



HEREFORD UNITED SUPPORTERS' TRUST

Safeguarding Policy

1. INTRODUCTION

1.1 Hereford United Supporters' Trust (HUST) is committed to ensuring a safe and supportive environment exists for all members, associates, partners, participants, public, stakeholders and volunteers. HUST recognises there are circumstances in which children, young people and vulnerable adults will interact with them.

1.2 This Policy sets out the HUST approach to safeguarding children, young people & vulnerable adults and establishes guidance & procedures in relation to HUST activities or areas of perceived risk. The term 'safeguarding' may be defined as 'arrangements to take all reasonable measures to ensure that risks to the welfare of children and vulnerable adults are minimised.'

1.3 The Policy reflects the principles of UK legislation, guidance and best practice, including the government's *Every Child Matters* agenda with the aim of ensuring every child achieves their full potential. The policy also fits with the HUST strategic vision and mission to be inclusive, support social justice and to develop an ethos befitting a community benefit society.

1.4 HUST shall designate a Principal Safeguarding Officer (PSO) and who will have the responsibility for the implementation of Policy therein. It is expected that the PSO will develop detailed Safeguarding Procedures in conformity with this Policy in consultation with the Chair of the HUST Board.

1.5 The Policy will be disseminated, and training will be provided as appropriate.

1.6 The Policy will be reviewed every three years and on an 'as needs' basis; for example, HUST will act in accordance with the law and respond to the Disclosure and Barring Service (DBS) Code of Practice and any other best practice recommendations issued from time to time.

1.7 The key principles are:

- i. The welfare of the child, young person or vulnerable adult is the paramount consideration.
- ii. Confidentiality will be maintained, except where there is a potential risk to the health and welfare of an under 18 or vulnerable adult.
- iii. All children, young people and vulnerable adults, regardless of age, disability, gender, racial or ethnic origin, religious belief or sexual orientation have a right to protection from harm or abuse.

2. Scope of the Policy

2.1 The Policy, along with associated guidance and procedures, applies to all HUST activities involving children and young people under the age of 18 and vulnerable adults. The Policy applies to all members, associates, partners, participants, public stakeholders and volunteers who interact with children and vulnerable adults as part of their involvement or engagement with HUST.

2.2 Where it is necessary to make the distinction, the expression 'young people' refers to children aged 16 or 17.

2.3 A vulnerable adult is a person aged over 18 who is or maybe unable to take care of him / herself or is unable to protect him or herself from significant harm or serious exploitation. This may be a longer term or short-term temporary situation.

For example, a vulnerable adult may be a person who:

1. Has a physical or sensory disability
2. Is physically frail or has a chronic illness
3. Has a mental illness or dementia
4. Has a learning disability
5. Has social or emotional problems
6. Exhibits challenging behaviour
7. Has an alcohol or drug dependency

2.4 HUST has certain legal powers and duties to safeguard children and vulnerable adults under the Children Acts of 1989 and 2004, and Health and Safety at Work Act 1974. In addition, and where role holders are in a position of trust regarding children and vulnerable adults with whom they come into contact, an improper relationship with a child or vulnerable adults in such circumstances is likely to constitute an abuse of trust offence under the Sexual Offences Act 2003. HUST also has powers under the Rehabilitation of Offenders Act 1974 to inquire as to the criminal records history of role holders to assess any risk to children or vulnerable adults.

3. Areas of risk: HUST activities that may involve contact with children or vulnerable adults

3.1 There are several activities undertaken or facilitated by HUST which bring children or vulnerable adults into contact with HUST role holders. For example, the following are activities, representing areas of risk:

- i. Organised activities
- ii. Outreach activities (volunteering)
- iii. Children or vulnerable adults travelling on the Official Supporters Coach
- iv. Children or vulnerable adults attending and/or participating in a HUST activity or event: sporting, other recreational or social purposes

4. Safeguarding Procedures

4.1 HUST recognises its responsibilities to safeguard the welfare of children and vulnerable adults and to work closely with statutory and voluntary agencies (e.g. Social Services, Police, Local Safeguarding Children Board and Local Safeguarding Adults Board, and the NSPCC) to ensure children and vulnerable adults are not put at risk of harm or abuse. HUST also recognises that harm or abuse can take different forms and may be physical, emotional or may arise through neglect.

4.2 HUST has developed Safeguarding Procedures including a flow chart (see Appendix 1) which set out the processes by which members and role holders may report concerns about the welfare of a child or vulnerable adult. The Procedures also establish individuals within HUST responsible for responding to safeguarding concerns and liaising with the appropriate agencies.

5. Best practice for safeguarding with children or vulnerable adults

5.1 The Statement at Appendix 2 provides examples of behaviours towards children or vulnerable adults which are appropriate. The principles in the Statement are intended to safeguard children and vulnerable adults from harm. They are also intended to ensure that HUST role holders are not put in a position whereby their integrity may be questioned.

6. Involvement of parents and guardians

6.1 HUST recognises the importance of ensuring parents or guardians are aware of the activities and risks their children or vulnerable adults may encounter when engaged in HUST activities. In some circumstances parental consent will have to be obtained before an organised activity involving children or vulnerable adults can be undertaken.

6.2 HUST cannot take responsibility for ensuring the welfare of children or vulnerable adults who are involved in an HUST activity or event without its knowledge.

7. Criminal Records: Disclosure and Barring Service (DBS)

7.1 Where HUST role holders and external stakeholders are likely to have substantial unsupervised contact with children or vulnerable adults; HUST will take a proportionate approach and may require them to disclose any criminal records by being subject to a Disclosure and Barring Service (DBS) check at the appropriate level. Sensitive personal information will be treated carefully and confidentially.

7.2 As a minimum, HUST will undertake DBS checks in relation to roles, paid or unpaid, which involve regularly supervising or being in sole charge of children or vulnerable adults; this is defined as 'regulated activity'. For example, a regulated activity includes:

8. Supervising or training.
9. Providing advice and guidance.
10. Driving a vehicle used for conveying children or vulnerable adults.

7.3 A regulated activity does not include the following:

11. Activity conducted during a family or personal relationship between friends involving no commercial considerations.
12. A volunteer or helper who is part of a peer group under the direction of a person who is engaged in regulated activity.

8. Health and Safety

8.1 Children or vulnerable adults are prohibited from entering areas which present hazards unless attending an authorised activity. Such areas are designated 'out of bounds' unless otherwise identified. However, if there is any doubt, advice should be sought from the Secretary or the Chair of the HUST Board. Any incident or accident must be reported as soon as possible.

9. Risk assessments for organised activities

9.1 For organised activities where role holders are in attendance, the host institution or provider must complete its own risk assessment and take its own safeguarding steps. However, a risk assessment must be completed, and the HUST insurers informed by the organisers of any activity specifically intended for children or vulnerable adults.

Appendix 1: Safeguarding Procedures

A. Introduction

1. HUST recognises that abuse or risk of harm may take different forms (for example, physical, sexual or emotional, or neglect, bullying or intimidation) and individuals may have different perceptions of what constitutes harm or abuse. These procedures establish a mechanism whereby concerns about welfare or risk of harm may be addressed quickly and appropriately.

2. As far as is possible the confidentiality of all individuals involved in safeguarding concerns will be respected. However, there will be circumstances when it is necessary for a Safeguarding Officer to share information with third parties such as the local authority, social services, police, parents or guardians.

Safeguarding Officers

3. HUST has a trained designated Principal Safeguarding Officer (PSO).

4. The PSO has responsibility for responding to any safeguarding concerns raised. He/she will receive training and guidance for this role. The PSO will be the focal point for safeguarding questions and will provide advice and guidance:

13. If during their work they believe a child, young person or vulnerable adult may be at risk of harm.

14. If they are informed by a child, young person or vulnerable adult of a welfare issue.

5. The nominated PSO is responsible for ensuring all role holders are identified and made aware of the Safeguarding Policy, Procedures and Structure and what is required of them, and that they receive appropriate training.

B. Procedures for reporting concerns

6. HUST expects all role holders to be alert to any concerns about the welfare of children or vulnerable adults and to report any such concerns, however apparently trivial, to a Principal Safeguarding Officer (PSO). Role holders, members and external stake holders are also expected to co-operate fully with any enquiries by external agencies that may arise from an allegation of abuse. While individual members have the right to report incidents directly to Social Services, where possible they should first consult with the PSO. If the person who first becomes aware of the concern feels it inappropriate to involve a PSO or disagrees with the PSO's view that the matter need not be reported, they should notify the Police or other external agency themselves.

7. The person reporting a concern should make a full note of the facts that gave rise to their concern as soon as is practicable and should immediately give a copy of the notes to the PSO.

8. Concerns must be reported as soon as possible; where a child may be at immediate risk of harm or abuse, a PSO must be notified verbally straight away and a report completed as soon as reasonably practicable thereafter.

9. It is the responsibility of the PSO notified of a concern, to consider the seriousness of the risk or concern and if they deem it appropriate to contact the local authority, Police or other

appropriate statutory or voluntary agencies in accordance with the specific guidance and training they have received. Whether or not notification of Social Services is deemed necessary, the PSO shall in any event notify the Society Board of any other action taken or proposed to be taken arising out of the incident.

10. The PSO will be responsible for ensuring the child is in a safe environment until the appropriate local agencies have become involved. Where appropriate the PSO will reassure the child concerned of the process underway, and if appropriate ascertain any relevant information. However, the PSO should only ask questions of the child that are necessary to clarify if the child is alleging that abuse has actually taken place.

11. If the incident or information involves an allegation against a role holder, the PSO will notify the HUST Board. The person or persons concerned will be offered the opportunity to receive appropriate advice or support.

C. Advice on reacting to suspicions or disclosures

What to do	What not to do
Stay calm.	Do not panic or over-react. It is unlikely that the child is in immediate danger.
Listen, hear and take it seriously.	Do not probe for more information. Inappropriate questioning may affect how the child's or vulnerable adult's disclosure is received later.
Give time to allow the child or vulnerable adult to say what they want.	Do not make assumptions, do not paraphrase or offer alternative explanations.
Reassure and explain that they have done the right thing in telling.	Do not promise confidentiality or to keep secrets or that everything will be OK (it may not be).
Act immediately in accordance with the procedure in this Policy.	Do not try to deal with the matter yourself.
Make a written record of what was said as soon and as accurately as possible.	Do not make negative comments about any alleged abuser.
Report to the lead member of staff and/or the Child Protection Officer.	Do not "gossip" with colleagues about what has been said to you.
Record your report.	Do not make a child repeat a story unnecessarily.

E. Safeguarding Policy – Incident Report Form

DETAILS OF INCIDENT

Date of incident:

Time of incident:

Where the incident occurred:

Briefly describe the circumstances of the incident (including names of parties involved):

DETAILS OF CHILD / VULNERABLE ADULT/ INJURED PARTY (IF APPLICABLE)

Full name: Address:

Home telephone number: Mobile telephone number:

Sex:

Date of birth:

Nature of injury:

Comments or explanation given by child:

Name and contact details of any witnesses:

Initial action taken:

DETAILS OF PERSON COMPLETING REPORT

Name & contact details:

Signature

Date.....

Appendix 2: Statement of Best Practice

Introduction

HUST expects all role holders, members and stakeholders to act in an exemplary manner towards children and vulnerable adults with whom they come into contact, and to ensure that their behaviour does not give rise to questions about their integrity or to allegations of abuse. While not representing an exhaustive list, this Statement sets out general expectations of behaviour.

HUST role holders, members and stakeholders are referred to as “HUST representatives” throughout this Statement.

Representatives should:

15. Treat everyone with fairness, equality and respect, and not show favouritism to any child or vulnerable adult
16. Be sensitive to a child's or vulnerable adult's appearance, race, culture, religious belief, sexuality, gender or disability
17. Act as a good role model and challenge any unacceptable behaviour towards a child or vulnerable adult from other FSA representatives
18. Report all allegations or suspicions of child abuse using the FSA Safeguarding Procedure
19. Be aware that physical contact with a child or vulnerable adult may be misinterpreted
20. Consider whether contact with a child or vulnerable adult should involve a colleague being present
21. Retain a professional approach to all children and vulnerable adults, including avoiding physical contact with a child or vulnerable adult (unless it is reasonably necessary to do so for health or safety reasons, or teaching and learning), and avoiding inappropriate familiarity or making sexually suggestive comments.

Appendix 3: Guidelines on Disclosure & Barring Service (DBS) Checks

Section 1. What is DBS?

Section 2. Requirement for DBS checks at

Section 3. Information for new applicants

Section 4. Information for existing role holders

Section 1: What is DBS?

1. DBS stands for the Disclosure and Barring Service and it is the organisation that is an executive non-departmental public body of the Home Office. It was formed in 2012 and replaced both the Criminal Records Bureau (CRB) and the Independent Safeguarding Authority (ISA).

2. The DBS is responsible for:

- 22. Processing requests for criminal records checks.
- 23. Deciding whether it is appropriate for a person to be placed on or removed from a barred list.
- 24. Placing or removing people from the DBS children barred list and adult barred list for England, Wales and Northern Ireland.

3. It is the method by which employing organisations can legally ascertain if they can employ people into certain types of roles when they have an old or existing criminal record.

Section 2: Requirement for DBS checks at?

4. HUST will undertake relevant DBS checks, where appropriate, to assist with fair and consistent recruitment decisions.

5. HUST will only undertake DBS checks when it is a requirement of the role as follows:

- 25. If a role appears on the Rehabilitation of Offenders Act Exceptions Order 1975, the applicant may be asked to undergo a standard level of DBS check. Within HUST, this is likely, but not exclusively limited, to apply to certain finance roles.
- 26. If a role involves working on a supervised basis with vulnerable groups undertaking regulated activity, an enhanced level of DBS check is likely to be required of the applicant.
- 27. If a role involves working on an unsupervised basis with vulnerable groups of either adults or children undertaking regulated activity, an enhanced level DBS check with the relevant barring list information is likely to be required of the applicant. HUST will notify the applicant if this is required.

Regulated Activity and the law

6. HUST are only entitled by law to ask the DBS if an individual is barred from working with vulnerable groups if the role involves either regulated activity with children or adults.

7. The role MUST involve:

- 28. Unsupervised activities on a frequent basis; care or supervision, advice or guidance on well-being, or driving a vehicle for children. N.B. such supervision of children must be regular.
- 29. Work in a “specified place” on a frequent basis with opportunity for contact.

Definition of Frequency

8. For regulated activity with children to meet the definition of “frequent” it must be “once a week or more on an ongoing basis or four or more times in a single month or overnight”.

Process

9. HUST will undertake criminal record checks and will therefore approach the DBS to request criminal record information on a role holder or an applicant.

10. HUST uses criteria determined by the DBS to check applicant information to ascertain what level of criminal records check (if any) needs to be undertaken by an individual applying for a particular role.

11. Once HUST has determined that a DBS check is required, the Secretary will communicate with the individual to ensure the relevant paperwork is completed and returned so that the appropriate level of check can be requested. For each disclosure requested:

- 30. If a standard level check is requested this will reveal if an individual has any unspent cautions, convictions, reprimands or final warnings.
- 31. If an enhanced level check is requested this will replicate the information contained within a standard level check, but will also reveal any spent cautions, convictions, reprimands or final warnings.
- 32. If an enhanced level check (with child barring list information) is requested this will replicate the same information as an enhanced level check but will also indicate whether the individual is barred from working with children.

12. DBS checks are carried out at the point of recruitment and will be responsible for determining the level of checks dependent on the role that is being applied for.

Retention and storage of DBS disclosures

13. HUST is committed to the fair and consistent processing, storage and distribution of information in relation to the disclosure of criminal records through the DBS.

14. HUST complies with the DBS code of practice including the secure storage, handling, use, retention and disposal of DBS disclosures and disclosure information, and with its obligations under the Data Protection Act and the new General Data Protection Regulation (GDPR) from May 2018.

15. DBS disclosure information will not be stored on an employee's file but will be stored separately with access limited to those who are entitled to see it.
16. DBS disclosure information will only be used for the specific purpose for which it is requested and for which the applicant's full consent should be obtained.
17. Once a recruitment decision has been made, DBS disclosure information will not be stored for longer than is necessary. It would be reasonable to assume this will be for a period of 6 months.
18. Once the retention period has passed the DBS disclosure information will be destroyed.

Section 3: Information for new applicants

Disclosure of a criminal conviction

19. When an individual is elected or co-opted onto the HUST Board, or an existing member nominated for a new role, they are required to fill out an application or form and will need to declare on this form if they have any unspent criminal convictions.
20. It is HUST policy to require applicants to disclose any "unspent" criminal convictions as part of their application. Under the Rehabilitation of offenders Act 1974 (Exceptions) order 1975 certain roles will require applicants to disclose their criminal convictions even if they are spent.
21. Please note that there are very few roles at HUST where this exception may apply. However, if there is any doubt as to whether an individual is obliged to disclose a conviction, they should refer to the guidance available on www.dbs.gov.uk for further information. Please note that some crimes are so serious that they will never be classed in legislative terms as "spent".
22. Having a criminal record will not necessarily prevent an individual from contributing to HUST. Consideration will be given by the Secretary and Chair of the HUST Board as to the seriousness and significance of the crime and how it impacts on the ability of the individual to be able to fulfil their obligations within the role. However, it is a criminal offence to employ a person in a "regulated position" where they have been barred from working with vulnerable groups.
23. The Secretary will notify the individual if they need to complete a DBS application form so that the relevant check can be carried out.
24. Once a completed application form is received and the relevant supporting documentation is verified, the Secretary will send the form to DBS.
25. The disclosure certificate is sent directly to the individual who must ensure the certificate is produced to the Secretary; and within 28 days of taking up the role.

False declaration or failure to disclose

26. False declaration, failure to declare relevant information regarding convictions or failing to accurately disclose information about a criminal record will be regarded as an extremely serious matter and may lead to the withdrawal of an offer or the Disciplinary Procedure being invoked.

27. If details of a conviction subsequently come to light, a full investigation will take place under the Disciplinary Procedure to consider if the conviction is relevant to the individual's role. This may involve reducing the potential risks involved through reasonable adjustments where this is possible. In the event of a significant risk, which could not be reduced, or if the working relationship is deemed to have irretrievably broken down, termination of employment may be considered.

Appeals

28. If an individual has any reason to dispute information held on a Disclosure they must contact the HUST Secretary or look at the appeal details set out within the letter they will have been sent with their disclosure certificate.

Section 4: Information for existing role holders

Re-Checks

29. All role holders will need to ensure that HUST is kept up to date with any changes to their criminal record history. This information will be kept confidential and on a 'need to know' basis. However, ultimately the Secretary will take responsibility for ascertaining how to utilise the information. A risk assessment will need to be conducted to determine how the information impacts on an individual's ability to undertake the role.

30. A DBS check has no official expiry date and any information included within such a check will be most accurate at the time the certificate is issued. However, HUST roles that require a DBS check will be required to undergo a re-check every 3 years for safeguarding purposes.

False declaration or failure to disclose

31. False declaration, failure to declare relevant information regarding convictions or failing to accurately disclose information about a criminal record will be regarded as an extremely serious matter and may lead to a Disciplinary Procedure being invoked.

32. If details of a conviction come to light, a full investigation will take place under the Disciplinary Procedure to consider if the conviction is relevant to the individual's role. This may involve reducing the potential risks involved through reasonable adjustments. In the event of a significant risk, which could not be reduced, or if the working relationship is deemed to have irretrievably broken down, then termination of role may be considered.

Further Information

33. If you have any queries on the above or would like further information on these guidelines please contact Sarah Hudd - Independent Secretary - in the first instance.