

RFU REGULATIONS

RFU REGULATION 21 – SAFEGUARDING

Contents

21.1	Introduction	Page 1
21.2	Grounds for Action Under Regulation 21	Page 5
21.3	Case Management	Page 7
21.4	Safeguarding Case Management Group	Page 7
21.5	DBS Process	Page 8
21.6	Interim Bar	Page 10
21.7	Indefinite Bar	Page 11
21.8	Key Considerations	Page 12
21.9	Appeal of Indefinite Bar	Page 13
21.10	Other Breaches of these Regulations	Page 14
21.11	Confidentiality and Data Processing	Page 16
21.12	Safeguarding Adults	Page 17

21.1 Introduction

Purpose of these Regulations

21.1.1 The RFU is committed to safeguarding and promoting the welfare of Children participating in Rugby Union in England. All Children are entitled to be protected from any form of abuse and neglect and have the right to take part in Rugby Union in a safe, positive and enjoyable environment.

21.1.2 The RFU is also committed to safeguarding and promoting the welfare of Adults at Risk participating in Rugby Union in England. All Adults at Risk are entitled to be protected from any form of abuse and neglect and have the right to take part in Rugby Union in a safe, positive and enjoyable environment.

21.1.3 While these Regulations have been drafted to refer to Children, they are equally applicable to Adults at Risk in Rugby Union in England and for those working with them. This is explained in further detail at Regulation 21.12.

Compliance with these Regulations

21.1.4 These Regulations should be read in conjunction with the RFU's Safeguarding Children Policy (the 'Policy') and all relevant procedures. These documents can be found at <https://www.englandrugby.com/run/safeguarding>.

21.1.5 All Participants, Clubs and Organisations are bound by and deemed to have full knowledge of these Regulations, the Policy and all relevant procedures.

21.1.6 All Participants, Clubs and Organisations must comply with the requirements set out in these Regulations, the Policy and all relevant procedures. Any breach of these Regulations, the Policy and any relevant procedures by a Participant, Club or Organisation may lead to that Participant, Club or Organisation being made subject to a Bar, or other action being taken under the provisions of these Regulations.

Definitions

21.1.7 For the purpose of these Regulations, capitalised terms shall have the following meanings:

“Adult” means any person aged 18 years and over.

“Adult at Risk” means any person aged over 18 who has a need for care and support (whether or not the local authority is meeting any of those needs); is experiencing, or is at risk of, abuse or neglect; and, is unable to protect themselves from either the risk of, or the experience of, abuse or neglect, as a result of those care and support needs.

“Balance of Probabilities” means the standard of proof applied in the consideration of a case. Something is deemed to be proved on the balance of probabilities if the decision-making body is satisfied that it is more likely than not to have occurred.

“Bar” means a restriction imposed on a Participant's, Club's or Organisation's involvement in Rugby Union on an interim or indefinite basis on such terms as may be determined by the RFU in accordance with these Regulations. “Barred” means subject to a Bar.

“Child” means a person under the age of eighteen years as defined by the UN Convention on the Rights of the Child. “Children” refers to more than one Child.

“Club” means a club playing in the Leagues or a Club admitted into voting membership of the Union in accordance with the RFU Rules and it includes any union, league, combination or association of such clubs authorised under RFU Rule 5.2 and thereafter admitted into membership.

“DBS” means the Disclosure and Barring Service.

“DBS Disclosure Certificate” means a DBS certificate issued by the Disclosure & Barring Service (DBS) - including any renewal Disclosure Certificates.

“DBS cleared” means a person whose DBS Disclosure Certificate has been cleared by the RFU.

“Demand” means a written demand to a Participant, Club or Organisation to provide information.

“Good Faith” means where the individual making the report does not know or believe the report to be false.

“Harm” means ill-treatment or the impairment of health or development including, for example, impairment suffered from seeing or hearing the ill-treatment of another as defined by the Children Act 1989 and, in relation to adults the Care Act 2014.

“Offence” means any criminal offence.

“Organisation” means a Constituent Body, Referees Society, National Representative Body or any other organisation under the jurisdiction of the RFU involved in the administration of Rugby Union in England.

“Other Activity” means activity that does not meet the definition of Regulated Activity, but still involves a Participant working or volunteering with Children.

“Policy” means the RFU’s Safeguarding Policy, Guidance and Procedures (as amended from time to time) and the RFU Safeguarding Adults at Risk in Rugby Union Policy and Procedures or any other successor policies and procedures for the safeguarding of Children and vulnerable adults. These Policies are binding on all

those involved in Rugby Union. For the avoidance of doubt, the procedures referred to include (but are not limited to) those outlined in the Safeguarding Handbook.

“Position of Trust” means a person in a position of authority over another person as defined by Child Protection in Sport Unit: <https://thecpsu.org.uk/resource-library/best-practice/abuse-of-positions-of-trust-within-sport/>

“Participant” means all persons involved in Rugby Union in England over whom the RFU has jurisdiction. This includes (but is not limited to:)

- (i) Players, coaches, match officials, volunteers, employees and spectators (whether adults or children aged under 18)
- (ii) Any adult [or child] who works with Children or could reasonably be considered to be a person in a Position of Trust in Rugby Union in England; and
- (iii) Any adult [or child] who works with Children or could reasonably be considered to be a person in a Position of Trust who is not a member of an RFU Member Club or registered with the RFU in any way.

“Regulated Activity” means the statutory definition of the term as set out in the Safeguarding Vulnerable Groups Act 2006 (as amended) that for the RFU’s purposes shall be construed as meaning: (i) any coaching and training of Children; and/or (b) any teaching, instruction, care or supervision of Children, carried out by the same person frequently (once a week or more often), or on four or more days in a 30 day period, or overnight. For more detailed information and examples of what constitutes Regulated Activity, please see the Policy.

“Reported Concern(s)” means a safeguarding concern, incident, allegation or disclosure.

“Rugby Union” means any form of rugby played under the jurisdiction of the RFU, including but not limited to, all age-grade rugby, fifteen-a-side, sevens, touch and tag.

“RFU Appeal Panel” means an appeal panel appointed pursuant to these Regulations and in accordance with the process set out in RFU Regulation 19.

“RFU Safeguarding Team” means the team of executive staff within the RFU that is responsible for safeguarding. All other Definitions used in these Regulations will bear the same meaning as those set out in RFU Regulation 1.

“Safeguarding Case Management Group” (‘SCMG’) means the RFU appointed group charged with assessing the risk that Participants pose to Children, as well as assessing the suitability of Participants to work with Children. The group was previously referred to as the Referral Management Group (‘RMG’).

21.2 Grounds for Action Under Regulation 21

Substantive Provisions

21.2.1 Action may be taken against a Participant under Regulation 21.6 and/or 21.7 where there is evidence to satisfy the relevant test that the Participant:

- (a)** engaged in conduct that directly or indirectly harmed the physical and/or mental welfare and/or safety of a Child and/or Children; and/or
- (b)** poses a risk of harm to the physical and/or mental welfare and/or safety of Children; and/or
- (c)** is not suitable to work with Children in a rugby setting.

Guidance Note: Whether a Participant is considered suitable to work with Children in a Rugby Union setting will involve an assessment of (among other factors) whether the Participant has demonstrated an ability to adhere to Rugby’s Core Values (i.e., Teamwork, Respect, Enjoyment, Discipline and Sportsmanship), whether the Participant is suitable to promote Rugby’s Core Values to Children, and whether the Participant’s involvement in Rugby Union in a Position of Trust could have a detrimental impact on the interests of the Game, including (but not limited to) the public image of the Game.

21.2.2 Action may be taken against a Club or Organisation under Regulation 21.6 where there are reasonable grounds to suspect that there are serious, widespread and/or systemic weaknesses within a Club or Organisation that put Children at risk of harm.

Supporting Provisions

21.2.3 Action may be taken under Regulation 21.10 where there is evidence to satisfy the Balance of Probabilities standard that a Participant, Club or Organisation:

- (a)** committed any act which threatens or seeks to intimidate another person with the intent of discouraging that person from (i) the Good Faith reporting of

information that relates to a Participant, Club or Organisation presenting a risk of harm or a possible breach of these Regulations to the RFU, any other sports organisation, law enforcement, local authority, regulatory body, professional disciplinary body, or any other analogous body, and/or (ii) cooperating with and/or supporting any process related to such risk of harm or a possible breach of these Regulations;

(b) retaliated against a person who, in Good Faith, has (i) provided information that relates to a Participant presenting a risk of harm or a possible breach of these Regulations to the RFU, any other sports organisation, law enforcement, local authority, regulatory body, professional disciplinary body, or any other analogous body, and/or (ii) cooperated with and/or supported any process related to such risk of harm or a possible breach of these Regulations;

(c) has not informed the RFU Safeguarding Team of a Reported Concern(s);

(d) refused or failed to comply with a Demand for information within the requested time period;

(e) has breached the confidentiality obligations in these Regulations;

(f) [in the case of a Club or Organisation] engages anyone or appoints a volunteer to work in Regulated Activity or Other Activity on a paid or voluntary basis who is not DBS cleared, subject to the exceptions outlined in these Regulations and the Policy;

(g) [in the case of a Club with an age-grade section] has failed to complete the annual RFU safeguarding audit through GMS by 25 October 2026;

(h) [in the case of a Club seeking approval for a 17-year-old to play adult rugby] has failed to complete the safeguarding audit prior to submitting the relevant application;

(i) [in the case of a Club or Organisation] has failed to complete any safeguarding audit or audit request issued by the RFU Head of Safeguarding or the Club's primary Constituent Body by the deadline imposed;

(j) [in respect of a Participant aged 16 and over] works in Regulated Activity or Other Activity in Rugby Union in England without complying with the DBS requirements set out in these Regulations, the Policy or any relevant procedures; and

(k) has breached any other part of these Regulations, the Policy or any relevant procedures.

21.3 Case Management

21.3.1 The RFU Safeguarding Team shall have the power to conduct investigations into any Reported Concerns relating to a Participant, Club or Organisation.

21.3.2 Investigations carried out under these Regulations may be undertaken in whole or in part by the RFU Safeguarding Team, or other persons (either inside or outside the RFU) acting under delegated authority from the RFU Safeguarding Team. For the avoidance of doubt this shall include (but not be limited to) investigations referred to Sport Resolutions under the Sport England funded Sport Resolution Safeguarding Case Management Programme.

21.3.3 The RFU Safeguarding Team may at any stage of an investigation under these Regulations make a Demand to a Participant, Club or Organisation to:

(a) provide the RFU Safeguarding Team with any information, record, article or thing in their possession or control that the RFU Safeguarding Team reasonably believes may evidence or lead to the discovery of evidence of a Participant, Club or Organisation presenting a risk of harm or a possible breach of these Regulations, the Policy or any relevant procedures; and/or

(b) undertake any other course of action that might assist the investigation, including, without limitation, appearing before the RFU for an interview, or to provide a written statement setting out their knowledge of any relevant facts and circumstances.

21.3.4 Prior to, during or on conclusion of an investigation under these Regulations, the RFU Head of Safeguarding shall decide whether to:

(a) refer the matter to Safeguarding Case Management Group ('SCMG');

(b) deal with the matter under the provisions of Regulation 21.10;

(c) refer the matter to other departments within the RFU including, but not limited to Discipline, Player Welfare, and Inclusion & Diversity;

(d) refer the matter back to the Club or Organisation to manage under their relevant rules or regulations;

(e) direct that a Participant, Club or Organisation undertakes training; or

(f) decide that no further action shall be taken.

21.4 Safeguarding Case Management Group

21.4.1 The SCMG is the RFU appointed group with the responsibility for assessing whether a Participant, Club or Organisation is in breach of the Substantive Provisions.

21.4.2 The SCMG will consider cases referred to it by the RFU Head of Safeguarding and, where the appropriate conditions are met, impose interim or indefinite Bars.

21.4.3 The SCMG will also decide, in DBS cases, whether to clear Participants to work in Regulated Activity or Other Activity in Rugby Union.

21.4.4 The SCMG shall be entitled to treat the facts established by a decision of a criminal or civil court in England and Wales that is not the subject of a pending appeal as irrebuttable evidence against that Participant.

21.4.5 The SCMG will consider cases on paper only.

21.5 DBS Process

21.5.1 Any Participant aged 16 or over who works in Regulated Activity or Other Activity in Rugby Union in England on a paid or voluntary basis must comply with the following requirements:

(a) to apply for a DBS Disclosure Certificate processed through the RFU Safeguarding Team within four weeks of commencing Regulated Activity or Other Activity; and

(b) to provide the DBS Disclosure Certificate and, on request, any such further detail, explanation or clarification required by the RFU Safeguarding Team (including, on request, references that attest to their suitability to be involved in working in Regulated Activity or Other Activity in Rugby Union) within the deadline outlined in the request; and

(c) to continue to give consent to the RFU to undertake annual status checks if they have signed up to the update service, or apply to the RFU to renew their DBS disclosure certificate within three years.

21.5.2 During the following periods, a Participant may temporarily work on a paid or voluntary basis in Regulated Activity and Other Activity provided that they are proactively and closely supervised at all times by a Participant who is DBS cleared through the RFU:

(a) before a DBS application has been submitted (a maximum of four weeks after commencing Regulated Activity and Other Activity); and

(b) following the submission of a complete DBS application, and whilst awaiting their DBS Disclosure Certificate.

Guidance Note: Proactively and closely supervised means under active supervision, with the responsible DBS cleared adult remaining within sight and earshot at all times and able to intervene promptly if required.

21.5.3 However, should the RFU Safeguarding Team receive notification that a DBS application has returned information on the certificate, the exemption outlined at Regulation 21.5.2 shall no longer apply. In such cases, that Participant will not be permitted to temporarily work on a paid or voluntary basis with Children under the supervision of a Participant within the Club or Organisation who is DBS cleared, and can only take up such employment or appointment once their DBS application is cleared by the RFU Safeguarding Team, or in relevant cases, the SCMG.

Guidance Note: When the RFU Safeguarding Team receives notification that a DBS application has returned information on the DBS certificate, it shall write to the Participant in question, and their Club or Organisation, to outline that the Participant must cease working with Children, even on a supervised basis. The RFU Safeguarding Team will also request further information from the Participant and their Club or Organisation in relation to information on the certificate.

21.5.4 Once the RFU Safeguarding Team, or in relevant cases, the SCMG, decide not to clear a Participant's DBS application, the exemption outlined at Regulation 21.5.2 shall not apply to any subsequent DBS applications made by the Participant. Therefore, the Participant must not work or volunteer with children until cleared to do so by the RFU.

21.5.5 The SCMG may decide not to clear a Participant's DBS when there is evidence to satisfy the Balance of Probabilities standard that:

- (a) the Participant poses a risk of harm to Children; and/or
- (b) the Participant is not suitable to work with Children in a rugby setting.

21.5.6 The circumstances which may give rise to the SCMG not clearing a Participant's DBS include (but are not limited to):

- (a) notification that a Participant has been convicted of, or made the subject of a caution in respect of, an Offence; and/or
- (b) notification of the outcome of an investigation by a statutory agency or a professional body or regulator; and/or
- (c) on the conclusion of an RFU Safeguarding Team investigation into the conduct of a Participant; and/or
- (d) any other information which results in the grounds outlined at 21.5.6(a) and/or (b) being met.

21.5.7 The SCMG may, at its discretion, clear a Participant's DBS subject to conditions.

21.5.8 If the SCMG decide not to clear a Participant's DBS, the RFU will not consider another application from the Participant to work in Regulated Activity or Other

Activity with the RFU for a period of 12 months, unless the Head of Safeguarding is satisfied that there is new evidence available that was not previously considered by the SCMG when it made its initial decision.

21.6 Interim Bar

Against a Participant

21.6.1 An interim Bar may be imposed on a Participant by the SCMG when there are reasonable grounds to suspect that:

- (a)** the Participant poses a risk of harm to Children; and/or
- (b)** the Participant is not suitable to work with Children in a rugby setting.

21.6.2 An interim Bar is a neutral, precautionary measure, intended to safeguard the interests of all parties while an incident is under investigation, or to enable the RFU to make further enquiries or seek further information. It is not a penalty and implies no assumption of guilt.

21.6.3 The circumstances which may give rise to the imposition of an interim Bar include (but are not limited to):

- (a)** notification that a Participant has been charged with an Offence; and/or
- (b)** notification that a Participant is the subject of an investigation by the police, a statutory agency or a professional body or regulator; and/or
- (c)** any other information which results in the grounds outlined at 21.6.1(a) and (b) being met.

21.6.4 If an interim Bar is issued against a Participant, they will be promptly notified by the RFU. The notification shall set out the reasons why the interim Bar has been imposed.

21.6.5 A Participant subject to an interim Bar does not have a right to appeal but is entitled to request a review of such Bar upon 90-day intervals from the date of the interim Bar. Any request for review shall be put before the SCMG for consideration if the Head of Safeguarding is satisfied that there is new evidence available that was not previously considered by the SCMG when it made its initial decision.

Against a Club or Organisation

21.6.6 An interim Bar may be imposed on a Club or Organisation by the SCMG when there are reasonable grounds to suspect that there are serious, widespread and/or systemic weaknesses within the Club or Organisation that put Children at risk of harm.

21.6.7 A Club or Organisation may be Barred from providing any age-grade rugby activity, including training, playing in rugby matches and/or participating in all or any other age-grade Rugby Union activity, for such period and on such terms and conditions as the SCMG considers necessary on a case-by-case basis.

21.6.8 If the SCMG issues an interim Bar against a Club or Organisation, they will be promptly notified by the RFU. The notification shall set out the reasons why the interim Bar has been imposed.

21.6.9 A Club or Organisation subject to an interim Bar does not have a right to appeal but is entitled to request a review of such Bar upon 90-day intervals from the date of the original Bar. Any request for review shall be put before the SCMG for consideration if the Head of Safeguarding is satisfied that there is new evidence available that was not previously considered by the SCMG when it made its initial decision.

21.7 Indefinite Bar

21.7.1 An indefinite Bar may be imposed on a Participant by the SCMG when there is evidence to satisfy the Balance of Probabilities standard that:

- (a)** the Participant poses a risk of harm to Children; and/or
- (b)** the Participant is not suitable to work with Children in a rugby setting.

21.7.2 The circumstances which may give rise to the imposition of an indefinite Bar include (but are not limited to):

- (a)** notification that a Participant has been convicted of, or made the subject of a caution in respect of, an Offence; and/or
- (b)** notification of the outcome of an investigation by a statutory agency or a professional body or regulator; and/or
- (c)** on the conclusion of an RFU Safeguarding Team investigation into the conduct of a Participant; and/or
- (d)** any other information which results in the grounds outlined at 21.7.1(a) and/or (b) being met.

21.7.3 On imposing an indefinite Bar, the SCMG will identify a timeframe after which the decision can be reviewed by the SCMG. Such a review will only take place once the review period identified by the SCMG has expired, and a request has been made by the relevant Participant to the RFU Head of Safeguarding for the Bar to be reviewed.

21.7.4 If an indefinite Bar is issued against a Participant, they will be promptly notified by the RFU. The notification shall set out:

(a) the reasons why the indefinite Bar has been imposed, and the timeframe after which the matter can be reviewed;

(b) that the Participant has 14 days from the date of the notification in which to appeal the decision; and

(c) that the RFU Safeguarding Team will notify the relevant statutory authorities once the appeal period has passed or if any appeal is unsuccessful.

21.7.5 When a request for a review is made pursuant to Regulation 21.7.3, the SCMG will consider whether there remains evidence to satisfy the Balance of Probabilities standard that the grounds outlined at Regulation 21.7.1 (a) and/or (b) are met. The SCMG may maintain, lift or amend an indefinite Bar following such a review.

21.7.6 The SCMG may also lift or amend an indefinite Bar at any time if it considers that there is no longer evidence to satisfy the Balance of Probabilities standard that the grounds outlined at Regulation 21.7.1 (a) and/or (b) are met.

21.7.7 A Participant subject to an indefinite Bar may bring an appeal pursuant to the provisions of Regulation 21.9 within 14-days from the date of notification of either (i) the imposition of the indefinite Bar, or (ii) following a review of the indefinite Bar under Regulation 21.7.5, the decision to keep the indefinite Bar in place.

21.8 Key Considerations

21.8.1 In assessing whether a Participant poses a risk of harm to Children and/or is suitable to work with Children in a rugby setting and/or should be cleared to work in Regulated Activity or Other Activity, the SCMG may consider any of the following list of non-exhaustive factors:

(a) whether the conduct is relevant to the Participant's role in Rugby Union;

(b) the seriousness of any conduct;

(c) the length of time since the conduct occurred;

(d) the number of times the conduct has occurred and whether there is a pattern of offending behaviour or escalation of behaviour or other relevant matters;

(e) any expert or professional views about this type of conduct which are available to the SCMG;

(f) any legal or other restriction or requirement;

(g) the vulnerability of any person who suffered harm;

- (h)** whether the Participant was, or was perceived to be, in a position of power, influence and/or trust in relation to anybody who was harmed or adversely affected by their conduct;
- (i)** whether the Participant has accepted responsibility for the conduct and whether remorse has been expressed or demonstrated;
- (j)** whether the Participant's circumstances have changed since the conduct and whether the changed circumstances indicate a change in the level of risk;
- (k)** the circumstances surrounding the conduct and any explanations offered by the Participant concerned;
- (l)** whether the age of the applicant at the time of the Offence or a finding by a statutory agency, professional body, or regulator suggests that it was an act committed during their formative years and that the Participant does not now pose a risk of harm to Children and/or is not suitable to work with Children;
- (m)** what involvement the Participant seeks in Rugby Union;
- (n)** the capacity of the environment where the Participant would be operating to manage any risk;
- (o)** the expressed view of any statutory or other agency involved in the assessment or management of the Participant;
- (p)** the Participant's compliance and/or cooperation with the RFU Safeguarding Team in accordance with any investigation under these Regulations;
- (q)** whether references are provided which indicate the Participant is suitable to work with Children; and
- (r)** any other relevant information.

21.9 Appeal of an Indefinite Bar

21.9.1 A Participant subject to an indefinite Bar may bring an appeal within 14-days from the date of notification of either (i) the imposition of the indefinite Bar, or (ii) following a review of the indefinite Bar, the decision to keep the indefinite Bar in place.

21.9.2 The notice of appeal sent to the RFU Head of Safeguarding must outline the grounds of appeal and be accompanied by any supporting documentation. The relevant administrative fee must be paid before any appeal documents are considered by the RFU Head of Safeguarding.

21.9.3 A Participant has the right to appeal on the grounds that (i) the decision to impose an indefinite Bar was irrational or unreasonable, or (ii) the decision to keep

the indefinite Bar in place following the expiration of the review period, was irrational or unreasonable.

21.9.4 The indefinite Bar shall remain in place until the matter is dealt with by an Appeal Panel.

21.9.5 Where an appeal is lodged within the deadlines outlined at Regulation 21.9.1 and accompanied by the documentation outlined at Regulation 21.9.2, an Appeal Panel shall be appointed, and the appeal process and hearing shall be conducted in accordance with the appeals provisions outlined at RFU Regulation 19.

21.9.6 The Chair of the Appeal Panel may make any directions concerning the conduct of the appeal hearing.

21.9.7 The Appeal Panel shall have the power to:

- (a) dismiss the appeal;
- (b) allow the appeal and lift the Bar in its entirety;
- (c) partially allow the appeal and amend the conditions of the Bar;
- (d) remit the matter to the SCMG, with such directions as it thinks fit, for reconsideration; or
- (e) make such further orders as it deems appropriate.

21.9.8 Proceedings before the Appeals Panel shall constitute Arbitrations for the purposes of Part 1 of the Arbitration Act 1996. As such, they are subject to the procedural supervision of the High Court in London. Sections 44, 45 and 69 of the Arbitration Act 1996 are excluded from these proceedings. The seat of the Arbitration shall be England.

21.10 Other Breaches of these Regulations

21.10.1 Where it is determined by the RFU Head of Safeguarding that a Participant, Club or Organisation has breached the Supporting Provisions of these Regulations, the Policy and/or any relevant procedure, the RFU Head of Safeguarding shall be entitled to administratively impose the fixed sanctions set out below in respect of that breach:

Regulation/Policy Breach	Fixed Sanction
A Club engages or appoints a Participant to work in Regulated Activity or Other Activity on a paid or voluntary basis who is not DBS cleared (subject to the exceptions outlined in these Regulations)	<u>First occasion</u> : Formal Warning Issued and education mandated <u>Second occasion</u> : A suspended 5 league points deducted from the Club's Adult First Team (to run for

	the remainder of the current season and all of the next season) <u>Third occasion:</u> 5 league points deducted from the Club's Adult First Team (to be enacted immediately alongside any potential suspended ban that remains in force)
A Participant aged over 16 works in Regulated Activity or Other Activity in Rugby Union in England without complying with the DBS requirements set out in these Regulations, the Policy and any relevant procedures	<u>First occasion:</u> Formal Warning Issued and mandated education <u>Second occasion:</u> A 12-week ban from all rugby activity
A Club with an age grade section, has not completed an annual RFU Safeguarding audit through GMS by 25 October 2026; or, in the case of adult only clubs, has not completed the audit prior to seeking approval for a 17-year-old to play adult rugby. It will represent a further breach for the Club not to complete the audit by the new date provided by the RFU for completion. Guidance: How do I complete the Club Safeguarding Audit?	<u>First occasion:</u> Formal Warning Issued and mandated education <u>Second occasion:</u> A suspended 5 league points deducted from the Club's Adult First Team (to run for the remainder of the current season and all of the next season) <u>Third occasion:</u> 5 league points deducted from the Club's Adult First Team (to be enacted immediately alongside any potential suspended ban that remains in force)
A Club with an age grade section, or which has 17-year-olds playing adult rugby has not completed a safeguarding practice review request by the RFU Head of Safeguarding or the Club's primary Constituent Body by the deadline imposed. It will represent a further breach for the Club not to complete the safeguarding practice review by the new date provided by the RFU for completion.	<u>First occasion:</u> Formal Warning Issued and mandated education <u>Second occasion:</u> A suspended 5 league points deducted from the Club's Adult First Team (to run for the remainder of the current season and all of the next season) <u>Third occasion:</u> 5 league points deducted from the Club's Adult First Team (to be enacted immediately alongside any

	potential suspended ban that remains in force)
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Guidance Note: In respect of the breaches contained in the table at Regulation 21.10.1, each shall apply over a three-year period from the date of the first breach. For example, if the first breach occurs on 1 September 2026 then the second and third breaches must occur before 30 August 2029 for the fixed sanctions to apply. If there are more than three breaches in the three-year cycle, the provisions of Regulation 21.10.3 shall apply to any breaches thereafter.

21.10.2 The Participant, Club or Organisation shall have the right to appeal to an RFU Appeal Panel any decision of the RFU Head of Safeguarding to administratively impose a sanction. This must be done within 14 days of the notification of the imposition of a sanction in accordance with procedures set out in RFU Regulation 19. Appeals may only be brought in relation to disputes as to whether a breach has occurred and may not be brought in relation to the sanction imposed.

21.10.3 Any breach of the Supporting Provisions of these Regulations, the Policy or relevant procedures not outlined in the table at Regulation 21.10.1 shall be referred to the RFU Head of Discipline and be dealt with in line with the procedures outlined at RFU Regulation 19. This also applies to any breaches listed in the table at Regulation 21.10.1 which occur on more than three occasions in the applicable three-year period.

21.10.4 For breaches not outlined in the table at Regulation 21.10.1, and being dealt with under Regulation 21.10.3, the appeal procedure outlined at RFU Regulation 19 shall apply.

21.10.5 The RFU Head of Safeguarding has the power to issue a formal written warning and/or mandate the completion of education to any Participant, Club or Organisation for any breach of these Regulations, the Policy and/or any relevant procedure.

21.10.6 Should a Participant fail to complete education or training that they have been mandated in accordance with Regulation 21.10.5 within the specified period, the matter shall be referred back to the RFU Head of Safeguarding. The RFU Head of Safeguarding may suspend the Participant from all rugby activity until its completion, or refer the matter to the RFU Head of Discipline for further action under Regulation 19.

21.11 Confidentiality and Data Processing

21.11.1 Any information provided to the RFU over the course of an investigation shall be considered confidential except when it becomes necessary to disclose such

information in order to advance the investigation and/or consider action under these Regulations. For the avoidance of doubt, this includes providing information to a Participant, Club or Organisation being investigated in order to allow them to (i) provide a response to the allegation it/they face, and/or in applicable cases, (ii) make written representations to the SCMG after a decision has been made by the RFU Heading of Safeguarding to refer the matter to the SCMG for consideration of an Indefinite Bar.

21.11.2 The RFU may at any time during or at the conclusion of a safeguarding investigation notify any person, or organisation (including but not limited to Clubs, Organisations, local authorities, other sports governing bodies, statutory bodies, the DBS, and law enforcement agencies) of any details relating to the matter as such, person or organisation may need to know for the proper exercise of its functions, including the enforcement of any Bar that may be in place.

21.11.3 Any Participant, Club or Organisation provided with such information pursuant to Regulation 21.11.2 has a duty to keep such information confidential except for disclosures necessary for the enforcement of any Bar and/or to protect the safety and/or wellbeing of any Participant or other person.

21.11.4 Information collated in the course of an investigation under these Regulations, together with any documentation relating to any decisions reached, shall be recorded and retained by the RFU for as long as is necessary for the purposes of safeguarding, and in accordance with applicable data protection legislation (including the UK GDPR as amended by the DUAA 2025), the RFU's Privacy Notices, and its Data Retention Policy.

21.12 Safeguarding Adults

21.12.1 The provisions of these Regulations are applicable to Adults at Risk in Rugby Union and those working with them in the same way as they apply to Children in Rugby Union and those working with them. Any reference to RFU's Safeguarding Children Policy shall be deemed to refer to the RFU's Adults at Risk Policy (the 'Adults at Risk Policy') when Adults at Risk are being considered.

21.12.2 The Adults at Risk Policy which includes definitions and guidance is found at: <https://www.englandrugby.com/run/safeguarding/safeguarding-adults>.