CYNGOR LLYFRAU CYMRU
BOOKS COUNCIL of WALES

Safeguarding Children and Young People Policy

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A Welsh-language version of this document is also available

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1 Introduction

This document explains how the Books Council of Wales ('the Council') will safeguard the children and young people with whom it will be working.

The Council acknowledges the fact that the abuse of children can happen – and does happen – in organizations, through unintentional and intentional acts. Unintentional acts can occur because of a lack of corporate diligence and negligence. It can lead to acts that harm, such as injury or kidnap, due to inadequate care and supervision or a lack of policies and procedures. It can also occur when members of staff do not comply with legal requirements.

There is evidence to show that predatory offenders, with the deliberate intention of abusing children, sometimes place themselves in an organization and/or a post that will give them an opportunity of having direct contact with children.

Safeguarding children is more than simply a health and safety matter. Even though we have a Health and Safety policy in place, and risk assessments are conducted, these do not cover each situation and circumstance that are relevant to safeguarding children. In this policy, we are not talking about avoiding accidents, nor ensuring that children's rights are implemented. We are talking specifically about abuse.

The Council also wishes to safeguard its staff against unfair accusations. This policy will ensure that children and members of staff are protected.

2 Relevance

This policy is relevant to every member of the Council's staff and any person who works for the Council, either on a paid or unpaid basis.

It is also relevant to bodies who carry out work on behalf of the Council. In a situation such as this, the Council will ask the organizations involved for information about their child protection policies.

3 Legal background

The Children's Act 1989 and 2004 is the main legislation relevant to organizations, such as the Books Council of Wales, that work with young people. Every member of the Council staff who comes into contact with children by holding an activity, or by fulfilling their duties, has a responsibility to ensure that no injury or loss is suffered by a young person as a result of that member of staff failing to fulfil their responsibilities in a reasonable and careful manner. Members of staff also have a duty to exercise adequate supervision.

Following the Young Workers Directive 94/33/EC, as implemented by the Working Times Regulations (Review) 2002, some provisions are relevant to 'young workers' (i.e. those who are over school leaving age, but under 18 years of age).

The following are the main statutory provisions regulating the working hours of children:

- Children and Young Persons Act 1933
- Health and Safety (Young People) Regulations 1997
- The Children (Protection at Work) Regulations 1988.

An individual may be excluded from working with children by being included on an official list. It is an offence for an employer to recruit an individual to a post where that person will be working with children, if the employer knows the individual is included on one of these lists.

The Books Council has a public insurance policy (Public Liability) that safeguards the public against any negligence in the Council's activities. The Council does not have a general policy to compensate members of the public because of an incident where the Council has not been negligent, e.g. personal injury, lost property.

4 Definitions

Abuse

There are four main types of abuse:

i) physical

ii) emotional

iii) through negligence

iv) sexual.

Physical abuse occurs when a child is struck, shaken, burned, bitten, or slapped, when a child is given harmful drugs or alcohol, or when he or she is injured in any way by an adult.

Emotional abuse occurs when a child is not given love and affection or when he or she is constantly threatened or ridiculed.

Abuse through negligence occurs when a child is deliberately deprived of some basic need such as food, warmth, clothes, and medical care.

Sexual abuse occurs when a child is used to satisfy an adult's sexual need. This can include sexual intercourse with the child, inappropriate fondling, or showing obscene materials to the child.

Children

In this policy, the definition of a child is anyone under the age of 18 years old. The word 'children' refers to 'children and young people'.

5 Details

5.1 Conduct of staff members

- No member of staff should be left alone with a child
- No member of staff will be allowed to take a child alone in a car
- A child should not be struck nor touched in a way that could be misinterpreted by the child or by someone else
- Only a member of staff who is qualified as a First Aider should treat any child who is injured
- It should be ensured that every child is treated equally.

5.2 Supervision

When holding activities involving children, it should be ensured that there are enough members of staff present to safeguard their health and wellbeing. The number of staff or adults present will be decided according to the children's age and ability. An 'adult' can refer to a person who is not a member of staff but who has a close connection with the children taking part in the activity/event and who is familiar to them, e.g. schoolteachers.

5.3 The use of photographs of children and stories about children

It must be ensured:

- that personal information is kept confidential, unless permission has been given by the child and the parent/guardian
- that images of children are decent
- that we have had written permission from parents / guardians / schools before reproducing images of children
- that children and parents understand that giving permission to use information or images is not a condition of taking part in one of the Council's activities.

5.4 Building/Buildings/Units (Eisteddfodau, Shows, Festivals, Competitions)

Staff in charge should ensure that locations in which activities are held should be completely secure for the intended purpose, with a risk assessment being carried out before opening the unit to the public. Before opening/holding an event, consideration should be given to the following issues:

- the building/unit should be of an appropriate size for its purpose
- entrances should be clear, and every fire door operational

- there is convenient access for wheelchairs
- staff should be within reach of a telephone/mobile phone.

5.5 Recruiting for posts which could involve direct contact with children and young people

The Council will ask the applicant for the following:

- details of previous experience, voluntary or paid, of working with children
- a reference from at least one person who has experience of the applicant's work - voluntary or paid - with children
- details of any sentence for offences against children, including any sentences given under the Rehabilitation of Offenders Act 1974 for which the punishment has been completed.

5.6 Children working for the Books Council

The Council will not accept children on work experience below the age of 18 years old. If the Council does employ children, it will comply with the relevant laws regarding hours and working conditions, and carry out a risk assessment on the safeguarding arrangements.

6 Responsibilities under the policy

Line Managers

- Ensure that staff are aware of this policy.
- Where appropriate, seek further advice from the Head of Business & Finance.

Workers

- All workers have a responsibility to comply with the letter and the spirit of the policy, and to comply with all the relevant legislation.

Head of Business & Finance

- Review the policy on a regular basis to ensure compliance with current employment legislation.
- Provide opportunities for Council staff and representatives to attend health and safety courses, and child protection courses, when appropriate.
- Advise and provide support for line managers who are dealing with staff that contravene this policy.

7 Cross-references

To help the staff of the Books Council, this policy should be read in conjunction with the relevant personnel policies listed below:

- Code of Conduct
- Disciplinary Policy
- Health and Safety Policy
- Whistleblowing Policy.

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