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## **Child Welfare Complaints Procedure**



## Introduction

The British Wrestling Association Limited (BWA) is committed to promoting the safeguarding of all involved in wrestling and we will seek to establish a process that will make it straightforward for people to raise concerns they have.

### **This procedure sets out the method of dealing with a child safeguarding concern when a complaint is received from a parent, guardian, carer or child**

It should be remembered that children and young people are equally entitled to complain as are adults. Everyone within the BWA must be conversant with the procedures for dealing with them in a child friendly way whilst ensuring these procedures are followed, the child's rights are protected and most importantly, the child's safety is paramount.

Equally, parents, guardians and carers of BWA members must be assured that they will also be listened to and appropriate action taken if they have cause for concern or complaint in a child safeguarding complaints procedure.

This procedure is mandatory for all BWA Staff, BWA Members and other BWA affiliated bodies.

This procedure must be adopted when a complaint is received from any BWA member, BWA member of staff or BWA affiliated body, which involves a child (a person under the age of 18 years) and is deemed to be a child safeguarding issue by a club safeguarding officer, or the BWA Lead Safeguarding Officer (LSO). All other complaints will be dealt with under appropriate procedures as identified in the BWA signposting document which is available to view or download from the website at: [www.britishwrestling.org](http://www.britishwrestling.org)

If it is believed that a concern or complaint is considered being of sufficient seriousness as to involve, not just child safeguarding issues, but child protection issues, these will be dealt with either by direct referral to a Statutory Agency or by referral to the BWA LSO who in turn may:

1. Refer the matter to a Statutory Agency; or
2. Recommend the matter be dealt with by the BWA

## **Why is this Procedure Necessary?**

Adults often do not realize that their actions can significantly impact on children, causing them distress.

In return children often do not realize that adults can find it difficult to recognize problems which would cause a child to be worried or unhappy. A concern, which may appear minor to an adult, can be overwhelming for a child.

Because of this it is vital to encourage communication between adults and children not least to put forward an environment whereby a child that is worried or unhappy about something feels confident that they can let someone know what is worrying them and believe their worries and concerns will be addressed.

It is for this purpose that the BWA wish to work towards a culture at club level that is conducive to encouraging all our members under the age of 18 years to feel able to speak to other members of their club regarding their worries or concerns.

The following is the recommended procedure for dealing with a complaint made by or on behalf of a child and which a parent, guardian, carer or friend may make. At all times action should be immediate where possible and all stages outlined within the procedure should be carried out within the timescale provided.

It is important to acknowledge that a child safeguarding concern from the point of view of someone under 18 years of age will be something very important to them and which has potentially been causing them concern for long before they took the step of reporting it to another party.

It is important that complaints of this nature are dealt with at the earliest opportunity and as such the following procedure should be a last resort for matters that have been incapable of resolution.

**Remember if the complaint is or may be a child protection matter a referral to a statutory agency (Children's Care Services, the Police or the NSPCC) must be made immediately.**

Guidance and support can be obtained from the BWA's LSO.

## **The Procedure**

### **Step One – Informal Resolution Locally Timescale: Immediate**

As an adult member of the BWA when a child, parent or carer has made a complaint or drawn to your attention a concern, you must first assess as to whether it is appropriate for you to resolve it.

In general terms if it is minor in its nature and if you are able to address the concern, you should do so. Ideally, if at all possible, you should consult your club safeguarding officer before embarking on any course of action.

Confidentiality must be maintained on a “need to know basis” i.e. only the Coach, the safeguarding officer and the child’s parents may need to know of a concern and no one else. The important factor is to keep the information restricted to as small a circle as possible.

### **Step Two – Resolution through Club Safeguarding Officer Timescale: Intervention 7 Days**

The primary role of the club safeguarding officer will be to resolve to the satisfaction of the child, parent, guardian, carer or anyone else the safeguarding issues complained of, if at all possible.

A club safeguarding officer may have matters referred to them for example through Step One or may have matters brought directly to their attention.

The club safeguarding officer will consider the nature of the complaint and if they are able to address the concern. It is anticipated that club safeguarding officers will be able to address issues such as minor club infringements, poor practice and bullying through the club’s own process. Guidance and support can be obtained from the BWA’s LSO at anytime.

If the assistance of the BWA LSO is not sought before the issues are resolved, the concerns and outcomes should be reported to the BWA LSO afterwards.

The club safeguarding officer should at all times be mindful of the support and guidance that can be accessed from the BWA LSO and that concerns to be dealt with by a club Safeguarding Officer should be child safeguarding concerns only. Matters of child protection should be referred, where appropriate, immediately to the appropriate statutory authority and to the BWA LSO.

The club safeguarding officer must:

1. Record the details of the complaint – what was the problem?
2. How it was resolved? The actions taken and by whom (the Safeguarding Officer or others)
3. Observe confidentiality and secure storage of referral documentation (see BWA Policies @ [www.britishwrestling.org](http://www.britishwrestling.org))

### **Step Three - National Level – The BWA Lead Safeguarding Officer** **Timescale: Intervention 3 days**

The BWA LSO will have a right to be involved in any child safeguarding matter, which the BWA LSO, in consultation with the Chief Executive of the BWA, reviews and decides need BWA intervention. For example:

1. Where one party remains unhappy that the problem has not been resolved at Step One or Step Two.
2. Where a matter is brought to the BWA LSO attention by a BWA Safeguarding officer at Steps One or Two.
3. At any stage, by direct referral to the BWA LSO by a BWA member (child or adult), parent, guardian or carer of a BWA member.

Within three days of a child safeguarding complaint being brought to the attention of the BWA LSO consideration will be given to section 2 (i) of the Protocols for Child Safeguarding Investigations.

The BWA LSO will liaise with the club safeguarding officer to ensure that the club is handling the child safeguarding issue correctly. The club safeguarding officer will be responsible for ensuring that the club follows the BWA LSO guidance. It is entirely a matter for the BWA LSO as to the level of involvement and the guidance given.

At any point throughout the LSO's involvement the issues will be kept under constant review and a decision may be taken to:

1. Implement a referral to a statutory agency under section 2 (iii) of the Protocols for Child Safeguarding Investigations or
2. Appoint an independent investigator to complete a fact-finding investigation under section 2 (iv) of the Protocols for Child Safeguarding Investigations or
3. Make a formal complaint under the appropriate BWA Disciplinary Policy under section 2 (v) of the Protocols for Child Safeguarding Investigations
4. Take such action as recommended by the BWA LSO (e.g. a direction that an individual be required to submit to a risk assessment or that the BWA file a complaint against a club or an individual).

All clubs must note that if the guidance of the BWA LSO is not followed, the BWA LSO may complete a report to the Chief Executive of the BWA and may recommend that a formal complaint be made, under the BWA Judicial Code, that the club has failed to comply with the required level expected of BWA clubs in complying with BWA Child Safeguarding.

The above timescale provides an indication that within three days of being notified of a child safeguarding issue, the BWA LSO will decide the level of his/her involvement and will inform all parties accordingly. The BWA LSO will have the child's safeguarding as the main concern and will try to resolve the issues with that main concern in mind. As a guide the BWA LSO will try to achieve a successful resolution or to decide other

appropriate action or to have concluded and closed the file within three months of the original referral.

Where a three month conclusion is not possible, e.g. because of the involvement of a statutory agency, the BWA LSO will seek to keep the child (through their parent, guardian or carer) informed of progress being made.

## **Appeal Procedure**

The BWA LSO's final report as to the steps taken, closing the file and/or recommendation as to alternative action is final.

In the case of a decision being taken under BWA Safeguarding Regulations there shall be a right of appeal to an Appeals Committee which should comprise:

- The Chair of the Disciplinary Appeals Committee shall be someone with at least 7 years experience in legal matters who is not a member of the BWA
- Two further Disciplinary Appeals Committee members will be appointed by the Chair of the Disciplinary Appeals Committee from the membership of the BWA who have held continued membership of the BWA for a period of not less than 5 years prior to the date of the Disciplinary Appeals Hearing.

## **Note**

**Failure to comply** with this procedure may result in a recommendation from the BWA LSO that a club is not meeting its obligations under child safeguarding. This may result in a formal complaint or other action being taken under the appropriate BWA Disciplinary Policy

Any action complained of under the Child Safeguarding Complaint Procedure may amount to a breach of BWA Rules and Regulations or of the BWA Code of Ethics and Conduct. Any BWA member may bring a complaint under the appropriate BWA Disciplinary Policy against a BWA member. It is therefore possible for a child safeguarding concern to amount to a breach of BWA Rules and Regulations or of the Code of Ethics and Conduct and for a complaint to be filed for the same set of circumstances.

It is a matter for the individual member as to whether or not they wish to file a complaint whilst a matter is being dealt with under the Child Safeguarding Complaints Procedure. Where a complaint is filed and a Child Safeguarding Complaint is also filed, the child safeguarding matter may take precedence.

*This procedure is subject to continuous review and amendment as best practice evolves and accordingly the BWA reserves the right in particular cases to depart from the above and, accordingly, procedures where it is deemed to be appropriate by the BWA LSO in consultation with the BWA Chief Executive.*

**The BWA would like to thank the Amateur Swimming Association who have shared their Child Complaints Procedure and on which this Policy is based.**