

# **Duty of Care in Sport**

## **The impact on NGBs**

Baroness Tanni Grey-Thompson's much publicised [report](#) has been well received by many key organisations in Sport. As well as recommendations to government, the majority of changes recommended throughout the report focus on improvements and adjustments that need to happen within NGBs.

This resource looks at the recommendations and uses best practice guidance from other industries to examine how these changes can be achieved.

## Sports Ombudsman

With the proposed creation of a Sports Ombudsman, all NGBs will have to account for the Duty of Care they provide to their athletes.

As we see in schools and healthcare, the **evidencing** of Safeguarding practices and processes to inspectors almost becomes as important as the delivery of the care itself as the report indicates that funding will be impacted if no demonstration is presented: "Duty of Care should be a mandatory condition of future funding and all funded sports bodies should demonstrably apply it."

Whilst the topic of Duty of Care is broader than safeguarding, these [guidelines may help](#).

## Duty of Care Guardian

One of the 7 main recommendations of the report is that all NGB boards should have a named Duty of Care Guardian who "should have an explicit responsibility and leadership role to engage with participants across the talent pathways and in community sport, and to provide assurance at board level. This assurance should be evidenced in a public statement from the Duty of Care Guardian in the NGB's annual report."

Again, making a comparison to schools where every school must have a safeguarding lead, it is important to ensure the Duty of Care guardian respects and understands the breadth of Duty of Care and can work to ensure it is embedded in the culture of the organisation.

[Leeds Safeguarding Children Board](#) recommends that such a person should be:

- Be someone with authority
- A paid member of staff if possible
- Have a Disclosure and Barring Service (DBS) check.

## Work/Life balance

For positive mental health it is advocated we all have a healthy work/life balance, the same principles can be applied into sport.

The report states that “National governing bodies of sport (NGBs) and education institutions should encourage talented young athletes to be involved in other appropriate sporting activities for fun, and to give them open options if they do not join or continue on a talent pathway to elite sport.

“The resulting plan should aim to optimise not just the athlete’s sport and education but also their social and personal development.”

The Mental Health foundation has these recommendations as to how workplaces can help which can be adapted for use by NGBs. <https://www.mentalhealth.org.uk/a-to-z/w/work-life-balance>

This ethos will also help those who are juggling their education with their talent pathway in sport or those following a Dual Career route.

## Retention

Happy customers stay loyal to brands and that is why businesses focus much of their efforts and budgets on retaining their customers.

A recommendation of the report is that funding models are linked to how many athletes have dropped off the talent pathway and that retention rates will now need to be published.

NGBs will need to look at how they communicate and engage with athletes to ensure their retention rates are optimised.

Whilst it may be written for a business audience, this article from [Forbes magazine](#) shares some sound principles which could help.

Communication is seen to be key, which brings us nicely on to...

## Communication

How NGBs speak to their athletes with regards to selection has been raised in the report: “NGBs to develop good practice guidelines about methods of communication relating to selection and deselection. For all levels of the pathway this should also include being clear about what a participant has to do in order to return to any programme or squad system.”

Looking again to schools, the regulations and processes they follow for communicating admissions would be worthwhile. [Amdis](#) is a good place to start.

As well as selection, the NGBs need to communicate the processes and principles of Duty of Care that the club will be following.

Everyone should know where there is help and how they can access it. “The NGBs of relevant sports should actively promote the role of the British Athlete’s Commission as it can actively support participants but also importantly help resolve many issues before they get to a confrontational stage.”

## Career Guidance

An important part of the Duty of Care of athletes is to ensure their transition into the working world is managed well. The report recommends that this is linked to funding: “It should be a condition of the Athlete Personal Award (APA), available to people on talent pathways in Olympic and Paralympic sports, as well as funding provided to the NGB, that attendance at career events is supported by the NGB wherever possible. NGBs should provide appropriate information on events to participants and they must reasonably release athletes from training for these opportunities.”

The report gives recommendations as to how this could be managed.

- “The role of sports’ national governing bodies (NGBs) and professional clubs in helping participants with career transition is complicated; unsurprisingly their primary focus is on sporting performance. However, there is a role for NGBs and clubs in helping sportspeople explore and develop their employment skill sets, by considering links with sponsors and corporate partners, providing work experience or employment opportunities. For some this will be whilst they are competing and for others this will be after their retirement.
- “There should be a non-executive board member in each NGB responsible for representing the athlete voice. (In a smaller or voluntary club this role could be carried out by a committee member, but clear terms of reference are required as well as careful selection of the incumbent.) Sports’ national governing bodies should include an explanation of the values and meaning of Duty of Care during the board induction process.

## Equality & Diversity

Equality and Diversity training has long been implemented across all sectors and this has now been recommended for Sports: “NGBs and clubs have a responsibility to stamp out discriminatory behaviours, practices and cultures. Equality and diversity training, including unconscious bias training, should be mandatory in all of the new training pathways being developed by the Chartered Institute for the Management of

Sport and Physical Activity (CIMSPA) and employers in the sport and physical activity sector and be a requirement for all NGB athlete facing staff.

The [Equality and Diversity training course from EduCare](#) starts off with this riddle which is a simple exercise but produces interesting results.

A young boy and his father are in a car accident. The father dies at the scene. The boy is transported to the hospital, taken immediately into surgery but the surgeon steps out of the operating room and says, "I can't operate on this boy – he is my son".

How is this possible?

ANSWER: The surgeon is the boy's mother.

To some this may seem like a trivial riddle, but people are often stumped by this question. Many assume that the surgeon is male. Of course, this does not mean that anybody unable to answer the riddle is sexist. But it does say a lot about gender roles and our expectations of certain careers.

The Equality and Diversity training course from EduCare is included in [EduCare for Sport®](#), our online Safeguarding and Duty of Care training package for the sports sector. The course is accredited by the Police 'Secured By Design' service.

## Mental Health

Mental Health is a key section in the report with the following recommendations made:

- NGBs to include mental health issues in the content of coaching and other sport related courses which filter down to clubs.
- Government to promote and resource the Sport and Recreation Alliance's "Mental Health Charter for Sport and Recreation" so that it can support NGBs in addressing mental health issues
- NGBs to strengthen links with NHS mental health teams, mental health charities and community groups. Links should also be considered through UK Sport and Sport England.
- NGBs and sports clubs should provide clear signposting to confidential support services outside of the sport (for participants, coaches and performance staff).
- All NGBs to implement the Business in the Community/Public Health England Toolkit for Employers on Mental Health by 2020, followed by an audit of implementation in 2020.

YoungMinds who are EduCare's development partner for our [Mental Wellbeing training course](#) offer this advice for supporting [Children and Young People](#).

## First aid

Practical Duty of Care recommendations are also included in the report, particularly on the skills and equipment needed to deliver effective First Aid:

- NGBs to provide and promote online access to basic first aid guidance (which should include CPR and concussion protocols).
- NGBs to work together on improving awareness of cardiac screening at community sport level. Consideration should be given to producing online materials and also inclusion in coaching courses or participant inductions.
- NGBs should publish in their annual report the number of athletes leaving the talent pathway due to health or injury issues.
- NGBs that instruct doctors or medical experts to review concussion protocols should ensure that they are regularly checked to ensure tests remain accurate and are not easily subverted by those wishing to return to sport or field of play early
- NGBs (whether or not they are contact sports) should take steps to further raise awareness about concussion, and it should be included as part of inductions (involving parents), through online resources, and as part of coaching and first aid training courses.

The First Aid Essentials training course from EduCare is included in [EduCare for Sport®](#), our online Safeguarding and Duty of Care training package for the sports sector. Produced with West Midlands Ambulance Service NHS Foundation Trust, the course aims to give the confidence needed to react in an incident when someone urgently needs help.

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If you are a National Governing Body of Sport and require advice on any aspect of your organisation's Safeguarding or Duty of Care processes, please [get in touch](#) with EduCare. As the UK's leading provider of Safeguarding and Duty of Care training, we are more than happy to offer help or advice.