



## Position of Trust – A Change in the Law – Coaches Guide

The Government is extending the positions of trust offences within the Sexual Offences Act 2022, to include certain activities that take place in sport and religion from 28 June 2022 in England.

The purpose of the new legislation is to protect 16 and 17-year-olds from potential abuse by those who have power and influence over them.

British Equestrian already considers it to be poor practice if a person coaching or supervising children forms an inappropriate relationship with a child. The BEF Safeguarding Policy for Children and Young People (19th Revision, 01 January 2020) states that 'The BEF along with other sport governing bodies treats coaches and other officials as being in a position of trust. Coaches and other officials should ensure they maintain healthy, positive, and professional relationships with all participants. Coaches and others in positions of authority and trust in relation to athletes aged under 18 must not engage in sexual relationships with them while that unequal power relationship exists.'

Under the new legislation, any sexual activity (direct or online) with a child by a person in a Position of Trust with them (as defined) is a criminal offence. Where and when it comes to our attention that an inappropriate activity or relationship, inappropriate communication or other perceived 'grooming' behaviour has been demonstrated by a volunteer or staff member in a supervisory capacity with U18s, the case is considered by our Safeguarding Case Management Group, statutory agencies are involved, and a DBS referral is made, as necessary.

This change in legislation goes one step further in supporting governing bodies to make sport safer for children.

### What can sports coaches and others in positions of trust do?

- As someone in a position of trust, you have a responsibility to maintain a positive, healthy relationship with the young people under your authority.
- Ensure that you read, understand, sign up to and comply with the code of conduct/behaviour your club, organisation or British Equestrian has produced for the role you hold
- Maintain a relationship with all participants that is appropriate to your role and reflects positively on the club or organisation you work or volunteer for.
- Relationships between those in positions of trust and young people in sport should be supportive, positive and aimed at improving the young person's skills, and progress
- Whether or not the code explicitly refers to positions of trust (and what would constitute breach) as someone in a position of authority you should not seek to or engage in sexual activity or sexualised communication or image sharing (including via social media) with 16- or 17-year-olds for whom you are responsible.

- If you think that a young person’s behaviour indicated that they are seeking to develop or engage in an inappropriate relationship with you, immediately bring this to the attention of your club or organisation’s Safeguarding officer, designated safeguarding lead or manager.
- Be careful not to respond to the participant in any way that could be interpreted as encouraging the young person concerned.
- Make a written record of your concerns and relevant details.

### **Dealing with a concern about a possible abuse of trust**

If you suspect that an abuse of a position of trust has occurred, is occurring or may occur, you should:

- immediately report to your safeguarding officer or designated safeguarding lead
- make a written record of your concerns and relevant details
- if you are unable to contact the safeguarding officer or designated safeguarding lead, or if you think someone is at risk of immediate harm, you must report it to the police or children’s social care.

If you think your concern has not been dealt with appropriately, or you have been unable to contact your safeguarding officer, you can contact the following services whose duties include responding to concerns about potential breaches of positions of trust:

British Equestrian Safeguarding

Team <https://www.britishequestrian.org.uk/getInvolved/safeguarding/reporting-a-problem>

England and Wales - consult with the Designated Officer whose details should be available through your local authority’s Children’s Social Care Department.

Scotland - contact your local children’s social work team. Their contact details can be found on the website for the local authority the child lives in.

Northern Ireland - contact the relevant Health and Social Care Trust (HSCT) Gateway Services team. In circumstances that are not an emergency, the HSCT gateway services team is the first point of contact for all new referrals to children’s social services.

or contact Childline 0800 1111.

Further information is available:

[Positions of trust: Police, Crime, Sentencing and Courts Act 2022 factsheet - GOV.UK \(www.gov.uk\)](#)

[Preventing abuse in positions of trust in sport \(thecpsu.org.uk\)](#)