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Introduction

The BBNPA wants children, young people and vulnerable adults to enjoy their involvement with the BBNPA and it is important that we inform, educate and enthuse these groups about the National Park and the work we do. The BBNPA is committed to protecting vulnerable to achieve this.

Important: This Policy does not apply to employees under the age of 18.

Definitions

For the purposes of this Policy the following definitions will be adopted:-

Vulnerable Adult defines a protected adult as ‘an individual aged 18 or over who is in receipt of one or more type of care, health or welfare.

Child or Young Person defined as a child or young person as an individual under the age of 18.

DBS Disclosure and Barring Service. A service which provides information about an individual's criminal record. It can only be taken with the agreement of the individual and the certificate issued is sent only to the individual and not the Authority.

Somebody may abuse or neglect a child by inflicting

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Definitions of Abuse

harm, or by failing to act to prevent harm. Children may be abused in a family or institutional setting, by those known to them, or more rarely by a stranger.

Physical Abuse

May involve hitting, shaking, throwing, poisoning, burning or scolding, drowning, suffocating, or otherwise causing physical harm to the child. Physical harm may be caused when a parent or carer feigns the symptoms of, or deliberately causes, ill health to a child whom they are looking after.

Emotional

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 a child that they are worthless or unloved, inadequate or valued in so far as they meet the needs of another person. It may involve causing children 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.

Sexual Abuse

Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative or non-penetrative acts. They may include non-contact activities such as involving children in the production of pornographic material or watching sexual activity, or encouraging children to behave in sexually inappropriate ways.

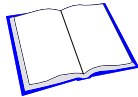
Neglect

Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in serious impairment of the child's health and development. It may involve a parent or carer failing to provide adequate food, shelter and clothing, failing to protect a child from physical harm or danger, or the failure to ensure access to appropriate medical care or treatment.

Aims of the Policy

The aim of this policy is to adopt the highest possible standards and take all reasonable steps in relation to the safety and welfare of the children, young people and vulnerable adults with whom we come into contact. The implementation of this policy will enable the BBNPA to undertake its work with children, young people and vulnerable adults confident that it has taken all reasonable precautions to prevent harm occurring while being prepared to deal with an incident should it occur.

The BBNPA applies this policy to all of its work with children, young people and vulnerable adults, whilst recognising that vulnerable people of all ages will benefit from similar safeguards.



This policy should also be read in accordance with the BBNPA's Code of Practice. "Behaviour with Children, young people and vulnerable adults".

Principles of working with children, young people and vulnerable adults

It is important to remember that staff and volunteers from the BBNPA come into contact with children, young people and vulnerable adults in a wide range of situations. In addition to organised visits and activities to the National Park, children, young people and vulnerable adults visit the National Park and come into contact with staff and volunteers. It is important that this policy is applied and the guidelines followed in all situations.

Policy Responsibilities

Who is responsible for implementing and monitoring the policy?

Chief Executive, Directors, Human Resources and Line Managers.

Who does the policy apply to?

The policy applies to all staff (including permanent, fixed term and casual appointments) and to those whose work with the BBNPA brings them into contact with children, young people and vulnerable adults e.g. contractors, volunteers', members, etc.

What are your responsibilities?

All those covered by the policy have a duty to do everything reasonable in their power to ensure the safety and welfare of children, young people and vulnerable adults who come into contact with BBNPA staff and must act in accordance with this policy and code of practice. In addition, any specific programmes operating procedures need adhered to.

Staff involved in working with children, young people and vulnerable adults

All staff involved in working with children, young persons and vulnerable adults as defined by our Policy should:-

- Understand their role and responsibilities to safeguard and promote the welfare of children, young persons and vulnerable adults;
- Ensure they follow the policy and procedures and protocol and know whom to contact in the authority to express their concern about an individual's welfare;
- Be alert to the indicators of abuse and neglect;
- Have received safeguarding training to a level commensurate with their role and responsibilities;
- know when to report concerns about a child, young person and vulnerable adult.
- Ensure their DBS checks are up to date.

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At no time should a member of staff or volunteer be in sole charge of children, young people and vulnerable adults.

In instances when a parent, teacher or carer is not in attendance, we must ensure that at least two members of staff are present at all times.

Occasional assistance provided by staff

Any member of staff may assist in activities with children on an occasional basis. They may do so only if children, young people and vulnerable adults are accompanied by a parent, teacher or member of staff who has been appointed following the necessary DBS checks.

Volunteers 'recruited' by the BBNPA

.When a volunteer is 'recruited' directly by the BBNPA, and is to work with children, young people and vulnerable adults they must agree to work in accordance with our policy and guidelines. Where appropriate the BBNPA may also request they undergo a DBS check.

Generally external volunteers must;

1. Be given a copy of our policy and guidelines and asked for their agreement to work in accordance with them.
2. Be accompanied at all times by at least one member of staff who has been through the necessary DBS checks to work with children, young people and vulnerable adults.

Recruitment and Selection Process

All vacant posts requiring DBS checks, statements will be included within Job Packs explaining that a Disclosure will be required in the event of success at interview. A disclosure and barring check will take place if the role applied for fulfils the criteria for such checks, process and code of practice.

In certain circumstances, employees awaiting the results of a DBS check will be authorised to begin employment but will be treated as an individual having occasional contact as referred to above.

Disclosure Information

Any matters of concern, which are highlighted in a Disclosure, will be considered by the BBNPA Human Resources and the relevant line manager according to the requirements of the appropriate post. The information of concern revealed in this Disclosure will then be risk assessed against set criteria, such as:

- The nature of the offence.
- The length of time since the offence was committed.
- Any history of offending.
- Whether it is likely to reoccur in the future.

The Disclosure and any related information will then be discussed with the candidate before any decision is made.

However, if it is deemed appropriate by the BBNPA Human Resources and the Line Manager, once all factors have been taken into account, the offer of employment may be withdrawn. The reasons for this decision will be put in writing to the candidate. The candidate will be provided with the opportunity to appeal the decision to the Chief Executive if they so wish. Any candidate, whether an internal or external applicant, whose offer of employment has been withdrawn by the Human Resources due to an unsatisfactory Disclosure, may appeal against this decision.

Once this decision has been received by the candidate, they must lodge their appeal in writing to the Chief Executive within 14 days, outlining the grounds for this appeal. The Chief Executive will then consider the grounds for this appeal and will respond with his/her decision, within a further 14 days. The Chief Executive's decision is final.

Staff and job applicants subject to checks previously

What happens if I commit an offence since my last DBS check?

It should also be noted that if a member of staff commits an offence since their last DBS check, which affects their employment, it is **their** responsibility to inform the Human Resources Department of this. Human Resources will then seek the employee's authorisation to seek a further disclosure, if this is deemed appropriate.

Employment of Contractors

Employees authorised to engage contractors, whose work involves frequent, regular, or substantial contact with children, may only do so if the individual/contractor has the appropriate policies and procedures in place and provides evidence to the BBNPA.

Use of Information relating to children

Guidance on the taking of photographs and moving images for work purposesⁱ

Photographs of children, young people and vulnerable adults help staff to demonstrate the breadth of their work, and are used for publicity purposes when promoting the work of the Authority.

- Photographs should only be taken with the consent of the organisation, school or parent/guardian, and the purpose for which the pictures have been taken is understood. A consent form for taking photographs must be completed.
- Photographs should only be taken to demonstrate work in which the children, young people and vulnerable adults are involved or have completed. They should focus on the activity, and not on individuals. Care should be taken that all participants are appropriately dressed.
- Care should be taken when supplying information with photographs. Do not supply full names or other personal information.
- Do not use images of children or young people and vulnerable adults who are considered vulnerable, or whose identity may require protection.
- Images should be carefully stored, with consent attached or cross referenced.
- Images should only be passed to third parties for their use where this has been agreed as part of the consent process.

Other than the provisions contained in the Child Trafficking and Pornography Acts 1998/2004, which contain specific provisions on the exploitation of

children, there is no specific legal constraint on taking photographs or recording visual material with children, young people and vulnerable adults, but as photographs and visual images are regarded as personal data under the Data Protection Acts 1998/2003 please see below.

Data Management and Safeguarding

The Authority's staff and volunteers need to ensure when handling personal data and sensitive personal data that they comply with the Data Protection Act 1998/2003 and General Data Protection Regulations. Personal data is defined as data relating to a living individual who can be identified from the data or from the data in conjunction with other information in the possession of the data controller. It must be obtained fairly, accurate, kept up to date and should be kept and used only for one or more specified lawful purpose. The Authority must have a valid lawful basis in order to process personal data.

Children and Data Protection

Under the General Data Protection Regulations children are identified as "*vulnerable individuals*" and deserving of "*specific protection*". Where children's personal details are collected the nature of the records should be included on the Authority's data register with the relevant legal basis for processing listed.

Clear privacy notices for children, young people and vulnerable adults should be in place so that they are able to understand what will happen to their personal data, and what rights they have. Privacy notices should be clear, and written in plain, age-appropriate language

Children, young people and vulnerable adults at risk have the same rights as others over their personal data. These include the rights to access their personal data; to request rectification; object to processing and to ask that their personal data is erased.

If the Authority wishes to send electronic marketing messages to children then we need to comply with the Privacy and Electronic Communications Regulations 2003. Only children aged 13 or over are able to provide their own consent for processing personal data. For children under this age consent is required from whoever holds parental responsibility for the child - unless the online service we offer is a preventive or counselling service.¹

Sharing Information and Safeguarding

Whenever possible, consent should be obtained before sharing personal information with third parties. However, in some circumstances, consent may not be possible or appropriate as the safety and welfare of a child or vulnerable person may dictate that the information must be shared.

The Data Protection Act 1998, General Data Protection Regulations and the common law duty of confidentiality allow for the sharing of information. In exceptional circumstances, personal information can be lawfully shared without consent where there is a legal requirement or the professional deems it to be in the public interest.

One of the exceptional circumstances is in order to prevent abuse or serious harm to others. The most important consideration is whether sharing information is likely to safeguard and protect a child or vulnerable adult.

Any personally identifiable information should be shared in accordance with the Wales Accord on the Sharing of Personal Information (WASPI); <http://www.waspi.org/>.

E-Safety

E-Safety encompasses not only Internet technologies but also electronic communications via mobile phones, games consoles and wireless technology. It highlights the need to educate children and young people about the benefits, risks and responsibilities of using information technology. E-Safety concerns safeguarding children, young people and vulnerable adults in the digital world, and supporting them to develop safer online behaviours both in and out of school. Authority staff should:-

- Work within the boundaries of professional behaviour.
- Should not use NPA equipment for inappropriate reasons, and be guided by the Authority's IT policy.
- Be aware of safety concerns when preparing, and include this in the risk assessment process.
- Where appropriate, communicate with organisations, schools and parents about the purpose of e-communications.
- Should avoid exposing children, young people and vulnerable adults to inappropriate and harmful material, or harmful interaction with other users.

Please Note

Emails, tweets, facebook messages, texts. The Communications Act of 2003 (section 127) describes what constitutes an offence. But it is worth being

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aware that an offence is complete as soon as the message has been sent: there is no need to prove any intent or purpose.

Training Requirements

All staff members involved in the administration and decision making processes associated with the receipt of Disclosure information will be provided with Equal Opportunities training. This training will then ensure that fair and objective decisions are made based upon the information that has been gathered, and that all processes are free from discrimination. This Equal Opportunities training will also provide decision makers with guidance regarding the employment and fair treatment of ex-offenders.

General Safeguarding awareness training will also be provided for all staff within the Authority who will be required to work with children, young people and vulnerable adults.

Data Protection training will also be provided to staff who are responsible for storing information relating to children, young person and vulnerable adults, such as names and addresses, etc.

Reporting Incidents

What to do if you suspect abuse or mistreatment of a child, young person or vulnerable adult.

It is to be hoped that you will never have to deal with an alleged incident of child abuse. However, it is essential that you are prepared to do so if necessary. Children will often confide in relative strangers who are in a position of trust but are not seen as authority figures. Children, who are troubled but are unable to confide in teachers, social workers or other adults, may choose to talk to BBNPA members of staff.

If you do have concerns about the well-being of a child, young person or vulnerable adult, you should:-

- Show that you have heard what the child, young person or vulnerable adult is saying, and that you take their allegations seriously;
- Encourage the individual to talk, but do not prompt or ask leading questions; Don't interrupt when the individual is recalling significant events. Don't make them repeat their account;
- Explain what actions you must take, in a way that is appropriate to the age and understanding of the child, young person or vulnerable adult;
- Do not promise to keep what you have been told secret or confidential, as you have a responsibility to disclose information to those who need to know. Reporting concerns is not a betrayal of trust;
- Write down as soon as you can and no later than 24 hours after what you have been told, using the exact words if possible. Include details of the date, time, place and any other people who were present;
- Report your concerns to your Line Manager as soon as possible, and not more than 24 hours after. Where appropriate you may wish to inform a member of staff from the school or organisation of what has been said.
- Do not confront the alleged abuser;

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In all cases, you should keep a written record of what was said and done.

What to do if you are concerned about a member of staff

- Do not worry that you may be mistaken. You will always be taken seriously by safe guarding agencies. It is better to have discussed it with somebody with the experience and responsibility to make an assessment.

It is often difficult to accept that a colleague may have harmed a child, young person or vulnerable adult. Often suspicion may take the form of concerns rather than known facts. It is important that if the behaviour of an adult or colleague gives you cause for concern, **either in the work place or in their private life**, that you:

- **Do not dismiss or ignore your concerns;**
- **Do not confront the person about whom you have concerns;**
- **Raise your concern with your Line Manager;**

Concerns may not trigger an investigation, but they help to build up a picture, along with concerns from other sources, of a person.

Please note: Remember that The All Wales Child Protection Procedures 2008 ensure that the adult is protected as well as the child.

When you raise a concern you will be asked

- The nature of those concerns;
- How and why those concerns have arisen;
- Any relevant details relating to those concerns;
- Any information affecting the safety of children, young people, and vulnerable adults, or other members of staff.

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Making Dealing with Allegations against employees and Volunteers of BBNPA

What will happen if an allegation is made?

Suspension is not an indication that the Authority has concluded that the employee is guilty.

Investigation

Just as when making a referral on behalf of a child, young person or vulnerable adult, the referral process cannot maintain the anonymity of the person making the referral.

It is essential that any allegation of abuse made against a member of staff or volunteer is dealt with fairly, quickly and consistently, in a way that provides effective protection for the child, young person or vulnerable adult, and at the same time supports the person who is subject of the allegation.

An allegation may relate to a person who may have;

- Behaved in a way that has harmed a child, young person or vulnerable adult, or may have harmed;
- Possibly committed a criminal offence against or related to a child, young person or vulnerable adult;
- Behaved towards a child, young person or vulnerable adult in a way that indicates that they are unsuitable to work with children;

Though our focus must be on safeguarding children, staff must also be aware that allegations of abuse made by children about adults do happen. Some prove mistaken or, very rarely, malicious. The Policy and Code of Practice on How to Behave with Children is there to help you to avoid situations in which well-intentioned actions can be misinterpreted, or where false allegations may be made.

Any allegation involving BBNPA staff or volunteers must be passed immediately to the appropriate Line Manager and Human Resources.

The Line Manager must ensure that they have all appropriate details relating to the allegation. Details might include:

- When and where the alleged incident took place;
- The details of those involved;
- The nature of the allegation;
- How the allegation was followed up and resolved (This part of the record may be added at a later date, and not when collecting initial details)

Allegations may be dealt with in two ways :-

- Internally.(Only for allegations that present no clear evidence of abuse);
- Through referral to the Local Social Services Department.

If the allegation is referred the process can be summarised as:-

- Initial discussion between BBNPA and the Local Social Services Department;
- Telling the staff member(s) concerned;
- Managing staff/considering suspension ;
- Investigation and Outcome;

It is recommended that you should also seek advice from your Union representative and/or legal representative.

Whilst the Social Services investigation is carried out the individual concerned will be moved to a position within the Authority where there is no contact with children, or vulnerable adult or consideration may also be given to suspending the individual on full pay pending the outcome of the investigation. In common with other disciplinary investigations suspension will only be used where the investigation will be compromised should the individual remain in work, or where the individual cannot be guaranteed work not involving contact with children.

An employee will not be suspended if the allegation is not serious or where the employee can carry out a large part of their work whilst ensuring no further contact with children, young people or vulnerable adults.

Whilst the Social Services investigation is carried out the individual concerned will be moved to a position within the Authority where there is no contact with children, or vulnerable adults. Consideration may also be given to suspending the individual on full pay pending the outcome of the investigation. In common with other disciplinary investigations suspension will only be used where the investigation will be compromised should the individual remain in work, or where the individual cannot be guaranteed work not involving contact with children.

The Authority will carry out its own investigation under the Disciplinary Procedure, whilst ensuring that it does not jeopardise any Local Social Services department investigation. **The Authority is entitled to treat the matter as a disciplinary matter regardless of the outcome of any external investigation.**

Every effort should be made to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated or considered.

The BBNPA would aim to resolve cases within one month, but in exceptional cases should be completed within 12 months.

Any record relating to an allegation should be retained until the staff member has reached normal retirement age or for a period of ten years from the date of the allegation if that is longer.

First Aid

The principles of this policy apply when giving first aid to a child, young people and vulnerable adults i.e. a member of the Brecon Beacons National Park Authority should not be alone when giving first aid to a child, young person or vulnerable adult.

All staff leading school groups must be trained First Aid and risk assessment procedures and comply with those procedures. Schools are requested to bring a first aider as part of their agreement with the Education team.

Minibus and Authority Vehicle Driving

It is sensible to reiterate that no member of the National Park of BBNPA staff should be alone in a vehicle with children, young people and vulnerable adults. This is important both from a child protection point of view as well as a supervisory/Health and Safety viewpoint. It should also be noted that no child under the age of 9 should be allowed in the front seat of the vehicle. Seat belts are to be worn by all drivers and passengers.

Before commencing upon a journey in a minibus/vehicle with children, young people and vulnerable adults it is essential that a passenger list of all those individuals travelling should be compiled with an emergency contact number e.g. school / BBNPA HQ. A copy of this list should then be kept on the appropriate minibus/vehicle.

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Children, young people and vulnerable adults cannot be left unsupervised in the vehicle.

Safeguarding Checklist

Safeguarding Checklist – keeping you safe

- Ensure that you are familiar with the Risk Assessment appropriate to the activity.
- Avoid physical contact with participants - it can be misinterpreted. It is the responsibility of a group's or organisation's staff to intervene and manage behaviour amongst a participating group.
- Avoid one-to-one situations, particularly in an enclosed or isolated space. Should this happen inadvertently, send the child, young person or vulnerable adult to join the main group.
- Respect the wishes of a child, young person or vulnerable adult.
- Do not take inappropriate photographs of participants.
- Communicate with children, young people and vulnerable adults in a way that is appropriate to their age and understanding.
- Recognise that children/young people see adults as role models and that your standard of behaviour is important at all times.
- Ensure that other adults attending a group, such as volunteers and parents, recognise the need for appropriate behaviour at all times.
- Don't make suggestive (sexual or lewd) remarks in the presence of children, young people or vulnerable adults.
- If you suspect that a young person is becoming inappropriately attracted/attached to you, ensure that you raise your concerns with your manager.
- If you feel that you are at risk of behaving unprofessionally (for instance because you are under stress or have inappropriate feelings towards a child, young person or vulnerable adult) you should discuss this with your Line manager or the Human Resources.

A Code of Practice

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Behaviour with children, young people and vulnerable adults

This code of practice is an accompanying document to the Brecon Beacons National Park Authority's Safeguarding Policy. The code provides staff with guidelines on how to behave when coming into contact with children, young people and vulnerable adults and what standards of conduct are expected of them.

You are expected to:

1. Take all reasonable steps to ensure the health, safety and welfare of any child, young people and vulnerable adults in contact with the BBNPA.
2. Respect the wishes of a child young people and vulnerable adults, as you would an adult, you must not impose yourself on them.
3. Remember that children young people and vulnerable adults, regard adults as role models, and as such, ensure your behaviour, language, gestures etc. are appropriate and above reproach
4. Prevent any other member of staff, volunteer or member of the public from putting any child young people and vulnerable adults, in a situation in which there is a significant risk to their health and safety.
5. Prevent any other member of staff, volunteer or member of the public from physically, emotionally or sexually abusing any child, young people and vulnerable adults
6. Report any evidence or reasonable suspicion that a child young people and vulnerable adults, has been physically, emotionally or sexually abused whether by an adult or another child.
7. Not physically, emotionally or sexually abuse any child young people and vulnerable adults.

Good management, careful planning and risk assessment will go a long way to ensure that visits to the National Park are safe, both for you and the children young people and vulnerable adults, in your care. For this reason the following guidelines should also be observed:

- Whilst respecting the need for privacy and confidentiality, never be alone with a young person and never touch or verbally respond **to a child, young people and vulnerable adults**, in a way that could be misunderstood.
- Parents and participants should be told who the leaders are and all leaders should be identifiable.
- Observe the correct ratio of adults to children as per the AALS operating procedures.
- Do not think, "It could never happen to me".
- Do not rely on your good name to protect you.