

ASA CHILD PROTECTION - FREQUENTLY ASKED QUESTIONS

The following pages attempt to answer some frequently asked questions on Child Protection in swimming. Consideration was given to each question by the ASA Legal Department and the Independent Child Protection Officer (ICPO) and appropriate recommendations were provided. If you have a question which you would like answered please e-mail the ASA at legal@swimming.org

QUESTIONS and ANSWERS

1. Should children share lanes with adults?

It is recommended that in order to protect the child and the adult it is NOT advisable for adults and children to swim together as it places both parties at risk.

2. Should a child's name be on his/her kit?

It is recommended that no names should be placed on kit.

3. Who is responsible for children who have attended the club session, swum and left the pool to get changed and then continue to wait around the centre's premises for their parents to arrive?

During the club sessions

The issue of club responsibility during training sessions when a swimmer uses the toilets or changing room has been raised on several occasions. The ASA view is that while a child is training he remains under the responsibility, under the duty of care, of the person who is teaching/coaching him at that time on behalf of the club. If a swimmer goes out of the pool area the coach/teacher should be aware of this. If he fails to return in a reasonable time, or appears upset upon leaving the poolside the coach/teacher should request a suitable club official ensure he is all right. It is best practice for two persons to look for the swimmer (the second person could be a senior swimmer, another parent).

If a complaint is received that an incident has occurred in the changing room between a swimmer and any other person the club has a duty to act upon that concern and investigate appropriately. If the incident involves a person not associated with the club, the pool manager should be made aware and consideration given as to whether the statutory agencies need informing.

After a session is completed

The ASA view is that each affiliated club has a duty of reasonable care to swimmers, which extends to an awareness on the part of the club that their junior members have been collected, in so far as is possible, at the conclusion of a session i.e. that a swimmer is not left unsupervised if a parent is late. This has to be age appropriate i.e. a 17 year old is capable of getting themselves home, but a 12 year old is not.

However if a club uses changing rooms that are also accessible to non club members for public swimming lanes it would be extreme to expect a club to search the changing areas in case a junior club member was there.

Best practice would be for a club to make all junior members and their parents aware that if they are not collected by a parent then they should make that known to the club WO, coach or whoever a club deem to be appropriate, and for the nominated individual to ensure that the club member is supervised appropriately until a parent arrives or the parent communicates alternative arrangements.

Likewise parents should have an emergency number to contact if they are going to be delayed in collecting a swimmer, to enable the club to assist in making suitable alternative arrangements or to continue supervision. However, this should be for exceptional circumstances only. To allow a parent to do so continuously places excess responsibility on the club and may be subject to an interpretation of an extended duty of care.

Where a parent does not collect or make suitable alternative arrangements to ensure the safety of a minor, it may be viewed as failing to exercise parental responsibility. In a situation where a child fails to be collected a pool operator or club official should refer directly to social services or the police for assistance. If a parent repeatedly fails to collect a minor in reasonable time it should be reported to the Independent Child Protection Officer of the ASA for advice – action taken would in part be dependent on age.

4. Does the ASA have a policy on videoing children during club sessions?

The videoing of children is not recommended. Any videos that are taken would have to be justified by the club as to why this video has been made. (e.g. to assist in swimming stroke development).

Assuming a video is taken then the written consent is required from the parents of the children with an invitation to the parents to attend the videoing and subsequently view the video.

Any concern and the videoing should cease and the video not used.

After videoing, unless it can be justified as to why the video is to be kept the video should be destroyed once it has served its purpose.

Additionally, the videoer should be extremely careful in the content of the video.

5. Does the ASA have a policy on photography and photographing swimmers?

The ASA have been aware of cases where the photographing of swimmers has been used for illicit purposes. Such illicit photos are taken by persons purporting to be official photographers, hence the ruling that no one unconnected with an event i.e not a parent/carer takes photos unless they are a suitably approved photographer and have the consent of the meet manager.

The publishing of a photograph of swimmer under 18 either on a notice board or in a published article should only be done with parents consent and in line with ASA guidelines. An issue has arisen in the past where a child's photo was published and led to a parent under court order only to have supervised contact with that child, discovering their whereabouts and making direct contact.

A parent or guardian has a right to refuse to have children photographed. Therefore any photo that may go to press or on a notice board, be it through a member of the club or official photographer, should have receive parental consent before publishing/displaying the photo, preferably in writing.

Under ASA guidance on the taking of photos once a parent has signed the book we are happy for them to take photos on the belief this is of their swimmer in the main. Other competitors nearby may be taken but not the main object of the photo. However, a person can object to a parent/carer taking a photo if they believe their child to be the main object of the photo, but in practice this seldom happens.

In the case of Open meets and other competitions where the host club has an official photographer present all parents attending should be made aware of this in your meet details. If photos are to be published anywhere the individual parent should give consent. This should not be hard as only a few are ever published and the individual should be easily identified. The ASA guidelines on photos for publication are head and neck only, or in tracksuits if full length, don't give details identifying the swimmer such as full name, place of residence or school attended

The ASA do not wish to stop parents photographing their children if they wish at their "moments of glory" but all clubs have to ensure they do all we can to safeguard children's well being in the current climate of concern.

Mobile phones

Mobile phone should be registered as a camera if it has that facility in line with our policy on cameras. All clubs need to make its members aware that while the ASA does not support the banning of phones as children need them to keep in touch with parents, particularly in emergencies, they support a requirement that manufacturers ensure they add a "noticeable sound" that it is audible if a phone camera is used.

In the meantime clubs should remind members any photos taken should come within our guidelines and that if mobile phones are taken into changing rooms the facility to take photos must not be used.

6. Should photographs (with or without) names of children be posted on a club website?

Individualised photographs should not be kept on a clubs website and certainly not with identifying names as this could lead to a child being approached and placed in vulnerable position. The same applies to a clubs printed materials such as a clubs annual report

7. Does the ASA have any guidelines for clubs competing/training abroad?

If a club is to take part in an exchange with another club outside of the U.K. for the purpose of competitions or training they should ensure the host club make the same checks as would be expected if the host was a club in England.

On the basis that foreign club has no access to an equivalent system for police checking the parents who will host the children from your club and no specific child protection policy you should ask that the foreign swimming club to ensure they adhere to appropriate child protection procedure at all times in issues involving your swimmers. In particular they should be asked to:

1. Ensure swimmers from your club share placement in families with same sex children.
2. Confirm in writing in each family home 2 swimmers are placed from your club who share a room and are of the same sex and similar age. You can ensure such placement is appropriate by arranging the pairs for placement.
3. Ratify that they know the host family and approve them to host your swimmers.
4. Acknowledge that there is no equivalent system for CRB checking of the families concerned in the host country.

The club itself should follow all guidelines as laid down in "Safe Sport Away" for taking children abroad on swimming competitions.

The club should obtain written parental consent for their child to attend the event and additionally parents should be asked to sign that they agree to the procedures the club has put in place to ensure best practice in child welfare is followed.

8. What is the ASA Policy on transporting children?

When a club official or coach is involved in transporting children to competitions they should preferably:

1. Only transport children under 16 with another adult in the car.
2. Ensure children sit in the back seat and the adult in the front.
3. In the case of children over 16 it remains best practice to have another adult present in the car. If this is not possible always transport more than one young person at any one time and again ensure they sit in the back seat.
4. Never transport children without the agreement in writing, of a parent or guardian. This can be done as a one off annually, not on each occasion providing the parent/guardian remains aware of when their child is being transported.
5. You must ensure you have correct insurance for transporting other people. Also that your club insurance accepts the practice of transporting swimmers in private cars.
6. In the case of a mini bus always have a responsible adult with you as a number of children playing around could distract the driver. Ensure the insurance obtained is appropriate for this use.

There is additional information on transporting children on the British swimming website.