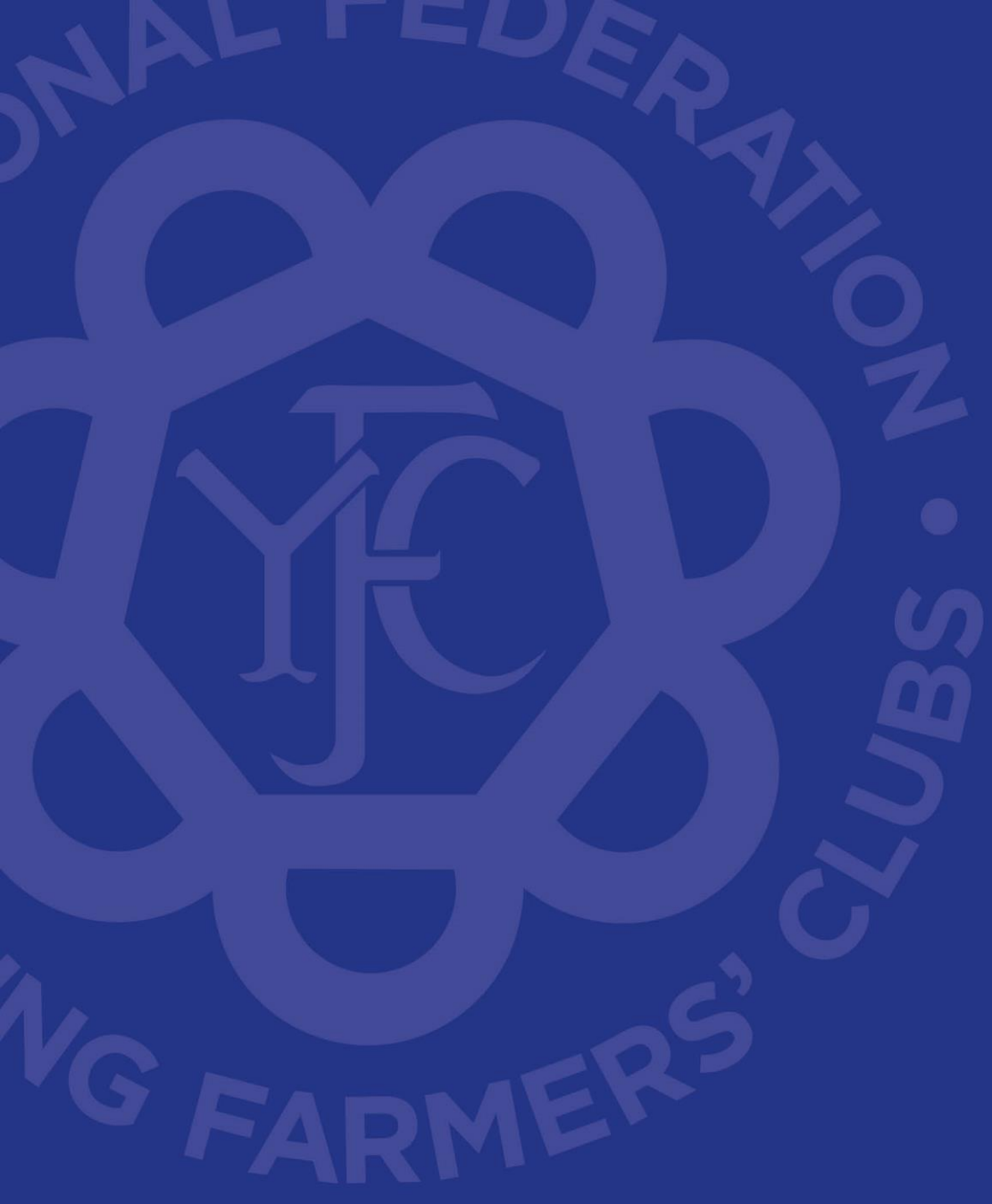


February 2020









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

*P&G 067 adopted by NFYFC Jan 2020*



**Fun, Learning  
and Achievement**

## Procedure for Responding to Concerns

<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>
	
<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. 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>
	
<b>REFER</b>	<p style="text-align: center;">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;"> <p><b>NO</b></p>  </div> <div style="text-align: center;"> <p><b>YES</b></p>  </div> </div> <p style="text-align: center;">Call emergency services (999) Once appropriate action has been taken ensure that you</p> <div style="border: 1px solid black; padding: 10px; margin: 10px 0;"> <p>Refer on to and seek support from: Club or County Designated Safeguarding Officer – details listed below (In their absence or if they are the subject of the concern inform the Club/County Chairman or a member of the County office staff). The local safeguarding officer will advise on the next course of action i.e. if the information needs to be referred on to external services that are available 24 hours a day such as the social services duty team</p> </div> <div style="text-align: center; margin: 10px 0;">  </div> <p style="text-align: center;"><b>Insert Local safeguarding contact details: Club/County Officer</b></p> <p>Name: Role: Tel: Mob: Email:</p> <div style="border: 1px solid black; padding: 5px; margin: 5px 0;"> <p><b>NFYFC Safeguarding Contact details:</b> Monday – Friday 9-5 NFYFC office – 02476 857 200 Cath Sykes – 02476 857 220, email – <a href="mailto:cath.sykes@nfyfc.org.uk">cath.sykes@nfyfc.org.uk</a> James Eckley – 02476 857 214, email – <a href="mailto:james.eckley@nfyfc.org.uk">james.eckley@nfyfc.org.uk</a> Matt Caldicott – 02476 857 207, email – <a href="mailto:matt.caldicott@nfyfc.org.uk">matt.caldicott@nfyfc.org.uk</a></p> </div>
	
<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). Appendix 19 can be used to record the information Records should be securely stored in accordance with data protection legislation and GDPR by clubs and counties. Do not destroy handwritten notes.</p> <p><b>Ensure that the NFYFC safeguarding team (listed above) are informed</b> of any statutory agency referrals (Social Care/Local Authority Designated officer/Police) within 48 hours of the concern/disclosure so that support can be offered. Handling a concern/disclosure can be anxiety provoking and 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 several 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. We recognise fully that there are critical differences when seeking to support and safeguard adults but have made an organisational decision to maintain one unified safeguarding policy in response to the expressed preference of our membership.

*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 of YFC activities and opportunities 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
- Adoption and Children Act 2002
- Sexual Offences Act 2003
- Safeguarding Vulnerable Groups Act 2006
- Equality Act 2010
- Protection of Freedoms Act 2012
- Children and Families Act 2014
- Care Act 2014
- Counterterrorism and Security Act 2015 (*and the Government's Prevent Strategy*)
- Working Together to Safeguard Children (2018)
- Care and Support Statutory Guidance (2018)
- Information sharing. Advice for practitioners providing safeguarding services to children, young people, parents and carers (July 2018)
- Charity Commission guidance 2017 (updated October 2018) - [www.gov.uk/guidance/safeguarding-duties-for-charity-trustees](http://www.gov.uk/guidance/safeguarding-duties-for-charity-trustees)
- NSPCC/Voluntary and Community Sector safeguarding standards and guidance (England) 2017 (updated Sept 2018) – safeguarding children, young people and adults aged 0-25 in the voluntary and community sector.
- The Children's Workforce Development Council 'Recruiting Safely'
- Keeping Children Safe in Education (2019)
- National Council Voluntary Organisations Services 'Keeping it Safe' resources (2019)



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 indicators of harm and concerns about abuse. It also provides for a prompt and effective reporting procedure should safeguarding concerns arise or abuse be suspected, disclosed or discovered, regardless of the setting in which the abuse has taken place.

Our priority is to support the development of an informed Young Farmers community who promote safe working practices and who are alert to and respond positively, consistently and appropriately to any indications of concern or potential abuse. We all have a vital role to play in keeping children and adults involved in Young Farmers safe from harm.

NFYFC is committed to supporting county federations to access appropriate on-line and direct delivery training and learning opportunities from a range of providers (including their local safeguarding partnership or voluntary youth organisation) for those in a position of responsibility working with children, young people and adults who may be additionally vulnerable. These training opportunities aim to raise awareness of their safeguarding responsibilities within Young Farmers, support informed responses and develop a confident and competent volunteer/staff team who actively promote an environment that is positive for our members.

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

1. **Recruit safely** - *to allow YFC's to ensure that they have robust recruitment procedures to select the most appropriate volunteers and staff to work with Children and Young People.*
2. **Run Safely** – *to ensure that the day to day operations of YFC's have safeguarding at the core of their activities*
3. **Sharing Concerns** – *to give clear information on how to address any concerns within the YFC community that could put children, young people and adults who may be additionally vulnerable.*



## Legal duty of care

The Children Act 1989 defines children and young people as anyone up to 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 for those with a recognised disability 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. There are many factors which can increase the vulnerability of those involved in Young Farmers activities including:

- Social isolation
- Mental health issues
- Illness
- Communication and learning differences
- Substance abuse (alcohol and/or drugs)
- Bullying and harassment
- Exploring sexual or gender identity
- Poverty
- Transport
- Residential events
- Familial contexts where it is difficult to report a concern

The Care and Support Guidance 2018 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 term adults at risk will be used when referring to legislation within the policy. We recognise that adults may not self-identify as being at risk when this is related to the context and circumstances in which they find themselves. NFYFC have reflected this understanding by choosing to use the terminology 'adult who may be additionally vulnerable' for a range of reasons. At NFYFC we recognise that any one of our members, volunteers or staff 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. Organisations like NFYFC have both a legal and a moral duty of care to ensure these rights to be safe, supported and protected from harm are prioritised in the delivery of activities and services for all members

*Safeguarding Vulnerable Groups Act 2006* – originally provided the legislative framework for the 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 to support organisations in relation to assessing the suitability of individuals to undertake roles and responsibilities as part of their paid or volunteer workforce.

*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. (Full definition in Appendix 4) 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 subject to criminal record checks at the correct level of disclosure for the responsibilities that 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 explained further within the recruit safe section of the policy.

*Charity Commission* – The Charity Commission is the regulator of the charitable sector in England and Wales. In October 2018 the Charity Commission produced updated safeguarding guidance 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.

The new guidance also introduces a requirement to report safeguarding incidents. Charities like NFYFC must make a report to the Commission if any serious safeguarding risk(s) materialises. This includes all incidents of abuse or mistreatment (alleged or actual) of beneficiaries of the charity (children or adults) which have resulted in or risk significant harm to them and this happened while they were under the care of the charity. A summary of this guidance for trustees is set out in Appendix 1 of this policy.

*Counterterrorism 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 radicalised and/or 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. There is also evidence of increased far right extremism and radicalisation within many communities, particularly in areas where the population are facing challenges related to poverty, social isolation and unemployment.



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. The full prevent strategy and access to the online learning modules can be accessed at [www.gov.uk/government/publications/prevent-duty-guidance](http://www.gov.uk/government/publications/prevent-duty-guidance).

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 (Female Genital Mutilation Act 2003) and forced marriage (Forced Marriage (Civil protection) Act 2007) which are illegal in the UK. 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 (misdemeanor 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 whilst also protecting the welfare of all members and staff.

*Adults at Risk- Adapted from HM Government Care and Support Statutory Guidance 2018, 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. Always follow the reporting procedures in this policy but consider the following principles:

- **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'*

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, as 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. Information may be declared on the membership form and if appropriate further information gained from the need's assessment within the additional needs support guide available on request from NFYFC.

The Federation will:

- ensure staff, members and volunteers are aware of an adult at risk's need for support and protection
- notify the appropriate agencies if immediate risk of harm or 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, Young People and Adults at Risk Policy including criminal record (Disclosure and Barring Service (DBS) checks of staff and volunteers that have access to or work with Adults at Risk, if their role meets the eligibility criteria outlined by the Disclosure and Barring Service.

The 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 consulted and involved in any process as appropriate in accordance with the principles set out below
- where they have capacity, to decline assessment and support where there are not concerns about immediate risk (under the Mental Capacity Act 2005 and Care and Support Statutory Guidance 2018)
- to receive information about the outcome

Further information regarding the safeguarding of adults who may be additional vulnerable can be found in section 3 of this document.

*Through the promotion of this safeguarding policy and procedures with supporting guidance, the NFYFC seeks to ensure that the organisation's duties are understood, addressed and fulfilled at a national level. The NFYFC gives guidance and support to county federations and clubs at a local level. Failure to adopt or adhere to the policy (or an alternative policy formally endorsed by an organisation approved by NFYFC) may leave clubs and county federations exposed to risk as accountability sits with the trustees at local level. In October 2018 the Charity Commission guidance again emphasised that safeguarding must be seen as core business for any charity and reiterated the requirement for 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 and county federations 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 seek to ensure that we recruit safe and appropriate people to work with children, young people and adults who may be additionally vulnerable 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 potentially positive evidence which can be considered to support those working with children, young people and adults who may be additionally vulnerable when concerns arise. Safe recruitment records should be made and retained 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, the Charity Commission and potentially the Local Authority Designated Officer (LADO) in line with current legislation and both statutory and sector guidance.

NFYFC is a voluntary youth organisation for children and young people aged 10-26. Due to the age group and the nature of work our organisation undertakes with young people our staff and volunteers are subject to safe recruitment procedures to ensure that they are suitable for working with children, young people and, where applicable, adults who may be additionally vulnerable. NFYFC takes this matter very seriously and will take all reasonable steps to prevent inappropriate people from working within YFC. Many of our members are under the age of 18, it is essential that we take every possible step to protect the welfare of these children and young people and also the good reputation of YFC.

Young Farmers will apply the following recruitment standards to those who are within the Club/County Officer Team/Junior Club Leaders, other volunteers or staff members who have regular access to children, young people and also to any adult who, within their role and responsibilities, may have a leadership/supervisory role or accompany young members on specific activities, in particular on residential activities, this is classed as regulated contact. 'Regulated contact' is a term used to classify a person's contact with children, young people or adults who may be additionally vulnerable which determines the level of safe recruitment checks they require, a full explanation of the categories of regulated contact can be found in Appendix 4.

### **Recruitment procedures**

Our volunteers are our biggest asset, but it must also be acknowledged that there are individuals who have ulterior motives for wanting to work with young people and vulnerable groups. 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 and act as a deterrent by demonstrating robust safeguarding understanding and arrangements. Demonstrating a clear, well promoted and implemented safe recruitment procedure from the point that a role is advertised/becomes available through to appointment will strongly deter those people with poor intent from attempting to enter YFC to gain access to children and young people.

Many members describe Young Farmers as like being part of a family and evidence shows that the majority of abuse takes place in the home or is perpetrated by someone well known to the victim. Whilst not creating a culture of suspicion, it is therefore vital that everybody in the organisation understands their responsibilities in relation to safeguarding.

The vast majority of YFC volunteer leaders are 'home reared' and elected or approached 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 equitably, that means treated in exactly the same way, subject to the same processes and sharing 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.

## Application forms

Asking all potential staff and volunteers to complete an application form is advisable over acceptance of a CV as it allows you to ask specific and consistent 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 procedures. Template volunteer and staff application forms can be found in Appendix 2 and 3.

## Self Declaration Form

A self declaration is incorporated into the application forms for staff and volunteers and should be used for all regulated roles within the organisation. It asks the applicant the exempt questions which requires applicants to disclose any past offences, including spent convictions, investigations, concerns and information that may need to be considered and assessed during the recruitment process. This information may or may not be disclosed on the DBS certificate but any discrepancies between these two sets of information may raise safeguarding concerns. It is vital to recognise the need for sensitivity and confidentiality to be maintained in relation to any information shared by applicants. It should also be noted that many offences will not have any safeguarding implications or be relevant to the role applied for. Any information disclosed will be considered in a transparent, informed and equitable way where it is relevant to the role and responsibilities that an individual is seeking to undertake. All information shared will be treated in confidence and individuals are afforded the option of withdrawing their application should they not wish to be subject to these safe recruitment measures.

## 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 considered 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.

## **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 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 anxious that they might be 'caught out' by seemingly 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. These roles can be alternated and agreed in preparations before interviews start. This also reduces the potential for bias and also 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 at this stage).

Hypothetical questions should be avoided, and questions should be framed to ensure that applicants can speak from working, volunteering and lived experience. 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. For those that regularly interview for posts within Young Farmers it may be beneficial to complete the NSPCC online safe recruitment E-learning or attend training from the local authority on safe recruitment.

## **Disclosure and Barring Service Checks (DBS checks)**

DBS checks help organisations to make safer recruitment decisions and prevent unsuitable people from working with children, young people and adults that may be additionally vulnerable. 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. The information gathered from criminal records checks are an important part of ensuring that all relevant information is considered and assessed to ensure our workforce are suitable and appropriate to work with vulnerable service users. DBS checks are a small but important part of Young Farmer's commitment to preventing individuals who have poor intent or who may be unsuitable working within our activities and also enable the organisation to respond in an informed way to allegations or concerns about our volunteers. DBS 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 DBS 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 children, young people and adults who may be additionally vulnerable 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. (Following the introduction of the Protection of Freedoms Act (PoFA) in September 2012, certain specified positions that were in regulated activity were removed from the Safeguarding Vulnerable Groups Act 2006.

The Charity Commission is the regulator of the charitable sector in England and Wales and one of its functions is to offer safeguarding recommendations for its registered charities. A key part of this is the guidance it publishes on the recruitment and vetting of charity trustees. It should be noted that the Charity Commission doesn't make it a requirement for children's charities to carry out criminal record checks through the DBS on their trustees, but in guidance published in November 2018<sup>1</sup> the Commission states that it will expect checks are taken up where a charity is legally able to do so. It should be noted that charity trustees are only eligible for a DBS certificate if:

- the charity is set up specifically for children or adults who may be additionally vulnerable: or
- the individual is carrying out a specific activity (regulated) which makes them eligible regardless of the fact that they are a charity trustee.

The position of a charity trustee is not named in the definition of work with children in regulation 5C(1) of the Police Act 1997 (Criminal Records) Regulations 2002. However, within this regulation it does state: '*considering the applicant's suitability to engage in any activity which is a regulated activity relating to children within the meaning of Part 1 of Schedule 4 to the Safeguarding Vulnerable Groups Act 2006 as it had effect immediately before the coming into force of section 64 of the Protection of Freedoms Act 2012*'

This means that trustees of children's charities like NFYFC are considered part of the children's workforce as they meet the criteria set out in the definition of regulated activity with children before the changes were made in September 2012 and so they are eligible for and will be required to apply for an enhanced DBS certificate but there is no eligibility for a children's barred list check. Additional criteria for a charity trustee of a children's charity in the original definition of regulated activity with children is set out as:

- A charity is a children's charity if the individuals who are workers for the charity normally include individuals engaging in regulated activity relating to children.
- "charity" and "charity trustee" have the same meanings as in the Charities Act 1993.

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. Appendix 5 is available to give you guidance on this but the specific roles within your clubs and counties may vary.

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<sup>1</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/755007/ENGLISH\\_Charity\\_trustees\\_website\\_V5.0\\_09112018.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/755007/ENGLISH_Charity_trustees_website_V5.0_09112018.pdf) (accessed 14 May 2019)



## Types of DBS check

Organisations who are entitled to use the DBS checking service can ask successful applicants to apply for one of the following types of check depending on the job role. DBS providers will require the organisation to justify the requirement for a check before processing. Your club or county may need to state how the volunteer or staff member you are recruiting meets the definition of regulated activity within their role.

Level of Check	What does it include
<b>Basic Check</b>	The basic check can be used for any position or purpose. A basic certificate will contain details of convictions and cautions from the Police National Computer (PNC) that are considered to be unspent under the terms of the Rehabilitation of Offenders Act (ROA) 1974
<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
<p><b>Enhanced check</b> 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:</p> <p>'Any position which otherwise involves regularly caring for, training, supervising or being solely in charge of children'. 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.</p>	<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>
<p><b>Enhanced with a barred list check</b></p> <p>Staff and volunteers must be working in a 'regulated' role to be eligible for this level of check</p>	<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, for example prospective adoptive parents.</li> <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

## Charges for DBS checks

The DBS charges a fee to process criminal record check applications for paid posts. Basic checks require a fee, whilst standard and enhanced checks are free for volunteers. All checks will usually be accompanied by an administration fee. These fees can be lower when using online providers. The fees to process criminal record checks for paid staff are available from the Disclosure and Barring Service website and currently are as follows: <https://www.gov.uk/dbs-check-applicant-criminal-record/get-a-standard-or-enhanced-dbs-check-for-an-employee>. In order to undertake the appropriate safe recruitment checks, sight of **original** documentation will be required (e.g. passport, birth certificate, full UK driving license and utility bill) that provide the following personal information about you, these will be collected during the process of the Disclosure and Barring Service check (DBS) check:

- Details of full name and address
- Address(es) if less than 5 years at current address
- Date of birth
- Photographic image to confirm identification

## 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. 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, young people and adults who may be additionally vulnerable. They make take on a role 'in name' within YFC but this must be shadowed/supervised at all times by an adult who has been subject to appropriate safe recruitment checks. 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 or online system.

## Stages of the DBS checking process

The DBS checking process involves several different stages before an applicant receives their certificate. The process can be seen in the table below.

- **Stage 1 - Application form received and validated**
- **Stage 2 - Police National Computer searched**
- **Stage 3 - Children and adults lists searched** - *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. Original certificates need to be physically seen by those responsible for safe recruitment decisions within the federation in order for certificate details and any content to be recorded.

Where it is not possible to visit the county office, certificates could be sent by post (recorded delivery) and returned. It is not advised to allow scanning or taking pictures of these documents as evidence suggests these can be easily manipulated to conceal information. Alternatively, the club safeguarding officer or a nominated member of the officer team could be given the role of physically seeing the original certificate and briefed on the process of checking and recording the DBS certificate numbers and dates. These can then be logged in the club's safeguarding records or passed on to the county federation if this is where the club records are held. Some online DBS services provide confirmation that the check contains no information which provides the club or county with an additional safeguard until the check is viewed physically. Where information is present on a DBS check this needs to be explored with those responsible for making safe recruitment decisions at club or county level.

## Making DBS checks portable

The portability of DBS checks has been made possible by the use of the online update system. Some people may already have a DBS disclosure certificate undertaken for another organisation i.e. if they are a schoolteacher in their full time role. The [Disclosure and Barring Service \(DBS\) update service \(www.gov.uk/dbs-update-service\)](http://www.gov.uk/dbs-update-service) lets applicants keep their DBS certificates up to date online and allows employers and organisations to check the status of the DBS. If an individual has subscribed to the Update Service, then their DBS check can be taken from role to role where the **same level** of check is required.

A copy of the original certificate and its contents should be seen, any relevant information recorded and to confirm it as the certificate registered online. With the permission of the individual the employing organisation are able to go online to perform an instant check to find out whether the individual's DBS certificate is still up to date (this is called a status check). Appendix 6 is a template to request permission to perform a status check on a volunteer or employee, record the outcome and complete a self declaration.

The organisation can enter identifying details for the applicant onto the system which includes their DBS certificate number. This will verify whether the check is still current. If the system response is that no new information has been added, then that information can be printed out and added to the person's safe recruitment information file. If new information has been added since the check was undertaken, then YFC must undertake a new check. By using the online update system checks can be performed more frequently, this will make local safeguarding procedures more robust as you are able to check staff and volunteers' certificates remain the same as when they were safely recruited into their role. 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 the nature of the role. 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. You can [register for the update service](#) by visiting [- secure.crbonline.gov.uk/crsc/apply?execution=e1s1](https://secure.crbonline.gov.uk/crsc/apply?execution=e1s1) . Applicants have 30 days after their certificate issue date to register for the Update Service. Status checks are not possible on basic level DBS checks.

## Frequency of 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. If staff and volunteers are registered to the online update service, they can be checked annually as the system is fast and efficient. This would considerably strengthen safeguarding procedures. New DBS checks should be undertaken if roles change or are extended. An example of this is if a person goes from supporting role to become a club chair as the role and responsibilities are far greater and activities may now fall under regulated activity. 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.

Before updating or checking the DBS the volunteer or staff member should be asked to complete a self-declaration form to indicate if they have been the subject of disciplinary action, safeguarding concerns or committed any criminal offences (in the time since the last check was made) that the employer or organisation is unaware of (this should be implemented for existing employees as well as new applicants as part of the process of seeking consent to access the update service records for their certificate). A template online DBS status check form (including self declaration) can be found in Appendix 6. An individual can share their certificate with permission as it contains their information, and they can give consent to an employer to view their status on the Update Service. 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.

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 and responsibilities that they are undertaking. The DBS Update Service does not inform employers if somebody's status changes. Young Farmers Clubs/Counties must carry out periodic 'status checks' of a certificate with the individual's consent in order to obtain this information, the more regular the checks, the more robust the safeguarding procedures.

If a volunteer or staff members is the subject of any new investigations or convictions, they must inform club or county federation immediately. If a person is involved in a police or other external organisations investigation YFC may be informed if they declare their activity with the organisation to the police. 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 volunteers and staff, disciplinary measures being instigated. The permission to check including self declaration and results of the status check should be printed and added to the volunteer/staff member's safe recruitment information.



## Assessment of 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. Advice from NFYFC should be sought as soon as possible if the knowledge and independence necessary to ensure robust and defensible decision making, is not available at local level. Having a caution or conviction will not necessarily mean that a person cannot volunteer or work within YFC. It should be noted that a caution requires an admission of guilt and therefore is no less significant than a conviction. 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.

**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.

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. 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 who may be additionally vulnerable. This may include references, application information, qualifications, relevant experience and previous training. Information gathered from the applicant and previous employers or organisations can be used to make a robust recruitment decision.

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

- Clarification of the nature and significance of cautions/convictions or previous recorded behaviour (ideally information from the applicant and from a reliable third party i.e. employer or organisation)
- A decision about the significance of this and other information in relation to the person's suitability to work with children, young people or adults who may be additionally vulnerable.
- 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 an external source of information can be used such as previous employers, the police and the prison service.
- If or how any potential risks can be managed within YFC activities. If risks cannot be managed effectively then the appointment should not proceed.

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 appointment or employment 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 Appendix 10 Records of information obtained and notes of the case management process must be retained in order to evidence any decisions made.

## Security of DBS records

The DBS certificate remains the property of the applicant, as part of a recruitment decision a log of the DBS reference number and check date along with any cautions or convictions can be recorded from the certificate. DBS check logs should always be stored securely along with other safe recruitment information and in line with data protection legislation and General Data Protection Regulations (GDPR). This can be challenging if safeguarding records are held by a club rather than at the county office base. If club holds safeguarding information (safe recruitment files and safeguarding incident reports) they must do this securely and these records must be passed onto the next set of club trustees and retained.

Any information gathered to inform safe recruitment procedures are implemented are considered as sensitive personal information and those responsible for them should:

- Compile and label files and records carefully
- Keep files containing sensitive information or confidential data secure
- Allow access on a need to know basis and ensure access is restricted (Key to locked filing cabinets or password protection / restricted files if electronically stored) - DBS information could be stored as a record on Silo against the member it relates to.
- Keep a log of who has access to confidential files by documenting who has access to them and the reason for these permissions.
- Ensure documents have a review or destruction date.

## References

References are used to obtain information about the suitability of an applicant for specific posts within YFC. Along with the 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. It can also identify and confirm strengths and, where there are concerns, mitigating factors that serve to address potential risks. 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 Young Farmers' duty of care to members. New references should be sought when an individual changes role, if they are taking up a leadership or more senior position in the organisation as meaningful steps to ensure a safe and appropriate workforce should be an on-going not a one-off commitment. Those who commit to progressing into leadership roles should demonstrate this safeguarding commitment by modeling and complying with best practice. Two referees should be requested, taken up, reviewed and recorded accordingly.



For staff two external, independent references should be obtained. For volunteers two references should also be obtained, one should be an external referee who can offer a professional or academic perspective on the candidate and their ability, motivation and aptitude for the post and their suitability to work with children, young people and adults who may be additionally vulnerable. The second referee can be a personal one and ideally should be someone who has had the opportunity to observe the applicants behaviours and practices over a period of time (but not a relative - blood related or through marriage/relationships) in order to give an informed view of an applicant's suitability for a role with children, young people and adults who may be additionally vulnerable 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 could complete a reference form. Any concerns arising through this process must be investigated and acted upon appropriately. References should be returned within four weeks, if this deadline lapses then the applicant will be contacted to provide a new reference name. Care should be taken to store safe recruitment paperwork and any electronic records securely with restricted and recorded access to any information. Safe recruitment logs should be kept ensuring that the club/county can evidence that procedures have been carried out. If a volunteer or staff members is dismissed a referral must be made to the County Local Authority Designated officer (LADO), The national Disclosure and Barring Service (DBS) and the Charity Commission in order for them to log that there are safeguarding concerns that make them unsuitable to be part of the children's workforce. [www.gov.uk/guidance/how-to-report-a-serious-incident-in-your-charity](http://www.gov.uk/guidance/how-to-report-a-serious-incident-in-your-charity)

## Safe Recruitment Checklist

### For all new Young Farmers' staff posts -

- 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. Model application form can be found in Appendix 3.
- 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 completed and 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 DBS check at the correct level for their role, to be undertaken through the Disclosure and Barring Service.
- Named Referees should be contacted obtain a reference for the applicant, any negative references received should be discussed with the provider (and the applicant where appropriate). 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 change in area of residence. 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 their identity, at least three items of original documentation, including photo identity confirmation, 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.
- The offer of employment with YFC should be subject to the timely return of acceptable safe recruitment paperwork and successful completion of a probationary period, which is normally three months.
- All staff should receive an information handover and induction training in their role.
- 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 pattern agreed with their line manager.

## 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 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 Appendix 5.

*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 volunteer is required to undertake a 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, including a self disclosure 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 and this should be emphasised. The proposer and seconder of an elected person should also be documented in the meeting minutes in line with normal practice.
- The second reference should be obtained from outside the YFC community e.g. from an employer, 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 with the club/county safe recruitment records for the period of time the post is held unless an allegation is recorded regarding that person.

- All applicants will be required to complete a self declaration 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 DBS check, to be undertaken by the Disclosure and Barring service through the process used by your club or county federation which may be a registered umbrella body or an online provider.
- All club officers should receive a handover and 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 appropriate relationships whilst in a position of trust. This will help them make informed decisions around their application. Nobody should be appointed or take up a role/position with sole charge of children, young people or adults which may be additionally vulnerable until appropriate safeguarding checks have been completed. As recruitment within the organisation is usually done in retrospect of their appointment, clubs and counties should allow an overlap where previous officers remain in post until the new officers have completed their safe recruitment check.

## **Sexual Offences Act 2003 – Abuse of Trust**

The Sexual Offences Act refers to various actions which amount to sexual activities, where a person over the age of 18 who holds a Position of Trust engages in sexual activity such as physical contact 'touching', causing or inciting a child 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/County. 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 in positions of trust, will normally have power and authority in the lives of our young or more vulnerable members, they will have regular contact with the child or young person and may have a key influence on their future. Those who have responsibility for, and authority or influences over, vulnerable groups are considered by NFYFC to be in relationships of trust in relation to the vulnerable members in their clubs and/or care.

A relationship of trust can be described as one in which one party has power and influence over the other by virtue of their work or the nature of the activity, irrespective of whether this is in a paid or voluntary capacity. It is vital for all those in such positions of responsibility to understand the power they may have over those in their care, and the responsibility they must exercise consequently.

This means that those in relationships of trust should not:

- Use their position to gain access to information relating to vulnerable groups for their own or others' advantage. Such information should only be used or shared to meet the needs of vulnerable groups.
- Use their influence or power to intimidate, threaten, coerce, isolate or undermine vulnerable individuals.
- Use their status and standing to form or promote inappropriate relationships.

*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 Club or county should take the following steps (not withstanding any criminal liabilities that may arise):

1. The club/county 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. This can be done by an announcement at the AGM before member take up roles and is also mentioned on the application form template. Members can also make themselves aware of the act by reading the information with this policy. 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.
2. 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.
3. Where: -
  - a. An adult member (over 18) is in a relationship, sexual or otherwise, with a member who is aged 16 or 17, 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 anyone under 16 years old is not able to give consent to a relationship.



The Club owes a duty of care to all its members and officers/leaders. It always has a duty to safeguard the best interests of its members. 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 County Federation and/or NFYFC along with the Local Authority Designated Officer (LADO), who are all in a position to support and advise to ensure they are not vulnerable and fulfill their duty of care to members in this area.

The LADO offers support on safeguarding issues where one party is in a position of trust within an organisation. Any allegation which relates to a person who works with children who has a) behaved in a way that has harmed a child, or may have harmed a child, b) possibly committed a criminal offence against or related to a child or c) behaved towards a child or children in a way that indicates they may pose a risk of harm to children must be referred to the Local Authority Designated Officer (LADO) and NFYFC safeguarding staff can support with this process. The LADO will offer guidance on the best course of action for Young Farmers to take internally and manage any referral that should be made to external agencies such as the police or social services.

The information and guidance in section 1 of the policy covers the procedures that Young Farmers should follow in order to safely recruit staff and volunteers. The section provides explanations of why these steps are important in order to make holistic and robust recruitment decisions that are defensible. In order to safeguard members, volunteers, staff and the organisation at all levels, recruitment of staff and volunteers should be of paramount importance. Strong recruitment procedures will deter those with poor intent from applying to volunteer or work for Young Farmers and ensuring the correct checks are in place will contribute to reducing safeguarding incidents within the organisation.



## Run Safely - Section 2

The next stage of YFC safeguarding is how we incorporate protecting children and young people into the day to day running of our YFC clubs and counties. These recommendations are intended to promote a positive and safe 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 our members.

The following is a code of conduct for YFC to ensure that appropriate behaviour is understood and 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 behaviours and practices which could be mistakenly interpreted and potentially lead to allegations being made. The code of conduct should guide actions taken by YFC staff and volunteers.

1. Never let issues of concern about a child, young person or adult who may be additionally vulnerable, or allegations go unreported, including any made against you. Never minimise, or trivialise concerns or their impact upon the victim(s).
2. Always listen to and respect children and young people . Do this regardless of their age, gender identity, ethnicity, faith or beliefs, disability or sexual orientation. Don't discriminate or show signs of favoritism or prejudice. Always avoid singling out 'troublemakers' and gossiping/banter about members. Volunteers/staff should challenge banter/gossip between members that could be offensive or hurtful.
3. Any relationship with a child, young person or adult who may be additionally vulnerable who you have met through YFC should have clear boundaries, especially with younger children, when all contact should be made through the parents or legal guardians of the child.
4. Be aware that children, young people and adults that may be additionally vulnerable can and may 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 and provide support about how to manage the situation accordingly.
5. Do not engage in (or condone) any unlawful activity with or in front of children, young people or adults that may be additionally vulnerable.
6. Avoid isolated and unobserved situations of one to one contact with a child. In exceptional circumstances, where this 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 consensual and in response to them appearing to be seeking/in need of physical comforting (e.g. it is initiated by the young person / they are upset and respond yes in response to being asked "would a hug help?"; appropriate to the individual's stage of development and/or age); in an open environment; respectful of their personal space and is in response to an exceptional context (not a regular or routine behaviour). 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, young person or adult that may be additionally vulnerable. Always follow the procedures for reporting concerns.
9. Never make sexually suggestive remarks or discriminatory comments to or in front of a member.
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 between members, or any bullying of any nature of a child or young person by an adult, adult by a child or young person or peer on peer bullying (bullying between children and young people)
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, young person or older members is never acceptable.
13. Actively involve children and young people in planning activities wherever possible, ensure that the members are engaged in 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 children and members 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 this should be with their informed consent and it should be used only for YFC business. When contacting members directly it is good practice to copy in a second person to the message to reduce the risk of allegation.
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.

Good practice will reduce the possibility of anyone using their role within YFC to gain access to children, young people or adults who may be additionally vulnerable in order to exploit or harm them. All members of staff and volunteers should report any breaches of this code they have observed or been made aware of. Clear standards of behavior are 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 always act in an appropriate manner. 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*.

## Training

It is vital that YFC officers have access to safeguarding training in order to understand the need for safeguarding and the part they play within keeping children, young people and vulnerable adults safe. Government guidance clarifies statutory responsibilities of all organisations which provide activities or services for children, including a voluntary sector includes: Appropriate supervision and support for staff, including undertaking safeguarding training:

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

All new staff/volunteers working within a youth organisation such as YFC should undertake appropriate safeguarding training as part of their role. 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 (level 1) 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, young people and adults that may be additionally vulnerable training at least once every 12 months to ensure that training is available to all of those taking on new responsibilities as soon as possible. Local Safeguarding Partners (which are replacing Local Safeguarding Children Boards) in each county are obliged to consider the training and learning needs of the children's workforce, including volunteers, and provide multi-agency training opportunities. Where this is not available, training may be accessed through your local council for voluntary youth services or local voluntary youth organisation. NFYFC also offers the 'Safe House' Curve training for members which offers introductions into YFC safeguarding for members and volunteers. Those volunteers or staff with designated safeguarding responsibilities require a higher level of training (level 3) in addition to basic awareness training (contact NFYFC for details of designated safeguarding children officer [DSCO] training).

## 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 allows time for safeguarding measures to be arranged and communicated; leaving members in officer roles more time to balance YFC with other interests.

Club programming templates are available from your county federation and also in The Source to support you with this process. Planning and risk assessment is an important factor in keeping children, young people and adults that may be additionally vulnerable safe from harm. The NFYFC Health and Safety Policies provide 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 children, young and adults that may be additionally vulnerable people will vary depending on the activity undertaken. The Department for Education recommends that there should be a minimum of 1 adult to 10 child/young person in a mainstream group situation. The ratio is reduced to 1:6 or in some cases lower for children, young people with additional that may be additionally vulnerable or have 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. Each activity should be planned, all risks formally assessed, with any mitigating arrangements or actions recorded and the staff/volunteer 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. Where it is possible to store this information securely at your meeting venue this could act as an alternative.

Details of all members must be kept safely and securely by club officers. Club safeguarding records held by clubs must be passed on to the new officer team and retained. Club safeguarding records may also be held securely by the county federation. Member information may need to be shared in the event of the safeguarding concern, details of any U18 members will not be shared with a external organisations without parent/carer consent unless the parent/carer are the subject of the concern/disclosure. Information must only be shared at Club/County level on a need to know basis, depending on the nature/seriousness of the concern/allegation. All concerns/allegations will be dealt with confidentially by NFYFC if we are contacted for support in managing concerns.

Each Club and County should be in a position to access and provide safeguarding records for past years in the event of any external review of safeguarding arrangements and historical management of concerns (see Independent Inquiry into Child Sexual Abuse information under records retention below and Appendix 17 regarding Safeguarding Record Retention and Storage) NFYFC would advise strongly that clubs and county federations undertake a review of the records they currently hold. No information should be destroyed that relates in any way to safeguarding concerns, arrangements or provision around Young Farmers activities. NFYFC can advise and support counties with this process.

## Informed parental consent

Parental consent forms provide essential information about the children and young people in YFC 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 in relation to their child's participation in any event or activity. They should know the times, location and cost of the event planned. It also alerts parents to any potential risks and to the arrangements to mitigate or manage these risks.
- It tells them who oversees the event and gives a contact person and emergency number. For any event there should be a named event organiser or officer in charge.
- 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 an annual consent form (Appendix 11). It is vital that the club holds a valid, up to date annual consent form for each child and young person. This can be done by the club collecting the information or 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. A permissions slip has been developed by NFYFC which can be used for each event to supplement the annual consent form (Appendix 12). 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 the annual consent form for YFC weekly meetings at a set time and place. These should be listed in the YFC programme, given to the parent/guardian with the consent form. The annual consent form could cover a planned term or a club programme year. The annual consent form should be completed at the start of the year and updated termly to capture any changes in information.

### **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.

### **Residential Trips**

Full consent forms should be completed for each residential trip if the young person is staying away from home. These consent forms must be accompanied by a letter or a parent briefing meeting which details the trip details including accommodation and safeguarding arrangements - addressing supervision, segregation of Under 18s and male/female participants. It is good practice for leaders to hold an information evening for parents to ensure that the information has reached parents and to allow them the chance to ask any questions. It is best practice for all members and volunteers/helpers including club officers or club leaders to provide the event organiser with their 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/county 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 should have access to consent records containing personal and sensitive information about members. Information should only be kept as long as necessary to ensure the welfare of the child, young person or adult that may be additionally vulnerable concerned unless there are on-going safeguarding concerns (see Club Records section above for more information). After an event 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 members appropriately, with due respect and that the correct permissions are obtained before use. The parental consent form can be used to gather information on photographic preferences for members. If on the parental consent form a parent selects to discuss their child's photographic requirements NFYFC have developed a support guide for photographic permissions for safeguarding officers which is available on request. This guidance contains a record sheet to support this conversation and detail the child/young person/parents' requirements, it can be found in Appendix 15. This should be kept with the member's information in the club or county records. For the purposes of this policy the word photography means both still and moving images taken using camera's, mobile phones, tablets and other digital devices.

### **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 and young people 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 certain music.



This information can make a child and young people vulnerable to an individual who may wish to contact and start to “groom” that child or young person 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 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 members taking part in YFC activities is paramount
- children, young people, adults that may be additionally vulnerable and their parents/carers have a right to decide whether their images are taken, and how these may be used
- Children, young people, adults that may be additionally vulnerable and their parents/carers must provide permission for their images to be taken and used and clubs/counties must be aware of member’s photography preferences.

Meaningful safe practices which are recommended include:

- A photograph of a child or young person should not be published (in print or online) without permission being obtained from the parent/guardian. Annual consent is acceptable, and parents/guardians must clearly be informed that, if for any reason they wish to review their consent, it is their responsibility to inform young farmers without delay.
- 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.
- For children who are under a court order speak to parents/guardian about the best way to manage this situation during photo taking opportunities with the child or young person and record it using Appendix 15.
- Where a member should not be named with a photograph discourage the practice of ‘tagging’ in social media posts. This cannot be controlled but the administrator(s) of the social media page/group should remove tags where possible when they are aware that permissions have not been given.
- Devices and computers containing photographs of members should be password protected. Avoid storing images on laptops that are regularly taken out of the office.
- Only use images of members in suitable dress/kit to reduce the risk of inappropriate use. Where participants are minimally dressed (e.g. swimming, dancing) consideration should be given to ensuring any images are appropriate, seek to avoid close-up images and minimise individual exposure. Images should positively reflect young people’s involvement in the activity and promote the best aspects of YFC.
- Explaining clearly to parents who are filling in the membership form, that YFC has a system for managing photographs which are likely to be taken during YFC activities. Although at club level this is likely to be limited to social media posts in their network, remembering that they have the potential to be shared further and possibly published at a county or national level.
- At larger YFC events or public shows where YFC members are present it is important to display a photography notice (example in Photography permission support guide) which gives clear guidance about the recording of images for use by the organisation. YFC can only take responsibility for official images captured by appointed photographers (professional or voluntary).

- If anybody has concerns about the recording activity of an individual at events, this should be reported to a steward or an event organiser.
- Simultaneous streaming of images/videos onto social media platforms should be avoided. (*This would avoid directly uploading pictures without taking the time to check 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 there are any doubts, don't post.
- Websites and social media platforms that you use for YFC business (for example Facebook, Twitter, Instagram and YouTube) should be regularly monitored to manage inappropriate images or improper text. Any instance of the use of inappropriate images should be reported to the club or county federation who will act and, in some cases, may be required to inform the appropriate authorities.
- NFYFC recommends that, where possible, personal smart devices, tablets or laptops are not used for filming or to take photographic images for YFC business. Where this is done, members should be mindful that these pictures/videos are not shared without correct permissions, stored securely and deleted after the being used for the purpose intended. Remember to delete them from any cloud storage systems as well as devices. We do not want to put our members in a compromised position of having YFC related photos of children on their personal device.

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

The internet 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 social media 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, text groups 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 to avoid the use of personal accounts. When using group chat facilities or social media groups these need to be managed to ensure the content is appropriate for the audience and only YFC business is communicated and discussed.

It can sometimes be difficult to separate YFC communication from personal ones due to the nature and age range of the organisation. When in a position of trust using social media sites for YFC business using private messaging systems like Facebook messenger, Twitter direct message (DM), Whatsapp, Instagram direct message and snapchat for communicating with members it is advised that a second person is added to the conversation if you are contacting a child, young person or adult that may be additionally vulnerable to safeguard yourself from allegation and to ensure communications are appropriate. It can be useful to use walls and groups for YFC business as this is transparent and visible to all. When using YFC pages/groups assess the ages and needs of the club and use a platform that allows communication for all involved.

NFYFC has developed a policy and guidance on the topic of e-safety for members and volunteers. 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

Due to rurality of YFC the issue of transporting children on behalf of YFC can present challenges for clubs. Many Young Farmers' Clubs could not operate without the goodwill of members and parents/carers ensuring that children are transported to and returned home from events. 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 to and from events 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 members to an activity and asks or requires members, staff or 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?

The vast majority of staff and volunteers will help 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 and transport allows children/young people to be isolated. Inappropriate transport arrangements can still leave children vulnerable and are one of the higher areas of risk in relation to abuse. NFYC encourages volunteers/staff not to take children on journeys alone in their car where this can be avoided.

Best practice is clearly to avoid transporting a child alone, but we recognise that in some circumstances it plays an essential part in enabling a child or young person's participation in YFC activities and events. If all alternatives have been exhausted and an adult member must 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 that their consent has been given (Note: \*fully informed means that they should be aware of the identity of the drivers transporting, who else will be in the car, how long the journey will take, agreed pick up points/home, that the driver has given assurances around suitability e.g. MOT, insurance, convictions, not using any substances etc). The date, time and detail of these conversations and agreement should be recorded and that record should be signed.
- Ensure consent form and contact details are held by the club/county/event safeguarding lead for members being transporting. The driver should have a point of contact and mobile phone should they break down or any other unforeseen incidents or concerns arise. On a 'need to know' basis, and with consent, the driver should be made aware of any additional support needs including medical conditions which might be relevant in this context.
- A person other than the planned driver should talk to the child about transport arrangements to check they are comfortable about the plans.
- 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 seat.

- 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 individuals who return the children to the agreed point, such as family home, should be alternated/rotated; this would reduce the risk of any one individual frequently being alone with a particular child or group.
- Members and volunteers responsible for driving young members 'regularly' on behalf of YFC should be criminal record (DBS) checked. It would make sense for those that have already been subject to safe recruitment procedures to act in a dual role to avoid additional checking requirements. If the club cannot transport members safely, parents should be asked to transport their own children to an event to avoid the risks this could present.
- 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 difficulties. Parents/carers should be provided informed of 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.
- 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.
- 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. At Club level it should be agreed how this information is checked and recorded for any members who might transport other members who may be additionally vulnerable.
- 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.

As a minimum the consent form should specify the pool of drivers, clarify that members will not be transported in isolation were it can be avoided, 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 and are comfortable with 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 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, young people and adults who may be additionally vulnerable.

The abuse of children or adults who are vulnerable is easily concealed, and therefore perpetuated, where there is a lack of clarity amongst the 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 and where expectations of behaviour are actively promoted, agreed and signed up to through codes of conduct. 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. Where adult members are identified as having additional vulnerabilities or support needs, officers/leaders have responsibility to work in partnership with them to ensure that any additional adjustments and safeguards are considered carefully and responded to in a way that respects their right to self-determination wherever possible. NFYFC can provide advice and support around safeguarding adults and competency and consent issues.

It is beneficial for those in the safeguarding officer roles within club/county to link up with their Local Safeguarding Partners (formerly 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 should explore how they are able to access training and ongoing advice and support from these organisations. It is strongly recommended that each club/county 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 the role, of Safeguarding Officer is available in the Appendix 20. As a children's and young people's charity YFC needs to ensure that safeguarding is core business and elements of it are seen throughout all its activities and events.



## Sharing 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 serious safeguarding concerns. This is the responsibility of the statutory agencies and concerns will be referred appropriately to the proper authorities where investigation is required. Your role is to be alert to any concerning behaviour regarding a child, officer/leader, staff member or committee member and to report this to your safeguarding officer/county office. You should still refer any concerns irrespective of any relationship you may have to the person concerned. 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. Working in isolation and failure (or delay) in sharing information in relation to safeguarding concerns is poor practice and increases risk for all parties (members, officers and the organisation). If in doubt **'dare to share'** and ensure that you always have contact details for local and national safeguarding leads as they can offer you support.

### Reporting procedures

A simplified reporting flowchart for members can be found at the start of this document. If at any time a member, volunteer or staff member has concerns about the safety or welfare of a child, young person or an adult that may be additionally vulnerable they should consult with their club/county safeguarding officer or NFYFC. Please refer to the Appendices 22 and 23 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 concerns or suspect a safeguarding issue:

- A child, young person or adult that may be additionally vulnerable 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 something is wrong or 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 needs to be addressed
- They may witness abuse (by someone within YFC or outside of a YFC context e.g. by family or friends)
- They may sense that a member is distressed and about to tell them something significant but then stops (maybe because they become anxious, privacy is interrupted, or they are made aware that you cannot keep what they share secret if it has safeguarding implications)
- Exceptional circumstances arise which require staff/volunteers to act in a way which is contrary to good practice guidance e.g. transport a member, working in isolation, providing comfort through direct physical contact

A member may make a disclosure of information to you, when this occurs you should follow the following guidance.

**If a child or young person wants to talk in confidence –**

- Accept what they say, keep calm and give your undivided attention.
- Do not promise confidentiality - tell them you may need to tell someone else in order to seek support and advice and for things to change.
- Reassure them that you will not blame them, be shocked or judgmental.
- Recognise their fears and feelings - they may have been threatened and not be telling you all they know.
- Reassure them that they were right to tell you and thank them for trusting you.
- 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 the safeguarding officer or NFYFC.
- Make notes as soon as possible. Record dates and times of events and keep a handwritten record (typed ones can be changed).
- 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.
- 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.
- Always seek professional help without delay and in the best interests of the vulnerable person.
- 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, Multi Agency Safeguarding Hub (MASH), The NSPCC or the police.
- Have the 'Child line' number (0800 1111) on display so that a worried child can ring this if they prefer.
- 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.

It is important that all staff and volunteers are aware of the reporting procedure shown on page 43 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 adult that may be additionally vulnerable 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 Officers for advice. Although all incidents may not require the intervention of external services such as social care or the police, they should all be recorded as they may form a piece of a larger jigsaw in the future.

## Disclosure of abuse by adults who may be additionally vulnerable

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 an adult that may be additionally vulnerable.
- Always record in writing concerns and discussions about an adult's welfare, whether or not further action is taken
- 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
- Volunteers and staff should consult with their local 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 volunteers or staff member may report a suspicion of abuse to adult social care services irrespective of the opinion of other staff.
- It is important for volunteers and staff 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. The reporting form can be found in Appendix 19.

A member, volunteer or staff member 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 member declines to disclose, it may be necessary to report the alleged abuse without the member's agreement. In these circumstances, a member 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 volunteer or staff member may report a disclosure of abuse to social services irrespective of the opinion of other staff. It is important for volunteers and staff members 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 individual who is sharing a concern using the same language they used wherever possible. Full written records must be maintained of all safeguarding concerns however they arise and of any action taken.

## Adults at Risk: capacity and consent

As Young Farmers' membership expands participation to increasingly diverse groups and individuals it is increasingly important to be alert to issues of cognitive capacity which can increase the vulnerability of people where they have a reduced ability to make informed decisions in the moment. This may be transient (e.g. due to fear, shock, bereavement, injury, illness) or long term (e.g. due to learning differences, disability, mental health issues). Whilst this is a complex issue, it should not get in the way of staff and volunteers genuinely seeking to ensure that all members are respectfully consulted in relation to participation in activities and/or sharing of information about them. These rights are embedded in the Mental Capacity Act 2005 and Care and Support Statutory Guidance 2018)

A young person aged 16 or older is presumed in law to have capacity to consent, unless there is evidence to the contrary. Children aged 12 or over may generally be expected to have sufficient understanding, and younger children may also have sufficient understanding but only in exceptional situations. Where it is assessed that seeking parental involvement might increase potential risks to a young person under the age of 18 actions would be taken without parental consent. Capacity to consent is not simply based on age however, particularly where learning and communication differences and disabilities are identified. You should also consider a person's capacity to understand the consequences of giving or withholding their consent. They should not be treated as unable to make a decision until all practicable steps to help them have been taken.

When assessing a person's understanding you should explain the issues using their preferred mode of communication and language. This should be done in a way that is suitable for them, considering all you know about them from your contact with them, particularly their age, language and likely understanding. It is important to try and ensure that they really understand the issues and are not just agreeing to what is proposed. If you are unsure whether they have the capacity to consent, then you should consult your Safeguarding Officer, Adult Social Care (a 'no name' referral for advice) or NFYFC. The person's friends, carer, another professional working with them, or an advocate, where available, may be able to provide relevant information or advice.

The following criteria should be considered when assessing whether a person on any particular occasion has sufficient understanding to consent, or to refuse consent, to sharing of information about them or participating in specific activities:

- Can the person understand the question being asked of them?
- Are they taking an active part in the discussion?
- Can they rephrase the question in their own words?
- How would they explain it to someone else?
- Do they have a reasonable understanding of what the risks or benefits of giving their consent or saying no?
- What do they say they think would happen if they agree the action being suggested?
- Can they appreciate and consider the alternatives, weighing up one aspect against another and express a clear and consistent personal view? Encourage them to say out loud, or write down, their view of the pros and cons. You could recheck these views later or at a later meeting.

Where an adult is felt to be making a decision that appears to be unwise or might have a negative outcome, they still have the right to do so if it does not impact the welfare of other participants, staff or volunteers. Concerns and the individual's responses to these concerns being discussed with them should be recorded even when consent is withheld. Ideally the individual should also sign this record, indicating it to be accurate. Staff, volunteers and members have a responsibility to be aware and alert to signs that all is not well with any member irrespective of their age. 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, as there may well be other explanations.

It is important to keep an open mind and consider what is known about the person who may be vulnerable and his or her circumstances. Information may be declared on the membership form and if appropriate further information gained from the needs assessment within the additional needs support guide available on request from NFYFC. Once information has been clarified and assessed regarding a vulnerable adult -

The Federation will:

- ensure staff, members and volunteers are aware of the individual's need for support and protection
- notify the appropriate agencies if immediate risk of harm or 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, Young People and Adults at Risk Policy including criminal record (Disclosure and Barring Service) checks of staff and volunteers that have access to or work with Adults at Risk, if their role meets the eligibility criteria outlined by the Disclosure and Barring Service (DBS). DBS eligibility can be found in the table on page 15.

The Adult at Risk 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 their membership
- to be consulted and involved in any process as appropriate in accordance with the principles set out below and to receive information about the outcomes
- where they have capacity, to decline assessment and support where there are not concerns about immediate risk (under the Mental Capacity Act 2005 and Care and Support Statutory Guidance 2018)





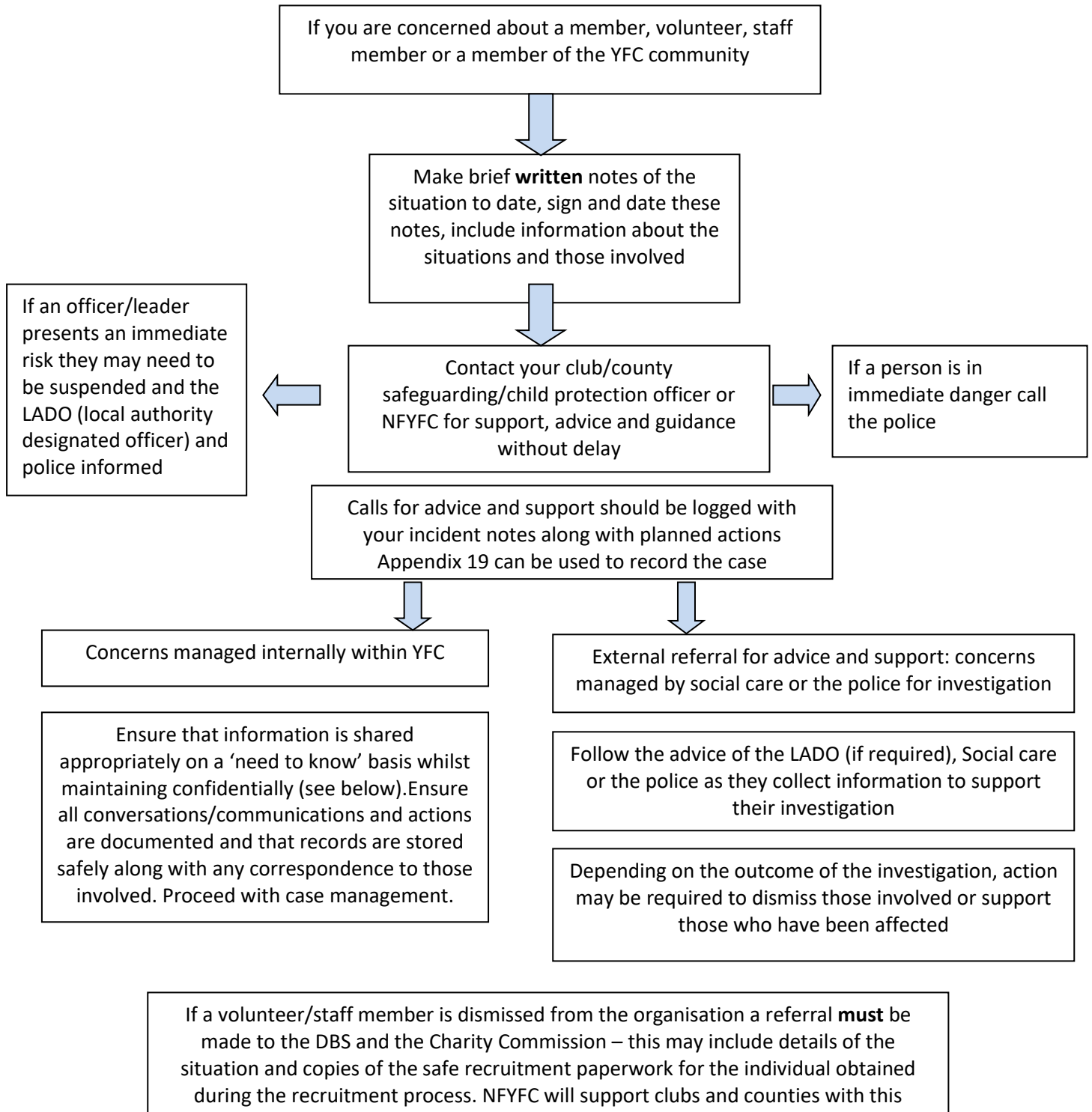
In situations where a child, young person or adult that may be additionally vulnerable is in need of urgent medical attention the emergency services (999) must be called, they should be informed of any safeguarding concerns so that this information can be shared appropriately.

A list of emergency contacts including –

- Club safeguarding officer
- County office/County safeguarding officer
- NFYFC safeguarding officers (in working hours)
- MASH – Local County Multi Agency Safeguarding Hub
- Local Authority Designated Officer (LADO – the key person whose support should be sought where there are allegations made against staff and volunteers)
- Local County social care daytime contact number and duty team (out of hours) – both children's and adults teams exist locally
- Local police nonemergency number/Safeguarding Team within the Police
- NSPCC 24 helpline number

These contacts should be identified, recorded and then held in the club file 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 to order.

### Reporting a concern flowchart



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

## Procedures for managing allegations

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, officer, staff member or member of the YFC community 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 original 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 Club/County Designated safeguarding Officer and the individual who is the subject of the allegation, the or County Chairman must nominate another suitable person to deal with the matter or request the services of the NFYFC Safeguarding Officer.
- Use the recording form in Appendix 19 to create a chronological log and list of all those involved in the case. Add this to any other paperwork related to the case.
- Contact the Local Authority Designated Officer (LADO) if safeguarding concerns arise in relation to a volunteer or officer in a position of trust or leadership role or a member of staff. Your county or NFYFC can support you to do this.
- If an individual is the subject of an investigation it may be necessary to suspend the person's YFC membership pending the outcome of the case unless measures can be put in place that demonstrably address any potential risks or negative impact upon other members. Suspension of membership is a neutral act and does not place a judgment on the circumstances of the case, or the individual involved. It simply serves to protect all involved, the good name of YFC and protects its members from any possible risk of harm. Members should be given a point of contact during their suspension.
- Respect the confidentiality of all parties involved in any concern or incident and keep the matter private to only those who need to know. If a safeguarding concern is assessed to be unfounded or can be addressed effectively, this will support easier integration back into membership.
- If you are at any time unsure of what to do contact NFYFC or external support services (NSPCC, LADO, The MASH Team, Social Care or the Police) immediately.
- If an allegation is proved to be maliciously made against a member of the YFC community, the accuser will be subject to the behaviour panel procedures and potentially removed from membership.

HM Government (2018) *Working Together to Safeguard Children* provides the framework for managing allegations and concerns against people who work with children. The subject of the safeguarding concern and if U18 the 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. The people involved should be kept informed about the progress of a case and informed of the outcomes.

Where there is not a criminal prosecution that includes the outcome of any internal YFC case management process. The organisation/employer should also keep the person who is the subject of the allegation informed of the progress of the case and signpost to appropriate support, if required, while the case is ongoing. If the person is suspended, the employer/organisation 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. 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 external authorities have decided that no further action will be taken**

No further action is taken for a number of reasons;

- The allegation is felt to be unfounded or malicious
- The allegation doesn't meet the required threshold for that agency's involvement\*(*social care, LADO, MASH or Police*)
- 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

\*Where those involved in a safeguarding case management process still believe that the risks are such that they meet local Safeguarding Partner or Safeguarding Adult Board thresholds for intervention, escalation of concerns may be necessary. NFYFC can support with this process.

In such cases no further action can be taken because it cannot be demonstrated that statutory thresholds have been met, the individual who is the cause of concerns may still have contravened NFYFC policies, procedures or guidance and code of conduct thereby placing themselves and/or a member at risk of harm. Many concerns that are not prosecutable still need to be assessed based on the 'soft information collected' in terms of potential on-going safeguarding risks and management of these in a Young Farmers context. 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 incident maybe of a level of severity that there are continuing concerns about their suitability and appropriateness to undertake a YFC role or remain a member and the individual will be subject to internal investigation. A process of case management should be undertaken to assess the situation, information held, and the risk presented by a person to other members of YFC.

### **Internal Safeguarding investigation**

Wherever possible the individual should be invited to a meeting by those involved in the case, this may be the club/county safeguarding officer, members of the club/county officer team or committee members/presidents. In some circumstances, for example where the level of seriousness or the need for independence is significant, NFYFC's safeguarding officer may be requested to support the management of a concern or case directly, external agencies such as the LADO may also be a suitable independent person.

- A discussion should take place how the nature of the allegation should be put to the individual and the individual should be given the opportunity to respond to it once the necessary information has been gathered and clarified to enable a full and informed response. Where multiple concerns have been shared or where historical concerns become apparent, these may need to be collated and clarified before this can happen.
- Names of those sharing concerns and victims should, as far as possible, remain confidential throughout any investigation (this contrasts with a complaints process and is critical to ensuring that members feel confident sharing concerns and to avoid the targeting of them/adverse impact upon alleged victims within a close-knit community).
- 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 such as Standards of Behaviour.
- Further to the meeting with the individual it may be necessary to contact any witnesses, other adults or members and record their version of what occurred. Where the person holds a role within YFC their safe recruitment information should be reviewed, and it may be necessary to re-reference the person to gain a current picture.
- The information and evidence gathered should then be examined by the safeguarding officer and nominated people, discussed and a decision made as a panel as to whether or not action is to be taken against the individual, if they are able to remain in a post, as a member and any actions young farmers may need to take to mitigate any potential risks.
- It is essential that careful records are kept of all conversations, minutes, correspondence and communications relating to the allegation. A recording form can be found in Appendix 19.
- Copies of the records should be kept confidentially with the relevant club safeguarding files or at the county office. The NFYFC safeguarding team should be informed when external agencies have been involved in a case as they can support with any next stage referrals or reports that are required.
- The club/county should review the case, actions taken and make any required changes to their current practices if appropriate.

In some cases, an investigation may result in a period of suspension or dismissal from YFC. When a person is removed from membership of YFC this information may be shared with other agencies involved in the initial investigation. Where a person is removed from membership this must be reported onto the Local Authority Designated Officer (LADO) if the person was in a position of trust. When a 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. It is also now a requirement to inform the Charity Commission in these circumstances. Where a DBS or Charity Commission referral is being considered or is required, the National NFYFC safeguarding team should be informed and can provide support.



## Record keeping and Information Sharing

**Note: The introduction of the General Data Protection Regulations (GDPR) in May 2018 does not change the way in which safeguarding concerns should be shared or how records should be stored and retained.**

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 and County. All staff and volunteers must comply with the following procedures:

- Accurate recording is essential, as there may be a need to refer on to the Local Authority Designated Officer (LADO), The Multi Agency Safeguarding Hub (MASH), 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 inspect or take pictures of any injuries).
- Times, dates, places and any other detail should be included
- Referrals to external organisations should be confirmed in writing within 24 hours and at the earliest opportunity- most have a reporting form to complete and send an acknowledgment email.
- Keep a record of the name and role of the member of staff within the external organisation to whom concerns were passed and record the time and date of the call in case any follow-up is needed. This can be done fully and in chronological order using the report form in Appendix 19. Ensure that all information is maintained safely in accordance with Data Protection legislation (Appendix 17).
- Information should only be shared on a strictly 'need to know' basis in the interests of protecting a child, young person or adult who is additionally vulnerable. It is essential, however, that those who might need to ensure appropriate safeguards and support are put in place are alerted appropriately by the Club or County.
- 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 General Data Protection Regulation (GDPR), Data Protection Act 2018 and human rights law are not barriers to justified information sharing but provide a framework to ensure that personal information about living individuals is shared appropriately.
2. Be open and honest with the individual (and/or their family where appropriate) from the outset about why, what, how and with whom information will, or could be shared, and seek their agreement, unless it is unsafe or inappropriate to do so.
3. Seek advice from other practitioners, or your information governance lead, if you are in any doubt about sharing the information concerned, without disclosing the identity of the individual where possible.
4. Where possible, share information with consent, and where possible, respect the wishes of those who do not consent to having their information shared. Under the GDPR and Data Protection Act 2018 you may share information without consent if, in your judgment, there is a lawful basis to do so, such as where safety may be at risk. You will need to base your judgment on the facts of the case. When you are sharing or requesting personal information from someone, be clear of the basis upon which you are doing so. Where you do not have consent, be mindful that an individual might not expect information to be shared.
5. Consider safety and well-being: base your information sharing decisions on considerations of the safety and well-being of the individual and others who may be affected by their actions.
6. Necessary, proportionate, relevant, adequate, accurate, timely and secure: ensure that the information you share is necessary for the purpose for which you are sharing it, is shared only with those individuals who need to have it, is accurate and up to-date, is shared in a timely fashion, and is shared securely (see principles).
7. Keep a record of your decision and the reasons for it – whether it is to share information or not. If you decide to share, then record what you have shared, with whom and for what purpose.

Source: Information sharing Advice for practitioners providing safeguarding services to children, young people, parents and carers - HM Government July 2018

## Record retention

Copies of all records of safeguarding concerns arising and managed within YFC should be kept in a confidentially by the Club or stored at the relevant county office for potential future reference. Club/County Safeguarding files must be kept safely and confidentially and passed onto the incoming trustees. Club/County records that are held need to be retained should they be called upon as part of an ongoing investigation and to show that the Club/County is effectively managing safeguarding concerns. When NFYFC is involved in supporting a Club/County they will also keep a record of the case.

The Independent Inquiry into Child Sexual Abuse (IICSA) (<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 and was set up because of serious concerns that some organisations had failed and were continuing to fail to protect children from harm.

In August 2015 the inquiry under Dame Lowell Goddard, 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 of the safeguarding records that they hold along with their current safeguarding record storage and retention provision. NFYFC will be undertaking this process at national level and can provide support 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 fulfill 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 and it has recently expanded its remit for investigations led by Professor Alexis Jay. *For more comprehensive guidance around data protection, retention and storage, including the General Data Protection Regulations which came into force in May 2018, see Appendix 17.*

## Confidentiality

The privacy of children, young people and adults that are additionally vulnerable should always be respected 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 to the person disclosing information.

*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.*

## 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, MASH, Social care or the police).

When a member, volunteer or staff member has reported a concern about another member, volunteer or staff member the County Federation and NFYFC will protect that person from any harassment or unfair treatment. 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 wrongdoing, 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, county office or NFYFC so that the matter can be investigated. 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 Whistle blowing Helpline:0800 028 0285 Email: [help@nspcc.org.uk](mailto:help@nspcc.org.uk)

### **Useful Contacts**

Club Safeguarding Officer - Contact details –*complete in policy reference copy*

County Safeguarding Officer - Contact details – *complete in policy reference copy*

County Multi Agency Safeguarding Hub (MASH)  
Website and contact details –*complete in policy reference copy*

County children's social care department – office hours and duty team (out of hours)  
Website and contact details –*complete in policy reference copy*

County adult social care department – office hours and duty team (out of hours)  
Website and contact details - *complete in policy reference copy*

County local police child protection department  
Website and contact details - *complete in policy reference copy*

County Local Safeguarding Children Partners (formerly Local Safeguarding Children Board)  
Website and contact details – *complete in policy reference copy*

County council for voluntary youth services  
Website and contact details - *County to complete in policy reference copy*

The NSPCC runs a wide range of safeguarding services including national help lines. NSPCC free 24-hour helpline - Tel: 0808 800 5000 or Email: [help@nspcc.org.uk](mailto:help@nspcc.org.uk) or call Child Line - Tel: 0800 1111



## Signposting to support

**Individuals should be encouraged to speak to their GP in all instances** where they have any health support issues e.g. mental health, depression, anxiety, struggling to cope, unmet healthcare needs

**Samaritans: 116 123**

This helpline is for anyone who needs support with anxiety, depression, worries or concerns. They can help you to talk through anything which is troubling you and offer help and support. 24 hours a day, 365 days a year, free to call.

**Mind Info line: 0300 123 3393**

For anyone who needs to discuss mental health problems, where to get help, medication and alternative treatments and advocacy. Lines are open 9am to 6pm, Monday to Fridays except Bank Holidays.

**SANE line: 0300 304 7000**

Support for mental health problems 4.30pm to 10.30pm daily.

**SHOUT: TEXT: 85258**

New free text 24/7 helpline service for people in crisis in the UK - [www.youngminds.org.uk](http://www.youngminds.org.uk)

**FRANK: 0300 123 6600**

National helpline providing advice and information about drugs

**National Association for the Children of Alcoholics: 0800 358 3456**

Free helpline for anyone whose parent(s) has an alcohol problem

**National Domestic Violence Helpline: 0808 2000 247**

This helpline is free and operates 24 hours a day to support anyone experiencing domestic abuse, domestic violence (including coercion and control), or worried about someone they know who may be experiencing this.

**NAPAC: 0808 801 0331**

Supporting recovery from abuse in childhood - The service is confidential, and the number won't show on your bill. 10am to 9pm Mon-Thurs and 10am to 6pm Fridays.

**Family Lives: 0808 800 2222**

Provides advice and support to parents

**Men's Advice Line: 0808 801 0327**

A confidential helpline for men experiencing domestic violence

**Beat: 0808 801 0677**

Beat offers help and support to people affected by eating disorders. Provides details of support networks, self help groups and Beat's national helpline



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**Fun, Learning  
and Achievement**

**National Federation of Young Farmers' Clubs (England and Wales)**

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Registry of Friendly Societies No. 52SA Patron: HM The Queen