

DRAFT

## The Long Distance Walkers Association

### Safeguarding Children and Young People: Policy and Procedures

The Long Distance Walkers Association is committed to creating and maintaining a safe and positive environment. We accept our responsibility to safeguard the welfare of all children and young people involved in long distance walking, in accordance with relevant legislation

|     |   |    |
|-----|---|----|
| 1   | Introduction .....  | 3  |
| 2   | Context.....  | 3  |
| 3   | Principles and values.....  | 4  |
| 4   | Guidance and legislation .....  | 5  |
| 5   | Prevention and good practice guidelines .....   | 5  |
| 6   | Designated persons.....   | 6  |
| 7   | Responding to accidents or incidents.....   | 6  |
| 7.1 | Responding to alleged or suspected abuse .....  | 6  |
| 7.2 | Role of local safeguarding representative.....  | 7  |
| 7.3 | Allegations of harm or abuse by LDWA members.....   | 8  |
| 8   | Confidentiality and sensitivity.....  | 8  |
| 9   | Well being of members .....   | 8  |
| 10  | Relevant policies.....  | 8  |
| 11  | Review and publicity .....  | 8  |
|     | Appendix A.....   | 10 |
|     | Relevant legislation .....  | 10 |
|     | Other guidance and legislation.....   | 11 |
|     | Appendix B.....   | 12 |
|     | Types of abuse (from ‘Working Together to Safeguard Children’ 2006) .....                     | 12 |
|     | Signs and indicators of abuse.....  | 13 |
|     | Appendix C.....   | 14 |
|     | Relevant organisations.....   | 14 |
|     | Appendix D.....   | 15 |
|     | Form A: Reporting of disclosure or witnessing of signs of abuse of child or young person..... | 16 |
|     | Form B: Reported disclosure or witnessing of abuse of child or young person .....             | 18 |

# 1 Introduction

The Long Distance Walkers Association (LDWA) is a national organisation that exists to further the interests of people who enjoy long distance walking. It is constituted as a company limited by guarantee, and members of the national committee are directors of the company. The national committee are nominated and elected annually by the Association's members. There are no salaried employees.

Whilst membership of the LDWA is of the national Association, the LDWA operates principally through some 43 semi-autonomous Local Groups, each of which has its own organising committee of volunteers governed by a local constitution. Local Groups organise programmes of social walks, challenge events, and social events.

The Long Distance Walkers Association acknowledges the duty of care to safeguard and promote the welfare of children and young people and is committed to ensuring safeguarding practice reflects statutory responsibilities, any government guidance and complies with best practice.

The LDWA values and encourages the involvement of all walkers in its activities. Through this Policy the LDWA is committed to promoting enjoyment of long distance walking and safeguarding the health, safety and general welfare of children and young people while in the company or care of LDWA volunteers or members.

The purpose of this Policy is to describe the LDWA's responsibility with regard to safeguarding, and to detail the procedures to be followed in the event that any form of abuse of a child or young person is observed or suspected. It applies to all individuals involved in the LDWA.

The LDWA will support anyone who, in good faith, reports his or her concerns that a child or young person is at risk of being, or may actually be abused. All suspicions and allegations of abuse will be taken seriously and responded to swiftly and appropriately, and handled with appropriate sensitivity.

This Policy is mandatory for all LDWA members, whether in a volunteer role or as ordinary members. It also applies to guests of the LDWA on social walks, challenge events or on social events.

## 2 Context

The circumstances in which members of the LDWA, acting on behalf of the LDWA, might come into contact with children and young people are limited. The LDWA is not a sporting body that coaches, teaches or otherwise cares for people in a sporting context, and none of the LDWA's volunteers take on such roles on behalf of the Association.

Children and young people are most likely to be involved with the LDWA in the following situations:

- On social walks, when accompanying parents or guardians
- On challenge events and in accordance with the rules prescribed.

Children or young people may accompany parents or guardians who are helping at an event HQ or on an event checkpoint.

Other situations may occur from time to time, and this Policy applies in all cases.

Children and young people under the age of 18 may not participate in LDWA activities unless accompanied by a parent or person who is acting with implied or actual parental consent.

### 3 Principles and values

The LDWA acknowledges the duty of care to safeguard and promote the welfare of children and is committed to ensuring safeguarding practice reflects statutory responsibilities, government guidance and complies with best practice.

The policy recognises that the welfare and interests of children are paramount in all circumstances. It aims to ensure that regardless of age, ability or disability, gender reassignment, race, religion or belief, sex or sexual orientation, socio-economic background, all children:

- have a positive and enjoyable experience of walking activities with the LDWA in a safe and child centred environment
- are protected from abuse whilst participating in walking with the LDWA or outside of the activity.

The LDWA acknowledges that some children, including disabled children and young people or those from ethnic minority communities, can be particularly vulnerable to abuse and we accept the responsibility to take reasonable and appropriate steps to ensure their welfare.

As part of our safeguarding policy the LDWA will:

- promote and prioritise the safety and wellbeing of children and young people
- ensure everyone understands their roles and responsibilities in respect of safeguarding and is helped to recognise, identify and respond to signs of abuse, neglect and other safeguarding concerns relating to children and young people
- ensure appropriate action is taken in the event of incidents/concerns of abuse
- provide support to the individual/s who raise or disclose the concern
- ensure that confidential, detailed and accurate records of all safeguarding concerns are maintained and securely stored
- ensure robust safeguarding arrangements and procedures are in operation.

Accordingly, the LDWA will:

- Provide a friendly welcome and promote the general welfare of all involved in its activities
- Recognise the rights of those at risk of harm as individuals and treat them with dignity and respect.
- Raise awareness of the dangers to which children and young people may be susceptible.
- Develop appropriate procedures for responding to accidents, incidents and alleged or suspected harm.

## 4 Guidance and legislation

The practices and procedures within this policy are based on the principles contained within UK legislation and supporting government guidance. The relevant legislation and guidance is contained in Appendix A

### Definitions

**In law a child** is a person under the age of 18, but this policy document recognises that older children may prefer to be known as young people.

**Abuse** is a violation of an individual's human and civil rights by another person or persons. Abuse and neglect are forms of maltreatment of a child. Somebody may abuse or neglect a child either directly by inflicting harm, or indirectly, by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting; by those known to them; or, more rarely, by a stranger. They may be abused by an adult or adults, or another child or children.

See Appendix B for Guidance on types of abuse, and signs and indicators of abuse

## 5 Prevention and good practice guidelines

**Disclosure and Barring Service:** members of the LDWA, whether acting as volunteers or as ordinary members participating in LDWA organised activities are not in Regulated Activity and as such not required to be checked in order to carry out volunteer duties with the LDWA.

### Good practice guidelines:

LDWA members should:

- Bear in mind that some actions, no matter how well intentioned, may be misinterpreted and leave all parties vulnerable.
- Be alert to any potential harm or inappropriate behaviour
- Respect rights to privacy.
- Provide access for children and young people to discuss any concerns they may have.
- Speak to the LDWA Designated Person if they have concerns about an individual's safety.
- Always work in an open environment (e.g. avoiding private or unobserved situations and encouraging everyone else to work in an open environment).
- Treat all children and young people equally, and with respect and dignity.
- Always put the welfare of each child or young person first, before achieving goals.
- Involve parents/carers wherever possible (e.g. for the responsibility of their children in changing rooms).
- Give enthusiastic and constructive feedback rather than negative criticism.
- Recognise the developmental needs and capacity of children and young people - avoiding excessive training and not pushing them against their will.
- Secure parental consent in writing to act in loco parentis, if the need arises to give permission for the administration of emergency first aid and/or other medical treatment.
- Keep a written record of any injury that occurs, along with the details of any treatment given, in accordance with LDWA accident and injury procedures
- Request written parental consent if LDWA members are required to transport young people in their cars.

- Exercise care when referring to young or vulnerable persons in any published material, either printed or on the internet. This includes event reports, newsletter articles, etc. Particular care is required when publishing photographs of individual children, for which parental consent should be obtained.
- Share concerns on any matter relating to actual or suspected abuse with the appropriate LDWA representative

LDWA members should not:

- Permit abusive behaviour by others or engage in it themselves
- Be alone for substantial periods of time with a child or young person. If this is unavoidable through emergency or other event, then this should be with the knowledge of another LDWA member.
- Allow or engage in suggestive remarks, gestures or touching of a kind which may be misunderstood or unwelcome
- Use language which may be regarded as hurtful or disrespectful
- Let any allegations made by a child or young person go uninvestigated, unrecorded or otherwise not acted upon

## 6 Designated persons

At National Committee level, the Designated Safeguarding Officer has responsibilities which include review and maintenance of this Safeguarding Policy, providing advice and guidance to Local Groups on Safeguarding issues, monitoring any incidents that are reported by Local Groups, and ultimately ensuring that appropriate action has been taken by the LDWA on any reported incidents of abuse.

At National Committee level, the Designated Safeguarding Officer is the Chair of the National Executive Committee of the LDWA.

At Local Group level, the appropriate local safeguarding representative is the Chair of the Local Group.

## 7 Responding to accidents or incidents

In the event of an accident to a child or young person, the relevant accident reporting procedures should be followed.

### ***7.1 Responding to alleged or suspected abuse***

Members who become aware that abuse or poor practice is taking place, or who have been told about something that might be abuse or poor practice must report this to the Chair of their Local Group, who will act as the local Safeguarding representative, using the Pro Forma (see Appendix D), with a copy to the organisation's Designated Safeguarding Officer.

In the event that the appropriate local representative is not available, or it is not appropriate to involve them, then concerns about or reports of safeguarding issues should be notified directly to the National Designated Safeguarding Officer.

If it appears that someone is in immediate danger, then the police should be contacted at once.

If a child or young person wishes to talk about harm, then it is essential that the LDWA member or volunteer:

- Listens carefully, keeping calm and looking at them directly
- Avoids questioning and does not push for information
- Does not promise that no-one else will be told
- Lets them know that in order to help someone else must be told
- Reassures that they are not to blame, are right to talk and what they say is accepted
- Remains aware that they may have been threatened
- Lets them know what will happen next and undertakes to advise about the outcome

The LDWA member or volunteer must:

- Write down accurately what the person has said, using the child or young person's own words as much as possible, either at the time or as soon as possible afterwards
- Describe the circumstances in which the disclosure came about
- Take care when recording to distinguish between fact, allegation, observation and opinion.
- Be mindful of the need for confidentiality at all times, with the information being shared only with the local safeguarding representative or National Designated safeguarding Officer and others only on a strictly need to know basis.
- Complete the proforma and send to the local Safeguarding Representative, or as necessary the National Designated Safeguarding Officer
- If a Pro Forma is not readily available, then notes should include:
  - date and time of the alleged incident or disclosure
  - The parties involved
  - what was alleged
  - action taken

Records should be as accurate as possible as they may be invaluable to any investigation and used as evidence in court. All handwritten notes should therefore be kept safely and securely, both when the Pro Forma is completed at once, or at a later date.

The LDWA member should not:

- Act alone
- Start to investigate
- Make assumptions about the people involved

Guidance on storage and keeping of records is obtainable at '*Child protection records retention and storage guidelines*' (NSPCC June 2018)

<https://www.nspcc.org.uk/globalassets/documents/information-service/child-protection-records-retention-and-storage.pdf>

## **7.2 Role of local safeguarding representative**

The local safeguarding representative (or the National Designated Safeguarding Officer, if appropriate) must inform and liaise with the relevant authorities (Local Authority Children's Services or Police, for the area in which the child or young person lives).

### **7.3 Allegations of harm or abuse by LDWA members**

Where it is suspected that a member may be involved in the abuse, other members should let the appropriate LDWA safeguarding representative know as soon as possible. The member concerned should be removed immediately from access to children and young people, but be assured that no presumptions have been made and that the allegation will be fully investigated by the relevant authorities. Where it is suspected or alleged that the Chair of the Local Group may be involved in the abuse, members should let the National Designated Safeguarding Officer know as soon as possible.

## **8 Confidentiality and sensitivity**

When dealing with personal and emotive details of this nature, confidentiality must be maintained at all times since the allegations or suspicions may prove to be unfounded. Notes and records should be kept in a secure place and shared only with those who need to know about the incident or allegation.

A sensitive approach should be taken with the accused to explain why an investigation has to take place and to reassure them that the matter will be handled discreetly and even-handedly by the LDWA

No assumptions of guilt should be made unless and until an actual finding has been obtained in any proceedings. Impartial contact will be maintained by a nominated LDWA committee member during this process.

## **9 Well being of members**

Being involved in reporting disclosures or allegations of abuse can be distressing for the person involved. Members concerned may wish to speak to a professional for reassurance: NSPCC Helpline-0800 800 5000

## **10 Relevant policies**

- Articles of Association of the LDWA
- By Laws of the Association
- Grievance Procedure-Guidelines

## **11 Review and publicity**

This Policy and related Procedures have been adopted by the National Committee. They will be reviewed every 3 years, or whenever there is a major change in the organisation, or in relevant legislation.

On an annual basis, the National Committee will review the number of recorded incidents, allegations or complaints, and make changes to the Policy and Procedures where relevant.

The Policy and Procedures will be circulated through the Local Groups' secretaries to all Local Groups, who will be asked to formally endorse it and make it available to members locally.

The Policy and Procedures will be published on the LDWA website, with clear links from the home page, and attention will be drawn to the adoption of the Policy and Procedures in the LDWA's publication, Strider.

## **Appendix A**

### ***Relevant legislation***

#### **Children and Young Persons Act 1933**

Provisions relating to prevention of cruelty to children and exposing them to moral and physical danger

#### **The Children Act 1989**

Currently provides the legislative framework for child protection in England and Wales. Key principles established by the act include:

- the paramount nature of the child's welfare
- the expectations and requirements around duties of care to children.

#### **Children (Scotland) Act 1995**

This act provides the legislative framework for Scotland's child protection system. It sets out:

- parental responsibilities and rights, and
- duties and powers public authorities have to support children and intervene if there are concerns about a child.

#### **Children Act 2004**

Strengthens 1989 legislation. Establishes accountability and partnership framework. Part Three applies solely to Wales

#### **Protection of Children Act 1978(as amended),**

Prohibitions on the taking, making, circulation, and possession with a view to distribution of any indecent photograph or pseudo photograph of a child

#### **Protection of Freedoms Act 2012**

Established the Disclosure and Barring service and amended some of the provisions relating to vulnerable groups, changed scope of 'regulated' activity and abolished 'controlled' activity.

#### **Domestic Violence, Crime and Victims (Amendment) Act 2012**

Created new offence of causing or allowing the death of a child or vulnerable adult

#### **Equality Act 2010**

Replaced all existing anti discrimination legislation such as sex and race discrimination and disability discrimination

## Safeguarding Vulnerable Groups Act 2006 and Protection of Vulnerable Groups (Scotland) Act 2009

Introduced the new Vetting and Barring Scheme and the role of the Independent Safeguarding Authority. The Act places a statutory duty on all those working with vulnerable groups to register and undergo an advanced vetting process with criminal sanctions for non-compliance.

## Sexual Offences Act 2003

The Sexual Offences Act introduced a number of new offences concerning adults at risk and children.

## Data Protection Act 2018

## Serious Crime Act 2015

Introduced new offence of controlling or coercive behaviour in intimate or familial relationships

## *Other guidance and legislation*

### **Disclosure & Barring Service 2013**

Criminal record checks: guidance for employers - how employers or organisations can request criminal records checks on potential employees from the Disclosure and Barring Service (DBS).

<https://www.gov.uk/dbs-update-service>

### **Baroness Grey-Thompson: 'Duty of Care in Sport: Independent report to Government' 2017**

<https://www.gov.uk/government/publications/duty-of-care-in-sport-review>

**Working Together to Safeguard Children 2018: A guide to inter-agency working to safeguard and promote the welfare of children (HM Gov)**

**National Guidance for Protection of Children in Scotland 2014 (Scottish Government)**

## Appendix B

### *Types of abuse (from 'Working Together to Safeguard Children' 2006)*

**Physical abuse:** may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child or failing to protect a child from that harm. 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 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 feature age- or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond the child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of others.

**Sexual abuse:** Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, including prostitution, whether or not the child is aware of what is happening. The activities may involve physical contact including both penetrative or non-penetrative acts such as kissing, touching or fondling the child's genitals or breasts, vaginal or anal intercourse or oral sex. They may include non-contact activities, such as involving children in looking at, or in the production of, pornographic material or watching sexual activities, 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 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 and clothing; shelter, including exclusion from home or abandonment; failing to protect a child from physical and emotional harm or danger; failure to ensure adequate supervision including the use of inadequate care-takers; or the failure to ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

**Bullying:** Bullying may be defined as deliberately hurtful behaviour, usually repeated over a period of time, where it is difficult for those bullied to defend themselves. It can take many forms, but the three main types are physical (e.g. hitting, kicking, theft), verbal (e.g. racist or homophobic remarks, threats, name calling) and emotional (e.g. isolating an individual from the activities and social acceptance of their peer group)

### *Also relevant for safeguarding children and young people:*

**Discrimination:** abuse which centres on a difference or perceived difference with respect to race, disability or gender or any of the protected characteristics of the Equality Act

**Cyber bullying:** repeatedly making fun of another person online, or repeatedly picking on another through emails or text messages, or uses online forums with the intention of harming, damaging, isolating or humiliating another.

**Forced marriage:** term used to describe a marriage in which one or both parties are married without their consent or against their will. [ref. Antisocial Behaviour, Crime and Policing Act 2014]

**Radicalisation:** attracting people to own reasoning, inspiring new recruits and embedding extreme views; persuading vulnerable individuals of the legitimacy of their cause, either directly or through social media.

### ***Signs and indicators of abuse***

Abuse can take place in any context and by all manner of perpetrator. Children and young people may be abused by someone within the organisation; group members and other volunteers may become aware that abuse or neglect is happening outside the setting of the LDWA.

Recognising child abuse is not easy. It is not the responsibility of an individual member to decide whether or not child abuse has taken place or if a child is at significant risk of harm from someone. Individuals do however, have both a responsibility and duty to act, as set out in this policy and procedure, in order that the appropriate agencies can investigate and take any necessary action to protect a child.

The following publication offers help in learning about the signs and symptoms of abuse: *'Definitions and signs of abuse'* NSPCC Fact Sheet December 2017:

<https://www.nspcc.org.uk/globalassets/documents/information-service/definitions-signs-child-abuse.pdf>

## Appendix C

### *Relevant organisations*

Child and young person safeguarding contact points:

- Local Authority: Children's Services. Multi Agency Safeguarding Hubs (MASH)
- Police: Child Protection units
- NSPCC: Child Protection In Sport Unit <http://thecpsu.org.uk/>
- Forced Marriage Unit-<https://www.gov.uk/guidance/forced-marriage>

## Appendix D

### Proformas for reporting incidents of suspected or alleged abuse or harm.

- Form A: to be completed by the person receiving a disclosure or witnessing signs of abuse
- Form B: to be completed by Chair of Local Group, acting as safeguarding representative

**Form A: Report of disclosure or witnessing signs of abuse of child or young person**

**CONFIDENTIAL**

|   |            |              |             |             |
|---|------------|--------------|-------------|-------------|
| <b>Full name of person disclosing or showing signs of abuse</b>   |            |              |             |             |
| <b>Age and date of birth (if known)</b>   | <b>Day</b> | <b>Month</b> | <b>Year</b> |             |
|   |            |              |             |             |
| <b>Gender</b>   |            |              |             |             |
| <b>Address (if known)</b>   |            |              |             |             |
| <b>Full name of the person with parental responsibility, their relationship to child or young person, and address (if different from address above)</b> |            |              |             |             |
| <b>Date and time of disclosure or when signs of abuse witnessed</b>   | <b>Day</b> | <b>Month</b> | <b>Year</b> | <b>Time</b> |
|   |            |              |             |             |
| <b>Describe the circumstances which led to the disclosure, or the concern about possible abuse</b>  |            |              |             |             |
| <b>Record of what was said (in person's own words) or the signs of abuse seen</b>   |            |              |             |             |
| <i><b>NB in addition, attach any original handwritten notes</b></i>   |            |              |             |             |

|   |               |
|---|---------------|
|   |               |
| <b>Was there any other witness? If so, give name, address and status (e.g. whether member of LDWA, supporter, relative etc)</b> |               |
| <b>Have they provided a report?</b>   | <b>Yes/no</b> |
| <b>Comments or observations by person completing this form</b>  |               |
| <b>Name of person completing form</b>   |               |
| <b>Phone number and address</b>   |               |
| <b>Name of Local Group</b>  |               |
| <b>Signature</b>  |               |
| <b>Dated</b>  |               |

Form A should be passed as soon as possible to the Chair of the Local Group. Where this is not appropriate, then the form is to be sent directly to the National Designated Safeguarding Officer

**Form B: Report of disclosure or witnessing of abuse of child or young person**

**To be completed by LDWA safeguarding representative**

**CONFIDENTIAL**

|  |            |              |             |
|--|------------|--------------|-------------|
| <b>Name and status of representative (e.g. Chair of Local Group)</b>   |            |              |             |
| <b>Phone number and address</b>  |            |              |             |
| <b>Date and time Form A received</b>   | <b>Day</b> | <b>Month</b> | <b>Year</b> |
|  |            |              |             |
| <b>Action taken: in particular note any referral to Local Authority, police, with date and any outcome known directly.</b> |            |              |             |
| <b>Signature</b>   |            |              |             |
| <b>Dated</b>   |            |              |             |

**Attach Form A and any hand written notes to Form B and send to National Designated Safeguarding Officer**