



SPORT AND PHYSICAL ACTIVITY SECTOR
**Workforce registration
and regulation consultation**



Executive Summary

November 2019



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FURTHER INFORMATION

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SPORT AND PHYSICAL ACTIVITY SECTOR

Workforce registration and regulation consultation



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Executive summary

Purpose

This report provides the executive summary of the work undertaken to consider the potential scope and appetite for a national workforce register in the sport and physical activity sector. The work originates from Sport England who have commissioned CIMSPA to develop and consult widely on a proof of concept model for a national workforce register for sport.

Through the process of engaging with the sector it became evident how the brief needed to be revisited in order to develop the necessary clarity of purpose, in particular regarding:

- Why a cross-sport workforce register might be needed, i.e. consistent acknowledgement of the problem that needs addressing;
- The role of a register as part of the solution and having some consideration of other possible solutions to that identified problem. This is important as it provides a degree of rigour regarding the relative merit of a register vis-à-vis other potential interventions.

Origins of the work

The brief outlined the following origins of the work:

The concept of a national licensing scheme / national register has been discussed on and off for nearly 20 years however, for one reason or another there has never been the buy-in, will or coordination to make this happen. The appetite for a national register is growing in the current climate. It is essential that this project engages with as many stakeholders as possible to ensure that there is clarity on what we are going to achieve and a large-scale consensus on how we will get there. (Project Brief)

Further exploration explicitly positioned a potential national register in the context of workforce regulation. There are a number of reports, inquiries and strategies that have come before this project, some of them directly recommending some form of improved workforce regulation. The following strategic drivers have been identified, and are explored in further detail in section 4 of the full report.

- **The Duty of Care in Sport Report** – under Safeguarding, identifies the following recommendation:
*A national coach licensing scheme should be considered, with the creation of a register of licensed coaches.*¹
- **The Interim Report: A Summary Independent Inquiry into Child Sexual Abuse** – raises a number of pertinent questions for sport and physical activity in the context of its findings relating to workforce regulation, acknowledging the critical importance that ‘institutions do all they can to ensure that those working or volunteering within them are suitable for the work they do and do not represent a risk to children.’
- **Operation Hydrant** – established in June 2014, the aim is to deliver the national policing response, oversight, and coordination of non-recent child sexual abuse investigations concerning persons of public prominence, or in relation to those offences which took place within institutional settings. Sport features prominently in the list of institutions covered by the report. As of March 2019, 363 different sporting cases feature on the Operation Hydrant database.

1 Duty of Care in Sport: Independent Report to Government

- **Working in an Active Nation: The Professional Workforce Strategy for England** – aligned to the ambition *‘to ensure the people working in sport and physical activity are skilled, motivated and valued and that they’re equipped to provide the best possible experience for people who are active or want to be more active.’*
- **Coaching in an Active Nation: The Coaching Plan for England** – this identifies the following tactic relating to Transferring Learning into Practice:

Create a recognition scheme for coaches that are committed to improving their ability to provide great experiences for participants².

These strategic drivers include specific recommendations and/or aspirations relating to workforce regulation and registration but also highlight both positive and negative drivers for change.

Who engaged and how the work was undertaken

The focus of Sporting People’s approach is summarised below:

- Landscape review – learning from other registers and models of regulation across the UK and beyond. This includes both a literature review and consultation with experts in field of workforce regulation with experience of implementing regulatory approaches in other sectors;
- Over 50 conversations with representatives from organisations across the sector and beyond.
- Delivery of 7 Cross Sector workshops across the country (London (x2), Birmingham, Bristol, Loughborough, Leeds, and Manchester). In total, 110 delegates attended the workshops with a very broad representation from across the sector;
- Various presentations or group workshops at events/conferences;
- Sourcing formal organisational views from those involved in the consultation. Stakeholders were asked to formally answer a set of questions outlining their organisational views on the problem statement, appetite to proceed, and ideas regarding potential interventions.

The Sporting People brief has also been supplemented by public facing work undertaken by Eight Strategy which includes consultation with over 2,000 members of the general public and nearly 700 providers (members of the workforce). Collectively the Sporting People and Eight Strategy research provides a rich qualitative and quantitative evidence base that form the basis of the recommendations laid out below.

Revisiting the brief: finding clarity of purpose

Through the initial engagement sessions, it quickly became evident that there were a number of assumptions implicit within the brief regarding the need for a national workforce register. It was clear that these assumptions needed to be highlighted and tested in order to ensure there was a consistent understanding and agreement of the purpose for which any national register might be developed. Through the ongoing consultation process a purpose statement has therefore been tested in order to try and achieve a general consensus on the problem (or opportunity) that a register would be designed to address.

2 Coaching in an Active Nation: The Coaching Plan for England

The challenge in a very broad sector like sport and physical activity is that finding a common ground can be very difficult when it spans community to elite, different types of activity, SMEs to major employers, leisure operators, to sport for development organisations and those working in the 3rd sector (etc.). Different organisations have seen this project very differently. Some have wanted to think broadly in terms of benefits and potential opportunities to address strategic priorities, others have naturally been very focused on the very specific potential implications for their own workforce – specifically in a number of cases, coaches.

It has been helpful to break down the potential rationale for why different stakeholder groups might want a cross sport register to recognise that there are very different perspectives across employers / deployers (including venue hirers and referrers to employers); policy makers and commissioners; individuals within the workforce, current and future; general public, including participants, non-participants, parents; and a range of other stakeholders including insurers, training providers, license operators, other sectors, commercial, legal, and media.

These perspectives are all valid but need to be underpinned by one common question for the problem we are seeking to address, recognising that the narrative for how we might communicate this may vary depending on the stakeholder group above, for instance, from a managing risk conversation, to one which is more positive that focuses on the benefits of more easily being able to identify the great workforce that exists to support people to have a fulfilling sport and physical activity experience.

The common ground – purpose

Based on our analysis and testing we believe that the common purpose of this project is to:

Make it easier for participants to access and experience sport and physical activity in a safe environment

It is important to acknowledge that a number of stakeholders feel that there needs to be an explicit reference to ‘quality’ in this, reflecting the range of potential benefits that stakeholders have identified they would like to see from this project. This warrant’s further consideration in any subsequent work but for this phase of work it is centred on ‘safe.’

It is evident that **this project is explicitly about workforce regulation, and that any potential cross sport register must be positioned as part of a series of interventions to provide that regulation.** In the context of regulation, it is important to emphasise that this is focused on self-regulation, as opposed to direct governmental or external regulation.

Self-regulation is the process whereby members of an industry, trade or sector of the economy monitor their own adherence to legal, ethical, or safety standards, designed to ensure quality of practice. It is often driven by the need for a relatively new profession to get its house in order and often coming from pressure from Government regarding protecting the public or a separate profession that is wanting to interact/invest in that profession.

This report highlights that there is a broad appetite of the sector to proceed with further exploration of the possible solutions, of which a cross sport national workforce register may be a part.

This is not universal support, and it is not validation of a national workforce register per se. There remain a number of important questions that would need to be addressed through any subsequent stages of work. However, the sector’s response does provide a strong validation of the appetite to proceed to the next phases of work and to test the feasibility of the different potential options, addressing the key questions that have been raised along the way.

The research findings suggest there should be three interrelated component parts to any solutions developed – public awareness, workforce regulation, and regulation of employers and deployers.

Background information and issues relevant to the defined project purpose

In addition to the number of reports, inquiries and strategies referenced above, further background information from in and outside the sector were examined to understand the drivers for change.

Scale of participation in sport and physical activity

During 2017/2018, 27.7 million adults engage in over 150mins of sport and/or physical activity per week. Of this total 6.2 million adults received some form of coaching while being active. 3.3 million children receive some form of sport coaching each year.

The sport and physical activity workforce

Employment in the sport sector has consistently grown ahead of the overall national employment figures. The sport sector is a major employer in the UK with 445,365 people employed or self-employed in the sport sector or in sport roles in other sectors³. In 2016 it was estimated that 3.1 million adults coached sport or physical activity to 6.2 million adults and 3.3 million children within that year⁴.

It is known that the sector has concerns about the competence of staff to work with disabled people or children⁵ or the level of support employers are providing to develop their staff⁶.

It is also known that 80% of the professional workforce work in micro businesses of between 1-9 employees and this fragmented nature of the workforce further emphasises the challenge of achieving a coherent, cross sport, cross organisation approach on a topic like regulation or registration.

According to UK Coaching data nearly fourteen million adults (a quarter of the UK population) have coached sport or physical activity at some point in some way in their lifetime. There are over three million active coaches in the UK (2.6m in England) who have coached sport or physical activity in the previous twelve months.

Coaching is a very diverse career/activity that occurs in many different ways. There are many full-time employed and self-employed coaches. However, part time and voluntary coaching makes up much of the delivery with 74% of coaching delivered on a voluntary basis accounting for 55% of weekly delivery.

Similarly, there is a large degree of variation with regard to the training that the coaching workforce has received. More than half of the active coaches (58%) do not have a formal coaching qualification, but at the same time there is a significant amount of training undertaken every year.

3 Source: EOSE: 2018 National Sport and Physical Activity Labour Market Report

4 Source: Sport England: 2016 Coaching in an Active Nation – The Coaching Plan for England 2017-2021

5 86% of respondents think that most exercise professionals are not adequately trained to work with disabled people or children and young people. Future Fit Training, UK Active & CIMSPA: 'Raising the Bar', 2018

6 57% of employers in leisure and fitness believe they do not provide adequate training and personal development for their staff. CIMSPA Labour Market Intelligence Report, 2017

Regulation of the workforce in sport and physical activity

There is not a lack of regulation in the sector. There are a wide range of workforce regulation schemes across many different sports. The most common form of regulation is some form of list or register of coaches who meet a range of minimum standards.

The sports that do not have formal regulation or registers in place will often make recommendations to venues and employers as to the standards they should ask for when employing a coach. Minimum level of qualification, clean DBS, a first aid certificate and some form of safeguarding training are most commonly used.

The coach regulation/registers that currently exist in the sector appear to be professionally run and have many good features. However, there are also issues meaning that the reality is the majority of active coaches across sport are operating outside the existing regulation schemes.

Self-regulation in other sectors

From the analysis undertaken it is evident that the introduction of self-regulation is often a response to two drivers, both of which are relevant to this report:

- The Government wishing to protect and benefit people, businesses and the environment and to support economic growth whilst achieving its stated objective(s).
- An eagerness to work with a separate profession that is wanting to interact/invest in that profession.

A specific case study of the Uniform Groups is included in the full report.

What are the challenges being faced?

Stakeholders were consulted widely about how they currently ensured that participants have a safe and high-quality experience, and then about any particular challenges that they are facing. This was examined at a macro level across all stakeholders and also through looking at specific stakeholder groups.

Summarising the challenges this project is trying to solve

The **Quality** of existing regulation is inconsistent across the sector:

- In some places there are fairly comprehensive schemes and others that are very light touch
- There is a lack of agreed minimum deployment standards relating to role
- There is a less consistent focus on developing best practice over ensuring that pre-requisites are 'ticked off'
- NGBs are being placed in a difficult situation with the mixed expectations on them when it comes to workforce development and regulation:
 - When the subject is participation they are asked to increase provision, to make it easier for all to get involved in coaching, to open sport up to new communities
 - When the subject is safeguarding NGBs are expected to have 100% regulation across all active coaches.

The **Coverage** of the existing regulation across the whole sector is low when compared to overall participation:

- The existing regulation schemes are strongest in the club networks, however, the majority of participation exists outside of these networks
- In some sports there are only recommendations and not regulation
- Due to the nature of the problem we cannot be exact, but the majority of the active coaching workforce is either unregulated or operating under some regulation that there is limited line of sight on.

Awareness of safeguarding issues and the existing coach regulation schemes is low in parents and participants⁷:

- Despite concerns for safeguarding and injury⁸, convenience and value are predominant in their choice of sports and physical activity provider / class; safeguarding plays a lesser role.
- Parents do not check safeguarding requirements and qualifications⁹ as they assume the venue/ employer is doing this.
- Despite this passivity, there are high expectations that safety checks should be the same as for school teachers¹⁰.
- However, once they are engaged in sport a relatively high number of parents experience issues at some point.
- There is an inconsistent awareness and approach to safeguarding across the sector. There are many examples of great work and best practice, however, there are still situations where the focus is only on DBS compliance.

Views on the potential viability of a national workforce register

Testing the appetite for a national workforce register was undertaken in the context of the statement regarding common purpose above. The consultation period concluded with an opportunity for organisations to provide position statement regarding their appetite to progress the work. These were:

- a. We are very supportive of the project to proceed to the next stage including further exploration of how a cross sector registration scheme might work.
- b. We are broadly supportive of further exploration into the possible solutions, of which a cross sector workforce registration scheme may be part.
- c. We recognise there is a problem that needs to be addressed but we do not think a cross sector registration scheme should be part of the solution.
- d. We do not feel this project is needed.

7 Findings provided from the Eight Strategy research

8 6 in every 10 parents have a concern about safety. Both injury and safeguarding are worries.

9 Only a minority of parents (16%) check the providers credentials

10 83% of respondents believe that coaching providers should have the same safety checks as school teachers

From the 30+ organisations who provided a position statement the majority of responses were in the broadly supportive category. This analysis holds true when examining the views of different stakeholder groups, i.e. parents and participants, workforce, policy makers and other bodies like insurers, and employers/deployers.

The key benefit consistently picked out by stakeholders attending the 7 workshops was the ability to develop **clear and consistent standards**, recognising the sector is **stronger together** in its ability to positively influence policy makers, commercial partners, and potential customers.

Due to the sheer scale and size of our workforce it is essential we have clear regulation to support the whole recruitment, deployment, development and retention of our workforce. It is also essential to get clear expectations and responsibilities linked to the role and clarity to all service users on the appropriate standards, e.g. schools, parents, children. (a company with nationwide coverage delivering in school sport environments)

To be successful this will need coordinated and central leadership from CIMSPA and Sport England to drive the collaboration and coordination required...we are fully supportive of the project progressing to the next stage to enable such activities as operating model design, exploring technology opportunities, assessing integration with existing models...(a large NGB of sport)

This broad support is noted in the context of a number of practical barriers to implementation that have been flagged by stakeholders, which are unsurprising given the potential scale and complexity of the project.

However, it is important to note that not all are supportive of a register being part of the solution to the problem and have voiced their concerns as to the approach.

Firstly, the most pressing challenge for public leisure services currently (with regards to workforce) is recruitment. This is across aquatics, lifeguards, receptionists, instructors, wellbeing coordinators etc. Implementing a single register would add to the immensely challenging issues of recruiting (and retaining) employees and workers by implementing additional processes and increased time when trying to recruit. With regards to recruitment the leisure trust sector already implements significant and robust recruitment procedures and checking protocols. Secondly, we have concerns around consistency and ensuring if the register is implemented that it is accessed, updated, and utilised consistently and accurately. We worry that otherwise it will not be successful in meeting the objectives set out in the first instance. (a representative body of facility operators).

We are very strongly opposed to the introduction of a Register as we do not believe it will suitably or optimally address any the issues it is proposing to address. we are very concerned about the huge waste of time and money that will be incurred if this proceeds as planned. Ease of access is about signposting to activity - this signposts to workforce? How will this make access easier? What budget will need to be spent in promoting this dataset to users? It will need to be a huge budget for users to even know of its existence - this in itself makes this project questionable. The investment spent on it would be better spent in education of practitioners and welfare officers. A development of DBS would be a much more effective and cost-effective way of tracking those who have been sanctioned and not safe to work with young people. The Workforce Register would simply not be the best solution to this issue. (a medium sized NGB of sport)

Recommendations, principles and measuring impact

Recommendation area 1 - Appetite

‘Yes but...’

There is cross sector appetite for the project to proceed and further explore the appropriate combination of interventions to reduce risk and enable parents and participants to effectively understand what a safe environment is as well as to support coaches to be identified as “safe” and competent. However, there are also concerns regarding the appropriateness, proportionality, quality of execution and effectiveness. Many are understandably cautious. Overall though, there is sufficient weight of opinion across the sector that doing nothing is not an option.

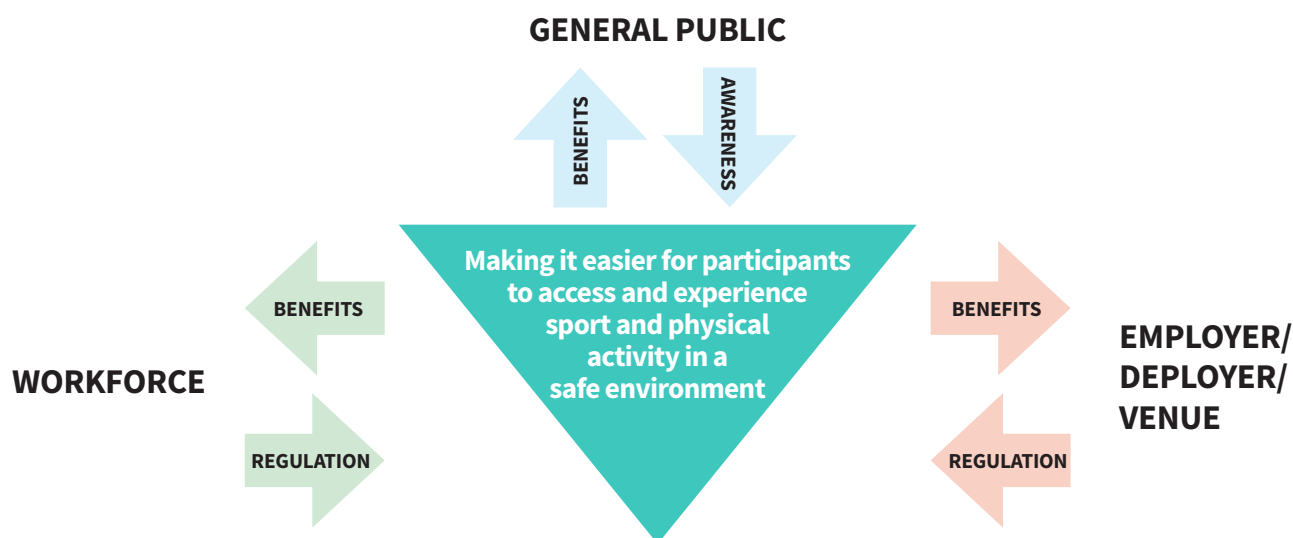
On the balance of evidence and what we have heard there is a large consensus for proceeding if:

- a. This focus of the project is about the self-regulation of the sport and physical activity sector in order to make it easier for participants to access and experience sport and physical activity in a safe environment;
- b. A cross sector registration scheme is not a standalone solution, but is explored as part of a range of interrelated interventions that are needed to have the desired impact;
- c. Any subsequent feasibility work is framed within the findings of this initial scoping exercise, including the principles by which any intervention/s are developed. (The first draft of these principles is further down in this section).
- d. Ongoing engagement and co-production with the sector is central to future work.

KEY RECOMMENDATION 1: This area of work should be progressed with consideration given to the above conditions. If these conditions are respected, it is reasonable to expect a continued engagement and broad support from the majority of the sector. The following recommendations can all be viewed as subordinate and a part of this main report recommendation.

Recommendation area 2 – Three key approaches to reducing risk

Based on the analysis undertaken it is evident that the approach to self-regulation needs to consider the possible interventions addressing a mix of workforce, employer/deployer/venue, and the general public. Whilst it is evident that a path could be adopted to just focus on one of these drivers, it is the view of this report that the optimal solution is likely to consider features of all three and any singular approach would significantly increase the chance of failing to achieve desired outcomes.



KEY RECOMMENDATION 2a: Adopt a triangulated approach to reducing risk and making it easier for parents and participants to access sport and physical activity in a known, safe environment.

KEY RECOMMENDATION 2b: A shortlist of potential interventions identified should be explored and feasibility-tested more robustly against the principles, success measures and sector appetite, specifically in combination with each other.

Recommendation area 3 – How to progress the work?

KEY RECOMMENDATION 3a: In the next phase, it is recommended that a condensed “landscape report” is produced to summarise current work in the following areas and identify who and how each issue could be resolved:

- Standards
- Role and Scope
- Disclosure and Barring Service
- Digital and data.

Measuring success, impact and outcomes

The following outlines the simple, high level outcomes that found some form of consensus in some area of the consultation.

The Aim: Make it easier for parents and participants to access and experience sport and physical activity – without reducing scale of delivery, and to reduce the level of risk in the sector.

The Outcomes:

- 1 More “safe space” coaches** – More coaches across all sports to meet safeguarding minimum standards, understand their responsibility for creating a safe environment and knowing how to respond if they have a safeguarding concern.
- 2 More “safe space” places and organisations** – More venues and other coach deployers to be more aware of their responsibility to provide a safe environment for children taking part in sport.
- 3 More aware parents and participants** – More parents and participants to be more aware of what makes a safe environment and the role of the coaches, venues and organisations in that process.
- 4 Less cross-sector fails** – Fewer unsafe coaches from moving from sport-to-sport / venue-to-venue when concerns have been raised.

Whilst the project should not be aiming to increase reporting, there is evidence from other sectors that making improvements as those in the recommendations may well lead to a large increase of reporting and shared concerns. This should be viewed as a good thing as it demonstrates improved awareness and environment for transparency and openness. Low levels of reporting do not represent a “safe” place, sport or sector. In itself this highlights important subtleties in communication that would need to be managed with this project.

KEY RECOMMENDATION 3b: In the next phase, it is recommended that a clear set of ambitions is developed to create a clear line of sight from consultation brief to end of project life such that the project plan can be effectively overseen and interventions appropriate and proportionate to ambitions, as well as risk.

Principles

KEY RECOMMENDATION 3c: In the next phase, it is recommended that the project is developed in the context of the principles below and that the screening questions are developed such that they act as a guide to the oversight groups or organisations. They can be used to facilitate meaningful project engagement and ensure mission creep and scope slip are avoided.

Principles

1. **Focussed aim:** Any work undertaken should consider and aim for safer environments. This should be considered in a wider context than preventing child abuse. Inclusion, injury prevention, anti-bullying etc should all be considered in an appropriate way as part of the solution.
2. **Improving practice:** Be based around growing safer environments through best practice rather than catching bad people or “box ticking”
3. **Triangular approach:** Recognise the three angles to reducing risk and increasing “safer environments” are:
 - **Coaches** - Increase adherence of the coaching workforce to consistent standards
 - **Venues/employers/deployers** - Use leverage to ensure venues and other deployers work in line with standards
 - **Parents/participants** - Raise awareness of parents / participants of what a “safe” environment looks, sounds and feels like.
4. **Role based:** Be based on role and as such have requirements that are proportionate to the level of risk. This means the requirements of coaches regarding safeguarding should vary with role depending on the level of risk and likelihood of disclosure. This will create greater clarity of roles and where necessary accountability for all stakeholders.
5. **Ease of understanding and use:** End users (coach, parents, participants and deployers) should be able to easily understand the approach to reducing risk and where data is made available then it should be easy to check, easy to join and easy to access and interpret.
6. **In parallel:** Work in parallel with other relevant developing work in and around the sector including the developing work around coaching standards. This should include a cross sport agreement and consistency around “safe”.
7. **Sport/activity defined:** It is up to the sport or activity to define their sport/activity specific requirements around what a competent practitioner is.
8. **Additional benefits:** Where possible future work should consider what other benefits might be enhanced for user groups and how they might be developed or promoted.
9. **Informative:** Any future work should aim to improve access to current, complete and publicly available information for all stakeholders and end users such that more informed decision-making might take place.
10. **Additionality:** Future work must be providing additionality to what already exists. Duplication of coach registers and the need to register more than once must be avoided wherever possible.
11. **Considered:** Future work should be scenario-tested to identify potential weakness, openness to misuse and impact on accessibility and inclusion.
12. **Voluntary and proportionate:** The interventions must be proportionate to the existing risk and the potential impact on the level of risk. The intervention cannot be coercive to the individual.

Next steps

Throughout the course of this initial phase of the project stakeholders have asked lots of questions that it hasn't been possible to answer. There has been no model against which the consultation has taken place with the concept of a workforce register broad in terms of how it might be delivered and operated.

At times that has presented a challenge because organisations have been nervous about what they were being asked to sign up to. That is another reason why it has been so important to try and be very clear on the purpose statement for why this is needed and to position a possible workforce register as part of any approach to self-regulate the sector. It is evident that with this appetite to proceed that much more detail is now needed in terms of the feasibility of the different potential interventions and how they might work together in practice.

The final recommendation provides a clear outline for how this long term, complex change management project should be taken forward.

KEY RECOMMENDATION 4: It is recommended that the project is recognised as a large scale high-budget project and as such managed in line with appropriate project and governance methodologies. Four key areas are outlined below:

- i. **Phasing** – In line with major project methodologies the project should be managed and funded through distinct phases that can be paused, accelerated or adapted.
- ii. **Project governance** – establish a robust cross sector governance approach to oversee the development of the project. An essential principle is to ensure that the approach to self-regulation is cross sector such that we have the right knowledge sources engaged and the project is challenged to avoid mission creep and keep challenging on clarity of purpose whilst revisiting the problem statement on a regular basis.
- iii. **Project delivery** – establish a project delivery team bringing together the right expertise to address the different aspects of the work. This includes project management, digital, safeguarding expertise, those with knowledge of professional standards, professional membership bodies, marketing, behaviour change.
- iv. **Communications and engagement** – develop and implement a stakeholder communications and engagement plan that is sector wide, and encompasses other key non-sector stakeholders. This should include testing the endorsement of stakeholders at key gateway review points of the project.



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