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our duty to care

The first edition of this document was published by Child Care (NI) and subsequent editions have been published by the Volunteer Development Agency. The Agency merges with 9 volunteer centres across Northern Ireland to become Volunteer Now in 2010. The publication of Our Duty to Care is supported by the Department of Health, Social Services and Public Safety.

First Edition 1995
Second Edition 1996
Third Edition 2000
Fourth Edition 2007
Fifth Edition 2009 (Updated April 2011)

This publication is available to download from our website.

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How to Use

Our Duty to Care has been designed to meet the needs of all organisations working with children and young people, in relation to developing good child protection practice. It provides basic principles which apply across the board from which organisations can develop their own policy and procedures in light of their own activities, structures and circumstances.

Each section of this document addresses:

The principle
The issues
Appendices

For example:

Section 1

The principle:

Promote the general welfare, health and full development of children and protect them from harm of all kinds

The Issues:

What does this involve?

- 1.1 Ensuring that the welfare of children is paramount and that their rights are recognised and respected.
- 1.2 Reassuring parents that the organisation with which their child is involved views the child's welfare as paramount and welcomes parental participation.
- 1.3 Promoting positive relationships between children and workers and encouraging workers to listen and respond to children's needs.
- 1.4 Developing and implementing a child protection policy with appropriate procedures and guidelines.

Appendices

Reference is made throughout the document to the appendices. These can be found at the back and provide further or more substantial information to support the practice outlined in the section.

All information herein is correct at time of publication (September 2009). However, it is important that organisations continuously keep themselves apprised of changes in legislation. The Volunteer Development Agency does not accept responsibility for subsequent changes in legislation which may impact on an organisation's policy development and practice.

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Foreword

As Commissioner for children and young people it is my job to promote and safeguard the rights and best interests of children and young people, and I do this with explicit reference to the United Nations Convention on the Rights of the Child (UNCRC). While all of the articles within the Convention are important, explicit is article 19 which is the right to protection from harm. We all have a responsibility to uphold article 19, and to safeguard children and young people, within this we must also ensure the best interests of the child – article 3, and the child's right to have a voice and to be heard – article 12 of the CRC .



To make these articles meaningful, it is important that standards of care are underpinned by good guidance in relation to all aspects of practice. 'Our Duty to Care, principles of good practice for the protection of children' provides clear frameworks in relation to child protection for those working with or volunteering to work with children and young people.

I urge those working in the field to pay attention to the principles and guidance from this document as you develop your own policy and procedures in relation to child protection. I further recommend that your policy and procedures must become live documents which guide practice, and are therefore open to review in experience of what works to protect children and young people.

A handwritten signature in black ink that reads "Patricia Lewsley". The signature is written in a cursive, flowing style.

Patricia Lewsley
Northern Ireland Commissioner for Children and Young People

Introduction

The abuse of children and young people – physically, emotionally and sexually – is a sad fact of life. Children may be abused regardless of their age, gender, religious belief, racial origin, culture or disability. They are usually abused by people they know and trust.

People who work with children on a regular basis in voluntary and community organisations may be able to provide an important link in identifying a child who has been or is at risk of being harmed in this way. **'Our Duty to Care'** aims to enable voluntary organisations to safeguard children from all forms of harm and to provide them with the highest possible quality of care.

There is first and foremost a **moral** obligation on anyone who is involved with children to provide them with the highest possible standard of care. There is secondly a **legal** responsibility, under the common law **Duty of Care**, for all organisations to take reasonable steps to ensure the safety and wellbeing of the children in their care. Organisations that provide Day Care Services also have legal obligations under the **Children (NI) Order 1995**. POCVA (NI) Order 2003 strengthened vetting procedures for potential workers and the Safeguarding Vulnerable Groups (NI) Order 2007 further enhances these safeguards.

These guidelines are not intended as an expert's comprehensive manual – they don't attempt to provide answers to the very many difficult questions which the whole issue of child abuse raises. Instead, they offer a practical guide for all those directly or indirectly involved with children in voluntary and community organisations by outlining a number of **principles of good practice**.

Our Duty to Care guidelines support and complement **Getting it Right – Standards of Good Practice for Child Protection***. These are the **minimum** standards of practice expected of all organisations that provide supervised activities for children. Our Duty to Care will support your organisation in building upon the minimum standards to produce the highest possible quality of care. The two documents are complementary in design as well as content to allow you to move easily between them. Each chapter in Our Duty to Care mirrors a section in Getting it Right, supplementing the minimum standards with further detail of good practice principles. The body of text in Our Duty to Care is further supported by more detailed appendices, clearly referenced throughout the document.

* Available from www.volunteernow.co.uk

Clarification of Terms

For the purposes of this guide 'a worker' is anyone who is engaged in work or voluntary activity with children or young people, whether as a paid employee or as a volunteer.

Where either 'children' or 'young people' are mentioned in the text, both are intended. To promote best practice the definition adopted is a person under 18 years of age, as defined under the Children (NI) Order 1995 and the United Nations Convention on the Rights of the Child.

Section 1

Promote the general welfare, health and full development of children and protect them from harm of all kinds

What does this involve?

- 1.1 Ensuring that the welfare of children is paramount and that their rights are recognised and respected.
- 1.2 Reassuring parents that the organisation with which their child is involved views the child's welfare as paramount and welcomes parental participation.
- 1.3 Promoting positive relationships between children and workers and encouraging workers to listen and respond to children's needs.
- 1.4 Developing and implementing a child protection policy with appropriate procedures and guidelines.

As an organisation working with children you will want to provide the best care for them, reassure parents that your organisation is child centred and support your staff and volunteers through appropriate procedures and guidelines.

1.1 Ensuring that the welfare of children is paramount and that their rights are recognised and respected

The fundamental principle in childcare law and practice is that the welfare of the child must always be the paramount consideration in decisions taken about him/her. This may seem obvious, but you must examine the policy and practice in your organisation by asking yourself if you really put the children's welfare before other considerations.

This is not just a matter of common sense, but a legal principle which you should always take into account.

*See Appendix 1 The United Nations Convention on the Rights of the Child.
See Appendix 2 The Children (NI) Order 1995.
See Appendix 3 Other Relevant Legislation.*

An organisation which values children in every respect is one in which every effort is made to promote their safety, protection, enjoyment and comfort.

It stands to reason that the way we work with children, how we behave around them and our attitudes towards them, all contribute to the way children feel about themselves.

A primary goal of any voluntary organisation working with children should be to contribute to the development of each child, and give praise for effort as well as achievement. If you encourage children to talk to you about things that make them feel good, they will be more comfortable in approaching you to discuss things they feel unhappy or uncertain about. Although we also have to bear in mind that no matter how welcoming and open the atmosphere in your organisation, not every child will always have the confidence or the ability to talk about his/her problems.

Children must be given every opportunity to learn that their bodies are their own property and that no-one has the right to do anything to them that makes them feel uncomfortable. They should be taught and encouraged not to put up with any behaviour from adults or children within the organisation which threatens them.

We know that abuse occurs in situations where adults are able to misuse positions of trust and power they have over children. This can be reduced by making children aware of their rights, involving them in decision making and taking views and grievances seriously. In raising awareness with children about their rights, it is equally important to talk to them about the things they can and should do to help adults help them. You must, for example, stress the importance of being truthful and honest at all times. They should also be made aware that there is a difference between 'secrecy' and 'confidentiality' and helped to develop some understanding of what things are appropriate to talk about and to whom. These are, however, very difficult and sensitive issues which need to be handled very carefully.

Children in your organisation may have access to training elsewhere on self protection. For example, many schools use the Kidscape programme, which provides practical and positive ways to help children recognise and deal with potentially dangerous situations. Depending on your circumstances, you may feel it is appropriate for you to arrange some training for the children in your organisation about protecting themselves.

See Appendix 4 for information on the Kidscape programme.

In order to be sure that children are not suffering harm of any kind you must consider the individual needs of all children involved in your organisation. Children who are different in any way may be vulnerable to abuse. For example, some members of your group may be children of different communities, religions or cultures, or disabled children. They

should be able to engage in the activities of your organisation knowing that particular thought will have to be given to their special needs.

Under Article 12 of the UN Convention on the Rights of the Child, children have a right to have their views heard. This is also one of the basic principles underlying the Children (NI) Order 1995.

There are a number of ways in which you can help children to develop their communication skills. You should give some thought to ways in which you can ensure that children play as full a role as possible, depending on their age and understanding, in planning and decision making within your organisation such as:

- a suggestion box to give everyone in the organisation an opportunity to make suggestions about how things could be improved;
- a 'consultative committee' involving one or two of the leaders/organisers in your group meeting on a formal basis with children or young people to discuss matters affecting their joint interests, or if appropriate, include them on your management committee.

1.2 Reassuring parents that the organisation with which their child is involved views the child's welfare as paramount and welcomes parental participation

It is important to establish and maintain contact with the parents of children involved with your organisation.

Parents have the primary responsibility for the care and upbringing of their children and have a wealth of knowledge about their lives and their emotional, physical and cultural needs. Generally the most effective way of ensuring that children's needs are met is by working in partnership with their parents or carers.

This means you should take steps to encourage the involvement of parents as much as possible in your organisation. The different degrees and levels to which this can be developed may range from the representation of parents on management committees, to actual participation in day to day activities.

1.3 Promoting positive relationships between children and workers and encouraging workers to listen and respond to children's needs

In working with children, your staff and volunteers should see themselves not only in their role as authority figures, but they should also be encouraged to think of themselves as friends to children. Good working relationships between all workers and children will help children to feel safe in expressing their feelings, fears and experiences openly. In such an atmosphere issues such as abuse, bullying etc can be more easily addressed.

Prevention of abuse depends also on good observation and on knowledge of the child as an individual. You should make sure that your organisation is run in such a way that there is time for workers to listen to, talk to and get to know the children, since their ability to detect differences in behaviour and presentation will depend on their knowledge of each child as an individual.

Protecting children is about being alert to the possibility of abuse and preventing situations where it could happen.

The importance of being aware of children's particular needs and capabilities and getting to know each child as an individual, is that it enables you to be more responsive to a child's reactions in situations where they may be suffering abuse but unable to tell anyone.

There are some **specific management practices** which you can develop to raise the standards of your organisation in a number of ways, covering the recruitment and selection of workers, management of workers, and management of activities. These practical matters are discussed further in Sections 2 and 3 of this guide.

1.4 Developing and implementing a child protection policy with appropriate procedures and guidelines

What is a child protection policy?

A child protection policy outlines your organisation's commitment to practice that protects children from harm. It applies to everyone associated with your organisation. Everyone involved in the organisation, including children, should have a copy and where possible, it should be prominently displayed.

Besides protecting children and young people in your organisation, a child protection policy will also benefit parents, guardians, staff, volunteers and the organisation itself. Your organisation's child protection policy should reflect the distinctive nature and activities in your organisation.

Your child protection policy will start with a child protection policy statement, outlining your intention to keep children safe while in the care of your organisation.

See Appendix 5 Sample Child Protection Policy Statements.

The sections in this guide reflect the subsequent areas that should be covered by a child protection policy, from which procedures and guidelines can be developed.

See Getting it Right for guidance on developing your child protection policy.

What are procedures?

Your organisation's child protection procedures will describe the practice to be followed to uphold your child protection policy.

For example, it is important to give children the right message by having a clear procedure for dealing with accusations of abuse, bullying etc. These should be made known to children, parents and workers at the point of joining your group. Section 4 provides further guidance. By giving children permission to tell, the secrecy on which abuse thrives is taken away. There is a clear message to all that the organisation is aware of the rights of children, acts to protect them and will not cover up problems.

What are guidelines?

Guidelines are advice on how something should be done. Your organisation's child protection policy may contain guidelines on how the policy objectives should be upheld. Section 5 contains guidelines on developing a Code of Behaviour within the organisation so that everyone is aware that there are certain standards expected of children and adults alike. These should be made known to all children and workers and, where possible, prominently displayed. By involving children themselves in developing these rules, they will be more likely to respect and obey them. All workers must also respect the rules.

Section 2

Develop procedures to consistently apply a thorough and clearly defined method of recruiting staff and volunteers

What does this involve?

- 2.1 Taking all reasonable steps to ensure that unsuitable people are prevented from working with children.
- 2.2 Taking account of legal requirements in terms of vetting staff and volunteers.
- 2.3 Taking into account a range of additional matters to protect children from harm.

2.1 Taking all reasonable steps to ensure that unsuitable people are prevented from working with children

Although a very thorough selection procedure is one of the most sensible and effective ways of assessing a person's suitability to work with children and may itself act as a deterrent to potential abusers, it is often felt to be an unnecessary burden...

"But sure he only comes in once a week."

"I couldn't ask them all those questions when they're not even getting paid."

"She wouldn't give up so much of her time if she didn't mean well."

"All our volunteers are from the area."

"It's hard to get volunteers these days – I don't want to put people off."

It is important to remember that people are not less likely to abuse children because they are part-time or because they are not getting paid or because they have been giving their services for years, or because they're a friend of a friend.... You must apply the same procedure consistently with paid staff, whether part-time or full-time, and volunteers alike. Additionally, under the Safeguarding Vulnerable Groups (NI) Order 2007 (SVG) there is a legal requirement to check anyone who is undertaking "regulated activity" in their role with children and young people.

See Appendix 6 Safeguarding Vulnerable Groups (NI) Order 2007

See Appendix 7 Access NI

The more routine the recruitment and selection procedure becomes, not only in your organisation but also in other voluntary organisations, the less intimidating it will be to genuine and well motivated applicants.

What is reasonable?

This section sets out a general description of the approach you should take to ensure good practice. The actual degree of sophistication applied to procedures will vary from one organisation to another but should be developed to include the following key elements:

Defining the role – this involves thinking through what exactly you consider the role of a new employee or volunteer to be, identifying what skills will be required of them to perform the tasks, being clear about what kind of person you require to fill the post and whether the post constitutes regulated activity under SVG.

See Appendix 6 Safeguarding Vulnerable Groups (NI) Order 2007.

Publicity – accurate and detailed recruitment material should be drawn up outlining the role of the organisation and the particular responsibilities and requirements expected of staff and volunteers. This should be circulated as widely as possible.

Application form – should be supplied with a clear job/role description and information about the organisation including a copy of the organisation's child protection policy statement. The form should be drafted to allow applicants to provide all relevant details and should include a written assurance that all information received will be dealt with in confidence.

See Getting it Right Standard 2 (Signposting)

Declaration – all applicants should be asked to sign a declaration stating that there is no reason why they would be considered unsuitable to work with children. In particular, all applicants should be required to declare any past (including spent) criminal convictions and cases pending against them. Organisations should make it clear that such information will be dealt with in a confidential manner and will not be used to discriminate against applicants unfairly.

See Appendix 8 Declaration of Convictions.

Interview – at least two representatives of the organisation should conduct an interview at which you should explore information contained in the application form against the kinds of qualities and skills needed for the post. For example, any previous experience of working or contact with children would be of particular relevance. You should also discuss expectations, working conditions etc. You should take this opportunity to focus on your child protection policy and ensure that the applicant has the ability and commitment to meet the standards required to put the policy into practice.

Identification – you should ask for appropriate identification for an AccessNI check

See Appendix 7 AccessNI

References – should be taken up with at least two people who are not family members and, ideally, one of whom should have first-hand knowledge of the applicant's previous work or contact with children. References should be taken up in writing and should be followed up orally. You will get a more accurate and reliable reference if you ask specific questions. In particular, referees should be asked to confirm that they have no concerns about the applicant working with children.

See Appendix 9 Sample Volunteer Reference Form.

2.2 Taking account of legal requirements in terms of vetting staff and volunteers

AccessNI check – if the post meets the criteria for regulated activity, then an AccessNI check will need to be carried out on the preferred candidate. This should be your final step in your recruitment and selection procedure. The purpose of the check is to confirm the completeness and accuracy of the information obtained from an applicant through their declaration of convictions. You will also be informed if the applicant has been legally barred from working with children and young people.

See Appendix 6 Safeguarding Vulnerable Groups (NI) Order 2007

2.3 Taking into account a range of additional matters to protect children from harm

The protection of children from harm must be a primary consideration in developing a thorough method of recruiting, selecting and managing staff and volunteers. There are, however, a range of other matters which you should consider which will enhance the standard of care provided for children involved with your organisation.

In addition to your role in protecting children you have a duty to provide them with the highest possible quality of care to allow them to develop fully. The composition of your staff and volunteers should be responsive to the needs of the children.

Some things you should consider are:

- attempting as far as possible to attain an appropriate balance of male and female staff and volunteers;
- selecting staff and volunteers with skills and ability relevant to the particular work of your organisation or providing appropriate training for new workers;
- taking into account the particular skills required to meet the needs of any disabled children involved in your activities;
- making sure that there are staff and volunteers representative of any minority cultural or linguistic groups from whom your members may be made up;
- adopting a policy of non-discrimination within the terms of the equality legislation;
- making enquiries about staff and volunteers' disabilities or health issues, which may affect their ability to perform the tasks required of them. Care needs to be taken when asking such questions.

See Appendix 10 Asking about Disability on Application Forms.

Section 3

Develop procedures for the effective management of staff and volunteers

What does this involve?

- 3.1 Ensuring comprehensive induction training is provided to all workers on appointment.
- 3.2 Ensuring all workers are appointed subject to appropriate probationary/trial periods.
- 3.3 Providing relevant training for all workers.
- 3.4 Providing regular and appropriate support, supervision and appraisal for all workers.

Good management of staff and volunteers will contribute to safe activities for children.

Good management of any organisation also requires making sure that everyone in the organisation is clear about what they are trying to achieve and what their roles are.

You must consider whether everyone in your organisation knows what the responsibilities of management, employees and volunteers are.

See Appendix 11 Volunteers and Paid Staff - Definitions.

Did you know that within two months of commencing employment, employees are entitled to a written statement of the main particulars of employment. It should include, among other things, details of pay, hours, holidays, notice period and an additional note on disciplinary and grievance procedures? Organisations should develop similar and appropriate practice tailored to the needs of volunteers.

3.1 Ensuring comprehensive induction training is provided to all workers on appointment

Induction should take place when a new worker starts with your organisation and should include:

- information on organisational policies, procedures, guidelines, activities and ethos;
- what is expected and required of them and the boundaries or limits within which they should operate.

Staff and volunteers should be asked to acknowledge that they have been introduced to the organisation's policies, procedures and guidelines, that they understand them and agree to abide by them.

3.2 Ensuring all workers are appointed subject to appropriate probationary/trial periods

All appointments should be conditional on a satisfactory period of work, i.e. a probationary period for staff and a trial period for volunteers, which should be stipulated at the time of appointment. During this period you should keep a close eye on the work of the worker in general and in particular, assess his/her ability in relation to working with children and commitment to preventing the abuse of children.

At the end of the probationary/trial period it is good practice to have a review and confirm the post in writing. Details of the selection and recruitment procedure should be recorded. In particular, a note should be kept of any matters arising during the trial period and any training needs identified.

3.3 Providing relevant training for all workers

Apart from induction, all workers should receive particular skills and child protection training appropriate to their role. Training should be updated and reviewed regularly for workers and in line with changing legislation.

All workers (including Designated Officers and Management Committee members) should have child protection training that includes a basic awareness and understanding of child protection issues, things that should alert workers to the possibility of abuse, reacting and responding, reporting procedures, and about dealing with issues such as confidentiality. Training should also be provided on the organisation's own child protection policies, procedures and guidelines. Training must be carefully selected to ensure it is sufficient. A minimum of four hours is required for basic awareness raising. However, six hours' training would be recommended for staff and volunteers working directly with children.

It is important that your organisation provides such training for staff and volunteers because:

- a good understanding of the particular nature of child abuse is essential to help staff and volunteers to see and hear, i.e. to ultimately help protect children and young people who may be suffering abuse inside or outside your organisation;
- some of your staff and volunteers may find it difficult to face up to the fact that child abuse could occur within your organisation. Because we naturally assume that people who work in voluntary

organisations are caring individuals, this can lead to blocks in hearing, recognising and dealing with the possibility of abuse. It is important that all workers receive some training to help them to recognise this unconscious defence mechanism and be alert to the possibility that abuse may be taking place;

- your staff and volunteers may need help in being clear about what is appropriate contact with children. In training sessions or discussions, which should be a normal part and parcel of the workings of your group, it is important to indicate what physical contacts are inappropriate and to make workers aware of actions which might be misunderstood or situations which might render them vulnerable.

See Appendix 12 Code of Behaviour – Some Guidelines.

Developing an effective training programme requires an assessment of what experience each worker has, assessing what they know against what you want them to know and identifying the gaps.

Good practice in training means keeping a record of training needs, training provided and a note of the worker's satisfaction with the training. Where possible, someone in your organisation should be responsible for coordinating training.

3.4 Providing regular and appropriate support, supervision and appraisal of workers

It is good practice to set up a supervision system for workers. This means arranging to see staff and volunteers at regular intervals, whether on their own or in small groups. This will give you the opportunity to identify what you, as the employer/manager, need to do to improve performance of your workers by, for example, assessing whether any additional training should be provided.

At the same time, it provides support for workers and an opportunity to talk through any questions, uncertainties or problems they may have.

For everyone's benefit, it is useful to keep a brief written note of supervision sessions.

It is also important to have a system of written review of workers so that they can be given recognition for the good work they are doing and helped to develop their skills further. You should consider the following:

- an initial review, in addition to ongoing supervision, half way through the trial period which should include an assessment of the worker's understanding of your child protection policy;

- a review at the end of the trial period to confirm the worker in post, to extend his/her probation period or to terminate his/her services. Any decision you make at this stage should not come as a surprise if regular supervision has been carried out;
- an annual review or 'appraisal', the purpose of which is to assess general performance and also to give you an opportunity to review any changes in the personal circumstances of workers.

Setting up supervision and review arrangements will give you an opportunity to observe your staff and volunteers at a number of levels. It will allow you to assess their competence in performing their tasks and also to observe the development of relationships with co-workers and, in particular, relationships with children.

You should be alert to any exceptional treatment, favourable or unfavourable, of particular children and have arrangements for dealing with inappropriate conduct by workers and children of which everyone should be aware.

Obviously, the extent to which you will be able to develop these systems will depend on the nature and size of your organisation but you should try to incorporate as many of these guidelines as possible.

See Appendix 13 Recruitment and Management of Workers.

Section 4

Develop procedures for responding to alleged or suspected incidents of abuse

What does this involve?

- 4.1 Raising awareness of what constitutes abuse and who abuses.
- 4.2 Knowing what to do if you are told of abuse.
- 4.3 Developing simple and clearly defined procedures specifically for dealing with actual or suspected incidents of abuse.
- 4.4 Being well informed about the nature of statutory child protection procedures.
- 4.5 Being prepared in the event of allegations against staff or volunteers.

4.1 Raising awareness of what constitutes abuse and who abuses

Good child protection practice means ensuring that staff and volunteers know how to recognise child abuse.

This does not mean that they are responsible for deciding whether or not abuse has occurred but that they do have a responsibility to be alert to behaviour by children or workers that suggests something may be wrong.

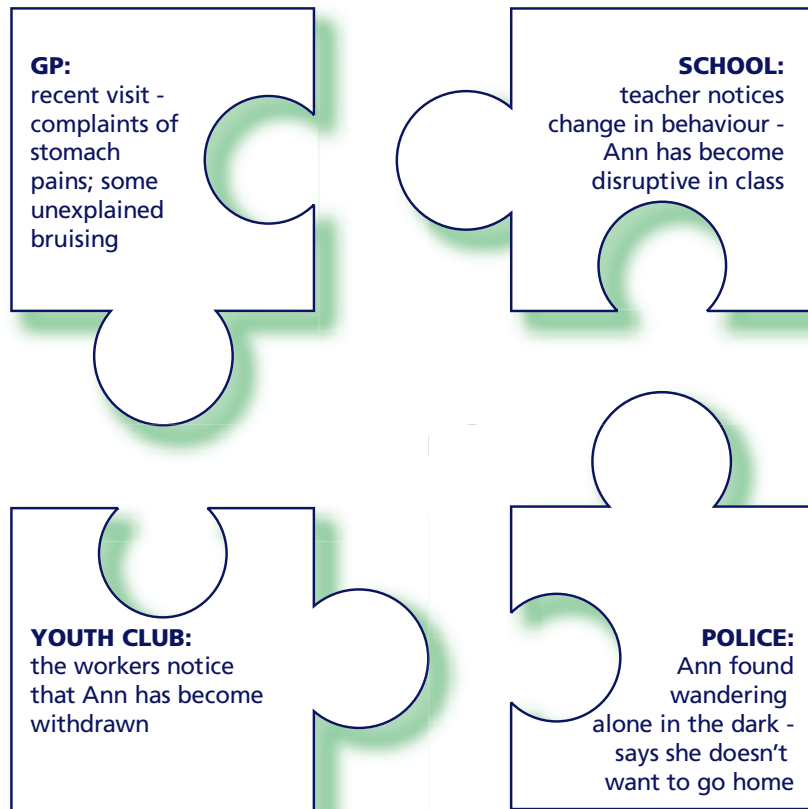
When there are concerns or where allegations are made, many people feel anxious about contacting Social Services or police, or about passing on information to anyone else. In such situations, it is natural that concerned individuals may experience, to some degree, the 'What if I'm wrong?' feeling which may hold them back from taking action.

It could be that a person's gut feeling is wrong, that there is some other explanation for the cause of their concern, but we cannot afford to take the chance in not reporting our concern. Failure to act could be very dangerous for the child.

It is important to remember that one person is not in a position to evaluate the situation fully because it's unlikely s/he will know everything there is to know about the child. The information s/he has may be only one piece of the jigsaw which, when added together with other pieces, may or may not show a picture of a child who is suffering abuse.

Concerns cannot be dismissed outright – the sharing of information is one of the most important ways to prevent abuse of children. In many situations a number of individuals or agencies may each have a piece of

information which in itself may seem unimportant but when put together with all of the other pieces could create quite a worrying picture. For example:



Abuse of children often goes undetected because people who have pieces of information are reluctant to share them. Your organisation should have well established links with other organisations and parents so that action can be taken when information which causes you concern comes to light.

It is also important to note that some children are more vulnerable to abuse because of the circumstances of their life. This group would include the following:

- disabled children;
- children in the criminal justice system;
- children living with domestic violence;
- children from ethnic minority groups;
- children who are carers.

Workers should be particularly vigilant for signs of abuse if they are working with children in any of these groups.

What constitutes abuse?

There are several different categories of abuse officially defined in 'Co-operating to Safeguard Children'.¹ Any action taken by statutory child care agencies will be based on these definitions.

All staff and volunteers should be aware that essentially, 'child abuse' occurs when the behaviour of someone in a position of greater power than a child causes significant harm.

Because children can be abused in a number of ways, the harm caused cannot always be easily categorised but we can identify four broad definitions of abuse.

Physical – the deliberate physical injury to a child, or the wilful or neglectful failure to prevent physical injury or suffering.

Emotional – where children are persistently or severely emotionally neglected or rejected, for example, by not being given enough love or attention, made to feel worthless, or being intimidated by threats or taunts.

Sexual – where children are encouraged or forced to observe or participate in any form of sexual activity.

Neglect – where children's physical and/or psychological needs are persistently or severely neglected or the failure to protect a child from exposure to any kind of danger.

See Appendix 14 Definitions of Abuse.

Bullying - Although bullying is not defined as abuse, in its more extreme form it would be regarded as a form of abuse. It can take many forms but Kidscape identifies the main types as:

- emotional - excluding, being unfriendly;
- physical - hitting, kicking, theft;
- racist - racial taunts, graffiti, gestures;
- sexual - unwanted physical contact or sexually abusive comments;
- homophobic – because of, or focussing on, the issue of sexuality;
- verbal – name calling, sarcasm, spreading rumours, teasing;

¹ Co-operating to Safeguard Children, available from www.dhsspsni.gov.uk

- cyberbullying (e.g. bullying via mobile phones; email, website bullying).

Bullying can leave children with feelings of worthlessness and self-hatred; they can feel lonely and isolated. At its worst bullying can result in a child attempting suicide. All organisations should develop an anti-bullying policy and ensure that staff and volunteers are aware of it and that it is included in training. Section 5 provides more information on bullying.

Very often children who are being abused feel they have tried to tell by hints or clues, or something they have said or done. But children may not tell for the following reasons:

- they may have been bribed not to tell;
- they may be afraid of being blamed or punished for what has happened;
- they may have experienced actual or threatened violence from the abuser;
- they may be afraid of what will happen to the abuser who is most often someone they know and care about.

Who abuses children?

Good child protection practice means ensuring that staff and volunteers know that:

- you can't tell by looking at a person whether they are an abuser – they don't appear different from the rest of society;
- abusers come from all classes in society, all professions and all races;
- abuse of children may sometimes be carried out by strangers but it is much more common that the abuser is known to the child and is in a position of trust and/or authority;
- it is not only adults who abuse children. Children may suffer abuse from other children and young people.

See Appendix 15 Some Facts About Abuse.

You need to be aware that your staff and volunteers may include;

- some adults who are unable to provide consistent care;

- some adults, including professionals, who manipulate themselves into positions of trust where they may exploit children, physically, emotionally or sexually;
- some adults, including professionals who, by consistently behaving inappropriately towards children, can cause them to suffer physical or emotional harm.

It is very important to draw the distinction between sexual abuse and the other ways in which children may suffer harm. The reasons for the sexual abuse of children, which is an addictive and developing process involving careful planning and manipulation, are very different from the reasons why people physically abuse or neglect them.

Your staff or volunteers are not likely to abuse children sexually as a result of undue stress, but you must talk openly to staff about identifying and acknowledging that stress can lead to other forms of abuse and about the importance of supporting each other.

While you need to think about ways of raising the level of everyone's awareness without creating an environment of intense anxiety in which people are looking for skeletons in every cupboard, you must make it very clear to everyone in your organisation that they have a responsibility to be aware and alert to signs that all is not well with a child.

4.2 Knowing what to do if you are told of abuse

So how might you become aware that a child is suffering harm?

- A child may tell you.
- Someone else may tell you that a child has told them or that they strongly believe a child has been abused.
- A child may show some signs of physical injury for which there appears to be no satisfactory explanation.
- A child's behaviour may indicate to you that it is likely that he or she is being abused.
- Your awareness of, or suspicion about, abuse may come about as a result of something disclosed to you as a third party (parent, friend, co-worker) who suspects or has been told of abuse.
- Something in the behaviour of one of the workers or in the way a worker relates to a child alerts you or makes you feel uncomfortable in some way.

The difficult issue of confidentiality is one which arises particularly when abuse is disclosed. However, you should be aware that the procedures which you develop to deal with all allegations of, or suspicions about, abuse must be based on the fundamental principle that the welfare of the child is paramount.

In all such cases, your staff and volunteers should be made aware of the importance of:

Listening....accepting...reassuring...explaining...acting immediately... recording...getting support.

How to react and what to do

There is not one simple set of rules to follow in responding to these situations. However, the actions of your staff and volunteers who are told of abuse should be guided by the following key points:

DOS	and	DON'TS
<p>Stay calm.</p> <p>Listen and hear. Give time to the person to say what they want.</p> <p>Reassure that they have done the right thing in telling.</p> <p>Record in writing what was said as soon as possible.</p> <p>Report to someone else in the organisation.</p> <p>Record your report.</p>		<p>Do not panic.</p> <p>Do not ask leading questions.</p> <p>Do not promise to keep secrets.</p> <p>Do not inquire into details of the abuse.</p> <p>Do not make a child repeat the story unnecessarily.</p>

Under no circumstances should any individual member of staff or volunteer or the organisation itself attempt to deal with the problem of abuse alone.

It is important that everyone in the organisation is aware that the person who first encounters a case of alleged or suspected abuse is not responsible for deciding whether or not abuse has occurred. That is a task for the professional agencies following a referral to them regarding a concern about a child. The primary responsibilities of the person who first suspects or is told of abuse is to report it and to ensure that their concern is taken seriously.

4.3 Developing simple and clearly defined procedures specifically for dealing with actual or suspected incidents of abuse

It is important that your organisation has developed clear procedures for sharing concerns and reporting incidents to the statutory authorities. All organisations, even small ones, should appoint at least one person as Designated Officer to be responsible for dealing with allegations or suspicions of abuse (it is good practice to appoint two: one Designated Officer and one Deputy Designated Officer). Everyone in the organisation should know who the Designated Officer/s are and how to contact them. In some organisations it may well be a leader, manager or officer in charge. Other large organisations may have a number of people who carry this responsibility.

See Appendix 16 Role and Responsibility of a Designated Officer/Person within a Voluntary or Community Organisation.

As a general rule, the shorter the referral route, the simpler, clearer and therefore better.

See Appendix 17 Reporting Procedures.

A report of concerns about a child should be assessed promptly and carefully and consideration given to the best action to take.

This may mean:

- clarifying or getting more information about the matter;
- where there is any doubt or uncertainty, consulting initially with a statutory child protection agency such as a Health & Social Care Trust or the NSPCC to test out the concerns and views about the situation;
- making a formal referral to a statutory child protection agency or the police.

It is also important that all staff and volunteers are aware of contact details for the police and Social Services to whom they should report if they are inhibited for any reason in reporting the incident within the organisation, or the Designated Officer/s are not available.

What if

In the case of a volunteer or staff member receiving information that abuse has occurred in the past, even when the alleged or suspected victims are now adults, this information should be passed to Social Services as there could continue to be a risk for other children and young people.

It may occur that an adult, young person or child within your organisation discloses information which indicates that they have perpetrated abuse. In the case of a child or young person this may be difficult to accept. However, this can happen. This information should also be passed to Social Services through the Designated Officer.

In some situations, staff or volunteers in your organisation may receive information that adults who are not involved with your own organisation, but whom you believe may present a risk are in contact with children through other organisations. It is important that these organisations should know your concerns. The statutory agencies will give you advice on how this should be handled.

See Appendix 18 Sharing Significant Information.

Recording – why and how?

In all situations, including those in which the cause of concern arises from a disclosure made in confidence, it is extremely important to record the details of an allegation or reported incident regardless of whether or not a referral is subsequently made to a statutory agency. All concerns, disclosures and allegations should be recorded on proformas provided by your organisation.

See Appendix 19 Recording Allegations or Suspicions of Abuse.

See Appendix 20 Reporting Allegations or Suspicions of Abuse.

An accurate note should be made of the date and time of the disclosure, the parties who were involved, any action taken within the organisation to clarify or get more information about the matter and any further action, for example suspension of a worker. Where there is no referral to a statutory agency, the reasons why should be recorded. Where a discussion has occurred with Social Services, whether or not any action was taken, the outcome of this discussion should be recorded.

The record should be clear and factual since any information you have may be valuable to professionals investigating the incident and may at some time in the future be used as evidence in court. This kind of information should always be kept in a secure place (including electronic filing) and shared only with those who need to know about the incident or allegation. A UNOCINI Form (Understanding the Needs of Children in NI) may be used to make a referral to statutory authorities. This has been developed and introduced, with appropriate training and guidance, for use by a wide range of people working with children and families, including key workers such as Health Visitors, Social Workers, the Community Nursing Sector and also the Community and Voluntary Sectors.

You should be clear about what the arrangements are within your organisation for handing over and accessing this type of information in the event of the staff or volunteers who have knowledge of previous incidents leaving. Keeping such a record will also help protect the organisation.

4.4 Being well informed about the nature of statutory child protection procedures

There are particular skills and knowledge required in the investigation of abuse which require specialist training. What is important for children and their parents is that you should know enough about what is likely to happen when a suspicion or alleged incident of abuse is reported to be able to:

- take the appropriate action as quickly as possible;
- understand what the investigation will entail;
- offer support and help during the period of the investigation;
- contribute to the investigation, if required, by providing background information needed to assist others in making decisions.

If the Designated Officer decides that there are sufficient grounds to discuss his/her concerns with a statutory child protection agency i.e. Social Services or the NSPCC or to make a formal referral, s/he should contact the duty social worker or a senior member of staff in the local Social Services or NSPCC office. It is a good idea for organisations to have already established contact with a person responsible for child protection in either of these agencies and for staff to know how they can contact that person.

Statutory child protection procedures are child centred. This means that in all investigations the welfare of the child is the paramount consideration. For this reason the statutory child protection agencies cannot give an undertaking that any information provided will remain confidential. However, the official policy is that those receiving such information 'should only disclose it where the welfare of the child requires it and then only to those with a legitimate need to know.' So information will only be passed on to the relevant people within those agencies whose task it is to decide what action to take.

If the contact in Social Services or the NSPCC feels that there is good reason to be concerned that a child is suffering or likely to suffer harm, s/he will try to encourage the person making the report to give more information in the interests of the child.

The sort of information likely to be asked for would include:

- the name and address of the child who is the subject of the concern;
- the nature of the harm;
- the need for medical attention (if any);
- the reasons for suspicion of abuse;
- what has been done already;
- any practical information, such as the name of the child's GP, school etc.

The Designated Officer (or the person making the initial referral) may be contacted at any stage of an investigation about a child who is involved in your organisation. Social Services will then share this information with the police and agree a strategy to investigate the concerns or allegations which may include one or both agencies. Social Services and police will undertake their own checks in relation to the child and or the adult. This may lead to a decision to interview the child/children by Social Services or police. In most cases this is undertaken with the knowledge and consent of the child's parents or carers. Both agencies will take the necessary action to ensure the child is protected.

The legal principle that the 'welfare of the child is paramount' means that considerations of confidentiality should not be allowed to override the right of children to be protected from harm. Everyone in your organisation, including children, must be aware that they must never promise to keep secrets. However, information of a confidential nature will only be communicated on a 'need to know' basis. Your statement on confidentiality should make this clear. Section 6 provides more on sharing information.

In any situation where there is an allegation or suspicion of abuse, it is important that the rights of both the victim and the alleged perpetrator are protected by ensuring that only those who need to know are given the relevant information. This will mean, at the very least, informing:

- the person responsible for child protection in your organisation;
- where relevant, a statutory child protection agency;
- the parents of the child;
- the alleged perpetrator.

Informing the parents of a child about whom there is a concern will need to be handled in a sensitive way and should only be undertaken in consultation with a statutory agency. Where possible, it should be the Designated Officer who informs parents.

Any individual under suspicion has a right to be notified of the cause of concern. This is another matter which will need careful consideration and should only be undertaken in consultation with a statutory agency.

Depending on the outcome of initial enquiries, staff and other agencies who have contact with either the child concerned or the alleged perpetrator may need to be given brief details of the incident and subsequent action. The statutory agency will keep you right about who should be told, when they should be told, and the kind of information which is appropriate to share.

4.6 Being prepared in the event of allegations against staff or volunteers

One of the most difficult situations for an organisation to deal with is an allegation of abuse against a member of staff. In many cases, s/he may be a close colleague, friend or neighbour.

When responding to an allegation made against a worker, it is important to remember that any organisation has a dual responsibility in respect of both the child and the worker. All organisations should have internal procedures for dealing with allegations. In the case of a child protection concern, this process should run parallel to the reporting process.

See Appendix 21 Allegations Against Staff and Volunteers.

Employers have a responsibility to consider the implications of an allegation made against a worker. Initially, all details of the incident should be recorded fully by the Designated Officer and passed on to the head of the organisation. It is recommended that the Designated Officer is not the person carrying out the internal organisational procedure.

The head of the organisation should inform the worker that an allegation has been made against them and provide them with an opportunity to respond to the allegation. Their response should be fully recorded. The organisation should not delay in any aspect of the process and should move to consultation with the statutory authorities as soon as possible.

After consultation with the relevant statutory authorities, the head of the organisation should decide what further action needs to be taken. In cases where a criminal investigation is instigated by the police, it is important

that the organisation does not conduct its own internal investigation or gather further evidence that could prejudice the criminal investigation.

The organisation should, as a matter of urgency take all protective measures which are necessary to ensure that no child is exposed to unnecessary risk. These measures should not unreasonably penalise the worker unless to protect a child. If it is necessary to suspend a worker, the incident should be dealt with as quickly as possible. It may be possible to move the worker to alternative duties which do not involve contact with or access to children during the period of investigation. If an individual is suspended from work in regulated activity or transferred to a position where they do not have significant contact with children, that individual must be referred to the Independent Safeguarding Authority for consideration to be included on the Barred List/s. An employer who is not a regulated activity provider (RAP) may also refer to the ISA.

Whatever the outcome, there will be issues for everyone involved in the organisation, including staff, children and parents.

Clearly this will be a sensitive issue for the whole organisation. Through training and staff discussion, organisations should explore strategies for addressing a range of issues such as:

- possible reactions of other members of staff within your organisation of anger, disbelief, doubt, fear, guilt, shock, anxiety, confusion;
- the effects on the individual against whom the allegation has been made of your own internal proceedings, an official child protection investigation or a criminal investigation;
- the reactions of workers and other children towards a child who has been abused or whose allegation is being investigated;
- the reactions of parents/carers and other family members;
- reputation of the organisation.

It is extremely valuable to have thought through and discussed with staff and volunteers in as objective a way as possible what could happen and how people might feel if an allegation of abuse is made or a suspicion is reported. Rehearsing the issues will give everyone concerned the confidence to face what will inevitably be a very difficult situation, particularly if an allegation is made against a staff member.

There may be situations in which suspicions or allegations turn out to be unfounded. Nevertheless, it is important that everyone in the organisation knows that if they raise a concern which, through the process of investigation, is not validated, they have not in any way been wrong in their initial action. You must encourage responsible action and make sure that whistleblowers are confident of support.

Section 5

Develop a Code of Behaviour to ensure the activities of the organisation promote the safety and well being of children

What does this involve?

- 5.1 Developing a Code of Behaviour to ensure all workers know what behaviour is expected and what is unacceptable.
- 5.2 Developing anti-bullying guidelines.
- 5.3 Developing guidelines on the use of new technology.
- 5.4 Developing guidelines on taking and using photographs.

5.1 Developing a Code of Behaviour to ensure all workers know what behaviour is expected and what is unacceptable

Having a Code of Behaviour in your group will minimise the opportunity for children to suffer harm and help to protect workers against false allegations.

It is worth remembering that many aspects of a Code of Behaviour are common sense, and your staff and volunteers have probably been implementing them in your organisation. However, it is important to formalise these to ensure consistency of practice throughout the organisation and to ensure that all volunteers and staff are aware of what is expected of them and what is not acceptable behaviour.

Each organisation's Code of Behaviour will be different, reflecting the nature and activities of the organisation. It should provide a clear guide to your staff and volunteers on how they should behave when working with children and young people. It should be a positive document highlighting positive behaviours and not just a rule book list of don'ts.

It is a good idea to get staff and volunteers to help develop the Code of Behaviour for their organisation, as this enables greater ownership than if it is imposed from above. It is also worth reviewing the Code of Behaviour regularly to ensure that any new issues such as the use of new technology are covered. All Codes of Behaviour should outline seven key areas:

- positive statements about how your organisation expects staff/volunteers to act towards children;
- statements relating to behaviours to be avoided;
- statements about unacceptable behaviour;

- anti-bullying guidelines;
- guidelines relating to physical contact;
- guidelines relating to special needs;
- sanctions for non compliance with the code of behaviour.

See Appendix 12 Code of Behaviour.

See Getting it Right.

Code of Behaviour for Children/Young People

It is also good practice to have a code of behaviour for children and young people who are attending the group's activities. This should be developed in consultation with children and young people themselves and can be done, for example, in a workshop situation. In this way the children and young people within your club will know what is expected of them and will have a degree of ownership of the agreed code.

5.2 Developing anti-bullying guidelines

The Anti-bullying Alliance (ABA) defines bullying as the intentional hurting of one person by another, where the relationship involves an imbalance of power. Bullying can take a number of forms (see Section 4). The effects of bullying are extremely serious for children and young people – it can cause considerable distress to the extent that it affects their health and development or, at the extreme, causes them significant harm.

It is therefore important that organisations do all in their power to tackle bullying. Developing an anti-bullying policy, which has an agreed definition of bullying and guidelines on how to respond, is important.

See Appendix 22 Developing an Anti-Bullying Policy.

5.3 Developing guidelines on the use of new technology

As computers, mobile phones and digital cameras have developed we can see how these new technologies can be misused by those intent on sexually harming children and young people. We are also learning how children and young people may place themselves at risk and be vulnerable to abuse. When communicating via the internet and mobile phones, young people tend to become less wary and talk about things far more openly than they might when communicating with someone face to face.

Therefore, it is important that all adults are aware of the potential dangers to children and young people and are able to prevent them from being harmed.

It is not only adults who may harm children via the internet. Some young people use the new technologies to harm other children. Because they are able to create their own content via mobile phones and social networking sites, some young people create their own illegal and inappropriate material, sometimes unwittingly, which puts themselves and others more at risk.

It is important to provide guidelines to everyone involved in your organisation on appropriate use of the internet.

There are particular issues for leaders as there is growing concern about what is/not permissible in the area of communication between adults and children and young people in youth organisations.

See Appendix 23 Using Mobile Phones and Email - Guidelines for Leaders.

5.4 Developing guidelines on taking and using photographs

There have been concerns about the risks posed directly and indirectly to children and young people through the use of photographs on web sites and other publications. Photographs can be used as a means of identifying children when they are accompanied with personal information, for example, - "this is X who is a member of the Melksham club and who likes Westlife." This information can make a child vulnerable to an individual who may wish to start to "groom" that child for abuse. Secondly, the content of the photo can be used or adapted for inappropriate use. There is evidence of this adapted material finding its way onto child pornography sites.

Organisations and clubs need to develop a policy in relation to the use of images of children and young people on their web sites and in other publications. The organisation will need to make decisions about the type of images they consider suitable and that appropriately represent the organisation's activity, without putting children at increased risk. You should ensure that parents support the policy. When assessing the potential risks in the use of images of children, the most important factor is the potential of inappropriate use of images of children.

If organisations are aware of the potential risks and take appropriate steps, the potential for misuse of images can be reduced.

See Appendix 24 Guidelines on Taking Photographs.

Section 6

Develop guidelines to ensure that relevant information is shared appropriately with parents, children, workers and other relevant agencies

What does this involve?

- 6.1 Ensuring that relevant information about the organisation is shared appropriately with parents and children.
- 6.2 Gaining information from parents in relation to membership and consent.
- 6.3 Developing a confidentiality policy to ensure information is recorded, stored and shared appropriately.
- 6.4 Developing appropriate procedures for dealing with issues, complaints and grievances.

6.1 Ensuring that relevant information about the organisation is shared appropriately with parents and children

It is important that general written information on policy and procedures is provided to everyone connected to the organisation i.e. staff, volunteers, children/young people, parents and carers. Parents should be aware of the organisation's child protection policy and who they should contact if they have any issues in relation to their child. Children should be provided with the same information in an appropriate manner, which may be through parents for very young children.

There are various ways of communicating information about policies and procedures. Organisations should ensure that the policy statement and the name of the contact person should at least be displayed prominently in the club. It would be good practice to forward written information on activities, policies, procedures and your expectations of parents when children first participate in activities and at regular intervals if information changes. Some organisations hold information meetings with parents. Organisations should give thought to the most appropriate way to share information with parents and their children.

6.2 Gaining information from parents in relation to membership and consent

All organisations need to ensure that they have essential personal details about all the children who participate in their activities.

Some basic things which you should at least consider would include:

- knowing who the parents, carers or others with 'parental responsibility' of all the children are;
- having a record of the name, address and contact number of all parents/carers;
- making sure you have information about health issues or medication;
- obtaining parental consent for all activities.

*See Appendix 2 for information on who has parental responsibility.
See Getting it Right for Sample Consent Form and Sample Health Form.*

Consent should be gained for regular activities that take place within club premises on club nights. However, further consent should be sought for any off-site, one-off or residential activities. Consent should also be gained for taking photographs of children, including consent as to how those photographs are used and where they will be displayed. This should be consistent with your organisational guidelines on photographs.

See Appendix 24 – Guidelines on Taking Photographs.

It is also important to have established good relationships with the parents of children so that in the event of any allegations or incidents occurring you are able to work together in the best interests of the child.

6.3 Developing a confidentiality policy to ensure information is recorded, stored and shared appropriately

Your organisation should have a clear statement about confidentiality and how this is to be respected. This statement will cover much broader issues than child protection. You would wish families and children in contact with your organisation to be sure, for example, that personal and sensitive details which they have confided about their lives or family situations will not be talked about or passed on to others without their consent.

Information of a confidential nature should only be communicated on a 'need to know' basis. Your statement on confidentiality should make this clear.

All organisations need to consider their responsibility in relation to the gathering, storage and sharing of information in light of the following eight Data Protection Principles ("the Principles") in the Data Protection Act, sometimes referred to as the Principles of "good information handling".

'Personal data:

1. Shall be processed fairly and lawfully.
2. Shall be obtained only for one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes.
3. Shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed.
4. Shall be accurate and, where necessary, kept up to date.
5. Processed for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.
6. Personal data shall be processed in accordance with the rights of data subjects under this Act.
7. Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.
8. Personal data shall not be transferred to a country or territory outside the European Economic Area, unless that country or territory ensures an adequate level of protection of the rights and freedoms of data subjects in relation to the processing of personal data.'

You should therefore ensure that your confidentiality policy has written guidance on:

- what personal information is needed from parents;
- how that information is stored securely;
- who should have access to information;
- how long information should be kept;
- with whom information can be shared.

6.4 Developing appropriate procedures for dealing with issues, complaints and grievances

It is good practice for organisations to give written information to children and their parents about who to contact if they are unhappy or concerned about anything involving the organisation. This should encourage every child, parent and worker to contact someone in the organisation about anything that concerns them. If people are not satisfied with the response, then it is important that they also know who they can approach outside the organisation.

Organisations should have procedures in place to ensure a speedy and effective response to complaints. However the first stage in dealing with

any issue should be to try to resolve the issue informally through dialogue with the parties involved. If the issue cannot be dealt with at this stage, then it is important that your organisation has developed written procedures for taking this forward. There should be a clear written complaints procedure for parents, children and outside agencies.

See Appendix 25 Developing a Complaints Procedure.

In the case of staff and volunteers, there should be grievance procedures which should be shared with workers at induction.

Section 7

Develop guidelines to ensure the general safety and management of activities

What does this involve?

- 7.1 Implementing measures to ensure the general safety of activities.
- 7.2 Implementing measures to ensure the effective management of activities.
- 7.3 Safely including disabled children in your group's activities.
- 7.4 Additional considerations relating to day trips and residentials.

7.1 Implementing measures to ensure the general safety of activities

Since we know that children can suffer harm in all sorts of ways, it is important that you plan and manage the activities of your organisation in such a way as to minimise opportunities for them to suffer harm of any kind while in your care.

Good general management and efficient administration practices will help to ensure the smooth and responsible running of your organisation. Some of the most obvious things for you to consider would be to adopt health and safety guidelines in relation to:

- required standards for premises and equipment;
- heating and ventilation;
- sanitation facilities;
- fire precautions;
- emergency numbers and access to a telephone;
- providing adequate insurance coverage for children, staff, volunteers and third parties;
- first aid.

Developing first aid arrangements

Groups need to consider having an accessible first aid kit available at all activities.

There should also be a named first aider who should be easily contactable. In the absence of a first aider in an emergency situation, leaders would be expected to use their best endeavours to ensure the welfare of children in their care. The DfES Guidance on *First Aid for Schools* states that “in general, the consequences of taking no action are likely to be more serious than those of trying to assist in an emergency.”

Groups will also need to consider potential first aid issues in relation to disabled children or children who have particular illnesses or allergies, and make appropriate arrangements.

A number of organisations provide advice and information to assist groups in formulating policy on first aid.

See Appendix 31 Useful Contacts.

Developing procedures for dealing with accidents, incidents and emergencies

Regardless of whether workers in your organisation are paid employees or volunteers, it is important that there are clearly defined procedures for reporting incidents or accidents. It is important that everyone should know who to report to and the need to complete an accident/incident report form.

Guidelines for emergency procedures should be developed, understood and communicated to all workers, children and young people. There are further considerations relating to emergencies for day trips and residentials.

See Appendix 26 Incident Record Form.

Transport

Organisations should ensure that any transport used should be roadworthy, fit for purpose and covered by the appropriate insurance. Groups should also consider how children and young people will be supervised while being transported.

7.2 Implementing measures to ensure the effective management of activities

Activities should be planned so that they are safely managed and take into account the nature of the activity and the age range and ability/disability of participants. An important factor in ensuring the general safety of activities is risk assessment. This can be undertaken by identifying the hazards, which are anything that could potentially cause harm, and then assessing the risks associated with the hazards. A further risk assessment may be necessary when involving disabled children. All risk assessment should take account of the following:

Competency and Qualification of Leaders

Leaders should be competent to undertake the activities they are leading. Careful recruitment, selection, induction, training, Codes of Behaviour and supervision will all assist in ensuring this. Where activities have to be led by qualified leaders, such as specialist activities e.g. swimming instruction, qualifications should be up to date and verifiable.

Safety of Equipment

Equipment should be safe and used for the purpose for which it was intended. It should be checked regularly. Children and young people should also be made aware of the safe use of equipment to minimise misuse where harm could occur.

Supervision of children

Making arrangements for the proper supervision of children is one of the most effective ways of minimising opportunities for children to suffer harm of any kind in your organisation. There is a range of practical matters which you should consider when planning activities within your organisation including:

- the number of participants;
- the age of participants and the age range;
- the type of activity;
- the environment where activity is undertaken;
- the particular needs of individual participants, e.g. in relation to disabilities.

In addition to these considerations, there are a number of basic principles which you should always take into account when making any supervision arrangements:

- children should not normally be left unattended;
- workers should know at all times where children are and what they are doing;
- any activity using potentially dangerous equipment should have constant adult supervision;
- children will be safer if supervised by two or more adults;
- dangerous behaviour by children should not be allowed.

Having clearly defined supervision arrangements will not only minimise the occurrence of accidents but will also contribute to the protection of children from intentional harm.

*See Appendix 27 Supervision of Children on Day Trips.
See Appendix 28 Sample Health and Safety Checklist.*

7.3 Safely including disabled children in your group's activities

It is good practice for your organisation to have an equal opportunities policy that will outline your organisation's commitment to including disabled children. On a practical level, organisations should strive to make their premises and activities as accessible as possible to disabled children. However, many workers are reluctant about including disabled children because of lack of knowledge and fear of 'doing the wrong thing.' There is also a tendency to think of disabled children as having 'special needs' and going to 'special places' with 'special staff.' Very often these fears can be allayed through contact with disabled children and some training on disability issues.

For inclusion to be effective we need a fundamental belief that disabled children have the same right to be in our provision as anyone else.

It is important to remember that every disabled child is different and even where impairments appear to be similar, the way each particular child is affected may be very different.

See Appendix 29 Including Disabled Children.

7.4 Additional considerations relating to day trips and residentials

Residentials and day trips will encompass different activities than usually experienced in your organisation. It is important to prepare for this. The Education and Library Boards' Interboard document, *Educational Visits – Policy, Practice & Procedures*, identifies five categories of visits:

- visits which take place on a regular basis;
- one off day/evening excursions;
- residential visits of one or more nights within the UK or Ireland;
- residential visits outside the UK or Ireland;
- hazardous activities – residential and non-residential e.g. hill walking; rock climbing.

There are a number of factors that need to be considered when undertaking day trips and residentials, including the following:

Clear roles and responsibilities

The successful planning and implementation of a day trip or residential requires a contribution from a number of key people. Careful coordination and clarity of roles are vitally important, e.g. group leaders, staff, volunteers, parents and the young people taking part. It is also good practice for one person to be responsible for and provide guidance on day trips and residentials in the organisation. A central contact person back at base, who has all contact details of the venue of the trip and of all young people's parents/guardians in case of emergency, is also good practice.

Depending on how your organisation is structured, the authorisation for visits to take place will depend on the category they fall into. For example, permission for a short trip during club hours may be approved by the leader in charge, whereas residentials will need the authorisation of the management committee. It is also essential that parental consent is obtained for visits as well as health details for all young people attending.

See Getting it Right for sample consent forms.

Policies, procedures and guidelines

The policies, procedures and guidelines that relate to the general safety and management of activities apply to day trips and residentials with some additional considerations such as:

- equal opportunities – your organisation will need to think about how it will ensure that there is equality of opportunity for all involved in day trips and residentials e.g. ensuring that disabled young people have access to all activities or where that is not possible, alternative activities;
- welfare – a leader should be designated to be responsible for welfare issues while on the trip, including access to sufficient first aiders. Health forms will need to be completed indicating any medications group members are taking and when they have to be taken;
- emergency procedures – e.g. ensuring that adequate first aid provision is available and leaders are aware of the emergency procedures;
- procedures for reporting concerns - there should be procedures in place for members of staff/volunteers to report any concerns they might have about a young person. This includes concerns that a child has been or is at risk of being physically or sexually abused or neglected. A decision should be made on which reporting

procedure to use – that of your own organisation or the reporting procedure of the centre you are visiting.

An agreed Code of Behaviour

The establishment of a 'Code of Behaviour' for all those participating in the trip or residential should be drawn up in consultation with staff, volunteers and young people. In advance of a visit, accompanying staff, volunteers, young people and parents should be made fully aware of the Code, including possible sanctions.

See Appendix 30 Sample Day Trip/Residential Planning Checklist.

Appendix 1

The United Nations Convention on the Rights of the Child

1

What is it?

The United Nations Convention on the Rights of the Child (UNCRC) is a set of minimum standards on protecting children's rights. It is a binding international treaty which the United Kingdom Government signed up to in December 1991, committing itself to give children the rights and protections written in the Convention

Who is a Child?

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

What Rights Do Children Have?

There are many rights written into the UNCRC which include, for example, rights relating to:

- children having a say in their education;
- protecting the environment in which children live;
- reasonable standards of living;
- protection from violence, abuse and exploitation;
- protection for children cared away from home and for children with a disability;
- children being able to use their own language, enjoy their own culture and practice their own religion;
- reasonable standards of health and development;
- children suspected of committing a crime and children convicted of crimes.

There are Four key Articles in the UNCRC

Article 2 – Non-Discrimination. The Government must make sure that all rights in the UNCRC apply to all children without exception. It is the Government's obligation to protect children from any form of discrimination irrespective of the child's, or his/her parent's or legal

guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.

Article 3 – Best Interests of the Child. The Government has agreed that in all actions concerning children, whether taken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies the best interests of the child should be a primary consideration. This includes decisions in courts, in schools, in hospitals, in care or in custody. It also means that all our laws and policies should take account of the best interests of children.

Article 4 – Implementation of Rights. The Government must undertake all appropriate legislative, administrative and other measures for the implementation of all the rights in the UNCRC.

Article 12 – The Child's Right to Express an Opinion. The Government has agreed that every child who is capable of forming his/her own views should have the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child. In particular, the child should be provided with the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly or through a representative or an appropriate body, in a manner consistent with national law.

Monitoring

The United Nations Committee on the Rights of the Child is the body that monitors how well States are meeting their obligations under the UNCRC. Governments (known as State Parties) are required to submit an initial report to the UN Committee two years after they have ratified the UNCRC and a periodic report every five years thereafter. The Committee examines whether the State Parties are implementing the rights for children in the UNCRC and then issue "Concluding Observations".

More information about children's rights can be obtained from the CHALKY Freephone Advice Line at The Children's Law Centre (0808 808 5678).

Appendix 2

The Children (NI) Order 1995

2

What is it?

The Children (NI) Order 1995 deals with the care, upbringing and protection of children. It deals with most of the private and public law relating to children and young people.

Who is a Child?

A person under the age of 18.

What are the Main Aims?

The main aims of the order are:

- to provide a comprehensive framework for the law relating to children and young people in Northern Ireland;
- to ensure that the child's best interests are the paramount consideration in all decisions affecting the child;
- to ensure that in private and public law proceedings that the child's wishes and feelings are considered (in light of the child's age and understanding);
- to set out the law in relation to parental responsibilities;
- to set out the law in relation to the duty of the state to protect and provide services for children.

The Key Principles

Paramountcy

This means that in decisions about a child's upbringing, the child's welfare must be the court's paramount consideration. The court must take into account the child's wishes and feelings, and physical, emotional and educational needs. It must also consider whether the child is at risk of harm from witnessing domestic violence.

Parental Responsibility

This means that parents have responsibility to their children rather than rights over them. Issues of parental responsibility include, for example, decisions about education, health and religious upbringing. A mother always has parental responsibility (except when an adoption order is made) as do parents who were married at the time of the child's birth.

Where parents were not married at the time of the child's birth, the mother automatically has parental responsibility. In relation to children born after the 15th April 2002, the father has automatic responsibility when his name is registered on the birth certificate. If his name is not on the birth certificate he can apply to court for parental responsibility or sign a parental responsibility agreement.

Since the 15th April 2002 a step-parent can also now apply for parental responsibility.

If a residence order is granted to a family member, for example, a grandparent, parental responsibility will be automatically granted with the residence order, but this lasts only as long as the parental responsibility lasts.

Prevention

This principle is about preventing children from being abused. It is about the state's obligation to provide support services to keep children safely within their families and to promote their health and welfare.

Partnership

The basis of this principle is that the most effective way of ensuring that a child's needs are met is by working in partnership with children, young people, their parents and carers, where this is possible. This means that all agencies working with children should consult with parents and children throughout the decision-making processes concerning their children and about the type of services provided.

Protection

Trusts have a duty to investigate where a child is at risk of significant harm. This can be because of lack of care or actual abuse.

Participation

A Guardian Ad Litem and Solicitor are appointed for a child who is involved in specified public law proceedings (proceedings about children going into or in care). This is to ensure that children have an effective voice in decisions which affect them. The Children (NI) Order 1995 also established independent visitor schemes for children in care to be established together with an independent complaints procedure.

Provision

There is a duty on Trusts to provide services for children in need (as defined under Article 17) within the community to safeguard and promote their welfare and to promote their upbringing in their families.

Under Article 18 of the Children (NI) Order 1995 it is the general duty of every Trust in Northern Ireland to safeguard and promote the welfare of children within its area who are in need and so far as is consistent with that duty to promote the upbringing of such children by their families by providing a range and level of personal social services appropriate to those children's needs.

Registration

Registration applies to childminding and daycare services where care is provided for more than two hours per day on a regular basis. It also applies to anyone providing residential care, including voluntary organisations. Under the Day Care (Exempt Supervised Activities) Regulations (Northern Ireland) 1996 the following supervised activities are exempt from registration:

- uniformed organisations and religious activities for children;
- leisure and recreational activities;
- extra-curricular activities occurring in schools and;
- activities designed to enhance a child's skills and attainments, including dancing and sports related activities and educational tuition.

Even if your organisation does not need to register, the requirements set out in the regulations will set essential standards which you should try to follow by way of good practice.

Involving Children

One of the aims of the Children (NI) Order 1995 is that children should have a say in the making of decisions which affect them. There are a number of specific provisions in the Children (NI) Order 1995 for example, those which provide for the establishment of a complaints procedure for children, a Guardian Ad Litem service for children involved in specified

public law court proceedings and independent visitor schemes for children in care, which give effect to this aim.

Equality and Non-discrimination

The Children (NI) Order 1995 also makes specific requirements about the provision of services to children in a manner which respects the child's religious, racial, cultural and linguistic identity. This will include the needs of children from different communities of origin. Trusts are also obliged to provide services designed to help disabled children in the community.

Where a child has special educational needs the Trust is under an obligation to help the appropriate authority in terms of services provided for the child.

Appendix 3

Other Relevant Legislation

3

The Family Homes and Domestic Violence (NI) Order 1998

The Family Homes and Domestic Violence (NI) Order 1998 came into force on the 29th March 1999 and its main purpose was to consolidate the law on domestic violence and occupation of the family home.

It extends the protection the law can give to people who suffer domestic violence and importantly gives added protection to the rights of children in two ways. Firstly, when making certain decisions about the best interests of the child, the Court must consider whether the child has suffered or is at risk of suffering any harm through seeing the ill-treatment of another person. This means that the Court must consider the direct and indirect effects of domestic violence on a child. Secondly, the Court can include an exclusion requirement on an Interim Care Order if the Court is satisfied that there is reasonable cause to believe that if a person is excluded from a dwelling house in which the child lives the child will cease to suffer or cease to be likely to suffer significant harm. A further condition is that another person (whether a parent of the child or some other person) is able and willing to live in the dwelling house and give to the child the care which it would be reasonable to expect the parent to give to him/her and this person consents to the inclusion of the exclusion requirement.

This Order protects a wide range of people in family settings from molestation which means vexing and harassing behaviour.

There needs to be awareness that children can be victims of domestic violence and that they should be encouraged to contact Social Services, the police, Women's Aid or local solicitors to discuss legal protection.

Children and young people can be protected by adults making applications on their behalf and in certain circumstances, depending on their age and understanding, can make applications to the court on their own behalf.

The Youth Justice Legislation

The Criminal Justice (Children) (NI) Order 1998 came into force on the 1st February 1999 to deal with children and young people from the age of 10 – 17 years inclusive.

The overall aim of the Order was to reduce the number of children and young people in custody and to maintain them in the community. There are a number of key changes which the order has brought about and which are relevant to those organisations working with young offenders:

- under the Criminal Justice (Children) (NI) Order 1998 Juvenile Courts were renamed Youth Courts;
- the age of criminal responsibility under Criminal Justice legislation in respect of children and young people is ten years old;
- the Youth Court is obliged to have regard to the welfare of any child brought before it and the general principle that delay prejudices the child's welfare. The Order does not however make it a specific requirement that the Court makes decisions in the best interests of the child;
- the Order requires that Social Services and the Probation Services are notified when a child is brought before the Court;
- the Order requires that children and young people are given bail unless there are exceptional circumstances;
- the Order replaces the old indeterminate Training School Orders, with Juvenile Justice Centre Orders which normally last for six months with three months spent in a Juvenile Justice Centre and three months in the community.

The Justice (NI) Act 2002

The main changes introduced by the Justice (NI) Act 2002 are as follows:

- the introduction of Diversionary and Court Ordered Youth Conferences;
- the introduction of Reparation Orders;
- the introduction of Community Responsibility Orders;
- the inclusion of seventeen year olds in the Youth Justice System;
- the creation of a single-site Juvenile Justice Centre.

The Sex Offenders Act 1997

This Act requires a notification/registration of information to the police by certain convicted sex offenders.

The Sexual Offences Act 2003

A number of new offences in Part 1 of the Sexual Offences Act 2003 were extended to Northern Ireland. There is a new offence of meeting a child following sexual grooming. The Act extends to Northern Ireland and strengthens provisions which protect children, often particularly vulnerable children, who are in relationships of trust with adults. A 'relationship of trust' will arise when one party, through their work or activity, whether paid or unpaid is in a relationship of care with a young person which puts the worker in a position of power or influence over the child.

It is therefore important that organisations have a code of behaviour, not only to protect young people, but to ensure that staff or volunteers don't abuse their position, or put themselves in a position where allegations of abuse, whether justified or unfounded, could be made.

The Act also creates new offences which specifically criminalise the abuse of children through prostitution and pornography.

The Age of Consent

The Sexual Offences (NI) Order 2008 provides a clear framework to protect from sexual crime. Articles 23 – 31 set out existing laws relating to positions of trust for people who work with children in a bid to strengthen safeguards.

In NI it sets the legal age for young people to consent to have sex at 16. All sexual activity with a young person of either gender under the age of 16 is now illegal, as in the rest of the UK.

Physical Punishment of Children

Article 2 of the Law Reform (Miscellaneous Provisions) (NI) Order 2006 came into operation in Northern Ireland on the 20th September 2006. Smacking of children by their parents isn't illegal in Northern Ireland. However, since the 20 September 2006, parents charged with allegedly assaulting their children can't use the defence of "reasonable chastisement" if the assault caused an injury requiring a degree of medical treatment.

Safeguarding Vulnerable Groups (NI) Order 2007.

See Appendix 6

Human Rights Act 1998

The European Convention on Human Rights (ECHR) is a treaty, which was ratified by the United Kingdom Government in 1951. The Human Rights Act 1998 came into force in October 2000 in Northern Ireland and incorporates most of the rights in the ECHR into our domestic law.

Many articles of the ECHR as incorporated by the Human Rights Act 1998 have been relied upon by children and young people in children's rights cases. For example, the courts have increasingly recognised children's rights under Article 8 of the ECHR (the right to family and private life) in the context of family proceedings such as contact, residence and adoption and there has been recognition of the importance of hearing the child's views in these proceedings.

Article 3 (the freedom from torture, inhuman and degrading treatment) further strengthens the rights of the child to be protected from harm and is often cited in child protection cases.

Disability Discrimination Act 1995

The Disability Discrimination Act 1995 introduces, over a period of time, new laws and measures aimed at ending the discrimination faced by many people with disabilities. The discrimination occurs when, for a reason related to an individual's disability, they are treated less favourably than other people to whom the reason does not apply, and this treatment cannot be justified. It also occurs when an employer or a service provider fails to make a reasonable adjustment in relation to the disabled person, and the failure cannot be justified.

In relation to disabled children, organisations that provide care for children and young people are subject to the Disability Discrimination Act as they are service providers. They should therefore strive to make their premises and activities as accessible as possible to disabled children.

Appendix 4

Self Protection – Kidscape

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'Kidscape', the campaign for children's safety, was founded in 1984 to enable children to learn about personal safety. With the help of parents, teachers, police and other adults, children are taught ways to deal with bullies and approaches by strangers and even known adults who may try to abuse them.

To Be Safe

Teach children that everyone has rights, such as the right to breathe, which should not be taken away. Tell children that no one should take away their right to be safe.

To Protect Their Own Bodies

Children need to know that their body belongs to them, particularly the private parts covered by their swimsuits.

To Say No

Tell children it's all right to say no to anyone if that person tries to harm them. Most children are taught to listen to and obey adults and older people without question.

To Get Help Against Bullies

Bullies usually pick on younger children. Tell children to enlist the help of friends or say no without fighting and to tell an adult. Bullies are cowards and a firm, loud NO from a group of children with the threat of adult intervention often puts them off. In cases of real physical danger, children often have no choice but to surrender to the bully's demands. Sometimes children will fight and get hurt to protect a possession because of the fear of what will happen when they arrive home without it. "My mum will kill me for letting the bullies take my bike. It cost a lot of money". Tell children that keeping themselves safe is the most important consideration.

To Tell

Assure your children that no matter what happens you will not be angry with them and that you want them to tell you of any incident. Children can also be very protective of parents and might not tell about a frightening occurrence because they are worried about your feelings.

To Be Believed

When children are told to go to an adult for help, they need to know they will be believed and supported. Although sometimes an immediate

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reaction is to say "I told you so", this will not help the child to resolve the problem. It could also prevent the child from seeking help another time.

This is especially true in the case of sexual assault, as children very rarely lie about it. If the child is not believed when s/he tells, the abuse may continue for years and result in suffering and guilt for the child.

To Not Keep Secrets

Teach children that some secrets should NEVER be kept, no matter if they promised not to tell. Child molesters known to the child often say that a kiss or touch is "our secret". This confuses the child who has been taught always to keep secrets.

To Refuse Touches

Explain to children that they can say yes or no to touches or kisses from anyone, but that no one should ask them to keep touching a secret. Children sometimes do not want to be hugged or kissed, but that should be a matter of choice not fear. They should not be forced to hug or kiss anyone.

To Break Rules

Tell your children that they have your permission to break all rules to protect themselves and tell them you will always support them if they must break a rule to stay safe. For example, it is all right to run away, to yell and create a fuss, even to lie or kick to get away from danger.

This information is from the Kidscape booklet "Keep Them Safe" and can be downloaded in full from www.kidscape.org.uk

Appendix 5

Sample Child Protection Policy Statement

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Child Protection Policy Statement

A child protection policy statement is a statement of your intention to keep children/young people safe while in the care of your organisation.

It should be a simple statement such as:

Staff and volunteers in (organisation name) are committed to practice, which promotes the welfare of children and protects them from harm.

We wish to ensure that all children participate in an enjoyable and safe environment in which they can have fun and feel valued.

Staff and volunteers in this organisation accept and recognise our responsibilities to develop awareness of the issues which cause children harm, and to establish and maintain a safe environment for them. We are committed to reviewing our policy, procedures and practice at regular intervals, at least every three years.

We will endeavour to safeguard children by:

- following carefully the procedures laid down for recruitment and selection of staff and volunteers;
- Providing effective management for staff and volunteers through supervision, support and training;
- Reporting concerns to statutory agencies who need to know and involving parents and children appropriately;
- Adopting child protection guidelines through a code of behaviour for staff and volunteers;
- Sharing information about child protection and good practice with children, parents, staff and volunteers;
- Ensuring safety procedures are adhered to.

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Appendix 6 Safeguarding Vulnerable Groups (NI) Order 2007

The Safeguarding Vulnerable Groups (NI) Order 2007 (SVG Order 2007) is further legislation to strengthen safeguarding arrangements for all vulnerable groups. It places a requirement on organisations to check that any individual appointed to regulated activity (paid or unpaid) is not named on a barred list, prior to their appointment. It also creates requirements for organisations to refer to the Independent Safeguarding Authority (ISA) any individual who has harmed/placed at risk of harm a child or vulnerable adult.

The **Independent Safeguarding Authority (ISA)** has been established since March 2009 and has taken responsibility for maintaining lists of individuals barred from working with children or vulnerable adults or both. There are two lists created which the ISA maintain, one of people barred from undertaking regulated activity with children, and another list for those barred from undertaking regulated activity with vulnerable adults.

Since October 2009 new definitions of regulated activity and vulnerable adults have come into effect and employers will be able to or [in some cases] will be required to obtain an AccessNI Enhanced Disclosure for individuals *applying* to work in regulated activity with children and vulnerable adults.

- **Regulated Activity** involves:
 - undertaking activity which is of a specified nature; or
 - undertaking activity in a specified place, and there is the opportunity for contact with a child; or
 - holding a defined position of responsibility; or
 - fostering, childminding and day care provision; or
 - managing/supervising a worker in regulated activity.
- In addition, the activity must take place on a **frequent** (once per month or more) or **intensive** (four or more days in any 30 day period or overnight) basis.
- Individuals who are placed on a barred list by the ISA commit a **criminal offence** if they seek or undertake work (paid or unpaid) in **regulated activity** with children or vulnerable adults, as do employers who knowingly take on a barred individual in regulated activity. An AccessNI Enhanced Disclosure will show if an individual is included on a barred list.

- **Duties to refer** come into effect for employers and professional and regulatory bodies. This means that any concerns that a worker has demonstrated harm or risk of harm to a child must be referred to the ISA, which will consider the individual for inclusion in the relevant barred list.
- **Right to make representations and right of appeal.** In most cases individuals included on a barred list will, with the leave of the Care Tribunal, have the right to appeal against a decision by the ISA to place them on a barred list.

In most cases, individuals referred to the ISA will also be able to make representations to the ISA when it is considering them for inclusion on the barred lists.

Individuals convicted of or cautioned for **specified** [in legislation] serious offences, which lead to them being automatically included in a barred list, will not have a right to make representations nor will they have the right to appeal against inclusion on the list.

- Employers have a legal requirement to check whether an individual who applies to work with children or vulnerable adults is not barred, prior to engaging them in regulated activity. Criminal offences apply where employers fail to check the barred status of an applicant prior to engaging them in regulated activity.

The SVG Order had intended to introduce a Vetting and Barring Scheme however in 2010 the Government halted further progress in its implementation pending a review which examined the proportionality of the scheme.

The review has concluded and the full list of recommendations is now available. Further information will be available as work progresses on remodeled scheme.

For further information, visit:

www.isa-gov.org.uk

www.dhsspsni.gov.uk/svg

www.volunteernow.co.uk

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Appendix 7 Access Northern Ireland

AccessNI is the **system** for the disclosure of an individual's criminal history. It was established by the Northern Ireland Office as a result of the introduction in Northern Ireland of Part V of the Police Act 1997. AccessNI replaces previous services operated by the Department of Health, Social Services and Public Safety.

Organisations wishing to receive a disclosure for potential staff and volunteers need to register to use the AccessNI service. Registration forms can be downloaded from www.accessni.gov.uk and the cost of registration is £150. The process takes approximately four weeks and, once registered, the organisation is known as a **Registered Body**. Organisations who do not wish to register directly with AccessNI can apply for a disclosure through an **Umbrella Body**, details of which can be obtained from the AccessNI website.

An **Enhanced Disclosure** provides Northern Ireland and Great Britain criminal record information, including spent convictions, barred list information and soft intelligence. From 12 October 2009, positions defined as **regulated activity** with children or vulnerable adults (as defined by the Safeguarding Vulnerable Groups (NI) Order 2007 (SVG)) require an Enhanced Disclosure.

Registered bodies can apply for an Enhanced Disclosure using the AccessNI application form. Checks for volunteers are FREE except where the volunteering is directly for a statutory organisation or where a non-profit organisation is delivering statutory services under contract or in a specific project for which that organisation has received funding from Government which includes provisions covering the cost an Enhanced Disclosure for volunteers. An Enhanced Disclosure for paid staff costs £30.

For further information, visit:
www.accessni.gov.uk

See also:
www.volunteernow.co.uk

Appendix 8

Declaration of Convictions Form

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We are committed to ensuring equal opportunity for all applicants. Information about criminal convictions is requested to assist the selection process and will be taken into account only when the conviction is considered relevant to the position applied for.

You have applied for a position that is defined as Regulated Activity under the Safeguarding Vulnerable Groups (NI) Order 2007. It also falls within the definition of an “excepted” position under the Rehabilitation of Offenders (Exceptions) Order (NI) 1979. This means that you **must** tell us about **all** offences and convictions, including those considered ‘spent’.

If you have received a formal caution or are currently facing prosecution for a criminal offence you should also bring this to our attention given the “excepted” nature of the role. If you leave anything out it may affect your application.

This information **will** be verified through an AccessNI Enhanced Disclosure check if you are considered to be the preferred candidate and are being offered the position. The check will tell us if you have a criminal record or if your name has been included on the Children’s Barred List and/or Vulnerable Adults Barred List. It is to make sure that individuals who might be a risk to children and/or vulnerable adults are not appointed.

The information received will be treated confidentially and will be assessed alongside normal selection criteria to determine suitability for the position. A separate meeting will be held with you if clarification is required to discuss any issues around your disclosure before a final decision is reached. After the decision has been made the information will be destroyed.

Please complete the section below and return it with your application. The form also asks you to give your written consent to the AccessNI check, which will only be obtained if you are the preferred candidate. If you do not consent we will not accept your application.

Declaration of Criminal Convictions

Do you have any prosecutions pending? YES NO
(if yes give please give details)

Have you ever been convicted at a court or cautioned by the police for any offence? YES NO

If yes, please list below details of **all** convictions, cautions, or bind-over orders. Give as much information as you can, including, if possible, the offence, the approximate date of the court hearing and the court which dealt with the matter.

Have you ever been the subject of an Adult or Child Abuse investigation which alleged that you were the perpetrator of any adult or child abuse?

YES NO

If yes, please list full details below. If possible please provide the approximate date/s.

I declare that the information I have given is complete and accurate. I understand that I will be asked to complete an AccessNI Disclosure Certificate Application Form if I am considered to be the preferred candidate and I consent to the Enhanced Disclosure check being made.

Signature: _____

Date: _____

Name: _____

Any surname previously known by: _____

Position applied for: _____

Appendix 9

Sample Volunteer Reference Form

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Volunteer Reference Form

_____ has expressed an interest in becoming a volunteer, and has given your name as a referee.

If you are happy to complete this reference, all the information contained on the form will remain absolutely confidential and will only be shared with the applicant's immediate supervisor should they be offered a volunteer position. We would appreciate you being extremely candid in your evaluation of this person.

1 How long have you known this person?

2 In what capacity?

3 What attributes does this person have that would make them a suitable volunteer?

4 How would you describe their personality?

5 Please rate this person on the following? (please tick one)

	Poor	Average	Good	V/Good	Excellent
Responsibility					
Maturity					
Self motivation					
Can motivate others					
Commitment					
Energy					
Trustworthiness					
Reliability					

This is a regulated activity under the Safeguarding Vulnerable Groups (NI) Order 2007 and involves substantial access to children. As an organisation committed to the welfare and protection of children, we are anxious to know if you have any reason at all to be concerned about this applicant being in contact with children or young people.

Yes No (please tick)

If you have answered 'Yes' we will contact you in confidence.

Appendix 10

Asking About Disability on Application Forms

10

Disability

Under the Disability Discrimination Act 1995 a person is considered to have a disability if s/he has a physical or mental impairment which has a substantial and long term adverse effect on his/her ability to carry out normal day to day activities. Please note that it is the effect of the impairment, without treatment, which determines if an individual meets this definition of disability.

With regard to disability, are there reasonable adjustments that we could make as part of your recruitment process that would enable you to enjoy equality of opportunity in getting a job/working with us?

Please specify:

For further information contact the Equality Commission for Northern Ireland. See www.equalityni.org

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Appendix 11 Volunteers and Paid Staff – Definitions

There are distinct differences between the terms ‘volunteer’ and ‘paid worker/employee’.

Volunteering is defined as “the commitment of time and energy for the benefit of society and the community, the environment or individuals outside one’s immediate family. It is undertaken freely and by choice, without concern for financial gain”. (The Compact between Government and the Voluntary and Community Sector in Northern Ireland, 1998).

While it is important to have policies and procedures in place to effectively manage volunteers, these would reflect the voluntary nature of the relationship between the volunteer and the organisation they are volunteering with. The only payment received by volunteers will be reimbursement of out of pocket expenses.

On the other hand a paid worker or employee will have a contract of employment. This is not just a piece of paper but a relationship between an individual and an organisation where:

- The individual receives remuneration (payment) or consideration (something else of material value) in return for work or services.
- The employer has an obligation to provide work and the individual has an obligation to do the work.
- The work is controlled by the person who is paying.
- The relationship between the parties is consistent with a contract of employment i.e. documentation, management procedures etc.

It is important that these differences are maintained.

More information about the effective involvement of volunteers can be found in *As Good As They Give* (Volunteer Development Agency 2001) www.volunteernow.co.uk

Appendix 12

Code of Behaviour – Some Guidelines

12

A

You can reduce likely situations for abuse of children and help protect your staff and volunteers from false accusations by making sure that everyone is aware that, as a general rule, **it doesn't make sense to...**

- spend excessive amounts of time alone with children away from others;
- take children alone in a car on journeys, however short;
- take children to your home.

When it is unavoidable that these things do happen, they should only occur with the full knowledge and consent of someone in charge of the organisation and/or the child's parents.

B

You should make it clear to all staff and volunteers in your organisation that they should **never...**

- engage in rough physical games including horseplay - apart from structured sports activities;
- engage in sexually provocative games;
- allow or engage in inappropriate touching of any form;
- allow children to use inappropriate language unchallenged;
- make sexually suggestive comments about or to a child even in fun;
- let allegations a child makes go unchallenged or unrecorded;
- do things of a personal nature for children that they can do themselves.

C

It may sometimes be necessary for your staff and volunteers to do things

of a personal nature for children, particularly if they are very young or are children with disabilities. These tasks should only be carried out with the full understanding and consent of parents. In an emergency situation which requires this type of help, parents should be fully informed, as soon as reasonably possible.

In such situations, it is important that you ensure that all staff are sensitive to the child and undertake personal care tasks with the utmost discretion.

Appendix 13

Recruitment and Management of Workers

13

Does your application form ask prospective staff and volunteers to:

- Indicate their interests and any other voluntary activities in which they are involved?
- Supply names of two referees, who are not family members?
- Supply their national insurance number?
- Declare past convictions or cases pending?
- Sign a copy of the organisation's child protection policy?

Do you give a written assurance of confidentiality?

Do you always check references of prospective staff and volunteers using a reference form?

Do you have an induction package for staff and volunteers?

Have you drawn up written guidelines about duties and responsibilities for staff and volunteers?

Do you have ongoing supervision and observation of staff and volunteers?

Do all your staff and volunteers have access to a complaints procedure?

Do you monitor concerns/complaints when they are brought to your attention?

Do you have a yearly appraisal of each member of staff and all volunteers?

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Appendix 14 Definition of Abuse

The following is an extract from “Cooperating to Safeguard Children”, Volume 6 of the Children (NI) Order Regulation and Guidance, which provides guidance on inter-agency cooperation for the protection of children. For the purpose of this guidance a child is a person under the age of 18.

“Child abuse occurs when a child is neglected, harmed or not provided with proper care. Children may be abused in many settings, in a family, in an institutional or community setting, by those known to them, or more rarely, by a stranger. There are different types of abuse and a child may suffer more than one of them.

Physical Abuse

Physical abuse is the deliberate physical injury to a child, or the wilful or neglectful failure to prevent physical injury or suffering. This may include hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, confinement to a room or cot, or inappropriately giving drugs to control behaviour.

Emotional Abuse

Emotional abuse is the persistent emotional ill-treatment of a child such as to cause severe and persistent adverse effects on the child’s emotional development. It may involve conveying to children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may involve causing children frequently to feel frightened or in danger or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of ill-treatment of a child, though it may occur alone. Domestic violence, adult mental health problems and parental substance misuse may expose children to emotional abuse.

Sexual Abuse

Sexual abuse involves forcing or enticing a child to take part in sexual activities. The activities may involve physical contact, including penetrative or non-penetrative acts. They may include non-contact activities, such as involving children in looking at, or the production of, pornographic material or watching sexual activities, or encouraging children to behave in sexually inappropriate ways. ¹

Neglect

Neglect is the persistent failure to meet a child's physical, emotional and/or psychological needs, likely to result in significant harm. It may involve a parent or carer failing to provide adequate foods, shelter and clothing, failing to protect a child from physical harm or danger, failing to ensure access to appropriate medical care or treatment, lack of stimulation or lack of supervision. It may also include non-organic failure to thrive.

Bullying

Although bullying is not defined as abuse, in its more extreme form it would be regarded as a form of abuse. It can take many forms but Kidscape identifies the main types as:

Emotional – excluding, being unfriendly;

Physical – hitting, kicking, theft;

Racist – racial taunts, graffiti, gestures;

Sexual – unwanted physical contact or sexually abusive comments;

Homophobic – because of or focussing on the issue of sexuality;

Verbal – name calling, sarcasm. Spreading rumours, teasing;

Cyberbullying (e.g. text message, picture/video-clip and phone call bullying via mobile phones; email, website bullying).

The damage inflicted by bullying can frequently be underestimated. It can cause considerable distress to children to the extent that it affects their health and development or, at the extreme, causes them significant harm. In these circumstances bullying should be considered as child abuse and treated as such.

1 Sexual activity involving a child who is capable of giving consent on the matter, **while illegal**, may not necessarily constitute sexual abuse as defined for the purpose of this guide. One example which would fall into this category is a sexual relationship between a 15 year old girl and her 18 year old boyfriend. The decision to initiate child protection action in such cases is a matter for professional judgement and each case should be considered individually. The criminal aspects of the case will, of course be dealt with by the police.

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Appendix 15 Some Facts about Abuse

From the mid-1970s onwards, the issue of child abuse and neglect has received increased public attention. In this period, there have been a substantial number of well-publicised inquiries concerning abuse of children, including their deaths as a result of abuse. Over the years the accepted concept of abuse has widened to include sexual and emotional abuse along with the original issues of physical abuse and neglect.

This increased awareness of abuse in all its forms has prompted research, addressing questions such as: How many children suffer abuse? Who abuses children? What are the long-term effects of abuse? The facts listed below are based on research findings and on statistics gathered by Government, and highlight issues relating to the different categories of abuse:

- Most children are abused by adults they know and trust;
- Reported cases of child abuse are just the tip of the iceberg of the cruelty, exploitation and neglect to which children in our society are subjected;
- Children with disabilities are more vulnerable to abuse; they are more dependent on intimate care and sometimes less able to tell anyone or run away from abusive situations;
- Children very seldom make false accusations that they have been abused, and in fact frequently deny the abuse or take back the accusation after they have made it;
- Children who talk about the abuse fear the consequences of telling...if things are bad, perhaps they may get worse;
- Children and young people who are abused can be very good at hiding their unhappiness and distress;
- Abuse has serious long-term harmful effects on children and young people; if untreated, the effects of abuse can be devastating and continue into adulthood;
- Between 75% and 80% of children whose names were placed on child protection registers in Northern Ireland in the period from 2001 – 2006 were between 0 and 11 years of age; around half of these were aged 0 – 4;

- Neglect has persistently been the highest category in child protection figures, followed by physical abuse;
- Courts will only authorise Social Services to remove children where significant harm has occurred or where the child is in real danger of further abuse;
- Child sexual abuse is equally common among all social classes, professions, cultures and ethnic groups;
- Child sexual abuse is an abuse of power – it is an abuse of the power adults have over children;
- In most reported incidents of sexual abuse the abuser is someone known to the child;
- It is not only men who sexually abuse children – women also abuse; the most commonly quoted figure is that around 90% of all child sexual abuse is by men, most of whom are heterosexual;
- A child is never to blame for sexual abuse;
- There are rarely any obvious signs that a child has been sexually abused. Child abuse is very hard to 'diagnose', even for professionals;
- The process of investigation of alleged or suspected sexual abuse can be a positive therapeutic experience for the child concerned;
- The highest category of calls to Childline from children in Northern Ireland has persistently related to bullying;
- If unchecked, bullying can be profoundly damaging to the victim in both the short and longer term, emotionally, physically or both;
- Bullying can leave children with feelings of worthlessness and self-hatred; of isolation and loneliness;
- At its worst, bullying can result in a child attempting suicide.

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Appendix 16

Roles and Responsibility of a Designated Officer/ Person within a Voluntary or Community Organisation

General

Every organisation should designate a person or persons to be responsible for dealing with any concerns about the protection of children.

The organisation's child protection policy and procedures should include the name of this person, his/her role and responsibilities and how s/he can be contacted.

The person designated should ensure that s/he is knowledgeable about child protection and that s/he undertakes any training, considered necessary, to keep up to date with new developments.

Role

The role of the designated person is to:

- establish contact with the senior member of Social Services' staff responsible for child protection in the organisation's catchment area;
- provide information and advice on child protection within the organisation;
- ensure that the organisation's child protection policy and procedures are followed and particularly to inform Social Services within the appropriate Trust of relevant concerns about individual children;
- ensure that appropriate information is available at the time of referral and that the referral is confirmed in writing, under confidential cover;
- liaise with Social Services and other agencies, as appropriate;
- keep relevant people within the organisation, particularly the head or leader of the organisation, informed about any action taken and any further action required;
- ensure that an individual case record is maintained of the action taken by the organisation, the liaison with other agencies and the outcome;
- advise the organisation of child protection training needs.

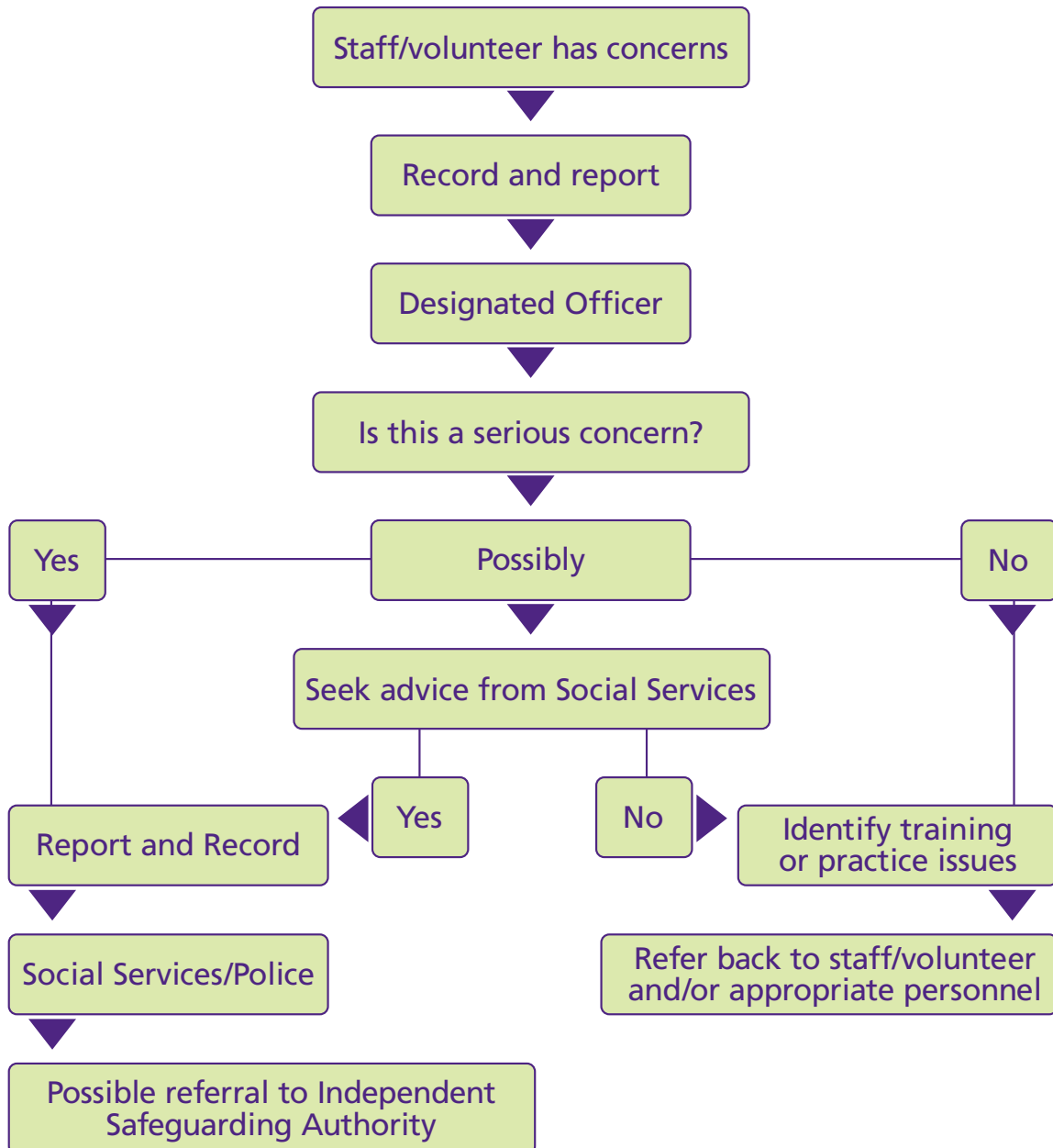
Responsibility

The designated person is responsible for acting as a source of advice on child protection matters, for co-ordinating action within the organisation and for liaising with Health and Social Services Trusts and other agencies about suspected or actual cases of child abuse.

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Appendix 17 Reporting Procedures

Every group or organisation should have procedures in place for dealing with concerns raised by staff and volunteers and for reporting those concerns to the local Social Services or police where appropriate:



Designated Person

Organisations and groups should give consideration to the appointment of a “designated person” within their agency whose role it is to receive and deal with all concerns of a child protection nature. Should the cause for concern be the designated person, a more senior member of staff should be informed.

In the absence of a designated person, the concern should be shared with the line manager, chairman or chief officer.

All concerns should be recorded and filed confidentially.

All staff and volunteers should be informed of the organisational procedures for dealing with concerns and should be supported in taking action.

External Reporting Procedures

Every group or organisation should have procedures in place for dealing with concerns raised by staff and volunteers and for reporting those concerns to the local Social Services or police where appropriate:

Allegations should be assessed promptly and carefully and consideration given to immediate action.

If organisations are unsure that concerns are valid, they should take advice from Social Services. If there are valid grounds for concern, Social Services or the police should be informed immediately.

Social Services and the police work closely together on dealing with information received. The police are concerned with the investigation of alleged offences and the protection of the community, while Social Services focus on the welfare of the child, not only in the “immediate”, but also the long term. The functions of both agencies are complementary and their overriding consideration is the welfare of the child.

What is Significant Information?

The sharing of information is important in ensuring that children are safe and in assessing whether a child or children are at risk. It is essential that “significant information”, that is, information about behaviour which may put children or young people at risk of harm, is shared with personnel and agencies whose role it is to protect them, such as police or Social Services. While what constitutes significant information may vary from case to case, the following offers some guidance on information of sufficient significance to warrant sharing. The list is not intended to be definitive and each case should be considered on its merits.

- Sexual offences including interference with children, assault or exhibitionism;
- Organising prostitution or procuring;
- Attempting or planning to corrupt a child;
- A history of physical violence, including domestic violence and assault occasioning risk to children;
- Stealing from children;
- Selling, using or possessing dangerous drugs illegally;
- Repeated drunkenness in work contexts or untreated alcoholism;
- Repeated inappropriate use of sexual language outside the normal boundaries of acceptable behaviour;
- Repeated inappropriate touching outside the normal boundaries of acceptable behaviour;
- Failure to provide the required level of care and attention to children, including emotional abuse and neglect;
- Failure to comply with procedures where this puts the welfare of children at risk;

- Any instance where a case is referred to the Independent Safeguarding Authority;
- Showing pornographic videos, internet images or publications to children or vulnerable adults;
- Posting or accessing child pornography on the internet.

A decision as to whether there is cause for concern should be based on the balance of probabilities, rather than conclusive proof.

Decisions should be based on opinions formed reasonably and in good faith.

Sharing Information with Other Organisations

You may be aware that a person suspected of abuse within your organisation, also works in a paid or unpaid capacity in another organisation. It is important to seek advice from Social Services with reference to what information is shared, to whom and how it is communicated.

It is important that staff and volunteers who make reports of suspected child abuse, whether within or outside the organisation, are fully supported by the organisation.

Under the provisions of the Public Interest Disclosure (NI) Order 1998, which came into effect in 1999, employees (staff and volunteers) are protected from suffering detrimental effect from their employers for discussing information (in good faith and in the reasonable belief that it is substantially true) about the conduct of private or public bodies or individual employees (protected disclosure).

Offenders in the Community

If you become aware that a known sex offender is “loitering” or spending time around schools or clubs in the community, it is important to bring this to the attention of the police.

Confidentiality

While it may be difficult to share concerns about parents, colleagues, or indeed young people, which affect important working relationships, it is essential that considerations of confidentiality should not be allowed to override the right of children to be protected from harm. The prompt flow of accurate information can often be for the benefit and safety of all concerned.

Significant information should only be shared with appropriate personnel and agencies on a need-to-know basis.

Appendix 19

Recording Allegations or Suspicions of Abuse

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In any case where an allegation is made, or someone in your organisation has concerns, a record should be made. It is good practice to draw up a checklist of details to note and questions you should ask yourself in making such a record which could include, for example:

- Name of child.
- Age.
- Any special factors.
- Name of parent(s).
- Home address (and phone number if available).
- Is the person making the report expressing their own concerns or passing on those of somebody else?
- What has prompted the concerns? Include dates times etc of any specific incidents
- Any physical signs? Behavioural signs? Indirect signs?
- Has the child been spoken to? If so, what was said?
- Have the parents been contacted? If so, what was said?
- Has anybody been alleged to be the abuser? If so, record details.
- Has anyone else been consulted? If so, record details.

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Appendix 20 Reporting Allegations or Suspicions of Abuse

Everyone in your organisation should be aware of the person (and their deputy) within the organisation who should always be informed of any concerns about a child being abused. The following information should be displayed.

Designated officer/s:

Job/Role/Title:

Address:

Telephone Number:

And of appropriate contacts outside the organisation

Gateway Team:

Address:

Telephone Number:

Emergency Number:

Police Station:

Address:

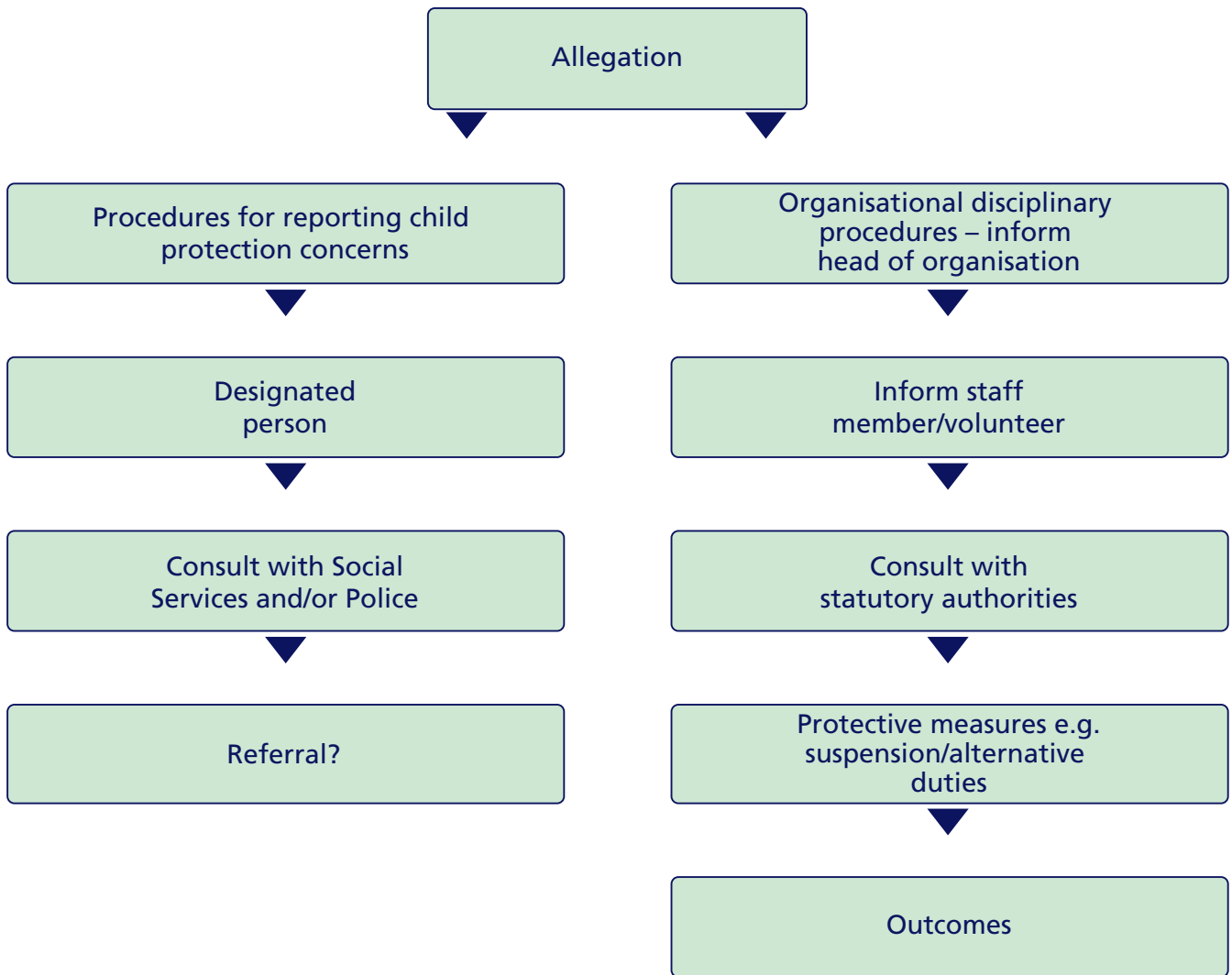
Telephone Number:

NSPCC Helpline:

Contact your local Health and Social Services Trust to find out the number of your local Gateway Team.

Appendix 21

Allegations of Abuse Against Staff and Volunteers



Kidscape, the campaign for children's safety, has produced a sample anti-bullying policy for schools. This provides a useful template for organisations to devise their own anti-bullying policy. It covers the following areas:

Statement of Intent

We are committed to providing a caring, friendly and safe environment for all of our children. Bullying of any kind is unacceptable at our group. If bullying does occur, all children should be able to tell and know that incidents will be dealt with promptly and effectively. This means that anyone who knows that bullying is happening is expected to tell the leader.

What is Bullying?

Bullying is the use of aggression with the intention of hurting another person. Bullying results in pain and distress to the victim.

Bullying can be:

- Emotional being unfriendly, excluding, tormenting (e.g. hiding possessions, threatening gestures)
- Physical pushing, kicking, hitting, punching or any use of violence
- Racist racial taunts, graffiti, gestures
- Sexual unwanted physical contact or sexually abusive comments
- Homophobic because of, or focussing on the issue of sexuality
- Verbal name-calling, sarcasm, spreading rumours, teasing
- Cyber All areas of internet, such as email and internet chat room misuse; mobile phone threats by text messaging and calls; misuse of associated technology, i.e. camera and video facilities.

Why is it Important to Respond to Bullying?

Bullying hurts. No one deserves to be a victim of bullying. Everybody has the right to be treated with respect. Children who are bullying need to learn different ways of behaving.

We have a responsibility to respond promptly and effectively to issues of bullying.

Objectives of this Policy

- Management committee, leaders children and parents should have an understanding of what bullying is.
- Management committee and leaders should know what the policy is on bullying, and follow it when bullying is reported.
- All children and parents should know what the policy is on bullying, and what they should do if bullying arises.
- As a group we take bullying seriously. Children and parents should be assured that they will be supported when bullying is reported.
- Bullying will not be tolerated.

Signs and Symptoms

A child may indicate by signs or behaviour that he or she is being bullied. Adults should be aware of these possible signs and that they should investigate if a child, for example:

- is frightened of attending the group;
- becomes withdrawn anxious, or lacking in confidence;
- attempts or threatens suicide or runs away;
- cries themselves to sleep at night or has nightmares;
- has possessions which are damaged or "go missing";

- asks for money or starts stealing money (to pay bully);
- is afraid to use the internet or mobile phone;
- is nervous and jumpy when a cyber message is received.

These signs and behaviours could indicate other problems, but bullying should be considered a possibility and should be investigated.

Procedures

- Report bullying incidents to leader.
- The incidents will be recorded by leader.
- In serious cases parents should be informed and will be asked to come in to a meeting to discuss the problem.
- If necessary and appropriate, police will be consulted.
- The bullying behaviour or threats of bullying must be investigated and the bullying stopped quickly.
- An attempt will be made to help the bully (bullies) change their behaviour.

Outcomes

- The bully (bullies) may be asked to genuinely apologise. Other consequences may take place.
- In serious cases, suspension or even exclusion will be considered.
- If possible, the children will be reconciled.
- After the incident/incidents have been investigated and dealt with, each case will be monitored to ensure repeated bullying does not take place.

Prevention

We will use Kidscape methods for helping children to prevent bullying. As and when appropriate, these may include:

- writing and signing group code of behaviour;
- making up role-plays (or using Kidscape role-plays);
- having discussions about bullying and why it matters.

© Kidscape 2005

For a full copy of the Kidscape Sample Anti-Bullying Policy for Schools or for further support, links and advice, visit the Kidscape website www.kidscape.org.uk

More organisations listed in Appendix 32

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Appendix 23

Using Mobile Phones and Email – Guidelines for Leaders

It is important to give workers guidelines on what is appropriate in terms of mobile phone and email contact with the children/young people they are working with.

- Anything which compromises the leader's ability to maintain a safe environment and give their full attention to the supervision of children, such as using a mobile phone, should be actively discouraged. A blanket ban is not necessary as mobiles may obviously be useful in emergency situations.
- Contacting children and young people by phone, text or email should never be undertaken without parental knowledge or consent.
- Leaders should not be emailing children and young people directly as individuals, but may do so as part of a disclosed list (having received prior permission to disclose in group email) where they are disseminating information in relation to events. Disclosed lists should be used for sending organisation information via a designated and suitably trained adult (because of their position this person should also have been subject to appropriate selection and vetting processes). Group emails should also give individuals the opportunity to have their contact details removed from the list by including a statement such as: "If you wish to be removed from this email list please contact the administrator".
- Leaders should not contact young people through chatrooms and social networking sites such as Bebo, MSN.

Based on Child Protection in Sport Unit (CPSU) - Use of electronic communication - Briefing paper 03/06 (Issued May, 2006)

Appendix 24

Guidelines on Taking Photographs

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First Steps and Things to Think About

Establish the type of images that appropriately represent the organisation for the web and other media.

Think about the level of consideration you give to the use of images of young people in other publications, for example, the processes involved in choosing appropriate images for the newsletter or magazine. Apply an increased level of consideration to the images of children and young people used on the web site.

Rules to Remember are:

- If the young person is named, avoid using their photograph;
- If a photograph is used, avoid naming the young person;
- Ask for the young person's permission to use their image e.g. Consent Form;
- Ask for parental consent to use an image of a young person e.g. Parental Consent Form;
- Only use images of young people in suitable dress to reduce the risk of inappropriate use. There are clearly some sports activities - swimming, gymnastics and athletics for example when the risk of potential misuse is much greater than for other activities. With these, the content of the photograph should focus on the activity not on a particular child and should avoid full face and body shots. So for example shots of children in a pool would be appropriate or if poolside, waist or shoulder up.
- Create a recognised procedure for reporting the use of inappropriate images to reduce the risks to young people. Follow your child protection procedures, ensuring both your Designated Officer and the Social Services and/or police are informed.

Guidelines for Use of Photographic Filming Equipment

- Provide a clear brief about what is considered appropriate in terms of content and behaviour.
- Issue the photographer with identification which must be worn at all times.
- Inform young people and parents that a photographer will be in attendance at an event and ensure they consent to both the taking and publication of films or photographs.
- Do not allow unsupervised access to young people or one to one photo sessions at events.
- Do not approve/allow photo sessions outside the events or at a young person's home.

If parents or other spectators are intending to photograph or video at an event they should also be made aware of your expectations.

- Adults should be asked to register at an event if they wish to use photographic equipment.
- Young people and parents should be informed that if they have concerns they can report these to the leader.
- Concerns regarding inappropriate or intrusive photography should be reported to the event organiser or leader and recorded in the same manner as any other child protection concern.

Sample Consent Form for the Use of Photographs or Video

(Club or organisation) recognises the need to ensure the welfare and safety of all young people. In accordance with our child protection policy we will not permit photographs, video or other images of young people to be taken without the consent of the parents/carers and children.

The (Club or organisation) will follow the guidance for the use of photographs, a copy of which is available from (insert name).

The (Club or organisation) will take all steps to ensure these images are used solely for the purposes they are intended. If you become aware that these images are being used inappropriately, you should inform (Club or organisation) immediately.

I **(parent/carer)** consent to **(club/organisation)** photographing or videoing **(insert name of child)**

Signed: _____

Date: _____

I **(insert name of child)** consent to **(Club or organisation)** photographing or videoing my involvement in **(activity)**

Signed: _____

Date: _____

*Based on Child Protection in Sport Unit (CPSU) - Briefing Paper 2/01
(Issued 16 July, 2001)*

In a complaints procedure, make sure the following issues are addressed:

- Who is the first point of contact for a complaint? If it is the coordinator, suggest an alternative in case s/he is unavailable (e.g. on holiday) or the subject of the complaint!
- If the complaint cannot be solved at this first stage, how will it be dealt with subsequently? It is usual – but not always necessary – to have two or three stages in a complaints procedure. The aim is to provide a clear and fair process.
- State clearly where the final decision lies, and whether there is any option to appeal against it.
- Specify realistic time limits for each stage.
- Everyone involved – the complainant and the subject(s) of the complaint – should be given the right of representation. This will usually be a friend or a colleague for moral support, but trade union members may want to involve a union representative.
- Any process should be clearly and accurately recorded at every stage. It is a good idea to confirm arrangements in writing. All information from the process – written or verbal – should be kept confidential.

When dealing with a complaint by or about a worker, you should be very clear about:

- the particular incident of concern;
- any previous incidents taken into account;
- any remedial action to be taken e.g. an apology;
- any new behaviour expected;
- what will happen if the arrangements agreed are not adhered to.

Of course, all of this can, and should be overridden in the case of a particularly serious incident – but it should be made clear what ‘a particularly serious incident’ is in the original code of behaviour. If a criminal offence is suspected, the police, not the organisation should investigate.

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Appendix 26 Incident Record Form

1 Name of group _____

2 Name of group leader _____

3 Date, time and location of incident

4 Name and address(es) of witness(es)

(a) _____

(b) _____

(c) _____

5 Please state in your own words what happened including details of names and status of those involved.

6 Describe what action was taken (e.g. details of first-aid, police or medical involvement).

Signed _____ Date _____

Designation

Adapted from the Educational Visits Policy, Practice and Procedures 2004 – Interboard Document

Making arrangements for the proper supervision of children is one of the most effective ways of minimising opportunities for children to suffer harm of any kind whilst in your care. It is good practice when organising journeys/visits/trips that the following should be adhered to:

Planned Activities

- The organisers of journeys/visits should plan and prepare a detailed programme of activities for the children who are involved in the project;
- Organisers are responsible for the welfare and safety of the children for the whole time they are away from home;
- Young people should not be left to their own devices in, for example, a town for the evening or shopping expeditions;
- All children should be adequately supervised and engaged in suitable activities at all times;
- In circumstances when planned activities are disrupted, e.g. due to weather conditions, then organisers should have a number of alternative activities planned;
- Organisers should obtain, in writing, parental consent to children joining an organised trip;
- Parents should be given full information about a trip, including details of the programme of events, the activities in which the children will be engaged and the supervision ratios.

Supervision of Children

- Leaders in charge must be satisfied that those workers and adults who accompany group parties are fully competent to do so;
- Children must be supervised at all times;
- Children must not be left unsupervised at any venue whether it be indoors or out of doors;

- Workers should know at all times where children are and what they are doing;
- Any activity using potentially dangerous equipment should have constant adult supervision;
- Children will be safer if supervised by two or more adults;
- Dangerous behaviour by children should not be allowed.

Adult/Child Ratios

Levels of supervision must be adequate whether at the organisation's venue or on a journey/visit. Therefore, when deciding how many adults are required to supervise, leaders must take into consideration a range of practical matters.

- The number of participants in the group;
- The nature of site/venue;
- The activities to be undertaken. If the activity is one of a hazardous nature, e.g. mountain climbing, then there are specific ratios of adults to children, which must be adhered to. This can be verified by contacting relevant sporting bodies or the Education and Library Board Youth Service;
- It is important that each individual supervisor knows the responsibilities s/he is expected to bear;
- It is recommended that no journey/visit should be undertaken without a minimum of two adults in attendance, one of whom must be a worker. Bus drivers should not be considered as supervisors;
- It is for the leader in charge to exercise his/her professional judgement in deciding the level of supervision taking into account the guidance as stated above;
- Where a party consists of children of both sexes, both male and female supervision should be provided unless otherwise agreed;

- Where an activity involves swimming and the children are under eight years of age then the ratio must be one adult to one child.
- The standard recommended ratios are:

0 - 2 years	1 member of staff to 3 children
2 - 3 years	1 member of staff to 4 children
3 - 7 years	1 member of staff to 8 children
8 years and over	2 members of staff (preferably one of each gender) for up to 20 children.

There should be one additional staff member for every 10 extra children and/or young people.

The ratio of staff and volunteers to children with disabilities is dependent on the needs of the individual child.

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Appendix 28 Sample Health and Safety Checklist

Accidents

- Is first aid available during all activities?
- Is there an up-to-date first aid kit available both on the premises and activities away from the premises?
- Do leaders know who the first aider is and where s/he can be contacted?
- Are all incidents recorded?
- How?
- Do leaders know where the nearest available telephone is?

Fire Safety

- Do regular fire drills take place?
- Are fire notices displayed informing people what to do in case of a fire?
- Are fire appliances suitable and serviced regularly?
- Has the local Fire Officer visited the premises?

Disability Access

- Is there suitable access/egress and provision made for disabled people?

Recording and Consent

- Is a register kept of all those in attendance?
- Has a parental consent form and health form been completed for each child/young person?

Suitability/Competency of Workers

- Has an AccessNI check been obtained for each worker?
- Have workers been properly introduced to the work, adequately supported and offered training?
- Do workers know what to do if they have a concern about a child?

Ratios

- Are adult adult/child ratios appropriate for the group and for the activity?

Adapted from The Church of Ireland Board of Education – Safeguarding Trust document

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Appendix 29 Including Disabled Children

Below are some of the things you should consider to successfully include a disabled child in your scheme.

- Work in partnership with the child, parents and any professionals to establish how the child can be included.
- Make sure inclusion is possible before bringing the child into the scheme.
- Make reasonable adjustments – e.g. if your group has a requirement for children to be toilet trained, can this be waived in the case of a child who is not?
- Be interested in the child – build rapport.
- Gather some information about the child's impairment but remember you're working with a child and not a condition.
- If the child has a communication impairment, acquiring some key skills in the child's communication method will be useful e.g. it is quite easy to learn some simple signs.
- Some disability specific training may be useful or required – e.g. on autism or epilepsy.
- Risk assessments may be necessary to ensure the safety of some disabled children.
- Higher staff ratios may be required if the child has additional needs or behavioural problems.
- Written consent will be required if the child needs intimate care – e.g. help with toileting.

What about other non-disabled children and adults?

- Be open in explaining your policy of inclusion to all children.
- Use existing policies if bullying occurs.

- Help parents/guardians of non-disabled children understand your organisation's commitment to inclusion.

Adapted from the Buskers Guide to Inclusion

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Appendix 30 Day Trip/Residential Planning Checklist

Group/Organisation: _____

Date of visit: From: _____ To: _____

Venue: _____

Group Leader: _____

	Yes	No
The nature of the visit has been established.	<input type="checkbox"/>	<input type="checkbox"/>
The target group has been identified.	<input type="checkbox"/>	<input type="checkbox"/>
All the relevant information regarding the proposed visit has been presented to management e.g. destination, itinerary, timescales etc.	<input type="checkbox"/>	<input type="checkbox"/>
Management has approved the proposed visit.	<input type="checkbox"/>	<input type="checkbox"/>
A risk assessment has been undertaken for all aspects of the visit(s) and appropriate control measures have been put in place and recorded:	<input type="checkbox"/>	<input type="checkbox"/>
• hazards have been identified.	<input type="checkbox"/>	<input type="checkbox"/>
• people who may be at risk have been identified.	<input type="checkbox"/>	<input type="checkbox"/>
• evaluation of the risk has been undertaken.	<input type="checkbox"/>	<input type="checkbox"/>
• additional safety and/or control measures have been established.	<input type="checkbox"/>	<input type="checkbox"/>
• information has been disseminated to all relevant persons and appropriate records maintained.	<input type="checkbox"/>	<input type="checkbox"/>
Where residual risks (inherent in all visits) still prevail an appropriate contingency/emergency plan has been put in place and disseminated to all relevant persons.	<input type="checkbox"/>	<input type="checkbox"/>

	Yes	No
The number of leaders in attendance has been agreed:		
• a Group Leader has been identified.	<input type="checkbox"/>	<input type="checkbox"/>
• accompanying staff/volunteers have been identified.	<input type="checkbox"/>	<input type="checkbox"/>
• AccessNI checks have been undertaken.	<input type="checkbox"/>	<input type="checkbox"/>
Leaders are made fully aware of:		
• their roles and responsibilities.	<input type="checkbox"/>	<input type="checkbox"/>
• the standard of conduct required of them during the visits.	<input type="checkbox"/>	<input type="checkbox"/>
Young people and parents/guardians have been informed/briefed and understand the implications of their participation in the visit.	<input type="checkbox"/>	<input type="checkbox"/>
Parents/guardians have given their written consent to the young people participating in the visit .	<input type="checkbox"/>	<input type="checkbox"/>
All relevant information (medical, dietary and contact details) pertaining to the young people participating in the visit(s) has been obtained, recorded and appropriate action taken where necessary.	<input type="checkbox"/>	<input type="checkbox"/>
The transport arrangements for the group are appropriate for the nature/type of journey(s) planned.	<input type="checkbox"/>	<input type="checkbox"/>
Adequate insurance is in place to cover all aspects of the visit, including transport.	<input type="checkbox"/>	<input type="checkbox"/>
Where a residential visit is planned, the overnight accommodation has been assessed as appropriate in terms of:		
• its suitability for the group .	<input type="checkbox"/>	<input type="checkbox"/>
• its compatibility with the objectives of the visit.	<input type="checkbox"/>	<input type="checkbox"/>

- | | Yes | No |
|--|--------------------------|--------------------------|
| • child protection reporting procedures. | <input type="checkbox"/> | <input type="checkbox"/> |

Where the visit involves outdoor or adventurous activities, management and Group Leader are satisfied that:

- | | | |
|---|--------------------------|--------------------------|
| • appropriate management structures and systems are in place in relation to child protection/health and safety. | <input type="checkbox"/> | <input type="checkbox"/> |
| • staff are competent to provide the activities. | <input type="checkbox"/> | <input type="checkbox"/> |
| • all relevant checks have been undertaken to ensure the above are in place. | <input type="checkbox"/> | <input type="checkbox"/> |

Management has approved the operational arrangements for the visits.	<input type="checkbox"/>	<input type="checkbox"/>
--	--------------------------	--------------------------

Employing authority approval obtained (where appropriate).	<input type="checkbox"/>	<input type="checkbox"/>
--	--------------------------	--------------------------

Signed: _____ Group Leader: _____

Head of the Organisation: _____

Date: _____

Adapted from the Educational Visits Policy, Practice and Procedures 2004 – Interboard Document

Appendix 31

Useful Contacts

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Safeguarding Vulnerable Groups
Implementation Team
DHSSPS
Annex 3 Castle Buildings
Stormont Estate
Belfast BT4 3SQ
Tel: 028 9052 0500
www.dhsspsni.gov.uk/svg

Children in Northern Ireland (CiNI)
Unit 9, 40 Montgomery Road
Belfast
BT6 9HL
Tel: 028 9040 1290
www.ci-ni.org

Sport NI
House of Sport
Upper Malone Road
Belfast
BT9 5LA
Tel: 028 9038 1222
www.sportni.net

NSPCC
Northern Ireland Divisional Office
Jennymount Court
North Derby St.
Belfast BT15 3HN
Tel: 028 9035 1135
www.nspcc.org.uk

Contact Youth
1st Floor
Lanyon Building
North Derby St.
Belfast
BT15 3HL
Tel: 028 9074 4499
Lifeline no: 08088088000
www.contactyouth.org

Volunteer Now
129 Ormeau Road
Belfast
BT7 1SH
Tel: 028 9023 6100
www.volunteernow.co.uk

Early Years Organisation
6c Wildflower Way
Apollo Road
Boucher Road
Belfast BT12 6AT
Tel: 028 9066 2825
www.early-years.org

Disability Action
189 Airport Road West
Belfast
BT3 9ED
Tel: 028 9029 7880
www.disabilityaction.org

Childline NI
14 Queen St
Belfast
BT1 6ED
Tel: 0870 336 2945
www.childline.org.uk

Youthnet
5th Floor
Premier Business Centre
20 Adelaide St
Belfast
BT2 8GD
Tel: 028 9033 1880
www.youthnetni.org.uk

Mencap
Seagal House
4 Annadale Avenue
Belfast BT7 3JH
Tel: 028 9069 1351
www.mencap.org.uk

Rape Crisis & Sexual Abuse
Centre NI
29 Donegal Street
Belfast BT1 2FG
Office Tel: 028 9032 9002
Mobile: 077 7573 7573
www.rapecrisisni.com

Kidscape
2 Grosvenor Gardens
London
SW1W 0DH
Tel: 020 7730 3300
www.kidscape.org.uk

Anti bullying Websites

Bullying Online
www.bullying.co.uk

Kidscape
www.kidscape.org.uk

First Aid Advice and Information

St John's Ambulance
Erne
Knockbracken Healthcare Park
Saintfield Rd
Belfast
BT8 8RA
Tel: 028 9079 9393
www.sja.org.uk

Nexus Institute
119 University Street
Belfast BT7 1HP
Tel: 028 9032 6803
www.nexusinstitute.org

Children's Law Centre
Philips House
York Street Belfast
BT15 1AB
Tel: 028 9024 5704
www.childrenslawcentre.org

AccessNI
Brooklyn
65 Knock Road
Belfast BT5 6LE
Tel: 028 9025 9100
www.accessni.org.uk

Anti-bullying Alliance
www.anti-bullyingalliance.org.uk

Childline
www.childline.org.uk

British Red Cross
12 Heron Road
Sydenham Business Park
Belfast
BT3 9LE
Tel: 028 9073 5350
www.redcross.org.uk

Protecting Children Online

Child Exploitation and Online Protection Centre (CEOP)
www.ceop.gov.uk

Internet Watch Foundation (IWF)
www.iwf.org.uk

Stop it Now! Helpline
Tel: 0808 1000 900
help@stopitnow.org.uk
www.stopitnow.org.uk

Childnet International
www.childnet-int.org

Get Safe Online – www.getsafeonline.org

Police Public Protection Units

Tel: 028 9065 0222

Child Abuse Investigation Units:

A District (North & West Belfast) Tel: 028 9070 0604

B District (South & East Belfast) Tel: 028 9025 9832

C District (Castlereagh, Carryduff, Dundonald) Tel: 028 9056 1767

D District (Lisburn, Antrim, Newtownabbey, Carrickfergus)
Tel: 028 9448 2633

Gateway Teams

Belfast Trust

Tel: 028 9020 4550

South and East Belfast

Duty Social Worker Tel: 028 9020 4550 (Ormeau Road)
Out of hours emergency duty team Tel: 028 9056 5444

South Eastern Trust

Tel: 0300 1000 300
Out of hours: 028 9056 5444

Western Trust

Tel: 028 7131 4090

Southern Trust

Gateway Team, Craigavon – Tel: 028 3834 3011
Gateway Team, Newry – Tel: 028 3082 5152

Northern Trust

Gateway Service (0300 1234 333) gives options to contact appropriate Team.
Out of Hours Emergency Social Work Service (028 9446 8833)

Appendix 32

Useful Reading

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Getting it right

Standards of Good Practice for Child Protection.

Available from:

www.volunteernow.org

Co-operating to Safeguard Children

Volume 6, Regulations and Guidelines of the Children (NI) Order 1995

Available from:

The Stationery Office

Tel: 028 9023 8451

An Abuse of Trust

The report of the Social Services Inspectorate into the case of Martin Huston

Available from:

DHSSPS Child Care Unit

Tel: 028 9052 4290

An Introduction to the Children (NI)

Order 1995

Available from:

The Stationery Office

Tel: 028 9023 8451

Protecting Children

A guide for sports people

Available from:

The National Coaching Foundation

Tel: 0113 274 4802

Buskers Guide to Inclusion

Available from:

www.commonthreads.co.uk

Educational Visits –

Policy, Practice and Procedures 2007

Available from:

www.selb.org

**Code of Ethics and Good Practice
for Children's Sport**

Available from:

www.irishsportsCouncil.ie

Acknowledgements

Since *Our Duty to Care* was last published in 2000, there have been significant developments in society that have impacted on the protection of children and on the good practice within voluntary and community organisations. A reference group was therefore established by the Volunteer Development Agency (Volunteer Now from 2010) to oversee a comprehensive review of *Our Duty to Care*. This group was comprised of:

Ian Ellis	Church of Ireland Board of Education
John Barnes	South and East Belfast Trust
Michael Keenan	Southern Education and Library Board
Imelda Henry	Northern Area Child Protection Committee
Desi O'Hagan	NSPCC
Liam Mackle	Children's Law Centre
Tanya Orr	Volunteer Development Agency
Sinead Quinn	Volunteer Development Agency
Rosie Oakes	Volunteer Development Agency

The revised document was widely circulated for consultation. Thanks are due to the following people:

Cathy Bell	Department of Education, Pupil Support Unit
Gillian McClay	YouthNet
Paul Stephenson	NSPCC
Norma Downey	Child Care Policy Directorate, DHSS&PS
Dee Kelly	Volunteer Development Agency

A Final Word...

Our Duty to Care sets out 'best practice' guidelines for ensuring that children are protected in voluntary organisations. Many of you may feel that the task of developing such standards is a daunting one. It is important however that you give time, thought and energy to deciding what is appropriate for your organisation and what will work best for you. Once you have established good child protection policies and practice, you will find it easier to maintain them and to gain the commitment of everyone in the organisation...

"Our Duty to Care" is everyone's business – let's make it ours!



Volunteer Now
129 Ormeau Road
Belfast
BT7 1SH
Tel: 028 9023 6100
Email: info@volunteernow.co.uk
Web: www.volunteernow.co.uk