



## Cricket Wales

### Safeguarding Records Policy and Procedure

#### Recording, Retention & Storage

Version	Author	Revision date	Summary of Changes	Endorsed by Cricket Wales Board date
0.1	Linda Medicott (DSL)	19/06/2023	Initial document	July 2023

*This policy will be reviewed annually or when there is a legislative change or review due to lessons learnt or best practice guidance.*

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## 1. Introduction

Cricket Wales is one of 39 County Cricket Boards that make up the England & Wales Cricket Board (ECB) and is also recognised by Sport Wales and Welsh Government as the National Governing Body for cricket in Wales. Cricket Wales believes every child, young person, and adult who participates in cricket should be able to do so in an enjoyable and safe environment and be protected from abuse.

Cricket Wales recognises its responsibility to safeguard the welfare of all children and young people and adults at risk by seeking to protect them from all forms of neglect and abuse. To meet this responsibility Cricket Wales has in place robust policies and procedures to enable all safeguarding or welfare concerns in regard to children, young people, adults at risk or the behaviour of an adult, to be responded to in an appropriate and timely manner and as may be required, referring to the relevant statutory agencies.

Cricket Wales recognises our duty to have clear guidelines for the retention, storage and destruction of child, young person and adult at risk protection records as part of our safeguarding procedures. These are records that relate to concerns about a child's, young person or adult at risk welfare and safety, and/or concerns about possible risks posed by people working or volunteering with children and adults at risk.

## 2. Scope

This policy is applicable to all participants involved in Cricket Wales events or activities.

## 3. Recording concerns about children's safety and wellbeing

If anyone has concerns about a child, young person or adult's welfare or safety, relevant and accurate details will be recorded and may include:

- The date and time of the incident/disclosure
- The date and time of the report
- The name and role of the person to whom the concern was originally reported and their contact details
- The name and role of the person making the report (if this is different to the above) and their contact details
- The names of all parties who were involved in the incident, including any witnesses
- The name, age and any other relevant information about the child who is the subject of the concern
- (including information about their parents or carers and any siblings)
- What was said or done and by whom
- Any action taken to look into the matter
- Any further action taken (such as a referral being made)
- The reasons why the organisation decided not to refer those concerns to a statutory agency (if relevant).

An England and Wales Cricket Board (ECB) safeguarding referral form can be found on the Cricket Wales website. <https://cricketwales.org.uk/reporting-a-concern>

The above records must be recorded and retained regardless of whether the concerns are shared with statutory agencies such as the Police or Local Safeguarding Children or Adult Board and Local Area Designated Officers (LADO).

All records will be factual. Any person making an interpretation or inference drawn from what was observed, said, or alleged must clearly recorded as such.

Statements/observations/reports will be signed and dated by the person making the report.

#### 4. Recording concerns about adult behaviour

Concerns might be raised about an adult who works or volunteers with children. This could be because they have:

- Behaved in a way that has harmed, or may have harmed, a child
- Committed a criminal offence against, or related to, a child
- Behaved in a way that indicated they are unsuitable to work with young people

Clear and comprehensive records of all allegations made against adults working or volunteering with children, will include:

- What the allegations were
- How the allegations were followed up
- How things were resolved
- Any action taken
- Decisions reached about the person's suitability to work with children

#### 5. Storage of child protection records

Cricket Wales will keep all records relating to safeguarding and welfare concerns electronically in a confidential and secure drive, which is password protected and stored on computers with protection against hackers and viruses.

Information about child protection or adult at risk concerns and referrals are kept in a separate file for each individual. These records are kept separately from a individuals general records. If there is a need to share records with outside agencies such as the Police, Local Safeguarding Children or Adult Board or Local Area Designated Officers (LADO) for the purpose of safeguarding, these will be shared confidentially using passwords and encryption. Cricket Wales safeguarding staff do not use personal computers to make and store records, if the need for this arises Cricket Wales will ensure a clear agreement is in place prior to them having access to records that outlines how these records must be stored securely.

#### 6. Retention periods

##### Concerns about an adults

Records relating to concerns about an adult's behaviour will be kept until the individual reaches the age of 65 or for 10 years, whichever is longer. (IRMS, 2019; Department for Education, 2022). This applies to volunteers and paid staff.

For example:

- if someone is 60 when the investigation into the allegation is concluded, keep the records until their 70th birthday
- if someone is 30 when the investigation into the allegation is concluded, keep the records until they are aged 65.

### Concerns about a child

Until the child reaches their 25th birthday (seven years after they reach school leaving age). (Information and Records Management Society (IRMS), 2016). (Wales should follow best practice guidelines).

### Retention of Records in relation to Allegations against Staff

Details of allegations that are found to have been malicious should be removed from personnel records. However, for all other allegations, it is important that a clear and comprehensive summary of the allegation, details of how the allegation was followed up and resolved, and a note of any action taken, and decisions reached, is kept on the confidential personnel file of the accused, and a copy provided to the person concerned.

The purpose of the record is to enable accurate information to be given in response to any future request for a reference, where appropriate. It will provide clarification in cases where future DBS checks reveal information from the police about an allegation that did not result in a criminal conviction and it will help to prevent unnecessary re-investigation if, as sometimes happens, an allegation re-surfaces after a period of time.

The record should be retained at least until the accused has reached normal pension age or for a period of 10 years from the date of the allegation if that is longer. The Information Commissioner has published guidance on employment records in its Employment Practices Code and supplementary guidance, which provides some practical advice on record retention.

Information should be retained even if the person stops working or volunteering for the organisation.

#### 7. Storage of Child protection records exceptions:

In some cases, records can be kept for longer periods of time. For example, if:

- The records provide information about a child's personal history, which they might want to access at a later date
- The records have been maintained for the purposes of research
- The information in the records is relevant to legal action that has been started but not finished
- The records have been archived for historical purposes (for example if the records are relevant to legal proceedings involving Cricket Wales)

Where there are legal proceedings, Cricket Wales will seek legal advice about how long to retain those records.

### Criminal record checks:

Copies of criminal records check certificates will not be stored by Cricket Wales. A confidential and secure database will be kept that details:

- The date the check was completed
- The level and type of check (standard/enhanced/barred list check and the relevant workforce)
- The reference number of the certificate
- The decision made about whether the person was employed (with reasons).

If there is a dispute about the results of a check, a copy of the certificate may be retained by Cricket Wales for no longer than 6 months.

## 8. Destruction of child protection records

When the retention period is finished, confidential records will be incinerated or shredded in the presence of a member of Cricket Wales or entrusted to a firm specialising in the destruction of confidential material. At the same time any electronic versions of the record must be purged.

## 9. Reviewing your child protection records retention and storage policy

Cricket Wales will review this Retention of Safeguarding Records policy annually or in line with new legislation or best practice guidance to ensure it continues to be effective and to comply with government standards and legislation. This will be carried out as part of Cricket Wales annual review of safeguarding policies and procedures.

A review will also be held;

- In the event of breach of this policy, Code of Conduct issues
- In the event of a breach of this policy, the policy will be reviewed to consider whether any improvements need to be made.

## 10. Key Legislation and Guidance

Data Protection Act 2018

<https://www.legislation.gov.uk/ukpga/2018/12/contents/enacted>

Working Together to Safeguard People: Information sharing to safeguard children.

*Non-statutory guide for practitioners*

<https://www.gov.wales/sites/default/files/publications/2019-07/working-together-to-safeguard-people-information-sharing-to-safeguard-children.pdf>

NSPCC Child Protection Records Retention and Storage Guidelines

<https://learning.nspcc.org.uk/media/1442/child-protection-records-retention-and-storage-guidelines.pdf>