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NATIONAL FEDERATION OF YOUNG FARMERS' CLUBS

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SAFEGUARDING OF CHILDREN AND  
YOUNG PEOPLE



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## **WYFC SAFEGUARDING CHILDREN AND YOUNG PEOPLE POLICY STATEMENT**

This policy on Safeguarding Children and Young People has been drawn up with close reference to the guidelines contained in the Home Office document 'Safe from Harm' and the National Council for Voluntary Youth Service document 'Keeping it Safe'

WYFC recognises and fully endorses the United Nations Convention on the Rights of the Child. A summary of the Convention is printed on the following pages.

The policy recognises the obligations and duty of care on organisations working with children and young people as covered in the Children's Act 1989. This Act defines children and young people as anyone up to the age of 18 years. This policy applies to all staff, members and volunteers of WYFC and all those who come into contact with WYFC.

The policy is designed to encourage the development of good practice in to prevent the neglect, physical, emotional and sexual abuse of young people and children while they are in the care of WYFC. It stresses the responsibility of all workers 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.

WYFC is committed to providing safeguarding children and young people training for staff and members to raise awareness of issues and prevent incidents occurring.

The policy is also intended to protect those who work with young people and children from unfounded accusations or from behaving in ways which may be well-intended but inadvisable, and to enable WYFC to fulfil its 'duty of care'.

### **Legal duty of care**

The Law defines a child as a person who is under the age of 18 years

Criminal Justice and Court Services Act 2002.

Checking employees working with children - All volunteers in WYFC who take positions of responsibility over and above that of an ordinary member are, for the purposes of child protection, employees. Having the responsibility for the supervision, training or being in charge of children and young people is a 'Regulated' position. It is therefore a criminal offence if an employer does not take sufficient steps to check any employee working with children and young people. This means that all volunteers must be checked at the Enhanced level of Disclosure from the Criminal Records Bureau.

Abuse of trust - The Sexual Offences (Amendments) Act 2000 introduces the offence of abuse of trust. This offence covers sexual relationships between a person over the age of 18 years and a person under that age where the adult is in a 'position of trust' in relation to the young person.

### **Summary of the United Nations Convention on the Rights of the Child**

1. Everyone under 18 years of age has all the rights in this convention.
2. The Convention applies to everyone whatever their race, religion, abilities, whatever they think or say, whatever type of family they come from.
3. All organisations concerned with children should work towards what is best for each child.
4. Governments should make these rights available to children.
5. Governments should respect the rights and responsibilities of families to direct and guide their children so that, as they grow, they learn to use their rights properly.
6. All children have the right to life. Governments should ensure that children survive and develop properly.
7. All children have the right to a legally registered name, the right to nationality and the right to know and, as far as possible, to be cared for by their parents.
8. Governments should respect children's rights to a name, a nationality and family ties.
9. Children should not be separated from their parents unless it is for their own good, for example if a parent is mistreating or neglecting a child. Children whose parents have separated have the right to stay in contact with both parents, unless this might hurt the child.
10. Families who live in different countries should be allowed to move between those countries so that parents and children can stay in contact or get back together as a family.
11. Governments should take steps to stop children being taken out of their own country illegally.
12. Children have the right to say what they think should happen, when adults are making decisions that affect them, and to have their opinions taken into account.
13. Children have the right to get and to share information as long as the information is not damaging to them or others.
14. Children have the right to think and believe what they want and to practice their religion, as long as they are not stopping other people from enjoying their rights. Parents should guide their children on this matter.
15. Children have the right to meet together and to join groups and organisations, as long as this does not stop other people from enjoying their rights.
16. Children have the right to privacy. The law should protect them from attacks against their way of life, their good name, their families and their homes.
17. Children have the right to reliable information from the mass media. TV, radio and newspapers should provide information that children can understand and should not promote materials that could harm children.
18. Both parents share responsibility for bringing up their children and should always consider what is best for the child. Governments should help parents by providing services to support them, especially if both parents work.
19. Governments should ensure that children are properly cared for and protect them from violence, abuse and neglect by their parents or anyone else who looks after them.

20. Children who cannot be looked after by their own family must be looked after properly, by people who respect their religion, culture and language.
21. When children are adopted the first concern is what is best for them. The same rules apply whether the children are adopted in the country where they were born or taken to live in another country.
22. Children who come into a country as refugees should have the same rights as children born in that country.
23. Children who have any kind of disability should have special care and support so that they can lead full and independent lives.
24. Children have the right to good quality health care and to clean water, nutritious food and a clean environment so that they will stay healthy. Rich countries should help poorer countries achieve this.
25. Children who are looked after by the local authority rather than their parents should have their situation reviewed regularly.
26. The government should provide extra money for the children of families in need.
27. Children have the right to a standard of living that is good enough to meet their physical and mental needs. The Government should help families who cannot afford to provide this.
28. Children have a right to an education. Discipline in schools should respect children's human dignity. Primary education should be free. Wealthy countries should help poorer countries achieve this.
29. Education should develop each child's personality and talents to the full. It should encourage children to respect their parents and their own and other cultures.
30. Children have a right to learn and use the language and customs of their families, whether these are shared by the majority of people in the country or not.
31. All children have the right to relax and play and to join a wide range of activities.
32. The Government should protect children from work that is dangerous or might harm their health or education.
33. The Government should provide ways of protecting children from dangerous drugs.
34. The Government should protect children from sexual abuse.
35. The Government should make sure that children are not abducted or sold.
36. Children should be protected from any activities that could harm their development.
37. Children who break the law should not be treated cruelly. They should not be put in prison with adults and should be able to keep in contact with their families.
38. Governments should not allow children under 15 to join the army. Children in war zones should receive special attention.
39. Children who have been neglected or abused should receive special help to restore their self respect.

40. Children who are accused of breaking the law should receive legal help. Prison sentences for children should only be used for the most serious offences.

41. If the laws of a particular country protect children better than these articles of Convention then those laws should stay.

42. The Government should make the Convention known to all parents and children.

## **RECRUITMENT PROCEDURE**

By the very nature of YFC, the vast majority of our volunteer leaders are ‘home reared’ and invited by the Members to undertake a role. We must recognise that when a member moves on to become a leader or take on additional responsibilities in a club or county they should be treated in exactly the same way as someone from outside of the organisation applying for a job or offering to help. All staff and volunteers are entitled to be treated in exactly the same way and share the same rights and responsibilities. The term STAFF is therefore used hereafter and applies to paid and voluntary personnel of WYFC.

The use of Criminal Records Bureau checks is described in detail at part 3 of this policy however it should be remembered that CRB check are not only used to protect children and young people. CRB checks also help us to identify those individuals who have been convicted of offences of dishonesty and help us protect our funds. A CRB check demonstrates that we are fulfilling our obligation to ensure that trustees of YFC are fit and proper people.

We must all be aware that occasionally individuals may come forward who may have ulterior motives for wanting to work with young people and we cannot afford to put our young people, or the good reputation of our Clubs and Counties at risk. Therefore, in order to minimise the risk of potential abusers gaining access to the young people in Clubs, it is essential that the following procedures be applied:

### **FOR ALL NEW STAFF**

For the purposes of this policy staff shall include the following roles;

Club and County Officers

Club Leaders

Club and County Advisers

Trustees

WYFC and County Staff

It is good practice for all staff to have clear job or role descriptions that detail their responsibilities and highlight line management reporting structures.

All staff should complete an application form, be interviewed and provide at least two recent references (which must be thoroughly checked) this process provides the opportunity for previous experience to be assessed. Potential members of staff should explain any gaps in employment or residency. All staff should receive induction training in their role. All staff should provide evidence of identity, at least two items of evidence should be examined a passport and a utility bill for example, and the details should be recorded in the individuals personnel file. The offer of employment with YFC should be subject to the successful completion of a probationary period, which is normally three months. Staff should receive regular support and supervision by their line manager or an agreed nominated person.

- 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 Declaration Form (to be signed) and the accompanying letter of explanation (see Appendix B4 and B4).
- All personnel with unsupervised access to children and vulnerable young people must be subject to an Enhanced Disclosure check to be undertaken through the offices of the Criminal Records Bureau.

### 3. CRIMINAL RECORD CHECKS FOR YFC PERSONNEL

The Government has established the Criminal Record Bureau (CRB) as the agency to check the criminal records of people who are applying for both paid and voluntary work with vulnerable children and adults. The agency use the brand name Disclosure for marketing its service to the public.

Disclosure checks are free for all voluntary roles at both Standard and Enhanced levels.

Disclosures for paid employees are charged for, current rates can be viewed on the Disclosure web site at [www.disclosure.gov.uk](http://www.disclosure.gov.uk)

All roles within YFC that have unsupervised access to children and young people must be subject to a Disclosure from the Criminal Records Bureau.

Frequency of CRB checks - all staff must be re-checked at intervals of not more than three years.

Portability of CRB checks - the Disclosure service recommends that organisations no longer accept CRB checks made by another organisation. The following is extracted from the Disclosure web site;

*'The CRB took this decision as a direct result of the inherent risks associated with the re-use of a Disclosure. The CRB does not endorse the use of portability. Organisations that choose to accept a previously issued Disclosure do so at their own risk. Organisations that choose to continue with the practice of accepting a previously issued Disclosure should read the new portability framework.'*

**There are 2 levels of Disclosure.**

**WYFC recommend that all CRB checks are made at the Enhanced level**

## **Standard Disclosure**

Standard Disclosures are primarily for posts that involve working with children or vulnerable adults. Standard Disclosures may also be issued for people entering certain professions, such as members of the legal and accountancy professions. Standard

Disclosures contain the following;

- details of all convictions, cautions, reprimands and warnings held on the Police National Computer (PNC);

and if the position involves working with children or vulnerable adults and the relevant boxes have been marked on the application form to indicate this:

- information from the Protection of Children Act List (PoCA);
- Information from the Protection of Vulnerable Adults List (POVA); and
- Information held by the DfES under Section 142 of the Education Act 2002 of those considered unsuitable for banned from working with children.

## **Enhanced Disclosure**

Enhanced Disclosures are for posts involving a far greater degree of contact with children or vulnerable adults. In general, the type of work will involve regularly caring for, supervising, training or being in sole charge of such people. Examples include a Teacher, Scout or Guide leader. Enhanced Disclosures are also issued for certain statutory purposes such as gaming and lottery licences.

Enhanced Disclosures contain the same information as Standard Disclosures but with the addition of local police force information considered relevant by Chief Police Officer(s).

## **Access to CRB checks**

The means of accessing CRB checks will vary for each County. It is recommended that the Local Authority Youth Service is contacted for advice on how to access checks. Councils for Voluntary Youth Services and County branches of Clubs for Young People or UK Youth may also provide access to checks. The Disclosure website also lists voluntary sector agencies who are prepared to conduct checks on behalf of other organisations.

## **Reporting procedures**

If at any time a member of staff believes that;

- a child or young person is at serious risk of harm or
- has been the victim of child abuse or
- is in need of urgent medical attention or
- believes that another person is at serious risk of harm by the child or young person

The reporting procedure shown at Appendix D must be put into action immediately.

If a member of staff is in any doubt as to whether or not an incident should be reported they must consult with their line manager, WYFC or contact NFYFC's Child Protection Officer for advice.

## **Complaints procedure**

WYFC's Standards of Personal Behaviour policy and WYFC Constitution provide guidelines of how to deal with complaints about the actions of members and staff. Individual Club and County constitutions give powers to deal with complaints about members.

## **'Whistle blowing' statement**

Whistle blowing is described as the revelation of wrong doing, abuse or unethical behaviour by a member of staff within an organisation to those in positions of authority.

Staff are encouraged to report to their line manager any suspicion, concern or allegation so that the matter can be investigated. The YFC Constitution sets out the procedure for dealing with disputes.

When a member of staff has reported suspicions about another member of staff or the organisation itself, WYFC will protect that person from any harassment or unfair treatment.

## **Confidentiality policy**

The principle of confidentiality is fundamental to the working of WYFC. Information should not be confidential to individual staff - the bounds of confidentiality are within the staff team. Youth workers treat with confidence personal information about young people, whether obtained directly or indirectly, or by inference. Such information includes name, address biographical details, and other descriptions of the young person's life and circumstances, which might result in their identification. Information concerning a young person will not be passed on to another young person except with their agreement. Where staff wish to communicate information about a young person outside the team, permission of the young person will be sought. Exceptional circumstances may arise where there is danger that a young person may cause physical harm to themselves or to a third party. In this case agreement to consult with other agencies should be sought from the young person wherever possible, unless there are good grounds the young person is no longer able to take responsibility for his/her own actions. In situations where young people may be disclosing sexual, physical, or emotional abuse, a worker should never agree to confidentiality.

The nature of working with children and young people makes the practice of prescriptive guidelines difficult in some, areas. Staff therefore need to be aware of different factors around confidentiality, which affect them in different working contexts, and make appropriate decisions. If a member of staff has any doubts whatsoever they should seek advice from their line manager, WYFC or contact NFYFC Child Protection Officer for assistance

## **Practical application of confidentiality**

The nature of our work with children and young people is such that trusting relationships develop between members and adult leaders. It is essential that all adults in WYFC understand the limits of maintaining a member's confidentiality.

From time to time a member will entrust confidential information to an adult leader. In most circumstances such information will be given to check out information, ask for advice or support or simply to share something personal. In some cases this information may be alarming or uncomfortable for the adult but the nature of the information may be such that it does not lead the adult to believe that the young person is at serious risk of harm. Examples of this would be where a member discusses risky sexual behaviour or issues about drug or alcohol use.

Where an individual discloses or is about to disclose information that leads the member of staff to believe the individual may be at serious risk of harm the member of staff should warn the person that they have reached a point where further confidentiality cannot be guaranteed. Such a statement allows the individual to stop disclosing the information if they wish. Should the individual wish to continue then the guidelines set out in Appendix D1 should be followed.

### **Risk assessment**

Risk assessment is an important factor in keeping children and young people safe from harm. WYFC Health and Safety Policy provides guidelines on assessing potential risks for all activities and should be followed on all occasions to ensure the safety of all members of WYFC and those in attendance at activities.

### **Training**

YFC is committed to the ongoing training and development of its staff and will ensure that all members of staff have regular access to Safeguarding Children and Young People training. The minimum standard for Safeguarding Children and Young People training is that all new staff will undertake appropriate training as part of their Induction training programme. YFC will deliver Safeguarding Children and Young People courses in each Area at least every two years.

### **Providing safer activities and trips**

#### **Ratio of staff to young people**

The actual number of staff to young people will vary depending on the activity undertaken. The DFES recommend that there should be a minimum of 1 adult to 10 young people. There should be at least two adults present at each YFC activity and it is preferable that male and female staff should be present. It should be recognised that each activity should be risk assessed and the staff ratio agreed accordingly. Activities that are residential often require a higher staffing ratio as do activities that involve young people with special needs.

### **Parental consent**

Parental consent forms can be found at Appendix C6,C7,C8

The parent or guardian of every member under the age of 18 years must sign a consent form for their child to participate in YFC activities.

- The purpose of the consent form is to ensure that the parent knows the details of the times, location and cost of the event planned.
- It tells them who is in charge of the event and gives a contact phone number.
- The form gives the parent the opportunity to inform the event leader information about any health or dietary issues.
- The form also enables parents to sign over, if they wish to, responsibility to the event leader should a medical emergency arise.
- It is therefore important that the consent forms are kept up to date with this personal information.
- It is good practice for the leaders of an activity to have in their possession the consent forms for members aged 18 and under and the Emergency contact forms for those 18 and over. Emergencies can arise on route to an activity where a member could be taken ill during the journey or could be involved in a road accident.

**General consent forms** - it is permissible to use a general consent form which covers normal weekly meetings at a set time and place and covering a range of general YFC weekly programme activities which should be notified to the parent either on the form or as an additional document. Such a general consent form could cover a single term or a Club programme year. The general consent form should be completed annually as a minimum requirement.

**Trips and Residential consent forms** - for all other activities and events outside of the regular club programme Trips and Residential consent forms should be used on each occasion.

**Emergency contact and health forms for members aged 18 and over.**

It is good practice for all members and staff to provide Club Officers or Club Leaders with emergency contact details and information about any medical condition that may arise.

**Confidentiality of consent forms**

In all cases the information provided should remain confidential and kept by the leader of the activity. After the activity forms should be destroyed using a shredder to protect confidentiality.

**Club records**

It is essential that each club maintains a record of its members and that such a record is readily available at Club meetings should an incident arise. This can be achieved simply by filing parental consent forms in a folder and nominating a Club Officer or Leader to ensure that the folder is taken to a meeting.

**Use of photographs or recorded images of children and young people**

Implicit within the WYFC Safeguarding Children and Young People Policy is the commitment to ensure that all publications and media represent participants appropriately and with due respect.

- A photograph or image (website) of a child should not be published without written consent, and personal information of the individual, other than the name, should not accompany the image.
- Care must be taken to ensure that images of children who are under a court order are not recorded or published without permission.
- Simultaneous streaming of images onto a website should be avoided. The delayed streaming will provide an opportunity for editing inappropriate images. It is also recommended that an independent server is used to ensure that images can not be accessed, copied or downloaded.
- Websites should be carefully monitored to eliminate the use of inappropriate images or improper text.
- Any instance of the use of inappropriate images should be reported to WYFC who may then inform the appropriate authorities.
- WYFC parental consent forms should contain an informed consent statement that photographers may be present at YFC events and images may be published. By giving consent for the child or young person to attend the event, there is acceptance that the child/participant may be photographed.

For the purposes of this policy the word photography means both still and moving images.