



## **Policy for the safeguarding of children, young people and adults at risk**

## Procedure for Responding to Concerns

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|--------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>RECOGNISE</b>                                                                                             | <p>Be alert to concerns about welfare, harmful behaviour or potential abuse. Anyone who is concerned about the well-being of a child, young person or adult at risk, or becomes aware of concerns through seeing, hearing or receiving a disclosure of abuse or neglect made to them must:</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <br><br><b>RESPOND</b>      | <p>Listen carefully to what the person is telling you. Do not interrupt; keep questions to a minimum; do not promise to keep the information secret</p> <p>Respond positively to anyone sharing a concern about the safety or welfare of a child, young person or adult at risk. Reassure the individual that they have done the right thing by telling you.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <br><br><b>REPORT/REFER</b> | <p>Is there an immediate risk or danger to the individual or to anybody else?</p> <div style="display: flex; justify-content: space-around;"> <div style="text-align: center;"> <b>NO</b><br/>  </div> <div style="text-align: center;"> <b>YES</b><br/>  </div> </div> <p style="margin-left: 400px;">Call emergency services (999)<br/>Once appropriate action has been taken ensure that you</p> <div style="border: 1px solid black; padding: 5px; margin: 10px 0;"> <p>Report to and seek support from:<br/>Club / County Safeguarding Officer/ Child Protection Officer<br/>(in their absence inform the Club/County Chairman or a member of the club officer team/County office staff)</p> </div> <div style="display: flex; align-items: center; margin-top: 20px;">  <div> <p><b>Insert Local safeguarding contact details:</b></p> <p>Name:<br/>Role:<br/>Tel:<br/>Mob:<br/>Email:</p> </div> </div> <p><u><b>NFYFC Safeguarding Contact details:</b></u></p> <p>Monday – Friday 9-5<br/>         NFYFC office – 02476 857 200<br/>         Jodie Green – 02476 857 222, email – <a href="mailto:Jodie.green@nfyfc.org.uk">Jodie.green@nfyfc.org.uk</a><br/>         Cath Sykes – 02476 857 220, email – <a href="mailto:cath.sykes@nfyfc.org.uk">cath.sykes@nfyfc.org.uk</a><br/>         James Eckley – 02476 857 214, email – <a href="mailto:james.eckley@nfyfc.org.uk">james.eckley@nfyfc.org.uk</a></p> |
| <br><br><b>RECORD</b>     | <p>Write an objective account of your concerns immediately (what did you see, hear or what were you told; what did you do; what were your concerns; who else was aware/present &amp; their contact details). Records should be securely stored in accordance with data protection legislation by clubs and counties. Ensure that the NFYFC safeguarding team are informed of any statutory agency referrals so that support can be offered within 48 hours of the concern/disclosure.</p> <p>Handling a concern/disclosure can be emotionally difficult. If you would like to talk to someone for support, please let the NFYFC know so that we can help.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

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## NFYFC safeguarding policy statement

NFYFC has worked in partnership over a number of years with the National Society for the Protection of Cruelty to Children (NSPCC) consultancy service and other external agencies and specialists in the field to develop our safeguarding framework and support for members. This revised policy reflects and builds upon that work but aims to be more holistic in its approach to protecting and promoting the welfare of all members irrespective of age, gender identity, disability, communication differences, race, ethnicity, religion or beliefs sexuality background or location.

**Safeguarding and protecting children, young people and vulnerable members of our community is very important to NFYFC. We provide activities and services for young people aged 10 to 26 years who may have additional needs for support and protection.**

**We are committed to promoting a safe environment for children, young people and adults at risk to participate and enjoy the range YFC activities by ensuring that there are appropriate arrangements in place.**

The policy recognises the obligations and duty of care on organisations working with children, young people and adults at risk as set out in national legislation, statutory guidance and voluntary sector guidance including:

- Children Acts 1989 and 2004
- Care Act 2014
- Working Together to Safeguard Children 2015
- Care and Support Statutory Guidance 2014
- Adoption and Children Act 2002
- Sexual Offences Act 2003
- Children and Families Act 2014
- Equality Act 2010
- Safeguarding Vulnerable Groups Act 2006
- Protection of Freedoms Act 2012
- Counter-Terrorism and Security Act 2015 (*and the Government's Prevent Strategy*)
- National Council for Voluntary Youth Service 'Keeping it Safe'
- The Children's Workforce Development Council 'Recruiting Safely'
- Safe Network Core Safeguarding Standards.

The Children Act 1989 defines children and young people as anyone up to the age of 18 years.

The Care and Support Guidance 2014 defines adults at risk (formerly referred to as vulnerable adults) as a person over 18 'who is or may be in need of community care services by reason of mental or other disability, age or illness' and 'who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation'.

The categories of child and adult abuse are set out in the appendices of this policy but it is not necessary for staff and volunteers to be safeguarding experts. Our priority is to support the development of an informed workforce who promote safe working practices and who are alert to and respond appropriately to any indications of concern or potential abuse.

At NFYFC we recognise that any one of our county staff or members may be additionally vulnerable at any time irrespective of age or an identifiable risk factor. Illness, bereavement, relationship or family breakdown, isolation or conflict, amongst many other factors, can lead to any one of us being at risk of harm.

We do not expect our members to be experts in safeguarding but, as a youth focussed and listening organisation, we expect anyone who recognises a cause for concern to respond positively, to seek advice and to report concerns without delay. We all have a vital role to play in keeping children and adults involved in Young Farmers safe from harm.

This policy applies to all members, members in positions of responsibility (officers), volunteer helpers (leaders, advisory, committee members, parents and presidents) and staff, involved in Young Farmers' Clubs and all those who are working with or on behalf of NFYFC.

The policy is designed to encourage compliance with relevant legislation and recommended best practice. It emphasises the responsibility of all those involved in working with children, young people and adults at risk to be alert to signs of abuse and provides for a prompt and effective reporting procedure should abuse be suspected, disclosed or discovered, regardless of the setting in which the abuse has taken place.

NFYFC is committed to supporting county federations to access direct delivery and on-line training and learning opportunities from a range of providers (including their local safeguarding board or voluntary youth organisation) for those in a position of responsibility working with children and young people. These training opportunities aim to raise awareness of their safeguarding responsibilities within YFC and develop a confident and competent workforce who actively promotes an environment that is positive for our members. The policy also provides guidance to those working with children, young people and adults at risk to minimise the risk of unfounded allegations.

This policy has been divided into three sections for ease of use:

- Recruit Safely
- Run Safely
- Refer Concerns

## Legal duty of care

The Law defines a child/young person as a person who is under the age of 18 years. Under UK legislation and guidance children and young people are afforded rights to additional protection and support to promote their welfare. The Children and Families Act 2014 extended the support and protection available to Looked After Children (children in the care of the Local Authority / care leavers) up to 21 years of age and disabled children past up to 25 years of age through the transition into early adulthood. The Care Act 2014 extended statutory rights for support and protection to adults at risk. Organisations like NFYFC have both a legal and a moral duty of care to ensure these rights and protection are prioritised in the delivery of activities and services.

*Safeguarding Vulnerable Groups Act 2006* – originally provided the legislative framework for the new vetting and barring scheme which was reviewed from 2010-2012 resulting in the introduction of the Disclosure and Barring service to allow soft information about those applying to or working with children, young people and adults at risk to be reported and monitored nationally.

*Criminal Justice and Court Services Act 2000* - Checking employees working with children. All volunteers involved with YFC who take positions of responsibility over and above that of an ordinary member are, for the purposes of safeguarding, employees and volunteers. Some positions within YFC that frequently have the responsibility for the supervision, training or sole charge of children and young people will be working in a 'regulated' position. It is therefore a criminal offence if an employer or organisation does not take sufficient steps to check any employee working with children and young people in a regulated position. This means that volunteers and staff in certain roles must be checked at the correct level of disclosure for the role they are undertaking by the Disclosure and Barring Service.

*Abuse of trust - The Sexual Offences (Amendments) Act 2003* introduces the offence of abuse of trust. This offence covers sexual relationships between a person over the age of 18 years (adult) and a person under that age (child) where the adult is in a 'position of trust' in relation to the young person. This is expanded on in the recruit safe section of the policy.

*Charity Commission* – In July 2014, the Charity Commission produced an updated guidance document for '*Working together to safeguard children*' which sets out trustees' safeguarding responsibilities. Trustees of charities which work with vulnerable groups and children have a duty of care to their charity which will include taking the necessary steps to safeguard and take responsibility for those vulnerable beneficiaries. It is vital therefore that they develop, implement and monitor effective safeguarding policies and procedures. This makes it clear that charity trustees are responsible for ensuring that those benefiting from, or working with, their charity are not harmed in any way through contact with it. They have the legal duty to take all reasonable steps within their power to ensure that this does not happen. It is particularly important where beneficiaries are vulnerable persons or children in the community. Trustees are expected to find out what the relevant law is, how it applies to their organisation and to comply with it where appropriate. They should also adopt best practice as far as possible to avoid the likelihood of safeguarding incidents occurring.

*Counter-Terrorism and Security Act 2015* - Section 26(1) of the Act imposes a duty on "specified authorities", when exercising their functions, to have due regard to the need to prevent people from being drawn into terrorism. Young people continue to make up a disproportionately high number of those arrested in this country for terrorist-related offences and of those who are travelling to join terrorist organisations in Syria and Iraq and we must be vigilant and aware of the risks this poses, not just for national security but in relation to the very real risk of harm to those involved.

In line with the government's *Prevent strategy* any concerns related to radicalisation and extremism (where the behaviour or expressed views of any individual intimidate or appear to indicate risks to the individual or others) should be referred without delay to NFYFC (or the Police if there is felt to be any immediate risk) to ensure all safeguarding considerations are addressed. Within the YFC context members may become alert to other forms of extremism (in relation to animal rights or opposition to genetically modified crops, for example) where individuals' beliefs make them willing to take direct action which can at times take the form of illegal behaviour ranging from moderate (misdemeanour crimes such as trespassing, criminal vandalism, public order offences, etc) to serious (libel, arson, assault, etc). YFC clearly needs to balance its legal duties in terms of both ensuring freedom of speech and inclusive practice and also protecting the welfare of all members and staff.

UK legislation protects the rights of all individuals and our members and staff have a legal duty to report concerns about harmful practices including so called 'honour based' violence, female genital mutilation and forced marriage which are illegal in the UK.

**Through the promotion of this safeguarding policy and procedural framework, with supporting guidance, the NFYFC seeks to ensure that the organisation's duties are fulfilled at a national level. The NFYFC can only give advice and support however. Failure to adopt or adhere to the policy (or an alternative policy formally endorsed by and organisation approved by NFYFC) may leave YFCs at county federation or club level exposed to risk as accountability would sit firmly at a local level. In December 2013 the Charity Commission guidance clarified that any serious incident that has resulted or could result in a significant loss of funds or a significant risk to a charity's property, work, beneficiaries or reputation should be reported to them immediately, not just on completion of the Annual Return. This external scrutiny of clubs by the Charity Commission would extend to the reporting of any significant safeguarding incident and any failures in compliance with national policy and procedures.**

## Recruit Safely – Section 1

This section of the policy explains how we safely recruit people to work with children, young people and adults at risk within YFC. Safe recruitment procedures exist to protect children, young people and adults at risk from potential harm and reduce the opportunities for contact with those with poor intent who are seeking to work with them. It also provides evidence to support those working with children, young people and adults at risk if an allegation is made against them. Safe recruitment records should be held for all those recruited by YFC in order to assist internal and external investigations. In the case of an individual being dismissed from YFC because of safeguarding concerns these records will be required to make a referral to the Disclosure and Barring Service in line with current legislation.

### Recruitment procedures

There are individuals who have ulterior motives for wanting to work with young people. This could put YFC members and our reputation at risk. Safe recruitment procedures will not always prevent those with poor intent from entering the organisation but they help us to make informed choices about the suitability of the people we allow to work with our members. Evidence shows that the majority of abuse takes place in the home or by someone well known to the victim so, whilst not creating a culture of suspicion; many members describe Young Farmers as like being part of a family and everybody in the organisation has a responsibility for safeguarding. If you have any concerns, irrespective of the position a person holds in YFC, you should report them without delay to the appropriate person or seek advice from NFYFC directly.

The vast majority of YFC volunteer leaders are 'home reared' and elected or invited by the membership to undertake a role. Upon accepting this role and responsibilities they go from being a member to a person in a position of responsibility. We must recognise that when a member moves on to become an officer/leader/volunteer helper or takes on additional responsibilities in a club or county they should be treated in the same way as someone from outside of the organisation applying for a job or volunteering to offer to help. All volunteers and staff are entitled to be treated in exactly the same way and share the same rights and responsibilities. Nobody has the right to volunteer without being assessed as suitable to do so in relation to the role and members they will be responsible for through appropriate recruitment checks.

In order to minimise the risk of unsuitable people working with or gaining access to YFC members, it is essential that the correct recruitment checks are undertaken and recorded. In the event that a volunteer or staff member is dismissed from YFC because of safeguarding concerns we have a legal obligation to refer this information to the Disclosure and Barring Service. This referral will include providing full safe recruitment records for the dismissed person so it is essential these checks are undertaken and recorded to avoid clubs and county federations appearing negligent in their safe recruitment procedures.

### Application forms

Asking all potential volunteers to complete an application form is advisable over acceptance of a CV as it allows you to ask specific questions about their employment and volunteering history. A standard application form should be used during recruitment; this will also support transparent, consistent and equitable assessment of potential applicants. The application form will also allow the applicant/volunteer the opportunity to nominate two referees that can be contacted as part of the safe recruitment procedure. A sample staff member and volunteer application form sample can be found in the appendices.

## Self Declaration Form

This form (Appendix 3b) should be used only for all regulated roles within the organisation. It asks the applicant the exempted questions to allow them to inform you of any information that you may need to be aware of during the recruitment process. This information may or may not present itself on the DBS check.

## Short listing (for staff posts within YFC)

The process of short listing applicants should be undertaken by at least two people who should also be on the interview panel. Any anomalies or gaps in employment identified should be taken into account when considering whether to short list the applicant. A history of repeated changes of employment without any clear career or salary progression, or a mid-career move from a permanent post to agency, freelance or temporary work, also needs to be questioned.

Following the above checks, you should assess whether each application meets the required criteria for the post. All candidates should be assessed equally against the same criteria and an agreement reached by your short listing panel about which applicants to invite for interview. The panel should record its decision about each application, in case of the need to respond to queries afterwards. Using a system where applicants are scored or rated against each of the short listing criteria will help you to demonstrate that decisions were objective and without prejudice.

## Interviews (for staff posts within YFC)

The interview should assess each candidate against the selection criteria derived from the job description and person specification for the role and explore their suitability to work with children or vulnerable groups. Interviews are an opportunity for the candidates to demonstrate how they meet the specification for the role. It should not be seen as a test where no assistance can be provided or where candidates feel they might be caught out by trick questions. The selection process for people who will work with children, young people or adults at risk should always include a face-to-face interview even if there is only one candidate.

It is good practice for your interview panel to have a minimum of two interviewers, so that one member can observe and assess the candidate and make notes, while the candidate is talking to the other. It also reduces the possibility of any dispute about what was said or asked during the interview. All panel members should familiarise themselves with the candidates' application form prior to the interviews starting. Consider the issues to be explored with each candidate and who will ask about them. Agree your selection criteria in accordance with the person specification, the method of assessment you will use and the standards you will apply. The panel will need to agree a set of questions they will ask all candidates relating to the requirements of the post and the issues they will explore with each candidate based on the information provided in the applications and references (if available). If the applicant has declared any past criminal convictions or concerns/investigations the panel will also need to consider whether those are relevant and whether they need to be raised during the interview. If you interview regularly within your post it may be beneficial to attend training on safe recruitment, NFYFC can support you to access this training with your local authority.

## Criminal Record/Disclosure and Barring Service Checks (DBS checks)

DBS checks help organisations to make safer recruitment decisions and prevent unsuitable people from working with vulnerable groups, including children. The DBS replaced the Criminal Records Bureau (CRB) and Independent Safeguarding Authority (ISA) in 2012 as the agency responsible for checking the criminal records of people who are applying for both paid and voluntary work with children, young people and adults at risk. Criminal records checks are used to protect vulnerable service users from contact with

those who may be unsuitable to work with them and also enable the organisation to respond in an informed way to allegations or concerns about our volunteers. Criminal record checks also help us to identify those individuals who have been convicted of offences of dishonesty and help us protect our charitable funds.

The use of criminal records checks is required in legislation for certain positions that are considered as 'regulated' within YFC. Regulated activity is defined as, work which an individual who is barred from working with vulnerable groups including children must not do. In summary, this includes:

- Unsupervised activities: teaching, training, instructing, caring for or supervising children, or providing advice/ guidance on well-being, or driving a vehicle only for children.
- Work being carried out regularly (at least weekly), frequently (four times a month or more) or overnight (between 2am and 6am) or work in a limited range of establishments ('specified places'), with opportunity for contact: e.g. schools, children's homes, and childcare premises.

It is an offence for a barred person to seek to work in regulated activity, and for an employer knowingly to employ a barred person in regulated activity. The government plans to introduce aspects of the Protection of Freedoms Act 2012 that will legally require employers to have established whether an individual is barred before placing them in regulated activity.

All levels of the organisation should assess their existing roles within clubs and county federations against the levels of check available and decide on the most appropriate. The county federation, NFYFC and the Disclosure and Barring Service can assist you with this process (contact details included in this policy).

## Types of Criminal Records (DBS) check

Organisations who are entitled to use the DBS checking service can ask successful job/role applicants to apply for one of the following types of check depending on the job role:

| Level of Check                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | What does it include                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Standard check</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | details of an individual's convictions, cautions, reprimands or warnings recorded on police central records and includes both 'spent' and 'unspent' convictions                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Enhanced check</b><br><br>The <b>Rehabilitation of Offenders Act</b> makes provision for an employer to opt to require a DBS disclosure (without a barred list check) for someone not in Regulated Activity:<br><br>'Any position which otherwise involves regularly caring for, training, supervising or being solely in charge of children'.<br><br>The word 'regularly' in this eligibility code is not linked to the requirements in the definition of 'Regulated Activity'. It is therefore open to be defined by the organisation. It is suggested annual activity would not be enough however; an argument could be made for eligibility if an individual does an activity, for example, eight times over a summer period or once a month. | <ul style="list-style-type: none"> <li>• These are for posts that involve a far greater degree of contact with vulnerable groups, including children. In general this will involve regularly caring for, supervising, training or being in sole charge of such people.</li> <li>• Enhanced disclosures include information held on the Police National Computer (PNC) about an individual's convictions, cautions, reprimands or warnings and includes both filtered 'spent' and 'unspent' convictions, plus any local police records that it is reasonably considered might be relevant to the post applied for.</li> </ul> |
| <b>Enhanced with a barred list check</b><br><br>Staff and volunteers must be working in a                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <ul style="list-style-type: none"> <li>• Child barred list information is only available for those individuals engaged in regulated activity with children and a small number of posts as listed in the Police Act regulations,</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                   |

|                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|---------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 'regulated' role to be eligible for this level of check | <p>for example prospective adoptive parents.</p> <ul style="list-style-type: none"> <li>• Adult barred list is only available for those individuals engaged in regulated activity with adults and a small number of posts as listed in the Police Act regulations.</li> <li>• Child and adult barred list is only available for those individuals engaged in regulated activity with both vulnerable groups including children and a small number of posts as listed in the Police Act regulations.</li> </ul> |
| <b>Adult first check</b>                                | an individual can be checked against the DBS adult barred list while waiting for the full criminal record check to be completed - largely for those working with adults at risk in facilities such as care homes                                                                                                                                                                                                                                                                                               |

It is the employer's responsibility to decide which roles are eligible for DBS checks and which of these are considered to be in Regulated Activity. This decision should be based on information and guidance provided by DBS. A chart has been developed listing some of the more common YFC roles and the recommended level of check, this can be found in the appendices.

### Charges for DBS checks

DBS charges a fee to process applications for criminal record checks. Both standard and enhanced checks require a fee. The fees to process criminal record checks for paid staff are available from the Disclosure and Barring Service website [www.gov.uk/disclosure-and-barring-service-criminal-record-checks-referrals-and-complaints#fees](http://www.gov.uk/disclosure-and-barring-service-criminal-record-checks-referrals-and-complaints#fees).

### DBS checks for volunteers

The DBS defines a volunteer as: *A person 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.*

DBS criminal record checks are free of charge for volunteers. However, there may be an administration charge depending on your provider. It helps to research providers in your local area to compare costs. Administration charges for DBS checks should be paid by the employer or organisation as part of their safe recruitment procedures. All roles within YFC that are classified as regulated must be subject to a criminal records check from the Disclosure and Barring Service.

The minimum age at which someone can be asked to apply for a criminal record check is 16 years old. Those in YFC officer/leader roles under the age of 18 must not have responsibility for the care and supervision of other children and young people (anybody under the age of 18). They must take a role within YFC but this must be shadowed/supervised at all times by an adult who has been subject to appropriate safe recruitment checks. Home Office statistics show that in 2003 approximately 25% of people convicted for sexual offences were aged between 10 and 24, although, due to the nature of these crimes, the prevalence rates are almost certainly an underestimate. The figures from the US Department of Justice 2016 suggest 23% of reported sexual offending was perpetrated by people aged under 18 which shows that these statistics are consistent with UK prevalence studies. NFYFC strongly recommends that nobody under 18 should hold a supervisory role, 'try out' a role or undertake any leadership responsibilities without clear arrangements for supervision in order to provide both appropriate support and as a protective measure.

Following completion of a paper disclosure application form or online information system and identification checks by your county counter-signatory, your check will be sent directly to the DBS from your county/area or via an umbrella body.

## Stages of the DBS checking process

The DBS checking process involves several different stages before an applicant receives their certificate.

### Stage 1 - Application form received and validated

The application form is checked for errors or omissions. Within 24 hours of receipt the form is either scanned onto the DBS computer system or returned for correction to the counter signatory.

### Stage 2 - Police National Computer searched

### Stage 3 - Children and adults lists searched

Where applicable – *only when applying for checks for regulated posts*

### Stage 4 - Records held by the police searched

Enhanced checks are sent by secure, electronic means to the police for an additional check of local records before the information is sent back to the DBS.

### Stage 5 - DBS certificate printed

All the information to be disclosed is printed under highly secure procedures and sent to the applicant.

Since 2013, DBS disclosures are only sent to the individual applicant. Organisations no longer receive their own copy. This is to give the applicant the chance to appeal against any content they feel is irrelevant for the post they are applying for before the check is seen by the employer or organisation. Arrangements therefore have to be established to ensure that applicants provide access to the disclosure for eligible posts and roles. This may delay the time it takes for the YFC office to view the check. Checks need to be physically seen by those responsible for safe recruitment decisions with the federation in order for their reference information and content to be recorded.

## Making criminal records (DBS) checks portable

The portability of Criminal records (DBS) checks has been made possible by the use of the online update system. When staff or volunteers apply for certain roles within YFC they may be required to undertake a Criminal records (DBS) check. Some people may already have a criminal records (DBS) disclosure certificate undertaken for another organisation i.e. if they are a school teacher in their full time role they will have a Criminal records (DBS) check. The [Disclosure and Barring Service \(DBS\) update service](#) lets applicants keep their DBS certificates up to date online and allows employers to check a certificate online. If an individual has subscribed to the Update Service then their DBS check can be taken from role to role where the same level and type of check are required.

If the applicant has a copy of their check the contents of the check should be seen and recorded. With the permission of the individual the employing organisation are able to go online for an instant check to find out whether the individual's DBS certificate is still up to date (this is called a status check). The organisation simply enters a number of details for the applicant onto the system which includes their DBS certificate number. YFC will be able to discover if the check is still current. If the system response is that new information has been added since the check was undertaken, then YFC should perform a new check.

When using the portability system it is important to ensure that the existing check is at the correct level for the position applied for in YFC. The current check may have been processed at enhanced level but the YFC position applied for requires an enhanced check with barred list checks due to being in a regulated position. In this case a new check would be required at the correct level.

***Applicants should be encouraged by counties and clubs to register to use the update service.***

Registration costs £13 per year for paid staff but there's no charge if you're a volunteer.

If you've not yet applied for a DBS check, you can [register for the update service](#) using the application reference number. DBS must receive your application form within 28 days.

***If you've already applied, you can register for the update service using your DBS certificate number but you must do this within 19 days of the certificate being issued.***

### Frequency of criminal records (DBS) checks

Those volunteers or staff members in positions of responsibility must be re-checked at intervals of not more than three years in order to identify the person is still suitable for their post and no new information has been added to the criminal records (DBS) check in the interim period.

As outlined above, the DBS online update service which allows employers the opportunity to register themselves to re-check volunteers and employees online removes the need to complete a new paper or online application at the three year re-checks period. The volunteer or staff member should be asked to complete a self-disclosure form to indicate if they have committed any criminal offences or been the subject of disciplinary action or safeguarding concerns in the previous three years that the employer or organisation is unaware of. Then with the volunteer or employee's permission, the organisation or employer can log into the system and use the reference number from the person's criminal record check to confirm if the original check is still current. It may become apparent that a volunteer or employee has failed to inform you of an offence in this interim period that has an impact on their post. Failure to disclose such information would lead to concerns about suitability and, for existing staff and volunteers, disciplinary measures being instigated.

The online update system will inform the organisation or employer if the check is still current, meaning no new information has been added, or that information has been added and a new check is required. If the second response is returned the person should be re-checked and spoken to regarding the new content of the check and the impact this may have on the post they are undertaking.

### Assessment of CR/DBS Checks

During the safe recruitment process if a check is returned with a caution or conviction the check should be assessed by those responsible for safe recruitment within the club or county, with support from NFYFC if required. Having a caution or conviction will not necessarily mean that a person cannot volunteer or work within YFC. A caution requires an admission of guilt and therefore is no less significant than a conviction.

DBS disclosure information should be considered alongside all other relevant information when making a decision about an individual's suitability to work with children, young people or adults at risk. This may include references, application information, qualifications, experience and previous training.

A risk assessment is required of any DBS disclosure information which will include:

- Clarification of the nature and significance of convictions or previous recorded behaviour (ideally information from the applicant and from a reliable third party).
- A decision about the significance of this and other information for the person's suitability to work with children, young people or adults at risk.
- Consideration of the role applied for and responsibilities it entails.
- Clarification with the applicant about the context of the caution, conviction or concerns arising to identify aggravating and mitigating factors in relation to potential risk. In this situation external sources of information can be used such as previous employers, the police and the prison service.
- If or how any potential risks might be managed within YFC activities.

It is essential that the risk assessment of disclosure information is undertaken in conjunction with someone with appropriate safeguarding case management knowledge, experience and preferably training if it is to be genuinely informed and defensible before any employment or deployment decisions are made. Please seek support from NFYFC if required and refer to the Information about the case management process which can be found in the appendices.

It is illegal for a person on the barred list to apply for work with children and young people; it is also an offence for an organisation to knowingly recruit a barred person to work within their organisation. In line with legislation passed in May 2013 some spent convictions will now be removed from a criminal record (DBS) check if they are considered no longer relevant to the post applied for.

**For those 18 or over at the time of the offence:**

An adult conviction will be removed from a criminal record certificate (DBS) if:

- 11 years have elapsed since the date of conviction; and
- it is the person's only offence, and
- it did not result in a custodial sentence.

Even then, it will only be removed if it does not appear on the list of offences relevant to safeguarding. If a person has more than one offence, then details of all their convictions will always be included. An adult caution will be removed after 6 years have elapsed since the date of the caution and if it does not appear on the list of offences relevant to safeguarding.

**For those under 18 at the time of the offence:**

- The same rules apply as for adult convictions, except that the elapsed time period is 5.5 years
- The same rules apply as for adult cautions, except that the elapsed time period is 2 years.

## Security of CRB disclosures

The CRB umbrella body that is providing the CR/DBS check processing service should provide the County Federation with information on the Code of Practice regarding the correct handling, use, storage, retention and disposal of criminal record disclosures and disclosure information. Criminal record (DBS) checks should always be stored securely along with other safe recruitment information.

## References

In safe recruitment procedures references are used to obtain more information about the suitability of an applicant for specific posts within YFC. Along with the criminal records (DBS) check for criminal history a reference gives a holistic picture of an applicant and may also identify behaviours that have caused concern but have not been subject to statutory agency action or criminal proceedings. This is known as soft intelligence. References are a critical part of any safe recruitment process and, in the event of concerns about a volunteer arising, failure to take up named references appropriately would be seen as a serious failure in YFC duty of care to members.

Two referees should be requested and references taken up. One should be an external referee who can offer a professional perspective on the candidate and their ability, motivation and aptitude for the post and their suitability to work with children, young people and/or adults at risk. The other referee can be a personal one (but not a relative – blood related or through marriage/relationships) which again indicates that they are suitable for a role with children, young people and/or adults at risk and offers insight into other aspects of their behaviour, experience and qualities.

For nominated or elected YFC roles the individual proposing the person for the position should complete a reference form. Again, an external professional reference must also be taken up as it is vital that all positions are subject to robust and defensible safe recruitment checks.

By creating barriers for applicants within safe recruitment procedures it will deter those people with poor intent from attempting to enter YFC to gain access to children and young people. Care should be taken to store safe recruitment paperwork securely. Safe recruitment logs should be kept to ensure that the club/county can evidence that procedures have been carried out and in case they are required to dismiss a volunteer and make a referral to the DBS. A sample log sheet is available in the appendices.

## Safe Recruitment Checklist

### For all new NFYFC and County staff -

- All new or prospective staff members should be provided with a clear job or role description that details their responsibilities and highlights line management reporting structures.
- All applicants should be asked to complete an application form and provide two recent references, one of which should be from their most recent employer. It is not advisable to request CV's during a recruitment process as they can allow the applicant to hide information should they wish to do so. An application form should be used during recruitment as this will ensure the scoring of candidates is more uniform.
- Referees should be contacted to confirm that the information they have given about the applicant is accurate. Any negative references received should be discussed with the provider and the applicant. A 'to whom it may concern' generic reference should not be accepted.
- In order for previous experience to be assessed and a decision to be made about the applicant's suitability to undertake the job role they should be interviewed by at least two people. Applicants should be asked to explain the reason for any gaps in employment or residency. Applicants should be scored throughout the interview on their response to questions, this will allow for comparisons and fair selection.
- All successful applicants should provide evidence of identity, at least two items of original documentation should be examined. For example, a passport, full UK driving licence or birth certificate and a recent utility bill that details the individual's address. These details should be recorded in the individual's personnel file by taking a photocopy.
- All staff should receive an information handover and induction training in their role.
- The offer of employment with YFC should be subject to the return of acceptable safe recruitment paperwork and successful completion of a probationary period, which is normally three months.

- There should be midterm and end of probationary period review to support the new staff member. Full time staff should receive monthly support and supervision by their line manager or an agreed nominated person. Part time staff should also receive support and supervision in a style agreed with their line manager.
- As all convictions relating to children and young people must be disclosed (even 'spent' ones), all new members of staff should be given both the self declaration form (to be signed) and the accompanying letter of explanation. YFC is considered as an environment where the 'exempted question' can be asked as we are a youth focussed organisation providing extensive activities and opportunities for children and young people. These exemptions are covered by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975.
- All staff in 'regulated' contact with children, young people and adults at risk must be subject to a criminal record (DBS) check at the correct level for their role, to be undertaken through the offices of the Disclosure and Barring Service.

### **Voluntary positions of responsibility**

Those in a voluntary position of responsibility within clubs and counties, including but not limited to officers, leaders, advisory, parental helpers, coaches/producers, presidents and trustees will be required to comply with safe recruitment procedures. Roles and responsibilities will vary between all clubs and counties due to differing structures across the organisation; individual roles should be assessed by the club/county against the definition of regulated contact and also based on their specific role within YFC in order for the correct safe recruitment procedures to be followed. When considering the roles that must be subject to robust safe recruitment as outlined in this policy, consider the nature of the organisation and the likelihood that within YFC additional help is usually sought from the wider YFC community. A chart has been prepared listing some of the more common YFC roles and the recommended level of check, this can be found in the appendices.

Alert: Concerns have arisen where individuals have moved between volunteer roles within YFC without assessment of the need to undertake safe recruitment checks. This potentially enables unsuitable individuals to by-pass safeguarding measures once they have gained the trust of those around them at county or club level. Whenever an individual seeks to enter the organisation or to take on new roles and responsibilities, the need for safe recruitment checks must be considered.

If a person is required to undertake criminal records (DBS) check they should also be required to comply with the following procedures -

- All new or prospective volunteers should be provided with a clear job or role description that details their responsibilities and highlights support structures. Samples are available in *The Source*.
- All applicants should be asked to complete a simple application form and nominate two referees. For elected positions the proposer or seconder at the meeting can be nominated as one of the referees as they are formally endorsing the individual as suitable for that role. The second reference should be obtained from outside the YFC community, from an employee, college or university tutor.
- Nominated referees must complete a reference form in order to gather information about the applicant's suitability to undertake the role. A copy of the application form and references should be held in the club/county safe recruitment records for the period of time the post is held.
- The proposer and seconder of an elected person should also be documented in the meeting minutes in line with normal practice.
- All applicants will be required to complete a self disclosure form in order to highlight any issues that may arise from the criminal records check and also if they have been the subject of any investigations or disciplinary actions that are relevant to this role.
- All roles considered as 'regulated' contact with children and young people must be subject to the correct level of criminal record (DBS) check, to be undertaken by the Disclosure and Barring

service through the process used by your county federation which may be a registered umbrella body or alternatively the use of an external umbrella body or an online provider.

- All club officers should receive a handover/ induction to their role from their predecessors and attend club officer training when offered by the club or county as this will supply them with the information they need to undertake their role successfully. Along with the continued support of the county office The Source guidance can also be used as a useful reference guide to running a club.

Before members apply for positions within YFC they should be made aware of the law around relationships whilst in a position of trust. This will help them make informed decisions around their application.

## Sexual Offences Act 2003 – Abuse of Trust

### Guidance for Club Officers and Leaders

The Sexual Offences Act 2003 refers to various actions which amount to sexual activities as being a breach of the Act. Where a person over the age of 18 who holds a position of responsibility engages in sexual activity such as physical contact ‘touching’, causing or inciting a child (under 18 years old) to engage in an intimate relationship/sexual activity, engaging in sexual activity in front of a child or causing a child to watch a sexual act then this is a breach of the Act. A position of trust is where a member (over the age of 18 years old) is acting in ‘loco parentis’ for other members, or holds responsibility or authority in relation to them as part of their duties such as leaders of the Young Farmers’ Club.

The Act applies where a young person receives education at an educational institution. However, the Act does not define what an educational institution is. As YFC provides informal educational activities and at times has links with formal educational institutions, such as colleges and, looking at the approach adopted by other voluntary sector organisations, the policy decision is to extend and adopt the same principles to YFC through our policies, procedures and practice guidance in keeping with current best and accepted practice across the sport and voluntary sectors. People in YFC leadership roles or working in Young Farmers Clubs may well be in positions of trust, will normally have power and authority in the lives of our young or more vulnerable members, and may have a key influence on their future. They will have regular contact with the young person, and may be acting in loco parentis.

*In the United Kingdom, a person who holds a position of trust over another may not engage in sexual relations with that person, as it is considered to be an abuse of trust, as defined by the 2003 Sexual Offences Act. Abuse of a position of trust for sexual relations can also lead to criminal charges being raised against the abuser, especially when a minor is involved (statutory rape).*

### Exemptions:

1. Where both members are married to each other or
2. Where the members are in a relationship pre dating one of the members taking up a position of trust at the Club (Elected at an AGM) then providing the relationship is lawful they are exempt from the Act.

**The Clubs practice is as follows not withstanding any criminal liabilities that may arise:**

1. All club officers should be made aware of the Sexual Offences Act **before** accepting a position of responsibility and decide whether or not they wish to accept that position. The club officers taking on a position of responsibility must ensure that they do not enter into a relationship with a member in their care under 18 whilst they hold a position of responsibility.
3. If an inappropriate relationship is internally reported within YFC or suspected then the Club has a duty of care to act and investigate such inappropriate relationships that appear to be in breach of the Act. Again the conditions of section 4 below apply.
4. Where:-
  - a. An adult member (over 18) is in a relationship, sexual or otherwise, with a member who is aged 16 to 18, then providing both parties freely consent to that relationship and there are no concerns about abuse or misuse of power, the adult member must step down from his/her position of responsibility and no action will be taken by the Club against the members involved
  - b. There is no free consent given by the under 18 year old member in a relationship with an adult volunteer or staff member, the adult member may be suspended or expelled (if the club suspect that the adult member has influenced the child into being in a relationship with them). An immediate referral should be made to the Local Authority Designated Officer (LADO) to seek advice and support.
  - c. An adult member/leader enters into a relationship with a member who is under the age of 16 regardless of their knowledge of the actual age of the under 16, the Police should be informed and they will have their membership suspended and may be expelled from the Club if a criminal offence has been committed. In the eyes of the law a child under 16 years old is not able to give consent to a relationship.

The Club owe a duty of care to all its members and officers/leaders. It has a duty to safeguard the best interests of its members at all times. Whilst the Club retains overall discretion to interpret the Act and manage members as they consider appropriate, they should always seek advice when concerns arise from the Local Authority Designated Person (LADO), the County Federation and/or NFYFC who are all in a position to support and advise to ensure you are not vulnerable and fulfil your duty of care to members in this area.

## Run Safely - Section 2

The next stage of YFC safeguarding is how we incorporate protecting children and young people in to the day to day running of our YFC clubs and counties. These recommendations are intended to promote a positive experience for all members not an atmosphere of suspicion within your YFC. Increasing awareness and vigilance of issues that could cause concern will help to create a safer environment for all of our members.

The following is a code of conduct for YFC to ensure that appropriate behaviour is observed when working with children and young people within YFC. This code has been developed to provide guidance which will not only help to protect children, but will also help staff and volunteers to identify any practices which could be mistakenly interpreted and potentially lead to allegations being made.

Good practice will reduce the possibility of anyone using their role within YFC to gain access to children and young people in order to harm them. All members of staff and volunteers should report any breaches of this code they have observed for been made aware of. A certain standard of behaviour is expected of those employed by or volunteering for YFC who are considered to be in a position of trust. Staff and volunteers should be aware that they are role models, and must act in an appropriate manner at all times. If in doubt, you should always consider how an action or activity may be *perceived* or may *impact* upon a participant as opposed to how it is *intended*.

The code of conduct should guide actions taken by YFC staff and volunteers.

1. Never let issues of concern about a child or young person or allegations by a child or young person go unreported, including any made against you. Never minimise, or trivialise concerns or their impact upon the victim(s).
2. Listen to and respect children and young people at all times. Do this regardless of their age, gender identity, ethnicity, faith or beliefs, disability or sexual orientation. Don't discriminate or show signs of favouritism or prejudice. Always avoid singling out 'troublemakers' and gossiping/banter about children and young people.
3. Your relationship with a child, young person or adult at risk you have met through YFC should have clear boundaries, especially with younger children, when all contact should be made through the parents of the child.
4. Be aware that children and vulnerable people can and do develop inappropriate levels of attachment, dependency and infatuations towards adults working with them. If you become aware of this happening towards yourself, you should inform your club/County safeguarding officer who will advise you how to manage the situation accordingly.
5. Do not engage in (or condone) any unlawful activity with or in front of children.
6. Avoid unobserved situations of one to one contact with a child. If it is unavoidable, always ensure another adult knows where you are, with whom and why.
7. If you need to comfort a child or young person who has become distressed, it is important that you do so in a way which is both age appropriate and respectful of their personal space. Never act in a way which may be perceived as threatening or intrusive or which makes them feel uncomfortable.
8. Never agree to keep any information relating to the harm of a child confidential. Always follow the procedures for reporting concerns.
9. Never make sexually suggestive remarks or discriminatory comments to or in front of a child.

10. Don't engage in or allow any sexually provocative games or conversations involving or observed by children and young people, whether based on innuendo, talking or touching.
11. Don't engage in or tolerate any inappropriate physical activity involving children, or any bullying of a child by an adult or another child.
12. While the use of humour can help to diffuse a situation, the use of hurtful banter, sarcasm, demeaning, or insensitive comments, to a child or young person is never acceptable.
13. Actively involve children and young people in planning activities wherever possible, ensure that the members are leading the programmes.
14. When running activities or trips with mixed gender groups (especially residential ones) you should always try to have mixed gender leadership.
15. Never take chances with young peoples' safety. Always take time to plan activities to ensure the correct precautions have been taken and the required records of risk assessments and welfare planning measures are in place to demonstrate that all reasonable action has been taken to protect the child and the club/county.
16. Mobile phone numbers, email and social networking sites for YFC use should always be used appropriately with the audience in mind. If you have been given members' details through YFC then it should be used only for YFC business.
17. When transporting children and young people on behalf of YFC this should be planned and risk assessed properly, parents should be fully informed about the transportation arrangements and have given written consent.
18. When organising events that require YFC members to change clothes (sports, performing arts etc) separate male and female changing/shower facilities must be provided. It is not appropriate for officers/leaders to change with those children and young people they are responsible for, separate cubicles should be utilised.

## Training

Government guidance clarifies statutory responsibilities of all organisations which provide activities or services for children, including a voluntary sector organisation (Working Together to Safeguard Children 2015, Chapter 4, paragraphs 4 and 43) which includes:

*'Appropriate supervision and support for staff, including undertaking safeguarding training:*

- *employers are responsible for ensuring that their staff are competent to carry out their responsibilities for safeguarding and promoting the welfare of children and creating an environment where staff feel able to raise concerns and feel supported in their safeguarding role*
- *staff should be given a mandatory induction, which includes familiarisation with child protection responsibilities and procedures to be followed if anyone has any concerns about a child's safety or welfare'*

All new staff working within a youth organisation such as YFC should undertake appropriate safeguarding training as part of their induction programme. This is especially important for those that are in face to face roles with members or handling information about children and young people. Those in roles within clubs and counties should be offered basic safeguarding training by the club or county, this can be incorporated into the annual club officer training or held as a separate event. NFYFC and local agencies can support with coordinating this training if required.

County Federations should commit to organising Safeguarding Children and Young People training at least every 12 months to ensure that training is available to all of those taking on new responsibilities as soon as possible. Local Safeguarding Children's Boards in each county are obliged to provide free training and NFYFC also offers the 'Safe House' training for members. Where this is not available training can be accessed through your local council for voluntary youth services, local voluntary youth organisation or a safe networks volunteer. Those volunteers or staff with designated safeguarding responsibilities requires a higher level of training in addition to basic awareness training (contact NFYFC for details of designated officer [DSCO] training provision).

## Programme planning within YFC

Programme planning by the members and officers of a club or county ensures that club activities represent the needs and wants of the members within it. Effective programme planning at the start of the year or term can reduce pressure on the volunteer officers/leaders having to plan activities each week. It also allows the programme to be circulated and printed so that parents, other clubs and supporters of YFC are aware of what is happening at the club and can give informed consent for the activities their child will be participating in. Investing time in planning at the start of the year or term can leave members more time to balance YFC with other interests. Club programming templates are available from your County Federation and also in The Source on the NFYFC website to support you with this process.

Planning and risk assessment is an important factor in keeping children and young people safe from harm. The NFYFC Health and Safety Policy provides guidelines on assessing potential risks for all activities.

## Ratio of adults to young people

When planning activities, consider the supporting arrangements required. The number of staff/volunteers to young people will vary depending on the activity undertaken. The Department for Education recommends that there should be a minimum of 1 adult to 10 young people in a mainstream group situation. The ratio is reduced to 1:6 or in some cases lower for young people with additional needs and disabilities.

Ratios should be decided by the group's needs where activities, trips and residential stays are concerned. There should be at least two safely recruited adults (preferably one male and one female) present at each YFC activity. It should be recognised that each activity should be planned, risk assessed and the staff ratio agreed accordingly, based on the particular group involved before the event.

## Club records

It is essential that clubs maintain a record of its members which is readily available at club meetings should an incident arise. This could be a club information file, including a club constitution, previous agendas and minutes, registers and parental consent forms for those members U18 and nominating a member of the club officer/leader team to ensure that the folder is taken to every meeting or event. Where the nominated member is unable to attend, arrangements should be made to ensure this information is accessible. Each Club and County should be in a position to access and provide this club record information for past years in the event of any external review of safeguarding arrangements and historical management of concerns (see Goddard Inquiry information under **Records retention** below) NFYFC would advise strongly that clubs and county federations undertake a review of the records they currently hold. No information should be destroyed. NFYFC will be working to support counties prepare themselves and are happy to advise and support. Where it is possible to store this information securely at your meeting venue this could act as an alternative.

## Informed parental consent

Parental consent forms are important tools whereby activity organisers can be confident that they have the essential information about the children and young people in their care and contact details for their parents/guardians should an incident occur. YFC also have a duty of care to ensure that parents/legal guardians are fully informed about the activities their child is participating in.

*The key rule with consent forms is that the event organiser has the most up to date information about the children and young people in their care and parents are aware and have consented to all activities.*

- The purpose of the consent form is to ensure that the parent has given fully informed consent. They should know the times, location and cost of the event planned. It also alerts parents to any potentially high risk activities.
- It tells them who is in charge of the event and gives a contact person and emergency number
- The form gives the parent the opportunity to inform the event leader about any welfare, health or dietary issues that affect their child.
- The form informs the parents that the event leader has no power to authorise or prevent access to medical advice and care for the child or young person in the event of an emergency. This decision will be made by the emergency services if contact cannot be made with the named contacts. It is therefore important that the consent forms are kept up to date with this personal information and contact details.
- It is vital for the leaders of an activity to have in their possession the consent forms for members aged 18 and under, and good practice to have a list of the emergency contacts for those 18 and over.

On joining YFC members under the age of 18 will be required to complete a membership and consent form. It is vital that the club holds a valid, up to date general consent form for each child. This can be done by the county office photocopying a set of consent forms for each club that the club holds for club nights and activities. These consent forms should be updated on a regular basis (annually is recommended if permissions slips are used as an updating mechanism for specific trip/event arrangements or termly if permissions slips are not used) to ensure that the details on them remain correct. To avoid excessive bureaucracy a permissions slip has been developed by NFYFC which can be used for each event to supplement the annual generic consent form. This allows specific trip arrangements to be detailed ensuring consent is genuinely informed for each event and also ensures that event organisers are provided with information about any current concerns or changes. Safeguarding children and young people is a partnership responsibility between parents and YFC and consent communications emphasise parental responsibility for keeping the organisation informed.

### YFC programme activities (workshops, talks, business meetings)

It is acceptable to use a general consent form for YFC weekly meetings at a set time and place. These should be listed in the YFC programme which should be given to the parent/guardian with the consent form. The general consent form could cover a planned term or a club programme year. The general consent form should be completed annually as a minimum requirement.

### Visits, away from base meetings, competitions and social events

For all other activities and events outside of the regular club programme, usually activities that carry a higher element of risk i.e. horse riding, farm visits or swimming, officers and leaders should check with the parents that they have the most up to date information on each occasion; this is when the permission slip system can be utilised. Guidance on planning safe social events within YFC is available.

### Residential Trips

Full consent forms should be completed for each residential trip if the young person is staying away from home.

Additional information may be required by the club officer or club leader from the parents/guardians. It is good practice for all members and volunteers/helpers including club officers or club leaders to provide the event organiser with emergency contact details and information about any medical conditions they feel is important to share.

## Confidentiality of consent forms

In all cases the information provided by a parent/guardian should remain confidential and only be shared between those people in the club responsible for planning activities and events. Consent forms should be kept by the leader of the activity during an event and should not be left unsupervised.

Consider who is allowed to have access to records containing personal and sensitive information, including consent forms, about members. Electronic files should be password protected, or in a separate log-in if using a shared computer. Information should only be kept as long as necessary to ensure the welfare of the young person concerned. After a residential or at the end of the membership year consent forms should be shredded, signing in sheets and event planning records can be used to keep a record that consent was received prior to participation.

## Photography

NFYFC is committed to ensuring that all publications and media content represent participants appropriately and with due respect and that the correct permissions are obtained before use.

### What are the potential concerns?

There have been concerns about the risks posed directly and indirectly to children and young people through the use of images (photographs and videos) on websites, social networks and other publications. Images can be used as a means of identifying children when associated with personal information e.g. this is X who lives at y; X is a member of the z Young Farmers club and likes a certain music group. This information can make a child vulnerable to an individual who may wish to contact and start to “groom” that child for abuse – online (e.g. through websites or social networking) or through direct contact in the off-line, ‘real’ world. Information placed on the internet has also been used by estranged parents (e.g. in adoption or domestic violence circumstances) to identify, trace and cause significant difficulties for children. Secondly the content of photographs can itself be inappropriate, or be used or adapted for inappropriate use. There is evidence of inappropriate or adapted material finding its way onto sites showing child abuse images, and of inappropriate images being shared between groups of offenders.

NFYFC advises clubs and counties to adopt the following principles:

- the interests and welfare of children taking part in YFC activities is paramount
- children and their parents/carers have a right to decide whether their images are taken, and how these may be used
- children and their parents/carers must provide written consent for their images to be taken and used
- Consent is only meaningful when the club or organisation ensures that children and their parents/carers understand the nature of potential risks associated with the intended type, use and distribution of the images.

Meaningful safe practices which are advocated include:

- A photograph or image of a child or young person should not be published (in print or online) without written consent being obtained from the parent/guardian.

- Where possible do not include the name of a child whose image is being used without the parent's explicit permission.
- If naming a child or group of children in an image, only use their first names, as this will reduce the risk of inappropriate, unsolicited attention from people within and outside YFC. If full names are to be used (when announcing competition results on-line, for example) full parental consent to do so must be obtained.
- Avoid the inclusion of other detailed/personal information about individual children.
- Care must be taken to ensure that images of children who are under a court order are not recorded or published without permission. If a child or young person should not be photographed or those pictures shared with the media, uploaded on websites or to social media sites then a picture should be held by the club/county office to ensure that pictures of this child are not released to the general public. Speak to parents about the best way to manage this situation during photo taking opportunities with the child or young person.
- Office computers containing photographs of members should be password protected. Avoid storing images on laptops that are regularly taken out of the office.
- Be clear about how and for how long images will be securely stored (including how access to the images, associated consents and other information will be controlled).
- Only use images of children in suitable dress/kit to reduce the risk of inappropriate use. ☐ Images should positively reflect young people's involvement in the activity (e.g. showing smiling participants rather than anxious or unhappy ones) and promote the best aspects of YFC.
- Parents should be informed that external photographers may be present at larger YFC events or large shows where YFC are performing displays and may publish images. By giving consent for the child or young person to attend the event, there is acceptance that they may be photographed and this is out of the control of the organisation. If anybody is spotted taking photographs of YFC members that does not appear to be connected to the event or organisation this should be reported to a steward or an event organiser in order for that person to be challenged. *Additional information can be found in the photography guidance.*
- Simultaneous streaming of images onto a public area should be avoided. (*This means uploading pictures directly from a device to a website/social media without checking the suitability of each picture*). Delayed streaming provides an opportunity for editing inappropriate images and checking you have the correct paperwork for each photograph. Those posting must consider the effects on the individual and the organisation at large before posting, if you have any doubts, don't post.
- Websites and social media platforms (for example Facebook, Twitter and YouTube) should be carefully monitored to manage inappropriate images or improper text. Any instance of the use of inappropriate images should be reported to NFYFC who will take action and in some cases may be required to inform the appropriate authorities.
- NFYFC recommends that personal smart phones and cameras should not be used for filming or to take photographic images for YFC business. There have been many cases of concern across the voluntary and other sectors of images being inappropriately manipulated or used to target potential victims by individuals with poor intent. Equally YFC photographs and images should not be stored on members' personal computers. Counties and clubs should seek to ensure that photography, filming and storage of images is limited to equipment owned by YFC to ensure appropriate safeguards are in place.

\*For the purposes of this policy the word photography means both still and moving images taken using camera's, camcorders, mobile phones, tablets and other digital devices.

## Communication with members (mobiles, emails and social media networks)

Electronic communication is a great resource for YFC for simple and quick communication of information between rural young people but it does involve a level of risk when systems are misused or abused. Remember to be careful about the information and pictures shared on these platforms especially when this information is personal. Encourage a safe sharing environment within your club, if members have been the victim of cyber bullying behaviors or they are receiving inappropriate messages they should report this to an officer or leader within club or county.

Communication with other YFC members should always be open, respecting the boundaries of the relationship between an 'ordinary' member and a member in a position of trust. Communication with children and young people should involve the parents as they need to be aware of club arrangements their child is participating in. It is good practice to use group emails and texts in order to communicate information about club activities. A generic club email address or a club mobile phone that is held by a member of the officer/leader team could be used.

It can sometimes be difficult to separate YFC from your own personal social lives due to the nature and age range of the organisation. When in a position of trust using social media sites for YFC business avoid the use of private messaging systems like Facebook, Twitter, messages, Whatsapp, Instagram, blackberry messenger and snapchat for communicating with members. Instead communicate on open walls for YFC business. When using both YFC pages/groups and personal social media accounts remember who comments can be viewed by and how appropriate they are for the audience, the organisation and your personal reputation.

NFYFC has developed a policy and guidance about e-safety (June 2015). The e-safety policy is available on request from your county federation or NFYFC. Please refer to this for more detailed information and advice.

## Transportation

The issue of transporting children on behalf of YFC can present challenges for clubs. Many Young Farmers clubs could not operate without the good will of volunteers and parents/carers ensuring that children are transported to and returned home from events in a private car.

Transport arrangements that are made between parents and members outside of YFC (when YFC is not providing transport as part of an activity) are a private arrangement outside of the control of the organisation and are the responsibility of that parent and the person they arrange the transport with who may or may not be a YFC member. It is reasonable for clubs and activity organisers to place full responsibility on parents for ensuring appropriate transport arrangements are made. Where parents/carers transport their own children, or make private arrangements with other parents/carers to deliver or collect their children, they are responsible for their children's safety and for the suitability of any travel arrangements.

Where YFC is organising transportation of its young members and asks or requires parents to transport other people's children on the club's behalf the organiser has a responsibility to take reasonable steps to safeguard these young people for whom they have a duty of care.

### What are the Issues?

NFYFC encourages volunteers/staff not to take children on journeys alone in their car. The vast majority of staff and volunteers will help out through their genuine commitment to young people and to Young

Farmers. Unfortunately, we must face the reality that a minority of others will join YFC to gain access to children to harm them. There have in the past been many opportunities within youth and voluntary sector settings for those who wish to harm children to isolate a particular child. Inappropriate transport arrangements can still leave children vulnerable.

Best practice is clearly to avoid transporting a child alone, but we recognise that in some circumstances it is an essential part of a child's participation in YFC activities and events. If all alternatives have been exhausted and an adult has to transport a child, there are a number of safety measures that should be put in place to minimise the risk:

- Ensure parents are fully informed of the arrangements and written consent has been given (identity of the driver, who else will be in the car, how long the journey will take, agreed pick up points/home etc).
- Ensure consent form and contact details are in the care for members they are transporting. The driver should have a point of contact and mobile phone should they break down.
- Establish the suitability of any driver.
- Members and volunteers responsible for driving young members regularly on behalf of YFC should be criminal record (DBS) checked. If the club cannot transport members, parents should be asked to transport their own children to an event to avoid the risks this could present.
- A person other than the planned driver should talk to the child about transport arrangements to check they are comfortable about the plans.
- Drivers must evidence that they have valid car insurance, MOT and driving licence prior to carrying any passengers.
- We advise the individual/driver to check with their own insurance company if they want to use their car as part of their paid/volunteer role.
- Where possible it is good practice for there to be two adults in the car when younger members are being transported. Where this is not possible the younger members should sit in the back of the car.
- It is not advisable to allow newly qualified drivers to transport other members of the group on behalf of YFC within the first six months of obtaining their license.
- You should try to ensure there is more than one child in the car and, if it's a regular arrangement, alternate which child is dropped off last. Ideally two children would be dropped off at an agreed point such as one of their family homes. The person who returns the children to the agreed point, such as family home, should be alternated; this would reduce the risk of any one individual frequently being alone with a particular child or group.
- Ensure that children are aware of their rights to be safe and that they have someone to turn to or report any concerns they may have. If a culture of safety is created within the club then the child is more likely to talk to another person if they are feeling uncomfortable about a situation.
- Late collections can present clubs with particular difficulties. Parents/carers should be provided with guidelines addressing the issue and outlining their responsibility and the consequences of late collections. Clubs should have contact numbers for parents/carers and if possible be provided with an alternative contact number. Parents/carers should have a contact number for the club/volunteer to inform them of emergencies and possible late collections.
- Children should wear seatbelts at all times.
- Sometimes members may be asked to drive a minibus on behalf of YFC. Passengers on minibuses will be required to wear seat belts where fitted and the driver will be responsible for making sure that all members use their seatbelts. If seatbelts are fitted on a bus, passengers must use them. The driver will be responsible for letting people know that they must use seat

belts. These are European rules so they apply in the UK, the Republic of Ireland and all countries in the European Union.

It is recognised that currently at club level lifts are provided to members on an ad hoc basis around YFC meetings and from a pool of appropriately checked drivers (often those in officer roles).

If the robust guidance provided above is not adhered to then clubs and counties must ensure that fully informed parental consent is secured for their child or young person to be transported in this way. As a minimum the consent form should specify the pool of drivers, clarify that members will not be transported in isolation and that drop offs will be rotated in order where possible and confirm that all have been subject to appropriate safeguarding checks. Ideally the young person should also sign the form to demonstrate that they understand the arrangements.

When using external transport always use a reputable transportation company that has been fully risk assessed, if hiring vehicles ensure that you have the proper license requirements to drive them legally and safely. Clubs should review their transport arrangements at regular intervals to ensure that any potential risks for the members and officers/leaders are minimised.

## **Safe club, happy club**

The key to running a successful and safe club is respecting each other, working together and ensuring unacceptable behaviour is challenged. An important part of this is ensuring policies and procedures exist that support safe and fair behaviour, and that all members are aware of how to make a complaint if they are concerned about a situation. Our aim is to create a fun, safe and relaxed environment that works in partnership with safeguarding children and young people.

The abuse of children or adults who are vulnerable is most easily concealed, and therefore perpetuated, where there is confusion amongst adults and children and young people about roles, responsibilities, accountability and acceptable behaviour. Risks are minimised if all club officers and leaders have clear roles and responsibilities. Club leaders/officers have a responsibility to supervise young people in their care and act in their best interests. In terms of YFC activities, club officers/leaders are expected to exercise such reasonable care as would be taken by a responsible parent.

It is beneficial for county FYFCs to link up with their Local Safeguarding Children Board (LSCB) and local council voluntary youth services for information and support. YFC club and county leaders working with children, young people and the rural community will be able to access training and ongoing advice and support from these organisations.

It is strongly recommended that each county FYFC identifies a lead person to take responsibility for working with county officers and clubs to ensure they operate to legislation and best practice in line with procedures and guidance. A model job description for this role, of Child Protection/Safeguarding Officer is available in the appendix.

## Refer Concerns – Section 3

This element of the policy explains what to do if you have concerns about a child, young person or adult within YFC. As a volunteer or staff member within YFC you should not investigate safeguarding concerns. This is the responsibility of the statutory agencies and concerns will be referred to the appropriately to the proper authorities where investigation is required.. Your role is to be alert to any concerning behaviour regarding a child, officer/leader or staff member and to report this to your safeguarding officer/county office. You may also be in a situation where a child, young person or adult would like to make a disclosure about an incident to you and you should always respond positively, listen, gather and clarify information and refer this to the appropriate person.

### Reporting procedures

See page 2 of this policy for a simplified reporting flowchart for members. If at any time a member, volunteer or staff member has concerns about the safety or welfare of a child or young person they should consult with their line manager, the club/county safeguarding/child protection officer or NFYFC. Please refer to the appendices for further information about the definitions of abuse and recognising it.

There are a number of ways that members, volunteers and staff may become aware of or suspect a safeguarding issue:

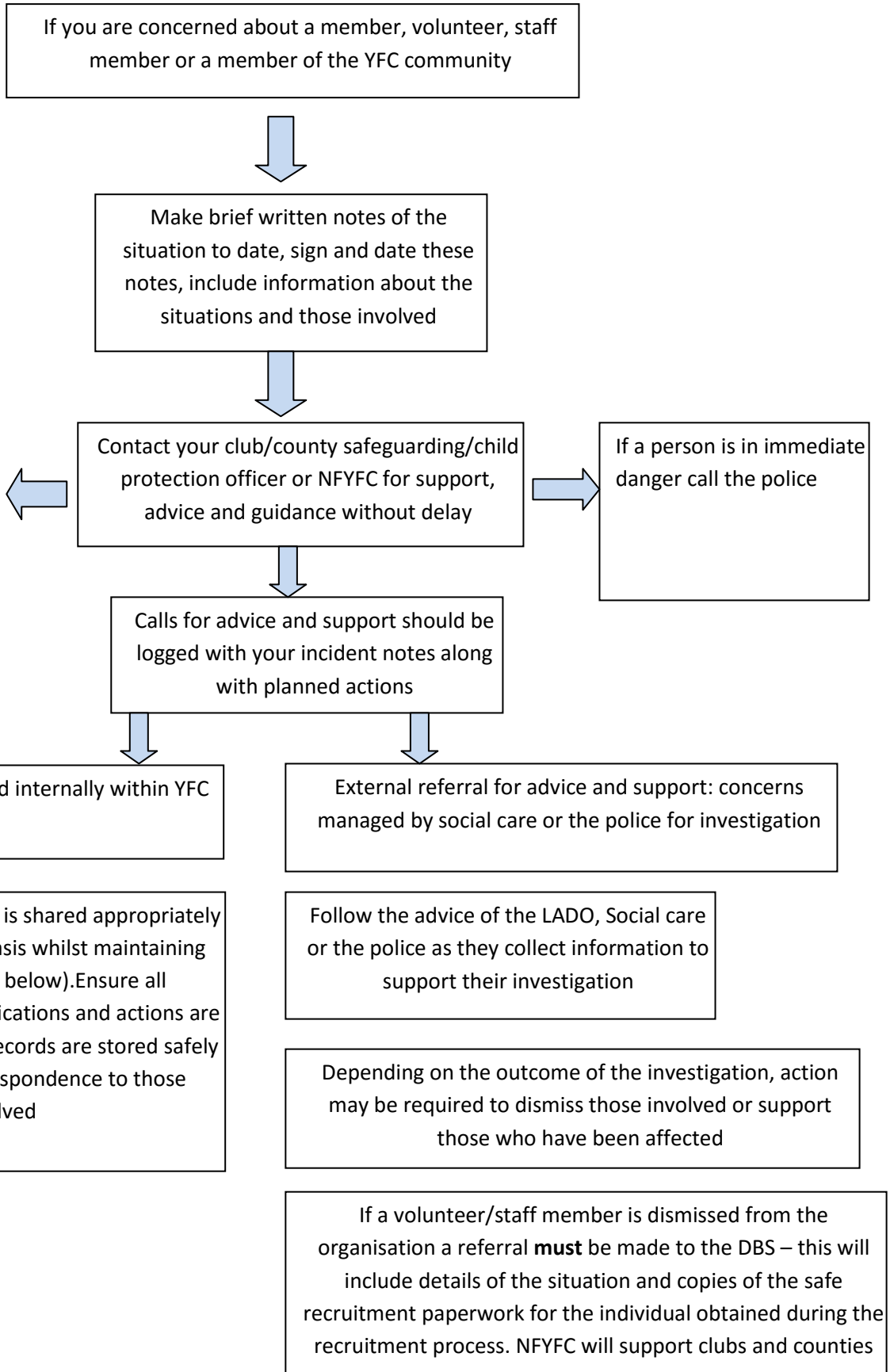
- A child/young person may tell them
- Someone else may report a concern to them
- A child or young person might show signs of physical injury for which there is no satisfactory explanation
- A child or young person's behaviour may indicate that they are being mistreated or abused
- The behaviour of a member, volunteer or staff member may make them feel uncomfortable or indicate concerns about their conduct that need to be addressed
- They may witness abuse (by someone within YFC or by family or friends)
- It is important that all staff and volunteers are aware of the reporting procedure shown at and follow this without delay.

If a member, volunteer or staff member is in any doubt as to whether or not an incident regarding a child/young person or an adult in a position of trust should be reported to external services they must consult with their line manager, the club/County safeguarding/Child Protection Officer or contact NFYFC's Safeguarding Officer for advice. Although all incidents may not require the intervention of external services such as social care or the police they should all be logged as they may form a piece of a larger jigsaw in the future.

In situations where a child or young person is in need of urgent medical attention then the emergency services must be called, they in turn will inform social care. A list of emergency contacts including YFC safeguarding officer, county office, NFYFC safeguarding officer, NSPCC 24 helpline number, local social care day number and duty team (out of hours), Local authority designated officer (LADO – the key person whose support should be sought where there are allegations made against staff and volunteers) and the local police non emergency number should be held by those running the club during all meetings, visits and residential trips. NFYFC has produced a wallet sized card to store these numbers on, please contact your County Office or NFYFC for further copies.

If concerns relate to on-line or electronic media the Police or LADO should be informed immediately without alerting the person who is the subject of that concern so that their advice can be sought and potential evidence does not get deleted or destroyed.

## Reporting a concern



**Safeguarding is everybody's business – so don't let concerns go unreported**

## Procedures for managing allegations – supporting those involved

All incidents, allegations or suspicions must be reported however insignificant they may appear and irrespective of when and where they occurred. YFC is a close knit community and in spite of friendships, relationships or positions of responsibility we must remember that the protection of children and young people, together with the reputation of YFC, is paramount.

If an allegation towards a member, volunteer leader or staff member is made the following procedures should be followed:

- Action should be taken immediately
- Write down notes including -dates, times, facts, who was involved and any observations. Use actual speech if possible. Try to record the incident in chronological order. Always sign and date any notes that you make in case they are needed in any subsequent investigation
- Create a confidential file where all notes, details of conversations and advice can be recorded.
- Contact your county office or safeguarding officer to report the issue. In any case where there is a conflict of interest between the County Child Protection Officer and the individual who is the subject of the allegation, the County Chairman must nominate another suitable person to deal with the matter or request the services of the NFYFC safeguarding Officer.
- Contact the Local Authority Designated Officer (LADO). Your county or NFYFC can support you to do this
- Please respect the confidentiality of all parties involved in the incident and keep the matter private to only those who need to know
- If an individual is charged with an offence it is good practice to suspend the person's YFC membership pending the outcome of the case. Suspension of membership does not place a judgement on the circumstances of the case, or the individual involved it simply serves to protect the good name of YFC and protects its members from any possible risk of harm.
- If you are at any time unsure of what to do contact NFYFC or external support services (NSPCC, Adult or Children's Social Care, Police) immediately.

HM Government (2015) *Working Together to Safeguard Children* provides the framework for managing allegations and concerns against people who work with children. Parents/carers of a child or children involved should be told about the allegation as soon as possible if they do not already know about it and unless they are a source of concern. They should be kept informed about the progress of a case and told the outcomes, where there is not a criminal prosecution that includes the outcome of any internal YFC disciplinary process.

The employer/organisation should also keep the person who is the subject of the allegation informed of the progress of the case and arrange to provide appropriate support to the individual while the case is ongoing. If the person is suspended, the employer should also make arrangements to keep the individual informed about developments in the workplace. Every effort should be made to maintain confidentiality and guard against publicity while an allegation is being investigated/ considered. In allegation situations this process should follow the advice of the LADO who may become the point of contact for the person facing the allegation rather than the organisation in some cases.

## Where the authorities (social care, LADO or police) have decided that no further action can be taken

No further action is taken for a number of reasons;

- The allegation is felt to be unfounded or malicious
- There is no formal complaint from the alleged victim or their parents

- There is no evidence of complaint from the victim to corroborate the complaint
- The case is dismissed by a Court

In such cases the individual may still have contravened NFYFC policies, procedures or guidance and code of conduct thereby placing themselves and/or a member at risk of harm. In most cases NFYFC would wish to ensure that the individual learnt from the experience and received appropriate training to prevent any further incidents. In some cases the contravention of NFYFC Policies maybe so serious that there are continuing concerns about their suitability and appropriateness to undertake a YFC role and responsibilities and the individual will be subject to internal disciplinary procedures. County and National Constitutions provide the necessary disciplinary procedures for dealing with members who may be in contravention of rules.

### **Investigating a breach of NFYFC rules or policy**

Wherever possible the individual should be interviewed by a County Officer. NFYFC's safeguarding officer will support Counties with advice and technical information. In some circumstances NFYFC's safeguarding officer may be requested to deal with an incident directly.

- A discussion should take place where the nature of the allegation should be put to the individual and the individual should be given the opportunity to respond to it.
- Names of complainants and victims should, as far as possible, remain confidential throughout any investigation.
- Further questions may be asked to ascertain whether or not the individual placed themselves in a position which left them vulnerable to an allegation being made, or acted in a way which contravened NFYFC Policies. For example, working alone with a young person or an incident of bullying.
- Further to the interview with the individual it may be necessary to contact any witnesses, other adults or members and record their version of what occurred.
- This evidence should then be examined by the nominated County Officer and a decision made as to whether or not disciplinary action is to be taken against the individual. At this point the rules for dealing with disciplinary matters within the County or National Constitutions should be followed.
- It is essential that careful records are kept of all conversations and communications relating to the allegation.
- Copies of the records should be kept in a confidential file at the relevant county office and must be sent to the safeguarding officer at NFYFC for safe keeping and future reference.

In some cases an investigation may result in a period of suspension or dismissal from YFC. When a member, volunteer or staff member is dismissed from YFC due to a conduct issue relating to the potential safety of others in YFC, the Club or County Federation will be legally required to make a referral to the Disclosure and Barring Service (DBS). This allows the DBS to build up a picture of soft information on a person's behaviour to identify patterns of poor conduct or unsuitability to work with certain groups.

The sections set out in this policy and the accompanying appendices and templates will ensure that your club and county have robust safeguarding procedures to protect your members and leaders from being exposed to harm or allegation. Although this policy will deter and potentially prevent some types of safeguarding issues it is vital to know how to recognise and address issues.

### **Record keeping and Information Sharing**

All concerns should be discussed with/verbally reported immediately to the appropriate safeguarding officer or with NFYFC. The verbal report should be supported by recording any relevant information as quickly as possible. Confidential records of any concerns or incidents must be maintained by the Club. All staff and volunteers must comply to the following procedures:

- Accurate recording is essential, as there may be a need to refer on to the Local Authority Designated Officer (LADO), Children's or Adult Social Care (Social Services or the Police. Ideally, where a disclosure has been made, a word for word (as far as possible) record of their account of what occurred in the person's own words should be recorded
- The record should include details of the nature of the allegation or concern and/or a description of any injury (you must not remove a member's clothing to inspect any injuries, nor should you take photographs of any injuries)
- Times, dates, places and any other detail should be included
- Referrals to Children's or Adult Social Care or the Police should be confirmed in writing within 24 hours and at the earliest opportunity.
- Keep a record of the name and designation of the member of staff at Social Services or the Police Officer to whom concerns were passed and record the time and date of the call in case any follow-up is needed. For children this will be Children's Social Care and for adults it will be Adult Social Care. Ensure that all information is maintained safely in accordance with Data Protection legislation.
- Information should only be shared on a strictly 'need to know' basis in the interests of protecting a child or young person. It is essential, however, that those who might need to ensure appropriate safeguards and support are put in place are alerted appropriately.
- Ideally, to ensure confidentiality is appropriately maintained, all information sharing internally should be with designated safeguarding officers who will then manage any external communications as required.
- The reasons for sharing information should always be recorded and it should always be in the interests of protecting/supporting a child, young person or others who may be at risk. Evidence from research and from Serious Case Reviews has repeatedly demonstrated that outcomes can be poor for vulnerable young people where individuals and organisations fail to share critical information. For this reason YFC, like many other organisations, promotes a 'dare to share' culture to encourage volunteers and staff to consider the potential consequences for vulnerable individuals where they hold information and fail to share it appropriately with designated safeguarding officers internally and with statutory agencies where appropriate.

### Information Sharing - Seven Golden Rules

1. Remember that the Data Protection Act and human rights legislation are not a barrier to sharing information
2. Be open and honest
3. Seek advice, don't make decisions in isolation
4. Share information with consent where possible
5. Consider safety and well-being (*what is in the interests of achieving the best outcome for this individual? Failing to share information can increase risks and prevent the assessment and planning of safeguarding measures around the individual*)
6. The information recorded should be 'necessary, proportionate, relevant, adequate, accurate, timely and secure'
7. Keep a record of your decision & reasons for it (e.g. in the belief that the individual was at a risk and that information was shared to ensure necessary action could be taken to safeguard and protect them)

**Source:**

**Information sharing Advice for practitioners providing safeguarding services to children, young people, parents and carers. HM Government. March 2015**

## Record retention

NFYFC has developed guidance for the 'Storage of Safeguarding Paperwork' to support counties and clubs to fulfil their legal responsibilities in relation to retention and storage of safeguarding records and linked paperwork.

Copies of all records of safeguarding concerns arising and managed within YFC should be kept in a confidential file at the relevant county office and must be sent to the safeguarding officer at NFYFC for safe keeping and future reference. The Independent Inquiry into Child Sexual Abuse (also known as the 'Goddard Inquiry' – for more information go to <https://www.iicsa.org.uk/>) has highlighted the critical importance of the safe retention and storage of records wherever an individual has been the subject of safeguarding concerns.

In August 2015 the inquiry issued retention instructions requesting the preservation of all records relating to the care of children. The anticipated scope of the Inquiry is so great that YFC should anticipate a request for records at some point in its duration.

County Federations and clubs must be alert to this and should prioritise the review the safeguarding records they hold along with their current safeguarding record storage and retention provision. NFYFC will be undertaking this process at national level and will be happy to provide advice to counties and clubs upon request.

Under Section 21 of the Inquiries Act 2005 the Inquiry has the power to order the production of documents. Failure to comply with such an order without reasonable excuse is an offence punishable by imprisonment (Section 35 of the Inquiries Act 2005). It is also an offence for a person, during the course of an Inquiry, to destroy, alter or tamper with evidence that may be relevant to an Inquiry. Institutions therefore have an obligation to preserve records for the Inquiry for as long as necessary to assist the Inquiry. Prolonged retention of personal data by an organisation at the request of the Inquiry would not therefore contravene the Data Protection Act 1998 provided such information is restricted to that necessary to fulfil any potential legal duties that organisation may have in relation to the Inquiry. An institution may have to account for its previous activities to the Inquiry so retention of the data will be regarded as necessary for this purpose. The obligation to the Inquiry to retain documents will remain throughout its duration.

## Confidentiality

The privacy of children, young people and adults at risk should be respected at all times except where there are safeguarding/child protection concerns that mean they may be at significant risk of harm. Volunteers and staff are responsible for ensuring that all YFC members who they work with within YFC understand that any sensitive and personal information about them will only be shared in accordance with the principles outlined above and in line with government guidance in order to prioritise the safeguarding and protection of them and of others where appropriate. This should be stated at the earliest possible point of contact.

*The volunteers or member of staff must discuss with the child or young person the implications of disclosing further information, thereby giving the child or young person choice as to whether or not to continue to disclose information to them. If the child or young person chooses to stop at this point do not lead or push them in any way, instead reassure them that you are available to talk at any time and make a record of the conversation and inform the club/county safeguarding or child protection officer.*

## If a young or vulnerable person wants to talk in confidence

1. Accept what they say, keep calm and give your undivided attention.
2. Do not promise confidentiality - tell them you may need to tell someone else in order to seek support and advice.
3. Reassure them that you will not blame them, be shocked or judgmental.
4. Recognise their fears and feelings - they may have been threatened and not be telling you all they know.
5. Reassure them that they were right to tell you and thank them for trusting you.
6. Do not promise you will be able to stop the situation immediately. Discuss the options with them and where appropriate agree a future action e.g. to seek advice from NFYFC or a safeguarding officer.
7. Make notes as soon as possible. Record dates and times of events and keep a handwritten record (typed ones can be changed).
8. Never physically examine a young person. In an emergency you may need to act on injuries to prevent them from worsening. Always make a written record of any action you take.
9. Never push for information. Leave this to a practitioner skilled in asking such questions and aware of the sensitivities required in evidence gathering. Remember that you are not the investigator.
10. Always seek professional help without delay and in the best interests of the vulnerable person.
11. Where concerns are about a child and a parent is not implicated, involve them as early as possible. If you return a child to a parent's care and fear that the allegations may go unreported, seek immediate professional advice from your local Social Care Department, NSPCC or police.
12. Have the 'Childline' number (0800 1111) on display so that a worried child can ring this if they prefer.
13. If you are unsure and wish to speak to somebody outside of YFC call the NSPCC's Helpline for support and advice on 0808 800 5000.

## Adults at Risk: rights & responsibilities

Staff, volunteers and members have a responsibility to be aware and alert to signs that all is not well with a vulnerable person. It should be noted that many adults with additional vulnerabilities either do not disclose this or do not self-identify as vulnerable. Equally more than 80% of disabilities are invisible (e.g. learning and communication differences). YFC staff, volunteers and members are not responsible for diagnosing, investigating or providing a therapeutic response to abuse. In addition, not all concerns relate to abuse, there may well be other explanations. It is important to keep an open mind and consider what is known about the vulnerable person and his or her circumstances.

The Federation will:

- ensure staff, member and volunteers are aware of vulnerable adult's need for protection
- notify the appropriate agencies if abuse is identified or suspected
- support and where possible secure the safety of individuals and ensure that all referrals to services have full information in relation to identified risk and vulnerability
- use safe recruitment procedures as documented in the NFYFC Safeguarding Children and Young People Policy including criminal record (Disclosure and Barring Service (DBS)) checks of staff and volunteers that have access to or work with Vulnerable Adults, if their role meets the eligibility criteria outlined by the Disclosure and Barring Service.

The Vulnerable Adult has the right:

- to be made aware of this statement
- to have alleged incidents recognised and taken seriously
- to receive fair and respectful treatment throughout
- to be involved in any process as appropriate
- to receive information about the outcome

## Key principles underpinning all adult safeguarding work

Adapted from HM Government *Care and Support Statutory Guidance 2015*, Section 14.13

Where there are serious concerns about immediate risk of harm in relation to an adult immediate action should be taken without delay. Follow the reporting procedures in this policy but consider the following principles at all times:

- **Empowerment**  
Adults being supported and encouraged to make their own decisions and informed consent. *'I am asked what I want as the outcomes from the safeguarding process and these directly help to inform what happens'.*
- **Prevention**  
It is better to take action before harm occurs. *'I receive clear and simple information about what abuse is, how to recognise the signs and what I can do to seek help'.*
- **Proportionality**  
The least intrusive response appropriate to the risk presented. *'I am sure that the professionals will work in my interest, as I see them and they will only get involved as much as needed'.*
- **Protection**  
Support and representation for those in greatest need. *'I get help and support to report abuse and neglect. I get help so that I am able to take part in the safeguarding process to the extent to which I want'.*
- **Partnership**  
Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse. *'I know that staff and volunteers will treat any personal and sensitive information in confidence, only sharing what is helpful and necessary. I am confident that the YFC staff and volunteers will work together with professionals where necessary and with me to get the best result for me'.*
- **Accountability**  
Accountability and transparency in delivering safeguarding. *'I understand the role of everyone involved in my life and so do they'*

There may be circumstances when a volunteer or member of staff suspects that a vulnerable adult is being abused or neglected. It is vital that any anyone who suspects a vulnerable adult is being neglected or abused discusses the situation immediately with the county safeguarding officer or NFYFC.

You should:

- Never delay emergency action to protect a vulnerable adult
- Always record in writing concerns about an adult's welfare, whether or not further action is taken
- Always record in writing discussions about an adult's welfare.

- At the close of discussion, always reach clear and explicit recorded agreement about who will be taking what action, or that no further action will be taken.
- At all times action must proceed urgently.
- never assume someone else has raised concerns
- Staff and volunteers should consult with the safeguarding officer or NFYFC before taking any action unless this would incur significant delay which increases potential risks.
- As an organisation YFC welcomes the fact that people and lifestyles are diverse and does not make judgements about the acceptability or otherwise of lifestyles. It is important however that this philosophy does not stand in the way of the organisation's responsibility to protect vulnerable people from harm.
- Any staff member may report a suspicion of abuse to adult social care services irrespective of the opinion of other staff.
- It is important for staff and volunteers to make written records of any incidents or concerns that they have as soon as possible. It is also important to make a record of conversations with the vulnerable person using the same language the vulnerable person used especially names used for body parts or sexual acts.
- Full written records must be maintained of all disclosures and actions following disclosure.

## Disclosure of abuse by adults

A staff, member or volunteer informed of abuse should remind the service user that they cannot guarantee confidentiality where a vulnerable person is at risk of abuse or further abuse. They should consult with the county safeguarding officer before taking any action, and follow the points listed above.

In circumstances where a service user declines to disclose, it may be necessary to report the alleged abuse without the service user's agreement. In these circumstances, a service user should be notified in advance of the decision to report to social services unless it is feared that this would increase risks for the individual or others (e.g. where there are mental health concerns).

Any staff or volunteer may report a disclosure of abuse to social services irrespective of the opinion of other staff. It is important for staff and volunteers to make written records of any incidents or concerns that they have as soon as possible. It is also important to make a record of conversations with the vulnerable person using the same language the vulnerable person used especially names used for body parts or sexual acts. Full written records must be maintained of all disclosures and actions following disclosure.

## Complaints procedure

NFYFC's Standards of Personal Behaviour and the Constitution provide guidelines of how to deal with complaints about the actions of members, volunteers in positions of trust and staff. Individual Club and County constitutions give powers to deal with complaints about members. Members, volunteers or staff may be subject to an investigation if a complaint or allegation is made against them, this may be done internally (within YFC) or may require the support of external services (LADO, Social care or the police).

During the process of any investigation the person involved will be given a point of contact and will be informed of the procedure and any outcomes as these become available. The process and outcomes of any investigation should be logged and stored by the club/county. YFC will offer support to the person that is subject to the allegation and will work with the county to support the dismissal of individuals or the reintegration of them back into the YFC community dependent on the situation outcome.

## Whistle blowing' statement

Whistle blowing is described as the revelation of wrong doing, abuse or unethical behaviour by a member in a position of trust or a staff member within an organisation to those in positions of authority. Staff and volunteers are encouraged to report concerns to their line manager or county office so that the matter can be investigated. The Constitution sets out the procedure for dealing with disputes. When a member, volunteer or staff member has reported suspicions about another member, volunteer or staff member the County Federation and NFYFC will protect that person from any harassment or unfair treatment.

The NSPCC has established a Whistleblowing Helpline for those who do not feel confident raising concerns internally. As an organisation the Federation encourages the reporting of concerns and prioritises the welfare and safeguarding of our members even if, for whatever reason, external reporting is considered:

NSPCC Whistleblowing Helpline:           Tel:    0800 028 0285  
                                                          Email: [help@nspcc.org.uk](mailto:help@nspcc.org.uk)

## Useful Contacts

Your county Local Safeguarding Children's Board

Website and contact details – *County to complete in policy reference copy*

Your county council for voluntary youth services

Website and contact details - *County to complete in policy reference copy*

Your county children's social care department – office hours and duty team (out of hours)

Website and contact details – *County to complete in policy reference copy*

Your county adult social care department – office hours and duty team (out of hours)

Website and contact details - *County to complete in policy reference copy*

Your county local police child protection department

Website and contact details - *County to complete in policy reference copy*

[www.nspcc.org.uk](http://www.nspcc.org.uk) - The NSPCC protects children across the UK. They run a wide range of services for both children and adults, including national help lines and local projects.

NSPCC free 24-hour Helpline

Tel: 0808 800 5000

Email: [help@nspcc.org.uk](mailto:help@nspcc.org.uk)

Childline

Tel: 0800 1111

[www.safenetwork.org.uk](http://www.safenetwork.org.uk) - Safe Network was launched in 2009 as a partnership between the NSPCC and Children England. It was created as a result of the Government's Staying Safe action plan and offered advice, resources and support to youth groups. Unfortunately Safe Network service closed in April 2016 and many of the free/subsidised resources developed for the voluntary, community and faith sectors are now available via the NSPCC website (see above).

## Appendix List

### Legal duty of care

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### Recruit Safe – Section one

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Appendix 3      Application form for Staff members  
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Appendix 5      CR/DBS checks – YFC Roles and levels of check  
Appendix 6      Reference form  
Appendix 7      Recruitment of ex-offenders policy  
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### Run Safe – Section two

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Appendix 17      Safeguarding action plan



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Registered number: 52SA