



**Keeping  
it safe**

# **Safeguarding Standards and Implementation Guidance**

# Keeping it Safe

## Safeguarding Standards and Implementation Guidance

### Index

Welcome and Acknowledgements  
Introduction  
How to use this Guidance  
Definitions  
Underpinning Principles

### Section 1

#### Keeping It Safe – The Standards

- Checklist: Essential policies and procedures
- Safer staff and volunteers – recruitment, induction, continuous development and supervision
- Managing safe working practice
- Providing safe activities – trips, events and residential
- Reporting concerns, suspicions and allegations

### Section 2

#### Safeguarding Implementation Guidance

##### 1. Safeguarding Policy Guidance

- Child protection procedures
- Child protection issues
- Domestic violence
- Teenage pregnancy, abortion and early childhood
- Smacking
- Safeguarding and young leaders
- Engaging with Local Safeguarding Children Boards (LSCBs)
- Implementing, monitoring and evaluating your safeguarding practice

##### 2. Code of Practice for Staff, Volunteers and Young People

- Why is a code of conduct so important?
- Definitions of unacceptable behaviour
- Behaviour management
- Peer abuse and bullying
- Dangerous weapons
- Drugs, alcohol and smoking
- Sexual activity
- Positions of trust
- Control and restraint

##### 3. Confidentiality, Sharing Information, Competence, Whistleblowing and Complaints Policies

- Confidentiality
- Parent/carers records and consent
- Data protection
- Information sharing
- Competence and consent
- Whistleblowing
- Complaints policy and procedure

#### **4. Equalities and Diversity Policy**

- Legal framework
- Equalities and diversity in practice
- Disability

#### **5. Anti-bullying Policy**

- Safeguarding online and social media
- Using social media safely
- Using images
- Mobile phone and new video/picture technologies

#### **6. Youth Participation**

#### **7. Health, Safety and Welfare Policy**

- Risk assessment
- On-going risks and re-assessments
- Providing safe activities
- Planning activities
- First aid provision
- Planning adventure activities
- Visits abroad and international exchanges
- Using a minibus
- Information for parents

#### **8. Recruitment and Selection Policy**

- Responsibilities and procedures
- Job roles and descriptions
- Application forms
- Confirmation of identity
- References
- Interviews
- Disclosures, barring and criminal record checks
- Deciding whether the role is eligible for a check
- Deciding on the type of check
- Obtaining a DBS check
- Deciding how to respond to information on a DBS check certificate
- Duty to refer on individual to the DBS
- Probationary period

#### **9. Supervision, Training and Development**

- Supervision and support
- Appraisals
- Staff development
- Induction
- Training for specialist roles

#### **10. Reporting concerns, suspicions and allegations**

- Barriers to reporting and responding
- Potential barriers faced by children and young people
- Designated person
- Responding to a disclosure
- Local Authority Designated Officer (LADO)
- Disciplinary and grievance procedures

## **Appendices**

### **Appendix 1 Legislation and relevant Acts**

#### **Appendix 2 Dealing with Abuse**

- (a) Facts about, and definitions of, abuse
- (b) Recognising abuse
- (c) Responding to allegations of abuse
- (d) The process for reporting child protection concerns

#### **Appendix 3 Template policies and procedures**

- (a) Safeguarding Policy
- (b) Child Protection Policy
- (c) Reporting concerns, suspicions and allegations
- (d) Equalities and Diversity Policy
- (e) Risk assessment and safety policy
- (f) Information handling and confidentiality
- (g) Recruitment and selection policy
- (h) Complaints policy
- (i) Grievance and disciplinary procedures and Whistleblowing
- (j) Code of conduct

#### **Appendix 4 High-risk activities**

#### **Appendix 5 Useful contacts**

#### **Appendix 6 References and further reading**

#### **Appendix 7 Glossary of terms**

## Welcome

Welcome to the 4th edition of Keeping It Safe – Safeguarding Standards and Implementation Guidance. Keeping It Safe is a long running resource, designed to help organisations that work with young people to do all they can to ensure safe working practice.

We remain totally dedicated to raising standards across the sector, which is even more important in today's climate when we are all asked to be extra vigilant on safeguarding due to the high levels of risk that children, young people and vulnerable adults are exposed to.

Safeguarding provides challenges for all those who are seeking to provide services and activities for young people away from the home. In addition, organisations and managers have become more sensitive to potential risks in providing services and the likelihood of litigation. Although safeguarding is essential, the consequence of a higher profile of safeguarding work can often lead to anxiety and confusion; organisations may avoid providing services for young people altogether for fear of not getting it right.

This guidance has been developed by a team of specialist professionals working and delivering to young people in both a strategic and operational way. We are pleased, therefore, to say this resource is more than ever 'voluntary led and owned' as it has been since 2003, when it was first launched.

In this 4th edition we have made some significant changes, which include timely updates in legislation (including DBS); new guidance on e-safety and using social media; and stronger guidance around involving and engaging young people in safeguarding.

To ensure the resource remains user friendly and meets ever increasing demands in this complex environment, we have split the standards (Section 1) and the implementation guidance (Section 2). The new layout will make the resource accessible to anyone working in the children and youth sector – not only those who are undertaking accreditation against the standards i.e. the Sound Systems Accreditation Quality Mark.

The final change in this edition has been the reduction in the number of standards from six to four. We made this change because feedback indicated that the guidance was quite repetitive in places and that organisations wanted to have clear and succinct guidance that both cuts across policies and provides a clear view of which policies and procedures a good organisation should have in place, and then how they should be implemented.

To live and work in a society where we are constantly cushioning young people is not what we are aiming to do. We hope this resource will help you develop a good balance between taking responsibility and enabling young people to do so themselves.

### Editor

Isabelle King  
*Innovation and Sustainability Manager, NCVYS*

## Acknowledgements

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### Members of the KIS Standards Review Group:

Kevin Garrod – Head of Partnerships, Children England and Safe Network  
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Sam Marks – National Development Officer (Safeguarding) – The Scout Association  
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Cath Sykes – Youthwork Officer, National Federation of Young Farmers' Clubs  
Phil Street O.B.E. – Manager, Worcestershire Council for Voluntary Youth Services  
Gary Trundell – Safeguarding Manager, Marine Society and Sea Cadets (MSSC)  
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Collette Harrison – Acting Chair, National Council Voluntary Youth Services (NCVYS)  
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Lyn Gavin, the Safeguarding Engagement Lead for the Disclosure and Barring Service who has provided invaluable guidance and patience as we re-worded all the section pertaining to Safer Recruitment.

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## Disclaimer and Limitation of Liability

*This resource has been designed to provide basic but relevant information, examples of effective practice and in some places sign posting. All the information and guidance contained within this resource is accurate and up to date at the point of publication. NCVYS and those who have contributed to developing this material cannot however, take responsibility for the way in which the material contained in this publication is used, nor for the implementation of this guidance. You should seek advice from an appointed person on any issue where further clarity is required or where you fear that wrongful implementation could harm you or your organisation.*

## Endorsements

### Keeping it Safe – Safeguarding Standards and Implementation Guidance

*'The Scout Association shares NCVYS's commitment to safeguarding children and young people. We particularly welcome the young person-centred approach of the fourth edition of Keeping it Safe, which provides a wealth of information to help youth organisations develop their safeguarding practices.'*

**Samantha Marks, National Development Officer (Safeguarding), The Scout Association.**

*'The fourth edition of Keeping It Safe from NCVYS updates their well-established resource for ensuring young people's safety throughout their involvement with an organisation. I recommend it as a valued 'tried and tested' tool for voluntary sector practice, which is unique in offering a rigorous accredited framework combined with practical help and advice.'*

**Kathy Evans, Chief Executive, Children England**

*'The Keeping It Safe guidance is a great tool for anyone working with young people, and we support it! It brings together a wealth of knowledge from within the voluntary youth sector that is clearly in context of current legislation and is updated three times a year. The new electronic version with its links makes it easy to browse across areas that previously have been difficult to navigate. The guidance is written in plain English by practitioners in Safeguarding. We would encourage all to read, if in the field of youth work and to have as a useful guide for everyday practice in your organisation.'*

**Maralyn Smith, National Programme Manager – Workforce, NYA / Institute for Youth Work**

### Sound Systems – the National Accreditation Quality Mark for safeguarding

*'UK Youth prides itself on working with young people to enable them to learn the skills and competencies they need for life. Our work aims to value and accredit all the positive achievements of young people outside the classroom. It is therefore very important to have our safeguarding practices independently assessed by NCVYS, a very trustworthy organisation that gives the SoundSystem award for safeguarding credibility and meaning, and can be used as a benchmark for those who work with us and for the young people who use our services.'*

*'The submission process and support given and available for assessment was conducted in such a constructive and professional way and although challenging it was both helpful and reflective. Assessments like these are so important in focusing the organisation, and looking in detail at managing safeguarding to ensure the high standards are not only being met throughout the organisation, but also communicated, effective and monitored. These assessments are invaluable and help to shape and improve the UK Youth safeguarding practices, to ensure that young people are truly safeguarded when working with our charity. Thank you all who were involved.'*

**David Watts, Director of Avon Tyrrell, UK Youth Outdoor Activity Centre, Hampshire**

*'MSSC makes the health and welfare of young people our first priority. It's important for us to have external validation of our comprehensive safeguarding arrangements so that we can offer reassurance to the charity and the thousands of parents whose children we work with.'*

**Gary Trundell, Safeguarding Manager, Marine Society and Sea Cadets (MSSC)**

## Introduction

NCVYS is committed to safeguarding children, young people and supporting organisations to implement safeguarding practices. The overall aim of this resource is to bring together the key issues you need to address to create a safe environment for children and young people.

Used as an audit tool, this resource is intended to help organisations begin the process of safeguarding by providing guidance to support the development and implementation of the policies and procedures required in order to keep young people, their staff and volunteers safe.

The focus of this resource is also to recognise that the vulnerable period of transition between being a young person and becoming an adult does not stop at age 18. It is, therefore, important to note the distinctions between laws and policies that apply to young people under the age of 18, and to young adults over 18. The focus of this resource is for children and young people under 18. Where relevant we have signposted information that covers the safeguarding need of vulnerable adults aged 18 plus.

## How to use this Guidance

When reading this resource you need to consider that it is divided into two sections:

**Section One** contains the four Keeping it Safe standards and gives you a structure on which to challenge your practice and/or for continued development of safeguarding policy, procedure and practice. We recommend you use this section as an audit tool, OR as a checklist to assess your policy and practice before applying for the Sound Systems Accreditation Quality Mark.

**Section Two** provides you with an overview of all current legislation and practical implementation guidance, developed with safeguarding specialists and operational managers from across the sector who work with young people on a daily basis. This section is designed to help you develop and challenge your current policies and procedures.

The resource is not designed to provide a 'one size fits all' approach and you will find the best way to use section two is to 'dip in and out' using the links highlighted within the text, as you are working on specific areas, such as:

- Safeguarding policy
- Code of conduct for staff, volunteers and for children and young people.
- Confidentiality, sharing information, Whistleblowing and complaints policies
- Equalities and diversity policy
- Anti-bullying policy
- Youth participation policy
- Health, safety and welfare policy
- Recruitment and selection policy
- Supervision, training and development
- Reporting concerns, suspicions and allegations policy

## Definitions

As some of the terminology used may be unfamiliar we have tried where possible to use terminology familiar to most and to explain any jargon in the guidelines and the glossary of terms in Appendix 8.

### Safeguarding:

For the purposes of this document, we are using the terms 'safeguarding' and 'to safeguard' to describe the preventive and precautionary approach to planning and procedures needed to protect children and young people from any potential harm. Child protection is one important aspect of safeguarding.

**The government has issued statutory guidance for a wide range of public agencies which defines safeguarding and promoting the welfare of children (under 18s) as:**

- **protecting children from maltreatment;**
- **preventing impairment of children's health or development;**
- **ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and**
- **taking action to enable all children to have the best outcomes.**

Safeguarding Vulnerable Adults – If you primarily work with individuals over 18 (a) who are, or may be, in need of community care services (i.e. adult social services) because of mental ill health, disability, age or illness, and/or (b) who are unable to care for

themselves or unable to protect themselves from significant harm or exploitation you should also consider the 'No Secrets' Statutory Guidance published in 2000. A useful guide to the law on adults who are being abused has also been published by the Social Care Institute for Excellence in 2011: 'Safeguarding Adults at Risk of Harm'.

## **Policies and Procedures:**

When we talk about policies in this document, we are referring to the guiding principle, or the statement you might make, about what you are aiming to achieve as an organisation in a specific area. For example, a safeguarding policy may state that you are aiming to keep as safe as realistically possible all children and young people who use the services of your organisation, as well as the staff and volunteers who work there. The procedures would then outline how this is done, detailing the processes in place, including named people, to ensure that the policy is adhered to.

## **Main Beliefs**

Learning over the past two decades has shown that harm experienced by young people can be reduced with collaborative working and taking an integrated approach to safeguarding and child protection. This is based on two main beliefs:

- Safeguarding is everyone's responsibility: for services to be effective each professional and organisation should play their full part; and
- A young person-centred approach: for services to be effective they should be based on a clear understanding of the needs and views of children and young people.

### **Safeguarding young people is everybody's business**

It is important that all the policies and procedures mentioned are understood and used by all trustees, paid staff and volunteers, especially by those who work directly with children and young people, but also by those who are responsible for policy implementation across the organisation. It is also important to ensure that where appropriate young people are involved in the decision making processes behind the policies and procedures.

The Children Act 2004 requires a wide range of public bodies to ensure that their functions, and any services that they contract out to others, are discharged with due regard to the need for safeguarding and promotion of children's welfare. Statutory guidance on the duty makes clear that "voluntary organisations and private sector providers should have the arrangements to meet these duties in place". More recently greater emphasis has been placed on working together under the Working Together to Safeguard Children Guidance (2013).

### **Young person-centred approach to risk assessment**

Effective safeguarding practice places the views of children and young people at the centre of the policy planning and implementation processes. By focusing on children and young people, and involving them, their welfare is more likely to be paramount. This approach will ensure that your organisation both establishes a culture of honesty and openness, and identifies what issues children and young people consider likely to affect them and their safety. This is particularly important if you are working within multicultural, multi-faith communities or with those who might be vulnerable because of an impairment or disability.

A young person centred approach will also ensure that your organisation and those you work with create a culture of openness and honesty and help you identify the issues that children and young people think affect their safety.

# Section One

## The Standards

### How to use this Section:

**Section One** contains the four Keeping it Safe standards and gives you a structure on which to challenge your practice, and/or for continued development of safeguarding policy, procedure and practice. We recommend you use this section as an audit tool OR as a checklist to assess your policy and practice before applying for the Sound Systems Accreditation Quality Mark.

The standards are underpinned by a set of defined policies and procedures that are designed to inform and structure all decisions and actions taken to ensure a safe working environment, many are legal requirements within the UK (see below Checklist) .

### Underpinning Principles:

For these policies and procedures to work effectively, they should be **fully understood** and **implemented** by all paid staff and volunteers, all members and users of the organisation, parents/carers, and external contractors.

The policies should be **visible** and available for all to see and use. Equally important is to ensure that they are **flexible** both to the core activities and focus of the organisation, as well as ad hoc activities.

Wherever possible, the **views of the children and young people** using your service should be sought and included in the creation and implementation of policies and procedures. This will ensure not only children and young people feel that all possible ways of safeguarding them have been identified, but also that your service complies with Articles 3 and 12 of the United Nations Convention on the Rights of the Child.

**Young people's participation** should be viewed as a right and not as an optional extra. This is particularly important when working closely with children and young people from diverse cultural backgrounds, or with those who might be vulnerable because of an impairment or disability.

It is important to make sure that the language you use within these policies is age appropriate to your users. If the style and language is too complicated, then both adults and young people may not remember all the details. Equally, if policies are drawn up in a style that is too simplistic, young people may feel patronised and be put off.

## Checklist: Essential Policies and Procedures

- ❑ A clear Safeguarding Policy that demonstrates the organisation's commitment to the overall safety of all the children and young people in its care clearly showing that child protection procedures are in place.
- ❑ Agreed statements of appropriate behaviour that reflect the safeguarding policies i.e. Codes of Conduct for staff and volunteers, and for children and young people. Guidance also needs to be in place for disciplinary and grievance procedures for all paid staff and volunteers to comply with the ACAS Code of Practice.
- ❑ Clear policies on Confidentiality, Sharing Information, Whistleblowing and Complaints so that young people, parents/carers, paid staff and volunteers are aware of how to act if they are giving, or have been given, confidential information. Also to allow members and users of the organisation to complain or report any aspects of the organisation or an individual.
- ❑ An Equalities and Diversity Policy and Procedures which prevents discriminatory practice and upholds the right of children and young people, as well as staff and volunteers, to be treated fairly.
- ❑ An Anti-bullying Policy which seeks to minimise the risk of bullying taking place and to put a stop to it when it occurs, with appropriate interventions.
- ❑ A Youth Participation Policy that ensures young people are empowered within the process of safeguarding and have an active say in decision making related to their safety.
- ❑ A Health, Safety and Welfare Policy which is in line with current legislation clearly stating the roles and responsibilities of the organisation and individual, with clear procedures for risk assessing both the environment and the welfare of the individual.
- ❑ A clear Recruitment Policy and Procedure in line with current guidance and employment legislation. It must cover recruitment of paid staff, volunteers, ex-offenders and where appropriate, young people under the age of 18 years.
- ❑ A clear Reporting Concerns, Suspicions and Allegations Policy and/or Procedure that ensures that your organisation has clear written procedures for informing paid staff, volunteers and young people what to do if they receive information that causes them concern, or a colleague/workers behaviour is causing concern.

To achieve the Sound Systems Accreditation quality mark you must be able to give evidence that your organisation has the above policies in place. Sound Systems Accreditation also requires that you undertake a robust self and peer assessment process that challenges whether the Keeping It Safe standards are; **communicated; effective; embedded within and across your organisation; monitored; evaluated and young people focused.**

## The Four Keeping It Safe Standards

### 1. Safer Staff and Volunteers – recruitment, induction, training, continuous development and supervision

**Statement – Keeping children and young people safe is a priority for all organisations working with children and young people. To minimise risks and to ensure the safety of children and young people organisations will have current safe recruitment, training and retention arrangements and written safeguarding policies and procedures.**

- 1.1 All potential paid staff and volunteers complete an application form, which includes: address details, evidence of relevant qualifications, experience and a declaration of all criminal convictions as appropriate to current guidance and legislation.
- 1.2 All new paid staff and volunteers are asked to provide two pieces of identification, at least one of which must show their address, at least one must confirm their date of birth, and at least one should be photographic identification.
- 1.3 A minimum of two references are taken up for paid staff (part or full time) and volunteers before a post is confirmed or offered conditionally subject to DBS disclosure. One of these should be from the last employer or an organisation that has knowledge of the applicant's work (paid or voluntary) with children or young people. If the applicant has not worked with children or young people before, they should confirm this and give an alternative referee.
- 1.4 All interviews being held for paid staff and volunteers are carried out by at least two interviewers and involve, where possible, young people or 'users' of the service. NB: An interview can be delivered by one person only where the guidance of the organisation enables this and appropriate 'other' checks are put in place.

- 1.5 Subject to their role, criminal record disclosure checks (DS in Scotland and ANI in N. Ireland) must be received and acknowledged by a manager before they have any direct or unsupervised contact with children and young people.
- 1.6 A thorough and effective induction programme is in place for all paid staff and volunteers, which communicates information on all the organisation's relevant policies and procedures, including those relating to safeguarding and child protection.
- 1.7 All paid staff and volunteers are provided with a clear job or role description, which details their roles and responsibilities in terms of safeguarding.
- 1.8 All paid staff and volunteers complete a probationary period (usually 3 months FT or 6 months PT) from their start date with the organisation, with mid and end-term reviews. Reviews must have a positive outcome before appointments are confirmed and, where appropriate, an annual follow on development review should be available to all staff and volunteers.
- 1.9 Designated safeguarding or child protection workers receive appropriate update training and access to CPD in order to ensure good practice and the continual reviewing of procedures.
- 1.10 All paid and unpaid staff are given an agreed level of group or individual supervision appropriate to their role (this should be clearly outlined within the staff development policy). Supervision sessions should take place every six weeks as a minimum.
- 1.11 There is a clear understanding of the legal duty to make a safeguarding referral to the Disclosure and Barring Service if a worker or volunteer has been dismissed, or removed from work, due to harm, or risk of harm, to a child or a vulnerable adult.
- 1.12 Where appropriate those working with children, young people and vulnerable adults, should undertake safeguarding or child protection training in line with statutory and organisational guidance and policy.

## 2. Managing safe working practice

**Statement – Safeguarding and keeping children and young people safe is everyone's responsibility. This can be achieved by making sure everyone involved is clear about their responsibilities, the organisations safeguarding procedures and understand lines of accountability.**

- 2.1 There is clear and accountable leadership and management of the safeguarding process including 'owned' and reviewed policies and procedures that enable staff and volunteers to operate safely
- 2.2. There is a clear relationship with the local LSCB in line with advice published in 'Working Together Guidance' (2013), where appropriate, which includes clearly stated procedures for working together to support vulnerable young people i.e. section 11.
- 2.3 There is a procedure in place on how parents/carers' details are recorded and kept. The record should state whether a young person is subject to any particular care arrangements or court orders and give guidance on how staff should deal with any conflicts between parents/carers concerning the participation of a child or young person in the activities of the organisation.
- 2.4 There is a clear reference within the policy and procedures for gaining parental/carer consent policy.
- 2.5 There are clear structures for reporting and giving/receiving advice on child protection within the organisation as well as externally to local LSCB, Children's Services and LADO.
- 2.6 Where organisations are working in partnerships there are clear lines of communication that support child protection procedures, which may mean additional risk assessing, collation of data (sect. 11) agreed lines of referral, and specialist training.
- 2.7 When new members/users (young people, parents/carers) join, there is a formal induction or introduction to the code of conduct (see 4.7) and policies and procedures for keeping young people safe, which clearly identify who they should report any concerns to or seek advice from.
- 2.8 There is a clear, organisation wide strategy that demonstrates how young people are involved in safeguarding.
- 2.9 The organisation should ensure that effective monitoring and evaluation occurs in the workplace to ensure procedures are known and understood by all staff.
- 2.10 The organisation has a clear e-safety policy giving their role and responsibilities in ensuring young people in their charge, are as free from potential risk as possible, i.e. the policy gives guidance on content, commerce, contact and culture.

2.11 All paid and unpaid staff are given an agreed level of group or individual 'work' supervision appropriate to their role, approximately every six weeks or as suits their project i.e. contract may require more support dependent on the groups of young people they are working with.

### 3. Providing safe activities – trips, events and residentials

**Statement – All activities provided for young people must operate within an environment that supports a culture of safety, whilst, at the same time, encouraging young people to develop and grow.**

- 3.1 The environment and activity taking place are risk assessed specifically for young people and risk managed, regardless of whether the activity happens at your own site, at another site or outdoors. The risk assessment should also consider the welfare of young people.
- 3.2 When young people visit another country or take part in an international exchange, thorough risk assessments are done by the organisation or by an appointed person. All UK safety requirements should be followed as a matter of good practice for travel abroad, even if less stringent standards of safety apply in other countries.
- 3.3 When undertaking planned external trips and activities, the appropriate licenses and accreditation are held by external leaders and your own risk assessments have been carried out.
- 3.4 Appropriate employers' liability, private and public liability insurance, including any additional cover, has been taken out to ensure that all aspects of the planned activities, and all people taking part, are covered.
- 3.5 The activity or activities being provided are properly planned and organised to ensure that they are age-appropriate, and adequately and appropriately supervised, taking account of staff ratio, individual needs of young people, and the number of appropriately qualified instructors or trainers required.
- 3.6 Adequate and appropriate first aid provision is provided for young people, as well as for staff and volunteers.
- 3.7 There is access to an appropriately trained officer available throughout the planning process to provide information and advice on specific areas e.g. safeguarding, health, safety, welfare and disability (not an exhaustive list). For the duration of the activity there should be access to a nominated point of contact to liaise with appropriate authorities. Specifically, this would include access to child protection information and advice.
- 3.8 Any access to inappropriate material through social media and electronic equipment is reduced by using appropriate blocking mechanisms. Social media and electronic equipment should also be monitored to reduce the possibility of unsuitable people making contact with the young people in your care.
- 3.9 When undertaking residentials, additional consideration should be given in the planning process to reduce external factors that may impact on young peoples safety e.g. young peoples own use of mobile phones and facebook.
- 3.10 When undertaking planned trips and activities young people should be involved as much as possible to ensure ownership and that potential risks in the planning are recognized by the young people themselves.
- 3.11 When undertaking planned trips and activities parent/carers should be informed of potential risks and contact details provided.

### 4. Reporting concerns, suspicions and allegations

**Statement – Real or perceived safeguarding incidents should be acted upon, resolved, recorded and reported in a timely and appropriate manner.**

- 4.1 There is clear leadership and management accountability so as to protect and support both the staff and volunteers and the young people throughout the process of managing any allegation.
- 4.2 Young people have clear access to advice, support and guidance around expected behaviour (code of conduct) as well as for reporting concerns or suspicions and making allegations.
- 4.3 Clear policies and procedures for information sharing are in place when reporting concerns, welfare concerns, suspicions and allegations to a designated safeguarding officer in line with the Working Together guidance (2013). This should include how and when the information should be reported and to whom.
- 4.4 There is at least one named designated safeguarding officer, who is clearly accessible to all staff, volunteers and young

people in the organisation.

- 4.5 The designated safeguarding officer should receive direction (or supervision) from senior management or leadership and a clear role and responsibility outlined within their job role or description.
- 4.6 The designated safeguarding officer has responsibility for disseminating and implementing child protection and safeguarding procedures and is trained to do so.
- 4.7 Clear policies and procedures, including support systems, are in place and clearly communicated at induction and/or training to enable all paid staff, volunteers and young people to report, in confidence, any suspicions concerning the conduct of others or the organisation itself (Whistleblowing). Where such reports have been made in good faith, which subsequently prove to be erroneous, the staff member should not be penalised.

**Next Steps:**

**How to register for the Sound Systems Accreditation Quality Mark**

# Section Two

## Safeguarding Implementation Guidance

### How to use this section:

This section provides an overview of all current areas of legislation and practical implementation guidance, developed with safeguarding specialists and operational managers from across the sector that operate and work with young people on a daily basis. This section is also designed to help you develop and challenge your current policies and procedures.

The resource is not designed to provide a 'one size fits all' approach or something you have to read in its entirety, you will find the best way to use section two is to 'dip in and out' using the links highlighted within the text, as you are working on specific areas, or by clicking on the content list below

### Content:

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- Using social media safely
- Using images
- Mobile phone and new video/picture technologies

## 6. Youth Participation

## 7. Health, Safety and Welfare Policy

- Risk assessment
- On-going risks and re –assessments
- Providing safe activities
- Planning activities
- First Aid Provision
- Planning adventure activities
- Visits abroad and international exchanges
- Using a minibus
- Information for parents

## 8. Recruitment and Selection Policy

- Responsibilities and procedures
- Job roles and descriptions
- Application forms
- Confirmation of identity
- References
- Interviews
- Disclosures, barring and criminal record checks
- Deciding whether the role is eligible for a check
- Deciding on the type of check
- Obtaining a DBS check
- Deciding how to respond to information on a DBS check certificate
- Duty to refer on individual to the DBS
- Probationary period

## 9. Supervision, Training and Development

- Supervision and support
- Appraisals
- Staff development
- Induction
- Training for specialist roles

## 10. Reporting Concerns, Suspicions and Allegations

- Barriers to reporting and responding
- Potential barriers faced by children and young people
- Designated person
- Responding to a disclosure
- Local Authority Designated Officer (LADO)
- Disciplinary and grievance procedures

# I. Safeguarding Policy Guidance

**There is a clear safeguarding policy that demonstrating the organisation's commitment to the overall safety of all the children and young people in its care. With clear child protection procedures in place.**

You should express your commitment to safeguarding children and young people through a policy that is published widely and brought to the attention of children, young people, their parents/carers, and anybody else who needs to know. This statement should refer to the detailed policies you have in place to govern your safeguarding practices, i.e. your child protection policy, health and safety policy, recruitment and selection policy, etc. This should place safeguarding children and young people at the centre of your organisation's activities and beliefs.

The Charity Commission states that it would be a 'serious incident' for a charity to not to have a policy for safeguarding its vulnerable beneficiaries (e.g. children and young people under 18 years of age, or adults who are vulnerable). Failure to do so could lead to a regulatory investigation.

The policy should declare your organisation's commitment to:

- child protection and the safeguarding of young people's welfare. The commitment should not stop once a young person reaches the age of 18; promoting the general welfare and safety of the young people within your organisation should continue regardless of age;
- all children and young people, regardless of their gender, sexual orientation, disability, race, nationality or country of origin, having the same rights to protection (diversity and equal opportunities).

The policy should set out quite simply, and clearly, the policy's aims, how this commitment will be fulfilled and who it applies to, i.e. all paid staff, volunteers and occasional helpers. The statement should precede the policy. An example of a policy your organisation could adopt is as follows:

**This ... group/club is fully committed to safeguarding the welfare of all children and young people it comes into contact with, and will take all reasonable steps to protect them from neglect and physical, sexual or emotional harm. Paid staff and volunteers will, at all times, show respect and understanding for the rights, safety and welfare of our members and conduct themselves in a way that reflects the principles of ... group/club.**

**We do this by:**

- **ensuring that all our paid staff and volunteers are carefully selected, trained and supervised;**
- **carefully assessing all risks that children and young people encounter and taking all necessary steps to minimise and manage such risks;**
- **letting parents, children and young people know how to voice concerns or complaints about anything they might be unhappy about; and**
- **giving parents, children and young people, and workers information about what we do and what can be expected from us.**

## Child protection policy and procedures

Your organisation should have a policy prohibiting the physical, sexual or emotional harm, or the neglect, of any child or young person. This must be accompanied by a clear written procedure outlining action to be taken in a case of potential or suspected child protection issues. This will allow your organisation to manage the protection of children and young people both who access your services and concerns about others reported to you or whom you would have reasonable belief could be at risk of harm (including the children of your service users).

The layout of the procedure should reflect how it is to be used (i.e. it should be practical, user-friendly and informative). All paid staff and volunteers must be familiar with both the policy and the procedure through a thorough induction process and training in child protection. The procedures should be clear and accessible, and written in a language that is understandable to all, including children and young people.

Once again, it should be made clear to paid staff and volunteers, children and young people, parents/carers and key workers, etc. that the organisation will take any concerns or suspicions seriously, and that full support will be given to those individuals who raised the concerns.

The procedure must make it absolutely clear that responding to child abuse is everybody's responsibility, whilst the investigation

of child abuse is a specialised, professional task which should only be undertaken by the designated agencies, i.e. the police, children's services or the NSPCC. On no account should staff or volunteers pursue child protection investigations on their own. Such actions can undermine a professional investigation and place the child or young person at further risk.

The procedure should take into account the different ways in which someone within the organisation may become aware of the actual or likely occurrence of abuse taking place.

It should also provide clear guidelines on how to recognise abuse by:

- giving brief examples of what constitutes child abuse and how to recognise it, i.e. neglect, emotional, physical or sexual harm, bullying, and racial or cultural abuse (not an exhaustive list) ; and
- giving brief examples of concerns and/or inappropriate relationships, whether amongst young people themselves, or between paid and volunteer staff and children and young people. These should take into account the current law and be incorporated in the code of conduct.

The procedure should also provide clear guidelines on:

- how to respond to concerns raised about a child or young person suffering abuse, and how these will be dealt with by the organisation (reporting concerns, suspicions and allegations procedure);
- how to respond to allegations made by a young person or a third party about a member of paid staff or a volunteer;
- how to respond to allegations or observations of abuse made by one child or young person against another child or young person;
- how to respond if a child or young person shows signs of being abused but is not making an allegation;
- how to respond if a child or young person shows evidence of physical injuries without there being any satisfactory explanations;
- how paid staff and volunteers will be treated when an allegation is made against them;
- who is to be informed when any concerns are reported, together with the process and timescale;
- who the designated person is within the organisation for safeguarding and/or child protection, how and when they can be contacted, and who their deputy is;
- information on what to do if the concern is about the safeguarding designated person
- confidentiality, i.e. how any information on child protection is kept and stored (confidentiality policy); and
- whether there is an independent person available for the child or young person to speak with. See Appendix 2 (a) and (b).

## Child protection issues

An important aspect of safeguarding children and young people is to protect them from abuse and neglect; this is generally referred to as 'child protection'. See Appendix 2 for facts about and definitions of abuse.

To support those who have suffered abuse, or those who have made allegations or there are suspicions that they have experienced abuse, everyone should be informed about what policies and procedures your organisation has in place to protect children and young people from neglect or from any harm, whether physical, emotional or sexual. Remember that child protection is everybody's business. The list of those who need to know what to do about it includes paid staff and volunteers, as well as children and young people, parents/carers and, at times, key workers outside your organisation involved with the young person.

Introducing and implementing the safeguards and standards mentioned within this document will help to reduce the risk of harm to children and young people, and also help to create an environment which is safe, rewarding, stimulating and enjoyable for all children and young people.

It is important for your organisation to create an environment in which individual paid staff and volunteers, children and young people, parents/carers or other key workers outside your organisation are encouraged and supported to report any suspicions or concerns of abuse, malpractice, unethical or inappropriate behaviour. It is also vital that it is made clear to everyone (staff and volunteers, children and young people, and parents/carers) that anyone who raises a concern will be supported throughout the process. You should have a whistle-blower policy in place to ensure that concerns can be expressed in an easy and appropriate manner.

Child abuse is a very emotive subject, which needs to be handled calmly and sensitively. You may also need to put support systems in place for staff and volunteers, as some of them may have experienced abuse, and therefore may need support to deal with it effectively. This support could be provided through supervision or through external counseling.

## Domestic violence

Research indicates that domestic violence and child abuse are closely associated: where there is domestic violence, there may well be some form of child abuse. It has been estimated that in about 90% of cases of domestic violence, children and young people were in the same or next room when the violence was taking place. For many children or young people, their immediate and often natural instinct is to intervene and protect their mother, father or other siblings, with the result that they themselves are at an increased risk of physical injury.

The effect of domestic violence on a child or young person is the same as or similar the effect of any other form of abuse. For many families of any background there may be a culture of secrecy, which stops children and young people from speaking out or getting help. This may be reinforced if the family itself feels alienated from society. It is important to remember that domestic violence continues to be under-reported and may also affect your colleagues, so be aware!

## Teenage pregnancy, abortion and early childhood

A woman under the age of 16 becoming pregnant or a mother is not unlawful. However, as a young person under the age of 16 is not capable of consenting to sexual activity and it is unlawful for an individual under the age of 16 to have sex; teenage pregnancy is likely to raise child protection concerns which warrant further enquiry (see section on sexual activity). Clearly sensitivity is paramount in these situations and it should not be assumed that the pregnancy was the result of consensual sexual activity.

Young people under the age of 16 are entitled to a free and confidential abortion (otherwise known as a termination) as long as the doctors consider them to be competent to make the decision on the same basis as older women. The Abortion Act 1967 (which covers England, Scotland and Wales but not Northern Ireland) allows an abortion to be carried out up to the 24th week of pregnancy. However, if there is a substantial risk to the woman's life or if there are foetal abnormalities there is no time limit. Two doctors must give their consent to the abortion, stating that to continue with the pregnancy would present a risk to the physical or mental health of the woman (or her existing children).

There is no legal obligation on parents to be informed that an individual under 16 has, or is considering to have, an abortion. However, in most situations the young woman will be encouraged by the relevant medical professionals to talk to their parents or a relevant adult (such as a close family member, carer or youth professional) to ensure they are given appropriate support. Staff and young people who are supporting a young woman who has chosen to have an abortion remain bound by the same standards of confidentiality, information sharing and expectation of non-judgemental behaviour.

Where a young woman has chosen to continue with their pregnancy, it is important to note that the period of pregnancy itself and early motherhood will affect their emotional and physical well-being. The young woman is likely to require professional support and services and depending on the circumstances, her parents, as parents of a 'child in need', may also be entitled to support.

from children's social services and/or access to a range of benefits and entitlements. Further emotional and psychological support will also be needed. Pre-natal services should be able to advise the young woman, and her partner or other significant care givers of the necessary preparations for birth and how to stay healthy during pregnancy. You should consider how they can best support the young woman (and her partner, where relevant) to have a safe and healthy pregnancy and prepare for birth and early childhood.

Staff and volunteers should be aware of the risk of abuse or neglect to an unborn child and mindful of the signs and symptoms of harm to an unborn child. The statutory definition of neglect states that 'neglect may occur during pregnancy as a result of maternal substance abuse'. In these situations, a referral should be made to children's social services as per any other child protection concern. The local authority will have protocols for dealing with referrals relating to unborn children and may commence a child protection investigation before the birth of the child.

It would not matter if the risk of harm to the unborn child is caused by intentional actions by the pregnant mother or others or through lack of understanding on the necessary actions to keep the unborn child safe from harm. The key issue is the outcome on the unborn child by the action or inaction and the risk for significant harm to occur.

When working with young parents, it is important to remember that safeguarding responsibilities apply both to the service user and their children. Sadly, the very youngest children are at much higher risk of harm: on average, children under the age of one are eight times more likely to be killed than older children and nearly half of all serious case reviews are in relation to babies under one year.

Staff and volunteers in youth focused organisations should be made aware of the signs and symptoms of abuse and neglect in babies and toddlers. More broadly, for all parents, but especially for younger parents, early childhood can be a very emotional and stressful period. When working with young parents, you should consider increasing awareness and information available about Post Natal Depression and making contact with specialist services for teenage parents.

## Smacking

It is unlawful for a parent or carer to smack their child, except where this amounts to "reasonable punishment". Physical punishment will be considered "unreasonable" if it is more than transient (i.e. if it leaves a bruise or mark) or if the child is hit with an implement such as a cane or a belt.

Whilst this defence can be used by parents, practitioners should still use its child protection procedures if they have concerns about harm to a child or young person. Whether the action was illegal or not would be investigated by the police and social services.

## Safeguarding and young leaders

A defining feature of youth organisations is the creation of opportunities for young people to take on leadership roles, often with some responsibilities for other children and/or young people. This might be as a peer educator, youth work apprentice, as a helper at a youth club or some young people in formalised youth participation structures (such as a youth council or youth parliament). These leadership roles not only support youth participation in the organisations, they develop young people's skills, knowledge and builds life enhancing experiences.

It also brings specific safeguarding considerations. This section specifically focusses on organisations safeguarding responsibilities to support and supervise these young leaders in a manner that keeps them, and other young people, safe from harm.

### Clarify the role: participant, volunteer or staff?

The specific role that the young leader will take on should be carefully considered with clarity on their expected relationships with other young people, staff and volunteers. This should be defined in writing in a form of role description and understood by all.

It is key that there is clarity on whether the young person is being considered a 'participant' or 'service user' (even if taking on a specific set of responsibilities) or are a volunteer governed by all other forms of the standard volunteer agreements, recruitment processes, supervision, etc.

No young volunteer should bypass these standard procedures just because they have been previously engaged in the organisation as a participant or service user. At best this devalues the role and separates them from others entering into this role; whilst at worst it risks skipping essential safety checks which may uncover useful information about the individual.

There may be situations where you choose to pay the young leader. If they are to be placed on a payroll they become employees of the organisation. You should not allow any employees to skip key recruitment procedures; have different levels of supervision or expected code of conduct. If they do not join the payroll but receive some form of payment (e.g. an honorarium) then you should carefully consider the impact this may have on their perception of the role. Remember, there are very specific laws on minimum wage and on whether an individual (and you as an employer) would be liable for taxation.

### **Risk assess the responsibilities they will hold**

Regardless of the status of the individual, you should consider the responsibilities which they will hold and the potential risk of harm that could come about to them and other young people. If they are to be treated as volunteer or member of staff then the standard policies, procedures and code of conducts would apply.

If the young leader is a participant then the level of responsibility that they should hold with other young people should be proportionate to this status. They should never be seen to be in a sole-supervisory role with young people and should always themselves be under the supervision of relevant staff or volunteers.

Likewise, if they are a participant then the relationship between them and staff/volunteers should be in line with existing policies and expectations on the relationship between staff/volunteers and young people as defined in the Code of Conduct just because they have now taken on a leadership role does not mean that these expectations should be different. For example, they should not now be invited to the staff/volunteer Christmas party; become 'Facebook' friends with you or receive lifts home on a regular and planned basis.

### **Clarify expected boundaries and code of conduct of the role**

The role of the young leader may bring up specific and unique challenges in ensuring appropriate boundaries between them and with other young people. The organisation has a responsibility to ensure that these are carefully and fully explored with the young leader before they begin the role.

Their different roles may require a different type of relationships with other young people. Much will depend on the specific role and the responsibilities that the young leader will be taking on and the age, maturity and vulnerability of other young participants they will be engaging with.

For example, in a situation where a young leader will be a youth club helper or as peer educator it would generally not be appropriate for the young leader to use that role to try and form romantic relationships with other participants. However, this can be difficult to negotiate where they are the same age/peer group of the other participants and have pre-existing relationships with the young people. Similar dilemmas can occur, for example, as to whether the young leader should be 'Facebook friends' with participants; whether they should inform staff of criminal activity they are aware of participants engaging in (which they did not learn through their specific role) and the boundaries of the confidentiality which they can offer other young people.

Thought should be given to any time gap between being a participant and that of a young leader, particularly with the same group of young people. It can often be easier if there is a bigger age gap between the participant and the young leader (for example, asking a young leader to help lead a younger youth club rather than necessarily assisting at the youth club they were engaged in).

### **Build young leaders' skills to respond to a disclosure and spot signs of harm**

Young people are more likely to make a disclosure of abuse or neglect in their or others' lives to people that they trust and with whom they have a good rapport with. This can mean that young leaders are often people that young people who have experienced harm turn to and make a disclosure. You should ensure that all young leaders have an understanding of expected boundaries of confidentiality; how to spot signs of abuse and neglect; and how to respond if a disclosure is directly made.

### **Ongoing support and supervision to young leaders**

The wider emotional, social and personal development needs of young leaders can easily be overlooked by the focus on the wider youth participants you are both trying to engage with. It is important to still make time to regularly 'check in' with the young leader and continue to meet their needs. This may affect the number of young leaders which you feel you can support at any one time.

### **Communicate the role to other young people**

It should also be remembered that it can be difficult for the other young people to adjust to the new role that the young leader is taking on. You should very clearly and openly communicate to the young participants:

- the expected role of the young leader
- what they should expect as appropriate behavior from the young leader
- what the role (if any) the young leader has in behaviour and conflict management
- who young people can speak with if there is an issue with the conduct of a young leader
- how they can progress to the leadership role in the future.

## Get feedback from other young people

As with all staff and volunteers, it is vital to get regular feedback from participants on their interactions with the young leader.

### Best practice tips for working with young leaders

- Young leaders should have a named member of staff or a volunteer who is responsible for their overall supervision, training and development. They should have regular opportunities to meet with the named individual to share concerns and
- Young leaders should not be left alone with young people unsupervised (ie. other experienced staff and/or volunteers should be in the vicinity and in sufficient number to offer the young leader and other young people appropriate support).
- Young leaders as participants should not be included when calculating ratios of staff or volunteers to young people.
- Decision should be made as to whether the young leader should use staff or participant toilets and/or any other rules about the facilities.
- On a residential, young leaders should be provided with separate sleeping accommodation to staff and volunteers and other younger participants. Where there are separate bathroom facilities for adults and young people you can use a schedule for them to have private use of a facility (probably the adult staff).

## Engaging with Local Safeguarding Children's Boards (LSCB)

Since 2006, every local authority area is required by law to establish a Local Safeguarding Children Board (LSCB).

### What are LSCBs?

LSCBs bring together different agencies with an interest in safeguarding children, to coordinate their safeguarding activity and to ensure this activity is effective.

Local authorities, in particular the Director of Children's Services, are responsible for setting up of the Boards. The purpose, membership and responsibilities of the Boards are set out in the Children Act 2004 and associated regulations and statutory guidance. The Board has the power to request information from relevant agencies.

### Membership

Each LSCB is led by an independent Chair who is appointed by the local authority Chief Executive. The key role of the Chair is to lead the work of the Board and hold all agencies to account for their work. There is a national Association of Independent LSCB Chairs which provides advice and guidance on the role. Chairs are generally supported by a LSCB Business Manager who will co-ordinate the day to day working of the Board.

**LSCBs may have up to 20 to 25 members. The following agencies and individual must be a member of their LSCB:**

- Director of Children's Services;
- District councils (if relevant);
- Police;
- Local Probation Trust;
- Youth Offending Team;
- NHS Commissioning Board and clinical commissioning group;
- NHS Trusts and NHS Foundation Trusts where all or most of the facilities are situated in the area;
- Cafcass;
- the governor or director of any secure training centre in the area;
- and the governor or director of any prison in the area which ordinarily detains children.
- Two lay members – these are local community members;
- Representatives of school and further education institutions governing bodies;
- The Local Member for Children's Services should be a "participating observer". This means that they may take part in discussions but are not part of decision making processes.

Representatives from organisations should hold a senior strategic role and be able to speak with authority on behalf of the organisation.

There is no legal obligation on the LSCB to include representatives from the Voluntary and Community Sector (VCS). However, statutory guidance states that frontline professionals should be a member, or be available to the Board and this includes those from voluntary and community organisations. Almost all LSCBs have representatives from the VCS, often co-ordinated by the local council for voluntary services.

### **Role of LSCBs**

Regulations define the functions of the LSCB. These primarily relate to ensuring that there are relevant policies and procedures within and between local agencies for keeping children safe from harm and to promote their welfare. They also make sure that there is co-ordination with other services outside of the local authority boundary.

Each LSCB should have a 'local learning and improvement framework' which details how they will try to learn from experience in different services to improve practice.

One of the most important roles of an LSCB is to undertake a serious case review (SCR) when abuse or neglect of a child is known or suspected and the child has died or has been seriously harmed and there are concerns about how organisations or professionals worked together to safeguard the child. Reviews should always be carried out when a child dies in custody, in police custody, on remand or following sentencing, in a Young Offender Institution, in a secure training centre or a secure children's home, or where the child was detained under the Mental Capacity Act 2005. The reviews should look at what happened in the individual cases and what actions would help prevent death, serious injury or harm to children. The final reports of the reviews should be published.

Alongside these reviews following abuse or neglect, the LSCB is responsible for ensuring that a review of each death of a child normally resident in their area. This is called a Child Death Review and is carried out by a sub group the LSCB known as the Child Death Overview Panel. The key focus is to review each death and assess whether the death was preventable or what actions could prevent the death in the future.

More broadly they have a role to raise awareness of safeguarding in the local area, monitor and evaluate the effectiveness of safeguarding in the local area; help in the planning of local services and ensure there is training for those who work with children and young people.

### **Publicity and accountability**

Every year the LSCB must publish an annual report on their activities. This should include a rigorous and transparent assessment of the performance and effectiveness of local services to safeguard children and young people. It should detail local priorities, identified areas of weakness, the causes of those weaknesses and the action being taken to address them as well as other proposals for action needed to be undertaken. This should be sent to the local authority Chief Executive, Leader of the Council, the local Police and Crime Commissioner and the Chair of the Health and Wellbeing Board.

### **Getting involved in your LSCB**

Every LSCB should have a website which gives details of its membership, its recent annual report and any published Serious Case Reviews. You should be able to contact the Business Manager for details of who represents the VCS on the Board and any arrangements for co-ordination with a Council for Voluntary Services.

The actual work and openness of LSCBs can vary greatly. Some will provide (or signpost) training on safeguarding and child protection. They may also hold consultations on action needed on safeguarding in the area or awareness raising of effective local practice or specific local concerns. Many will have newsletters which provide links to local relevant information and developments.

If your organisation had contact with a child or young person who died or experienced serious injury or significant harm, an LSCB may ask you to provide evidence to its serious case review or a child death review. It is a minimum expectation that you should fully co-operate with the LSCB in this investigation. In these circumstances you may wish to get specialist advice on information sharing in these circumstances to ensure you comply with your data protection and confidentiality obligations whilst still ensuring you are as co-operative, open and transparent as possible. LSCBs do have the power to require a person or a body to comply with its request for information.

### **Implementing, monitoring and evaluating your safeguarding practice**

Much of the action to safeguard young people requires cultural changes in the ways in which staff, volunteers and other practitioners engage and build relationships with young people. However, there are clearly specific policies, procedures and behaviours which will help this culture to develop, embed and thrive. How to best monitor and evaluate these can help identify areas of best practice and success alongside areas which require further development or, potentially, where risks to young people remain.

It is good practice to integrate activities to support and monitor evaluate safeguarding practices within normal annual business planning processes and associated monitoring and performance frameworks. Setting specific objectives and planning activities

for what progress will be made in safeguarding that specific year (eg. rolling out new training) will in turn highlight what should be monitored (eg. % staff and volunteers completing training and demonstrating increased understanding).

The monitoring and evaluation of safeguarding practices is usually led by the organisation's Designated Safeguarding Officer. However, this should be closely overseen by a senior member of staff such as the Chief Executive or Service Manager or in a volunteer-led and run organisation by the Chair or nominated lead.

### **Process monitoring**

Process monitoring tracks whether the set policies and procedures are being undertaken. It helps check that everyday working practices and processes are being implemented and focusses on tracking outputs.

It is useful to go through your policies and procedures and identify the specific actions and activities which are supposed to be undertaken and from this who will check that this has been undertaken; how often and by what means? For example, who checks to ensure that training has been undertaken? Is this regularly reviewed?

This might include checking specific training attendance logs, regular checks of job descriptions to ensure they are fit for purpose and spot checks of risk assessments to ensure they are of suitable detail and quality; etc.

### **Impact monitoring**

Impact monitoring assesses the difference that implementation of policies and procedures is making. It helps check that the cumulative efforts are contributing to keeping young people safe from harm and focusses on young people's experiences and outcomes.

The views and experiences of young people are critical to assessing whether your safeguarding practices are being implemented successfully and in a manner that they feel gives confidence that they are keeping young people safe from harm and empowered. For example, you might undertake an annual survey of young people your organisation is in contact with to assess their level of awareness of who to turn to if they had a worry or concern and/or to get feedback from young people on their involvement in designing risk assessments.

Clearly staff and/or volunteer supervision is one of the most important forms of monitoring, especially to ensure that the code of conduct is being adhered to. Furthermore, it is vital that staff and volunteers have space to be able to regularly reflect on safeguarding practices and opportunities to discuss specific concerns or worries about young people.

### **Evaluation and review**

Most voluntary organisations will undertake a significant evaluation of their safeguarding policies and procedure on a less frequent basis – usually every three years. The result of this is usually a revised set of policies and procedures and wider changes to working practices. Clearly where there has been a substantive failure in safeguarding practice and/or evidence that a young person has, or was at risk of, experiencing significant harm, and that there was a failure within the current policies and procedures, these should be reviewed immediately.

The review should be inclusive, transparent and participatory. As well as gathering together the experiences from your process and impact monitoring, it is best to try and gather the views of staff, volunteers, young people, other service users and other relevant stakeholders. It is also a good opportunity to assess changes in legislation, local safeguarding protocols and/or organisational strategy.

## 2. Code of Practice for Staff, Volunteers and Young People

**There are agreed statements of appropriate behaviour that reflect the safeguarding policies i.e. codes of conduct for staff and volunteers, and for children and young people. Guidance also needs to be in place for disciplinary and grievance procedures for all paid staff and volunteers in order to comply with the ACAS Code of Practice.**

### Why is the code of conduct so important?

Organisations undertaking work with children and young people and vulnerable adults should always have a code of conduct to help them manage paid staff and volunteers, and to inform the children and young people who use the service of the kinds of behaviour which are and are not acceptable.

A code of conduct can outline definitions of acceptable and unacceptable behaviour amongst the young people themselves. Unacceptable behaviour can be outlined such as bullying and racial or sexual harassment, as well as acceptable behaviour between adults and young people. You may want to have two separate parts to the code: one to explain expectations of children and young people and their parents/carers, and the other to address expectations of paid staff and volunteers. Alternatively, one code of conduct could relate to everyone in the organisation: staff, volunteers, young people and parents/carers. This will depend on the age and ability of the group and the nature of the services you provide.

This code must be made known to all paid staff and volunteers, and to the children and young people using the organisation and their parents/carers. It is vital that everyone within the organisation has ownership of the code of conduct and that it is regularly reviewed. Children and young people, and staff and volunteers should be involved in drafting this code, as well as deciding the consequences if it is broken. It should be approved by the Trustees or Management Committee of the organisation.

An annual review and adaptation of the code is strongly advised so that it is broad enough to address specific situations, i.e. when an activity takes place at the organisation's premises or on trips away from the premises. Alternatively, you could draft an additional code of conduct each time an out-of-the ordinary situation occurs.

Your organisation will need to think about what issues will be covered within the code. This will vary according to the nature of your organisation, and the age of your users. Your code does not need to be too long or too detailed. It should, however, be realistic and take into account the children or young people's levels of maturity and understanding.

#### **Code of conduct for all staff and users of the organisation should be structured around the following:**

- **a statement outlining how children and young people and paid staff and volunteers should relate to each other. This should take account of the organisation's commitment to safeguarding children and young people, i.e. in relation to bullying, discrimination, violence, aggression, abusive behaviour and language;**
- **what the procedures and guidelines cover, i.e. whether children and young people are free to leave the club, activity or organisation when they wish;**
- **whether children and young people will be picked up by parents/carers at the end of a session or are free to leave on their own;**
- **a statement on your organisation's policy regarding smoking, alcohol and drugs (if applicable);**
- **the involvement of parents/carers in any activities;**
- **details of what will happen (i.e. consequences) in the event that a child or young person has behaved inappropriately in relation to the code of conduct (for instance, not allowed to participate in an activity, asked not to attend for a week, being sent home); and**
- **details of the complaints procedure.**

The code of conduct will outline the behaviour expected of all paid staff and volunteers and the professional boundaries they should place around their work with young people. It should be backed up by the disciplinary procedures where behaviour breaches the code. The code of conduct will ensure that all staff and volunteers are made aware of their responsibility for safeguarding the welfare of all the children and young people they work with. It will also help your paid staff and volunteers to avoid situations where they may make themselves vulnerable to false accusations. Further, it will alert staff and volunteers to potential

risks of harm to the young people in your care, and will encourage them to report any concerns. Staff and volunteers should be involved in the creation of a code of conduct. You should also explore ways of involving children and young people.

Your organisation's code of conduct must be clear and simple. It must cover all scenarios, and should benefit all those who use it. Making your code overcomplicated may result in your paid staff and volunteers, or young people, being unsure of their commitments and responsibilities.

The code should involve aspects of your child protection policy, but it should be made broader to cover all aspects of promoting and safeguarding children and young people's welfare.

This could include the following:

#### **A commitment to:**

- **upholding health and safety standards – including the use of risk assessments;**
- **protecting children and young people from coming to any harm;**
- **reporting any suspicion of abuse; and**
- **empowering children and young people so that they feel confident in reporting abuse, inappropriate behaviour and bad practice.**

#### **Definitions of unacceptable behaviour:**

- being alone with children and young people, unless this is a necessary part of the job or role description;
- giving lifts in your own car, unless prior arrangements have been made with all relevant people, i.e. parents/carers and line managers, and there is appropriate business insurance on the vehicle. NB: Check the need for child seats/booster seats being available in the car to comply with insurance and legislation requirements.

Volunteer drivers can be covered on a normal SDP policy if they inform the insurer, usually at no extra cost. Please consult your insurance documentation and/or consult with your insurance broker for details on your policy requirements.

- inviting children or young people to your own house;
- 'abuse of trust', such as any sexual relationships with young people (consenting or not) – at work or outside of work;
- inappropriate language and/or behaviour towards or with children and young people;

and

- discriminatory practice of any kind towards young people or their families, or other staff or volunteers.

It is clear from some of these points that the code contains grey areas. For this reason it is very important to discuss with and involve paid staff and volunteers when putting the code of conduct together. The code should also be discussed as part of the induction programme and within supervision meetings and some areas may need to be backed up with training, such as health and safety training, and training around child protection issues.

#### **Behaviour management**

Organisations should have a behaviour management policy (aka Codes of Conduct) that has been agreed through the consultation process with staff, volunteers, young people and their parents/carers.

This should be written down so that both participants and staff are aware of what is expected of them, such as obeying instructions, showing respect for other participants, volunteers and staff, and not leaving the activity without permission.

Before young people join the organisation both they and their parents/carers should be fully aware of the policy and its content, and should have accepted it in writing. The policy should also set out what sanctions will be used and who has the authority to apply them.

#### **Peer abuse and bullying**

It is not only adults who abuse or cause deliberate harm to children and young people; children and young people also abuse. Bullying could include verbal, sexual and physical abuse, theft, threatening behaviour and behaviour intended to cause distress or harm.

Like any form of abuse, this could occur over a continued period or it could be a one-off experience. Bullying doesn't just happen in schools; it happens anywhere and everywhere in society. It can happen in person but also in text messages and online via social networking sites such as Facebook or via e-mail. It is important to recognise that peer abuse can include exploitative emotional and sexual relationships; in person and on mobile phones, including 'sexting' or longer-term relationship building and grooming.

As with other forms of recognised abuse, bullying can have devastating short and long-term effects on the individual. When developing or reviewing policies and procedures, it is important to recognise the seriousness of bullying and peer abuse. Depending on the nature of the organisation, specific anti-bullying policies may be appropriate to reduce the likelihood of this form of harm happening to young people. Young people should be actively encouraged to discuss what they think is acceptable behaviour and language and what is not.

Bullying is of major concern to young people. A robust approach should make it clear that physical and verbal bullying, name-calling and abusive behaviour, will not be tolerated. The organisation should make clear that bullying which is linked to an individual's identity, such as racist, sexist, homophobic and disabilist taunting, will be especially challenged.

It is not always easy to set the boundaries between what is verbal bullying and what is acceptable teasing or normal adolescent behaviour. Although the use of discriminatory language is clearly unacceptable, swearing, while not pleasant, will not always amount to bullying.

It is best not to try and define what exactly will constitute verbal bullying in those less clear areas, but to focus instead on how the recipient of such behaviour reacts.

If there has been a serious physical assault, the police will need to be contacted. Where, however, there has been a fight or a minor assault, there should be a process in place for investigation and deciding what action, if any, should be taken.

The former Department for Children, Schools and Families (DCSF) produced a suite of bullying guidance for schools, including guidance on sexist, sexual and transphobic bullying as part of its Safe to Learn series of publications. Safe to Learn is no longer government guidance but practitioners may still find these resources useful, especially Safe From Bullying in Youth Activities (2009). The guidance helps define and differentiate the forms of bullying and looks at the fine line between bullying and abuse.

Bullying is now more prevalent through social networking sites and mobile devices, which means that unkind and harmful words and images can be circulated very quickly and very regularly. Damaging images can also be circulated to a large number of people.

The Malicious Communications Act 1988 makes it an offence for a person to send an electronic communication to another person with the intent to cause distress or anxiety or to send an electronic communication which conveys a message which is indecent or grossly offensive, a threat, or information which is false and known or believed to be false by the sender. Whilst it would rarely be in the public interest for this provision to be used to deal with most bullying, young people need to be aware of the potential legal consequences of cyber bullying. Furthermore, whilst there is no obligation to report this crime, your organisation should consider whether it would inform the police.

Anti-bullying and prevention of bullying work should be linked to work around culture and diversity, as much of the bullying often stems from ignorance and the lack of understanding of 'difference'.

The Macpherson Inquiry Report following the murder of Stephen Lawrence recommended that all schools should be required to record and report racist incidents. This principle has helped to spur youth work organisations to record any discriminatory incidents. Recording can help assess any trends in prejudice being displayed in the community and influence more proactive forms of awareness raising.

## **Dangerous weapons**

If a participant has been charged with a serious offence and may be a risk to other participants, as a general rule the individual should be asked not to attend the project while the matter is dealt with formally. The project should have a clause in its behaviour policy that allows it to also consider offences committed outside the project and perpetrated against those who are not members of the project.

It is a criminal offence to carry an offensive weapon outside the home, this includes knives and blades. Carrying weapons clearly poses a risk to other young people or adults at the project or activity so your code of conduct should make it clear that this is unacceptable and that offensive weapons should not be brought into the youth work setting.

**It may also be appropriate to have a clear procedure in place to inform staff and volunteers what they should do if they suspect that a weapon is being carried:**

- 1. First, the young person should be asked to hand the weapon over.**
- 2. If they state that they do not have a weapon or that they will not hand the weapon over, consider whether it would be appropriate for you to search the young person or their belongings. Caution should be taken before escalating to a search. You will need to consider whether this will inflame the situation, risk damaging your relationship with young people and increase the potential for harm to others, including yourself, other staff and volunteers.**

**You must not search the young person without their consent as this can amount to assault. As a matter of course, you should only search a young person under the age of 16, or their belongings, if you have the consent of a parent/guardian,**

- 3. With the consent of the young person, you can search them in the presence of two staff members of the same sex as the young person. A record should be made in the incident book of the fact that a search was undertaken, on what grounds, and the results of that search.**
- 4. If no consent is given for a search, then the young person should be asked to leave the premises or activity.**
- 5. If an offensive weapon is found and the young person will not hand it over to staff, it should not be taken by force, but the police should be called.**
- 6. If a weapon is handed over or found on the young person, it should be disposed of safely or, if this is not possible or appropriate, it should be taken to the police and handed over in exchange for a receipt. The responsibility then lies with the police to dispose of the weapon and to decide whether or not further action should be taken. This course of action should, of course, be explained to the young person concerned.**
- 7. The handing over of a weapon to the police raises confidentiality issues. The choice to break confidentiality will depend on the circumstances, particularly the nature of the weapon and the risk of harm to them or others. Whilst there may be no legal duty on you to name the young person, you must not lie to the police officer or actively deceive them.**

## **Drugs, alcohol and smoking**

The behaviour policy should state clearly what action will be taken if young people use drugs, alcohol or smoke during an activity. Organisations could face criminal prosecution if they ignore the use or supply of drugs on their premises, and the behaviour policy should state quite clearly that use or supply will result in a young person being asked to leave the activity.

Although it is not an offence for young people to drink alcohol on private premises; the legal age for the purchase of alcohol is 18 years-old. It is an offence for a person to purchase or attempt to purchase alcohol for someone under 18 (other than a parent or legal guardian for supervised consumption in the home or to provide beer, wine or cider for a person aged 16 or 17 to consume with a table meal). Furthermore, the police are allowed to confiscate alcohol from an adult if they believe it would be given to young people under the age of 18. In effect these provisions make it illegal in most circumstances to provide alcohol to an under 18 year-old outside of the home.

Beyond these legal provisions, allowing young people to drink while under the control and care of the organisation could lead to a claim for negligence if the young person was to have an accident on the premises or on the way home as a result of drinking alcohol. Most organisations have clear alcohol free policies when working with under 18 year-olds or mixed age groups which include under 18 year-olds (including when visiting countries with lower ages of consumption or purchase).

When working with groups of young people who are all aged over 18, you should carefully consider the effect of alcohol use on the group and your overriding duty of care. You should discuss the use of alcohol with the group, for example, setting a 'drink don't get drunk' rule. It will be important to balance the potential benefit of more open alcohol use versus secret and potentially more dangerous binge drinking.

It is an offence for retailers to sell tobacco or cigarette papers to anyone under 18. However, it is not illegal for someone under the age of eighteen to smoke, nor for an eighteen year old to buy cigarettes on behalf of someone younger or for an adult to give cigarettes to a child (i.e. someone under the age of 18).

Organisations should have clear policies which clarify how they would approach smoking in their organisation. Many organisations' Code of Conduct states that tobacco should not be provided by staff for young people or bought on their behalf.

## Sexual activity

The legal age for children and young people to consent to sex is 16 regardless of sexual orientation.

In England, Wales and Northern Ireland, it is an offence to intentionally engage in sexual touching with someone under the age of consent. This can be committed by anyone, male or female, over the age of 10, which is the age of criminal responsibility. In Scotland this is from age 8. However, young people are unlikely to be prosecuted for mutually agreed sexual activity where there is no evidence of exploitation.

There is no legal obligation to prevent a criminal offence occurring and equally no legal obligation to intervene to stop two young people who are engaged in a sexual relationship (including if one or both are under the age of consent). Similarly, the law does not affect young people's right to confidential advice on contraception, condoms, pregnancy and abortion, or their ability to consent to treatment, even if they are under 16.

Youth work has a role in promoting positive, consensual relationships during young people's transition to sexual maturity.

As a matter of good practice, there is an obligation to consider whether young people's sexual relationships have the potential to cause harm. It should be remembered that even where sexual activity involving a 16 or 17 year old, though unlikely to involve an offence, may still involve harm or the risk of harm. In these situations, the relevant child protection policies and procedures should be adhered to and a decision made on whether to refer to the relevant services.

### Factors to consider include:

- (a) where either one or both children are under the age of 13 (generally viewed in law as being the age below which a child absolutely cannot consent to sexual activity); and**
- (b) where the child is aged 13–16 and the relationship either is with a much older partner or, in the professional judgment of the staff member or volunteer, is an exploitative relationship (see section on competence below).**

**Much will depend on the specific circumstances of the situation, your relationship with the young person and understanding of the sexual relationship they are entering into. Whether the relationship is exploitative will depend upon all the circumstances, such as the maturity and understanding of the young person, any imbalance of power, whether an individual has a learning disability or is otherwise vulnerable and if there is evidence of substances as a disinhibitor such as alcohol/drugs, etc. Where a referral is made to the designated child protection officer, this should be recorded in the manner specified in the child protection policy.**

## Positions of trust

A person aged 18 or over is also said to be in a position of trust in relation to a younger person if they care for, advise, train or have sole charge of them in the community on a one-to-one basis because of a court order. Sexual relationships between a 16 – 17 year-old young person and another person in a 'position of trust' is a criminal offence under the Sexual Offences Act 2003 known as 'abuse of trust'.

It is vital that all volunteers in positions of trust have a clear understanding of the responsibility their positions carry. They must have clear guidance to ensure that they know how to behave with young people and do not abuse their positions. This will not only protect those in a position of trust, but will also safeguard those being cared for.

The government believes that all organisations involved in caring for young people (16- to 18-year-olds) and vulnerable adults should have codes of conduct in place to protect against the abuse of trust within a professional relationship. The guidance recognises that there are circumstances where intimate relationships are formed between a member of staff (paid or volunteer) and a young person or vulnerable adult in their care. However, these should not begin whilst one person holds a 'position of trust' over the other. It is recognised that, due to the nature of the work or activity being provided, the paid or volunteer staff member will be in a position of power or influence over the young person within the relationship.

## Control and restraint

A feature of good youth work is the ethos of voluntary participation – young people having free choice to be involved in your work. The focus of the engagement with young people should be on de-escalating the situation as safely as possible.

Aggressive or intimidating behaviour by staff/volunteers is likely to further inflame the situation and sour the relationship with the young people. Any form of physical restraint should only be used in extreme situations and only as a last resort. These actions could significantly damage the relationship with the young people and staff/volunteers and potentially lead to injury. Ultimately it could be classed as assault and lead to civil or criminal proceedings against the organisation or individual.

If a young person chooses to behave unacceptably, then verbal reasoning should be used with them. Remind them of the consequences of their actions, and if they still refuse to comply, then move on to the agreed sanctions.

If they choose to leave the activity, they should be spoken to again, if possible, and then allowed to leave, and depending on the age and maturity of the young person their parent/carer phoned as soon as is practical. They cannot be physically stopped from leaving.

A member of staff or volunteer can lawfully intervene, using reasonable force, to protect other young people or themselves (e.g. to break up a fight between two young people or to prevent a member of staff or volunteer from being assaulted). Before taking such action, staff and volunteers should very carefully consider the risk of harm to themselves and whether the action would de-escalate and calm the situation. The code of conduct should make clear that reasonable force will only ever be used in exceptional circumstances and only in response to an immediate, serious threat. An example code of conduct for staff and volunteers can be found in Appendix 3.

There is no clear legal definition of what constitutes 'reasonable force', and using such force, particularly without proper training, can result in injury or harm both to the staff member/volunteer, the young person and others. Individuals could seek legal redress for the force used leading to the Crown Prosecution Service or courts assessing whether the force used is proportional to the threat.

In any situation in which force has been used, a record should be kept in the incident book and the staff member or volunteer's supervisor should be informed. An account of the incident and an explanation for the action taken should be given to the young person and their parent/carer. It is good practice to allow the young person to make their own record of the incident and for this to be recorded. Managers should review the incident (including speaking with the relevant young person directly) and whether the use of force breached the organisations Code of Conduct and were any lessons learnt which would prevent force being used in the future.

Organisations should consider whether the environment in which they are working (e.g. detached youth workers may feel at higher risk than centre-based staff) and the risk of violence amongst the young people they work with would require staff and volunteers to receive training on control and restraint. It should be made clear that such training is preventative and that it remains for use in exceptional circumstances.

### 3. Confidentiality, Sharing Information, Competence, Whistleblowing and Complaints Policies

**There are clear policies on Confidentiality, Sharing Information, Whistleblowing and Complaints which are in place so that young people, parents/carers, paid staff and volunteers are aware of how to act if they are giving, or have been given, confidential information and would allow members and users of the organisation to complain or report any aspects of the organisation or individual.**

#### Confidentiality

Confidentiality ensures that information is accessible only to those authorised to have access to it. Young people will often have the reasonable expectation that the information shared with your organisation will be kept confidential and they highly value confidentiality when accessing youth services. It builds an ethos of trust where they are more likely to seek support for issues in their lives and give them confidence to share experiences of abuse or harm.

Confidential information is:

- personal information of a private or sensitive nature; and
- information that is not already lawfully in the public domain or readily available from another public source; and
- information that has been shared in circumstances where the person giving the information could reasonably expect that it would not be shared with others.

A key aspect of the confidential relationship in a youth organisation is that it lies between the individual young person and the organisation; not the individual young people and the member of staff or volunteer. This is a very important difference which must be clearly communicated. This does not mean that all information should be shared in full to all people in the organisation – far from it! Personal and sensitive information should be shared on a need to know basis. However, such an approach ensures that staff and volunteers can reflect, with their supervisor, upon their practice and relationships with young people without being concerned about breaking confidentiality.

All organisations working with young people should have a confidentiality policy that explains the nature of the confidential relationship being offered and the circumstances in which it may be broken. Procedures should detail how young people and parents will be informed about the policy and how decisions to share information outside of the organisation will be made.

It is strongly recommended that your organisation consults with parents/carers, children and young people, and with paid staff and volunteers when drafting this policy. All paid staff, volunteers and members should also be aware that they are responsible for monitoring practice and ensuring that the policy is being carried out effectively.

It is important to note that there are a small number of situations where information shared by a young person cannot be kept confidential. Confidence is only breached where the sharing of confidential information is not authorised by the person who provided it or, if about another person, by the person to whom it relates. If the information was provided on the understanding that it would be shared with a limited range of people or for limited purposes, then sharing in accordance with that understanding will not be a breach of confidence. Similarly, there will not be a breach of confidence where there is consent to the sharing.

Most organisations will break confidentiality where a young person states, or a member of staff or volunteer has a reasonable cause to believe that a child or young person may be suffering, or at risk of suffering significant harm, or of causing significant harm to another (e.g. through abuse). Whilst there is currently no legal duty to share this information with social services or the police; there is a clear moral and professional expectation to do so. Failure to report disclosure or suspicion of abuse will often be a breach of an organisations code of conduct.

It is important to emphasise that no organisation should ever guarantee to a young person an absolute confidential relationship. There are a range of legal obligations on individuals and organisations to share information. Some of the most relevant for a youth work environment include:

- Legal duties to disclose information where they either know or believe it might help prevent another person carrying out an act of terrorism or might help in bringing a terrorist to justice in the UK.
- Legal duties to disclose a belief or suspicion that a terrorism offence has been committed.

- Legal duties on occupiers, workers, managers, directors and those ‘concerned in the management’ of premises, to act where there is the supply, attempt to supply or use of opium or cannabis.
- Legal duties to report accidents experienced that result in an injury which require the person involved to be taken from the site of the accident to a hospital for treatment (note treatment not a precautionary attendance).
- Organisations delivering services for immigrants and asylum seekers on behalf of the government may be compelled to share information.
- There are relatively unusual and rare court orders for certain information to be brought before the court (and failure to do so could find you in contempt of court).

Wherever possible, you should attempt to work with the child or young person to enable them to tell another agency about the issue. Where this is not possible, the decision to breach confidentiality must be made in consultation with them and attempts made to gain their explicit consent if at all possible.

### **A clear confidentiality policy will:**

- **be structured around respect for the rights of the child or young person to privacy and confidentiality; the child or young person’s rights and best interests must be paramount in any decision being made;**
- **include a clear statement of the definition of a confidential relationship;**
- **details on the circumstances in which the confidential relationship may be breached and who is authorised to agree this (usually a senior manager);**
- **outline when, and why, a referral will be made to an outside organisation without the consent of the child or young person;**
- **specify who should be informed (e.g. designated worker, line manager or parent/carer, or referral made directly to social services or the police regarding an immediate concern for the young person’s safety) and how;**
- **define how information about the young person will be stored; the young person’s right to access this information;**
- **indicate with whom in the organisation the information will be shared.**

### **Parent/carer records and consent**

It is important to collect details of the parents/carers of young people who use your service on a regular basis, in case of an accident or the need for consent for an activity. These records are confidential and should be stored in a locked cabinet to which access is restricted to named persons.

#### **These records must include the following:**

- **the child or young person’s personal details, such as name, address and date of birth;**
- **whether the child or young person has any special needs, such as dietary, medical or physical; an agreement written between parents/carers and volunteers/staff with expectations, controls and limits should be in place;**
- **details of parents/carers, i.e. name, address and telephone numbers. This is particularly important if the child is looked after by the local authority or if the child’s parents/carers are separated or divorced; and**
- **whether there are any particular instructions concerning the child or young person, for example, if only one parent/carer is authorised to collect the child or young person. There must be clear procedures about how instructions or information about a child or young person are shared with the staff team.**

There should also be a written procedure as to how to deal with any issues or disputes between two parents/carers whose son or daughter is engaging in activities with the organisation. For example, when two parents/carers disagree with each other about their child’s participation in the activities, there needs to be a way for the staff or volunteers to make a decision and know which parent/carer’s instructions to follow. There must be appropriate lines of communication, and procedures to indicate how this will be dealt with, how these events will be recorded, and whether and when to involve the police.

## Data protection

When putting together a confidentiality policy and procedure, it is important to ensure that you are working in compliance with the Data Protection Act 1998.

The Act gives individuals the right to know what information is held about them, and it provides a framework to ensure that personal information is handled properly.

The Act works in two ways. First, it states that anyone who processes personal information must comply with eight principles that ensure personal information is:

- fairly and lawfully processed;
- processed for limited purposes;
- adequate, relevant and not excessive;
- accurate and up to date;
- not kept for longer than is necessary;
- processed in line with your rights;
- secure;
- not transferred to other countries without adequate protection.

The second area covered by the Act provides individuals with important rights, including the right to make a written request for any personal information held by an organisation, whether electronically or on paper, to be shared with them. This is known as a Subject Access Request ('SAR').

There is no minimum age to request information to be provided but the organisation should be confident that the young person can understand (in broad terms) their right to make a request and how to interpret the information they receive as a result of doing so. Parents can act on behalf of an individual. For details see the SAR Code of Practice.

Should an individual or organisation feel they are being denied access to personal information they are entitled to, or feel their information has not been handled according to the eight principles, they can ask the Information Commissioner to help.

There are no legal limits to how long you can or should hold information. It is open to judgement, as the guidance states, but should be held no longer than necessary. Time limits should be set within an organisation to ensure consistency. Many organisations use six years as a limit for personal information held about individuals, as long as it is relevant. Further information and advice can be sought from the Information Commissioner.

## Information sharing

This is an area of law and policy which has been in flux over the past decade. The previous government developed 'Contactpoint' and the Integrated Children's System (ICS) – an electronic database which aimed to provide a systematic approach to integrating information about children and young people in need from the point of first contact through to the final review. However, Contactpoint has subsequently been abandoned and the key legislation underpinning information sharing for this purpose was revoked.

These reforms do not change a clear expectation to share information amongst professionals and others working with children and young people in order to keep them safe from harm. Often, only when information from a number of sources is shared, collated and evaluated does it become clear that a particular child or young person is at risk or suffering from harm, or that someone may pose a risk of harm to that child or young person. However, such sharing of information must also respect the individual's rights to privacy and reasonable expectations to confidentiality. Information which should be shared should be done in a proportionate manner with a clear legitimate aim; for example keeping children and young people safe from harm. If you chose to share information with another agency this can raise key issues of your duties to respect confidentiality (see above).

Government guidance sets out key questions to consider before sharing information. These include:

- Is there a clear and legitimate purpose for you or your agency to share the information?
- Does the information enable a living person to be identified?

- Is the information confidential?
- If the information is confidential, do you have consent to share?
- If consent is refused, or there are good reasons not to seek consent to share confidential information, is there a sufficient public interest to share the information?
- If the decision is to share, are you sharing information appropriately and securely?
- Have you properly recorded your information sharing decision?

Attempts must always be made to obtain the consent of the child or young person to share information about them. Consent must be 'informed'. This means that the person giving consent needs to understand why information needs to be shared, what will be shared, who will see their information, the purpose to which it will be put and the implications of sharing that information. In certain circumstances, it may also be necessary to consult with the parent/carer.

The decision as to whether to share information may be particularly difficult, especially if you think it will damage the relationship of trust between you and the child or young person you are working with. You may also be anxious about any legal and ethical restrictions there may be when sharing information. You and your organisation should be aware of the law, although it rarely provides an absolute barrier to sharing information. You will need to exercise your professional judgement, and discuss the situation with your designated officer and/or line manager.

Often organisations may be asked to share anonymised information (i.e. information from which a person cannot be identified by the recipient) about children and young people (e.g. surveys on the number of young people who access your services and basic demographic details). However, as a general rule if the information does not identify the individual then it can be shared, especially if at the level of statistics e.g. Teenage parents are often easily identified within a small area and therefore statistics are often confidential to ensure anonymity. Best practice would indicate that children and young people should be made aware that this form of information will be shared. Caution should be taken with attempts to anonymise case studies or other information about a young person.

Remember that a failure to pass on information that might have prevented a tragedy may expose you to criticism in the same way as sharing information that is unjustified.

A useful overview of guidance on information sharing is also available from the NSPCC.

## Competence and consent

All people aged 16 and over are presumed, in law, to have the capacity to give or withhold consent, unless there is evidence to the contrary (see below).

As a general rule, you should get the consent of a parent/carer to participate in activities if the child or young person is aged under 16 years-old. However, just because a parent gives consent certainly does not automatically override the withheld consent of the under 16 year-old.

A child or young person, who has the capacity to understand and make their own decisions, may give (or refuse) consent (for example to share information about themselves to another agency or receive services, such as free contraceptive advice). Children aged 12 or over may generally be expected to have a sufficient level of understanding although younger children may also understand sufficiently. Much will depend on the specific issue of consent being asked for – asking whether they consent to be asked questions for the group's evaluation would be approached differently from consent to attend a trip. The difficulty people have with this is that it requires a judgment to be made about a young person – it cannot be based on their age alone. Maturity and demonstrable understanding are key.

Whether a child has sufficient understanding is often known as 'Gillick Competence' after a leading court case (relating to a young person's ability to consent to request contraception). This is determined based upon a series of questions (often referred to as the 'Fraser Guidelines'). Both were formulated with reference to contraception and contain specific considerations. However, key features for assessing competence include:

- Can the child or young person understand the question being asked of them?
- Do they have a reasonable understanding of the circumstances and options?
- Can they:
  - appreciate and consider the alternative courses of action open to them;
  - weigh up one aspect of the situation against another;

- express a clear personal view on the matter, as distinct from repeating what someone else thinks they should do; and
- be reasonably consistent in their view on the matter, or are they constantly changing their mind?

When assessing a child or young person's understanding you should explain the issues to the child in a way that is suitable for their age, language and likely understanding. Where applicable, you should use their preferred mode of communication.

The Mental Capacity Act 2005 states that all people aged 16 and over are presumed, in law, to have the capacity to give or withhold consent, unless there is evidence to the contrary. Where you are concerned that an individual over 16 is unable to give or withhold consent you should seek contact with their caregiver (if they have one) to discuss the matter.

A few principles apply when working with adults who may lack capacity:

- people should be assisted to take decisions, before it is decided they lack capacity;
- unwise decisions do not mean necessarily that a person lacks capacity;
- if a decision is taken in respect of a person lacking capacity, it must be in that person's best interests;
- consideration must then be given to adopting the least restrictive option.

It is especially important not to assume that a disabled person is unable to make decisions. Just because an individual over the age of 16 has an impairment –for example autism or some form of learning difficulty e.g. dyslexia – does not mean that they are unable to make decisions. Much will depend on the impairment but also the individual's ability to:

- understand the information relevant to the decision;
- retain that information;
- use or weigh that information as part of the process of making the decision;
- communicate his or her decision (whether by talking, using sign language or any other means).

It is important to note that capacity to make a decision will depend on the particular matter and the time of the decision. For example whilst an adult may be unable to consent to attending a residential they may be able to decide what they would like for lunch. It is vital to give the individual as much choice as possible within their capabilities and to be in regular contact with their primary caregiver (if they have one).

### **Whistleblowing – revelation of wrongdoing, abuse or unethical behaviour by an employee (paid or non-paid) within an organisation ... to those in positions of authority.**

When a paid or volunteer member of staff has reported suspicions about another member of staff, a trustee, a committee member or the organisation itself (Whistleblowing), support systems need to be in place that will stop the whistle-blower from being harassed or treated unfairly, regardless of whether the suspicions or allegations are true. It is important that paid staff and volunteers within your organisation are well informed of procedures for raising concerns, and that such concerns can be shared in total confidence with the designated person.

The concern may not be directly linked with the abuse of a child or young person, but may perhaps concern behaviour that pushes boundaries beyond acceptable limits. However, consistently ignoring concerns may lead to a culture within your organisation where paid staff, volunteers and young people are silenced and do not feel able to report any concerns. This might be due to fear of retaliation by the individual concerned (a fear of being threatened or loss of job), or gaining a reputation as a 'tell-tale'.

An individual may lack confidence (maybe due to inexperience) to raise an issue, as what they have witnessed could be a subtle crossing of the line into inappropriate behaviour, or simply a lack of challenging something inappropriate amongst others. It is important to create an environment where paid staff and volunteers trust each other and the organisation, and can honestly discuss things which concern them in confidence. It is vital that your organisation maintains the right balance; otherwise, young people, paid staff and volunteers will be vulnerable.

Staff members or volunteers on the front-line may be the only ones aware of potentially unsafe or inappropriate practice and it is important that they can raise awareness of it without fear of harassment, unfair treatment or repercussions, regardless of whether the suspicions or allegations turn out to be true.

### Some things to think about:

- **Forming teams of workers where open discussion and honesty, feedback after events and activities, and constructive criticism are normal and healthy parts of working practice. This reflecting in teams will engender an environment where it is usual practice to raise concerns, both with the people involved and in confidence with management.**
- **Managers and team leaders need to be aware of and listen to concerns of any kind from employees and volunteers. Consistently ignoring concerns of any type may lead to a culture where staff, volunteers and young people feel unable to report their concerns.**
- **Having a written procedure in place, with a designated person to whom everyone should report concerns confidentially, and a set procedure for what will happen with those concerns, means that, where supportive teams are not in place, there is still a mechanism for raising issues.**
- **Concerns may not be directly linked to child abuse, but may be about behaviour which subtly pushes boundaries beyond acceptable limits – this would need to be discussed and remedied to prevent it developing into a pattern.**
- **A staff member or volunteer who may lack experience or confidence should still feel able to raise an issue, even if they are not quite sure where the acceptable boundaries are.**
- **Some behaviour raised by a whistle-blower could be relatively minor, where further training or discussion with the person in question could deal with it quickly and simply.**
- **At other times there could have been a serious incident (whether an accident, a breach of trust or an incidence of child abuse), where the concerns of the whistle-blower could lead to serious disciplinary action or the involvement of the police or social services. If this is the case, then there are likely to be repercussions in the community and the organisation, which will need to be handled sensitively:**
  - **Think about what confidential information is shared.**
  - **What support will be offered to whom?**
  - **How you are going to debrief from any event or activity – particularly in the case of one which has gone wrong? This is one way to allow staff or volunteers to discuss their concerns in confidence.**

**While having a procedure in place is important, it is the atmosphere of trust where open or confidential discussion can take place about concerns that is absolutely vital.**

### What to do after an incident or accident

Once a suspicion, concern or allegation of inappropriate behaviour has been raised and investigated, there may well be repercussions and strong feelings throughout the organisation and, quite possibly, beyond. Some of the issues might concern:

- the facts or rumours around the incident;
- guilt and blame – amongst staff and volunteers, children and young people, parents/carers, and the community itself;
- feelings of anger;
- the impact on the individuals involved, whether directly or indirectly; and
- the impact on the organisation itself, e.g. gaps in terms of roles and posts held.

You will need to think carefully about what confidential information is shared and what support should be given to whom. There should be an opportunity to debrief as soon as possible after the event, and you will need to decide who will be involved in this, i.e. the entire staff team or just those directly involved. Nevertheless, the debriefing should become routine, and should provide all those involved with an opportunity to explore and express their feelings, in total confidence and with no repercussions.

This procedure can be applied when dealing with any situation that has caused concerns or raised strong feeling amongst your staff team and children and young people, for instance, after an accident, incident of child abuse, or abuse of trust.

## Complaints policy and procedure

Children, young people and, where appropriate, their parents/carers should know how to, and feel able to, complain if they are unhappy with any aspect of your organisation. Any complaint should be addressed without delay. The complainant should be kept informed of progress.

In order to achieve this, your organisation should have a written policy and procedure in place for dealing with complaints. Specific paid staff and volunteers may need to receive training in the complaints procedures if this is part of their job or role within the organisation.

The policy should include a statement of commitment, for example:

**The organisation recognises the right of children, young people and their parents/carers to have access to the organisation's complaints procedure. The organisation will ensure that all complaints are taken seriously and dealt with swiftly and in confidence.**

**The complaints procedure will:**

- **define what constitutes a complaint;**
- **ensure that all complaints will be given consideration;**
- **not place restrictions on what issues may be complained about;**
- **explain the procedures for dealing with complaints, including any complaints made against staff or volunteers;**
- **outline the procedure that will be followed if a complaint is not resolved promptly;**
- **explain who should be notified of the complaint within the organisation;**
- **describe how records are kept;**
- **provide a timetable for dealing with a complaint;**
- **be written in a format that is appropriate to the organisation's users; and**
- **be circulated to all parents/carers of the children and young people who use the organisation, and to all paid staff and volunteers.**

**A confidential or anonymous complaints system could also be provided, e.g. via a suggestion box.**

**Your organisation will also need to consider:**

- **who will review the complaints to check that the operation of the complaints procedure is satisfactory;**
- **ways of identifying any emerging patterns of complaints and action taken on individual complaints; and**
- **the role trustees will take in the complaints process.**

## 4. Equalities and Diversity Policy

**There is an Equalities and Diversity Policy and procedures which prevent discriminatory practice and uphold the rights of children and young people, as well as staff and volunteers, to be treated fairly**

Article 2 of the United Nations Convention on the Rights of the Child (UNCRC) requires that the rights of children are respected and ensured:

*'... without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.'*

For this right to be put into effect by your organisation, your organisation must ensure that there is a diversity and equality policy and procedure which prevents discriminatory practice and upholds the rights of children and young people, as well as staff and volunteers, to be treated fairly. This policy and procedure must be incorporated into all aspects of the organisation's work.

### Legal framework

The Equality Act 2010 consolidated British equality laws into one legal framework. The law is based on two concepts:

- Protected characteristics – these are all the different groups which have legal protection from discrimination
- Prohibited conduct – the acts which are illegal

If an individual who is a member of a group which has a 'protected characteristic' (or perceived by others to be) believes that they have experienced a 'prohibited conduct' they could make a legal claim.

#### Protected characteristics

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion and belief
- Sex
- Sexual orientation

#### Prohibited Conduct

- Direct Discrimination
- Indirect Discrimination
- Discrimination arising from disability
- Failure to make reasonable adjustment
- Harassment
- Victimisation

Organisations which provide goods, facilities or a service should not treat an individual from a protected characteristic less favourably. For example, refusing a young person entry to your youth club or project due to their sexual orientation or ethnicity.

Likewise, they should not have rules, policies or procedures which in effect would treat those from a protected characteristic less favourably (this is known as 'indirect discrimination'). For example, requiring all volunteers to have undertaken a specific piece of training but only making this available at a time when people from a religious group would not be able to attend.

It is important to note that protection from discrimination in goods, facilities and services does not extend to age for individuals under the age of 18. It would not be seen as 'age discrimination' to provide a particular service for a specific age group (e.g. a 'juniors youth club'). Even where a service is for a specific age group (for example, an advice service for 18 – 21 year-olds) this would be permissible if this age restriction was a proportionate response to a legitimate aim (e.g. to ensure a better service given your voluntary organisation's limited resources).

Public sector organisations – including schools, health bodies, local authorities, the police and many others – have additional legal duties on equality and diversity. Known as the Public Sector Equality Duty they are required to be pro-active in ensuring that they:

- eliminate discrimination, harassment, victimisation and any other prohibited conduct;
- advance equality of opportunity; and
- foster good relations between different groups.

This includes the manner in which they commission and engage with voluntary organisations.

## Equalities and Diversity in practice

Beyond legal protections, young people may become the target of discrimination if they are seen as different, for example, if they:

- belong to a minority culture (whether related to ethnic origin or nationality or personal interests such as being a 'Goth');
- do not have the predominant national language as a first language;
- communicate with difficulty;
- dress in a way that does not conform to what is seen as the norm;
- have physical differences – colour, height, weight, hair colour;
- behave in ways that are seen as 'difficult', 'abnormal' or 'different';
- are from poor social backgrounds.

Indeed, discrimination can occur due to anything which may make someone look, sound or act differently from the rest of the population. In reality, this covers the huge diversity of humanity.

People can be discriminated against for any number of reasons, some overt and some more subtly. It can arise from misunderstandings or misinterpretations of different cultural patterns, as well as from overt or covert prejudiced attitudes and behaviours. For those discriminated against, dealing with it, perhaps on a daily basis, is extremely stressful. This can be particularly so for young people, who often have a strong desire to fit in with their peers or to belong to a group of their choosing rather than one chosen arbitrarily for them through birth.

Organisations working with young people need to be aware of the forms that discrimination may take and must make a commitment to work against it, ensuring that everyone is treated fairly and their dignity is protected. This should not simply be a statement of intent, but must be backed up with training and monitoring mechanisms to ensure that the policy is put into practice. Grievance procedures should be in place which enable those working in the service to challenge incidents of discrimination and complaints procedures should include provision for complaints about discrimination. These policies should also make provision for dealing with discrimination against members of staff and volunteers.

It is important to remember that many young people will use discriminatory language or treat an individual unfairly due to what they have learned in the media, from their families or their peers. Even at a young age, they may have deeply ingrained views and beliefs. Practitioners will need to use professional judgment about how best to respond to ensure that this is identified and challenged. Youth work settings provide opportunities for these young people to learn about the consequences of discrimination.

Young people with a protected characteristic or from any minority group may have different requirements. You should be proactive in understanding the young people you are working with and understanding their specific needs. You should make all reasonable efforts to meet these needs to ensure that they are included on an equitable basis as their peers.

More broadly, you should seek to promote a culture where all are included and treated with respect. You should be aware of the specific religious and cultural practices within the community you are working in and adapt your practice as appropriate. You could actively promote equality groups and events (such as LGBT Pride events or local women's groups) and use positive images of minority groups in your advertising.

Where there are large numbers of a particular ethnic or religious group in an area, concerted efforts should be made to recruit members of this group into organisations. Their knowledge and background will be helpful in avoiding or resolving some of the difficulties outlined above.

## Disability

Disabled children and young people often experience double discrimination: first, they are a child or young person; and second, they are a disabled person who face a wide range of barriers to equitable inclusion in society. Sadly, this can mean that the specific needs and rights of disabled children and young people are often overlooked.

Disabled children and young people:

- have equal rights to the opportunities and services accessed by their non-disabled peers;
- are first and foremost children, with the same aspirations of all children and young people;

- should have equal access to all mainstream children's services; and
- should be routinely involved and supported in making informed decisions about their lives and have a say in shaping services.

To be an inclusive organisation, the focus should be on how to remove the barriers which can prevent the young person from being included rather than focusing on the illness or impairment.

The law relating to the provision of services for young people with disabilities is complex. It is governed by the Children Act 1989, various provisions relating to special educational needs and the Equality Act 2010. For voluntary youth organisations the key legal obligations are found in the Equality Act 2010 (see above). This protects disabled people against direct discrimination in employment and in areas such as the supply of goods, facilities and services. Both statutory and voluntary youth services are covered by the Act and organisations need to be aware of actions that could constitute discrimination.

The definition of disability in the Equality Act 2010 is a person (P) who has a disability if: 'P has a physical or mental impairment, and the impairment has a substantial and long-term adverse effect on P's ability to carry out normal day-to-day activities.'

Where the manner in which you deliver your work places a disabled person at a 'substantial disadvantage' compared to non-disabled people, you are under a legal duty to make reasonable adjustments to ensure that disabled people can access your goods, facilities or service provision. Failure to comply with the duty to make reasonable adjustments is illegal.

You must consider how you can change your practices; make changes to the built environment and provide auxiliary aids/services so that the barriers preventing the disabled person from accessing the goods, facilities or services on an equitable basis to others can be removed.

Reasonable adjustments for a particular service provider to undertake depend on all the circumstances of the case. This will vary according to:

- the type of services being provided;
- the nature of the service provider and its size and resources; and
- the effect of the barriers preventing the individual disabled person to be included.

It is more likely to be reasonable for a service provider with substantial financial resources to have to make an adjustment with a significant cost than for a service provider with fewer resources.

You should engage with the disabled child or young person (and where necessary, or appropriate, with their parents/carers and, if they have one, a personal assistant) about any adjustments which could be made to ensure they are included. Ask them their views on what is needed to be included, including the support they may need for inclusion.

The Equality and Human Rights Commission has produced a range of guidance about the implementation of the Equality Act 2010.

The Children's Rights Alliance for England have published Equality Matters for Children – a guide on the Equality Act 2010 for local authority children's services and voluntary organisations providing services to children and young people.

## 5. Anti-Bullying Policy

**There is an Anti-Bullying Policy which seeks to minimise the risk of bullying taking place and to put a stop to it when it occurs, with appropriate interventions.**

**Please also see extensive resources and information on the following websites:**

[www.beatbullying.org](http://www.beatbullying.org)

[www.safenetwork](http://www.safenetwork)

[www.youthnet.org](http://www.youthnet.org)

### Safeguarding online and social media

The internet has given children and young people access to a virtual international 'playground', a place to meet and make new friends from all over the world. It is a great educational space where they can learn about different cultures, religions and ways of life. What's more, many young people have embraced these developments in new technology and made them their own – in school, at home or with their friends.

However, it is important to remember that behaviour on the internet is also subject to the same rule of law as the real world and, just like the real world, we need to be sensible and take precautions on the internet to protect ourselves from harm. Arguably, young people and children need more robust protection from dangers online, as it is easier for people intending to deceive or mislead to pose as something other than what they are, and hide behind the anonymity of the internet.

The key for a young person-centered approach to risk assessment is to minimize the risk of harm whilst they are online and engage them in a manner which empowers them to be aware of the risks and make informed choices whilst online.

Some of the areas of risk that children and young people may be exposed to include:

- chat rooms and social media – sex offenders are increasingly using the internet to make contact with, and groom, children and young people, including sexting and encouragement to share images which are spread;
- unsuitable materials or sites – children and young people may be exposed to pornographic or violent material, or to race or hate sites. Unsuitable material is not so easily detected until the information has been downloaded.
- cyber-bullying where children and young people can be exposed to bullying on websites, by email, or on social networking sites by people who are known to them or not.
- viruses and unsuitable download material – which can harm your computer's systems or 'spam' others.

### Providing internet access

Your organisation may provide internet access for the children and young people that you work with. Whilst this will benefit many children and young people, both educationally and recreationally (especially those who have no other access to the internet), it is your responsibility to ensure that they are not exposed to risk or danger whilst online.

Even if you do not know much about the internet, you can still teach children and young people about how to use it safely in a manner appropriate for their age and maturity or apply parental restriction available on most systems. Action that can be taken includes taking an interest in what children or young people are doing online, buying filtering programmes and, most importantly, teaching them about safety issues. You should tell children and young people what they can do if they come across or get sent information that is offensive, that offends them, or if someone asks them to do something which makes them feel uncomfortable.

It would be advisable to run awareness workshops for your staff (both paid and volunteer), children and young people on how to use the internet safely. There is a wealth of material on safe internet access, which is designed for workers, parents/carers and young people.

### Basic tips on offering safer internet provision

- **Know what young people are doing online – have some reasonable level of supervision of young people while they are using the internet.**
- **Ensure firewalls and parental locks are enabled which block inappropriate sites and material.**
- **If young people are using a chatroom, encourage them not to use real names but to choose a nickname and use common sense, e.g. not choosing a provocative name.**

- **Help them understand it is not safe to give out personal information such as their mobile phone number, address, school or youth club details in chat rooms or emails, and the potential risks in sharing pictures or videos of themselves.**
- **Ensure there is a worker with enough IT knowledge to teach young people how to block someone online and report them if they feel uncomfortable.**
- **Discourage them from ever going alone to meet someone they have met online. If they must, however, ensure they let their parents, friends or your organisation's staff know where they are going and when, who they are arranging to meet and when you can expect them to return.**
- **Encourage them to delete, move to spam or not open emails that are not familiar to them or that seem strange; highlighting the problem of viruses which can damage the computer and their and others' use of the shared computers.**
- **Help them to understand that if they are being asked strange or personal questions they are not comfortable with, they should tell someone about it.**
- **Discuss which sites are appropriate for young people to visit (recognising that older users will have access to adult material online).**
- **Encourage the young people to teach staff and volunteers how to use any applications they are not familiar with.**
- **Make sure that young people log out of any social networking sites or applications such as Skype before the next person uses the computer.**
- **Provide a reporting mechanism on your own website, such as the CEOP Report It button, which allows children, young people and adults to report suspected abuse online.**

## Using social media safely

There has been a significant and rapid growth in social media and social networking websites, smart phone applications ('apps') and photo/video sharing platforms. These are all fantastic tools to keep in touch and communicate with children, young people, parents/carers and others in the community.

For many children and young people their online social profiles are integral to how they interact with friends and peers. You should try to remain aware of the main platforms currently being used by young people in your community and how they operate.

Staff and volunteers use of social media and their contact with young people through these sites, platforms and email should form part of your code of conduct.

### Basic tips on safer social networking with young people

- **Be careful not to respond or send messages which could be misconstrued in any way. Text message jargon and chat acronyms can be misinterpreted and should be avoided, as should ending a message with kisses (x).**
- **It is very easy to respond to text messages or emails immediately or on the spur of the moment. Think about what time of day you are communicating with the young people and decide whether it is appropriate to respond. Many organisations ask their staff or volunteers to only to respond during working hours.**
- **Staff and volunteers should not become 'friends' with young people on semi-private social networks (e.g. Facebook). If a young person asks to become 'friends' with a member of staff or volunteer they should not reply on the social networking site (a reply can often allow the young person to see your profile in full). Rather you should either message them directly via the organisation's page or by email making clear that you are not allowed to be 'friends' with any young person; stressing this is not a personal rejection but an organisational policy.**
- **Staff and volunteers should carefully consider their privacy settings and the information that their personal profiles say about themselves. Very lax privacy settings can give young people information about your partner, personal photos and your interests and hobbies. This is often inappropriate for a youth worker/ young person relationship and should be avoided. More broadly, this could cause significant reputational risks for the organisation and in turn breach any code of practice.**

- **Ideally you should set up an organisational 'Page' which the young people can 'Like' and interact with. Only staff who are able to have unsupervised access to young people should be administrators for this page.**
- **If you feel it is necessary, staff and volunteers can set up a separate identity or profile on social networking sites such as Facebook, (e.g. Name\_Name Of Organisation) in the name of the organisation which does not contain personal information (e.g. mobile number is the number for the organisation).**
- **Staff and volunteers should remember that Twitter profiles are public (unless specifically set otherwise) and open to any young person to see. This can be a great way to keep in touch with young people but content posted should be appropriate and suitable. Staff and volunteers should not direct message (i.e. the private messaging system) the young people.**

## Using images

If you are using pictures of the children and young people who access your organisation on your own website or social networking presence, you will need to think carefully about how these pictures could be made safe. You will also need to consider that the pictures may be downloaded and used inappropriately. Even without naming the child or young person, they may be traced through information given, such as the name of their school, or sporting or activity club.

Your organisation will also need to comply with data protection requirements in seeking permission from the individuals to use their image.

Simple guidance is: if the child is named, avoid using their photograph. If a photograph is used, avoid naming the child.

For further guidance, see: [www.nspcc.org.uk/Inform/cpsu/helpandadvice/organisations/photography/photography\\_wda60691.html](http://www.nspcc.org.uk/Inform/cpsu/helpandadvice/organisations/photography/photography_wda60691.html) and [www.ceop.police.uk](http://www.ceop.police.uk) (the website of the Child Exploitation and Online Protection Centre).

## Mobile phone and new video/picture technologies

Despite the value of mobile phones as a safety tool, some children and young people are bullied or harassed via their mobile phones. Some young people use mobile phones to send threatening and unpleasant text messages or picture messages, or take pictures which they will then circulate, or threaten to, against the will of the person photographed. With the ever-increasing changes in mobile phone technology, video and picture messaging have become easier, and can be widely shared instantly, but with this comes the opportunity for people to perpetrate abuse.

Your organisation will need to think about how you can support, and work with, the children and young people in your organisation to keep themselves safe, whilst not restricting the use and ownership of mobile digital technologies.

### Basic tips on safer use of mobile technology

- **Do not use personal mobile phones to communicate with young people or instant messaging software such as 'WhatsApp'. If this is required as part of the job, the organisation should provide a work mobile phone to be used. Staff and volunteers should understand that all material on work phones or shared via the app could be seen by the organisation and their line manager.**
- **You should not allow a young person to use your own mobile phone to take photographs or record videos (even if they are for the organisation's website or social media) or to look at their apps.**
- **Many location-based dating apps including those which are only to be downloaded by adults (such as 'Grindr' and 'Blindr'), can be easily downloaded by young people. Staff and volunteers should carefully consider the information they put on these profiles and their use in/around the workplace/setting should be avoided.**
- **Staff should not take photographs on their personal mobile phone.**

## 6. Youth Participation

**There is a Youth Participation Policy that ensures young people are empowered within the process of safeguarding and have an active say in decision making related to their safety.**

Article 12 of the UN Convention on the Rights of the Child gives every person under 18 who is capable of forming his or her own views the right to express those views freely in all matters affecting them. It states that governments must ensure that these views should be given due weight in accordance with the age and maturity of the individual.

Whilst this is the most well-known right in the Convention, young people also have other complimentary rights to information, to freedom of expression and to meet others and form associations. Together this gives a collection of rights to participate in all matters affecting them, including in relation to safeguarding.

This applies to individual decision-making (for example, where a young person has been abused or neglected or reports abuse or neglect of another young person) and to strategic decision-making (for example, when an organisation is setting its policies and procedures).

There is significant evidence that young people's participation in decision making can bring benefits to individual young people by building knowledge and skills; to organisations by providing more effective and suitable services and to the wider community by building trust and mutual understanding between people.

There are numerous legal duties on courts and local authorities to try and ascertain the wishes and feelings of individuals under the age of 18 and give their views due consideration. This includes when investigating whether a young person is in need of support or has been harmed. There are also broader legal duties on local authorities to listen to views of young people when planning their safeguarding and positive leisure time provision.

See also:

National Council for Voluntary Youth Services: [www.ncvys.org.uk](http://www.ncvys.org.uk)

National Youth Agency : [www.nya.org.uk](http://www.nya.org.uk)

## 7. Health and Safety and Welfare Policy

**There is a Health, Safety and Welfare Policy which is in line with current legislation that clearly states the roles and responsibilities of the organisation and individual, as well as clear procedures for risk assessing the environment and individual welfare.**

See also Section One - The Standards: Providing safe activities - trips, events and residentials and Appendix 5.

### Risk assessment

Risk assessment is an important process in ensuring that children and young people are kept safe. Risk assessment procedures must be incorporated into the everyday working practices of your organisation. Safeguarding and promoting the general safety of children and young people, and also supporting those who have been abused, involves more than just having policies and procedures in place. Risk assessing all your working practices will provide an opportunity for you to enable wider safeguarding to be established, as well as paving the way for the individual policies and procedures mentioned in this document to be implemented. Risk assessments are usually focused on assessing the risk of particular buildings or activities. The same process should be adopted and used to assess the risk of certain situations and people. This way you will ensure that you have identified, and made safer, all potential dangers.

It is good practice to involve children and young people in the risk assessment and risk management process. Assigning such tasks to young people can help them learn the transferable skill of risk assessment and increase their awareness of the reasons for rules, codes of conduct, etc. Young people who are involved in the planning and organising of a visit are more likely to be well prepared, and therefore will be able to make more informed decisions, resulting in them being less at risk. By involving young people, you will also encourage them to develop a sense of responsibility for themselves and for others through developing personal, social and life skills, and through learning about issues that may affect not only their own lives but also the lives of others.

**NB: make sure that children and young people receive adult supervision whilst they participate in the risk assessment process. This is because the risk assessment document is important in assessing liability should an incident occur.**

### Risk assessment policy and procedure

Your organisation is under a legal obligation to take all reasonable steps to ensure a child or young person's safety. This applies to all activities undertaken by your organisation, including activities taking place on the organisation's premises, as well as external trips and activities.

A risk assessment is nothing more than a careful examination of potential dangers or vulnerabilities (hazards) within your work (premises, activities and situations) that could cause harm to people. Potential hazards are dealt with by taking adequate precautions in order to minimise the risk of harm.

- A hazard is anything, anyone or any situation that could cause harm, e.g. high stacks of chairs, uneven floors, unsafe electrical equipment, blocked fire exits, lack of fire escape signs, loose carpets, toxic paints, chemicals, using unfamiliar staff (paid and volunteer), recruitment of staff/volunteers on short-term projects, consultancy staff, lifts in cars, young people's tendencies which are known to you – e.g. tendency to run off, to be aggressive.
- A risk is the chance, great or small, that someone will be harmed or made vulnerable by the hazard. Risk assessments require you to take into account a number of factors. These guidelines highlight some of the factors, but it is important to remember that this list is not exhaustive. If you are unsure, you should contact the local environmental health service and local fire safety officer.

It is not necessary to write risk assessments for venues that have already gone through this procedure, e.g. a hotel or youth hostel; however, it is recommended that you ask to see them to ensure they are appropriate for the particular group of young people involved.

## Health and Safety Executive (HSE): five steps to risk assessment

For the purposes of this document, and to highlight the use of risk assessments in a broader content, we have adapted the wording of the HSE five-step procedure for carrying out a risk assessment. (For more information, see Appendix 7.)

### Step 1 – Identify hazards, dangers and vulnerabilities.

- Walk round the premises looking out for things or situations that could reasonably be expected to cause harm.
- Carefully examine any activities or visits planned.
- Consider staffing issues. Are staff appropriately qualified to work with children and young people? Are there enough staff for the particular group of young people?
- Consider situations where there might be unsupervised contact or visits.
- Consider situations where there might be unexpected visitors or intruders, known or unknown, to the club or project.
- Consult other people (staff and young people) about what they consider could cause harm.
- Consult accident reports to identify previous hazards.

### Step 2 – Consider who might be vulnerable and harmed and how this could happen

- Young people
- Children
- Activity leaders and organisers
- Staff and volunteers
- Parents/carers
- Children or young people with special needs
- Visitors
- Members of the public

### Step 3 – Establish the risks and take action to remove or minimise them

- How likely is it that the hazard or danger could cause harm?
- Are there any existing precautions in place? Are they enough?
- What else can be done to reduce the risk, or control or remove the hazard?
- Assess the significance of each risk – high, medium or low – both before and after you have taken action to reduce the risk.

### Step 4 – Record your findings and action taken

- The record should show that a proper check has been carried out.
- Each hazard should be recorded, including an assessment of the risk, recorded as high, medium or low.
- Any action taken should be recorded (next to the hazard), showing the date and the name of the person carrying out the remedial action.
- Once action has been taken, the level of risk that the hazard presents should be low.

### Step 5 – Review and revise your assessment

- It is good practice to review and possibly make amendments to your assessments from time to time, to make sure that the precautions are still working effectively.

It is important to take a cautious approach when risk assessing situations, activities or people. However, beware of becoming over-cautious and attempting to eliminate all risk, as this may stifle the activities and take any sense of adventure out of an event. For example, taking a group of young people on a residential visit will always pose some risk. Engaging in adventure sports when on the residential will inevitably increase this risk.

However, whilst risk assessments must be carried out and reasonable steps taken to reduce unnecessary risk, the event can be of huge benefit to participants despite, or even because of, some element of challenge. The purpose of the risk assessment is to assess the level of risk and its probability in order to inform a decision as to whether the activity should take place, weighing up the potential benefits of the experience against the potential dangers and ensuring that mitigating steps, when appropriate, are undertaken.

## Ongoing risk assessments and re-assessments

The group leader, supervisor and other adults who have responsibility would normally carry out risk assessments and re-assessments. They would involve judgements and decisions being made as and when the need arises; in situations such as changing weather, tiredness or illness within the group, problems with behaviour, issues with other groups at the same venue, possibilities of a person in authority pursuing inappropriate relations outside working hours (not an exhaustive list), or other unforeseen or altering circumstances. Risk assessment is an ongoing, continual process, which will not end until the event is over and an evaluation of it, formal or informal, has been completed.

Organisations have a legal duty to report accidents experienced on their property that result in an injury which requires the individual to be taken from the site of the accident to a hospital for treatment (note treatment not a precautionary attendance).

## Providing safe activities

The following section will explore the importance of ensuring that all the activities you provide for children and young people are delivered safely. Once again, we are promoting the risk assessment approach as a starting point when considering safety and activities.

### Using risk assessments

It is important that your organisation carries out a risk assessment when organising activities or trips. This includes any activity that might be taking place within your club or centre, as well as those that will take place away from your usual meeting place. The organisation's risk assessment policy and procedures should take account of this requirement. Risk assessments should follow the five-step procedure described above:

- Step 1 – Identify the hazards, dangers and vulnerabilities
- Step 2 – Consider who might be vulnerable and harmed and how this could happen
- Step 3 – Establish the risks and take action to remove or minimise them
- Step 4 – Record your findings and action taken
- Step 5 – Review and revise your assessment.

If you are using another centre or alternative providers, you need to check whether the providers of the activity have carried out a risk assessment and have appropriate safety measures in place, including whether their public liability insurance includes abuse cover (some don't) and whether they have a safeguarding policy in place.

When carrying out your risk assessment, you need to consider the following:

- the type of activity and level of difficulty at which it is being undertaken;
- the location of the activity, e.g. in your club/centre, in an unfamiliar location, near water or in mountainous terrain;
- weather conditions, if the activity takes place outdoors;
- the competence, qualifications and experience of your staff (paid or volunteer) and any on-site staff if the activity is taking place in a different location;
- the age, competence, fitness and experience of the participants; and
- the staff-participant ratio.

## Staffing

Within a safe and structured framework, outdoor activities can make a significant contribution to the educational development of young people. No one who provides outdoor activities for children and young people would deny this is the case. However, if you are planning adventure activities or trips, you must ensure that you have an adequate staffing ratio, regardless of whether the activity takes place in your club or centre or in someone else's centre.

There are no statutory requirements for youth worker/young people ratios. An HMI report for the Department of Education and Science in 1991 set out some examples of the activities and ratios of youth worker to young people which have been considered useful in developing a staffing model:

Counselling 1:1

'Difficult' groups 1:3

Outdoor activities 1:5

Groupwork 1:6 to 1:8

Youth council/forum 1:10

Drop-in or open youth centre 1:15

Member-run activity 1:20

Social activities 1:25

(From Efficient and Effective Management of Youth Work – HMI, 1991).

*Find out more:*

National Youth Agency

Safe Network

The ratios above are a guideline only and the more risky the activity or the higher the level of children's needs, e.g. if some or all of the children have disabilities or other specific needs, the higher the staffing levels may need to be. For example, some children and young people with special needs may require one-to-one or even two-to-one care. You will need to risk assess each situation and use your judgement. A risk assessment would need to include not only the activity, but also factors such as the weather conditions, how the group will be transported, etc. You will also need to consider what will happen if one of the leaders:

- gets hurt or becomes ill;
- has to take a child or young person to the hospital;
- has to take a child or young person home.

As far as possible, we recommend that staff should be of both genders, although this may not be appropriate when taking single-sex groups away.

You will also need to consider the following:

- If parents or volunteers are supporting an activity, have all adequate checks been made?
- Do supervisors have a clear understanding of their roles and responsibilities?
- Are group leaders and supervisors competent to lead or instruct children and young people in the activities you have planned? Do they have the relevant training or qualifications? If not, qualified instructors should be employed or contracted.
- Have details been obtained from parents/carers regarding any special needs or requirements, including details of dietary needs?
- Have details been obtained from parents/carers regarding any medical needs? This should include all details of any medications being used, how often they are taken and whether there are any significant side effects.
- Are any additional plans required to ensure the safety of children or young people with special educational needs?

## Insurance

Your organisation should carefully check that your insurance policy covers all aspects of your activities. You may need to arrange additional cover for particular one-off activities or trips. It is essential that your policy includes employers' liability (only essential if you have employees) and recommend public liability cover.

**You should check that the following are covered:**

- **personal injury (personal accident policy IF you want cover even when no liability) of children and young people, as well as paid staff or volunteers, i.e. death, major injury, loss of limbs or eyes, permanent or partial disability;**

- **public liability – this covers against the risk of compensation;**
- **medical and related expenses – if there is liability;**
- **business interruption – covers reasonable expenses incurred due to strike or civil commotion;**
- **personal effects – loss or damage to luggage, clothes, money, etc. (this may be covered by your building and contents insurance);**
- **special activities – you may need separate insurance; check the policy or insurance provider; and**
- **cancellations – covers loss caused by cancelling the trip – where appropriate, events and travel arrangements should be covered against cancellation.**

Your organisation should provide parents/carers with details of the insurance taken out, i.e. what exactly is covered in the insurance policy.

## Planning activities

Any activity that you provide for children and young people should be properly planned and prepared to ensure it is safe. This includes the regular activities you may provide in-house for young people, as well as out-of-the ordinary or occasional trips or activities away from the usual venue. Planned activities should be challenging but not inappropriate for the age group. For example, asking a group of young children to take part in an unsupervised orienteering exercise or extremely challenging exercise such as potholing may not be appropriate for the age group.

The following guidelines indicate some of the aspects you will need to consider. Careful planning is also important if you want to ensure that children and young people get the maximum educational value out of your provision. To ensure that your plans meet current standards, you may also want guidance provided by your national headquarters or local authority youth service. In addition, you may wish to refer to safeguarding units within the Youth Work National Occupational Standards.

When you are planning an activity, it is good practice to involve children and young people in the planning process. This will ensure that they take ownership of the activities and that the activities meet their needs as much as possible. Involving young people in the planning process will also provide them with a learning opportunity and an opportunity to take responsibility for themselves and others, if appropriate.

If you are planning a residential, an international exchange or a trip abroad, parents/carers and participating children and young people should be invited to a pre-visit briefing so that you can discuss all the steps you have taken, listen to potential concerns and provide all necessary information. A pre-residential meeting is another good way of involving children and young people in the planning process.

## First aid provision

There are legal obligations on employers to provide adequate first aid in the workplace but these regulations do not extend to members of the public for whom the organisation is providing a service. However, organisations should provide some first aid for service users, particularly young people (this may be a requirement of the insurance policy). What is deemed as adequate and appropriate provision will depend on the nature of the organisation and its activities, as well as the age, abilities and needs of the young people to whom it provides a service. When an employer conducts an assessment for the workplace, they could assess whether or not the provision of a first aid box with a named individual responsible for maintaining it and, when necessary, calling the emergency services, is sufficient.

However, in an organisation working with young people good practice would dictate that it is necessary to have at least one trained first aider present at any activity, and more than one for an activity away from your own premises, such as a residential event.

It is also recommended that the organisation keeps a record of any accident or injury which occurs. This can be kept in an incident book, which can be used to document anything which ought to be on record. This information should be kept in a secure place, where it can only be accessed by appropriate staff and volunteers. It is important to note that young people can continue to make a claim after the activity has ended until they reach the age of 21.

## Planning adventure activities

When the activity involves going abroad or using a residential or outdoor activity centre, or takes place outdoors within an area that may not be familiar, you should consider making an exploratory visit prior to the activity taking place. Records should be kept on whether this has been done.

If planning activities such as climbing, caving, trekking or water sports, your organisation needs to check that the residential centre or activity provider holds a licence or that the provider is accredited. Suitably qualified instructors must be used for adventure activities.

If an adventure activity provider or residential unit is to be used, your organisation should sign a written agreement on the nature of the activities, supervision, recreation, accommodation, etc. that will be provided.

Ensure that all relevant information about the participating children or young people is collected and provided to the centre concerning their:

- level of ability, or any disabilities they may have;
- medical needs;
- dietary needs; and
- any other special needs.

Your organisation should also check that the activity provider has made all the necessary checks in safeguarding the welfare of children and young people. You should enquire whether there are appropriate security arrangements in place, whether there is appropriate insurance cover, and whether staff have been vetted.

Ensure that all your accommodation requirements are met, i.e. does the centre have appropriate separate sleeping and washing arrangements in place?

### **Unsupervised activities**

Decide beforehand whether there will be any activities that will be unsupervised and, if so, ask the following questions:

- Will the children and young people have all the necessary skills and experiences to be left without supervision?
- Are the children and young people familiar with any equipment that they may need to use?
- What emergency procedures will be put in place? Will the group be supervised from afar? Will there be regular checkpoints?

Any unsupervised activities will need to be carefully risk managed.

### **Visits abroad and international exchanges**

When planning exchanges and trips abroad for young people, careful planning and preparation can lead to life-enhancing experiences for them. Young people can benefit immensely from exchange visits, not only by developing their communication skills, but also their personal and social skills, their confidence and their competence. Exchanges provide young people with the opportunity to develop their language and awareness of other cultures, whilst challenging existing stereotypes they may hold. However, these benefits can only be achieved if the exchanges and visits abroad have been thoroughly planned and prepared for.

By using the risk assessment approach outlined previously, you can ensure that you identify any potential concerns beforehand and address them with the young people and their parents/carers. Young people who are involved in visit planning and organisation and who are also well prepared will make more informed decisions and therefore be less at risk.

If you are planning a visit abroad, you can either organise it yourself or use the services of a travel company. Whatever you do, consideration must be given to the suitability of the package you decide to use.

Preparation is especially important. For example, your trip abroad could be ruined if you do not consider visa requirements or the need for vaccinations, and do not leave adequate time to take any appropriate action. You will also need to ensure that all leaders and organisers of the visit are fully aware of any driving regulations, or cultural and religious differences applicable in the country you are visiting. Safety standards may not be the same as in the UK. If you are planning adventure activities abroad, you should inform your partner or provider of the standards that you expect and, if you cannot be confident that these can be met, provide your own programme of activities or refrain from organising adventure activities altogether.

Other matters to consider are the following:

- Ensure you have written parental consent for all participants under 18 to take part in the trip, including details of emergency contacts.
- Ensure you have written consent from parents/carers for any medical treatment that may be necessary for the child or young person whilst abroad.
- Ensure you have details of all medical and/or special needs from all participants. If they are under 18 years of age, this must be obtained from their parents/carers.
- You will also need to consider who will be your emergency contact at home; ideally, this should be someone not related to anyone on the trip, as they may need to remain calm and act rationally if something serious happens.
- When going abroad or using a residential centre, at least one of the accompanying adults should be adequately trained in emergency first aid.
- If you are organising an exchange and plan to use home stays, enquire how your partner organisation chooses the families that provide hospitality and whether any vetting takes place. Ensure that you have mechanisms in place that allow you to deal with unhappy experiences promptly.
- One of the adults in the group should ideally be able to speak and read or at least converse in the language of the host country. If not, the leader and/or other adults in the party should learn basic conversation in order to deal with everyday situations or emergencies. Remember, children and young people are often learning languages at school or college and, if possible, as part of the planning and preparation for the group, classes in the host country's language could be set up for the young people and adults to attend. Leaders should not rely solely on young people to speak the host language.
- Make sure that you have written consent from participants who are aged 18 or over and from the parents/carers of all participants under 18 for the use of any photographic images that may be taken during the trip and subsequently used as part of future publicity in the form of photography, video, sound bite or website presentations.

### **Paperwork**

The group leader should ensure that they take with them:

- travel tickets, passports, visas and other travel documents, plus photocopies of all the group's documents in a sealed waterproof bag;
- a copy of the contract with the centre/hotel;
- the European Health Insurance Card (which has replaced the E111 medical forms) for medical treatment on trips within the EU, and significant medical histories;
- parental, medical, leisure activities (including swimming) and photographic imagery consent forms;
- a contact sheet with all the names and addresses of emergency contacts and all the organisations and agencies that the group will be working with or using during the trip;
- details of insurance and contact details; and
- details of the location of the local hospital and other local medical services.

For further in-depth advice and guidance, please refer to Appendix 7.

### **Transport**

When an activity or trip is taking place away from your usual meeting place, consideration will need to be given to how the children and young people will get there. If you are not providing transport, make sure parents/carers are aware of this and have given consent for their child or young person to take part and possibly travel alone. (Check with your local authority and or HSE helpline - see previous link for guidance). If you are arranging travel AND accommodation or activities the package travel regulations may also apply to you.

### **If providing transport:**

- **ensure that transport provided is suitable for the trip. Risk assessments can be used to ensure that all potential hazards have been identified and eliminated;**
- **check that any paid staff and volunteers who may be using their own transport to carry children or young people have appropriate insurance cover and a valid driving licence;**
- **if involving extra voluntary helpers, ensure that all adequate and appropriate checks have been made; and**
- **build in adequate rest breaks for the driver on long journeys and adequate supervision so that the driver is not distracted by young people.**

### **Using a minibus**

The legal requirements around minibus use are extremely complex and therefore cannot be explored in depth here.

#### **Consideration will need to be given to the following:**

- **Have you risk assessed the journey and minibus?**
- **Is the minibus correctly licensed and taxed? Does it have a valid MOT certificate? Is it well maintained?**
- **Insurance cover – is it adequate and appropriate?**
- **Is the driver suitably qualified to drive the bus? Do they need a permit? e.g. MiDAS (Minibus Driver Awareness Scheme qualification)?**
- **Who is responsible for ensuring that seat belts are being worn?**
- **Is there a first aid box on the bus? Is it adequately supplied?**

For specialist information relating to your particular situation, please refer to the RoSPA (Royal Society for the Prevention of Accidents) document *Minibus Safety: A code of practice* and the booklet *Passenger Transport Provided by Voluntary Groups* under the section 19 or 22 Permit System.

### **Information for parents**

It is important for children and young people, as well as for their parents/carers, to have as much information as possible about the trip or activity, particularly if it takes place off site. Information should include contact details for the group, i.e. names of the leaders and telephone numbers for leaders and the centre for the duration of the trip. This should include emergency telephone numbers for the entire duration of the trip.

Details of the ground rules or code of conduct that the children and young people have drawn up and agreed to should be provided. Ground rules should also contain information on an 'early return policy', i.e. what will happen if rules are broken and what arrangements or agreements have been made for when a child or young person has to return early. Finally, parents/carers should be provided with details of the organisation's insurance policy, indicating exactly what is covered.

Please remember that the above information is a starting point for what you should be looking at when organising and planning any activity for children and young people. For in-depth advice and guidance, we strongly recommend that you refer to the guidance produced by the then DCSF (now DfE) and The British Council.

## 8. Recruitment and Selection Policy

**There is a clear Recruitment and Selection Policy and procedure in line with current guidance and employment legislation. It must cover both, recruitment of paid staff, volunteers, ex offenders and where appropriate young people under the age of 18 years.**

It is important that the recruitment of paid staff and volunteers is carried out according to a written procedure. It is not acceptable for someone to turn up and start helping out with a group, even on an occasional basis, without having filled in an application form, provided references and undergone an interview. This process must also include consenting to and obtaining a criminal records disclosure at the relevant level.

This may seem overly bureaucratic, but it is essential to always bear in mind that you cannot be certain who will put children and young people at risk. Volunteers are just as likely to abuse as paid staff, and abusers may be people already known to and trusted by the organisation. Potential abusers may be deterred from applying to your organisation if they know that you have comprehensive recruitment procedures in place. It is necessary to recruit people who can be trusted and who have the right skills, qualifications and expertise to prevent bad practice.

However, no form of pre-recruitment check can substitute for adequate supervision and management of staff. Checks are not of themselves a guarantee of safety.

### Responsibilities and procedures

Responsibility for devising and implementing recruitment procedures should be given to named individuals within the organisation. This process should also ensure that responsibility for tasks is clearly defined when recruiting paid staff and volunteers, as the many tasks involved in recruitment may be shared out amongst different staff and volunteers. The named individuals should also be responsible for monitoring and ensuring that procedures are carried out correctly. All those taking part in recruitment should have access to a copy of the recruitment procedures. Overall, responsibility for recruitment procedures should lie with one individual in a senior position within the organisation.

These procedures should also outline the involvement of young people in the recruitment process. Young people can be involved at all levels, from the creation of job and role descriptions, to short-listing, interviewing and making decisions about selection.

### Job and role descriptions

A job or role description is a document that outlines the main areas of work that a job involves and its levels of responsibility, which may be for people, money or equipment, or all three.

Clarity over roles, responsibilities and accountability prevents an environment existing where children and young people are at risk and child abuse can occur and be perpetuated. If it is clear who should have supervisory responsibility for a particular person, or what the boundaries of their role should be, it will be much more difficult for anyone to engineer situations in which they can abuse children or young people.

Every paid and volunteer member of your staff team should have a job or role description of some type, although those provided for volunteers may be much briefer, simpler, and less formal. They should, however, be equally clear. For volunteers, these documents should be referred to as role or task descriptions or role profiles, to distinguish them from those of paid staff.

A clear job or role description will be structured around:

- the job or role title;
- a statement of who the post-holder is responsible to;
- a statement of who the post-holder is responsible for;
- the job purpose; and
- the main duties of the post.

It should also include a requirement to work in accordance with the safeguarding and child protection policies.

If there are people in your organisation who do not currently have job or role descriptions, work with them to draw them up whilst they are still in post, as this is often more straightforward than waiting until someone has left.

Job or role descriptions should be sent out with information about the post when you are recruiting. Whilst this may seem over-bureaucratic for some organisations with occasional volunteer helpers, it is essential that volunteers, as well as full- and part-time paid staff, are clear about their roles. It is good practice to ensure this is laid down in writing and not just agreed verbally, which may be common practice in some voluntary and community organisations.

## Application forms

An application form should serve a number of purposes:

- It provides you with the name and contact details of the applicant.
- It gives objective information about qualifications and previous experience.
- It requires the applicant to account for all their time since leaving education. This will highlight any gaps in education or employment on which you should seek clarification.
- It allows the applicant to say why they think they are appropriate for the job (although if the application form is quite short – perhaps because it is aimed at volunteers – you might find this out and record it in the interview).
- It allows them to declare those convictions they are legally obliged to disclose, which can then be discussed prior to a criminal records disclosure check being completed. (Some old and minor convictions are protected by law and do not need to be disclosed). A decision can then be made at the appropriate level regarding their potential suitability for the position with regard to the offence(s).
- It gives names and contact details of referees, who will need to be followed up at a later date.

Ideally, an applicant's previous posts should involve working with children or young people. However, people clearly need to be given an opportunity to begin their career and gain experience, so it is important to decide, when creating role and job descriptions and person specifications, what, if any, experience the role requires. This will depend on the levels of responsibility in the role. It is important to ask on the application form whether the applicant has undertaken paid or voluntary work with children or young people before, for example, by using a sentence such as:

*Please give details of any previous paid or voluntary work that you have undertaken with children or young people. If you have never worked with children or young people, please indicate this.*

In this way, if an applicant says that they have never worked with children or young people, and you later discover that they have, you would be entitled to find out more and, if appropriate, end the appointment or not appoint.

An application form for staff and volunteers should also include a sentence such as the following:

*NB: Because the work involves contact with children and young people, you are required by the Rehabilitation of Offenders Act 1974 (Exceptions) order 1975 (as amended in 2013) to declare all convictions, including spent convictions except those protected by law as detailed in S1 2013/1198.*

**The DBS Code of Practice requires organisations to have a policy on the recruitment of ex-offenders which should be provided at the point where a DBS check is being requested.**

## Confirmation of identity

Someone who is banned from working with children or young people might apply under a false name and address. Applicants must provide two forms of proof of identity. At least one should have a photograph and at least one should confirm their date of birth, so both of these requirements could be met by asking for a passport or a photo-card driving licence.

The second should be proof of their address, such as a utility bill. You could state on the application form that you will require applicants to provide this evidence at the interview stage; this should help to deter people from making fraudulent applications. However, this could also be linked to your DBS check process, as the same proof of identity is required for this.

## References

All applicants should provide at least two referees. One of these should come from the most recent employer or organisation for whom they worked, or from someone who has knowledge of any work or volunteering previously done with young people.

References should be thorough enough to ascertain, and should explicitly ask, whether the applicant is suitable for the role and particularly to work with young people.

Written references given by the applicant should not be accepted without being followed up. Ideally, the process will be for the organisation to write to the referee asking specific questions relating to the skills necessary for the role, as well as their suitability to work with young people. Questions can be asked as to whether the applicant has previously been disciplined for any conduct which would deem them unsuitable for the role. This should be followed up with a phone call. This is to reduce the risk of an inappropriate individual giving false references in order to gain a position working or volunteering with young people.

References should always be followed up prior to the applicant being officially offered the position. It is the policy of some organisations to simply provide a reference which states that the applicant worked in a particular role and their dates of employment. It is important that the organisation receiving such a reference does not read negative connotations into the fact that they have not given a more detailed reference, as it is a policy applied to all reference requests by some organisations. However, if the reference request asks specific questions for further information, such as those mentioned above, they are more likely to give this information than if it is not asked for.

References for younger people who have little or no work experience should be sought from teachers, tutors or any other adult (other than family and friends) who has been involved with the young person in a professional or official capacity, such as a youth worker or a mentor. There will be few cases where an individual cannot provide any suitable referee but in such cases a judgement will need to be made as to whether lack of a reference is acceptable for the role applied for.

## Interviews

All staff, whether paid or voluntary, should go through an interview process before being appointed to a post.

Like all elements of recruitment, interviews on their own are not a foolproof method of identifying people who are likely to abuse children or who otherwise put children and young people at risk. While they are not an ideal way to assess an individual's suitability for a post, they are one of the best ways to find out more about that individual's personality and motivation.

**Interviews can be formal or informal; they can last for 20 minutes or for two hours. There are certain key factors, however, that they should all have in common. Some of these are as follows:**

- **There should be at least two people on an interview panel (although an odd number is better, in case of disagreement). It is easy to make subjective judgements about others, so if there is more than one person on the panel this can be balanced.**
- **Ideally, the panel should be diverse and representative of the organisation, i.e. include people of both genders, more than one ethnic background, and with a range of ability.**
- **Young people should be represented on the panel whenever possible (be careful to consider guidance on data protection because the type of information available to young people on a recruitment panel may be sensitive).**
- **Everyone who sits on an interview panel should have appropriate training.**
- **Time should be given to agree the format of the interview and questions in advance.**
- **The interviewee should be assessed against the person specification.**
- **Specific questions should be asked in the interview about the applicant's criminal record, if they have one. Only appoint if you are satisfied that the applicant offers no risk of harm to children and young people.**

**As in all areas of recruitment, ensure that you employ good equal opportunities practice.**

## Disclosures, barring and criminal record checks

As mentioned, your application form should inform applicants that a criminal record disclosure is required for the position, but that any convictions will not necessarily prevent the applicant from gaining employment with the organisation. Some individuals are already barred from working with children and young people or other vulnerable groups in a regulated activity due to the nature of their offending behaviour. The Enhanced Disclosure with Barred List check (either for adults, children or both) will detect this. However, for the majority of ex-offenders, the offences they have committed will not bar them, per se, from working with young people and children, but your organisation may deem them suitable or unsuitable for the particular role for which they are applying. This will depend on the nature and extent of the offending, the circumstances around it and the time that has elapsed since, as well as the applicant's attitude and level of remorse towards it.

The organisation should have a policy regarding the employment of ex-offenders which should incorporate all of these elements. You should carefully consider whether the information you have been given has any relevance to the post for which the individual is applying. When assessing a record of criminal convictions, keep in mind a large number of individuals have convictions, many of them for minor offences, and the majority of these applicants will not necessarily be unsuitable to work with young people due to their previous offending history. A decision of whether to employ someone with a criminal record should be taken to the highest level possible, ideally to a management committee or board of trustees. The Rehabilitation of Offenders Act prevents discrimination against ex-offenders and therefore your equal opportunities policy should prevent discrimination against this group in the same way as other groups.

Safer recruitment practices have seen significant reform over the past few years. This has seen the Vetting and Barring Scheme, the Independent Safeguarding Authority and the Criminal Records Bureau all replaced by a new regime in December 2012 which saw the work of the CRB and of the ISA being merged into a single, new non-departmental public body called the Disclosure and Barring Service (DBS). In particular, the Protection of Freedoms Act 2012 makes a number of reforms which will continue to be rolled out over the coming months and years. As such, this remains an evolving area of law, policy and practice. If in doubt, you should ensure that you seek advice from your local Council of Voluntary Youth Services or another professional body.

The Disclosure and Barring Service (DBS) is able to provide information on an individual's criminal history to help organisations decide whether they are suitable to work with children, young people and adults in that specific role. This information predominantly comes from the Police National Computer and information stored by local police forces. Furthermore, DBS maintains separate lists of individuals who are barred from working with children and adults.

It is important to note that it is a criminal offence for organisations to allow an individual to undertake regulated activities who they know is on the relevant DBS barred list. It is a legal obligation to ensure that you undertake the right form of check for the role.

If you are going to require checks for a particular post, ensure that you state this when advertising and on the application form, and include your policy regarding the rehabilitation of ex-offenders in the application pack that you send out. Disclosure checks should not be undertaken until a decision has been made to offer the post, based on the information known to that point.

## Deciding whether the role is eligible for a check

There are a number of situations where a DBS criminal record check is prime-facie unnecessary:

- family arrangements and personal, non-commercial arrangements (e.g. a friend babysitting for another friend on an ad-hoc basis)
- activity by a person in a group assisting another member of the group (e.g. one young person helping another young person)
- incidental contact – the activity is not being provided for children and the presence of a child or children is unforeseen. Furthermore, a check cannot be performed on anyone under the age of 16 years-old.

Before an organisation considers asking a person to make an application for a DBS check they are legally responsible for ensuring that they are entitled to ask that person to reveal their conviction history. This will depend on the position which they will be undertaking and in turn their contact with children, young people and adults.

There is a listing of positions, known as the 'Exception Order to the Rehabilitation of Offenders Act 1974', that states all the roles where a DBS check can be sought.

Whilst there are many roles which are automatically included in the list (for example, those working within the secure estate); in most youth work settings it would depend whether the individual is working in what is defined as 'Regulated Activity', and within this, the level of 'Supervision' they receive.

The definition under the Protection of Freedoms Act 2012 defines 'Regulated Activity' as:

1. Activities: the unsupervised teaching, training, instructing, caring for or supervising children; providing advice / guidance on well-being, or driving a vehicle only for children.
2. Work for a limited range of places (known as 'specified establishments'), with opportunity for contact with children and young people, for example schools, short stay schools, children's homes, children's centres and childcare premises.

### **NB: 'Supervised' volunteers are excluded.**

3. Relevant personal care, for example toileting, washing or dressing; or health care by or supervised by a professional, even if done once.
4. Registered child minding and foster-carers.

Work under (1) or (2) is 'Regulated Activity' only if done regularly. In this context, 'regular' means carried out by the same person frequently (once a week or more often), or on 4 or more days in a 30-day period (or in some cases, overnight).

The definition of 'Regulated Activity' can also depend on whether you are supervising another person:

- A person who manages or supervises someone who undertakes a 'regulated activity' is also counted as undertaking a 'regulated activity'. For example, someone supervising staff delivering personal care of children or young people would be undertaking a 'regulated activity' even if they do not have specific direct personal contact with children and young people.
- Likewise, a person who manages or supervises someone who is not undertaking a 'regulated activity' but would be except for the fact that they are supervised (i.e. situations under (1) above) is also counted as undertaking a 'regulated activity'. This for example covers many situations under (1) where the supervisor of the person delivering advice and guidance to a young person would be undertaking a 'regulated activity'.

If the role includes providing teaching, training, instruction, care or supervision of children (i.e. an activity under (1) above) a key decision is whether the role is 'supervised' or 'unsupervised'. The Department for Education has produced statutory guidance to describe the considerations an organisation should make when determining whether or not an individual is supervised to a reasonable level for the role. Organisations must have regard to this guidance.

Key points from this guidance include:

- There must be supervision by a person who is in regulated activity.
- Supervision means day to day supervision as is reasonable in all the circumstances for the purpose of protecting any children concerned.
- Supervision must take place throughout the duration of the role – i.e. not just concentrated during the first few weeks and then tailing off.
- Supervision must take place on an ongoing basis, whether the worker has just started or has been doing the activity for some time.
- The level and depth of supervision depends on many factors. You should consider:
  - the ages of the children, including whether their ages differ widely;
  - number of children that the individual is working with;
  - whether or not other workers are helping to look after the children;
  - the nature of the work (including the individual's opportunity for contact with children);
  - how vulnerable the children are (the more they are, the more an organisation might opt for workers to be in regulated activity);
  - how many workers would be supervised by each supervising worker.

In summary, for each post, you should decide:

- Is this post on the Exception Order to the Rehabilitation of Offenders Act 1974?
- Is this post carrying out a 'regulated activity'?
  - Is it carried out regularly?
  - If the regulated activity includes teaching, training, instruction, care or supervision of children, does the post receive supervision in line with the statutory guidance?
  - There are other types of eligibility outside of regulated activity – for example those roles which were an 'old' regulated activity but not included in the current version, that are eligible for an enhanced check without a barred list check.

## Deciding on the type of check

This information will then help you to decide what sort of check the individual is eligible for. There are three routes to checking:

Type of check	Is the position eligible?	What it checks	How long it takes
Standard checks	The position must be included in the Rehabilitation of Offenders Act (ROA) 1974 (Exceptions) Order 1975.	These reveal information relating to spent and unspent convictions, cautions, reprimands and final warnings from the Police National Computer (PNC).	About two weeks
Enhanced checks	Must be included in both the ROA Exceptions Order and in Police Act Regulations. This includes work with vulnerable persons, including children. Positions falling within the current definition of 'regulated activity' are eligible for an enhanced check.	As above but also checks against information held by local police forces (for instance, relevant ongoing investigations) that is reasonably considered relevant to the post applied for.	About four weeks
Enhanced checks with children's and/or adults' barred list check(s)	Must meet the new definition of regulated activity.	As above but also checks against the 'barred list' (i.e. lists of people prohibited from working with children and vulnerable adults) IF regulated activity for adults is taking place.	About four weeks

## Obtaining a DBS check

If an organisation undertakes more than 100 checks a year then it can apply to be a registered body with the DBS. It costs £300 to register with the DBS with £5 for each counter signatory.

Otherwise, you will need to seek a DBS check through an 'umbrella body'. Often local authorities or your Council for Voluntary Services will act as an umbrella body for smaller organisations – a list can be found on the DBS website.

The individual who has been offered the role and/or a volunteering opportunity will need to complete a DBS application form. They will also need to provide proof of identity and proof of address (within the last three months). A representative of the organisation will need to 'countersign' the applicants identity documents; that the form is completed correctly and confirm the check is justified. There is specific guidance on countersigning documentation. The counter-signatory must be at least 18 years-old.

The DBS application form requires you to state the type of work which you will be delivering within the role. It is best to use the following terms:

- 'Child workforce'. Use this for any position that involves working/volunteering with children.
- 'Adult workforce'. Use this for any position that involves working/volunteering with adults.
- 'Child and adult workforce'. Use this for any position that involves working/volunteering with both children and adults.
- 'Other workforce'. Use this for any position that does not involve working or volunteering with children or adults e.g. security guard.

You can also add further detail under this statement (e.g. child and adult workforce – youth worker)

DBS checks are free for volunteers. The DBS has defined a 'volunteer' as a person who is "engaged in an activity which involves spending time unpaid (except for travel and other approved out of pocket expenses), doing something which aims to benefit some third party other than or in addition to a close relative". Whilst the check may be free, the umbrella body may charge an administration fee to your organisation for processing the application. It is good practice not to pass on this cost to the volunteer.

For paid roles, the standard DBS check costs £26 and the enhanced DBS check costs £44 (with or without a check of the barred lists).

If the individual is a member of the DBS Update Service (see below) you can ask them to provide their last DBS Certificate and carry out a free, instant online check to see if any new information has come to light since its issue. This is a much easier and cheaper way of understanding their history and will become more and more popular as people register with the service.

Note that since 29 May 2013 the DBS has removed certain specified old and minor offences from criminal record certificates issued from this date. This means that question e55 on the application form has changed. You may have an older form where Question e55 asks the applicant: 'Have you ever been convicted of a criminal offence or received a caution, reprimand or warning?' Applicants should now ignore this question and instead treat this question as if they were being asked: 'Do you have any unspent convictions, cautions, reprimands or warnings?' These forms will gradually be phased out.

### The DBS check certificate

Under the new regime, a DBS certificate is only sent to the individual for whom the certificate has been issued and not to the organisation. Your organisations will be informed (or will be able to check using the DBS online tracking service) whether the certificates are clear (you will not be informed if the certificate contains information), but will not be sent the actual certificate.

Your organisation should decide whether you want to see certificates (it is best practice to see those certificates where there is no indication that they are clear) and, if so, make arrangements to see the certificates and check that they are genuine. It is deemed unnecessary to make copies of the certificate (if you choose to do this you must do so in line with data protection principles) but keeping a record that an original has been seen by a relevant member of staff is appropriate.

It is important to note that the content of a DBS certificate can be challenged or disputed by the individual if it contains an error, or inaccurate or irrelevant information. Challenges and disputes should be made immediately (and at least within three months of the date of issue on the certificate) by contacting the DBS. There are rights to appeal and seek independent oversight of the DBS's decisions.

Furthermore, DBS offers a confidential checking process for transgender applicants who do not wish to reveal details of their previous gender identity to the organisation. The applicant should contact the DBS for details.

### Deciding how to respond to information on a DBS check certificate

The individual may have disclosed to you a previous conviction and/or this has been included on a DBS certificate. A history of offence should not automatically mean the person cannot undertake the role.

#### You should consider:

- **the nature and circumstances of the offence; try to find out what actually happened, as some convictions can sound much worse on paper than they really are. It is also important to ensure that the explanation is suitable and truthful, where possible;**
- **the nature of the post for which they have applied and what, if any, relevance the offence has to the responsibilities of the post;**
- **how long ago the offence was committed;**
- **the frequency of the offence and whether there is a pattern of either unrelated or similar offences; and**
- **the individual's attitude towards the offence; whether they are remorseful and express regret about the incident(s) may affect your judgement of their likelihood to re-offend in the future. Have circumstances changed since the crime or offence?**

For example, a drink driving offence committed several years ago will have different implications depending on the post. If you will require the post-holder to drive the organisation's minibus, you may well decide that it would not be appropriate to offer the post to this particular person. If there is no driving involved, then the conviction may not be relevant.

A serious conviction may automatically be anonymous, so not relevant for further investigation.

Consider also a conviction for the possession of drugs. A lot will depend on the type of drug and the amount. If someone has a conviction for possessing (i.e. having the drugs on them) a small amount of cannabis when they were 18, you might well decide not to take it into account, whereas someone convicted recently for supplying a Class A substance to others (whether or not this involved an exchange of money), may be a high risk. If you are concerned, you should speak to the applicant about it in order to find out more about the circumstances and their current attitudes towards drugs and young people.

Remember, this is not an exact science; people who have offended may or may not offend in the future for many reasons. If you are uncertain, it can sometimes be tempting to err on the side of caution, but try and find out as much as you can before making a decision. This is why all of the above factors must be considered carefully, a risk assessment of employing the individual carried out, and a decision made by a person or group in a senior position within the organisation. Don't allow just one person to make that decision, but share responsibility between two or three people. Importantly, if you decide to turn someone down for a post because of the information provided on the Disclosure, make sure that you talk to them about it first and explain why.

### **The DBS Update service**

A common criticism of the old CRB system was that individuals could have multiple checks undertaken for each specific role they participated in.

For an annual subscription of £13 (free for volunteers), applicants can have their DBS Certificate kept up-to-date and take it with them from role to role, within the same workforce, where the same type and level of check is required. Registration with the Update Service is undertaken when the individual completes the DBS certificate application or within 14 days of receiving the certificate.

There's no registration process or fee for employers to check a certificate online, but employers must be legally entitled to carry out a check (using the criteria above) and have the individual's permission to carry out the update check.

### **Trustees**

The position of trustee of a children or vulnerable adults charity is no longer a regulated activity in and of itself. It is only if trustees have close and unsupervised contact with beneficiaries that they would fall within the scope of 'regulated activity' and be required to obtain an enhanced DBS with a barred list check. However, the Charity Commission advises that all trustees of child and youth focussed organisations obtain an enhanced DBS check (without cross checking with the barred list). It recommends that trustees always obtain a DBS check when they can as it is an important tool in ensuring that the person is suitable to act.

### **Duty to refer an individual to the DBS**

If an employee or a volunteer has been dismissed or removed from 'regulated activity' because the person has harmed or posed a risk of harm to a child or young person (or would have been if the person had not already resigned, retired or been made redundant), you must report this to the Disclosure and Barring Service. This 'duty to refer' also applies to a series of serious offence that would automatically bar a person from working with children or vulnerable adults. This 'duty to refer' overrides any obligation to protect the employee or volunteers confidentiality.

### **Other things to consider in recruitment**

When recruiting paid staff or volunteers, ensure that you read application forms carefully, particularly the qualifications, previous work and other experiences. Identify whether there are any gaps and, if so, ask about these at the interview. When creating the role or job description, consider how much experience of working with children and young people the person requires. Depending on the post, it may not matter if there is not a great deal of previous experience, but be aware that someone with less experience may need more support and training on safeguarding and child protection issues.

Also consider patterns in the applicant's employment record and look for things which might need to be explored further, for example, if there are a number of posts that should have been permanent but in which the applicant only stayed for a short period of time. Again, this should be explored in an interview and taken into account when asking for references.

The application form should ideally ascertain as much as possible about a person's motivation for applying for the job. Bear in mind that some people are much better at expressing themselves in writing than others and that written skills may well not be a requirement of the post. At the same time, someone with a genuine interest in children and young people might be more likely to mention this first in their reasons for applying, and take, for example, health and safety issues seriously.

## Probationary period

A probationary period is a length of time that commences when a person starts in a new post, during which they are provided with increased support and supervision. Giving staff a probationary period allows an organisation to see whether the person is right for the post and to provide them with any training that may be needed. It also allows the member of staff to leave more easily if they decide the post is not for them.

A probationary period is absolutely invaluable if used properly. Often, it is not until a person is in post that you become aware of safeguarding concerns. Even if a paid employee or volunteer is on probation, you should ensure that proper procedures are followed if you have concerns about their performance. You should make use of a (possibly shortened) disciplinary procedure. All paid staff and volunteers should have a review meeting at the end of, and ideally also in the middle of, their probationary period.

The appointment should only be confirmed if the individual has satisfactorily completed the probation period and you are confident that there is no risk to the welfare of children or young people in confirming their employment. If in doubt, the probationary period can be extended further. Either way, this should be done in writing.

## 9. Supervision, Training and Development

### Supervision and support

Supervision is an essential aspect of good practice in safeguarding and child protection. In general, supervision should support and develop workers' skills and abilities to carry out their function. However, supervision should also be used to support paid staff and volunteers in dealing with any child protection issues or other concerns about the welfare of a young person or group of young people. It is also an opportunity for the supervisor to get to know the staff member and note any irregularities or causes for concern in their practice in a structured and confidential forum. If supervision is working well, it should enable problems to be shared and dealt with at the earliest possible stage.

The employee or volunteer should be line managed and supervised by the most appropriate more senior person. Within a smaller organisation, this might be a committee member, if appropriate. Whoever takes on the role should be clear about the purpose of supervision and what is required, and should receive appropriate training in supervising staff and volunteers. Those who are being supervised should also be provided with information about the purpose of the meetings. New staff and volunteers should be given information about supervision as part of their induction, and the first supervision meeting should begin with an opportunity for both supervisor and supervisee to confirm that they are clear on the aims of the meeting. Supervision may also sometimes be given another name, particularly if you are working with volunteers, but the content and aims should remain the same.

#### The aims of supervision are to:

- monitor work and work performance;
- clarify priorities, responsibilities and roles;
- share information about work;
- identify areas within the work where additional support and/or training may be needed;
- provide an opportunity to discuss how the worker and supervisor feel about the work;
- recognise and deal with existing or potential problems;
- provide a line of accountability for major decisions being made;
- discuss how outside factors might be affecting work; and
- provide a framework for discussing and agreeing change.

Supervision should be available to all full- and part-time paid staff and volunteers. For volunteers and part-time staff, supervision is likely to be on a less regular basis, and could take the form of group supervision. It is good practice to provide one-to-one meetings at least annually with all staff and volunteers to give them an opportunity to discuss their own role in more detail and raise any concerns they might not raise in a group setting.

Supervision meetings should be recorded in writing and both supervisor and supervisee(s) should acknowledge the accuracy of notes taken.

Outside of supervision, all staff and volunteers should have access to a manager or other individual who they can contact, on a regular basis, for support or with any queries. Depending on the nature of their work, and the level of independence of their role, this may mean someone they see regularly with whom they can discuss issues or someone they can contact by phone if they are working at a remote location or in outreach work. Additionally, they should always have the contact details of the designated child protection worker(s).

While supervision meetings may well provide a space for less structured reflection, it is important that they operate within a framework. So, for example, meeting dates should be set up well in advance and a standard agenda could be used. An example agenda could include:

- report on work since previous supervision;
- plans for the next period of work;
- identification of training or development requirements;
- details of any concerns or problems and suggested solutions; and
- perceived positive and negative factors that impact on progress.

Full-time paid employees should have, on average, one hour of supervision each month.

Volunteers or part-time staff may have supervision less often, and the meetings may be shorter, but they should be equally structured and valued. If your organisation is working with a large number of volunteers, it may be appropriate to run group supervision, as well as individual supervisions. Individual supervision for part-time staff should still be held at least once every three months, and for volunteers at least annually, as stated above.

It should be made clear to all paid staff and volunteers when they start work with the organisation that they will have to commit to attending supervision meetings and that they are not optional. Meetings should be held in private and should aim to be undisturbed.

As stated above, notes should be taken of supervision meetings; they do not have to be detailed, but at the very least they should include action to be taken. Copies should be agreed and kept by both the supervisor and supervisee.

## Appraisals

While supervision deals primarily with day-to-day or week-to-week problems or issues, appraisals take place once or twice a year and take a longer-term view. They provide an opportunity for members of staff and their managers to look in more depth at how staff feel about their jobs, their career development and the organisation as a whole. Appraisals are more formal than supervision meetings and should follow a standard framework with agreed appraisal criteria.

The benefits of using appraisals are very similar to those provided by supervision meetings. However, because appraisals take a longer-term view, are more structured and require more preparation, they present an opportunity for the line manager to raise any concerns with a worker that may have built up over a period of time, and vice versa. Appraisals should also require the member of staff or volunteer to consider their role within the team in which they work and within the organisation as a whole. Appraisals provide an opportunity to check that staff feel confident about using policies and procedures, and to identify any long-term training or development needs.

**For safeguarding purposes, appraisals should cover the following areas (although there will be other areas that your organisation wants to look at):**

- **job description – job specification, levels of responsibility, and clarity about role; whether there are any amendments needed to reflect the work being undertaken;**
- **policies and procedures – ensuring there is a good understanding of policies and procedures, and that there are no issues with their implementation;**
- **team working – assessment of whether the appraisee feels that they are working successfully with other members of staff, and whether there is anything preventing this, and if there is anything which can be improved;**
- **supervision and line management – discussion of relationships, in particular whether there are any concerns about the staff for which the appraisee has supervisory responsibility or with their line manager; and**
- **whether there are any training and development needs which have not been addressed.**

Appraisals can be carried out by the same line manager who carries out supervision meetings, or by a more senior manager. It is recommended, however, that as far as possible, the person carrying out the appraisal should have a good awareness of the staff member's work. Notes should be taken of appraisal meetings and these should be agreed and signed by both parties.

Reviews should take place at the end of probationary periods and appraisals should take place at least annually thereafter. They should work to a standard framework; it is recommended that the framework and guidelines be provided to staff or volunteers around a month before the meeting is due to take place so that they can prepare.

## Staff development

When an organisation is introducing policies and procedures for the first time, it is of key importance that all paid and voluntary staff have a full and thorough understanding of their implications. One cannot discipline staff for not following procedures if they have not been provided with opportunities to understand the procedures in the first place. For example, it is essential that paid and voluntary staff are trained in child protection issues if they are to be expected to report suspected cases of abuse and other inappropriate behaviour.

The organisation should have a policy stating its commitment to the ongoing development of all staff and volunteers. This should outline what training and development opportunities are available to staff and volunteers, and how it will be decided whether an individual can access a learning opportunity. The policy should indicate a commitment to providing essential training and development, as well as outlining the potential for staff and volunteers to access additional training for their own personal development. The level of the latter that can be provided will depend on the size and nature of the organisation, but core training such as child protection and health and safety should be sourced and arranged by the organisation and should be compulsory for staff and volunteers to attend. The policy should be reviewed annually.

## Induction

Induction is a way of ensuring that all new paid staff and volunteers start with a good understanding of the organisation and their role within it, and it is the best opportunity that you will have to familiarise staff and volunteers with your policies and procedures. It is good practice to ensure this is done at the beginning of an individual's employment rather than try to change working practices once the individual has been in post for some time. Also they must comply with child protection policy – you could be liable if there is a problem before you get around training safeguarding.

A good induction process is absolutely vital for ensuring children and young people are safeguarded. First, it will help the staff member to understand their role, its limits and boundaries, as well as how they fit into the organisation. It will clarify who they are line managed by and whether they have responsibility in turn for anyone else. A lack of clarity about roles creates opportunities for potential abusers. Second, it is an opportunity to ensure that the staff member understands all the relevant policies and procedures, including, for example, child protection, health and safety, minibus use, complaints and supervision. Third, it allows the line manager to get to know the new staff member and to discuss safeguarding issues. If there is a problem – which might be due to a lack of understanding, or may be something more serious – it could become apparent at this stage.

There should be a core induction programme for all staff. This can then be adapted to suit the different roles within the organisation. The induction process should be managed by the individual's line manager or delegated to someone else who knows the organisation and its policies and procedures. It should ensure the new staff member or volunteer gains a good understanding of the organisation and its purpose and values. It should also be an opportunity to introduce the new staff member or volunteer to the way an organisation does things, i.e. its policies and procedures. The time dedicated to an induction programme may depend on the inductee's position in the organisation. It is, however, the responsibility of the person facilitating the induction to ensure that they cover the key points. Regardless of the position of the person being inducted, it is not adequate to give the individual a manual of policies and procedures to read.

These documents can be long and difficult to understand when the individual does not know the organisation or the nature of its work in any detail. Induction to policies and procedures should be an active process which engages the new staff member or volunteer and enables them to gain an understanding of what the policies and procedures really mean in practice. From a safeguarding point of view, the new staff member should be introduced to the designated child protection worker(s) who may be most appropriate to carry out the induction into safeguarding and child protection policies and procedures. Supervision processes should check the effectiveness of the induction procedure when the staff member or volunteer has begun to work within the organisation.

**In order to cover all aspects of safeguarding, the induction programme should include the following:**

### **Policies and procedures**

- Equal opportunities policy
- Health and safety policy
- Safeguarding policies and procedures
- Child protection policy and procedures, including guidelines on how to recognise abuse
- Code of conduct for staff and volunteers
- Confidentiality policy
- Complaints procedures
- Disciplinary and grievance procedures

### **Line management and supervision**

- New staff member or volunteer's position within the structure of the organisation
- Line management (who staff report to) and supervisory responsibilities (if any)
- Supervision meetings
- Appraisals

### **Job/role description (paid and voluntary)**

- Job/role description and specification
- Work priorities
- Staff/volunteer handbook

### **Training and development**

- Staff development policy
- Training available
- How to access training

### Evaluation and review of induction

- Any other areas which the member of staff or volunteer feels have not been covered
- Clarifying anything left unclear
- Where the new staff member or volunteer can go for further information in the future

Setting up and running an induction programme requires a time commitment, and this should be built into the organisation's plans.

## Training

In addition to the induction process, it is essential that anyone having regular contact with children and young people has a thorough understanding of child protection issues. The induction will cover what to do if abuse or inappropriate behaviour is suspected or reported, but child protection training will go into far more depth. It should cover what abuse actually is and the indicators that may suggest abuse is taking place, and should offer participants a better understanding of what is acceptable and unacceptable behaviour. Without this, an individual cannot implement the child protection policies and procedures effectively.

Training may be provided in-house or might have to be sourced externally, depending on the nature of the organisation.

The level of child protection training needed will depend on the individual's role. All staff and volunteers in an organisation that works with children and young people should have a basic awareness of safeguarding. Those working more closely should have a more in-depth understanding of the issues, policies and procedures. Designated workers should have even more in-depth training on dealing with concerns raised.

For information on Training available please go to the following websites:

NCVYS – [www.ncvys.org.uk](http://www.ncvys.org.uk)

Safe Network – [www.safenetwork.org.uk](http://www.safenetwork.org.uk)

NSPCC – [www.nspcc.org.uk](http://www.nspcc.org.uk)

and/or make contact with your local:

Youth Work Unit

Local Authority Youth Services

Local LSCB

### Training for specialist roles

Paid staff and volunteers who take on specialist roles, for example, acting as a supervisor or sitting on an interview panel, or those taking on the responsibilities of a designated person, should receive training in that role before taking it on. Organisations should draw together a training plan for paid staff and volunteers and review it at least once a year, as stated in section 5.1 above. Supervision and appraisal meetings should include discussion on training needs in order to inform the training plan.

It may be necessary for your organisation to recruit or train staff (paid or volunteer) with specialist skills, experiences and qualifications, especially if they are required to take, instruct or supervise outdoor activities.

## 10. Reporting Concerns, Suspicions and Allegations

Your organisation must have clear written procedures informing paid staff and volunteers what to do when they receive information that causes them concern. These will incorporate the role of the designated child protection worker. This is the person who staff, volunteers, children, young people, parents, carers, members or anyone else should contact if they have a genuine concern about the safety of an individual or group of children or young people. Everyone within your organisation should be aware of who the designated child protection worker is, what their role is, and how to contact them. This person may have overall responsibility for safeguarding issues within your organisation.

It is vital that everyone within your organisation knows that any concern being reported will be taken seriously. It is also vital that children and young people or paid staff and volunteers feel they will be supported in raising any concern or suspicions, and that the support will continue whilst concerns are being investigated.

These procedures must include details of how staff or volunteers will be supported when allegations (justified or not) have been made against them. It is important for staff and volunteers who are subject to any investigations to have an external person to speak with, preferably a counsellor and possibly a link worker within the organisation who is not connected with any investigations.

A written procedure for reporting concerns, allegations or suspicions will take into account the following considerations.

### Barriers to reporting and responding

There are a number of practical barriers which make it difficult for some individuals to implement the procedures. These need to be overcome before appropriate action can be taken to deal with a concern regarding the welfare of a child or young person. It is important that your paid staff and volunteers are aware of these possible barriers and are given the opportunity to explore and express these in training and supervision. Barriers potentially faced by paid staff and volunteers when reporting and responding might include:

- personal initial reactions, such as shock, disbelief, fear and denial;
- not believing the suspicion or allegations about people known to them;
- the fear of getting it wrong;
- the fear of the consequences – for the young person, their family or the organisation;
- worrying that the situation may become worse;
- not wanting to get involved;
- not having sufficient awareness of the issues faced by children and young people with disabilities;
- limited understanding and awareness of different cultural or faith issues.

It is important to remember that these reactions are common and normal. However, if they are not explored and identified in training and supervision, they could prevent individuals from listening and responding appropriately to potential harm coming to a young person. Being aware of these barriers will help to overcome them.

Keeping children and young people safe is a requirement cutting across all cultural and/or other social and economic boundaries. All children and young people living in this country are entitled to equal protection under the law. There can be no excuse or justification for failing to take adequate steps to protect a child or young person, simply because that child's cultural background would make the necessary action somehow inappropriate. Cultural issues must be considered and allowed for, but the best interests of the child and young person must come first.

### Potential barriers faced by children and young people

You will also need to explore the barriers children and young people face when speaking about abuse. Being aware of these will support your paid staff and volunteers in providing an environment where children and young people will feel able to tell others about abuse.

Some of the barriers for children and young people may include:

- the fear that they will not be believed;
- being scared of telling, as they may have been threatened;

- the belief that they will be removed from the family home;
- believing that they are to blame;
- feeling embarrassed or guilty;
- believing that it's normal, i.e. it happens to everyone;
- not wanting to get the abuser into trouble;
- having communication or learning difficulties; and
- worrying about the repercussions on the family or their wider community.

Always remember that child abuse thrives on secrecy.

#### **Action to be taken by a member of staff (paid or volunteer) when responding to concerns or allegations:**

- Remain calm and try to reassure the young person they were right to tell, without giving any false reassurances; explain the reporting procedure to them, i.e. what will happen next and who will be informed.
- Act immediately – do not delay.
- Keep a detailed record of the incident and your concerns. Make sure that you record exactly what happened and what was said, without interpreting it into your own words.
- Share this information with the designated person and/or line manager as soon as practical.

#### **Action to be taken by the designated person and/or manager:**

- Act immediately – do not delay; reassure the child or young person.
- Consider whether the child or young person is in immediate danger. If they are, contact the police, social services or their parents/carers (if appropriate).
- If the child or young person is not in immediate danger, listen to what they want to share with you about the incident. Do not ask leading or interrogating questions, but simply allow them to speak.
- If allegations have been made about a member of staff or a volunteer, report the matter to someone higher within the organisation. The organisation's disciplinary procedure should be followed.
- Contact your local children or adult social services team (depending on the age of the young person), or local safeguarding board (depending on the procedures established locally) and discuss any future action with them, e.g. suspension of the member of staff, contacting the police or contacting family.
- The phone numbers of your local contacts should be written into the procedure, so they can easily be found at a critical moment.
- Agree with the local social services team some ongoing support for the child or young person. When considering and taking any action, the child or young person's welfare must be paramount.

### **Designated person**

Your organisation should have a named designated safeguarding worker and a named deputy designated worker. This is important in case an issue arises when the designated worker is on leave, absent or implicated in an allegation. This role is usually additional to the individual's existing or main roles and responsibilities.

The designated worker will take responsibility for disseminating and implementing safeguarding procedures within the organisation. In particular, they will:

- receive information from staff, volunteers, children and young people, and parents/carers about child protection concerns;
- assess this information promptly and take appropriate action, as outlined in your organisation's policies and procedures;
- maintain records of any child protection or other safeguarding concerns raised, action taken and follow-up required;

- be familiar with: national and local safeguarding legislation and guidance; social services child protection referral procedures; and police procedures for investigating child abuse;
- know how to contact and establish links with the Local Authority Designated Officer (LADO), the Local Safeguarding Children Boards (LSCBs) or, where working with adults, Adult Safeguarding Boards (ASBs), if in existence, and the relevant departments within social services or police;
- assess the safeguarding and child protection learning and development needs of all staff and volunteers and coordinate the training;
- promote safeguarding across the organisation and keep all staff and volunteers informed on good practice and new legislation and guidance; and
- monitor the overall trend of safeguarding concerns, keep records of their disposal and feed back to the organisation on the quality of their safeguarding work.
- Lead the monitoring and evaluation of safeguarding practices and, as necessary, review and amend relevant policies and procedures.

## Responding to a disclosure

Whilst dealing with the issue of sharing information, the confidentiality policy also needs to encompass the issue of how to respond to a disclosure, and what to do with that information. It is essential that the immediate response, by whomever the young person has chosen to disclose their difficulties to, is reassuring and appropriate, and does nothing to make them feel they should not have shared it, and equally does nothing to potentially jeopardise a future investigation. See guidance in Appendix 2c.

### Duty to report a 'serious incident'

One of the statutory functions of the Charity Commission is to identify and investigate apparent misconduct or mismanagement in the administration of charities. To fulfil this duty, they require any registered charity to report 'serious incidents' and specifically suspicions, allegations and incidents of abuse or mistreatment of vulnerable beneficiaries (including children).

Charities must report to the Charity Commission if any one or more of the following things occur:

- there has been an incident where the beneficiaries of your charity have been or are being abused or mistreated while under the care of your charity or by someone connected with your charity such as a trustee, member of staff or volunteer;
- there has been an incident where someone has been abused or mistreated and this is connected with the activities of the charity;
- allegations have been made that such an incident may have happened, regardless of when the alleged abuse or mistreatment took place;
- you have grounds to suspect that such an incident may have occurred.

The role of the Charity Commission is to focus on the conduct of the trustees and the steps they have taken to protect the charity and its beneficiaries; what they have done to ensure they have complied with their legal duties and responsibilities towards the charity in managing allegations. Even if the incident is not illegal or there is no police investigation, the Commission may still have serious concerns about the charity, the conduct of its trustees or its systems to safeguard beneficiaries. They may undertake an investigation and decide the relevant regulatory response, if any, on the basis of evidence collected.

Specific guidance on the reporting of serious incidents states that it should, as a matter of good practice, be reported to the Charity Commission immediately. It gives details on the type of information to be given and how to manage this information sharing. In addition to this 'in-year' reporting, it is a statutory requirement of trustees or charities with income over £25,000 to submit, as part of their Annual Return to the Charity Commission, a declaration that there are no serious incidents or other matters relating to the charity over the previous financial year that should have been brought to their attention but have not been as yet. If an incident has taken place but you have not reported this, you should do so when you submit the Annual Return. You should note that it is an offence to provide false or misleading information to the Commission.

## Local Authority Designated Officer (LADO)

Every county level and unitary local authority is expected to have a Local Authority Designated Officer (LADO). The individual can provide advice and guidance to employers and voluntary organisations following specific cases of concern where an individual has:

- behaved in a way that has harmed a child, or may have harmed a child;
- possibly committed a criminal offence against or related to a child; or
- behaved towards a child or children in a way that indicates s/he is unsuitable to work with children.

The LADO should be informed within one working day of all allegations that come to an employer's attention or that are made directly to the police.

The LADO can help you as you implement your own policies and procedures including liaison with the police and other agencies. The specific roles of the LADO will vary from local authority to local authority and individual officers. However, generally if you contact a LADO with a concern about an individual, you will be asked to complete a referral form and provide other supporting information. The LADO will then offer further information and advice about the next steps. This could include whether a potential criminal offence has occurred and/or whether a child is at risk of significant harm and a local authority child protection investigation should commence.

Whilst the LADO can offer advice as to the process and whether the individual should be suspended, they can only offer advice. Ultimately only an employer may make a decision to suspend a staff member.

LADOs will generally then monitor the progress of dealing with the allegation to ensure it is dealt with as quickly as possible, consistent with a thorough and fair process.

## Disciplinary and grievance procedures

It is considered good practice, whatever the size of the organisation, to have a disciplinary procedure in place for both paid staff and volunteers. Used properly, disciplinary procedures are an aid to good management and should not be viewed primarily as a means of imposing sanctions or as necessarily leading to dismissal. A disciplinary procedure should be used when paid staff and volunteers have acted inappropriately.

For example, a volunteer in a youth club lives on the same street as one of the club members and has got into the habit of giving them a lift to the club. Her line manager has raised this in a supervision meeting and pointed out that this contravenes an area of the code of practice that the volunteer has signed. Nevertheless, the line manager discovers a week later that the volunteer has again given a lift to the young person. The line manager does not have any reason to be concerned about the child or young person's safety, but it is felt that, as the volunteer has broken one of the club rules, the disciplinary procedure should be invoked. The volunteer is not asked to leave the club, but is given information about why it is unacceptable to give lifts to the child or young person and warned that if she continues to do so she may at some stage be asked to leave.

A disciplinary procedure must allow the person being disciplined to have a fair hearing, to find out what the evidence against them is, and to be represented by a friend, colleague or trade union representative. It is a legal right for paid staff to be accompanied to disciplinary hearings.

Paragraph 9 of the ACAS Code of Practice on Disciplinary and Grievance Procedures contains recommendations for disciplinary procedures. In summary, disciplinary procedures should:

- be in writing;
- provide for matters to be dealt with without undue delay;
- provide for proceedings, witness statements and records to be kept confidential;
- provide for workers to be informed of the complaints against them and, where possible, all relevant evidence before any hearing;
- provide workers with an opportunity to state their case before decisions are reached;
- ensure that, except for gross misconduct, no worker is dismissed for a first breach of discipline;
- ensure that disciplinary action is not taken until the case has been carefully investigated; and
- provide the right of appeal, and specify the procedure to be followed. It is very important that volunteers have a disciplinary procedure as well, which accords with the guidelines above, although you may choose to write a different, shorter procedure for them.

When creating or reviewing a disciplinary procedure, you should obtain a copy of the ACAS Code of Practice on Disciplinary and Grievance Procedure and ensure your procedures are in line with this.

You should recall that if an employee or a volunteer has been dismissed or removed from 'regulated activity' because the person has harmed or posed a risk of harm to a child or young person, then the organisation has a duty to refer an individual to the Disclosure and Barring Service.

### **Grievance procedures**

A grievance procedure allows a paid or volunteer member of staff to raise concerns about their work, working environment or working relationships, and provides a mechanism for these to be dealt with fairly and speedily, before they develop into major problems. Procedures should be kept simple, set down in writing and rapid in operation. They should also state that all grievance proceedings and records must be kept confidential. Like a disciplinary procedure, a grievance procedure should proceed in stages. There should be an opportunity for the member of staff or volunteer to attend a hearing and to be accompanied by a colleague, friend or trade union representative (this is a legal right for paid staff). The manager should respond in writing to the grievance within a specified time. If the matter is not resolved at this stage, there should be an opportunity for the member of staff to raise the matter in writing with a more senior manager. When creating or reviewing a grievance procedure, see the ACAS Code of Practice on Disciplinary and Grievance Procedures and ensure your procedures are in line with this.

# Appendices

## Appendix 1 Legislation and relevant Acts

## Appendix 2 Dealing with abuse

- (a) Facts about, and definitions of, abuse
- (b) Recognising abuse
- (c) Responding to allegations of abuse
- (d) The process for reporting child protection concerns

## Appendix 3 Template policies and procedures

- (a) Safeguarding Policy
- (b) Child Protection Policy
- (c) Reporting concerns, suspicions and allegations
- (d) Equalities and Diversity Policy
- (e) Risk assessment and safety policy
- (f) Information handling and confidentiality
- (g) Recruitment and selection policy
- (h) Complaints policy
- (i) Grievance and disciplinary procedures and Whistleblowing
- (j) Code of conduct

## Appendix 4 High risk activities

## Appendix 5 Useful contacts

## Appendix 6 References and further reading

## Appendix 7 Glossary of Terms

# Appendix 1: Legislation and relevant Acts

Unless otherwise stated, the following Acts define children as people aged 18 or under.

## Key:

- (E) legislates for England
- (NI) legislates for Northern Ireland
- (W) legislates for Wales
- (S) legislates for Scotland
- (UK-wide) legislates for all four nations

## A.1 Children Act

All these Acts share the same principles. The intention of the legislation is to ensure that the welfare and developmental needs of children are met, including their need to be protected from harm. The law is based on the assumption that it is generally best for children to grow up in their own families and that most families want to care for their children autonomously. However, there may be occasions when it is necessary for statutory agencies to become involved to provide services for children who need assistance or protection.

Part V of the Children Act 2004 relates to the protection of children. In addition to social services, only the police and the NSPCC have the legal right and responsibility to investigate concerns about child abuse.

### A 1.1 The Children Act 1989 E and W

#### Children Act 1989 section 17 (1)

Places a duty on local authorities to promote and safeguard the welfare of children in need in their area.

It shall be the general duty of every local authority:

- To safeguard and promote the welfare of children within their area who are in need; and
- So far as is consistent with that duty, to promote the upbringing of such children by their families, by providing a range and level of services appropriate to those children's needs.

It also places two specific duties on agencies to cooperate in the interests of vulnerable children:

Section 27 provides that a local authority may request help from:

- any local authority;
- any local education authority;
- any local housing authority
- any health authority; and
- any person authorised by the Secretary of State or in Wales the National Assembly

In exercising the local authority's functions under Part 3 of the Act. This part of the Act also places a duty on local authorities to provide support and services for children in need, including children looked after by the local authority and those in secure accommodation.

The authority whose help has been requested in these circumstances has a duty to comply, provided it is compatible with its other duties and functions.

Section 47 places a duty on:

- any local authority;
- any local education authority;
- any housing authority;

- any health authority; and
- any person authorised by the Secretary of State to help a local authority with its enquiries in cases where there is reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm.

There are other areas of the Act. For further information, please refer to: [www.legislation.gov.uk/ukpga/1989/41/contents](http://www.legislation.gov.uk/ukpga/1989/41/contents)

## A 1.2 Summary of the Children Act 2004 (E and W)

- Section 10 places a duty on local authorities to make arrangements to promote cooperation between agencies in order to improve children's well-being, defined by reference to the five Every Child Matters outcomes and a duty on key partners to take part in those arrangements. It also provides a new power to allow pooling of resources in support of these arrangements.
- Section 11 creates a duty for the key agencies that work with children to put in place arrangements to make sure they take account of the need to safeguard and promote the welfare of children when doing their jobs: children's services authority, strategic health authority, special health authority, primary care trust, NHS foundation trust, police authority, British Transport Police authority, local probation board, youth offending team and the governor of a prison or secure training centre.
- Sections 18 and 19 require local authorities to put in place a Director of Children's Services and a Lead Member to be responsible for, as a minimum, education and children's social service functions. Local authorities have discretion to add other relevant functions to the role, for instance, leisure or housing, if they feel it is appropriate.
- Sections 20–24 require an integrated inspection framework to be established by the relevant inspectorates to inform future inspections of all services for children. They also make provision for regular Joint Area Reviews to be carried out to look at how children's services as a whole operate across each local authority area.

## A.2 Human Rights Act 1998 and the United Nations Convention on the Rights of the Child (signed up to by the UK government in 1991)

The Human Rights Act 1998 incorporates the European Convention on Human Rights and Fundamental Freedoms into UK law. Previously, a complaint that the rights contained in the Convention had been violated could only be heard by the European Court of Human Rights in Strasbourg. As a result of the Human Rights Act, rights can now be enforced in a UK court.

The UK government has ratified the UN Convention on the Rights of the Child (UNCRC), but unlike the European Convention on Human Rights, this Convention is not incorporated into English law and, as a result, its provisions cannot be enforced in the UK courts. Nevertheless, the UNCRC remains a useful yardstick against which policies, laws and practice can be measured. Some of its provisions are to be found in UK laws, such as the best interests of the child and the requirement that in all decisions affecting the child the child should have the right to express their own views and for those views to be taken into account.

Some of the most relevant articles of the UNCRC are as follows:

### Article 1 – Who is a child?

- The Convention defines a child as anyone who is under the age of 18.

### Article 2 – No discrimination

- That all children and young people must have equal rights and protection irrespective of race, colour, gender, disability, political or religious belief, ethnic or national origin, socio-economic background, language or other status.

### Article 3 – Acting in the best interests of the child

- The best interests of the child or young person must be a primary consideration when decisions concerning children and young people are being made.

### Article 12 – Expressing views in all matters that affect them

- That all children and young people have the right to express their views freely, in all matters that affect them, taking into account the age and maturity of the child or young person.

## What rights do children have?

Many rights have been written into the UNCRC; these include rights relating to:

- having a say in their education;
- protection of the environment in which they live;
- reasonable standards of living and care;
- protection from violence, abuse, exploitation, abduction, sale and trafficking;
- protection for children cared for away from home and for children with disability;
- being able to use their own language, enjoy their own culture and practise their own religion;
- reasonable standards of health and development; and
- the way those suspected or those convicted of crimes are treated.

## A.3 Criminal Justice and Court Services Act 2000 (E and W)

Part II of this Act relates to the responsibilities of 'public bodies' within child protection and is integral to child protection systems in the UK designed to prevent unsuitable people from working with children or young people. The Act contains four main provisions:

- It creates a new way for courts to disqualify unsuitable people from working with children (normally defined as under 18 years).
- It sets out a review process for those disqualified from working with children.
- It provides strong criminal sanctions against those who breach the disqualifications.
- It provides a comprehensive definition of working with children, applying to all sectors, including voluntary work. It also links to other laws, including the Protection of Children Act 1999 and the Police Act 1997, which build a system that:
  - defines jobs and positions that are 'regulated'. 'Regulated' positions include at least eight categories, including where 'normal duties include caring for, training, supervising and/or being in sole charge of children'. Coordinators/leaders of youth groups are identified as examples of positions falling within this category. Those who supervise or manage people who are in 'regulated' positions are included.
  - makes it a criminal offence if an employer does not take sufficient steps to check an employee working with children and young people, and/or knowingly gives someone a job who is inappropriate or disqualified from working with children. The employer is liable if they have appointed someone into a 'regulated' position.
  - makes it a criminal offence for a disqualified person to seek employment and accept an appointment which works with children. The disqualified person is criminally liable if they have accepted an offer of employment.

Scotland – The Act as a whole does not apply in Scotland. However, certain sections and schedules may have application in Scotland in certain appropriate situations. If in doubt, you should check with Disclosure Scotland.

## A.4 Protection of Children Act (POCA) 1999 (E and W)

### A.4.1 Protection of Children Act 1999

POCA builds a framework for a cross-sector scheme for identifying those people considered to be unsuitable to work with children. It also includes listing their names on the POCA List (DoH) and List 99 (the then DfES, now DfE). There are also differences defined in requirements between statutory childcare organisations and other organisations that also 'care' for children. These lists have now been replaced by the barred lists held by the Independent Safeguarding Authority (see section A9 of this appendix).

### A.4.2 Police Act 1997 Part V

Contains the provision to set up the Criminal Records Bureau (E and W), and Disclosure Scotland (based within the Scottish Criminal Records Office), which were both established in 2002 to improve access to criminal records checks for employment-related purposes. It is aimed at providing protection for children and vulnerable adults against those who might wish to harm them.

### **A.4.3 Criminal Law Amendment Act 1967 (NI)**

This Act makes it a criminal offence not to disclose information about arrestable offences in certain circumstances.

### **A.4.4 Rehabilitation of Offenders Act 1974 (Exemptions Order 1975) (E, W and S wide) Rehabilitation of Offenders Order (Northern Ireland) 1978**

This Act protects individuals' privacy and counteracts prejudice against people with convictions by allowing them not to declare convictions to employers. However, those who are involved in situations where they have prolonged or sustained access to children or young people are exempt from this legislation. This means that prospective employees, self-employed workers and volunteers must declare all criminal convictions however long ago they occurred (i.e. spent convictions). These will be taken into account when deciding a person's suitability for working with children or young people.

### **A.4.5 Sexual Offences Act 2003 (UK-wide)**

This Act came into force in May 2004. The Act is designed to protect everyone in society from sexual crimes, especially those who are particularly vulnerable to abuse, such as children and young people and those with a mental disorder. It introduces measures that will help the public have confidence in the criminal justice system and enable the interests of victims to be put first.

- Part 1 of the Act modernises 19th century offences and plugs loopholes in the law.
- Part 2 deals with sex offenders. It strengthens the sex offenders' register and introduces new civil orders to help prevent further offences from being committed.
- sections 16– 24 of the Act extend existing laws relating to abuse of a position of trust by people who work with children.
- sections 38–44 contain offences for people who are engaged in providing care, assistance or services to someone in connection with a mental disorder.
- Children and young people: abuse of positions of trust

This Act re-enacts and extends the abuse of trust offences set out in the Sexual Offences (Amendment) Act 2000.

#### **Protecting 16- and 17-year-olds**

The position of trust offences in the Act covers all children under 18, but they are mainly designed to protect young people aged 16 and 17 who, even though they are over the age of consent, are potentially vulnerable to sexual abuse from people in positions of trust or authority. Where young people are 12 or under, or between 13 and 15, offences against them are likely to be charged under the general laws in the Act for these age groups.

#### **What are 'positions of trust'?**

The Act sets down specific positions of trust to which offences relate. People who are in these positions of trust will normally have power and authority in a child or young person's life, and may have a key influence on their future. They will have regular contact with the child or young person, and may be acting in loco parentis. The Act defines those in a position of trust. A person is in a position of trust if he or she works in an occupation or place where a child or young person is:

- accommodated or resident in a home or other place in which accommodation and maintenance are provided under the Children Act 1989 (E) or The Children (Northern Ireland) Order 1995 (this includes accommodation provided by both local authorities and voluntary organisations);
- accommodated and cared for by a hospital, independent clinic, care home, residential care home, private hospital, community home, voluntary home, children's home or residential family centre;
- an educational institution; or
- detained under a court order or enactment in an institution, such as a Young Offenders Institution.

Positions of trust also include persons who are:

- appointed as a children's guardian in court proceedings;
- providing services on an individual basis under the Learning and Skills Act 2000 (this includes Connexions personal advisers);

- having regular unsupervised contact as part of local authority provision of accommodation to young people who are in need, under police protection or detention, or on remand;
- having regular, unsupervised contact with children as someone who regularly reports to a court on matters of their welfare;
- looking after children on an individual basis as a personal adviser appointed under relevant legislation, such as when young people leave local authority care;
- looking after children in an official capacity on a regular basis when they are subject to a care order, supervision order or education supervision order; or
- looking after children on an individual basis after their release from detention or in pursuance of a court order. This includes Youth Offending Teams and treatment providers.

## Other areas of the Act

**Sexual activity with a child:** This law covers all intercourse, other penetration or sexual touching of a child or young person. It includes sexual touching of any part of their body, clothed or unclothed, either with your body or with an object.

**Causing or inciting a child to engage in sexual activity:** This covers causing or persuading a child or young person to engage in any sexual activity, including sexual acts with someone else, or making a child strip or masturbate. This offence applies where someone has incited a child to engage in sex, even if the intended sexual activity does not take place.

**Engaging in sexual activity in the presence of a child:** Under this law, it is an offence to intentionally engage in sexual activity when you know that a child can see you, or you believe or intend that they can see you, and where you do this in order to get sexual gratification from the fact that they may be watching you.

**Causing a child to watch a sexual act:** This makes it an offence to intentionally cause a child to watch someone else taking part in sexual activity – including looking at images such as videos, photos or web cams – for the purpose of your own sexual gratification. **Positions of trust – exceptions:** There are certain situations in which positions of trust offences do not apply. These are where a person is legally married to the young person, or where a lawful sexual relationship existed before the position of trust arose. This would apply, for instance, where a 17-year-old girl goes to stay in a hospital where her adult boyfriend works as a nurse.

(Scotland – although the Act is the same throughout the UK, within Scotland there are some differences that trigger registration.)

## A.5 Equality Act 2010

The Act consolidates previous anti-discrimination law in Great Britain, primarily the Equal Pay Act 1970, the Sex Discrimination Act 1975, the Race Relations Act 1976, the Disability Discrimination Act 1995 and three major statutory instruments protecting discrimination in employment on grounds of religion or belief, sexual orientation and age. It requires equal treatment in access to employment as well as private and public services, regardless of the protected characteristics of age, disability, gender reassignment, marriage and civil partnership, race, religion or belief, sex, and sexual orientation. In the case of gender, there are special protections for pregnant women. However the Act allows transsexual people to be barred from gender-specific services if there is ‘a proportionate means of achieving a legitimate aim.’ In the case of disability, employers and service providers are under a duty to make reasonable adjustments to their workplaces to overcome barriers experienced by disabled people.

Both statutory and voluntary youth services are covered by the provisions of the Equality Act 2010 and so they need to be aware of actions that could constitute discrimination. The law relating to the provision of services for young people with disabilities is complex. It is governed by the Children Act 1989, the special educational needs provisions in the Education Act 1996, and provisions in the Equality Act 2010. The Equality Act 2010 protects disabled people against direct discrimination in employment and in areas such as the supply of goods, facilities and services.

### Definition of disability

The definition of disability in the Equality Act 2010 entails:

- (1) A person (P) has a disability if –
  - (a) P has a physical or mental impairment, and
  - (b) The impairment has a substantial and long-term adverse effect on P’s ability to carry out normal day-to-day activities’

(b) The impairment has a substantial and long-term adverse effect on P's ability to carry out normal day-to-day activities'

And the definition is subject to the provisions in Schedule 1 of the Act:

[www.legislation.gov.uk/ukpga/2010/15/section/6](http://www.legislation.gov.uk/ukpga/2010/15/section/6)

and

[www.legislation.gov.uk/ukpga/2010/15/schedule/1](http://www.legislation.gov.uk/ukpga/2010/15/schedule/1)

## Definition of discrimination

A claim may be based either on less favourable treatment or on a failure to make reasonable adjustments. A service provider discriminates against a disabled person if it:

- for a reason which relates to a disabled person's disability, treats him or her less favourably than it treats or would treat others; or
- has a practice, policy or procedure which makes it impossible or unreasonably difficult for disabled people to make use of a service which it provides, or is prepared to provide, to other members of the public.

Section 29 of Equality Act 2010 EA 2010 provides that it is unlawful for a service provider to

- discriminate against persons because of a protected characteristic –which includes disability – by not providing the service (s29(1))
- by offering the service on different terms (s29(2)(a)) or
- terminating the service (s29(2)(b)) or
- subject the person to any other detriment (s29(2)(c)), harassment (29(3)) or victimisation (29(4),(5)).

The person is protected both when requesting a service, and during receipt of a service. Persons are also protected when a public function is exercised, for example law enforcement.

The duty to make reasonable adjustments under (s20) is also imposed by (s29):

Section 55 of Equality Act 2010 provides that it is unlawful to discriminate against, harass or victimise a person when providing an employment service:

Under EA 2010 (s15 (1)(b)) discrimination will be held not to have occurred where A can demonstrate that the treatment is a proportionate means of achieving a legitimate aim. Subsection 2 determines that discrimination as defined in (s15(1)(a)) does not apply where A can demonstrate that they did not know, and could not reasonably have been expected to know, that B had the disability.

## The duty to make reasonable adjustments

The duty to make reasonable adjustments is contained in (section 20) of the Equalities Act 2010:

A duty to make reasonable adjustments is a duty owed to disabled people at large. It is not simply a duty that is weighed up in relation to each individual disabled person who wants to access a provider's services. The duty to make reasonable adjustments is a continuing duty and not something that needs simply to be considered once and then forgotten. The threshold for the duty is where a disabled person is placed at 'substantial disadvantage' compared to non-disabled people.

Where the threshold is met, any/all of three requirements must be met. The first is to change a practice; the second is to make changes to the built environment; the third relates to the provision of auxiliary aids/services.

What is a reasonable step for a particular service provider to have to take depends on all the circumstances of the case. It will vary according to:

- the type of services being provided;
- the nature of the service provider and its size and resources; and
- the effect of the disability on the individual disabled person.

It is more likely to be reasonable for a service provider with substantial financial resources to have to make an adjustment with a significant cost than for a service provider with fewer resources.

Failure to comply with the duty to make reasonable adjustments is defined in section 21 of the Equality Act 2010 as a failure to comply with any of the three requirements of section 20. A person will be held to have discriminated against a disabled person if they fail to comply with the duty:

[www.legislation.gov.uk/ukpga/2010/15/section/21](http://www.legislation.gov.uk/ukpga/2010/15/section/21)

## A.6 Data Protection Act 1998 (UK-wide)

This Act regulates the information about people that may be kept by an organisation and with whom it may be shared. If information or reports are being made available about a person or persons to any agency/organisation, then consideration will need to be given to who will be told, who will have or has access to the information, and how and by whom the information will be stored and passed on to others. In relation to child protection issues:

- all records must be kept securely;
- only certain people should be able to access the information;
- if the information relates to a child protection concern, then it cannot be withheld, since this would not be acting in the best interests of the child;
- families, children or young people and other individuals can see most of the information about them, and have an opportunity to respond.

## A.7 Health and Safety at Work Act 1974 (UK-wide)

There are no health and safety regulations applying specifically to youth organisations. However, employers are under a duty to provide a healthy and safe working place for employees. The duties of the employer are laid out in the Health and Safety at Work Act 1974 and a number of statutory instruments, including the Management of Health and Safety at Work Regulations 1999. There is also guidance from the then DfES (now DfE), Health and Safety: Responsibility and Powers (DfES [now DfE] 0803/2001). Although this applies primarily to schools and to statutory youth groups, non-statutory youth groups will also find the guidance useful.

Statutory regulations cover duties towards employees, but also require that each employer shall make a suitable and sufficient assessment of 'the risks to the health and safety of persons not in his employment arising out of or in connection with the conduct by him of his undertaking' for the purposes of identifying the measures that need to be taken to meet their statutory obligations. This would cover youth clubs and the activities of other voluntary organisations. Thus, youth organisations, and all other organisations working with children, should carry out a general assessment of the risks to health and safety faced by their 'users'.

If an organisation employs young people under the age of 18, it will owe duties over and above that which it owes to adult employees. In assessing risk, the organisation must also take account of the young people's immaturity and lack of experience and awareness of risks. If the organisation employs a child, defined in the regulations as a person under the age of 16, it must not only carry out an assessment of risk, but must also provide a parent with information on the risks to that child's health and safety.

## A.8 Safeguarding Vulnerable Groups Act 2006

The legislation established the Independent Safeguarding Authority (ISA), which was:

- A non-departmental public body set up in response to The Bichard Report – Recommendation 19. Responsible for managing the 'barred' lists – these two lists are of those who are unsuitable to work with children and vulnerable adults respectively. These lists have replaced list 99, PoVA (Protection of vulnerable Adults) and PoCA (Protection of Children Act) lists and disqualification orders. Responsible for the decisions regarding who should be barred and therefore added to the barred list.

This legislation brought in the following legal duties:

- A person who is barred from working with children or vulnerable adults must not work or apply to work with this group, and will be breaking the law if they do so. An organisation must check that a potential staff member or volunteer applying to work closely and carry out a regulated activity with children, young people or vulnerable people is not barred from working with these groups. The organisation is committing an offence if it fails to do so (this is not currently enacted, it is scheduled for 2014 at present it is an offence to knowingly employ). If your organisation works with children or vulnerable adults and a

member of staff or a volunteer is dismissed because they have harmed a child or vulnerable adult, or they would have been dismissed had they not left, the organisation is obliged to pass on this information to the ISA (this is not currently enacted, it is scheduled for 2014 at present it is an offence to knowingly employ).

Up to date information can be found at [www.gov.uk/dbs](http://www.gov.uk/dbs)

### **Where to go to check criminal records**

Disclosure and Barring Service (DBS) – will provide a service to employers and voluntary groups/organisations, giving them access to information about criminal records and other relevant information about those they intend to appoint (paid or voluntary) for positions working with children and young people under 18, and in some cases vulnerable adults. It will provide a ‘one-stop shop’ for checking police records, conviction records and Barred lists across England and Wales.

Central Registered Body in Scotland (CRBS) – established in January 2002 as part of the implementation of Part V of the Police Act 1997, to provide the voluntary sector with access to free Disclosures for volunteers working with children, young people and vulnerable adults. CRBS is a unit within Volunteer Development Scotland. Disclosure Scotland – has introduced a similar system based within the existing Scottish Criminal Records Office.

Access Northern Ireland in Northern Ireland commenced operations in April 2008 and provides a criminal history disclosure service within the Department of Justice in Northern Ireland.

None of the above services determine the suitability of a person to a particular position; they can only provide information on behaviours that have come to light, i.e. behaviours for which a person has been convicted or formally reported and if they have been included on the barred lists. Therefore, it is essential that organisations use these services provided to support the determination of suitability as an integral part of their recruitment and selection procedures.

# Appendix 2: Dealing with Abuse

## (a) Facts about, and definitions of, abuse

### What is abuse?

Child abuse occurs when a child or young person has suffered from, or is at significant risk of suffering from, ill-treatment or impairment of development, by any person who knowingly colludes with or fails to prevent the ill-treatment of the child or young person by not ensuring reasonable standards of care and protection.

- All staff and volunteers should be aware that abusers are not just strangers. They can include parents, carers, family members, friends, people in positions of trust and authority, other children or young people, or anyone who has contact with children and young people.
- Children and young people who are abused are often abused by an adult they know and trust.
- Disabled children and young people are more vulnerable to abuse; they are more dependent on intimate care and occasionally they may be less able to tell or escape from abusive situations.
- Misunderstandings and misinterpretations of different cultural and religious beliefs and practices often means that children and young people from these communities and families may be more vulnerable to abuse going undetected, and often statutory services fail to meet the needs of or deliver appropriate services to the children and young people.
- It is important to remember that, although most abusers are men, women also abuse, and that abusers come from all social and ethnic backgrounds, races, classes and professions.

### Definitions of abuse

Four categories of abuse have been defined and are generally accepted, although it is important to remember that abuse will often fall into more than one category at any one time.

1. **Neglect** – the persistent or severe neglect and failure to meet the child or young person's basic physical and/or psychological needs, i.e. food, warmth, shelter, clothing, care and protection.
2. **Physical** – any form of non-accidental injury or failure to protect against injury to a child or young person. This may involve hitting, shaking, poisoning, throwing, suffocating, burning and scalding. Physical harm may also be caused when a parent/carer puts on the symptoms of, or deliberately causes, ill health to a child or young person under their care. This is formerly known as Munchausen Syndrome by Proxy and now called factitious, fabricated or induced illness.
3. **Emotional** – severe or persistent rejection or emotional ill-treatment of the child or young person which would negatively affect the emotional or behavioural development of the child or young person.
4. **Sexual** – the actual, or likely, sexual exploitation of the child or young person by any person, whether or not that child or young person is aware of what is happening. This would include physical contact (penetrative or non-penetrative) and non-physical contact (looking at pornographic materials, watching sexual activities, or encouraging children or young people to behave in sexually inappropriate ways).

It is accepted that, in all forms of abuse, there are elements of emotional abuse, and that some children are subjected to more than one form of abuse at any one time.

Attention must be drawn to other sources of stress for children and young people and their families, for example, social exclusion, domestic violence, mental illness or drug and alcohol misuse. As these areas may have a negative impact on the child or young person's health and development, if your organisation notices that the child or young person's well-being is being adversely affected, then the procedures for reporting and dealing with abuse must be followed.

## (b) Recognising abuse

The following information is designed for you to use as a guide to help you become more alert to and aware of the signs of possible abuse. It is not intended to turn you into an expert.

Recognising possible abuse is a complex and complicated procedure and it is not your responsibility to decide whether a child or

young person has been abused or is at significant risk. However, you do have a responsibility to act on any concerns and report them in accordance with your reporting procedures.

- 1. Neglect** – this can be a difficult form of abuse to recognise, and yet it can have some of the most lasting and damaging effects. The physical signs and changes in behaviour that may indicate neglect may include:
  - constantly hungry, perhaps stealing food from others;
  - constantly dirty or in an unkempt, unwashed state;
  - inappropriately dressed for the weather conditions;
  - a loss of weight or being constantly underweight;
  - being tired all the time;
  - failure to attend medical appointments or not requesting them;
  - mentioning being left alone or unsupervised.
  
- 2. Physical abuse** – it is quite normal for children and young people to get cuts and bruises as part of their daily life. However, some children and young people will have bruising or cuts that could only have been caused non-accidentally. Important indicators are where on the body the bruises or injuries occur, whether any explanation given, or the lack of explanation, fits the injury, and also whether there was a delay in seeking medical treatment when treatment may be quite necessary. The physical signs and changes in behaviour that may indicate physical abuse may include:
  - injuries on any part of the body that cannot be explained;
  - bruises which reflect hand marks or fingertips from slapping or pinching;
  - cigarette burns, bite marks, broken bones or scalds;
  - a fear of approaching parents for an explanation;
  - aggressive behaviour or severe temper outbursts;
  - flinching when touched or approached;
  - depression or withdrawn behaviour;
  - running away from home; and
  - a reluctance to get changed.
  
- 3. Emotional abuse** – again, this can be very difficult to identify; often those who appear well cared for may be emotionally abused by being put down or belittled. Also, some children and young people may be receiving little or no love, affection and/or attention from their parents/carers. Those not allowed to mix and play with others may also be experiencing emotional abuse. The physical signs and changes in behaviour that may indicate emotional abuse may include:
  - a failure to thrive or grow;
  - sudden speech disorders;
  - delayed development, either physically or emotionally;
  - exhibiting neurotic behaviour such as hair twisting or rocking;
  - a reluctance to have their parents/carers contacted or approached regarding their behaviour;
  - exhibiting a lack of confidence or the need for approval or attention;
  - a fear of making mistakes;
  - exhibiting self-harming behaviour.

**4. Sexual abuse** – adults who exploit their power and use children or young people to gratify their own sexual needs abuse both girls and boys of all ages, cultures and abilities, including babies, toddlers and young people. More often than not, the child or young person's behaviour will cause you to become concerned; however, there are physical signs that highlight concerns. In all cases, children and young people who talk about sexual abuse do so because they want it to stop. Therefore, it is vitally important that they are listened to and taken seriously. The physical signs and changes in behaviour that may indicate sexual abuse may include:

- stomach pains or discomfort when walking or sitting down;
- bruising or injuries to parts of the body that are not normally seen;
- pregnancy;
- sudden or unexplained changes in behaviour and/or mood, i.e. becoming aggressive or withdrawn;
- nervousness or fear of being left with specific persons or groups;
- acting in a sexually inappropriate way with peers and/or adults;
- sexual knowledge, drawings and language that are beyond the child or young person's age or developmental level;
- running away;
- self-harm and mutilation, or suicide attempts;
- eating disorders such as bulimia or anorexia;
- indicating that they have secrets that cannot be told to anyone;
- bedwetting;
- substance abuse (drug and alcohol).

It is important to know and remember that these lists are not definitive but should act as a guide to assist you in becoming more aware. Children and young people may show some of these indicators at some time; however, the presence of one or more should not be taken as proof that abuse is occurring or has occurred. As mentioned, it is not your responsibility to determine whether abuse has taken, or is taking, place; your responsibility lies in reporting any and all concerns to the relevant and appropriate people. There may be a whole range of other factors within the family that may be the reason for sudden or changes in behaviour.

### **(c) Responding to allegations of abuse**

If a child or young person confides in you, you must do the following.

- Stay calm and approachable. Do not let your shock show.
- Listen very carefully to what is being said without interrupting.
- Explain at an appropriate time, and as early as possible, that the information being given by the child or young person will need to be shared and passed on to others – but stress only to those who need to know. Do not in any circumstances promise to keep it a secret.
- Make it clear that you are taking them seriously and acknowledge how difficult this must be.
- Allow the child or young person to speak at their own pace.
- Reassure the child or young person that they are doing the right thing in telling you.
- If you need to ask questions, then only ask questions for clarification; avoid asking questions that suggest particular answers, and avoid asking probing questions. You do not need to know all the details; that is the job of the experts.
- Let the child or young person know what will happen next, who you will report the information to, and what will happen once it has been reported.
- Record all the details of what was said. Use the child or young person's exact wording – do not try to interpret any of the

information yourself. Record details such as names mentioned, dates, times, who the information went to and what action was taken next. Don't forget to sign and date the form. See the incident/disclosure form in Appendix 4 (b).

All facts and information must be considered and initial investigations made.

The designated child protection person, your supervisor and line manager must be informed if you have a suspicion or concern about possible abuse occurring, or abuse has been disclosed to you:

- about a child or young person;
- about the behaviour of staff (paid and volunteer) or parents, or carers, or other.

If suspicions or concerns dispelled:

- all records must be kept;
- no further action will need to be taken.

If suspicions or concerns ongoing:

- contact social services and/ or police, and parents if appropriate.

Statutory bodies will make an initial assessment and:

- child protection investigations will begin;
- assessment of need will be made.

## **(d) The process for reporting child protection concerns**

If a child or young person confides in you, you must follow your organisation's procedures.

### **Further Guidance**

NSPCC – [http://www.nspcc.org.uk/Inform/research/briefings/reporting\\_child\\_abuse\\_wda74908.html](http://www.nspcc.org.uk/Inform/research/briefings/reporting_child_abuse_wda74908.html)

Safe Network – [http://www.safenetwork.org.uk/help\\_and\\_advice/Pages/making\\_a\\_referral.aspx](http://www.safenetwork.org.uk/help_and_advice/Pages/making_a_referral.aspx)

# Appendix 3: Template policies and procedures

It is important to remember that these are templates and this guide aims to help your organisation to develop its own safeguarding policies and procedures. There is no 'one size fits all' policy which can simply be adopted for use in your organisation; rather, it is essential that your policy and procedures are tailored to your organisation, its staff and volunteers, and its users. You can use the templates as examples for generating discussion amongst your own staff, volunteers, children and young people, and parents/carers as the basis for forming your own policy which reflects the practice and needs of your organisation.

## Safeguarding policy

The policy should declare your organisation's commitment to:

- child protection and safeguarding of young people's welfare. The commitment should not stop when a young person reaches the age of 18; promoting the general welfare and safety of the young people within your organisation should continue regardless of age;
- all children and young people, regardless of their gender, sexual orientation, disability, race, nationality or country of origin, having the same rights to protection (diversity and equal opportunities).

The policy should set out quite simply, and clearly, the policy's aims, how this commitment will be fulfilled and who it applies to, i.e. all paid staff and volunteers.

### For example:

This ... group/club is fully committed to safeguarding the welfare of all children and young people, and will take all reasonable steps to protect them from neglect and physical, sexual or emotional harm. Paid staff and volunteers will, at all times, show respect for and understanding of the rights, safety and welfare of our members, and conduct themselves in a way that reflects the principles of ... group/club.

We do this by:

- ensuring that all paid staff and volunteers are carefully selected, trained and supervised;
- carefully assessing all risks that children and young people encounter and taking all necessary steps to minimise and manage such risks;
- letting parents and young people know how to voice concerns or complaints about anything they might be unhappy about; and
- giving parents, children, young people and workers information about what we do and what can be expected from us.

### Breakdown

The policy should then also refer specifically to the following:

- the detailed policies that have been established to make this policy a reality, such as: child protection; health and safety; recruitment and training; confidentiality; code of conduct; diversity; complaints and disciplinary procedures;
- specific national and international legislation or guidance that relates directly to child protection and the safeguarding of young people;
- definitions of a 'child or young person' as 'under 18 years' and vulnerable adults over the age of 18 years if appropriate; clear statements regarding definitions of terminology;
- who the policy applies to, i.e. all paid and volunteer staff, contract or part-time staff, sessional staff or volunteers, trustees, etc; and
- an action plan for policy dissemination and implementation across the organisation.

### Procedures

You should then set out your organisation's procedures for safeguarding, giving clear guidelines and information. Make it clear that safeguarding is everybody's responsibility. As this policy is an umbrella policy covering all the other safeguarding policies, many of

the procedures will probably refer to the child protection or safe recruitment policy, for example.

**You may wish to consider including some elements of the following:**

- Keeping children and young people safe is everybody's responsibility, and everybody involved with the organisation should play a part in ensuring that the procedures contained within this policy are implemented. All staff and volunteers, users of the organisation and parents/carers should be aware of this policy and the procedures contained within it and, if they have any doubts whatsoever that the procedures are not being carried out correctly, they should follow the complaints or reporting concerns procedures of the organisation.
- We have in place a child protection policy which gives full information on how to recognise child abuse and how staff, volunteers and the organisation will respond to any raised concerns or allegations of child abuse. We are committed to taking all allegations and concerns seriously, responding appropriately and passing concerns on to the relevant authorities. All staff members and volunteers must ensure that they are fully aware of the child protection policy and the procedures to follow. Training on child protection and our procedures will be part of induction for all staff and volunteers. We have a designated child protection worker and deputy [insert names] responsible for coordinating our child protection practice and we are in regular contact with local authorities and the Local Safeguarding Board.
- All information held about children and their parents/carers is held in line with the Data Protection Act 1998. We have in place a confidentiality policy and procedure which gives further information on what information can be held and for how long. Where there are concerns about a child's safety, information will be passed on to relevant agencies where appropriate. Information on when and how this will happen is contained in the confidentiality policy. All staff members and volunteers are expected to adhere to this policy and will receive training in this area.
- Safeguarding includes a commitment to ensure that our organisation prevents discriminatory practice. We have a specific diversity and equal opportunities policy which sets out our procedures in this area which must be followed by all staff and volunteers.
- To ensure that we use appropriately qualified and safe staff and volunteers, we are committed to safe recruitment practices and to the ongoing monitoring, support and training of all our staff. We have a senior manager [name and role] who is responsible for supervising and monitoring all our recruitment practices.
- In order to provide a safe environment for children and young people, our staff and volunteers who provide activities take part in regular training. We operate a risk assessment culture where all activities and practices are appropriately risk assessed and steps taken to reduce unnecessary risks. Our risk assessment and health and safety policy goes into detail on the procedures that must be followed and all staff running any activity, whether on our premises or elsewhere, will follow them.
- All users of the organisation are able to complain about any aspect of our practices that they are unhappy with or have a concern about. It is only by responding to concerns and complaints that we are able to improve the service we offer. An anonymous comments box can be found at [insert location] and we have comprehensive complaints, Whistleblowing and grievance procedures in place. More detailed information on this can be found in our complaints policy.
- All our safeguarding policies are provided to all new members of staff and volunteers when they join the organisation and they are trained in the procedures as part of their induction. Copies of the policies are also made available at [insert where they can be accessed].
- All our safeguarding policies will be reviewed by a panel comprising trustees, staff, volunteers, parents/carers and young people at least annually, before going before the Board of Trustees to be ratified. Any comments made in the interim will be recorded and taken into account.
- This policy is due for next review on [insert date].

## Child protection policy

### Policy

Statement of your organisation's commitment to child protection and what the main aims of this policy and procedure are.

### For example

This organisation [insert name] is committed to protecting all the children and young people who use its services, regardless

of gender, ethnicity, disability, sexuality or beliefs, from any physical, sexual or emotional harm or neglect. All members of staff, volunteers and members are required to respond appropriately to any concerns and allegations of abuse.

## Breakdown

This section should explain the statement in more detail.

Ensure that your policy explains that:

- It is approved and endorsed by the Board of Trustees.
- It applies to all trustees, members, staff and volunteers.
- It is supported and linked to the safeguarding policy, the reporting concerns policy, and the recruitment and selection policy, and any other appropriate policies in place.
- All concerns and allegations of abuse will be taken seriously by trustees, staff and volunteers and responded to appropriately, which may require a referral to children's services or, in emergencies, to the police.

This policy and procedure will be reviewed at least annually by a panel comprising trustees, staff and volunteers, parents/carers and young people. It will then be ratified by the Board of Trustees.

## Procedures

These should contain clear written procedures outlining action to be taken in a case of potential or suspected child protection issues. You might wish to include something similar to the following:

While responding to child abuse is everybody's responsibility, the investigation of child abuse is a specialised professional task which should only be undertaken by the designated agencies, i.e. the police, children's services or the NSPCC. On no account should staff or volunteers pursue child protection investigations on their own. Such actions can undermine a professional investigation and place the child or young person at further risk.

The procedure should:

- name the designated person (and deputy) responsible for child protection within the organisation and give details of how to contact them;
- give brief details of what constitutes child abuse and how to recognise it;
- take into account the different ways in which someone within the organisation may become aware of the actual or likely occurrence of abuse taking place;
- give clear guidelines on how members of staff or volunteers at different levels of the organisation should respond in the moment when:
  - concerns are raised about a child or young person suffering abuse;
  - allegations are made by a young person or a third party about a member of paid staff or a volunteer;
  - allegations or observations of abuse are made by one child or young person against another child or young person;
  - a child or young person shows signs of being abused but is not making an allegation;
  - a child or young person shows evidence of physical injuries without there being any satisfactory explanations.

Refer to the reporting concerns or allegations of abuse policy:

- Give clear guidelines on how paid staff and volunteers will be treated if an allegation is made against them (this may be contained elsewhere, e.g. in the discipline and grievance policy and/or the Whistleblowing policy).
- Describe how any information on child protection is kept and stored (refer to the confidentiality policy).
- Refer to the organisation's code of conduct for staff and volunteers, which should set out what constitutes appropriate or inappropriate behaviour from staff or volunteers.

- Links should be made to the recruitment and selection policy, reporting of complaints policy, confidentiality policy, disciplinary and grievance procedures etc.
- Give a description of the training and support that all staff and volunteers will receive on child protection.
- Explain where further guidance, information and support can be found for staff, volunteers, parents/carers, and children and young people in this area.

It is important that the child protection policy and procedures are tailored to your organisation and take into account the types of activity you provide, the type of contact your staff and volunteers have with the children and young people, (for example, swimming, dance and gym instructors might be expected to have closer physical contact with young children than would be acceptable in a different context) and also the particular vulnerabilities of the children and young people with whom your organisation has contact, such as disabled children who might be at an increased risk of abuse.

This policy will next be reviewed by a policy review panel (comprising staff, volunteers, parents/carers and young people) on [insert date].

## Reporting concerns or allegations of abuse or inappropriate treatment policy

How to report concerns, suspicions and allegations to outside agencies, including how and when to report.

This is a key part of the child protection procedure and can be contained within it, rather than as a stand alone document.

### Policy

#### For example

This organisation takes seriously all suspicions or allegations of child abuse, neglect and harm, and is committed to responding appropriately and working with other agencies to ensure that all children and young people are protected from it.

#### Breakdown

- This policy applies equally to all trustees, staff and volunteers at all levels in the organisation.
- It is approved and endorsed by the Board of Trustees.
- This policy is supported and linked to the safeguarding policy, child protection policy, confidentiality policy and [any other appropriate policies in place].
- 'Suspicion or allegation of abuse' includes abuse which is disclosed to staff or volunteers, abuse which is suspected by staff or volunteers and allegations of abuse by other staff or volunteers, or other members of the organisation; 'all children and young people' includes all children and young people up to the age of 18 taking part in any activities with the organisation, regardless of gender, ethnicity, disability, sexuality or beliefs; 'other agencies' includes social services, the police, the health authorities, the NSPCC, the Local Safeguarding Board etc.
- This policy and procedure will be reviewed at least annually by a panel comprising trustees, staff and volunteers. It will then be ratified by the Board of Trustees.

### Procedures

The procedures you may wish to include here are as follows:

A designated safeguarding/child protection worker has been appointed by the organisation. This person is [name and contact details of designated person and deputy(ies)]. They should be the first call when any child abuse is disclosed, suspected or alleged. Their role is to:

- receive information from staff, volunteers, children and young people, parents/carers regarding concerns about the welfare and safety of any children and young people using the service;
- assess this information promptly and take appropriate action as outlined below;
- maintain records of any child protection or other safeguarding concerns raised, action taken and follow-up required;
- be familiar with national and local safeguarding legislation and guidance, and with local authority child protection referral

procedures and police procedures for investigating abuse;

- know how to contact and establish links with the Local Safeguarding Boards and the relevant departments within children's services or police;
- assess the safeguarding and child protection learning and development needs of all staff and volunteers and coordinate the training;
- promote safeguarding across the organisation and keep all staff and volunteers informed on good practice and new legislation and guidance; and
- monitor the overall trend of safeguarding concerns, keep records of their disposal and feed back to the organisation on the quality of their safeguarding work. If a member of staff or volunteer has a concern or suspicion of abuse, while no allegation has been made, then they should:
  - make a note of anything which has led them to this concern or suspicion, including as much detail as possible, such as dates and times and how it came to their attention;
  - pass this information to the designated child protection worker as soon as is reasonably practical;
  - not try to investigate any further and not elaborate or speculate, but simply pass the information on in a timely manner.

Remember, not being sure, or thinking somebody else must already know about it, may leave the child vulnerable to further abuse. It is better to pass on your worries incorrectly than to leave the child or young person to suffer further.

If a member of staff or volunteer receives an allegation, a concern from somebody else, or a disclosure from a young person or child, then they should:

- listen to what the child or young person wants to share with them about the incident. They should not ask leading or interrogating questions, but simply allow them to speak;
- remain calm and try to reassure the young person they were right to tell, without giving any false reassurances; explain the reporting procedure to them, i.e. what will happen next, who will be informed;
- act immediately – without delay;
- keep a detailed record of the incident and their concerns, making sure that they record exactly what happened and what was said;
- pass this information on to the designated person (or deputy) as soon as is practical, both verbally (face-to-face or by phone) and by passing on their written record of the incident or allegation.

NB: arrangements should be made for the designated person and/or deputy to be available at all times when the organisation is running activities (either in person or by phone). There should be no circumstances where a staff member or volunteer cannot contact a designated person within a reasonable timescale. Local contact numbers for children's services and the police should be accessible to staff in case of absolute emergency, in the instance that they cannot contact the designated person, but every effort should be made to notify the designated person first. When the designated safeguarding person receives information from a staff member or volunteer, then they should:

- act immediately – without delay;
- consider whether the child or young person is in immediate danger based on the information given. It may be necessary for the designated person to go back to the child and get a clearer picture, if the initial person did not pass on sufficient information to make a decision as to the next steps. If this is the case, the designated person should sensitively approach the child or young person, ask very open questions to try and ascertain more information, and listen to what the child or young person wants to share with them about the incident. They should not ask leading or interrogating questions, but simply allow them to speak. If they are in immediate danger, the designated person should contact the police, children's services and/or parents/carers (the latter only if appropriate and the parents are not implicated in the potential harm);
- if allegations have been made about a member of staff or a volunteer, the designated person should pass this on to someone higher within the organisation [a named senior person with overall responsibility for safeguarding]. The organisation's disciplinary procedure should be followed;
- if the situation is serious, contact the local children's services or local safeguarding board [as per local referral procedures]

and discuss any further action with them, e.g. suspension of member of staff, contacting the police, contacting the family, etc. and agree ongoing support for the child or young person. When considering and taking any action, the child or young person's welfare must be paramount.

NB: the phone numbers of your local contacts should be easily accessible elsewhere by the designated person, so they can be quickly be found at a critical moment by all staff and not only by the designated person. If serious allegations have been made against a member of staff or volunteer then advice should be taken from the Local Safeguarding Board and local authority designated officer and followed. It is likely that the action to follow will include the following:

- A senior manager will speak with the person against whom the allegation has been made, as soon as possible.
- They will be treated with respect, as the allegations may not be justified.
- They will be told that an allegation has been made against them, but not given details of the allegation or the child or young person concerned, as this may cause problems for official investigations and put the child or young person in further danger.
- They may be immediately suspended, pending investigation, and it will be explained to them that this is in the best interests of the children and young people.
- They will be offered the support of an external person such as a counsellor and a link worker within the organisation to speak with.

When a member of staff or volunteer receives a disclosure or suspects abuse then they will:

- be reassured that they have done the right thing by passing the information on to the designated worker; and
- be offered support and counselling by the designated child protection worker or an outside agency.

This policy is next due for a review on [insert date]

## Diversity and equal opportunities policy

### Policy

#### For example

This organisation is fully committed to the safe and fair treatment of all people, without discrimination of any kind, regardless of any differences in gender, ethnicity and culture, age, abilities and needs, class, language, religion, sexuality, appearance or any other differences. We will ensure that our practices are non-discriminatory, and will take action where any incidents of discrimination have taken place.

#### Breakdown

- This policy applies equally to all trustees, staff, volunteers, children and young people at all levels within the organisation.
- It is approved and endorsed by the Board of Trustees.
- This policy is part of the safeguarding policy and is linked to the child protection policy, complaints policy, and recruitment and selection policy.
- 'Discrimination' includes any different and negative treatment of any person, whether overt or covert, based on differences in ethnicity, age, culture, gender, abilities, needs, class, language, religion, sexuality or appearance. 'All people' includes staff members, volunteers, children, young people, parents/carers and trustees.
- This policy and procedure will be disseminated to all staff and volunteers when they join the organisation and its contents will be covered as part of induction training. It is also freely available to any interested parties from [...]
- All incidents of discriminatory practice reported to the organisation through our complaints procedure (see complaints policy) or through our Whistleblowing or grievance procedures will be taken seriously and responded to in a sensitive manner. Investigations will be made and, if necessary, followed up by disciplinary action.
- This policy is underpinned by the mission of the organisation and also by the United Nations Convention on the Rights of the Child, the Children Act 1989 and 2004, the Human Rights Act 1998, and the Equality Act 2010.

- This policy and procedure will be reviewed at least annually by a panel comprising trustees, staff and volunteers, parents/ carers and young people. It will then be ratified by the Board of Trustees.

## Procedures

Outline the procedures that your organisation has in place to prevent and deal with any discriminatory practice and to promote equal opportunities. You may wish to include:

- more information on what diversity is and what forms discrimination may take;
- how you will ensure that your staff and volunteer recruitment is non-discriminatory (refer to your recruitment and selection policy) and how you are actively seeking applications from minority groups of all kinds in order to further develop equal opportunities and develop a more diverse organisation;
- how buildings and activities are being adapted to take into account the needs of the disabled or those with different special needs;
- how staff are being trained to adapt activities for those with differing needs and to work in non-discriminatory ways;
- how staff and volunteers, children and young people, and parents/carers can complain if they witness or experience incidences of discrimination (refer to complaints policy and to Whistleblowing and grievance and disciplinary procedures).

This policy is next due for a review on [insert date].

## Risk assessment and health and safety policy

### Policy

#### For example

This organisation is fully committed to fulfilling our legal obligation to take all reasonable steps to ensure the safety of all children and young people who use our services. Paid staff and volunteers will, at all times, show due attention to the safety of children and young people in our care, whether at our own premises or on external trips and activities organised by our organisation, and conduct themselves in a way which puts the safety of members and users of our organisation as first priority. We will do this by:

- ensuring that paid staff and volunteers are carefully selected, trained and supervised;
- selecting activities appropriate to the age and experience of the children and young people;
- carefully assessing all risks that children and young people may encounter at the organisation and during activities, and taking all necessary steps to minimise and manage such risks;
- letting parents and young people know how to voice concerns or complaints about anything they might not be happy with; and
- following guidance and legislation given on any activity we undertake.

### Breakdown

You may wish to include some of the following:

- This policy applies to all staff and volunteers within the organisation.
- It is approved and endorsed by the Board of Trustees.
- This policy is part of the safeguarding policy and is linked to the child protection policy, complaints policy and recruitment and selection policy.
- 'Activities' includes all time spent while under the care of our organisation from the agreed start time until the child or young person is collected from the centre. It will cover free time, meal times, travelling with the organisation, use of computers at the organisation, games, adventurous activities, crafts, visits and residential experiences. 'Children and young people' includes all members and users of the organisation up to the age of 18 and vulnerable adults in the care of the organisation. 'Paid staff and volunteers' includes all paid staff or volunteers who have been selected by the organisation and have been given clearance to operate as part of the organisation and run activities. In some cases, this may include

short-term staff, and occasionally the staff or volunteers may ask a young person to lead an activity while they supervise from a distance; the staff member or volunteer is still responsible for the safety of the activity. At times, activities may take place under the leadership of another organisation or activity provider, in which case it is the responsibility of the volunteer or staff member of this organisation to ensure that necessary safety measures have been taken.

- This policy and procedure will be disseminated to all staff and volunteers when they join the organisation and its contents will be covered as part of induction training.
- Any parent/carer, young person or child can bring concerns or complaints to the attention of the organisation through our complaints procedure (see complaints policy). Staff members or volunteers can bring their concerns or complaints to our attention through supervisory meetings or by following our Whistleblowing or grievance procedures. All such concerns or complaints will be taken seriously, investigated and, if necessary, followed up by disciplinary action.
- This policy is underpinned by the mission of the organisation and also by the Health and Safety at Work Act 1978.

This policy and procedure will be reviewed at least annually by a panel comprising trustees, staff and volunteers, parents/carers and young people. It will then be ratified by the Board of Trustees.

## Procedures

Outline the procedures that your organisation has in place to promote safe activities.

You may wish to include:

- a definition of risk assessment;
- the expectations for risk assessments to be carried out;
- the Health and Safety Executive's five steps to risk assessment;
- example and template risk assessments for use in the organisation;
- how staff are trained in risk assessment;
- the expectation for ongoing risk assessment and risk assessment review;
- who should see risk assessments;
- details of what information parents/carers, children or young people should be given before an activity;
- details of your parent/carer contact procedure;
- how you will teach young people about risk assessment and involve them in the risk assessment process;
- your accepted staff to young people ratios for different ages and activities;
- your insurance arrangements;
- your first aid provision;
- the minimum qualifications required for people leading different types of activities;
- details of unsupervised activities that may take place, how they should be managed and risk assessed and who is responsible for safety;
- details of residential activities that may be undertaken at different ages and the safety checks, ratios, staffing, etc. which will make them safer;
- details of transport that may be used by the organisation and safety precautions in place;
- details of checks that must be made before a trip abroad;
- details of how children and young people will be kept safe while on the internet or computer;
- any other relevant information for your organisation.

This policy is next due for a review on [insert date].

## Information handling and confidentiality policy

### Policy

#### For example

This organisation places great importance on the safety of children and young people. As part of our commitment to this we think it is important to take great care over what we do with information that we hold about children and young people and their families.

We do this by:

- being consistent in our approach to what information we collect about children and young people, who has access to it and what is done with it;
- having respect for the rights of the child or young person to privacy and confidentiality;
- having a clear procedure in place to identify when confidentiality must be broken for the safety of the child or young person, and what the process is for sharing information about them.

#### Breakdown

You should consider including the following:

- This policy applies to all trustees, staff and volunteers within the organisation.
- It is approved and endorsed by the Board of Trustees.
- This policy is part of the safeguarding policy and is linked to the child protection policy and complaints policy.
- 'Children and young people' refers to any member or user of the organisation under the age of 18. 'Confidentiality' refers not only to the written information that we hold about children and young people, and their families, but also to the relationship of trust that is built up between users and their families and the organisation. Situations when this confidentiality must be broken are carefully assessed but where there are concerns about the safety of the child or young person, these will be the paramount consideration.
- This policy and procedure will be disseminated to all staff and volunteers when they join the organisation and its contents will be covered as part of induction training.
- Any parent/carer, young person or child can bring concerns or complaints to the attention of the organisation through our complaints procedure (see complaints policy). Staff members or volunteers can bring their concerns or complaints to our attention through supervisory meetings or through following our Whistleblowing or grievance procedures. All such concerns or complaints will be taken seriously, investigated and, if necessary, followed up by disciplinary action.

This policy is underpinned by the mission of the organisation and also by the Data Protection Act 1998 and Freedoms of Information Act 2010. This policy and procedure will be reviewed at least annually by a panel comprising trustees, staff and volunteers, parents/carers and young people. It will then be ratified by the Board of Trustees.

#### Procedures

Outline the procedures that your organisation has in place to promote safe activities.

You may wish to include:

- a clear list of the information that is required about children and their families in order to administer the organisation and run activities (you could refer to template registration and information forms here, and where they can be accessed);
- details of how the information about children and young people is stored, who has access to it and how long it is kept;
- written information on how to deal with any issues or disputes between two parents/carers whose son or daughter is engaging in activities with the organisation. For example, when two parents/carers disagree with each other about their child's participation in the activities, there needs to be a way for the staff or volunteers to make a decision and know which parent/carer's instructions to follow. There must be appropriate lines of communication, procedures to indicate how this will

be dealt with, how these events will be recorded, and whether and when to involve the police;

- a definition of a 'confidential relationship' and the circumstances in which it may be breached, for example, when the staff member or volunteer has concerns regarding the safety of that young person or others.

You may also wish to:

- outline when, and why, a referral will be made to an outside organisation without the consent of the child or young person, and in what circumstances the parent/carer would not be informed of this;
- specify who would be informed if such a concern arose (e.g. designated worker, line manager or parent, or referral made directly to the NSPCC, children's services or the police regarding an immediate concern for the young person's safety) and how;
- make clear who will have responsibility for reporting concerns and to whom, i.e. that it is the responsibility of everyone to report concerns to the designated worker, and it is the designated worker's responsibility to refer the matter to outside agencies if necessary;
- define how relationships with parents/carers will be managed where there are safeguarding or child protection concerns, as these may be affected following referrals being made to outside agencies;
- define how information about the young person will be stored and how the young person's right to privacy and safety will be protected; and
- indicate with whom in the organisation the information will be shared.

The confidentiality policy should state that the child or young person's rights and needs must be paramount in any decisions being made, and that decisions will be made in consultation with the child or young person, gaining their consent where possible. This policy is next due for a review on [insert date].

## Recruitment and selection policy

How paid staff and volunteers are recruited and supported.

### Policy

#### For example

This organisation [insert name] is committed to protecting the safety and welfare of children and young people using its services. Recruiting appropriate staff and volunteers is key to maintaining this safety within our organisation. We maintain a culture of safe recruitment and selection of all staff and volunteers.

### Breakdown

You may wish to include some of the following:

- This policy applies to all trustees, staff and volunteers within the organisation.
- It is approved and endorsed by the Board of Trustees.
- This policy is part of the safeguarding policy and is linked to the child protection policy, and the risk assessment and health and safety policy.
- 'Children and young people' refers to any member or user of the organisation under the age of 18. 'Staff and volunteers' refers to all those working in any capacity within the organisation, whether paid staff or volunteers, short or long term, part time or full time.

It refers to trustees, sessional staff and contract staff.

- This policy and procedure will be disseminated to all staff and volunteers when they join the organisation. Those involved in the recruitment process will receive further training in our safe recruitment practices.
- This policy is underpinned by the mission of the organisation and also by the Criminal Justice and Court Services Act 2000, the Protection of Children Act 1999, the Police Act 1997, the Criminal Law Amendment Act 1967, the Rehabilitation

of Offenders Act 1974 (Exemptions Order 1975) and the Safeguarding Vulnerable Groups Act 2006.

This policy and procedure will be reviewed at least annually by a panel comprising trustees, staff and volunteers, parents/carers and young people. It will then be ratified by the Board of Trustees.

## Procedures

Outline the procedures that your organisation has in place regarding safe recruitment.

You should consider the following:

- details of the senior manager (paid or volunteer) in your organisation responsible for overseeing and monitoring the recruitment process; and
- who is responsible for the recruitment of which positions at different levels of the organisation and who is responsible for each step in the process.

All prospective staff and volunteers for the organisation will go through a formal application process, which will include: a clear job description; an application form; confirmation of identity; a requirement for at least two references, at least one of whom should have knowledge of the applicant working with children, which should be followed up in the case of a successful applicant; interviews with a panel of at least two interviewees; a Disclosure check where applicable.

You should then go into more detail about the procedures to be followed for each of these areas:

- what the job or role description should contain – you may wish to include a sample or template;
- what will be asked on an application form, including information about an applicant's criminal record if applicable, alongside a statement about what will be done with this information. You may wish to include a generic template of an application form;
- what kind of proof of identity will be required and when this should be produced;
- what referees should be asked and the process for following them up;
- training that will be available for interview panel members and the procedure for deciding on questions for the interview and making decisions about the outcome;
- who will be required to undergo a Disclosure check at which level, the procedure for doing this and the process for dealing with the results confidentially;
- the procedure for making decisions about employing an ex-offender;
- how the organisation ensures that its recruitment procedures offer equal opportunities and are non-discriminatory;
- the particular procedures to be followed for recruiting trustees (refer to the Charity Commission for more information; they will be required to undergo Disclosure checks, as well as being able to confirm their eligibility to be a trustee);
- the procedures in place for probation of all new staff and volunteers and how decisions are made at the end of their probation as to whether to offer them a full appointment.

You may wish to go further and include the procedures in place in your organisation for induction, initial and ongoing training and development, support and monitoring, review and appraisals.

This policy is next due for a review on [insert date].

## Complaints policy

### Policy

The policy should include a statement of commitment, for example:

The organisation recognises the right of children, young people and their parents/carers to make a complaint to the organisation regarding its services, activities or a particular individual or group of staff members or volunteers. The organisation will ensure that all complaints are taken seriously and dealt with swiftly and in confidence.

## Breakdown

You may wish to include some of the following:

- This policy is part of the safeguarding policy.
- 'Children and young people' refers to any member or user of the organisation under the age of 18.
- This policy and procedure will be disseminated to all staff and volunteers, children and young people and their parents/carers as part of their welcome pack when they join the organisation. It is also freely available to any interested parties from ...

This policy and procedure will be reviewed at least annually by a panel comprising trustees, staff and volunteers, parents/carers and young people. It will then be ratified by the Board of Trustees.

## Procedures

The complaints procedure should then:

- define what constitutes a complaint;
- ensure that all complaints will be given consideration;
- not place restrictions on what issues may be complained about;
- explain the procedures for dealing with complaints, including any complaints made against staff or volunteers;
- outline the procedure that will be followed if a complaint is not resolved promptly;
- explain who should be notified of the complaint within the organisation and how;
- describe how records are kept;
- provide a timetable for dealing with a complaint;
- be written in a format that is appropriate to the organisation's users; and
- be circulated to all parents/carers of the children and young people who use the organisation and to all paid staff and volunteers.

# Grievance and disciplinary procedures and Whistleblowing

## Policy

### For example

This organisation places great importance on the safety of children and young people. We feel that it is important that if there are any concerns by staff members or volunteers about any aspect of our service, this can be brought to the attention of the organisation without fear of unfair treatment, repercussions or harassment. We achieve this by:

- building an environment where staff members and volunteers feel able to talk openly about concerns or questions they may have;
- having a clear procedure for 'Whistleblowing';
- having a clear procedure for disciplinary action; and
- having a clear procedure for grievance where a staff member has concerns about their working environment.

## Breakdown

You may wish to include some of the following:

- This policy applies to all trustees, staff and volunteers within the organisation.

- It is approved and endorsed by the Board of Trustees.
- 'Children and young people' refers to any member or user of the organisation under the age of 18. 'Staff members and volunteers' refers to all staff and volunteers, trustees, part-time and sessional staff. 'Whistleblowing' is where a staff member or volunteer raises a concern about safety or inappropriate treatment or abuse by another staff member or volunteer or the organisation as a whole.
- This policy and procedure will be disseminated to all staff and volunteers when they join the organisation and its contents will be covered as part of induction training. It is also freely available to any interested parties from ...
- This policy is underpinned by the mission of the organisation and also by the guidance provided by ACAS (the Advisory, Conciliation and Arbitration Service).

This policy and procedure will be reviewed at least annually by a panel comprising trustees, staff and volunteers. It will then be ratified by the Board of Trustees.

## Procedures

Outline the procedures that your organisation has in place. You should consider the following:

- Working practices for all staff members and volunteers should be based on the code of conduct for the organisation, as well as the policies and procedures.
- Managers and team leaders should aim to establish an environment where open discussion, honest feedback and constructive criticism are normal practice so that workers and volunteers feel able to raise their concerns with the appropriate person immediately, preventing further unsafe practice and mounting concern or bad feeling.
- Managers and team leaders should be aware of and listen and respond to concerns of any type from any employee or volunteer.
- A designated Whistleblowing staff member is in post [insert name] to whom staff members and volunteers can report their concerns about unsafe practices or inappropriate behaviour in confidence. [Insert method(s) by which staff can report concerns to this person].
- Information or concerns raised by a whistle-blower will be discussed with the line manager of the person about whom the concern was raised so that they can discuss the concern and, if necessary, initiate disciplinary procedures. The name of the whistle-blower will remain confidential as far as possible.
- After an incident (an accident or a child protection incident) all staff members concerned will be asked to debrief both as a group and individually, to allow opportunities for concerns to be raised and dealt with and support offered.
- Disciplinary procedures are an aid to good management and enable poor practice to be dealt with fairly and quickly before escalating. Go into detail about your organisation's disciplinary and grievance procedures (refer to the ACAS Code of Practice on Disciplinary and Grievance Procedures to set these up).

Ensure that you include information on:

## Disciplinary procedures

- What should happen first – e.g. should the concern be raised by a line manager before the disciplinary procedure is instigated?
- What should happen if the breach of safety or code of conduct is very serious, e.g. instant suspension pending disciplinary procedures? How should this be done and on whose authority?
- Who will inform the staff member or volunteer about the proceedings and how will this be done (in writing)?
- What will the timescales be?
- How will the worker be offered the evidence or information about the complaints against them?
- Who will be involved in any hearing and what rights does the worker have to represent their side of the story?
- What sanctions will be put in place for workers who breach the code of conduct or the policies of the organisation?

- How can the worker appeal against any decision?
- Will records be kept and will they be confidential?

## Grievance procedures

- Who does a worker approach with a grievance about their work, working environment and working relationships and what form should this approach take?
- What is the timescale for the grievance to be dealt with?
- How should the worker expect to hear back?
- What rights has the worker to representation to put their grievance across in a hearing?
- Will records be kept and will they be confidential?
- What should happen if the worker is not satisfied that the matter has been resolved?

This policy is next due for a review on [insert date].

## Code of conduct

The following information can be used as a starting point to develop a code of conduct for your staff and volunteers and also for children and young people. You may decide to include aspects not mentioned here that may be more relevant to your organisation. Likewise, not everything mentioned will be relevant to your organisation. As far as possible, we have tried to include general guidance that is relevant to all organisations.

You may also need to develop separate codes, one for staff and volunteers, and one for young people and children.

In the process of drawing up the code, it is important to include, and involve, those individuals to whom the code applies. The process you decide to use is entirely your choice. However, adopting a young person-centred approach will ensure that children and young people are involved, and that they will identify the factors that make their environment safer for them.

Staff/volunteers/children/young people (amend appropriately) should always:

- treat everyone with respect and dignity;
- respect and be sensitive to individual beliefs, faiths and religions;
- act as a good role model;
- respect a young person's right to privacy;
- risk assess all situations, activities, buildings and trips to ensure all potential dangers have been identified and the risk minimised;
- plan to have more than one adult present when planning activities and trips;
- take seriously any allegations, suspicions or concerns about abuse that a young person makes (including those made against staff) and report them following appropriate procedures;
- provide an opportunity and environment for young people to talk to others about any concerns they may have;
- provide an environment that encourages young people and adults to feel comfortable and confident in challenging bullying and any attitudes or behaviours that may be discriminatory in any way (e.g. racial, sexual or homophobic, or in relation to disability, refugee or asylum status);
- remember that others may misinterpret your behaviour and actions regardless of how well intentioned they may be; and
- show understanding and sensitivity when dealing with emotional issues. Staff/volunteers/children/young people (amend appropriately) should never:
  - permit or accept abusive and discriminatory behaviour or peer-led activities (e.g. initiation ceremonies, bullying, taunting);

- engage in inappropriate behaviour or contact (e.g. physical, verbal or sexual, including horseplay);
- allow or encourage others (staff, volunteers or young people) to engage in inappropriate behaviour and contact (as above);
- use inappropriate or demeaning language;
- engage in sexual relationships with young people;
- make sexually suggestive comments;
- give personal money;
- invite young people to individual homes;
- show favouritism to anyone;
- jump to conclusions without checking facts;
- use alcohol, drugs or other substances when working;
- undermine or criticise others;
- deliberately put themselves or others in compromising or potentially dangerous situations;
- promote their religious or political ideas or beliefs;
- believe 'it could never happen to me' or trivialise abuse;
- rely on just their good name to protect them.

Remember that this list is not exhaustive. There may be issues that you consider more appropriate to the service being delivered by your organisation, and vice versa. When drawing up your codes of conduct, involve those immediately affected, e.g. young people, staff and volunteers. There are further elements within the guidance which can be included, such as internet safety guidelines.

## Appendix 4: High-risk activities

The following list of activities will need careful consideration and you may need to seek advice and further guidance on the listed activities. The information is taken from the Royal Society for the Prevention of Accidents Guide to Health and Safety at School.

### Ten high-risk activities

- **Camping:** Fire is always a potential hazard – mainly as a result of cooking activities. The party leader must be an experienced camper. Careful, precise planning, plus good order and discipline, are essential.
- **Mountain walking:** Many accidents occur in mountainous country as conditions can, and do, change rapidly – even in the summer. Quality of leadership is vital. Anyone taking part should be physically fit and mentally prepared. Know standard procedures for becoming lost.
- **Rock climbing:** Quality of leadership is vital. There should be a leader:young person ratio of at least 1:4 on single pitch climbs (one pitch point usually at the top of the rock controlled by party leader) and 1:3 on multi-pitch climbs (more than one pitch point).
- **Swimming outdoors:** The cold-water temperature is always a potential hazard. Statistically, this is the most dangerous outdoor activity for children. An accident in any depth of water can be fatal unless prompt action is taken. Being able to swim well in an outdoor pool does not guarantee safety in outdoor water.
- **Caving:** The party leader must be an experienced caver holding a Cave Leader's Certificate. The assistant leader must be able to bring the party back to the surface safely in an emergency. The maximum recommended ratio is 2:10. Every party must consist of at least four people and any group must contain at least two adults.
- **Potholing:** See 'Caving' above. This type of adventure can never be completely safe, but leaders have a clear responsibility to make sure that the hazards the children and young people encounter are kept within 'acceptable limits'.
- **Skiing:** The party leader must be a competent and qualified skier, with a recognised certificate or award. Any child or young person taking part must be physically fit and mentally prepared.
- **Riding:** There are strict safety procedures which must be followed – these include standards of equipment, qualifications for group leaders and codes of behaviour. The British Horse Society provides extremely useful guidance.
- **Cycling:** Bicycles should always be checked for safety and any faults corrected. Party leaders must ensure that all the children or young people are proficient cyclists with a thorough and working knowledge of the Highway Code. Cycle helmets and high visibility clothing should be worn.
- **Water-based activity:** Effective water safety training should be incorporated wherever possible into all water activity programmes. Leaders of any water-based activities must consider all of the following before proceeding:
  - the water temperature, weather forecast and tidal conditions;
  - the swimming competency in 'real conditions' of all members of the party;
  - the 'kitting out' of the group with proper clothing and equipment and the checking of life-saving equipment;
  - the group's mastery of the capsized drill and other emergency procedures;
  - the ability of at least one member of the group to carry out expired air resuscitation;
  - the ability of the group to recognise the symptoms of hypothermia and deal with it.

# Appendix 5: Useful contacts

## 4-Nations Voluntary Youth Network

### National Council for Voluntary Youth Services (NCVYS)

NCVYS works with our members from voluntary and community organisations to build thriving communities and sustainable networks that help all young people achieve their potential.

1st Floor, 28 Brunswick Place, London, N1 6DZ

Tel: 020 7278 1041 Email: [mail@ncvys.org.uk](mailto:mail@ncvys.org.uk) Website: [www.ncvys.org.uk](http://www.ncvys.org.uk)

### Council for Wales Voluntary Youth Services (CWVYS)

CWVYS is the umbrella organisation for the voluntary youth sector in Wales.

Baltic House, Mount Stuart Square, Cardiff CF10 5FH

CWVYS Ty Baltic, Sgwar Mount Stuart, Caerdydd CF10 5FH

Tel: 029 2047 3498 Email: [cwvys@wya.org.uk](mailto:cwvys@wya.org.uk) Website: [www.cwvys.org.uk](http://www.cwvys.org.uk)

### YouthLink Scotland

YouthLink Scotland is the national agency for youth work. It is a membership organisation and represents the interests and aspirations of the whole of the sector, both voluntary and statutory.

Rosebery House, 9 Haymarket Terrace, Edinburgh EH12 5EZ

Tel: 0131 313 2488 Website: [www.youthlinkscotland.org/](http://www.youthlinkscotland.org/)

### Youthnet NI

Youthnet is the voluntary youth network for Northern Ireland, representing the interests and aspirations of more than 70 voluntary youth organisations.

5th Floor, Premier Business Centre, 20 Adelaide Street, Belfast BT2 8GD

Tel: 028 9033 1880 Email: [info@youthnet.co.uk](mailto:info@youthnet.co.uk) Website: [www.youthnetni.org.uk](http://www.youthnetni.org.uk)

## Bullying prevention

### Anti-Bullying Alliance

Founded in 2002 by NSPCC and National Children's Bureau, the Anti-Bullying Alliance (ABA) brings together over 70 organisations into one network. They look to develop a consensus around how to stop and prevent bullying and aim to influence policy, and develop and disseminate best practice.

Anti-Bullying Alliance, National Children's Bureau, 8 Wakley Street, London EC1V 7QE

Tel: 020 7843 1901 Email: [aba@ncb.org.uk](mailto:aba@ncb.org.uk) Website: [www.anti-bullyingalliance.org.uk](http://www.anti-bullyingalliance.org.uk)

## Cyber-bullying

### Childnet International

Childnet International's mission is to work in partnership with others around the world to help make the Internet a great and safe place for children.

Head Office, Studio 14 Brockley Cross Business Centre, 96 Endwell Road, London SE4 2PD

Tel: 020 7639 6967 Email: [info@childnet.com](mailto:info@childnet.com) Website: [www.childnet-int.org](http://www.childnet-int.org) A further on-line resource from Childnet International can be found here: [www.kidsmart.org.uk](http://www.kidsmart.org.uk)

## Child protection helplines and advice

### ChildLine UK

ChildLine is a counselling service for children and young people.

NSPCC, Weston House, 42 Curtain Road, London EC2A 3NH

Tel: 0808 800 5000 Website: [www.childline.org.uk](http://www.childline.org.uk)

### Beat Bullying

The BB Group's offices are in Crystal Palace, South London:

Units 1 - 4, 4 Belvedere Road, London SE19 2AT

You can email BeatBullying about general queries at: [hello@beatbullying.org](mailto:hello@beatbullying.org)

Tel: 0208 771 3377 (9.00am to 6.00pm) Website: [www.beatbullying.org](http://www.beatbullying.org)

### ChildLine NI

1st Floor, Queen's House, 14 Queen Street, Belfast BT1 6ED

Tel: 0870 336 2945

### Child Protection in Sport Unit

The CPSU provides sports organisations with information and advice on safeguarding issues and is part of the NSPCC.

NSPCC National Training Centre, 3 Gilmour Close, Beaumont Leys, Leicester LE4 1EZ

Tel: 0116 234 7278 Email: [cpsu@nspcc.org.uk](mailto:cpsu@nspcc.org.uk) Website: [www.sportprotects.org.uk](http://www.sportprotects.org.uk)

### The Children's Commissioner for England

The role of the Children's Commissioner was created by the Children Act 2004 and is there to promote the views of children and young people from birth to 18 (up to 21 for young people in care or with mental health problems).

Office of the Children's Commissioner, 33 Greycoat Street, London SW1P 2QF

Tel: 020 7783 8330 Email: [info.request@childrenscommissioner.gsi.gov.uk](mailto:info.request@childrenscommissioner.gsi.gov.uk) Website: [www.childrenscommissioner.gov.uk/](http://www.childrenscommissioner.gov.uk/)

## The Children's Commissioner for Wales

The Children's Commissioner for Wales works to make sure that children and young people are safe from harm, and that as many people as possible know about children's rights.

Oystermouth House, Phoenix Way, Swansea Enterprise Park, Wansamlet, Swansea SE7 9FS

Tel: 01792 765600 Email: [post@childcomwales.org.uk](mailto:post@childcomwales.org.uk) Website: [www.childcom.org.uk](http://www.childcom.org.uk)

## The Children's Commissioner for Scotland

The Children's Commissioner for Scotland works to make sure that children and young people are safe from harm, and that as many people as possible know about children's rights.

Website: [www.sccyp.org.uk](http://www.sccyp.org.uk)

## The Children's Commissioner for Northern Ireland (NI)

The Children's Commissioner for Northern Ireland works to make sure that children and young people are safe from harm, and that as many people as possible know about children's rights.

Website: [www.niccy.org](http://www.niccy.org)

## Churches' Child Protection Advisory Service (CCPAS)

CCPAS is the only independent Christian safeguarding charity which provides professional advice, disclosure checks, support, training and resources in all areas of safeguarding children and vulnerable adults, and for those affected by abuse throughout the UK. PO Box 133, Swanley, Kent BR8 7UQ

Tel: 0845 120 4550 Helpline: 0845 120 4552 Email: [info@ccpas.co.uk](mailto:info@ccpas.co.uk) Website: [www.ccpas.co.uk](http://www.ccpas.co.uk)

## Coram Children's Legal Centre

An independent national charity concerned with law and policy affecting children and young people. Riverside Office Centre, Century House North, North Station Road, Colchester, CO1 1RE

Tel: 01206 714 650 Email: [info@coramclc.org.uk](mailto:info@coramclc.org.uk) Website: [www.childrenslegalcentre.com](http://www.childrenslegalcentre.com)

### If you need free legal advice call one of these specialist helplines:

Child Law Advice Line - Freephone 0808 802 0008 for advice relating to English child and family law.

Community Legal Advice Education Law Line – 0845 345 4345 for education legal advice for those eligible for Legal Aid.

Migrant Children's Project Advice Line – 0207 636 8505 for advice on the rights of asylum seeking and migrant children.

## National Society for the Prevention of Cruelty to Children (NSPCC)

The NSPCC protects children across the UK. It runs a wide range of services for both children and adults, including national helplines and local projects.

Weston House, 42 Curtain Road, London EC2A 3NH

Tel: 020 7825 2775 Email: [help@nspcc.org.uk](mailto:help@nspcc.org.uk) Website: [www.nspcc.org.uk](http://www.nspcc.org.uk)

## NSPCC child protection – free 24-hour helpline

(including 24hr Welsh and Asian language speakers)

Tel: 0808 800 5000 Textphone: 0800 056 0566 Email: [help@nspcc.org.uk](mailto:help@nspcc.org.uk)

## Data protection

### Information Commissioner's Office (ICO) England

The ICO is the UK's independent authority established to uphold information rights in the public interest, promoting openness by public bodies and data privacy for individuals.

Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Tel: 01625 545745 Helpline: 0303 123 1113 (Mon–Fri, 9am–5pm)

Email: [mail@ico.gsi.gov.uk](mailto:mail@ico.gsi.gov.uk) Website: [www.ico.gov.uk](http://www.ico.gov.uk)

(Please refer to the website for contact details of the Scotland and Northern Ireland offices.)

## Equalities and Diversity

### Equality and Human Rights Commission

The Equality and Human Rights Commission has a statutory remit to promote and monitor human rights, and to protect, enforce and promote equality across the seven 'protected' grounds – age, disability, gender, race, religion and belief, sexual orientation and gender reassignment.

3 More London, Riverside Tooley Street, London SE1 2RG

England: 0845 604 6610 Textphone: 0845 604 6620

Email: [englandhelpline@equalityhumanrights.com](mailto:englandhelpline@equalityhumanrights.com) Website: [www.equalityhumanrights.com](http://www.equalityhumanrights.com)

(Please refer to the website for contact details of the Scotland and Northern Ireland offices.)

## Internet safety

### Childnet International – appears under cyber bullying also

Childnet International is a non-profit organisation whose mission is to work in partnership with others around the world to help make the internet a great and safe place for children.

Head Office, Studio 14 Brockley Cross Business Centre, 96 Endwell Road, London SE4

2PD. Tel: 020 7639 6967 Email: [info@childnet.com](mailto:info@childnet.com)

Website: [www.childnet-int.org](http://www.childnet-int.org) A further on-line resource from Childnet International can be found here: [www.kidsmart.org.uk](http://www.kidsmart.org.uk)

### Child Exploitation and On-line Protection Centre (CEOP)

CEOP Centre is dedicated to eradicating the sexual abuse of children. It is part of UK policing and very much about tracking and bringing offenders to account, either directly or in partnership with local and international forces and with the wider child protection community.

Website: [www.ceop.police.uk](http://www.ceop.police.uk)

## Think u Know

Guide to safe surfing – advice from GEOP (see above) for young people on how to use the internet safely, including sharing personal information and meeting face-to-face safely.

Website: [www.thinkuknow.co.uk](http://www.thinkuknow.co.uk)

## The UK Council for Child Internet Safety (UKCCIS)

UKCCIS brings together over 170 organisations and individuals from government, industry, law enforcement, academia and charities, including parenting groups. Their aim is to work in partnership to keep children and young people safe online.

Website: [www.gov.uk/government/groups/uk-council-for-child-internet-safety-ukccis](http://www.gov.uk/government/groups/uk-council-for-child-internet-safety-ukccis)

## Personal safety for everyone

### The Suzy Lamplugh Trust

The Trust highlights the possible dangers that individuals can face in society and offers advice, action and support to minimise those risks.

Suzy Lamplugh Trust, National Centre for Personal Safety, 218 Strand, London WC2R 1AT

Email: [info@suzylamplugh.org](mailto:info@suzylamplugh.org) Website: [www.suzylamplugh.org](http://www.suzylamplugh.org)

## Safer activities and trips

### Safe Network

The Safe Network provides safeguarding information related to activities outside the home – from after-school art clubs to weekend reading groups.

Website: [www.safenetwork.org.uk](http://www.safenetwork.org.uk)

### Adventure Activities Licensing Authority (AALA)

AALA ensures that activity providers follow good safety management practices.

Adventure Activities Licensing Service, 44 Lambourne Crescent, Cardiff Business Park, Llanishen, Cardiff CF14 5GG

Tel: 029 2075 5715 Website: [www.hse.gov.uk/aala/](http://www.hse.gov.uk/aala/)

### British Safety Council

The British Safety Council is one of the world's leading health, safety and environmental organisations. It aims to keep people healthy and safe at work.

British Safety Council, 70 Chancellors Road, London W6 9RS

Tel: 020 8741 1231 Website: [www.britsafe.org](http://www.britsafe.org)

### **Child Accident Prevention Trust (CAPT)**

CAPT is committed to reducing the number of children and young people killed, disabled or seriously injured in accidents.

Canterbury Court, 1–3 Brixton Road, London SW9 6DE

Tel: 020 7608 3828 Email: [safe@capt.org.uk](mailto:safe@capt.org.uk) Website: [www.capt.org.uk](http://www.capt.org.uk)

### **Community Transport Association (CTA)**

CTA gives voice and provides leadership, learning and enterprise support to a wide range of organisations delivering innovative and flexible transport solutions to achieve social change in their communities.

Highbank, Halton Street, Hyde, Cheshire SK14 2NY

Tel: 0161 351 1475 Email: [info@ctauk.org](mailto:info@ctauk.org) Website: [www.ctauk.org](http://www.ctauk.org)

### **Health and Safety Executive (HSE)**

HSE is the national independent watchdog for work-related health, safety and illness.

Tel: 0845 345 0055 Email: [hse.infoline@santia.co.uk](mailto:hse.infoline@santia.co.uk) Website: [www.hse.gov.uk](http://www.hse.gov.uk)

### **Institute for Outdoor Learning**

The Institute encourages outdoor learning by developing opportunities to experience good quality, safe activities and by supporting and enhancing the good practice of those who work in the outdoors.

Warwick Mill Business Centre, Warwick Bridge, Carlisle, Cumbria CA4 8RR

Tel: 01228 564580 Email: [institute@outdoor-learning.org](mailto:institute@outdoor-learning.org) Website: [www.outdoor-learning.org](http://www.outdoor-learning.org)

### **Royal Society for the Prevention of Accidents (RoSPA)**

RoSPA promotes safety and the prevention of accidents at work, at leisure, on the road and in the home.

RoSPA House, 28 Calthorpe Road, Edgbaston, Birmingham B15 1RP

Tel: 0121 248 2000 Email: [help@rospa.co.uk](mailto:help@rospa.co.uk) Website: [www.rospa.com](http://www.rospa.com)

### **Travel Advice Unit**

Travel advice and tips for British travellers on staying safe abroad and what help the FCO can provide if something goes wrong.

Foreign and Commonwealth Office (FCO), King Charles Street, London SW1A 2AH

Tel: 020 7008 1500 Email: [TravelAdvicePublicEnquiries@fco.gov.uk](mailto:TravelAdvicePublicEnquiries@fco.gov.uk)

Website: [www.gov.uk/foreign-travel-advice](http://www.gov.uk/foreign-travel-advice)

## **Young Explorer's Trust (YET)**

The YET is a charity dedicated to promoting safe and responsible expeditions for young people.

Royal Geographical Society, 1 Kensington Gore, London SW7 2AR

Tel: 01623 861027 Email: [info@theyet.org](mailto:info@theyet.org) Website: [www.theyet.org](http://www.theyet.org)

## **Safe recruitment and selection**

### **Disclosure and Barring Services (DBS)**

The DBS aims to help protect children and vulnerable adults by providing a first-class service to support organisations recruiting people into positions of trust.

PO Box 110, Liverpool L69 3EF

Tel: 0870 90 90 811 Email: [customerservices@crb.gsi.gov.uk](mailto:customerservices@crb.gsi.gov.uk)

Website: [www.disclosurescotland.co.uk](http://www.disclosurescotland.co.uk)

### **Central Registered Body in Scotland (CRBS)**

CRBS manages the essential service of providing Disclosure certificates to voluntary sector organisations working with children, young people and adults at risk.

CRBS, Jubilee House, Forthside Way, Stirling FK8 1QZ

Tel: 01786 849777 Email: [info@crbs.org.uk](mailto:info@crbs.org.uk) Website: [www.disclosurescotland.co.uk](http://www.disclosurescotland.co.uk)

### **Disclosure Scotland**

A service designed to enhance public safety. It provides potential employers and voluntary sector organisations with criminal history information on individuals applying for posts.

PO Box 250, Glasgow G51 1YU

Tel: 0870 609 6006 Email: [info@disclosurescotland.co.uk](mailto:info@disclosurescotland.co.uk) Website: [www.disclosurescotland.co.uk](http://www.disclosurescotland.co.uk)

## **Whistleblowing**

### **Public Concern at Work (PCaW)**

PCaW is the independent authority on public interest Whistleblowing. Among other activities, it gives free advice to people with Whistleblowing dilemmas and professional support to organisations.

Public Concern at Work, 3rd Floor, Bank Chambers, 6–10 Borough High Street, London SE1 9QQ

Tel: 020 7404 6609 Email: Enquiries: [whistle@pcaw.co.uk](mailto:whistle@pcaw.co.uk) Helpline: [helpline@pwca.co.uk](mailto:helpline@pwca.co.uk)

Services: [services@pcaw.org.uk](mailto:services@pcaw.org.uk) Website: [www.pcaw.co.uk](http://www.pcaw.co.uk)

# Appendix 6: References and further reading

## General safeguarding and child protection information

### **Bullying: A guide to the law**

Coram's Legal Centre (2004)

Available here: <http://www.childrenslegalcentre.com/userfiles/Bullying.pdf>

### **Caring for Young People and the Vulnerable? Guidance for preventing abuse of trust**

Home Office (1999)

Available here: <http://www.ccpas.co.uk/Documents/AbuseOfTrustQRG.pdf>

### **Cyber-bullying: Safe to learn: embedding anti-bullying work in schools**

DCSF (2007)

Available here: <http://www.childnet.com/resources/cyberbullying-safe-to-learn-embedding-anti-bullying-work-in-schools>

### **Kidscheck**

A step by step guide for organisations to safeguard children. Kidscheck is a simple audit tool that can be used by children and young people to help them assess the safeguarding activities of the organisations they use.

### **NSPCC**

NSPCC Consultancy Services, NSPCC National Training Centre, 3 Gilmour Close, Beaumont Leys, Leicester LE4 1EZ

Tel: 0116 234 7200

Available here: [www.nspcc.org.uk/what-we-do/the-work-we-do/child-protection-consultancy/child-protection-consultancy\\_wda72294.html](http://www.nspcc.org.uk/what-we-do/the-work-we-do/child-protection-consultancy/child-protection-consultancy_wda72294.html)

### **Getting it Right**

Volunteer Development Agency (Updated February 2011) Annsgate House, 70–74 Ann Street, Belfast BT1 4EH

Available here: <http://www.ncb.org.uk/who-we-are/northern-ireland/news/no-compromise-getting-it-right-for-all-children-and-young-people>

### **Safeguarding Children in Church**

Child Protection Advisory Service (CCPAS) PO Box 133, Swanley, Kent BR8 7UQ

Tel: 0845 120 4550 Helpline: 0845 120 4552 Fax: 0845 120 4552 Email: [info@ccpas.co.uk](mailto:info@ccpas.co.uk) Website: [www.ccpas.co.uk](http://www.ccpas.co.uk)

Cost £29.95

A summary of the reports finding are available free as a PDF here: [www.ccpas.co.uk/Documents/research%20booklet%202009.pdf](http://www.ccpas.co.uk/Documents/research%20booklet%202009.pdf)

## **'Safe and Secure'**

A free download by Child Protection Advisory Service (CCPAS)

Available here: [www.ccpas.co.uk/documents/safe%20and%20secure.pdf](http://www.ccpas.co.uk/documents/safe%20and%20secure.pdf)

## **Our Duty to Care: Principles of good practice for the protection of children and young people**

Volunteer Development Agency (Northern Ireland) (Updated April 2011)

Available here (along with other publications): [http://www.dohc.ie/publications/our\\_duty\\_to\\_care.html](http://www.dohc.ie/publications/our_duty_to_care.html)

## **Positively Safe: A guide to developing safeguarding practices**

Produced in November 2005 by Children England for the Local Network Fund for Children and Young People.

Available here: [www.childrenengland.org.uk/upload/positively%20safe.pdf](http://www.childrenengland.org.uk/upload/positively%20safe.pdf)

## **Safer Children in a Digital World: Making video games and the internet safe**

UK Council for Child Internet Safety

Available here: [www.education.gov.uk/publications/standard/publicationdetail/page1/DCSF-00334-2008](http://www.education.gov.uk/publications/standard/publicationdetail/page1/DCSF-00334-2008)

## **Searching the Internet and Child Safety**

Advice on the safe use of the internet for parents and children by DirectGov.

Available here: [www.kidsmart.org.uk/downloads/searchGuide.pdf](http://www.kidsmart.org.uk/downloads/searchGuide.pdf)

## **Safe Children Sound Learning: Guidance for madressahs**

(2004) Kirklees Metropolitan Council, Community Education and Regeneration, 7th Floor, Oldgate House, Huddersfield HD1 6QW.

Tel: 01484 225 385 Email: [comm.ed@kirklees.gov.uk](mailto:comm.ed@kirklees.gov.uk)

Available here: [http://www.bucks-lscb.org.uk/wp-content/uploads/Professionals\\_Protocol\\_Guidance\\_Local/Learning\\_and\\_Achieving\\_in\\_Madressahs\\_Guidance\\_on\\_Safeguarding\\_Children.pdf](http://www.bucks-lscb.org.uk/wp-content/uploads/Professionals_Protocol_Guidance_Local/Learning_and_Achieving_in_Madressahs_Guidance_on_Safeguarding_Children.pdf)

## **Safe and Secure: key facts**

CCPAS: Child Protection Advisory Service (CCPAS) PO Box 133, Swanley, Kent BR8 7UQ

Tel: 0845 120 4550 Helpline: 0845 120 4552 Fax: 0845 120 4552. Email: [info@ccpas.co.uk](mailto:info@ccpas.co.uk)

Available here: <http://www.ccpas.co.uk/Documents/key%20facts.pdf>

## **Safety Education Guidance for Schools**

DfES (2001) now DfE

DfES Central Correspondence Unit

Tel: 0870 000 2288 Fax: 01928 794 248

Available here: <https://www.gov.uk/government/publications/health-and-safety-advice-for-schools>

## **Safe to Learn: Embedding anti-bullying work in schools**

DCSF (2007) now DfE

Available here: [http://www.kidscape.org.uk/media/83407/safe\\_to\\_learn\\_embedding\\_anti-bullying\\_work\\_in\\_schools.pdf](http://www.kidscape.org.uk/media/83407/safe_to_learn_embedding_anti-bullying_work_in_schools.pdf)

## **What To Do If You Are Worried A Child is Being Abused**

HM Department of Health (2006)

Available here: <https://www.gov.uk/government/publications/what-to-do-if-youre-worried-a-child-is-being-abused>

## **Working Together To Safeguard Children**

HM Government (2013)

Available here: <https://www.gov.uk/government/publications/working-together-to-safeguard-children>

## **Working With Young People: Legal responsibility and liability**

Coram Children's Legal Centre

Part of the Coram group of charities, CCLC is staffed by lawyers and professionals with expertise in child, family, education, immigration and human rights law.

Riverside Office Centre, Century House North, North Station Road, Colchester, CO1 1RE

Tel: 01206 714 650 Email: [info@coramclc.org.uk](mailto:info@coramclc.org.uk) Website: [www.childrenslegalcentre.com](http://www.childrenslegalcentre.com)

## Legislation/guidance

**Children Act 2004 (England and Wales)**

**Children Act 1989 (England and Wales)**

**Children (Scotland) Act 1995**

**The Children (Northern Ireland) Order 1995**

**Criminal Justice and Court Services Act 2000**

All available here: <http://www.legislation.gov.uk/ukpga/2000/43/section/41>

**Activity Centres (Young Persons' Safety) Act 1995**

Available here: <http://www.hse.gov.uk/aala/public-information.htm>

**Confidentiality: Protecting and providing information**

Available here: [http://www.gmc-uk.org/guidance/ethical\\_guidance/confidentiality.asp](http://www.gmc-uk.org/guidance/ethical_guidance/confidentiality.asp)

**Data Protection Act 1998**

Available here: <https://www.gov.uk/data-protection/the-data-protection-act>

**Data Protection Guide ICO**

Available here: [http://ico.org.uk/for\\_organisations/data\\_protection/the\\_guide](http://ico.org.uk/for_organisations/data_protection/the_guide)

**Guidance on LSCBs**

DfES (now DfE)

A variety of Government documents on LSCBs can be found here: [http://www.safenetwork.org.uk/training\\_and\\_awareness/pages/lscbs.aspx](http://www.safenetwork.org.uk/training_and_awareness/pages/lscbs.aspx)

**Health and Safety at Work Act 1974**

Available here: <http://www.hse.gov.uk/aala/public-information.htm>

**Information Sharing: Guidance for practitioners and managers**

Her Majesty's Government (2008)

Case examples, training materials and further information about powers/legislation.

Available here: <https://www.gov.uk/government/publications/information-sharing-for-practitioners-and-managers>

**Mental Capacity Act: Code of practice**

Available here: <https://www.gov.uk/government/publications/mental-capacity-act-code-of-practice>

**Protection of Children Act 1999**

Available here: <http://www.legislation.gov.uk/ukpga/1999/14/contents>

**The Safeguarding Vulnerable Groups Act 2006**

Available here: <http://www.legislation.gov.uk/ukpga/2006/47/notes/contents>

**Sexual Offences Act 2003**

Available here: <http://www.legislation.gov.uk/ukpga/2003/42>

**Sexual Offences (Amendments) Act 2000**

Available here: <http://www.legislation.gov.uk/ukpga/2000/44/contents>

**United Nations Convention on the Rights of the Child**

Available here: <http://www.unicef.org.uk/UNICEFs-Work/Our-mission/UN-Convention/>

## Managing paid staff and volunteers

### **Employing People: A handbook for small firms**

ACAS

Available here: [www.acas.org.uk/CHttpHandler.ashx?id=968&p=0](http://www.acas.org.uk/CHttpHandler.ashx?id=968&p=0)

### **Just About Managing**

(2006) £20

DSC, 24 Stephenson Way, London NW1 2DP (Mon–Fri, 9am–5pm)

Available here: <http://ow.ly/yJTfa>

### **The Good Guide to Employment:**

Managing and developing people in voluntary and community organisations

(2010) £20

Available here: [www.ncvo-vol.org.uk/products-services/publications/good-guide-toemployment](http://www.ncvo-vol.org.uk/products-services/publications/good-guide-toemployment)

### **The Good Practice Guide: For everyone who works with volunteers**

(2002) £12.50

National Centre for Volunteering, Regent's Wharf, 8 All Saints Street, London N1 9RL

Available here: <http://ow.ly/yJsFV>

### **Employment Practice and Policies in Youth, Community and Play Work**

Doug Nicholls (2000) £27.53

Russell House Publishing Ltd, 4 St Georges House, Uplyme Road Business Park, Lyme Regis, Dorset DT7 3LS

Available here: [www.abebooks.co.uk/9781898924630/Employment-Practice-Policies-Youth-Community-1898924635/plp](http://www.abebooks.co.uk/9781898924630/Employment-Practice-Policies-Youth-Community-1898924635/plp)

### **Five Steps to Risk Assessment**

Health and Safety Executive

HSE Books, PO Box 1999, Sudbury, Suffolk CO10 6FS Tel: 01787 881 165

Available here: [www.hse.gov.uk/pubns/indg163.pdf](http://www.hse.gov.uk/pubns/indg163.pdf)

### **Managing Aggression and Violence: A model for youth and community centres of legal compliance, safe working practices and good personal safety habits for staff**

Willie More and Doug Nicholls, Pepar Publications

Can be purchased online.

### **Health and Safety in Youth and Community Work: A resource manual**

Doug Nicholls

Russell House Publishing Ltd, Top Floor, 58 Broad Street, Lyme Regis, Dorset DT7 3QF

Can be purchased online.

## Recruitment and Selection of Staff and Volunteers

### Barring:

<https://www.gov.uk/government/publications/dbs-regulated-activity>  
DBS regulated activity

<https://www.gov.uk/government/publications/dbs-referrals-guide-for-employers-and-volunteer-managers>  
DBS referrals: guide for employers and volunteer managers

<https://www.gov.uk/government/publications/dbs-referrals-prescribed-information>  
DBS referrals: prescribed information

<https://www.gov.uk/government/publications/dbs-referrals-instructions-for-personnel-suppliers>  
DBS referrals: instructions for personnel suppliers

<https://www.gov.uk/government/publications/dbs-referrals-factsheets>  
DBS referrals: factsheets

<https://www.gov.uk/government/publications/dbs-referrals-frequently-asked-questions-guide>  
DBS referrals: frequently asked questions guide

<https://www.gov.uk/government/publications/dbs-referrals-form-and-guidance>  
DBS referrals: form and guidance

<https://www.gov.uk/disclosure-barring-service-check/dbs-barred-lists>  
Referring someone to the DBS

<https://www.gov.uk/government/publications/safeguarding-in-the-workplace-report-april-2012>  
Safeguarding in the workplace report - April 2012

### Disclosure:

<https://www.gov.uk/government/policies/helping-employers-make-safer-recruiting-decisions>  
Helping employers make safer recruiting decisions

<https://www.gov.uk/disclosure-barring-service-check/overview>  
Getting a DBS check

<https://www.gov.uk/government/publications/dbs-check-eligible-positions-guidance>  
DBS check: eligible positions guidance

<https://www.gov.uk/government/publications/completing-the-dbs-application-form-e-guide>  
Completing the DBS application form: e-guide

<https://www.gov.uk/government/publications/dbs-update-service-employer-guide>  
DBS Update Service: employer guide

<https://www.gov.uk/government/publications/dbs-update-service-applicant-guide>  
DBS Update Service: applicant guide

<https://www.gov.uk/government/publications/dbs-update-service-multiple-status-checking-guide>  
DBS Update Service: Multiple status checking guide

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/207598/Filtering\\_guidance\\_v1\\_3.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/207598/Filtering_guidance_v1_3.pdf)  
DBS filtering guidance

<https://www.gov.uk/government/publications/filtering-rules-for-criminal-record-check-certificates>  
Filtering rules for criminal record check certificates

<https://www.gov.uk/find-dbs-umbrella-body>  
Umbrella organisation search facility

<https://www.gov.uk/disclosure-barring-service-check/tracking-application-getting-certificate>  
Online application tracking service

<https://www.gov.uk/government/publications/an-applicants-introduction-to-the-decision-making-process-for-enhanced-criminal-record-checks>  
An applicant's introduction to the decision making process for enhanced criminal record checks.

## Providing education and support

### Safe Network Resources

<http://www.safenetwork.org.uk/Pages/default.aspx>

### Model Code of Professional Ethics

Institute of Youth Work

<http://www.iyw.org.uk/join-iyw/code-of-ethics>

## Providing safer activities and trips

### Good Practice in Adventure Activities within the Education Sector

AALA

44 Lambourne Crescent, Cardiff Business Park, Llanishen, Cardiff CF14 5GG Tel: 029 2075 5715 Email: [info@aala.org](mailto:info@aala.org)

Available here: [www.hse.gov.uk/aala/index.htm](http://www.hse.gov.uk/aala/index.htm)

### Organising Safe Exchanges

The British Council

Tel: 0161 957 7755 Email: [general.enquiries@britishcouncil.org](mailto:general.enquiries@britishcouncil.org)

Erasmus+ for youth workers: [www.britishcouncil.org/youth-in-action/erasmus-plus/youth-workers](http://www.britishcouncil.org/youth-in-action/erasmus-plus/youth-workers)

Salto Youth Network: <http://ow.ly/yJtC7>

### Guidelines for Good Practice: young persons' safety and youth exchange programmes

Leargas

189/193 Parnell Street, Dublin 1, Ireland. Tel: 353 1 873 1411 Email: [info@leargas.ie](mailto:info@leargas.ie)

Available here: [www.leargas.ie/media/Guide%20to%20Young%20Person%20Protection%20and%20Safety.pdf](http://www.leargas.ie/media/Guide%20to%20Young%20Person%20Protection%20and%20Safety.pdf)

### Training Materials Portfolio

Connect Youth International, British Council.

Connect Youth, British Council, 10 Spring Gardens, London SW1A 2BN Tel: 020 7389 4030

Available here: [www.britishcouncil.org/youthinaction.htm](http://www.britishcouncil.org/youthinaction.htm)

### Minibus Safety: A code of practice

Available here: Royal Society for the Prevention of Accidents (RoSPA)

Email: [help@rospa.co.uk](mailto:help@rospa.co.uk)

Available here: [www.rospa.com/roadsafety/info/minibus\\_code\\_2008.pdf](http://www.rospa.com/roadsafety/info/minibus_code_2008.pdf)

## Reporting concerns, suspicions and allegations

### Code of Practice on Disciplinary and Grievance Procedures

ACAS (2009)

Available here: [www.acas.org.uk/CHttpHandler.ashx?id=1047](http://www.acas.org.uk/CHttpHandler.ashx?id=1047)

### What To Do If You Are Worried A Child is Being Abused

HM Department of Health (2006)

Available here: [www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/190604/DFES-04320-2006-ChildAbuse.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/190604/DFES-04320-2006-ChildAbuse.pdf)

### Working Together To Safeguard Children

HM Government (2013)

Available here: <http://www.workingtogetheronline.co.uk/documents/Working%20TogetherFINAL.pdf>

### Working With Young People: Legal responsibility and liability

The Children's Legal Centre (6th Ed. 2005) £24.95

Coram Children's Legal Centre Riverside Office Centre, Century House North, Colchester, CO1 1RE Tel: 01206 714 650

Available here: [www.childrenslegalcentre.com/index.php?page=shop\\_product\\_view&prod=4](http://www.childrenslegalcentre.com/index.php?page=shop_product_view&prod=4)

### Freedom of Information Act

[http://ico.org.uk/for\\_organisations/freedom\\_of\\_information/guide/act](http://ico.org.uk/for_organisations/freedom_of_information/guide/act)

### English Outdoor Council

An umbrella body for those involved in outdoor education, training and recreation

<http://www.englishoutdoorcouncil.org/publications>

## E-safety

Advice about developing your organisation's e-safety policies: <http://www.saferinternet.org.uk/advice-and-resources/teachers-and-professionals/esafety-policy>

This includes our free self-assessment tool for organisations who want to review their e-safety policy and practices: <http://www.onlinecompass.org.uk/>

Key issues for the children's workforce to be aware of: <http://www.childnet.com/teachers-and-professionals/for-working-with-young-people/hot-topics>

Helpline for professionals who need support around any e-safety issue: <http://www.saferinternet.org.uk/helpline>

Professional reputation online: <http://www.childnet.com/teachers-and-professionals/for-you-as-a-professional/professional-reputation>

Staff e-safety INSET presentation <http://www.childnet.com/teachers-and-professionals/staff-e-safety-inset-presentation>

Childnet resources: <http://www.childnet.com/resources>

Resources for young people: <http://www.saferinternet.org.uk/advice-and-resources/young-people>

## National Safeguarding Youth Forum

Hosted by the National Council of Voluntary Youth Services (NCVYS)  
[www.ncvys.org.uk/national-safeguarding-youth-forum](http://www.ncvys.org.uk/national-safeguarding-youth-forum)

## Appendix 7: Glossary of terms

The following interpretations have been made for the purposes of this document only.

**AALA** – Adventure Activities Licensing Authority.

**Abuse** – prolonged ill-treatment of or violence towards someone.

**ACAS** – Advisory, Conciliation and Arbitration Service.

**Accessible** – made easily available or understood.

**Accountability** – responsibility for something or to somebody.

**Aftermath** – the period following a serious or disastrous event – ‘what comes after’.

**Anonymous** – when a name is not known or given.

**Appraisal** – longer, in-depth review about how staff feel about their jobs and career development; usually takes place once or twice a year.

**ASB** – Adult Safeguarding Boards

**Bureaucratic** – used to describe administrative systems that are too rigid.

**Child protection** – the procedures that are in place to protect and/or remove a child or young person from physical, sexual, emotional abuse, and neglect.

**Child/young person** – anyone under the age of 18 years.

**Clarification** – detailed explanation if something is not clear enough.

**Competence/competent** – to be able, or have skills and experience, to do something well.

**Complainant** – the one making a complaint.

**Comprehensive** – including everything, covering a wide area of things.

**Confidential information** – information that is not in the public domain or readily available from another source.

**Consent** – agreement that is freely given with an understanding of the consequences that may arise.

**Consequences** – what will happen once action has been taken.

**Constitute** – what it involves, or includes, or is made up of.

**Consultation** – a process to get expert advice or other people’s opinions or to reach an agreement.

**CRB** – Criminal Records Bureau (previous regime for checking criminal records. Replaced by the Disclosure and Barring Service (DBS)).

**DBS** – Disclosure and Barring Service.

**DCSF** – former Department for Children, Schools and Families.

**DfE** – Department for Education, previously Department for Education and Employment; (DfEE) and Department for Education and Skills (DfES) then Department for Children, Schools and Families (DCSF)

**Disciplinary** – the process needed when action has to be taken against someone for breaking rules or codes.

**Disclosure** – a statement a child or young person makes to another about abuse, suspected, current or past.

**Disseminating** – getting the information to everyone.

**Diversity** – making sure that all people are included and involved in the processes, regardless of sex, race, colour, levels of ability or sexuality.

**DoH** – Department of Health.

**Duty of Care** – a duty to ensure the health and safety of all within a person's jurisdiction, as far as is reasonable.

**ECM** – Every Child Matters.

**Encompasses** – to include everything.

**Exempt** – to allow someone not to do what others may have to do.

**Fraudulent** – not honest and intended to deceive people.

**Grievance** – a cause for complaint or resentment that may or may not be well founded.

**Gross misconduct or malpractice** – unacceptable behaviour which is immoral or unethical.

**Imperative** – absolutely necessary.

**Implementing** – putting something into action, carrying out something.

**Inclusion** – the including of someone in or on something.

**Integrate** – the including of something or someone to fit into a whole or to open it up to all.

**ISA** – Independent Safeguarding Authority.

**Job/role description** – a description of the roles and tasks expected of the successful applicant (paid or volunteer).

**Legislation** – different types of laws.

**LSB** – Local Safeguarding Board (which would cover children and young people).

**LSCBs** – Local Safeguarding Children Board.

**Mandatory/statutory** – officially required.

**Organisation** – a wide range of agencies, groups or clubs where activities or services are provided for children and young people.

**Paramount** – the most/greatest.

**Parents/carers** – anyone who has parental responsibility or undertakes day care for the child or young person; could include grandparents, step-parents, uncles or aunts.

**Participant** – a person taking part.

**Patronise** – treating someone as if they have less intelligence or understanding.

**Perpetuated** – continued for a long time.

**Personal information** – information that relates to an identifiable individual.

**POC NI** – Protection of Children Northern Ireland.

**Policy** – a plan of action adopted by a person, group or government.

**Probationary period** – a stated length of time to see if something new or a new team member works out, e.g. staff or volunteers.

**Procedure** – the way to do something, e.g. carry out the policy.

**Provisions** – something provided, or a service.

**Recruitment procedure** – what needs to be done when looking for and taking on new paid staff and volunteers.

**Revising** – rethinking or re-looking at something in order to make changes.

**RoSPA** – Royal Society for the Prevention of Accidents.

**Safeguard/safeguarding** – preventive or precautionary planning against potential harm or damage to someone.

**Spent convictions** – past convictions which may no longer need to be mentioned.

**Staff and volunteers** – anyone in paid or unpaid work providing services for an organisation; this would include instructors, contact staff or leaders.

**Supervision** – regular time set aside to look at someone's work or tasks in detail.

**Transferable** – to be taken from one place to the next.

**Vulnerable adults** – someone over the age of 18. However, there is no simple definition based on age or disability. Not all those with a physical or other disability should be classed as vulnerable. Also, some people might go through periods of being vulnerable, e.g. someone who has had a nervous breakdown.

**Well-being** – in relation to children and young adults, this refers to: being healthy, staying safe, enjoying and achieving, making a positive contribution, and achieving economic well-being.



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