

**The officer in charge  
of child protection  
as a fundamental agent  
for the generation of  
a culture of protection  
in sports organisations:  
this is a proposal for  
the profile, functions  
and challenges of such  
a position in the  
implementation process**



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# 1. Introduction: sport for children

All boys and girls who participate in any sports activity must have a safe/protective space, with adults who are aware, trained and responsible for the well-being of the child athlete.

Sport is an activity where children spend more time together with family and also through education. It is essential to assess the importance of sport as an area where boys and girls must be protected.

Sport is a fundamental tool for the comprehensive development of children if it is used properly.

Sport must be enjoyable, happy and free for children. We must never forget that children practice sports in order to:

- Have a good time.
- Make friends.
- Improve their sports skills.
- Learn how to work together.
- Learn how to be competitive.





## 2. Young athletes have rights

Boys and girls who practice sports legal rights. They are not just athletes. They practice sports in clubs and at school, but they are also young people with other needs in the natural world of self-development. To view them exclusively as “athletes” would be a mistake and will only give rise to forgetting about the care they need in those areas outside of the particular sport they are practicing.

All boys and girls have the right to practice sport in a healthy and protected environment, where their well-being is prioritized. We must achieve this in our sports organisations. Many situations involving violence against children remain too normalized or they are simply ignored in the world of sport.

All institutions / organisations and in general the people that surround the world of sport for young people, must assume their responsibility for care and protection. We must take a very big and strong step forward in terms of good treatment and protection for our children.

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### 3. Safe sport

Sport is essential for our children and therefore all entities including Public Institutions, Local Administrations, Federations, Sports Organisations, Clubs and generally all the people who surround sports activities involving children must ensure that it is a safe environment. For children, sport is a tool that could be very powerful, if used well, in the process of personal, physical, social and emotional development.

But **what does it mean when we say that sports practice is safe for children?**

- Adults who are involved in the practice of sports **must be aware** that sport is essential for children and that it is an area of freedom for them where the adult is there for security and guidance.
- Children **have legal rights**.
- We must have an **analysis of risks** that may affect children during their sports activity: physical, emotional, psychological.
- We must continually propose measures to **minimize the risks identified** in each of these areas.
- We need to provide **minimum training to all adults** involved in childhood sports.
- Design, draft, socialize and comply with **codes of conduct**.
- Design and implementation of the **necessary protocols** to be taken in situations of complaint, suspicion: appropriate action.
- Activation of known **reporting channels**: Where to go and who to report to.
- Facilitate **child participation**. The policy of "all children are treated equally".

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## 4. Violence: Violence against minors is a reality

Violence against children also **exists in the world of sport**. Although a large part of the violent actions against children take place unnoticed and remain hidden, they continue to generate a negative impact on many children who suffer from it. Due to the way in which it is perpetrated, it can go unnoticed on numerous occasions due to the intimacy of the areas in which it takes place, such as in the case of the home, school and sports circles. In any of these cases, there should be safety frameworks in place for children and adolescents.

If we start with the consideration of childhood, in general as being a subject of rights, we must promote actions that facilitate access to the enjoyment of these fundamental rights. **Inescapably**, therefore, children should **not only be considered as mere recipients of these rights** that serve to cover their basic needs like health, adequate food, shelter, protection, education, etc... **but also as potential educators for other children**.

The process surrounding the "prevention of violence" against children, must be accompanied by a fundamental element. This element is none other than **being well treated**.

### Being well treated:

Fundamentally, the concept of good treatment has to do with *"all those actions/attitudes involving care, protection, respect, accompaniment, affection, listening, supporting and socialization, that as adults, we surround children with an important course of development such as sports"*.

Prioritizing good treatment in sport provides relevant added value:

- Good treatment is closely linked to the change in institutional culture.
- Good treatment is a necessary element in order to change that culture where violence against children in sports is considered normal.

The elements we must consider to be related to being treated well are:

- The sports facilities where sports take place.
- The **experience, education and training** of the adults who are responsible for the sports activities.
- Emotional and psychological care of the participants.
- Appropriate communication with the children in order to develop a foundation for trust and understanding.



## 5. Organic Law 8/2021, of June 4, on the comprehensive protection of children and adolescents against violence

In 2021, a long-awaited Law was approved in the field of children's rights. For the first time, a law is available at national level that aims to guarantee the fundamental rights of children and adolescents against any form of violence, ensure their free development and establish comprehensive protection measures that include awareness and prevention.

A Law of this type serves to have a basic legislative framework in the work related to the comprehensive protection of children. It must become a crucial instrument in the protection of children and adolescents according to the Convention on the Rights of the Child, which is included in article 19, the obligation of the States to adopt legislative, administrative, social and educational measures to protect children from all forms of physical or mental harm or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse.

The Law has a series of points that are relevant. The **main perspective that stands out is preventive**. It seeks to **prevent the different types of violence** that can affect a boy or girl. Likewise, the concept of good treatment is coupled with that of **prevention**. On the other hand, the content of the law refers to different agents, institutions, administrations, people and entities. Express mentions of different agents occur throughout the text, proposing responsibilities and specific actions for each one of them.

In addition to prevention and good treatment, other concepts to take into account are: **the detection of violence, care for victims and reparation of any damage caused**.

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## 6. General implications of the Law for sport

Some articles of the Law include issues that must be applied generically to any area where children are involved, and therefore also affects all sports organisations and professionals:

- Art. 5. **Minimum training is** required for anyone who works with children.
- Art. 15. **Duty of communication.**
- Art. 16. **Duty of qualified communication.**
- Art. 17. **Communication in situations of violence by boys and girls.**





## 7. Specific implications

For the first time in the articles of a Law related to the protection of children's rights, there is a section exclusively dedicated to the world of sport. This chapter describes the specific implications for the world of sport in two articles:

- **Art. 47.** Speaks and mentions the need to have **Pre-Action Protocols in this area**. It expressly mentions public administrations, but really the spirit of the Law extends this obligation to any sports entity that works with children in sports.
- **Art. 48.1** Details **a series of obligations** for "entities that carry out sports or leisure activities with minors on a regular basis":
  - Apply the **Pre-Action Protocols** referred to in the previous article.
  - Implement a **monitoring system to ensure compliance with the above protocols**.
  - Appoint the officer of the **Protection Delegate** to whom minors can go to in order to express their concerns and who will be in charge of disseminating and complying with the established protocols, as well as initiating the relevant communications for cases in which a situation of violence against children or adolescents has been detected.
  - Adopt the **necessary measures** so that the practice of sport, culture and leisure is not a scene of discrimination based on age, race, disability, sexual orientation or gender expression or indeed any other personal or social circumstance, while working with children and adolescents themselves as well as with their families and any other professionals, in rejecting the use of insults and discriminatory or degrading expressions.
  - **Promote the participation between children and adolescents** in all aspects of their training and comprehensive development.
  - **Promote and strengthen relationships and communication** between **sports organizations** and **parents** or those who exercise the function of **guardianship or foster care**.
- **Art. 48.2** mentions that "in addition to the training referred to in article 5, those who work in the aforementioned entities must receive specific **training needed to adequately address the different skills and abilities of children and adolescents with disabilities** for the promotion and the development of their sport.





## 8. Where are the functions of the Protection Officer included in the Law?

**Article 48.1 of Organic Law 8/2021, of June 4**, on the comprehensive protection of children and adolescents against violence, expressly states **the obligation for sports entities to have a Child Protection Officer**. Although the mandatory nature of this officer is included, its functions and specific profile are **not clearly or precisely defined**.

We must go to the previous articles of the Law to find a similar figure in another area that has described its functions more clearly. **In art.35, we find the position of the Coordinator of well-being and coexistence** required for educational centers. Throughout this article, the functions of this entity are **described in a more detailed way**, some of which can serve as a basis for introducing them into the world of sports.

### **Three Basic Elements that must be considered and analyzed when considering the functions of the Child Protection Officer in Sport:**

- The first of these elements to consider is that sport, being potentially one of the most important areas for the development of children, has **special characteristics that must be taken into account. Historically, sports culture has not been close to the concepts of child protection, violence prevention and good treatment of children**. Somehow this approach has not been “conscious”.
- The second of these elements has to do with the need for work on child protection, prevention of violence against children and good treatment to be adapted to the context in which it is carried out.
- Context is understood among others as : **place, culture, sport, type of sports entity** and the boys and girls who participate.
- The third element is the **legal obligation imposed**. Within the recently approved Law, it is contemplated that **this Child Protection Officer will be mandatory for all sports entities**, this precept or **rule**, being very clear. What is not clear in the Law and is at the expense of regulatory development, is what profile this person should have, what the functions should be and the specific definition of the corresponding Administration in its validation of such an officer or position.

What we present here is not an exhaustive list of the functions that a **Child Protection Officer** in sport must fulfil. Our analysis has to do with all those areas that must be analysed to specify and determine the necessary functions, with all those agents to whom dialogue must be shared and with the appropriate course of action that should be taken. To facilitate this analysis we use different methodologies: questions with answers, check-list (tick the boxes) and tables.



### **Should all Entities, Administrations, Clubs and Federations..etc, have this type of officer ?**

- Yes. All must have this type of officer, not only because the Law requires it, but because they are a fundamental agent necessary to generate a culture of protection of children's rights in sport and beyond.
- This officer should not be confined to sports only, which is sometimes misunderstood.
- The Federations and Public Administrations that govern sport must also have this officer because they are key institutions on which an infinite number of sports entities revolve on a lower scale and this should be influenced by **Child Protection Officer's** work.

### **Should it be mandatory for the entities that work with children in sport by the Federations and Public Administrations that govern sport ?**

- **Yes**, it must be **mandatory**.
- It should be done progressively and should always adapt to the context.
- The Public Administrations and Federations that govern sports with children must not only demand such an officer, but must accompany the entities along the way, where appropriate, to ensure progressive implementation. The **Child Protection Officer** in sport should be linked to all essential elements in the relationship between all entities and including both Competition Law and Regional Law.
- Link the existence of this **Child Protection Officer**, as well as a **Child Protection Policy** to every sports entity as an important part of the application process for access to subsidies or economic support. ( You must have **both in order to apply** )

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### **Should the Child Protection Officer in sport be uniform in all sports entities or clubs regardless of their size or scope ?**

- No.
- The heterogeneity of sports, the sizes of the groups or organisations and the competitions, means that the officer must be somewhat nuanced depending on the entity we are talking about.
- There will be entities with specific characteristics perfectly described in terms of budget, number of children that must necessarily have this figure within their organization chart.
- There will be very small entities that, although they are obliged to have a person designated for this purpose, must have the support, advice and relationship with the Child Protection Officer of a larger entity. ( public administration, Federation or group of entities).





### **Is there a single prior training /profession that allows access to the position of Child Protection Officer?**

- No.
- People with degrees in the social field: psychology, social work, criminology, sociology, law, education.
- Persons with degrees in the field of physical culture with an educational mention.
- Others to be determined.

### **In addition to previous training, is specific training necessary ?**

- Absolutely.
- There is much discussion about the minimum previous educational requirements that a Child Protection Officer must have within a sports entity, but what is very clear is that they must have specific subsequent training to be able to carry out their task in an appropriate manner.
- The specific training must have a series of characteristics and minimum requirements to be adequate:
  - **Its characteristics must be required, described and endorsed by the corresponding Public Administration in each case.** For us it is essential to try to combine the requirements to avoid large differences between training that can be taught throughout the different Autonomous Communities.
  - **Potential Agents / Instructors:** Universities, Educational Academies, private companies, specialized consultants, but they must be academically recognized by the Administration that will require and endorse the training.
  - **Only people trained by the endorsed Agents / Instructors** and who meet the minimum academic criteria set may officially act as Child Protection Officers.
  - There may be **different levels of training and requirements** depending on the type or size of the sports entity involved and because of this, the budget and number of minor participants in the club or sports entity must be established.
  - **Minimum school year agreed upon** for the different profiles of Child Protection Officers.

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## 9. General objectives of the Child Protection Officer

- Lead the change in the culture of child protection within the entire system.
- Be in charge of the work on violence prevention and child protection within the any given entity.
- Internally sensitize all sports groups and organizations about the different types of violence.
- Detect and Prevent any potential violence that may occur internally or externally within any organisation or group.
- Detect and Prevent any potential violence against children perpetrated by adults or violence perpetrated between peers.
- Collaborate with other agents within the sports establishment who are connected with this issue (Personal Data Protection Commission where appropriate).
- Create adequate communication channels.
- Comprehensive Management in cases of suspicion, doubt or concern.
- Coordination with external institutions for the referral of cases.
- Serve as a reference figure in the matter for all the agents that surround the practice of sports.



## 10. Elements to establish the functions of a Child Protection Officer in Sport

### 1. Functions of the child protection officer in the sports field

#### In relation to the entity's protection plan

##### Prevention

All tasks related to risks and development of prevention plans.

- **Analysis of internal and external risks:** physical, emotional, psychological, sexual, training.
- **Prioritization of risks.**
- **Action plan to minimize risks.**
- **Identification as a Referent** to the entity involved.
- Establishment of the **appropriate channel to communicate** with the Protection Officer by members of the organisation or group.
- Existence of an adequate **Training Plan.**
- **Actions to encourage child participation.**

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##### Training

Everything related to training. Training plan.

- **Analysis of training needs** for sports professionals.
- **Preparation of Training Plan:**
  - Introductory generic formations.
  - Specific training with tools to detect, prevent and communicate properly.
  - Training for external agents who interact with our athletes.
- **Training provided** by external personnel specialized in certain subjects.

##### Performance

Pre-Action Protocols. Preparation and implementation. Complaints channel, case management.

- Establishment of the comprehensive **protection program for children.**
- **Establishment of specific Pre-action protocols** for all tasks that have to do with children (among others): Use of data and images, medical tests, travel, overnight stays and online communication.
- Establishment and application of the **Code of Conduct.**
- **Case management** both internally and externally.
- **Comprehensive child care.**
- **Advice and support** for professionals, families and athletes

The officer in charge of child protection as a fundamental agent



## In relation to the scope

### Internal

All elements internal to the entity.

### External

All elements external to the entity.

- **Management of communication** regarding case conclusions.
- **Relationship with families.**
- **External tournaments** for club teams.
- Relationship with third parties: **companies / subcontractors.**
- Relationship with **federations and institutions.**
- Relationship with **media and social platforms.**





## 2. Types of functions of the child protection officer in relation to...

### Shared responsibilities

Shared with a possible Protection Commission made up of other relevant people within the organisation or group.

The person responsible for protection does not have to make relevant decisions that require the action of a manager.

### Individual responsibilities

These functions have to do with preventing, detecting, training, accompanying, advising and reporting internally and externally, when necessary, any situation surrounding violence that is affecting a child athlete.

### Leader processes

Within the Individual Responsibilities, they must show **leadership in changing any processes** at any level.

### Accompaniment, advice, support for professionals of the entity

The Child Protection Officer must serve as a reference and accompaniment to professionals, families and athletes. Not only demand and lead the way, but accompany any doubt or difficulty that may arise. The officer's presence must provide security to professionals, athletes and families.

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### Focal point of reference for professionals and minor sportsmen of the entity

Generating a culture of trust is essential for child athletes. It should preferably be someone who has nothing to do with sports decisions. Someone independent and exemplary in providing channels of communication and participation for our young athletes.





### 3. Other cross-cutting functions

#### Facilitate child participation

- Children's participation is essential to **prevent violence**.
- Generate channels, facilitate activities and **give appropriate feedback to children**.

#### Preparation of internal documents

- Preparation of internal protocols.
- Preparation of documents that serve as a basis for reflection and advocacy (internal and external).

#### External representation of the entity in this matter

- Participation in **Congresses, meetings, seminars**.
- **Represent the organisation or group and receive continuous training** to train professionals internally.

#### Accompaniment and advice of people

- Being responsible means **being a reference** within the entity.
- Reference to **accompany, advise and demand**.

