

## Safeguarding for Village Halls and Community Buildings webinar Friday 27<sup>th</sup> November 2020

### Frequently asked questions

Please note that the answers provided by the RCC to questions posed by webinar delegates are based on an interpretation of current guidance. We strongly recommend that you refer to the latest guidance available as set out below.

Question	RCC response	Further information
<b>Should all village halls have a safeguarding policy even if we don't organise events and only hire out?</b>	Yes, they should. Hopefully you will see it doesn't need to be complicated but having one does ensure that trustees are comfortable with and have considered the potential issues and are ensuring that hirers have also considered safeguarding.	
<b>Does the safeguarding policy need to be given to every hirer?</b>	No, you do not need to be giving it to everyone who hires the hall, but you should certainly be looking at making it available to them if they want to see it. It is good to let people know that you have a safeguarding policy perhaps by making it available on your website. The policy is setting out what you will do and how you will respond to safeguarding, ensuring that risk is mitigated as much as possible.	
<p data-bbox="129 759 533 932"><b>Further to the point that we simply hire out the space, do we have an actual oversight duty on our user groups?</b></p> <p data-bbox="129 1171 533 1276"><b>Do we have to ask regular hirers to see their safeguarding policy?</b></p>	<p data-bbox="533 759 1393 1139">The short answer is no, you don't have a duty to oversee, or any liability for the actions of hirers using your space, but of course you should be comfortable with their proposed usage of the space and undertake a reasonable level of diligence to ensure they are a responsible organisation or individual and they are not going to be using your space for illegal activity or one that potentially has a risk factor for vulnerable people, so there is no absolute on that, but I would certainly say that if there was a question over somebodies use then you would have a duty to look into that with regard to ensuring that they have safeguarding measures in place that is their responsibility.</p> <p data-bbox="533 1171 1393 1343">A good example there would be a childcare provider, you would expect them to have a suitable policy and procedures in place. It would be very reasonable to ask them for a copy of that to ensure that they have considered the things that could potentially be a risk.</p> <p data-bbox="533 1375 1393 1436">On another example if someone was hiring the hall for a private party for friends and relatives, then clearly they are not going to</p>	

	<p>have a written policy for safeguarding and it would be unreasonable to expect them to develop one simply to have a retirement party.</p> <p>A lot of the issues around the responsibilities of hirers and their actions will be covered in your hiring agreement or should be covered. This sets out your expectations that you have on people using your space and what they can expect from you. If you are not already using it, we would recommend having a look at the ACRE Model Hiring Agreement which has been developed over many years and as legislation has changed. Compare this with your current Hiring Agreement to see if there are fundamental differences, as it would cover some of the issues around liability that you might feel you need.</p>	
<p><b>One or two of our hirers train children in dance. Should we be seeing their safeguarding policies?</b></p>	<p>Yes, this would be due diligence in relation to young people using your space. They have a responsibility to those young people and their parents, but also, they have a responsibility to you as the organisation hiring the space. Have a conversation with them about their safeguarding and if you have any concerns or whether there are any gaps to ensure the young people are appropriately protected.</p>	
<p><b>Why is there not a national minimum safeguarding policy?</b></p>	<p>There isn't one, but through this process we are starting to establish one for village halls and community buildings that can be adopted by everybody</p>	
<p><b>Our local school regularly uses the hall for lunch time indoor space. What exactly are our safeguarding responsibilities in this regard?</b></p>	<p>The school would have significant responsibility for safeguarding in this situation, but it would come down to the arrangements you have regards shared access to the building, so for example if your local school is using the hall and the whole of the building and nobody else has access to the space including volunteers and trustees of the village hall themselves, then it's all within the schools safeguarding responsibilities. If however they are coming in to shared space, where other people are using the meeting room or they are sharing a kitchen or toilets, then you would need to have a conversation with the school around safeguarding responsibilities in particular around access to the building to protect young people.</p>	
<p><b>How should concerns and resulting actions be recorded?</b></p>	<p>You do have a duty to act. Doing nothing is not an option.</p> <p>The information we have shared via the national and local websites provides some useful contacts for you to use and to</p>	<p>The Designated Safeguarding Lead's Handbook  <a href="https://knowhow.ncvo.org.uk/safeguarding/checklists-training-and-other-support/specialist-guides/a-designated-safeguarding-leads-handbook">https://knowhow.ncvo.org.uk/safeguarding/checklists-training-and-other-support/specialist-guides/a-designated-safeguarding-leads-handbook</a></p>

	<p>guide you through the process, but we would suggest that you keep a record locally as well, so a good way of doing that, although we have not got a model document, a little like the approach to recording accidents in your hall where you would have a form to record a serious accident, the process you followed and any actions you took, then that would be recorded and kept on file with the paperwork for the village hall. I would recommend doing the same if you do have concerns regarding safeguarding, or certainly if you make a report, purely because it has been noted and shared with the committee and placed on file. So it's worth having perhaps a session or as a regular item at you committee meetings as an agenda item where any safeguarding issues are raised, recorded in the minutes and most importantly actions taken or scheduled if there were real concerns around safeguarding. It would be useful to have a form where you could record it, scan it and save it electronically and then it's there in perpetuity to see that not only did you recognise the risk but more importantly if there was a real risk of harm you took some action</p>	<p>When you've been told something is wrong, don't inform the alleged perpetrator(s) at this stage. Instead, tell the person in your charity with responsibility for safeguarding. They can help decide on the next steps and will likely be able to manage the allegation hereafter. If you are unsure who this is, or if your charity does not have a person with responsibility for safeguarding, you should speak to your manager.</p> <p>If the alleged perpetrator(s) is the person in your charity with responsibility, you should not inform them and should instead speak to senior management or your trustees.</p> <p>Writing down what you have seen or been told will help you make your report/referral and keep an accurate record of the issues, even if you consider it a low-level concern. However, you should not delay in making your referral if you have not done so.</p> <p><i>Guidance on handling safeguarding allegations in a charity <a href="https://safeguarding.culture.gov.uk/">https://safeguarding.culture.gov.uk/</a></i></p>
<p><b>Do we need to be very aware of Data Protection re Safeguarding reports? it is a very sensitive area</b></p>	<p>Yes, data protection does come into this in relation to safeguarding and people you may have concerns, so if there is a concern about an individual or group using the hall and you as a committee feel it warrants further investigation and discussion then that is a sensitive area because you don't want to be putting out that there is a problem if actually when you have looked into it there isn't a problem leading to personal or reputational damage. Yes, you do need to be aware of your responsibilities to protect the groups and the users of the hall, but your primary responsibility is the protection of vulnerable adults, children, and young people.</p>	<p>Data protection considerations are not a barrier to making safeguarding referrals. The Data Protection Act 2018 makes clear that safeguarding is a key consideration when deciding when and what data to share within and between organisations.</p> <p>However, confidentiality is important so information should only be shared with those who need to know.</p> <p><i>Guidance on handling safeguarding allegations in a charity <a href="https://safeguarding.culture.gov.uk/">https://safeguarding.culture.gov.uk/</a></i></p> <p><i>Storing and sharing safeguarding information</i></p>

		<a href="https://knowhow.ncvo.org.uk/safeguarding/checklists-training-and-other-support/specialist-guides/a-designated-safeguarding-leads-handbook/storing-and-sharing-safeguarding-information">https://knowhow.ncvo.org.uk/safeguarding/checklists-training-and-other-support/specialist-guides/a-designated-safeguarding-leads-handbook/storing-and-sharing-safeguarding-information</a>
<p><b>Confidentiality? shouldn't discuss a concern at committee level</b></p> <p><b>Surely there should be a named person and information only disclosed to them not the whole body of trustees, to protect confidentiality</b></p>	<p>The trustees would need to be made aware of a safeguarding issue by the Safeguarding Lead as part of their role.</p> <p><b>Keeping others informed</b> As Designated Safeguarding lead, you may be asked to provide updates to the senior leadership and/or Trustee Board about a safeguarding concern. You will need to consider what information you are able to share without risking any investigations that may be ongoing or breaching confidentiality.</p> <p>Senior leaders and the Trustee Board should be seeking assurances that the organisation's policy and procedures for managing concerns are being followed, that risk of harm to the organisation is being managed and that when and where appropriate the relevant regulatory bodies are informed. They will rarely require details of specific incidents or people. Summary information with non-identifiable details may include:</p> <p>the nature (category of abuse) of the allegation or serious incident</p> <ul style="list-style-type: none"> <li>• who is leading the process</li> <li>• any immediate arrangements have been put in place to prevent further abuse or neglect</li> <li>• which agencies have been notified and are involved</li> <li>• Any referral or reporting requirements considered.</li> <li>• Additional guidance</li> </ul> <p><b>What to expect from a report to the trustees</b> As trustees you're expected to make safeguarding a key governance priority. You must make sure that trustees are regularly made aware of how safeguarding is being managed in the organisation. You could have a regular safeguarding report that is presented to the board. This could be produced by the designated safeguarding lead with oversight of the lead trustee for safeguarding.</p>	<p>The Designated Safeguarding Lead's Handbook  <a href="https://knowhow.ncvo.org.uk/safeguarding/checklists-training-and-other-support/specialist-guides/a-designated-safeguarding-leads-handbook">https://knowhow.ncvo.org.uk/safeguarding/checklists-training-and-other-support/specialist-guides/a-designated-safeguarding-leads-handbook</a></p> <p><b>Keeping others informed</b>  <a href="https://knowhow.ncvo.org.uk/safeguarding/checklists-training-and-other-support/specialist-guides/a-designated-safeguarding-leads-handbook/responding-to-safeguarding-concerns/managing-safeguarding-concerns">https://knowhow.ncvo.org.uk/safeguarding/checklists-training-and-other-support/specialist-guides/a-designated-safeguarding-leads-handbook/responding-to-safeguarding-concerns/managing-safeguarding-concerns</a></p> <p><b>What to expect from a report to the trustees</b>  <a href="https://knowhow.ncvo.org.uk/safeguarding/checklists-training-and-other-support/specialist-guides/safeguarding-for-trustees/safeguarding-reports-for-trustees">https://knowhow.ncvo.org.uk/safeguarding/checklists-training-and-other-support/specialist-guides/safeguarding-for-trustees/safeguarding-reports-for-trustees</a></p>

The regularity, length, and level of detail of the report will depend on the level of safeguarding risk of your organisation. You can expect to receive information including:

number of concerns raised (overall, or by area, region, subsidiary, service, team)  
number of referrals made to statutory services  
percentage of referrals made against those accepted by local authorities  
nature of concerns raised (categories of abuse)  
number of allegations against staff and volunteers  
number and progress of investigations of staff and volunteers  
names of designated safeguarding lead and deputies  
training record of staff and volunteers at all levels  
safer recruitment updates relating to staff and volunteers.  
Even if your safeguarding risks are low and you only have occasional incidents to report you will need agenda time to discuss:

- recommendations made following investigations (within your own organisation or other cases from the news or local partnerships)
- implications for the organisation and its aims, strategic plans of those recommendations
- plans for updates to any relevant policies
- less formal comments – such as feedback from any visits or walkabouts by trustees or safeguarding leads
- impact of any new legislation or guidance on your organisation.

At least once a year you will want to review whether there are any emerging trends or patterns and what actions you need to take. For smaller organisations, who have few or no incidents that you have regarded as safeguarding incidents, you should review your general complaints thoroughly to see if any of them point at potential safeguarding issues.

NCVO Safeguarding information

<https://knowhow.ncvo.org.uk/safeguarding>

NSPCC child protection guidance

<https://learning.nspcc.org.uk/safeguarding-child-protection/voluntary-community-groups/>

Safeguarding concerns: practice example – hiring out space

<https://learning.nspcc.org.uk/safeguarding-child-protection/safeguarding-concerns-practice-examples/>

Safeguarding guidance for disabled children and adults at risk

<https://www.anncrafttrust.org/resources/>

Guidance on handling safeguarding allegations in a charity

<https://safeguarding.culture.gov.uk/>