



‘Position of Trust’

**SS 16-19 of the Sexual Offences Act 2003
Includes Sports Coaches/volunteers and Officials**

Position Of Trust (click here for more details)

The power and influence of an older colleague (where an U18 has taken on a leadership role), or member of staff, has over someone attending a group activity cannot be underestimated. If there is an additional competitive aspect to the activity and the older person is responsible for the young person’s success or failure to some extent, then the dependency of the younger member upon the older will be increased. It is therefore vital for volunteers to recognise the responsibility they must exercise in ensuring that they do not abuse their position of trust.

Genuine relationships do occur between different levels of volunteers and participants in a group.

However, **no intimate relationship** can begin whilst the member of staff or volunteer who is in a position of trust over them. United Karate Association (UKA) acknowledges that intimate relationships between teenagers take place and often no harm comes from them. However, it is also acknowledged that children and young people who suffer abuse often do so at the hands of other children or young people. It must be understood that the notion of ‘relationships of trust’ applies as much to young people who have taken on a leadership role as it does to adults involved in Karate.

“The inequality at the heart of a relationship of trust should be ended before any sexual relationship begins”.

Please note: young people aged 16-18 can legally consent to some types of sexual activity; however, under the Children’s Act 1989 they are classified as children.

There is no simple definition of a vulnerable adult but again the position of trust and the vulnerability of adults must not be abused. The principles and guidance apply irrespective of sexual orientation; neither homosexual nor heterosexual relationships are acceptable in a position of trust.

A Relationship of Trust can be described as one in which one party is in a position of power or influence over another by virtue of their position. A genuine relationship can start



between two people within a relationship of trust, but the relationship of trust must end before any sexual relationship develops.

Abuse of trust and sexual or other abuse

Any sexual activity, which is not freely consenting, is criminal. The sexual activity covered by abuse of trust may be ostensibly consensual but rendered unacceptable because of the relative power positions of the parties concerned.

Code on Abuse of Trust

The Code of Conduct on sexual activity between individuals in a relationship of trust aims to:

- Protect a young person or vulnerable adult from an unequal and potentially damaging relationship.
- Protect the person in a position of trust by preventing them from entering into such a relationship deliberately or accidentally by providing clear and enforceable guidance on what behaviour is acceptable

UKA code on abuse of trust

- Any behavior, which might allow a sexual relationship to develop between the person in a position of trust and the individual or individuals in their care (Under 18), must not happen.
- Any sexual relationship within a relationship of trust is unacceptable so long as the relationship of trust continues.
- All those in an organisation have a duty to raise concerns about behavior by coaches, staff, volunteers, managers and others, which may be harmful to those in their care, without prejudice to their own position.
- Allegations relating to a position of trust issue may be referred to the police for investigation.
- If the behavior is a breach of UKA code of conduct it will be investigated according to the UKA Case Management Team complaints and disciplinary procedures.
- If anyone (paid or unpaid) holding a position of authority or trust engages in an intimate or inappropriate relationship with a young person (under 18) it is a breach against the law and may be reported to the police.

Advice if you are concerned about the possible abuse of a position of trust

If you suspect an abuse of a position of trust has occurred, is occurring or may occur you should report this to the Safeguarding Officer or designated safeguarding lead for the club or organisation in line with the complaints or safeguarding policy and procedure.



Make a written record of your concerns and relevant details.

If you feel your concern has not been dealt with appropriately, or there is no welfare or safeguarding lead, you can consult with the Local Authority Designated Officer (LADO - England only) whose details should be available through your local authority's Children's Social Care Department and whose duties include responding to concerns about potential breaches of positions of trust.

Alternatively, you can seek advice from the 24 hour NSPCC Helpline – 0808 800 5000.