

Group Safeguarding Policy

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1. AIM

Our Scout group aims to ensure that:

- Appropriate action is taken in a timely manner to safeguard and promote children's welfare
- All leaders, helpers and supporters of our group are aware of their statutory responsibilities with respect to safeguarding
- All leaders, helpers and supporters are properly trained in recognising and reporting safeguarding issues
- Take the interests and well-being of young people into account, in all our considerations and activities.
- Respecting the rights, wishes and feelings of the young people with whom we work.
- Take all reasonably practicable steps to protect them from neglect, physical, sexual and emotional abuse.
- Promoting the welfare of young people and their protection within a position of trust.

2. LEGISLATION AND STATUTORY GUIDANCE

This policy is based on the statutory guidance Keeping Children Safe in Education (2018) and Working Together to Safeguard Children (2018), and the Governance Handbook. We comply with this guidance and the arrangements agreed and published by our 3 local safeguarding partners.

This policy is also based on the following legislation:

- The Children Act 1989 (and 2004 amendment), which provides a framework for the care and protection of children
- Section 5B(11) of the Female Genital Mutilation Act 2003, as inserted by section 74 of the Serious Crime Act 2015, which places a statutory duty on youth groups to report to the police where they discover that female genital mutilation (FGM) appears to have been carried out on a girl under 18
- Statutory guidance on FGM, which sets out responsibilities with regards to safeguarding and supporting girls affected by FGM
- The Rehabilitation of Offenders Act 1974, which outlines when people with criminal convictions can work with children
- Schedule 4 of the Safeguarding Vulnerable Groups Act 2006, which defines what 'regulated activity' is in relation to children
- Statutory guidance on the Prevent duty, which explains youth groups duties under the Counter-Terrorism and Security Act 2015 with respect to protecting people from the risk of radicalisation and extremism

3. DEFINITIONS

Safeguarding and promoting the welfare of children means:

- Protecting children from maltreatment
- Preventing impairment of children's health or development
- Ensuring that children grow up in circumstances consistent with the provision of safe and effective care
- Taking action to enable all children to have the best outcomes

CHILD PROTECTION is part of this definition and refers to activities undertaken to prevent children suffering, or being likely to suffer, significant harm.

ABUSE is a form of maltreatment of a child, and may involve inflicting harm or failing to act to prevent harm. Appendix 1 explains the different types of abuse.

NEGLECT is a form of abuse and is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Appendix 1 defines neglect in more detail.

SEXTING (also known as youth produced sexual imagery) is the sharing of sexual imagery (photos or videos) by children **CHILDREN** includes everyone under the age of 18.

4. EQUALITY STATEMENT

Some children have an increased risk of abuse, and additional barriers can exist for some children with respect to recognising or disclosing it. We are committed to anti-discriminatory practice and recognise children's diverse circumstances. We ensure that all children have the same protection, regardless of any barriers they may face.

We give special consideration to children who:

- Have special educational needs (SEN) or disabilities (see section 9)
- Are young carers
- May experience discrimination due to their race, ethnicity, religion, gender identification or sexuality
- Have English as an additional language
- Are known to be living in difficult situations – for example, temporary accommodation or where there are issues such as substance abuse or domestic violence
- Are at risk of FGM, sexual exploitation, forced marriage, or radicalisation
- Are asylum seekers
- Are at risk due to either their own or a family member's mental health needs
- Are looked after or previously looked after

5. ROLES AND RESPONSIBILITIES

Safeguarding and child protection is everyone's responsibility. This policy applies to all leaders, helpers and supporters within the group. Our policy and procedures also apply to extended scout and off-site activities.

5.1 ALL LEADERS, HELPERS AND SUPPORTERS.

All Volunteers will be aware of:

Our systems which support safeguarding, including this safeguarding policy, leader guidance policy, the role and identity of the designated safeguarding lead (DSL) and deputies and the behaviour policy.

The process for making referrals to the scouts association safeguarding team and for statutory assessments that may follow a referral, including the role they might be expected to play

What to do if they identify a safeguarding issue or a child tells them they are being abused or neglected, including specific issues such as FGM, and how to maintain an appropriate level of confidentiality.

The signs of different types of abuse and neglect, as well as specific safeguarding issues, such as child sexual exploitation

(CSE), FGM and radicalisation

Section 13 and appendix 4 of this policy outline in more detail how Volunteers are supported to do this.

5.2 The designated safeguarding lead (DSL)

The DSL is a member of the District leadership team. Our DSL is Alan Mangles -District Commissioner (DC). The DSL takes lead responsibility for child protection and wider safeguarding. The DSL can be contacted at all times. In the event of the DC not been contacted please contact the County Commissioner or the Scout Information Centre (0345 3001818).

At group level, all initial safeguarding concerns should be discussed in confidence with the Group Scout Leader (GSL) or Assistant Group Scout Leader (AGSL) who can support you with this.

The DSL will be given the time, funding, training, resources and support to:

- Provide advice and support to other Volunteers on child welfare and child protection matters
- Refer suspected cases, as appropriate, to the relevant body (local authority children's social care, Channel programme, Disclosure and Barring Service, and/or police), and support volunteers who make such referrals directly

5.3 The DC, GSL and AGSL

The DC, GSL and AGSL's are responsible for the implementation of this policy, including:

- Ensuring that leaders, helpers and supporters are informed of our systems which support safeguarding, including this policy, as part of their induction. (Yellow Card)
- Communicating this policy to parents when their child joins
- Ensuring that the DSL has appropriate time, funding, training and resources, and that there is always adequate cover if the DSL is absent
- Ensuring that all volunteers undertake appropriate safeguarding and child protection training and update this regularly
- Acting as the 'case manager' in the event of an allegation of abuse made against another leader, helper or supporter, where appropriate (see appendix 3)
- Ensuring the relevant adult-young person ratios are met

6. CONFIDENTIALITY

Please refer to Group Data Protection (GDPR) Policy.

The Scout Group will ensure that:

- Timely information sharing is essential to effective safeguarding
- Fears about sharing information must not be allowed to stand in the way of the need to promote the welfare, and protect the safety, of children
- The Data Protection Act (DPA) 2018 and GDPR do not prevent, or limit, the sharing of information for the purposes of keeping children safe
- Volunteers should never promise a child that they will not tell anyone about a report of abuse, as this may not be in the child's best interests
- The government's information sharing advice for safeguarding practitioners includes 7 'golden rules' for sharing information, and will support volunteers who have to make decisions about sharing information

- If volunteers are in any doubt about sharing information, they should speak to the designated safeguarding lead (or deputy)
- Confidentiality is also addressed in this policy with respect to record-keeping in section 12, and allegations of abuse against volunteers in appendix 3

7. RECOGNISING ABUSE AND TAKING ACTION

All volunteers within Scouting must follow the procedures set out below in the event of a safeguarding issue. Please note – in this and subsequent sections, you should take any references to the DSL to mean “the DSL (or deputy DSL)”.

7.1 If a child is suffering or likely to suffer from harm, or in immediate danger

Make a referral to children’s social care and/or the police **immediately** if you believe a child is suffering or likely to suffer from harm, or in immediate danger. **Anyone can make a referral.**

Tell the DSL (see section 5.2) as soon as possible if you make a referral directly.

Durham LSCB referral number – First Contact 03000 267979

If the child is in immediate danger call 999

7.2 If a child makes a disclosure to you

If a child discloses a safeguarding issue to you, you should:

- Listen to and believe them. Allow them time to talk freely and do not ask leading questions
- Stay calm and do not show that you are shocked or upset
- Tell the child they have done the right thing in telling you. Do not tell them they should have told you sooner
- Explain what will happen next and that you will have to pass this information on. Do not promise to keep it a secret
- Write up your conversation as soon as possible in the child’s own words. Stick to the facts, and do not put your own judgement on it
- Sign and date the write-up and pass it on to the DSL. Alternatively, if appropriate, make a referral to children’s social care and/or the police directly (see 7.1), and tell the DSL as soon as possible that you have done so

7.3 If you discover that FGM has taken place or a young person is at risk of FGM

The Government Guidelines for Keeping Children Safe explains that FGM comprises “all procedures involving partial or total removal of the external female genitalia, or other injury to the female genital organs”.

FGM is illegal in the UK and a form of child abuse with long-lasting, harmful consequences. It is also known as ‘female genital cutting’, ‘circumcision’ or ‘initiation’.

Possible indicators that a young person has already been subjected to FGM, and factors that suggest a young person may be at risk, are set out in appendix 4.

Any Leader who discovers (either through disclosure by the victim or visual evidence) that an act of FGM appears to have been carried out on a **young person under 18** must immediately report this to the police, personally. This is a statutory duty, and leaders will face disciplinary sanctions for failing to meet it.

Unless they have good reason not to, they should also discuss the case with the DSL and involve children’s social care as appropriate.

Any other member of the group who discovers that an act of FGM appears to have been carried out on a **young person under 18** must speak to the DSL and follow our local safeguarding procedures.

The duty for leaders mentioned above does not apply in cases where a scout is at risk of FGM or FGM is suspected but is not known to have been carried out. Leaders should not examine young people.

Any Leader, helper or supporter who suspects a young person is at risk of FGM or suspects that FGM has been carried out or discovers that a **young person age 18 or over** appears to have been a victim of FGM must speak to the DSL and follow our local safeguarding procedures.

7.4 If you have concerns about a child (as opposed to believing a child is suffering or likely to suffer from harm, or in immediate danger)

Figure 1 on page 10 illustrates the procedure to follow if you have any concerns about a child's welfare.

Where possible, speak to the DSL first to agree a course of action.

If in exceptional circumstances the DSL is not available, this should not delay appropriate action being taken. Speak to the CC/DC/GSL/AGSL and/or take advice from local authority children's social care. You can also seek advice at any time from the NSPCC helpline on 0808 800 5000.

Make a referral to local authority children's social care directly, if appropriate (see 'Referral' below). Share any action taken with the DSL as soon as possible.

Referral

If it is appropriate to refer the case to local authority children's social care or the police, the DSL will make the referral or support you to do so.

If you make a referral directly (see section 7.1), you must tell the DSL as soon as possible.

The local authority will make a decision within 1 working day of a referral about what course of action to take and will let the person who made the referral know the outcome. The DSL or person who made the referral must follow up with the local authority if this information is not made available, and ensure outcomes are properly recorded.

If the child's situation does not seem to be improving after the referral, the DSL or person who made the referral must follow local escalation procedures to ensure their concerns have been addressed and that the child's situation improves.

7.5 If you have concerns about extremism

If a child is not suffering or likely to suffer from harm, or in immediate danger, where possible speak to the DSL first to agree a course of action.

If in exceptional circumstances the DSL is not available, this should not delay appropriate action being taken. Speak to the CC/DC/GSL/AGSL and/or seek advice from local authority children's social care. Make a referral to local authority children's social care directly, if appropriate (see 'Referral' above).

Where there is a concern, the DSL will consider the level of risk and decide which agency to make a referral to. This could include Channel, the government's programme for identifying and supporting individuals at risk of being drawn into terrorism, or the local authority children's social care team

In an emergency, call 999 or the confidential anti-terrorist hotline on 0800 789 321 if you:

- Think someone is in immediate danger
- Think someone may be planning to travel to join an extremist group
- See or hear something that may be terrorist-related

7.6 Concerns about a Leader, helper or supporter

If you have concerns about a Leader, helper or supporter, or an allegation is made about an adult posing a risk of harm to children, speak to the GSL/AGSL. If the concerns/allegations are about the GSL/AGSL, speak to the DC.

The GSL/AGSL/DC will then follow the procedures set out in appendix 3, if appropriate.

7.7 Allegations of abuse made against other Scouts

We recognise that children are capable of abusing their peers. Abuse will never be tolerated or passed off as “banter”, “just having a laugh” or “part of growing up”.

We also recognise the gendered nature of peer-on-peer abuse (i.e. that it is more likely that girls will be victims and boys perpetrators). However, all peer-on-peer abuse is unacceptable and will be taken seriously. Most cases of young persons hurting other young persons will be dealt with under our group's behaviour policy, but this child protection and safeguarding policy will apply to any allegations that raise safeguarding concerns.

This might include where the alleged behaviour:

- Is serious, and potentially a criminal offence
- Could put scouts/adults within the group at risk
- Is violent
- Involves scouts/adults being forced to use drugs or alcohol
- Involves sexual exploitation, sexual abuse or sexual harassment, such as indecent exposure, sexual assault, or sexually inappropriate pictures or videos (including sexting)

If a young person makes an allegation of abuse against another young person:

- You must record the allegation and tell the DSL, but do not investigate it
- The DSL will contact the local authority children's social care team and follow its advice, as well as the police if the allegation involves a potential criminal offence
- The DSL will put a risk assessment and support plan into place for all children involved (including the victim(s), the child(ren) against whom the allegation has been made and any others affected) with a named person they can talk to if needed

We will minimise the risk of peer-on-peer abuse by:

- Challenging any form of derogatory or sexualised language or behaviour, including requesting or sending sexual images
- Being vigilant to issues that particularly affect different genders – for example, sexualised or aggressive touching or grabbing towards female young persons, and initiation or hazing type violence with respect to boys
- Ensuring scouts know they can talk to volunteers confidentially
- Ensuring adults are trained to understand that a young person harming a peer could be a sign that the child is being abused themselves, and that this would fall under the scope of this policy

7.8 Sexting

This is a suggested approach based on guidance from the UK Council for Child Internet Safety for all volunteers and for DSLs and Senior Leaders.

Your responsibilities when responding to an incident

If you are made aware of an incident involving sexting (also known as ‘youth produced sexual imagery’), you must report it to the DSL immediately.

You must **not**:

- View, download or share the imagery yourself, or ask a young person to share or download it. If you have already viewed the imagery by accident, you must report this to the DSL
- Delete the imagery or ask the young person to delete it
- Ask the young person(s) who are involved in the incident to disclose information regarding the imagery (this is the DSL's responsibility)

- Share information about the incident with other volunteers, the young person(s) it involves or their, or other, parents and/or carers
- Say or do anything to blame or shame any young people involved
- You should explain that you need to report the incident, and reassure the young person(s) that they will receive support and help from the DSL.

Initial review meeting

Following a report of an incident, the DSL will hold an initial review meeting with appropriate adults. This meeting will consider the initial evidence and aim to determine:

- Whether there is an immediate risk to young person(s)
- If a referral needs to be made to the police and/or children's social care
- If it is necessary to view the imagery in order to safeguard the young person (in most cases, imagery should not be viewed)
- What further information is required to decide on the best response
- Whether the imagery has been shared widely and via what services and/or platforms (this may be unknown)
- Whether immediate action should be taken to delete or remove images from devices or online services
- Any relevant facts about the young persons involved which would influence risk assessment
- If there is a need to contact another County, District, Group or Individual
- Whether to contact parents or carers of the young people involved (in most cases parents should be involved)

The DSL will make an immediate referral to police and/or children's social care if:

- The incident involves an adult
- There is reason to believe that a young person has been coerced, blackmailed or groomed, or if there are concerns about their capacity to consent (for example owing to special educational needs)
- What the DSL knows about the imagery suggests the content depicts sexual acts which are unusual for the young person's developmental stage, or are violent
- The imagery involves sexual acts and any young person in the imagery is under 13
- The DSL has reason to believe a young person is at immediate risk of harm owing to the sharing of the imagery (for example, the young person is presenting as suicidal or self-harming)

If none of the above apply then the DSL, in consultation with the GSL and other adults as appropriate, may decide to respond to the incident without involving the police or children's social care.

Informing parents

The DSL will inform parents at an early stage and keep them involved in the process, unless there is a good reason to believe that involving them would put the young person at risk of harm.

Referring to the police

If it is necessary to refer an incident to the police, this will be done through contacting the police community support officer, local neighbourhood police, and/or dialling 101.

Recording incidents

All sexting incidents and the decisions made in responding to them will be recorded. The record-keeping arrangements set out in section 12 of this policy also apply to recording incidents of sexting.

8. NOTIFYING PARENTS

Where appropriate, we will discuss any concerns about a child with the child's parents. The DSL will normally do this in the event of a suspicion or disclosure.

Other leaders, helpers or supporters will only talk to parents about any such concerns following consultation with the DSL. If we believe that notifying the parents would increase the risk to the child, we will discuss this with the local authority children's social care team before doing so.

In the case of allegations of abuse made against other children, we will normally notify the parents of all the children involved.

9. SCOUTS WITH SPECIAL EDUCATIONAL NEEDS AND DISABILITIES

We recognise that scouts with special educational needs (SEN) and disabilities can face additional safeguarding challenges. Additional barriers can exist when recognising abuse and neglect in this group, including:

- Assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's disability without further exploration
- scouts being more prone to peer group isolation than other young people
- The potential for scouts with SEN and disabilities being disproportionately impacted by behaviours such as bullying, without outwardly showing any signs
- Communication barriers and difficulties in overcoming these barriers

10. MOBILE PHONES AND CAMERAS

Leaders, helpers and supporters are allowed to bring their personal phones to scouts for their own use, but will limit such use to non-contact time when Scouts are not present. Adult's personal phones will remain in their bags or pockets during contact time with Scouts.

Adults will not take pictures or recordings of Scouts on their personal phones or cameras.

We will follow the General Data Protection Regulation and Data Protection 2018 when taking and storing photos and recordings for use in Scouts.

11. NOTIFYING PARENTS

11.1 Complaints against adults

Complaints against adults that are likely to require a child protection investigation will be handled in accordance with our procedures for dealing with allegations of abuse made against adults (see appendix 3).

11.2 Other complaints

The Scout Association is committed to safeguarding and promoting the welfare of children, young people and vulnerable adults and expects all volunteers to share the same values. The scout group has a Complaints and Appeals Policy to handle other complaints for example those related to scouts or premises.

12. RECORD KEEPING

We will hold records in line with our GDPR Retention Policy.

All safeguarding concerns, discussions, decisions made and the reasons for those decisions, must be recorded in writing. If you are in any doubt about whether to record something, discuss it with the DSL.

Non-confidential records will be easily accessible and available. Confidential information and records will be held securely and only available to those who have a right or professional need to see them.

Safeguarding records relating to individual children will be retained for a reasonable period of time after they have left the scout association.

If a Scouts for whom the group has, or has had, safeguarding concerns moves to another group, the DSL will ensure that their child protection file is forwarded promptly and securely, and separately from the main information. In addition, if the concerns are significant or complex, and/or social services are involved, the DSL will speak to the DSL of the receiving group and provide information to enable them to have time to make any necessary preparations to ensure the safety of the child.

In addition:

- Appendix 2 sets out our policy on record-keeping specifically with respect to recruitment and DBS checks
- Appendix 3 sets out our policy on record-keeping with respect to allegations of abuse made against volunteers

13. TRAINING

13.1 All adults

All adults will undertake safeguarding and child protection training at induction, to ensure they understand the scout association safeguarding systems and their responsibilities and can identify signs of possible abuse or neglect. This training will be regularly updated.

All volunteers will have training on the government's anti-radicalisation strategy, Prevent, to enable them to identify children at risk of being drawn into terrorism and to challenge extremist ideas. This will be done at the earliest opportunity.

13.2 The DSL and deputies

The DSL and deputies will undertake child protection and safeguarding training at regular intervals.

In addition, they will update their knowledge and skills at regular intervals and at least annually (for example, through e-bulletins, meeting other DSLs, or taking time to read and digest safeguarding developments).

They will also undertake Prevent awareness training.

13.3 Recruitment – Appointments Committee

All adults will attend an appointments committee which will consist of 3 members of the district across a range of roles.

The appointments committee will meet with adults upon them completing the initial DBS checks and receiving satisfactory references.

14. MONITORING ARRANGEMENTS

This policy will be reviewed annually by the district leadership team. At every review, it will be approved by the DC and GSL's

APPENDIX 1: TYPES OF ABUSE

Abuse, including neglect, and safeguarding issues are rarely standalone events that can be covered by one definition or label. In most cases, multiple issues will overlap.

Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.

Emotional abuse is the persistent emotional maltreatment of a child such as to cause severe and adverse effects on the child's emotional development. Some level of emotional abuse is involved in all types of maltreatment of a child, although it may occur alone.

Emotional abuse may involve:

Conveying to a child that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person

Not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate

Age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond a child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction

Seeing or hearing the ill-treatment of another

Serious bullying (including cyberbullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children

Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve:

Physical contact, including assault by penetration (for example rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing

Non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet)

Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.

Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy as a result of maternal substance abuse.

Once a child is born, neglect may involve a parent or carer failing to:

Provide adequate food, clothing and shelter (including exclusion from home or abandonment)

Protect a child from physical and emotional harm or danger

Ensure adequate supervision (including the use of inadequate care-givers)

Ensure access to appropriate medical care or treatment

It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

APPENDIX 2: SAFER RECRUITMENT AND DBS CHECKS – POLICY AND PROCEDURES

We will record all information on the checks carried out in the scouts Compass system, which will be held online. Access will be dependant on role within scouting, GSL and AGSL roles will have access to this information.

New adults

When appointing new volunteers, we will:

- Verify their identity
- Obtain (via the applicant) an enhanced Disclosure and Barring Service (DBS) certificate, including for those who will be engaging in regulated activity (see definition below).
- Verify their mental and physical fitness to carry out their responsibilities
- Verify their right to work in the UK.
- Check that candidates taking up a management position are not subject to a prohibition from management (section 128) direction made by the secretary of state
- We will ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006. Where we take a decision that an individual falls outside of the scope of these regulations and we do not carry out such checks, we will retain a record of our assessment on the individual's personnel file. This will include our evaluation of any risks and control measures put in place, and any advice sought.

We may ask for written information about previous employment history and check that information is not contradictory or incomplete.

We will seek references on all leaders, including internal candidates, before appointments committee. We will scrutinise these and resolve any concerns before confirming appointments. The references requested will ask specific questions about the suitability of the applicant to work with children.

Regulated activity means a person who will be:

- Responsible, on a regular basis caring for or supervising children; or
- Carrying out unsupervised unpaid, work regularly where this work provides an opportunity for contact with children; or
- Engaging in overnight activity, even if this happens only once and regardless of whether they are supervised or not

Existing volunteers

If we have concerns about an existing volunteer and their suitability to work with children, we will carry out all the relevant checks as if the individual was a new volunteer. We will also do this if an individual moves from a post that is not regulated activity to one that is.

We will refer to the DBS anyone who has harmed, or poses a risk of harm, to a child or vulnerable adult where:

- We believe the individual has engaged in relevant conduct; or
- The individual has received a caution or conviction for a relevant offence, or there is reason to believe the individual has committed a listed relevant offence, under the Safeguarding Vulnerable Groups Act 2006 (Prescribed Criteria and Miscellaneous Provisions) Regulations 2009; or
- The 'harm test' is satisfied in respect of the individual (i.e. they may harm a child or vulnerable adult or put them at risk of harm); and

- The individual has been removed from working in regulated activity (paid or unpaid) or would have been removed if they had not left

Executive Committee

All members of the executive committee and supporters will have an enhanced DBS check without barred list information. They will have an enhanced DBS check with barred list information if working in regulated activity.

All members of the exec committee and supporters will also have the following checks:

- Identity
- Right to work in the UK
- Other checks deemed necessary if they have lived or worked outside the UK

APPENDIX 3 – ALLEGATIONS OF ABUSE MADE AGAINST VOLUNTEERS

This section of this policy applies to all cases in which it is alleged that a leader, helper or supporter has:

- Behaved in a way that has harmed a child, or may have harmed a child, or
- Possibly committed a criminal offence against or related to a child, or
- Behaved towards a child or children in a way that indicates he or she would pose a risk of harm to children

It applies regardless of whether the alleged abuse took place in the scouts. Allegations against an adult who is no longer within scouting and historical allegations of abuse will be referred to the police.

We will deal with any allegation of abuse against an adult very quickly, in a fair and consistent way that provides effective child protection while also supporting the individual who is the subject of the allegation.

Our procedures for dealing with allegations will be applied with common sense and judgement.

Suspension

Suspension will not be the default position, and will only be considered in cases where there is reason to suspect that a child or other children is/are at risk of harm, or the case is so serious that it might be grounds for dismissal. In such cases, we will only suspend an individual if we have considered all other options available and there is no reasonable alternative. Based on an assessment of risk, we will consider alternatives such as:

- Redeployment within the district so that the individual does not have direct contact with the child or children concerned
- Providing an assistant to be present when the individual has contact with children
- Redeploying the individual to alternative work in the group so that they do not have unsupervised access to children
- Moving the child or children to groups where they will not come into contact with the individual, making it clear that this is not a punishment and parents have been consulted

Definitions for outcomes of allegation investigations

- Substantiated: there is sufficient evidence to prove the allegation
- Malicious: there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive
- False: there is sufficient evidence to disprove the allegation
- Unsubstantiated: there is insufficient evidence to either prove or disprove the allegation (this does not imply guilt or innocence)
- Unfounded: to reflect cases where there is no evidence or proper basis which supports the allegation being made

Procedure for dealing with allegations

In the event of an allegation that meets the criteria above, the DC/DESC/DSNC/GSL (or County Commissioner where the DC is the subject of the allegation) – the ‘case manager’ – will take the following steps:

- Immediately discuss the allegation with the designated officer at county HQ. This is to consider the nature, content and context of the allegation and agree a course of action, including whether further enquiries are necessary to enable a decision on how to proceed, and whether it is necessary to involve the police and/or children’s social care services. (The case manager may, on occasion, consider it necessary to involve the police before consulting the designated officer – for example, if the accused individual is deemed to be an immediate risk to children or there is evidence of a possible criminal offence. In such cases, the case manager will notify the designated officer as soon

as practicably possible after contacting the police)

- Inform the accused individual of the concerns or allegations and likely course of action as soon as possible after speaking to the designated officer (and the police or children's social care services, where necessary). Where the police and/or children's social care services are involved, the case manager will only share such information with the individual as has been agreed with those agencies
- Where appropriate (in the circumstances described above), carefully consider whether suspension of the individual from contact with children within Scouting is justified or whether alternative arrangements such as those outlined above can be put in place. Advice will be sought from the designated officer, police and/or children's social care services, as appropriate
- If immediate suspension is considered necessary, agree and record the rationale for this with the designated officer. The record will include information about the alternatives to suspension that have been considered, and why they were rejected. Written confirmation of the suspension will be provided to the individual facing the allegation or concern within 1 working day, and the individual will be given a named contact in the district and their contact details
- If it is decided that no further action is to be taken in regard to the subject of the allegation or concern, record this decision and the justification for it and agree with the designated officer what information should be put in writing to the individual and by whom, as well as what action should follow both in respect of the individual and those who made the initial allegation
- If it is decided that further action is needed, take steps as agreed with the designated officer to initiate the appropriate action in the Group and/or liaise with the police and/or children's social care services as appropriate
- Provide effective support for the individual facing the allegation or concern, including appointing a named representative to keep them informed of the progress of the case and considering what other support is appropriate.
- Inform the parents or carers of the child/children involved about the allegation as soon as possible if they do not already know (following agreement with children's social care services and/or the police, if applicable). The case manager will also inform the parents or carers of the requirement to maintain confidentiality about any allegations made against adults (where this applies) while investigations are ongoing. Any parent or carer who wishes to have the confidentiality restrictions removed in respect of an adult will be advised to seek legal advice
- Keep the parents or carers of the child/children involved informed of the progress of the case and the outcome, where there is not a criminal prosecution, including the outcome of any disciplinary process (in confidence)

Make a referral to the DBS where it is thought that the individual facing the allegation or concern has engaged in conduct that harmed or is likely to harm a child, or if the individual otherwise poses a risk of harm to a child

Timescales

- Any cases where it is clear immediately that the allegation is unsubstantiated or malicious will be resolved within 2 weeks
- If the nature of an allegation does not require formal disciplinary action, we will institute appropriate action within 3 weeks
- If a disciplinary hearing is required and can be held without further investigation, we will hold this within 3 weeks

Specific actions

Action following a criminal investigation or prosecution

The case manager will discuss with the County's designated officer whether any further action, including disciplinary action, is appropriate and, if so, how to proceed, taking into account information provided by the police and/or children's social care services.

Conclusion of a case where the allegation is substantiated

If the allegation is substantiated and the individual is dismissed or the Group ceases to use their services, or the individual

resigns or otherwise ceases to provide their services, the case manager and the DC/GSL/AGSL will discuss with the designated officer whether to make a referral to the DBS for consideration of whether inclusion on the barred lists is required.

Individuals returning to scouts after suspension

If it is decided on the conclusion of a case that an individual who has been suspended can return to scouts, the case manager will consider how best to facilitate this.

The case manager will also consider how best to manage the individual's contact with the child or children who made the allegation, if they are still attending the group.

Unsubstantiated or malicious allegations

If an allegation is shown to be deliberately invented, or malicious, the DC, or other appropriate person in the case of an allegation against the DC will consider whether any disciplinary action is appropriate against the scout(s) who made it, or whether the police should be asked to consider whether action against those who made the allegation might be appropriate, even if they are not a scout.

Confidentiality

The group will make every effort to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated or considered.

The case manager will take advice from the County's designated officer, police and children's social care services, Scout HQ as appropriate, to agree:

- Who needs to know about the allegation and what information can be shared
- How to manage speculation, leaks and gossip, including how to make parents or carers of a child/children involved aware of their obligations with respect to confidentiality
- What, if any, information can be reasonably given to the wider community to reduce speculation
- How to manage press interest if, and when, it arises

Record-keeping

The case manager will maintain clear records about any case where the allegation or concern meets the criteria above and store them on the individual's confidential personnel file for the duration of the case. Such records will include:

- A clear and comprehensive summary of the allegation
- Details of how the allegation was followed up and resolved
- Notes of any action taken and decisions reached (and justification for these, as stated above)

If an allegation or concern is not found to have been malicious, the scouts will retain the records of the case on the individual's confidential personnel file and provide a copy to the individual.

Where records contain information about allegations of sexual abuse, we will preserve these for the Independent Inquiry into Child Sexual Abuse (IICSA), for the term of the inquiry. We will retain all other records at least until the individual has reached normal pension age, or for 10 years from the date of the allegation if that is longer.

The records of any allegation that is found to be malicious will be deleted from the individual's personnel file.

References

When providing employer references, we will not refer to any allegation that has been proven to be false, unsubstantiated or malicious, or any history of allegations where all such allegations have been proven to be false, unsubstantiated or malicious.

Learning lessons

After any cases where the allegations are substantiated, we will review the circumstances of the case with the designated officer to determine whether there are any improvements that we can make to the group's procedures or practice to help prevent similar events in the future.

This will include consideration of (as applicable):

- Issues arising from the decision to suspend the member of volunteers
- The duration of the suspension
- Whether or not the suspension was justified
- The use of suspension when the individual is subsequently reinstated. We will consider how future investigations of a similar nature could be carried out without suspending the individual

APPENDIX 4 – specific safeguarding issues

The Scout Association will adhere to the advice in annex A of Keeping Children Safe in Education and locally agreed procedures. We will adopt the factsheets from the Safeguarding Training Centre to increase understanding relating to safeguarding issues and how to deal with them.

Child sexual exploitation

Child sexual exploitation (CSE) is a form of child sexual abuse that occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child into sexual activity in exchange for something the victim needs or wants, and/or for the financial advantage or increased status of the perpetrator or facilitator.

This can involve violent, humiliating and degrading sexual assaults, but does not always involve physical contact and can happen online. For example, young people may be persuaded or forced to share sexually explicit images of themselves, have sexual conversations by text, or take part in sexual activities using a webcam.

Children or young people who are being sexually exploited may not understand that they are being abused. They often trust their abuser and may be tricked into believing they are in a loving, consensual relationship.

If an adult suspects CSE, they will discuss this with the DSL. The DSL will trigger the local safeguarding procedures, including a referral to the local authority's children's social care team and the police, if appropriate.

Indicators of sexual exploitation can include a child:

- Appearing with unexplained gifts or new possessions
- Associating with other young people involved in exploitation
- Having older boyfriends or girlfriends
- Suffering from sexually transmitted infections or becoming pregnant
- Displaying inappropriate sexualised behaviour
- Suffering from changes in emotional wellbeing
- Misusing drugs and/or alcohol
- Going missing for periods of time, or regularly coming home late
- Regularly missing school or education, or not taking part in education

So-called 'honour-based' violence (including FGM and forced marriage)

So-called 'honour-based' violence (HBV) encompasses incidents or crimes committed to protect or defend the honour of the family and/or community, including FGM, forced marriage, and practices such as breast ironing.

Abuse committed in this context often involves a wider network of family or community pressure and can include multiple perpetrators.

All forms of HBV are abuse and will be handled and escalated as such. All volunteers will be alert to the possibility of a child being at risk of HBV or already having suffered it. If volunteers have a concern, they will speak to the DSL, who will activate local safeguarding procedures.

FGM

Section 7.3 of this policy sets out the procedures to be followed if a volunteer discovers that an act of FGM appears to have been carried out or suspects that a child is at risk of FGM.

Indicators that FGM has already occurred include:

- A scout confiding in a volunteer that FGM has taken place
- A mother/family member disclosing that FGM has been carried out

- A family/young person already being known to social services in relation to other safeguarding issues

A girl:

- Having difficulty walking, sitting or standing, or looking uncomfortable
- Finding it hard to sit still for long periods of time (where this was not a problem previously)
- Spending longer than normal in the bathroom or toilet due to difficulties urinating
- Having frequent urinary, menstrual or stomach problems
- Avoiding physical exercise or missing PE
- Being repeatedly absent from school, or absent for a prolonged period
- Demonstrating increased emotional and psychological needs – for example, withdrawal or depression, or significant change in behaviour
- Being reluctant to undergo any medical examinations
- Asking for help, but not being explicit about the problem
- Talking about pain or discomfort between her legs

Potential signs that a young person may be at risk of FGM include:

- The girl's family having a history of practising FGM (this is the biggest risk factor to consider)
- FGM being known to be practised in the girl's community or country of origin
- A parent or family member expressing concern that FGM may be carried out
- A family not engaging with professionals (health, education or other) or already being known to social care in relation to other safeguarding issues

A girl:

- Having a mother, older sibling or cousin who has undergone FGM
- Having limited level of integration within UK society
- Confiding to a volunteer that she is to have a "special procedure" or to attend a special occasion to "become a woman"
- Talking about a long holiday to her country of origin or another country where the practice is prevalent, or parents stating that they or a relative will take the girl out of the country for a prolonged period
- Requesting help from a Leader or another adult because she is aware or suspects that she is at immediate risk of FGM
- Talking about FGM in conversation – for example, a girl may tell other children about it (although it is important to take into account the context of the discussion)
- Being unexpectedly absent from Scouts
- Having sections missing from her 'red book' (child health record) and/or attending a travel clinic or equivalent for vaccinations/anti-malarial medication

The above indicators and risk factors are not intended to be exhaustive.

Forced marriage

Forcing a person into marriage is a crime. A forced marriage is one entered into without the full and free consent of one or both parties and where violence, threats, or any other form of coercion is used to cause a person to enter into a marriage. Threats can be physical or emotional and psychological.

Volunteers will receive training around forced marriage and the presenting symptoms. We are aware of the 'one chance' rule, i.e. we may only have one chance to speak to the potential victim and only one chance to save them.

If an adult suspects that a scout is being forced into marriage, they will speak to the scout about their concerns in a secure and private place. They will then report this to the DSL.

The DSL will:

- Speak to the scout about the concerns in a secure and private place
- Activate the local safeguarding procedures and refer the case to the local authority's designated officer
- Seek advice from the Forced Marriage Unit on 020 7008 0151 or fm@fco.gov.uk

Preventing radicalisation

Radicalisation refers to the process by which a person comes to support terrorism and forms of extremism. Extremism is vocal or active opposition to fundamental British values, such as democracy, the rule of law, individual liberty, and mutual respect and tolerance of different faiths and beliefs.

All volunteers within Scouting have a duty to prevent children from being drawn into terrorism. The DSL will undertake Prevent awareness training and make sure that volunteers have access to appropriate training to equip them to identify children at risk.

There is no single way of identifying an individual who is likely to be susceptible to an extremist ideology. Radicalisation can occur quickly or over a long period.

- Adults will be alert to changes in young person's behaviour.
- The government website Educate Against Hate and charity NSPCC say that signs that a young person is being radicalised can include:
 - Refusal to engage with, or becoming abusive to, peers who are different from themselves
 - Becoming susceptible to conspiracy theories and feelings of persecution
 - Changes in friendship groups and appearance
 - Rejecting activities they used to enjoy
 - Converting to a new religion
 - Isolating themselves from family and friends
 - Talking as if from a scripted speech
 - An unwillingness or inability to discuss their views
 - A sudden disrespectful attitude towards others
 - Increased levels of anger
 - Increased secretiveness, especially around internet use
 - Expressions of sympathy for extremist ideologies and groups, or justification of their actions
 - Accessing extremist material online, including on Facebook or Twitter
 - Possessing extremist literature
 - Being in contact with extremist recruiters and joining, or seeking to join, extremist organisations

Children who are at risk of radicalisation may have low self-esteem, or be victims of bullying or discrimination. It is important to note that these signs can also be part of normal teenage behaviour – adults should have confidence in their instincts and seek advice if something feels wrong.

If adults are concerned about a young person, they will follow our procedures set out in section 7.5 of this policy, including discussing their concerns with the DSL.

Adults should always take action if they are worried.