

VOICES

NORTHUMBERLAND



West Northumberland Village Hall Consortium Safeguarding Summary

I would begin by stating that ultimately it is the trustees of each village hall who are responsible for identifying the role of each volunteer / worker, implementing safe recruitment processes, carrying out an assessment of risk and determining eligibility for DBS checks.

I would be happy to provide guidance based some common enquiries.

Should all trustees have clearance via DBS?

The decision to carry out a DBS is based less on the job title of an individual and more on the actual tasks someone performs.

So the title 'trustee' can be unhelpful as some trustees will need a DBS and others may be assessed as not needing a DBS. If any volunteer does not require a DBS other safe recruitment practices will need to be used to safeguard vulnerable people.

- It is possible to apply for a DBS for anyone working directly with children, either an enhanced or enhanced with barred list check depending on their particular role.
- It is possible to apply for a DBS for **some** people working with adults at risk but the activity has to be specifically designed for vulnerable adults and the tasks performed are quite specific.

In all cases it is important that safe recruitment practices are followed to safeguard those at risk.

VoiCeS Northumberland are happy to provide further advice to help you decide exactly what level of check each volunteer may require.

What policies should village halls have in place?

Village halls tend to function on 2 different levels

Some only rent out their premises to other groups and organisations – for this group we would highly recommend our free resource [Safe in our communities](#) (please contact Jennifer at contact@voices-northumberland.org.uk for more details)

Some Village Halls run their own groups and activities– for this type of village hall we would recommend safe in our communities plus some strengthening of policy and procedures, including procedures about dealing with allegations against staff or volunteers, clear lines of accountability about safeguarding arrangements, arrangements to work with other organisations around information sharing etc

How do village halls ensure that everyone who uses their buildings are safe under safeguarding legislation?

You will want to be satisfied that organisations/groups using your venue have adequate safeguards in place of their own in order to ensure the safety of people attending activities.

In order to do this you could ask organisations/groups booking the venue a few simple questions, for example:

- Does the activity that you are planning to carry out involve working with groups of children or adults at risk?
- Are your staff and volunteers eligible for a Disclosure and Barring Service (DBS) check and have you carried out these checks?
- Do you have safeguarding policies and procedures which you follow to ensure the children and adults at risk remain safe?
- Will there be a qualified first aider on the premises during the activity?

Why not add these questions to your booking form?

If groups and organisations **do not have** the safeguarding policy & procedures in place, or need help to understand DBS checks, support is available to them through VoiCeS Northumberland 01665 713109.

Penalties for non compliance?

Duty to refer

You have a duty to refer to the DBS when two of the following conditions have both been met

Condition One

When you withdraw permission for a person to work in regulated activity with children and / or vulnerable adults, either through dismissal or by moving the person to another area of work that is not regulated activity.

AND

Condition Two

When you think the person has carried out one of the following:

- Been cautioned or convicted of a relevant (automatic barring) offence; or,
- Engaged in relevant conduct in relation to children and / or vulnerable adults [i.e. an action or inaction (neglect) that has harmed a child or vulnerable adult or put them at risk or harm]; or,
- Satisfied the Harm Test in relation to children and / or vulnerable adults. [i.e. there has been no relevant conduct (i.e. no action or inaction) but a risk of harm to a child or vulnerable still exists].

Condition one includes situations where an employer / volunteer manager would or may have dismissed the person or moved them to other duties, if the person had not resigned, retired, or otherwise left their work - e.g a teacher resigns when an allegation of harm to a student is first made. The Head Teacher establishes that harm did occur, or was at risk of occurring, and decides that they may have dismissed the person had they not left and so makes a referral to the DBS.

It should be noted that a person who fails to provide information to the DBS without reasonable justification commits an offense and if convicted may be subject to a fine of up to £5,000.

Duty of Care

A breach of the **Duty of Care** by a volunteer could amount to common law negligence.

The organisation could be liable to pay damages in compensation to a user who is injured as a result of negligence.

Whether volunteers are found negligent in the event of accidents will be influenced by whether the incident that occurred could reasonably have been foreseen. If a volunteer takes all reasonable steps to ensure the safety of their pupils, it is unlikely that the volunteer will be held to be negligent in the event of an unforeseen accident.

Negligence could also arise if there is a serious failure to prevent harm to a child arising from, for example, bullying. If negligence arises in these circumstances, it is more likely to be a collective failing rather than the responsibility of one individual.

A volunteers duty of care will depend upon what is reasonable and what can be expected of a competent professional acting within the constraints of the circumstances.

Provided volunteers apply their judgement, training and experience to situations in a reasonable manner, seeking to promote the best interests of the users in their care, their obligations will have been met.

I would ask you to also consider the moral obligation of what if something happens and an adult at risk or child is harmed and also consider the risk to the reputation of your organization if things go wrong.

In summary

In addition to the measures above, each village hall should have a designated person for safeguarding and a trustee with responsibility for safeguarding they are key in this matter. We offer support to DP's through the designated person network and training for both trustees and designated people Contact Jennifer contact@voices-northumberland.org.uk for more information.

Any of your volunteers in contact with the local community through their role at the village hall should have received safeguarding training and this should be refreshed every three years our training flyer is attached.