

NATIONAL SAFEGUARDING PANEL FOR SPORT

The National Safeguarding Panel (NSP) is a new initiative designed to support governing bodies (NGBs) of sport to professionally manage safeguarding complaints and concerns. The Panel is operated by the independent arbitration and mediation body Sport Resolutions (UK). It aims to provide a range of high quality, affordable and accessible services which support NGBs to manage the risks inherent in such cases at costs that are affordable to organisations of all sizes and budgets. All Sport Resolutions' services are fully insured and are provided on a not-for-profit basis.

SPORT  RESOLUTIONS^(UK)

SPECIALIST INDEPENDENT DISPUTE SERVICE



What is the National Safeguarding Panel (NSP)?

The NSP is a group of child safeguarding experts drawn from a mix of legal, policing, social work, offender management and sport administration backgrounds. Members of the panel are available to support and assist NGBs by (i) undertaking independent investigations into safeguarding complaints and concerns; and (ii) sitting on independent arbitration panels in place of an NGB's internal disciplinary or appeals panel. All members have an interest in and knowledge of sport.

How have members of the National Safeguarding Panel been selected?

All positions were openly advertised and appointments made by Sport Resolutions' Panel Appointments and Review Committee against stringent criteria after an interview process.

The process was supported by the NSPCC Child Protection in Sport Unit (CPSU) and leading family law and safeguarding expert, Stephen Bellamy QC.

How will the NSP Investigation Service operate?

Where NGBs require an independent expert to investigate a safeguarding complaint then Sport Resolutions will appoint one of the members of the Panel to lead the investigation. The NSP investigation service includes:

- review of all evidence and information already gathered by the NGB;
- interview with the person subject to concern;
- interviews with any complainants and witnesses;
- drafting of signed witness statements;
- drafting of an independent report setting out the investigator's key findings and recommendations.



What is the NSP arbitration service?

A specialist and independent arbitration service operated by Sport Resolutions to which sports organisations can refer matters concerning the conduct of individuals involved in children's participation in sport. The NSP replaces the need for NGBs to have their own disciplinary or appeals panels to determine such matters and provides a procedural framework for the management of cases, overseen by an experienced and legally qualified President. The NSP arbitration service includes:

- appointment of an independent panel of three arbitrators, comprising an experienced legal chair and two specialist members;
- case management support and guidance for all parties in accordance with child-centred NSP procedural rules;
- specific support and guidance for any children or young people and their parents involved in proceedings and for individuals who are alleged to have breached NGB rules;
- provision of case directions which set out the timetable and procedure to be followed;
- organisation of the hearing - including any "special measures" requirements considered appropriate by the NSP;
- drafting and distribution of a detailed written decision of the NSP with reasons;
- oversight by the NSP President who is an experienced High Court judge and family barrister with specific expertise in child safeguarding issues.

Why should NGBs refer matters to the NSP for arbitration?

The NSP provides an independent panel of child safeguarding professionals which ensures that matters are dealt with efficiently, expertly and fairly. By referring cases to the NSP, NGBs can be assured that matters will be expertly handled, which will minimise the risks to a governing body of mistakes being made and of the NGB being exposed to legal and reputational risks.

Who can refer a case to the NSP for arbitration?

Any NGB or other sports organisation which makes reference to the NSP in its rules and regulations may refer cases to it. Additionally, individuals who are the subject of an NGB decision may also appeal to the NSP but only where the NGB rules allow for the NSP to hear such an appeal.

How should NGBs amend their rules to refer matters to the NSP for arbitration?

The NGB is responsible for ensuring that its rules and regulations are appropriately worded to provide for a referral to the NSP. NGBs that wish to refer matters to the NSP for arbitration should amend their rules by including part or all of the following wording:

The following matters arising under these Rules

shall be submitted for determination by the National Safeguarding Panel (NSP) c/o Sport Resolutions (UK) (a trading name of The Sports Dispute Resolution Panel Ltd - Company No. 3351039) in accordance with the NSP Rules, as amended from time to time, which Rules are deemed to be incorporated by reference to this clause:

- (i) allegations that a person has engaged in conduct which directly or indirectly adversely affects the welfare and safety of a child or children and/or places them at risk*
- (ii) an application that a Provisional Suspension, arising from concerns or allegations that a person has engaged in conduct which directly or indirectly adversely affects the welfare and safety of a child or children and/or places them at risk, should not be imposed (or be lifted)*
- (iii) an appeal brought against any finding of fact and/or decision made under these Rules regarding the conduct of a person which directly or indirectly adversely affects the welfare and safety of a child or children and/or places them at risk.*

If an NGB has not amended its rules to provide for direct referral it may still make a referral by written request to the NSP. The NSP secretariat may require the NGB and the individual who is alleged to be in breach of the NGB's rules to enter into an arbitration agreement to confer jurisdiction on the NSP where this is necessary to bind all parties to the arbitration process.

What are the costs of the service?

Costs are based on the turnover of the referring body and the complexity of the matter to ensure that they are accessible and affordable to all governing bodies.





designed by www.nemisys.uk.com

**For more information contact
Sport Resolutions:**

**Tel: 020 7036 1966
resolve@sportresolutions.co.uk
www.sportresolutions.co.uk**