

British Canoeing Case Management Group (CMG)

Terms of Reference

1. Title

- 1.1. The Group shall be called the British Canoeing Case Management Group (CMG).

2. Accountability

- 2.1. The CMG is accountable to the Board of British Canoeing through the Chief Executive. The Board will approve the Terms of Reference of the CMG. The CMG will be accountable for carrying out the responsibilities which are delegated within the Terms of Reference. This accountability will be managed in the following ways:
- 2.1.1. The Board will biennially approve the Terms of Reference for the CMG.
 - 2.1.2. The Board will note and consider reporting data of case management on a quarterly basis via the Governance Committee.
 - 2.1.3. The Board will receive an Annual Safeguarding Report at the end of each calendar year produced by the British Canoeing Safeguarding Manager.
 - 2.1.4. The Board will appoint one of the Board Directors to be its Safeguarding Champion.

3. Purpose

- 3.1. The primary role of the CMG is to offer advice and guidance in relation to the management of safeguarding concerns and cases and to support British Canoeing safeguarding leads in carrying out their role and responsibilities. Specifically, this includes the responsibility for the CMG to:
- 3.1.1. Promote co-operation, consistency and confidence in decision making.
 - 3.1.2. Provide independent and informed opinion and apply appropriate expertise and experience to assist decision making in the following areas:
 - 3.1.2.1. Initially assess and agree immediate response (e.g. does there appear to be a case to answer).
 - 3.1.2.2. Identify the appropriate 'route' for each case (e.g. internal/disciplinary action alone or referral to statutory agencies plus internal/disciplinary action).
 - 3.1.2.3. To decide the level (from local to national) at which the organisation will respond to and manage the concern.
 - 3.1.2.4. Monitor, review the progress of and close cases where appropriate.
 - 3.1.2.5. Advise on practice and policy development requirements arising from case learnings. Any urgent changes must be referred directly to British Canoeing's Designated Safeguarding Lead (DSL) or the Safeguarding Steering Group.
 - 3.1.2.6. Decide upon the course of action for adverse Disclosure and Barring Service (DBS) disclosures that may be relevant to the assessment of potential concerns or risks in relation to safeguarding children and adults at risk.
 - 3.1.2.7. Ensure consistency and appropriateness of assessments made in relation to adverse disclosures that may be relevant to the assessment of potential concerns or risks in relation to safeguarding children and adults at risk received from the DBS.
 - 3.1.2.8. Agree interim or permanent suspensions on behalf of British Canoeing where required.

- 3.1.2.9. To monitor and review progress on all cases and to identify any trends or actions which may require a review/revision of existing policies/procedures/training.
- 3.1.2.10. Upon request, identify/communicate learning from cases to the Safeguarding Steering Group.

3.2. The CMG will not:

- 3.2.1. Replace the role and responsibility of the statutory agencies. The group will be notified of any action that is being taken by the statutory agencies investigating concerns about the welfare or conduct of any individual referred.
- 3.2.2. Investigate cases. The CMG can however make recommendations about the need for British Canoeing to commission independent investigation and/risk assessment.
- 3.2.3. Remove or relieve British Canoeing of its safeguarding decision-making and other governance responsibilities.
- 3.2.4. Disregard the experience and expertise offered by British Canoeing and its employees with regards to safeguarding, governance, paddling and paddling specific issues.
- 3.2.5. Assume primacy in the management of safeguarding concerns that arise with potential cross-border National Association interests. The UK cross-jurisdiction agreement will be applied and supported by effective communication with the UK National Association's safeguarding Leads.

4. Appointment of the CMG

4.1. The CMG will be comprised of:

- 4.1.1. An independently contracted safeguarding expert who will act as a source of specialist information and Chair of the CMG.
 - 4.1.2. Independent members who are volunteers with relevant safeguarding management experience and expertise, who will be appointed following an open and transparent recruitment process.
 - 4.1.3. British Canoeing's DSL.
 - 4.1.4. British Canoeing's Safeguarding Manager.
- 4.2. British Canoeing's appointed Safeguarding Case Officer will attend and provide the secretariat support for the CMG but will not be a member of the CMG.
- 4.3. British Canoeing's Governance Support Administrator will be in attendance for the purpose of minuting the meetings.
- 4.4. Members of the CMG shall be appointed for a term of two four-year periods and shall be eligible for re-appointment after a one-year break.
- 4.5. Other people may be invited to attend meetings where appropriate in order to support external scrutiny and/or provide additional expertise.

5. Meetings

- 5.1. The CMG will meet a minimum of six times in a calendar year on a bimonthly basis. Flexibility in this area is required as there may be a requirement for further meetings to be called as and when required up to a maximum of 12 per year dependent on both the immediacy and consistency of the cases. The meetings will be held in person or by teleconference or video

conference and individual members may join a physical meeting remotely via teleconference or videoconference and be regarded as present at the meeting.

- 5.2. Any applicable papers including the agenda for the meeting shall be circulated prior to the meetings.
- 5.3. Minutes of the proceedings of the CMG meetings will be taken and will be circulated to the CMG as soon as is practicable after the meeting.
- 5.4. Meetings and minutes of the CMG will be confidential and all members of the CMG must take appropriate security measures to maintain confidentiality.

6. Quorum

- 6.1. A minimum of three members of the CMG, including at least two independent members (one of whom must be the Independent Chair) must be present for the meeting to be deemed quorate. Where the appointed Independent Chair is unavailable for a period in excess of 1 calendar month, an interim Independent Chair may fulfil the role of Chair for the purpose of ensuring meetings are quorate.

7. Resolutions and voting

- 7.1. In the case of adverse DBS entries, the matter shall be considered in the first instance by British Canoeing's DSL (or the British Canoeing Safeguarding Manager where the DSL is unavailable) and the CMG Chair who shall have the power to agree on a unanimous basis the course of action required, including but not limited to, deploying without restriction or referring to the full CMG for discussion.
- 7.2. Where a case progresses to the full CMG, decisions of the CMG shall be taken on a simple majority and the decision recorded in the minutes. Where a consensus cannot be agreed, the Chair may request a vote on a show of hands in which case each CMG member shall have one vote. In the case of a deadlock, the matter shall continue to be debated or more evidence sought until a simple majority can be reached.

8. Roles and Responsibilities:

- 8.1. **Designated Safeguarding Lead (DSL):** British Canoeing will have a nominated and recognised strategic and operational role in relation to safeguarding and case management. Their role will be to represent the organisation and manage all cases and referrals in line with the process and actions agreed with the CMG. The DSL shall have the authority delegated by the CEO to make decisions on behalf of British Canoeing.
- 8.2. **Independent Chair of the Case Management Group:** Will be an expert in safeguarding whose appointment will be approved by British Canoeing's Board. This individual will provide a consultation and triage facility to the DSL and ongoing support to those involved in the management of safeguarding on behalf of British Canoeing and the CMG, including attendance at meetings.
- 8.3. **The Case Management Group Independent Members:** Will be comprised of volunteers with relevant experience whose primary role is to offer advice and guidance in relation to relevant safeguarding cases and to support British Canoeing's DSL in carrying out their role and responsibilities through the CMG procedures.

- 8.4. **Safeguarding Manager:** British Canoeing's Safeguarding Manager will be a voting member of the CMG who brings another level of expertise and internal, organisational context to cases and referrals into the CMG. In a similar vein to the DSL, the Safeguarding Manager has a strategic and operational role in relation to safeguarding at British Canoeing and a working knowledge of cases.
- 8.5. **Safeguarding Case Officer:** British Canoeing will have a Safeguarding Case Officer who will have day to day involvement in the management of safeguarding cases. Their role will be to provide the secretariat support to the CMG and present on case progress at CMG meetings. The Safeguarding Case Officer will not be a member of the CMG.
- 8.6. **Governance Support Administrator:** British Canoeing's Governance Support Administrator will be in attendance for the purpose of minuting the meetings and will support communications with CMG members before and between meetings where relevant documents and information need to be disseminated/shared.

9. Principles

9.1. Independence

It is essential that the group is empowered by British Canoeing to make recommendations and decisions on the 'route' that cases will take without influence or prejudice by others in the organisation who are not members of the CMG.

9.2. Confidentiality

All safeguarding matters must be regarded as highly confidential and not for disclosure outside the CMG unless so agreed, on a strictly need to know basis in line with all relevant legislation.

9.3. Expertise

The group will include British Canoeing's DSL and individuals who have relevant knowledge and expertise to enable the group to fulfil its purpose. It is critical that there are members who are external to the organisation's management groups and who have current professional safeguarding knowledge and experience.

9.4. Equity and Anti-discriminatory Practice

9.4.1. All decisions made by the group need to be fair, open and transparent. An open mind needs to be kept in all cases until they have been investigated and concluded. The group should be guided by British Canoeing's Equality Policy and the principle that everyone has the right to protection from abuse regardless of their age; disability; gender identity or reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief or sexual orientation. Records must be maintained which demonstrate a clear case management and risk assessment model in relation to decision making.

9.4.2. In recruiting new member to the Case Management Group, British Canoeing are committed to an open and inclusive recruitment process which takes positive steps to attract a diverse pool of expertise.

9.5. The Welfare of the Child is Paramount

This principle is enshrined in the Children Act 1989. In any decision taken by the group, the welfare of the child is the paramount concern and takes precedence over those of any professional or adult where there is a perceived conflict of interest. Where concerns relate to potential risk or adverse impact upon an adult, the welfare and protection of that adult will be prioritised in line with the principles enshrined within the Care Act 2014 and the Care and Support Statutory Guidance (updated June 2023).