



Guidelines for Hut Managers

No. 11.1 Version 2 July 2008



Safeguarding Children in Mountain Huts

1. England & Wales

These guidelines should not be regarded as definitive. They are intended to help mountaineering clubs to understand the basic requirements of the child protection legislation in relation to the operation of mountain huts.

For further information about child protection, please see the Child Protection Guidance notes on the Clubs' Resources pages.

SCOPE AND CONTEXT

All individuals involved in the provision of sport and recreational activities for children have a duty of care. All children have a right of protection and in particular the needs of disabled children must be taken into account. This means that all reasonable steps should be taken to minimise the risk of harm or injury to the children. In particular clubs operating huts who permit children to use their huts must take much more care to run their huts with children in mind, e.g. to have guards over fires and heaters, and guards protecting children against hot cooking surfaces. In the event of an accident involving children officers of the club may be held liable for their injuries or deaths.

Children - Definition

A child is defined as a person under the age of eighteen by the UN Convention on the Rights of the Child.

England & Wales

In England and Wales anyone under the age of eighteen is by law a child.

Children - Duty of Care

When considering under 18s, it is important to make clear precisely who has a duty of care for each child and when that duty is handed from one person to another. Usually, a parent accompanying their child has a duty of care for their own child. However, a parent may, with agreement, pass that duty to another person. Once this has been agreed and the child is handed to or left in the care of another person, the duty of care also passes to that person.

Risk and Reasonableness

When considering difficult issues there are two questions clubs should ask themselves:

- (i) What are the risks to the young people and how can these be managed?
- (ii) What is reasonable in these circumstances and how can we take all reasonable steps to ensure the well being of the young people in our care?

These provide useful guidelines. It is advisable to keep a record of the questions asked and the answers given.

In Loco Parentis

A parent may give consent to anyone they wish to take their child to a hut. This is an

Safeguarding Children in Mountain Huts

arrangement between the parent and the person taking the child. The person taking the child will be *in loco parentis* and this requires them to exercise a duty of care that would be provided by a reasonably prudent parent.

When taking another person's child to a hut it is wise to inform both the parent and child about the nature of the activities to be undertaken and any arrangements so that they can decide whether they are happy with these or decline if they are not.

BMC-Affiliated Clubs

Affiliated clubs range from those that are a loose collection of friends who have come together to form a club because they have similar interests to those that are more formal with a recognised structure and rules.

Some clubs do not allow under 18s to join the club or attend meets. There are other clubs that allow under 18s to participate in club activities provided:

- (a) They are accompanied by a parent, or
- (b) They are accompanied by an adult who is *in loco parentis* for a specific child.

On the other hand,

- (c) There are some clubs that do, or may, take under 18s when they are not accompanied by a parent or a specified adult *in loco parentis* for a particular child. These clubs and their officers have additional responsibilities and duties relating to the safety and well being of those under 18s in their care.

A BMC-affiliated club that allows under 18s to participate in its activities when they are not accompanied by a parent or a specified adult *in loco parentis* for a particular child as in (c) above must:

- Adopt the BMC Child Protection Policy.
- Appoint a Youth Officer with responsibility for safeguarding children within the club.

Supervised Groups including Under 18s

Clubs may allow outside groups to use their huts, e.g. school parties, Scouts. These clubs should comply with the BMC Safeguarding Children Policy good practice guidelines. These are as follows:

- When children, supervised by adults other than their parents or a specified adult *in loco parentis* for a specified child, are using the hut it is recommended that only properly vetted adults use the hut.
- It is recommended that there is a designated person, who is identified as such to all present including the children, responsible for Safeguarding Children issues be present at all times. This may be the person in charge of the group, e.g. the teacher or the club Youth Officer.
- Whenever possible, an adult should not be alone with a child.
- Children should not sleep in the same room as an adult or adults where separate facilities are available.
- There should be separate male and female sleeping areas for children if there are both boys and girls present. When both boys and girls are present there should also be male and female supervising adults.
- **Those supervising must be properly vetted.** The Criminal Records Bureau checking (CRB) procedure is set out on the back of the BMC Child Protection Policy and can be downloaded free from: www.thebmc.net/NewWebsite/Download.aspx?id=11

Safeguarding Children in Mountain Huts

SAMPLE DOCUMENTS

These pro-forma documents may be used by BMC clubs to satisfy their obligations with regard to children staying in their huts. Clubs may need to amend these documents to meet their particular requirements. For example, Document No. 1 should be amended to identify any risks which are specific to their club hut(s).

DOCUMENT No. 1

CHILDREN IN HUTS

General points:

Adults can easily note the differences between hut and home and can react accordingly. It is much more difficult for children, especially young ones, for whom this may well be a new environment, and who are unlikely to be able to adapt their behaviour to the different environment easily, if at all. It is not reasonably practicable for clubs to operate their huts like domestic houses and therefore the accommodation and facilities available are likely to differ from those found in homes. It is not reasonable to expect members and their guests to modify their normal hut behaviour as soon as they are made aware that a child is present. Parents or guardians should be aware of these differences and their potential implications for children. They must be responsible for the care and control of their charges and it is in this context that parents should take note of the following:

1. General Safety Considerations

- The standards of hygiene and cleanliness may be less than at home.
- Stairwells may be dark, uneven under foot and even slippery when wet.
- There may not be guardrails on the stairs.
- There may not be any covers on electrical sockets.
- There may be open fires; fire guards are to prevent hot fuel falling out not children falling in.
- Members may walk about with hot kettles and they may not expect to run into small children.
- Members are likely to leave hot drinks in mugs and cold drinks in glasses on floors or low tables.
- Members are likely to come in late, after some children have gone to bed and they cannot reasonably be expected to modify their level of speech (or content!).
- Members manoeuvring in congested car parks drive on the assumption that adults will keep out of their way and they will not expect the presence of small children.

2. Accommodation

The sleeping accommodation in huts is provided by individual bunks and alpine-style sleeping platforms (wide bunks sleeping several people). Bunks may be two or even three tier. Dormitories or rooms vary in size considerably. They may sleep between 4 to 20 people. Some huts have family rooms.

Club Meets

In order to safeguard all members the Meet Leader/Meet Co-ordinator, should discuss with all those present on the meet how the sleeping accommodation should be arranged. It may be arranged in family groups or on a single sex basis, according to the ages of the children and the needs of the group.

Safeguarding Children in Mountain Huts

On any occasion when a parent or adult is accompanied by children they should be mindful of the need to safeguard children by ensuring that the sleeping arrangements are appropriate for the children and for the needs of the other members and their guests in the huts. Where a hut has family rooms then children can share a room with their parents. Ultimately, if a parent is with their child or an adult who is *in loco parentis* is with a child, they can decide whether they are satisfied and happy with the sleeping arrangements available for the children for whom they are responsible.

Parents need to bear in mind that there may well be insufficient appropriate accommodation in huts and that they may need to review their plans.

In exceptional circumstances where adults wish to take children for whom they do not have parental responsibility to a hut, they should get permission from the childrens' parents using the parental consent form (see Document No. 2 below). A copy of this document should also be given to the parent. The consent form enables parents to provide medical details in an emergency and also outlines to parents the shared nature of accommodation in mountain huts.

ADDITIONAL INFORMATION

Identify the risks that are specific to your hut(s). These may include:

- Free access to roads, lanes and farm tracks;
- Free access to a lake, river or stream;
- Free access to deep drainage ditches;
- Unguarded drops from hut, car park, garden, e.g. into a field.

Any Child Protection issues should be referred to the Club's Youth Officer who will be able to provide advice and guidance.

Name and contact telephone number(s) (including mobile).....

DOCUMENT No. 2

BMC HUTS CONSENT FORM FOR ADULTS ACTING *IN LOCO PARENTIS*

Parental Consent Form

I give consent for my child (full name)

.....

to accompany.....(name of adult* and his/her family)

to.....
.....

Dates: From..... to.....

1. I have received a copy of the *Children in Huts* guidelines and understand that huts have communal facilities and these include communal sleeping arrangements.
2. I understand that the above adult will endeavour to ensure that appropriate sleeping accommodation will be arranged for my child with regard to its age and sex and with regard to

Safeguarding Children in Mountain Huts

the needs of other members present.

3. In the event of illness or an accident requiring emergency hospital treatment, I authorise the adult named on this form to sign on my behalf any written form of consent required by the hospital authorities, if the delay required to obtain my signature is considered inadvisable by the doctor or surgeon concerned.

Signed.....

.....(parent)

Date.....Address.....

.....

Tel.....Mobile.....

Signed Date Adult in *loco parentis* as
above*

This form must be completed in duplicate and signed by both parties and a copy given to the adult acting *in loco parentis* before the visit to the hut takes place.

Hut Guidelines

These guidelines have been produced by the Huts Group of the British Mountaineering Council and the Huts Working Group of the Mountaineering Council of Scotland to assist those operating mountain huts in Britain.

Contact the BMC Huts Group by e-mail - Martin@thebmc.co.uk
or telephone 0161 445 6111.

Contact the MCoS Huts Working Group by e-mail - huts@themcofs.org.uk

Websites - www.thebmc.co.uk and www.mcofs.org.uk

Disclaimer: These guidelines were produced in July 2008 and the information herein is believed to be accurate at the time of writing. No responsibility can be accepted for any loss of benefit or entitlement arising through use of these guidelines.