

## **Safeguarding guidance: Positions of trust**

April 2026

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**Purpose and scope:** This guidance explains the legal duties, safeguarding expectations, and good practice standards that apply to anyone in a position of trust within British Equestrian sport. It is intended to help staff, coaches, instructors, officials, volunteers, and others in roles of power, influence, or responsibility maintain safe boundaries, protect participants, and respond appropriately to concerns.

## **Introduction**

British Equestrian is committed to enabling people to thrive in environments where welfare, wellbeing, and safety are protected and prioritised. In our sport, some roles carry real or perceived power, influence, responsibility, or authority, and that creates a clear expectation that those roles are exercised professionally, transparently, and with appropriate boundaries.

This guidance supports individuals in positions of trust to understand what the law requires, what safeguarding practice expects, and what professional conduct looks like in day-to-day settings. It is designed to help people maintain clear boundaries, prioritise the welfare of those they work with or support, and recognise when concerns should be raised and acted on.

## **What specific legislation applies to positions of trust**

### Children

The Sexual Offences Act 2003 makes it a criminal offence for an adult in a position of trust to engage in sexual activity with a person under 18, even where that young person is over the age of consent. Since 2022, this has expressly included sports coaches who regularly coach, train, teach, instruct, care for, supervise, or are solely in charge of a person under 18 and know that they are doing so. Although "regular" is not formally defined in the legislation, it clearly means more than a one-off interaction. The Act also contains limited exemptions for certain pre-existing relationships.

### Adults

There is no equivalent specific criminal offence under the Sexual Offences Act 2003 for abuse of a position of trust involving adults generally. However, under the Care Act 2014 in England, local authorities and partner agencies must have clear arrangements for responding to allegations against people working in positions of trust with adults who have care and support needs. This means organisations and professionals must uphold professional boundaries, act appropriately, and respond to concerns in line with local safeguarding adults processes.

While specific legislation is more limited for adults generally, the safeguarding expectation is wider. Anyone in a position of power, influence, authority, or responsibility should maintain professional boundaries, recognise where power imbalances exist, and act in ways that protect the dignity, welfare, and confidence of all participants.

## **Definitions**

Position of trust: This term describes a role or relationship in which one individual holds a position of trust, power, influence, responsibility, or authority over another, particularly when there is an inherent power imbalance.

Child: Anyone under 18 years of age.

Adult: Anyone who is 18 years of age or older.

Adult at risk: A person aged 18 or over who:

- has needs for care and support (whether or not the authority is meeting any of those needs),
- Is experiencing, or is at risk of, abuse or neglect, and
- As a result of those needs, they are unable to protect themselves against the abuse or neglect or the risk of it.

Abuse of position of trust: Any situation where a person in authority exploits, manipulates, coerces, or abuses their role for personal, financial, sexual, or emotional gain or to the detriment of those they are responsible for.

Professional relationship: A relationship between two people to carry out specific designated roles or to meet a common goal, whether paid or voluntary. It involves staying within professional boundaries, which are defined by roles and often linked to specific locations and activities.

Personal relationship: A relationship involving close connections between two people is generally formed through shared emotional bonds, interactions, interests, and experiences, often including friendship, support, and involvement in aspects of someone's life beyond the remit of a Professional Relationship.

Intimate relationship: A Personal Relationship that has developed beyond friendship and involves a romantic, physical, or sexual connection or activity between two people, which can take place on one or more occasions.

Professional boundaries: Ethical and legal limits define appropriate interactions and relationships between individuals in positions of trust and those with whom they work, ensuring respect, safety, and confidence are maintained at all times.

## **Positions of trust in the context of sport**

While legislation may apply in specific scenarios, there is a broad range of situations within sport that confer power, influence, authority, or responsibility over others, which may give rise to expectations around behaviour. These individuals are often relied upon to make decisions that affect the welfare, development, participation, and safety of others. The nature of these roles means that participants may look up to, depend on, or feel vulnerable to the decisions and actions of such individuals in these positions.

It is essential to recognise that positions of trust are not limited to the sporting environment. For example; if an individual holds a position of trust in another context, such as education, healthcare, or community roles, and concerns are raised about their behaviour in that setting, this may directly affect their role within sport and vice versa. This is because safeguarding and welfare responsibilities extend across all areas where trust and authority are exercised. Maintaining high standards of conduct in every setting helps protect both you and those you work with.

### **Breaches of a position of trust**

Breaches of a position of trust undermine safety, confidence, and professionalism. Some may reflect poor judgement or blurred boundaries; others may be deliberate, serious, or criminal.

Clear expectations, professional boundaries, and prompt responses to concerns are essential to preventing inappropriate conduct from developing or going unchallenged.

Abuse of a position of trust is not always obvious. It can be gradual, subtle, and easier to see from the outside, which is why vigilance, early reporting, and attention to changes in behaviour or wellbeing are critical.

Examples of conduct that may raise concern include:

- A person in a position of trust engaging in a personal relationship, intimate relationship, sexual activity, inappropriate touching or communication, such as innuendo, flirting, or inappropriate gestures and terms (in person or online or any other form of verbal or non-verbal communication).
- A person in a position of trust giving extra special attention or preferential treatment to certain people, or acting as a personal confidante.
- A person in a position of trust frequently spends time alone with a participant, especially in private or isolated settings.
- Meeting or socialising outside of official hours in one-on-one situations.
- Providing private transportation to or from events or activities.
- Developing personal relationships with family members or carers beyond a professional context.
- Offering gifts such as money, toys or cards.
- Using personal communication methods like texts, phone calls, emails, or social media to contact others outside of approved or otherwise agreed channels.
- Displaying overly affectionate behaviour.
- Making flirtatious, suggestive or sexual comments.

These examples may indicate a breach, but individuals are not expected to decide that themselves. The key responsibility is to recognise concerning behaviour, record or share concerns appropriately, and report them promptly so they can be assessed and acted on.

### **Consequences of breaching a position of trust**

Breaches of positions of trust can have serious and far-reaching consequences if substantiated. Individuals found to have violated their legal responsibilities may face criminal convictions, including fines, imprisonment, and potential placement on safeguarding registers. Beyond illegal behaviour, repeated or serious poor practice can trigger internal disciplinary proceedings that may lead to suspension, dismissal, or permanent exclusion from working with vulnerable groups.

Breaching organisational codes of conduct or professional standards may result in disciplinary proceedings, loss of professional licensing or qualifications, and reputational damage.

### **Guidance for young people (16+) in a position of trust**

Young people under 18 who serve as coaches or junior instructors are not covered by the criminal law on Positions of Trust under the Sexual Offences Act 2003, as they should always be supervised by an adult who holds the position of trust responsibility. They are however covered under the Sexual Offences Act 2003 if they were to be a victim. However, a coach or junior instructor they still hold a position of responsibility and should follow safeguarding best practice to protect themselves and others.

#### Good practice recommendations

- Understand and follow codes of conduct: These outline professional boundaries and what types of relationships may be considered inappropriate.
- Seek guidance and training: Young coaches should be supported to understand good practice, recognise risky scenarios, and receive proactive mentoring as they develop in their roles.
- Maintain transparency: If a consensual relationship exists between two young people aged 16 or over before one becomes a coach, it is good practice to inform a trusted person within the organisation. This helps ensure safeguards are in place and prevents misunderstandings.

#### When a young coach turns 18

Under the Sexual Offences Act 2003, it becomes a criminal offence for anyone aged 18 or over in a position of trust (such as a coach or instructor) to engage in sexual activity with someone under 18, even if that person is over the age of consent (16).

If a consensual relationship existed before the coach turned 18 or before they assumed the position of trust, this may not constitute an offence under the Act. However, organisations should still manage this situation carefully to maintain safeguarding standards.

#### Safe practices to protect young coaches

- Always maintain professional boundaries.

- Follow organisational safeguarding policies and codes of conduct.
- Use clear, appropriate communication.
- Avoid one-to-one unsupervised situations wherever possible.

### **Practice expectations: Standards of conduct**

The precise rules may vary across organisations and roles, but the core expectation is consistent: anyone in a position of trust must act professionally, ethically, and with clear regard for boundaries, transparency and safeguarding.

The key actions below help individuals meet that standard in practice.

- Know the level of trust, influence, or authority attached to your role and act accordingly.
- Understand and follow the codes of conduct, regulations and guidance that apply to your role and member body.
- Complete safeguarding and professional boundaries training and keep your knowledge up to date.
- Consider how your behaviour could be experienced, interpreted, or perceived by others, especially in one-to-one situations.
- Maintain professional boundaries at all times to protect both participants and yourself.
- Use appropriate communication channels and avoid private or informal contact that could create risk or misunderstanding.
- Be transparent in your actions, involve others where appropriate, and avoid unsupervised situations where risk can be reduced.
- If a situation could blur professional boundaries, tell the appropriate safeguarding lead promptly so it can be recorded and managed.
- Keep personal and professional online activity separate and use privacy settings carefully.
- Report concerns early and seek advice when something does not feel right; timely sharing allows safeguarding processes to work effectively.

### **Positions of trust with adult athletes - Special considerations**

The coach-to-athlete relationship in adult sport is complex. It involves shared passion, commitment, and significant time together. It creates high levels of trust, connection, and influence. These dynamics are usually unavoidable and intrinsic to personal development and sporting performance. However, this closeness can blur the lines between a professional relationship and a personal one. Examples of a relationship straying into being personal might include socialising together, offering life advice, collaborating outside of sport or physical affection.

### Are coach-to-adult athlete intimate relationships acceptable?

This is an important question. Legally, consenting adults have the right to form intimate relationships; however, some may use their position as a coach to exert inappropriate influence. As a result, it is helpful to recognise potential risks and warning signs. Those considering a potential relationship should be aware that adult coaches should be mindful of any contractual agreements, policies, or codes of conduct that may prohibit such relationships in the sporting context.

### What are the risks?

The most significant risk is that a relationship may be shaped by grooming, coercion, or exploitation. Such situations can be challenging to recognise from within and may have lasting effects on a person's well-being.

Risks include:

- Grooming
- Coercive control
- Exploitation of trust, power, and influence
- Abuse (sexual, emotional, financial)
- Exploiting an athlete's ambition to succeed

While there is no legislation prohibiting romantic or intimate relationships between consenting adults, it is important to acknowledge the potential for blurred boundaries and power imbalances in a coach-to-athlete relationship. Where such relationships exist or develop, both parties should take active steps to maintain professionalism and safeguard the integrity of the coaching environment. This includes setting clear boundaries during coaching sessions, avoiding any behaviour that could compromise trust or objectivity, and being mindful of how others may perceive the relationship. Transparency, respect, and accountability are essential to ensure that coaching remains a safe and supportive space for everyone involved.

### Appendix A: Example scenarios of abuse of a position of trust in sport:

#### **Children**

These scenarios show how the law and safeguarding expectations may apply in practice when children are involved.

1. A 17-year-old riding school coach is in a sexual relationship with a 16-year-old they instruct. This would **not** be a criminal offence under the position of trust legislation because the coach is under 18. Even so, the coach should follow the code of conduct, recognise the power imbalance, and avoid inappropriate relationships with children.

2. A 20-year-old club coach engages in sexual activity with a 17-year-old student they meet through a weekly coaching session they help run. **This may be a criminal offence.** The coach is an adult, is likely to be in a position of trust through regular coaching, and the matter should be reported to the police if they knew the young person was under 18.

3. A coach turned 18 six months ago and has been in a sexual relationship with a 17-year-old student for the past year. The coach is now in a position of trust and the coaching is likely to be regular. However, if the relationship existed immediately before they turned 18 and entered the position of trust, there may be no offence, provided that can be evidenced. Even where no offence is committed, the organisation should assess risk, consider power imbalance and wellbeing, and decide whether alternative coaching arrangements or additional supervision are needed.

- Speak confidentially with those involved, where appropriate, to understand the situation and any current safeguarding concerns.
- Consider whether direct coaching should continue, especially if the relationship has ended or could create discomfort, favouritism, or reputational risk.
- Put safeguards in place, such as alternative coaching arrangements or additional supervision.

## **Adults**

These scenarios illustrate how power, influence, and organisational standards may apply in adult contexts, including where adults have care and support needs. They should be considered alongside safeguarding procedures, codes of conduct, and disciplinary processes.

1. A 25-year-old coach begins a sexual relationship with a 20-year-old athlete whom they are coaching.

If both parties are consenting adults, this is unlikely to be a criminal offence. However, the coach must consider any applicable code of conduct and take steps to remove or reduce power imbalance, particularly where they control decisions that affect the athlete's opportunities or progression.

2. A coach begins a sexual relationship with a 20-year-old athlete. They have not coached the athlete for some time, but they now sit on a selection panel that will decide whether the athlete is selected for a significant event.

Although both parties are adults, the coach's role on the selection panel creates a clear conflict of interest and potential misuse of power. The coach should declare the relationship and recuse themselves from the selection process.

3. A team physiotherapist initiates a personal relationship with an adult athlete undergoing treatment for a long-term injury.

This raises serious professional boundary concerns. A registered healthcare professional is accountable to their professional standards, and the athlete may be more vulnerable because of injury and dependence on treatment and support.

4. A coach shares private mental health records about a participant with other participants in the course they are teaching.

This is a serious breach of confidentiality, trust, and duty of care, and should be treated as a safeguarding and disciplinary matter.

5. A senior volunteer threatens to remove a volunteer from their role unless they comply with personal demands unrelated to sport (e.g., helping with private errands).

This may amount to an abuse of authority and exploitation of a subordinate adult, and is likely to breach organisational codes of conduct or relevant policies.

More information about safeguarding adults in sport can be found on the Ann Craft Trust website. <https://www.anncrafttrust.org/adult-coach-athlete-relationships-the-complexities-and-potential-risks-saferculturesafersport/>

### **Frequently Asked Questions**

#### **What is a position of trust?**

A position of trust is any role where someone has power, influence, responsibility, or authority over another person. In sport, this can include coaches, instructors, officials, staff, volunteers, and others whose role creates a power imbalance or gives them responsibility for someone's welfare, development, or safety.

#### **What does the law say about positions of trust and children?**

Under the Sexual Offences Act 2003, it is a criminal offence for an adult in a position of trust to engage in sexual activity with a young person under 18, even if that young person is over the age of consent. In sport, this includes adult coaches who regularly coach, train, teach, instruct, care for, supervise, or are solely in charge of someone under 18.

#### **Is there a specific offence for abuse of a position of trust involving adults?**

There is no equivalent specific criminal offence that applies to adults generally in the same way as for children. However, safeguarding duties still apply, especially where an adult has care and support needs, and organisations must respond to concerns, maintain professional boundaries, and follow safeguarding adults procedures.

#### **What is an adult at risk?**

An adult at risk is someone aged 18 or over who has care and support needs, is experiencing abuse or neglect or is at risk of it, and is unable to protect themselves because of those needs.

#### **What behaviours might raise concerns about a breach of a position of trust?**

Warning signs can include blurred professional boundaries, one-to-one time in private settings, socialising outside official activity, private transport, gift giving, personal messaging outside agreed channels, favouritism, acting as a confidante, overly affectionate behaviour, or flirtatious, suggestive, or sexual comments. A concern does not need to be proven before it is reported.

### **What should someone do if they notice concerning behaviour?**

The key expectation is to recognise the concern, record or share it appropriately, and report it promptly through the right safeguarding process. People are not expected to decide for themselves whether a breach has definitely taken place.

### **What are the consequences of breaching a position of trust?**

Consequences can be serious. Depending on the circumstances, they may include criminal investigation, fines, imprisonment, safeguarding restrictions, disciplinary action, suspension, dismissal, exclusion from work with vulnerable groups, loss of qualifications or licensing, and reputational damage.

### **Does the position of trust law apply to young coaches or junior instructors under 18?**

Young coaches and junior instructors under 18 are not covered as the person committing the offence under the criminal position of trust law in the same way as adults, because they should be supervised by an adult who holds that responsibility. However, they still hold a position of responsibility, should follow safeguarding good practice, and are protected by the law if they are victims.

### **What changes when a young coach turns 18?**

Once a coach or instructor is 18 or over and in a position of trust, it can become a criminal offence for them to engage in sexual activity with someone under 18, even if that young person is 16 or 17. If a relationship existed before the coach turned 18 or before the role began, there may be limited exceptions, but the organisation should still manage the safeguarding risks carefully.

### **Are intimate relationships between coaches and adult athletes allowed?**

Consenting adults can legally form intimate relationships, so these relationships are not automatically criminal. However, they can involve serious risks linked to power imbalance, grooming, coercion, exploitation, conflicts of interest, and damage to trust in the coaching environment. Any relevant code of conduct, policy, or contractual restriction must also be followed.

### **What does good practice look like for someone in a position of trust?**

Good practice includes maintaining professional boundaries, using appropriate communication channels, being transparent, avoiding unnecessary one-to-one unsupervised situations, keeping personal and professional online activity separate, following codes of conduct, completing safeguarding training, and raising concerns early when something does not feel right.