



## **Our Duty of Care**

### **A Policy for Children and Adults**

**Effective for all BES employees, trustees, committee members and others working on behalf of the Society.**

**Overall responsibility:** Board of Trustees

**Implementation:** Chief Executive Officer

**Date Issued:** December 2019

**Review date:** November 2020

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## **Policy statement**

The British Ecological Society believes that no one should experience abuse of any kind and we are committed to practice in a way that protects all our staff, those acting on behalf of the BES, the participants in and beneficiaries of, our activities.

This policy applies to all employees, the board of trustees, volunteers, agency staff or anyone else working on behalf of the British Ecological Society.

The purpose of this policy is to outline how we fulfil our duty of care and seeks:

- to protect from harm children, young people and all adults who engage with the British Ecological Society's programmes.
- to provide staff and volunteers with the overarching principles that guide our approach to our duty of care.

## **The terms we use**

**Duty of care:** is a term we use for how we intend to keep safe from harm, discrimination and unfair treatment all individuals, staff, volunteers, participants and beneficiaries interacting with and on behalf of the Society in any capacity regardless of age.

**Safeguarding:** within this document safeguarding is used in reference to all activities we undertake that might involve or include children and the formal legal frameworks that protect these groups

**Child:** A child or young adult is defined as a person under the age of 18 (The Children Act 1989).

**Adult:** Within the BES an adult is defined as any individual over the age of 18

## **The format of this policy**

This policy is drafted in two parts to reflect the differences in our duty of care to everyone who engages with the Society and the additional processes that safeguard children. This policy covers how we will meet our duties, our common processes and the activities where unique processes are required.

## **Part 1: Duty of care to all staff, volunteers, participants and beneficiaries**

This policy has been drafted using guidance from the Office of the Public Guardian and charity commission guidelines including <https://www.gov.uk/guidance/safeguarding-duties-for-charity-trustees>

Our duty of care extends to children and is additional to the legal safeguarding policies and frameworks (outlined in Part 2)

### **We recognise that:**

- where ever there is an imbalance in power between individuals interacting with each other through the Society, some individuals are more vulnerable to harm and/ or discrimination and may need additional support
- everyone regardless of age, ability, gender, racial heritage, religious belief, sexual orientation or identity, have a right to equal protection from all types of harm or abuse
- some individuals are additionally vulnerable because of the impact of previous experiences, their level of dependency, communication needs or other issues and due consideration is needed to support these individuals
- working in partnership is essential in promoting everyone's physical and mental wellbeing

### **Our duty of care encompasses**

- providing clear guidance on our codes of conduct for events, programmes and activities
- providing effective training and support for our employees and volunteers
- providing clear and confidential reporting lines for anyone who feels they have experienced or are at risk of physical and mental harm, discrimination or unfair treatment
- providing a robust and rigorous processes through which all allegations and reports can be investigated and acted upon
- ensuring fair treatment of all individuals with due regard to their right to confidentiality

**Managing duty of care:** the Society maintains a Duty of Care working group, chaired by a representative of the Board of Trustees. The working group has oversight of all policies and procedures, monitoring and reviewing processes on an annual basis to ensure they are fit for purpose.

- the Society has nominated a safeguarding lead. This individual will have undertaken a higher level of training and will provide training, support and advice to others as required
- the Society will maintain and review annually its list of projects and activities that are high risk (that is those activities where issues are most likely to arise)
- The duty of care working group reports annually to the Board of Trustees any changes in legislation, any amends to this policy, processes and procedures and anonymised reports of duty of care issues that have arisen

**Ensuring duty of care:** anyone who experiences or witnesses duty of care issues/ discrimination/ abuse of any kind should feel empowered to address the incident directly and appropriately, knowing they will have the support of the Society

- any event/programme will have a designated lead staff member who holds responsibility for ensuring that all duty of care requirements are met
- all staff and volunteers involved in these activities will be directed to this policy and duty of care will be embedded within the training provided.
- all staff, volunteers and participants involved in our activities will be issued with a code of conduct appropriate to the event
- communication plans specific to the event and location will be agreed in advance and communicated to all staff and volunteers
- all events should have a duty of care file which includes
  - A copy of this policy,
  - Named first aiders including mental health first aiders
  - All contact details
  - All emergency medical information (specific to summer schools and other residential events)
  - A reporting form for incidents

#### **Identifying duty of care incidents**

- where there is clear or perceived discriminatory behaviours, witnesses should feel empowered to remind individuals of the code of conduct and expected behaviours. Witnesses are encouraged to inform BES staff.
- if there is a suspicion or known risk of self harm to person over 18 then this should be reported to project/ event lead who will notify the duty of care team
- if there is a suspicion or knowledge that an individual is suffering harm or is at risk of harm from others then this should be reported to project/ event lead who will notify the duty of care team
- if an individual has made a clear and serious allegation of physical harm or assault then they should be encouraged and supported to access medical support and report to the police as soon as possible. A report must then be made to the duty of care team through the phone numbers/ emails provided in this policy.

**Reporting duty of care incidents:** Duty of care incidents may be reported by staff internally or may be reported to the Society through the membership, participants and beneficiaries

- duty of care incidents or concerns should be reported to a BES staff member or a manager at the first available opportunity and recorded in written form as soon as possible thereafter
- reports can be made in person or confidentially through [conduct@britishecologicalsociety.org](mailto:conduct@britishecologicalsociety.org)

- all reports are treated confidentially, fairly and will be investigated. Appropriate action will be based on the advice of the duty of care working group
- an anonymised annual report will be produced to monitor and evaluate the effectiveness of reporting lines and duty of care processes
- all serious incidents must be reported to the Charity Commission as they occur with the Duty of Care working group acting as the liaison.

**Supporting those who report, investigate and manage duty of care incidents:**

- all our staff and volunteers are provided with guidance and training on how to respond to duty of care issues and we will aim to ensure staff are as well prepared as they could be
- in the event of an incident we are committed to ensuring the ongoing physical and mental wellbeing of all parties involved and will offer debriefing and/or counselling to all parties
- we will review all incidents to identify where we need to amend our policies and processes
- all individuals whether reporting or reported will be treated fairly, with respect and with due confidentiality

**Allegations against BES staff and BES representatives**

if an allegation has been made against a BES representative or volunteer, the lead staff member should record this, investigate and implement appropriate measures this may include

- any incident that involves physical/sexual harm must be reported to the police immediately who will advise on next steps
- if the incident does not warrant police notification and does not include anyone under the age of 18, then the lead staff member is responsible for ensuring that allegations are taken seriously, they are investigated with due care and consideration given to all individuals involved. Measures may include asking the BES representative or volunteer to leave the event, and where this is not possible separating the individuals concerned
- if an allegation has been made against a BES staff member and does not warrant police notification, the lead staff member should work with the staff member and their line manager to initiate the Society's disciplinary procedure.

**Allegations against other participants or individuals not directly representing the BES**

Where allegations have been made about individuals not directly linked to the BES, reporters are strongly encouraged to share their concerns, either through the outlined reporting channels and more directly with a line manager/Duty of Care team so that we can review our processes and support structures

## **Part 2: Safeguarding children**

### **The Legal framework**

This policy has been drawn up on the basis of law and guidance that seeks to protect children, namely:

- Children Act 1989
- Data Protection Act 1998
- Sexual Offences Act 2003
- Children Act 2004
- Protection of Freedoms Act 2012
- Charity Commission guidelines
- Relevant government guidance on safeguarding children

### **We recognise that:**

- the welfare of the child is paramount, as enshrined in the Children Act 1989
- everyone regardless of age, ability, gender, racial heritage, religious belief, sexual orientation or identity, have a right to equal protection from all types of harm or abuse
- working in partnership is essential in promoting everyone's physical and mental wellbeing.

### **We will seek to keep children safe by:**

- adopting child protection practices through procedures and a code of conduct for staff and volunteers
- providing effective management for staff and volunteers through supervision, support and training including appropriate levels of first aid training
- recruiting staff and volunteers safely, ensuring all necessary DBS checks are made to an appropriate level
- sharing information about child protection and good practice with young people, parents, staff and volunteers
- sharing concerns with agencies who need to know and involving parents and children appropriately.

### **Implementing this policy**

The Society has nominated a lead safeguarding staff member. This individual will have undertaken a higher level of training and will provide training, support and advice for anyone who is working directly or indirectly with children or anyone within the society who feels a safeguarding matter has arisen.

- The Society will maintain and review annually its list of projects and activities that are high risk (that is those activities where safeguarding issues are most likely to arise)
- Any event/programme will have a designated lead staff member who holds responsibility for ensuring that all child protection and safeguarding requirements are met
- All staff and volunteers involved in these activities will be issued with the policy and safeguarding will be embedded within the training provided.

- All staff and volunteers involved in these activities will have a clear understanding of their responsibilities and their reporting lines in the event of an incident

#### **Monitoring our effectiveness**

- We will keep record of first aid training and DBS checks for all individuals working with children for a period of no less than 30 years (in line with our insurance policies)
- All allegations and reports of safeguarding issues will automatically be referred to the Duty of Care working group and reported to the Board of Trustees at their next meeting
- This policy will be regularly reviewed by the Duty of Care working group, updated in accordance with legal frameworks and charity commission guidance.
- This policy will be reviewed by our solicitors to ensure it complies with child protection frameworks



### **Safeguarding Code of Conduct for working with Children**

The following advice is provided by the BES to ensure that everyone working with children understands their responsibilities and the BES expectations in safeguarding children.

The BES has a responsibility to ensure that children and all those working with children on our behalf are safe from harm and this guidance serves to also keep safe anyone working with children.

1. Any staff or nominated BES persons with responsibility for safeguarding receive appropriate training and induction

2. Everyone is encouraged to demonstrate exemplary behaviour to promote the welfare of all participants.

This includes

- working in an open environment
- treating all young people equally, with respect and dignity
- always putting the welfare of individuals first before educational or project goals
- maintaining a safe and appropriate physical and emotional distance at all times
- maintaining a professional and friendly but non-personal, non-sexual dialogue at all times with all participants
- any manual or physical contact required seeks permission, is openly provided and reported

3. At all residential events, additional good practice guidelines include

- shared and clear responsibilities and rotas for all those involved in safeguarding at residential events. At least two staff members are on duty at all times.
- ensuring male and female staffing for all events
- adults and staff do not enter participant bedrooms unless there is
  - first aid emergency and they are the designated first aider
  - evacuations are taking place and rooms are being checked
  - threat of harm to self and others requires immediate action

4. At residential events with young people under the age of 18 additional good practice includes

- limiting smoking and drinking areas to those not accessed by children
- staff and volunteers should not drink alcohol before or during duty periods and must not drink sufficient to become inebriated during the course of the event
- adults should never find themselves in an isolated 1:1 situation with a child and should remove themselves quickly if this situation is developing

5. It is far better to seek advice if any doubts arise and these should be directed to the safeguarding lead or lead staff member. Contacts for both individuals will have been provided



6. Timely reporting of any incident or concern should be made into the record book along with details of any treatment or concerns raised

**BES activities and groups with increased risk.**

Project	Example higher level risks	Unique processes/procedures
16-18 Summer School	Physical injury ( Non fatal or fatal) Mental harm Alleged or actual sexual abuse/assault onsite Alleged or actual physical or sexual abuse reported in the home (with/without siblings under 16 years)	<ul style="list-style-type: none"><li>• All BES staff and representatives have enhanced DBS check</li><li>• All BES staff and mentors are outdoor first aid trained</li><li>• Return to home process</li><li>• Emergency care process</li><li>• Termination of event process</li><li>• Notifying child services</li></ul>
UG Summer School	Physical injury Mental harm Alleged or actual sexual abuse/ assault	<ul style="list-style-type: none"><li>• All BES staff and mentors are outdoor first aid trained</li><li>• Return to home process</li><li>• Emergency medical care process</li><li>• Termination of event process</li></ul>
Mentor schemes	Declaration of immediate harm or intent to self harm- risk to both mentor and mentee	<ul style="list-style-type: none"><li>• Request Intervention by lead staff/ duty of care team</li></ul>

**DBS check:** Enhanced DBS check are conducted for all staff, mentors acting on behalf of the BES specific to the residential 16-18 summer school

**Outdoor first aid training:** All Staff attending summer schools have level 3 Outdoor first aid training

**Return to home process (assuming emergency care is not required):** In all cases the Society will facilitate the purchase of new travel tickets unless adults have been requested to leave the event due to their own behaviours

- children under age of 18, if physical fit enough and in good mental health will leave residential events accompanied by an adult and be escorted to the train station. Where parental permission has been agreed, individuals can travel to their home station alone but must be met by parents.

- Where individuals are not physically or mentally well enough, they may be cared for onsite until parents can collect, alternatively staff/ nominated individual can escort to their home. Decisions will in all cases be made with schools and parents.
- Adults will be offered an escort to the nearest train station or may leave independently

**Emergency care process:** For residential events, the lead staff will record and keep confidentially secured emergency medical information and emergency contact details. All participants will agree in advance that this information can be shared with relevant emergency services if required.

**Non Fatal emergency event:** individuals requiring emergency medical care will be escorted by a staff member to the nearest hospital and will stay with them until next of kin arrives. The staff will then return to the event if they feel able to do so.

**Fatal emergency and termination of an event:** It is assumed in the event of a fatality at a BES residential event, the event will be terminated and all participants supported to travel home

- One nominated staff will liaise with emergency services, notify the main BES office and Next of Kin.
- Another staff member will ensure the safety of all remaining participants, keep them informed of processes and departure arrangements

**Notifying child services:** In the event an individual under the age of 18 notifies a BES staff member/ volunteer of abuse in the home/ external to the event, then all communications must pass through DBS checked staff and the safeguarding lead. The Society will work directly with the school and will ensure that the child's local child services have been contacted. Decisions about the individuals return to home will be made by child services

**Immediate intervention:** Where there is an immediate risk or actual harm to an individual, the duty of care team/ lead staff/ office must be reached to facilitate support as soon as possible. Individuals at higher risk should have the number to call as part of their codes of conduct