participate in it. The aim of this policy is to ensure that everyone is treated fairly and with respect and that The FA is equally accessible to them all.

The FA's commitment is to confront and eliminate discrimination whether by reason of gender, sexual orientation, marital status, race, nationality, ethnic origin, colour, religion or belief, ability or disability and to encourage equal opportunities.

This policy is fully supported by the Board of The FA and the Director of Football Governance and Regulation is responsible for the implementation of this policy.

The FA, in all its activities, will not discriminate, or in any way treat anyone less favourably, on grounds of gender, sexual orientation, marital status, race, nationality, ethnic origin, colour, religion or belief, ability or disability. The FA will ensure that it treats people fairly and with respect and that it will provide access and opportunities for all members of the community to take part in, and enjoy, its activities.

The FA will not tolerate harassment, bullying, abuse or victimisation of an individual, which for the purposes of this policy and the actions and sanction applicable is regarded as discrimination. This includes sexual or racially based harassment or other discriminatory behaviour, whether physical or verbal. The FA will work to ensure that such behaviour is met with appropriate action in whatever context it occurs.

The FA is committed to the development of a programme of ongoing training and awareness raising events and activities in order to promote the eradication of discrimination within football.

The FA is committed to a policy of equal treatment of all members and requires all members to abide and adhere to these policies and the requirements of the relevant equalities legislation – Equality Act 2006, Race Relations Act 1976, Sex Discrimination Act 1975 and Disability Discrimination Act 1995 as well as any amendments to these acts.

The FA commits itself to the immediate investigation of any claims, when it is brought to their attention, of discrimination on the above grounds and where such is found to be the case, a requirement that the practice stop and sanctions imposed as appropriate

Section 8. The FA Safeguarding Vulnerable Adults Policy, Season 2009-10

The FA is committed to football being inclusive and providing a safe and positive experience for everyone involved in the game.

Whilst it is hoped that the law, the Respect programme, The FA's Equality Policy and positive approaches to training and education are sufficient to safeguard all adults in football, The FA recognises that it has a responsibility to safeguard vulnerable adults from abuse and harm and to respond where abuse and harm are perceived to have occurred.

This Policy will seek to provide guidance as to how to prevent harm, give clarity on how to report harm, ensure investigation into harm and respond to the outcome of such investigations in such a way as to reduce the risk of further harm to the individual vulnerable adult and to other vulnerable adults who may be affected in the future.

The FA recognises that the terms 'vulnerable adult', 'abuse' and 'harm' are open to interpretation and challenge, but for the purpose of this Vulnerable Adult Policy, in the season 2009-2010, they will be defined as follows:

Vulnerable Adult shall be defined as:

' A person aged 18 or over who is or who may be in need of community care services by reason of mental or other disability, age or illness : and who is or who may be unable to take care of himself or herself, or unable to protect himself or herself against significant harm or exploitation'.¹

Abuse shall be defined as:

'Abuse is a violation of an individual's human and civil rights by any other person or persons'.²

Harm shall be defined as:

'Ill treatment and forms of ill treatment (including sexual abuse and forms of ill-treatment which are not physical) and also the impairment of, or an avoidable deterioration in physical or mental health and the impairment of physical, intellectual, emotional, social or behavioral development'.³

'Harm' may be caused by acts of commission and acts of omission.

¹ No Secrets: Guidance on developing and implementing multi-agency policies and procedures to protect vulnerable adults from abuse (Department of Health and Home Office, 2000)

² As above

³ As above

The responsibility taken by this Policy is to:

- Safeguard the welfare of vulnerable adults in football by protecting them from any significant physical, sexual and emotional harm and from neglect, bullying and financial harm within the game. This may include providing training and codes of practice amongst other strategies for reducing risk.
- Safeguard the welfare of vulnerable adults in football by making use of such vetting as is available to The Football Association when seeking to establish suitability for a new or pre existing role with vulnerable adults in football.
- Report to the appropriate authorities any concerns about abuse or harm to Vulnerable Adults, whether this occurs within the game or elsewhere and whether this be a criminal offence or other concern. The appropriate authorities may be internal or external to the game. This will include identifying reporting frameworks and developing guidelines for reporting.
- Ensure appropriate investigations and responses to concerns about abuse or harm within the game, including football sanctions as appropriate. This will include work in partnership with the Police and other statutory agencies charged with investigating and responding and with the vulnerable adult who is believed to be at risk or believed to have been harmed.
- Following such investigations, act to put appropriate safeguards in place to safeguard the vulnerable adult in the future and to reduce the risk of harm to other vulnerable adults in the game.
- When appropriate, report to the Independent Safeguarding Authority anybody in the game who is believed by The Football Association to be a risk of harm to vulnerable adults.
- Seek to develop internal skills and knowledge based on research, Government guidance and learning from experience.
- Review the policy from time to time..

THE ASSOCIATION'S SAFEGUARDING VULNERABLE ADULTS REGULATIONS

Preamble

This Preamble is provided for guidance. If there is any inconsistency between the Preamble and the operative parts of the Safeguarding Vulnerable Adults Regulations below, the operative parts shall prevail.

As set out in The Football Association's Safeguarding Vulnerable Adults Policy, The Association is committed to safeguarding vulnerable adults within football and has Case Management procedures in place to assess the suitability of individuals to be involved with vulnerable adults in football.

In assessing that suitability, Vulnerable Adults' welfare is the paramount consideration.

Towards this, The Association has the power under the Safeguarding Vulnerable Adults Regulations to issue a suspension where any one or more of the following applies:-

1. The individual fails to comply with any part of The Association's Criminal Records Bureau (CRB) Process;
2. The individual has been barred by the Independent Safeguarding Authority (ISA) from engaging in regulated activity relating to Vulnerable Adults;
3. The individual is included on the Protection of Vulnerable Adults (POVA) List;
4. The individual has been convicted of, or made the subject of a caution for, an "Offence" defined in paragraph 1 of the Regulations;

Following a risk assessment, The Association is satisfied on the balance of probabilities that the individual poses or may pose a risk of harm to vulnerable adults.

General

1. In these Regulations the expression "Offence" shall mean any one or more of the offences contained in the Schedules of the Criminal Justice and Court Services Act 2000 and any other criminal offence which reasonably causes The Association to believe that the person accused of the offence poses or may pose a risk of harm to a Vulnerable Adult or Adults.
2. For these purposes, the term 'Vulnerable Adult' means any person who is within any one or more of the following definitions of vulnerable adult –
 - (i) The definition contained in section 2.3 of the Department of Health paper - *No secrets: Guidance on developing and implementing multi-agency policies and procedures to protect vulnerable adults from abuse* (2000);
 - (ii) The definition contained in section 59 of the *Safeguarding Vulnerable Groups Act 2006*;
 - (iii) The definition contained in section 80 of the *Care Standards Act 2000*.

The CRB Process

3. All persons applying for or currently in such positions that The Association deems relevant whose normal duties include caring for, training, supervising or being in charge of a vulnerable adult or adults, may be required by the Association to comply with the requirements of The Association's CRB process. These requirements are:-
 - (i) To obtain an FA Enhanced CRB Disclosure; and
 - (ii) To provide any such further detail, explanation or clarification of any or all part or parts of that Enhanced Disclosure, or any matter revealed by it, as may be required by The Association; and
 - (iii) Where required, to provide at least two references that attest to their suitability to be involved in football involving vulnerable adults. The spouse or partner of the person subject to this requirement cannot act as a referee for this purpose. Any reference provided by a spouse or partner will not be accepted; and
 - (iv) To comply with each of the requirements set out in regulations (i) – (iii) above within any such time limit as The Association may stipulate.

Any person who fails to comply with any of the requirements set out in sub-paragraphs (i) – (iv) above shall be subject to an immediate suspension from football activity, on such terms and for such period as The Association may stipulate.

Interim Suspension Orders

4. Upon receipt by The Association of:

4.1 Notification that an individual has been charged with an Offence; or

4.2 Notification that an individual is the subject of an investigation by the Police or any other authority relating to an Offence; or

4.3 Any other information which causes The Association reasonably to believe that a person poses or may pose a risk of harm to a vulnerable adult or adults.

The Association shall have the power to order that the individual be suspended from all or any specific football activity for such a period and on such terms and conditions as it deems appropriate. Such suspensions will be issued by the Case Manager or his/her nominee. The initial notification of any such suspension sent to an individual shall set out the right of appeal contained in Regulation 7 below.

5 In determining whether an order under Regulation 4 should be made, the Case Manager or his/her nominee shall give consideration, *inter alia*, to the following factors:-

5.1 Whether a vulnerable adult or adults are or may be at risk of harm;

5.2 Whether the matters are of a serious nature;

5.3 Whether an order is necessary or desirable to allow the conduct of any investigation by The Association or any other authority or body to proceed unimpeded having regard to the need for any suspension order to be proportionate.

All such suspension orders will be reviewed at the next meeting of The Association's Safeguarding Review Panel. The Panel may ratify, modify or remove any such suspension, or make any other order in relation to that suspension as it deems appropriate.

6 The total period of an order referred to in Regulation 4 above shall not last beyond the final determination of any related case under the Rules of The Association.

7 Any individual subject to a suspension order under Regulation 4 may appeal against it once the period of three months from the imposition of the suspension order by the Case Manager/nominee has elapsed.

8 Such appeals shall be considered by the Safeguarding Review Panel. At least one member of any Panel considering an appeal shall not have been a member of any Panel which conducted the initial review, under Regulation 4 above, of the suspension order being appealed.

9 To bring an appeal under Regulation 7, the individual must give notice in writing to the Case Manager/nominee, requesting such an appeal. The individual may submit any written material in support of the appeal, within 14 days of giving such notice, or it may not be considered by the Safeguarding Review Panel.

- 10 Any such appeal shall be by a review of written material only. No party shall have the right to attend to address a Safeguarding Review Panel considering an appeal. The Safeguarding Review Panel shall consider all written material submitted by the individual requesting the appeal and in support of that appeal. The Case Manager/nominee may also submit any written material for consideration by the Panel.
- 11 On considering an appeal, the Safeguarding Review Panel shall have the power to make any order in relation to the interim suspension order as it deems appropriate, including ratifying, modifying or removing it. The Panel shall also have power to make any order in relation to the conduct of the appeal proceedings as it deems appropriate, including requiring more information from either the individual or the Case Manager/nominee.
- 12 Any appeal under Regulation 7 shall be heard by the Safeguarding Review Panel at the earliest opportunity, following the receipt of notice in writing and any written material in support of the appeal from the individual.
- 13 Where an order is imposed on an individual under Regulation 4 above, The Association shall bring and conclude any proceedings under the Rules of The Association against the person relating to the matters as soon as reasonably practicable.

Suspension Following ISA Bar

14. Where any individual is barred from regulated activity relating to vulnerable adults in accordance with section 3 of the *Safeguarding Vulnerable Groups Act 2006*, The Association shall have the power to order that the individual be suspended immediately from all or any specific football activity for such a period and on such terms and conditions as it deems appropriate. Such suspensions will be issued by the Case Manager or his/her nominee. All such suspension orders will be reviewed at the next meeting of The Association's Safeguarding Review Panel. The Panel may ratify, modify or remove any such suspension, or make any other order in relation to that suspension as it deems appropriate.

Order Following Conviction or Caution

15. The Association's Safeguarding Review Panel shall have the power to make any order in respect of any person convicted of, or made the subject of a caution in respect of, an Offence, including but not limited to a suspension from all or any specific football activity for such period (including indefinitely) and on such terms and conditions as it deems appropriate. Before making any order under this Regulation, the Panel shall consider all information gathered in respect of a Participant pursuant to The Association's CRB process under Regulation 3 above.

Order Following Inclusion in the POVA List

16. Where any individual is included in the list of individuals considered unsuitable to work with vulnerable adults, kept under section 81 of the *Care Standards Act 2000* ("the POVA List"), The Association's Safeguarding Review Panel shall have the power to make any order in respect of that individual restricting their involvement with vulnerable adults, including but not limited to a suspension from all or any specific football activity for such period (including indefinitely) and on such terms and conditions as it deems appropriate.

Order Following Risk Assessment

17. In addition to The Association's powers under Regulations 4, 14, 15 and 16, The Association's Safeguarding Review Panel shall have the power to make any order that it deems appropriate, including but not limited to an order that any individual be suspended from all or any specific football activity for such period and on such terms and conditions as it considers appropriate, where it is satisfied on the balance of probabilities that the individual poses or may pose a risk of harm to a vulnerable adult or adults.
18. Cases may be referred to the Safeguarding Review Panel in order to seek an order under Regulation 17 above by the Case Manager or his/her nominee where the Case Manager/nominee decides that there is reasonable cause to suspect grounds for concern about an individual's continued participation in football activity involving a vulnerable adult or adults.
19. The Case Manager/nominee shall reach this decision on the basis of a risk assessment of that individual's suitability for such participation. This risk assessment may be in such form and prepared by any person, including the Case Manager/nominee, as the Case Manager/nominee, at his/her absolute discretion, considers appropriate.
20. Before a referral is made under Regulation 18 above, the individual must be notified in writing. Such written notification must explain the order sought and the reason for it, and include a copy of the risk assessment and all other written material that the Case Manager/nominee intends to rely on when seeking the order, save for any exceptional material dealt with under Regulation 25 below.
21. The individual shall have 14 days to reply to this notification and to provide any written material that he/she wishes the Safeguarding Review Panel to take into account in considering whether or not to impose any order under Regulation 14 above.
22. Following the receipt of the reply and / or written material from the individual, or the expiry of the 14 day period if no reply is received, the Case Manager/nominee may
 - (a) Decide that no further action is currently required as there are no longer grounds for a referral under Regulation 18;
 - (b) Make any such further inquiries as he or she thinks fit in light of any matters raised by the individual in response to the written notification;
 - (c) Refer the case to the Safeguarding Review Panel under Regulation 18 above.
23. Where further inquiries are made by the Case Manager/nominee, any written material arising from those inquiries may only be relied on by the Case Manager/nominee in applying for any order under Regulation 17 if that written material has been sent to the individual and he or she has had 14 days to reply to it, save for any exceptional material dealt with under Regulation 25 below. If the written material is relied upon, any response by the individual must also be considered by the Safeguarding Review Panel.
24. Where a case is referred to the Safeguarding Review Panel under Regulation 18, it shall be considered on the basis of written material only. No party shall be permitted to attend to address the Safeguarding Review Panel.

Except as provided for in Regulation 25 below, this written material shall consist of only:-

- (i) The written notification and all written material provided with it by the Case Manager/nominee to the individual; and
- (ii) The reply, if any, and all other written material submitted by the individual in response to the written notification; and
- (iii) Any further written material provided by the Case Manager/nominee to the individual subsequently to the written notification; and
- (iv) Any response from the individual to such further written material and all other written material submitted with that response.

Exceptional Material

25.

25.1 In considering whether or not to make any order under Regulation 17, as a general rule, the Safeguarding Review Panel may not consider any material provided by either the Case Manager/nominee or the individual which the other party has not seen and had a reasonable opportunity to reply to.

25.2 Exceptionally, the Case Manager/nominee may make an application to the Safeguarding Review Panel for the Panel, as part of its consideration of whether or not to make an order under Regulation 17, to consider material (“exceptional material”) that has not been sent to the individual, where the Case Manager/nominee considers, at his/her absolute discretion, that the exceptional material concerned cannot be sent to the individual for any one or more of the following reasons:-

- (a) it is confidential, and/or
- (b) revealing it to the individual may create a risk of harm to any person or persons, and/or
- (c) revealing it to the individual may amount to a criminal offence.

25.3 Where the Case Manager/nominee intends to make an application to the Safeguarding Review Panel for the Panel to consider exceptional material under Regulation 25.2 above,

- (i) The Case Manager/nominee shall in all cases give notice in writing to the Safeguarding Review Panel of this and the reason for it at least seven days before the Safeguarding Review Panel considers the case.
- (ii) The Case Manager/nominee shall also give notice of the application to the individual in writing at least fourteen days before the Safeguarding Review Panel considers the case, unless the Case Manager/nominee considers, at his/her absolute discretion, that such written notice cannot be given, as to give such notice may in itself
 - (a) breach confidentiality; and/or
 - (b) create a risk of harm to any individual or individuals; and/or
 - (c) amount to a criminal offence.

- (iii) Any reply by an individual to a notice referred to at Regulation 25.3(ii) must also be passed to the Safeguarding Review Panel for consideration where any exceptional material to which the reply relates is to be considered by the Safeguarding Review Panel

25.4 The Safeguarding Review Panel may, at its absolute discretion, decline to consider any or all of the exceptional material submitted for the Panel's consideration.

Orders available following risk assessment

- 26. Following a referral under Regulation 15, the Safeguarding Review Panel may make an order under Regulation 17, or any other order that it considers appropriate in the circumstances.

Right of appeal

- 27. A Participant or The Football Association may appeal any decision of the Safeguarding Review Panel made under Regulation 4, 14, 15, 16 or 17. Such appeals shall be conducted in accordance with the Regulations for Football Association Appeals. Subject to this right of appeal, decisions of the Safeguarding Review Panel are final and binding.

Written Material

- 28. For the purposes of these regulations, "written material" may include photographic, video and/or audio evidence.

Section 8. Discipline Contact Details

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Section 9. Definitions

Employer	Approved Centre Employer or Accredited Workshop Organiser
Support Manager	FA Learning National Tutor Training Manager or his nominee
Content Manager	National Course Directors