



Child Protection Club Guidelines

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Child Protection (Under-18s)

1. Introduction

The guidance given in this document is intended to help clubs and their officers to act both reasonably and prudently in the area of Child Protection and assist them in fulfilling their duty of care. Child Protection is an area which has become a matter of concern to many. There are clear issues to understand and simple steps to take to guide our actions. This document covers Loco Parentis, risk and reasonableness, BMC Child Protection Policy, frequently asked questions and a sample consent form (final page).

The information we have represents current guidelines from The Child Protection in Sport Unit (part of the NSPCC). Our insurers are happy that we consult and take guidance from them.

If, or as, the guidance changes, we will update this information but if you need clarification please contact Nick Colton at the BMC. Telephone 0161 438 3305, email nick@thebmc.co.uk

2. Overview

If...	...then
1. Your club does not allow under 18s to join as members and/or attend club meets	These three situations are similar and your club is not required to adopt the BMC Child Protection Policy or appoint a Youth Officer.
2. Your club allows under 18s to join as members and/or attend club meets, but only with a parent/carer	
3. Your club allows under 18s to join as members and/or attend club meets, but only with a parent/carer or an adult <i>in loco parentis</i> , nominated by a parent	

If...	...then
Your club allows under 18s to join as members and/or attend meets <u>without</u> a parent/carer or an adult <i>in loco parentis</i>	<ul style="list-style-type: none">→ The club and/or the officers have additional responsibilities and duties that relate to those under-18→ <u>Do</u> need to put in place the BMC's Child Protection Policy. (see section 5)→ Includes the appointment of a Youth Officer (YO)→ Inform the BMC that they have done this

3. Loco Parentis

Definition; *In Loco Parentis*: A parent may give consent to anyone they wish to take their child climbing, hill walking or mountaineering. This is an 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.

If an adult is acting in loco parentis, make sure that the parent has nominated them (not the club). Also make sure that it is clear precisely who has the duty of care at any given moment and whether or not that duty of care is handed from one person to another. Whilst it is not a requirement, a consent form is used by many clubs for situations where an under 18 is attending with an adult *in loco parentis*. This is not a requirement, but can prove useful.

When taking another person's child climbing, hill walking or mountaineering it is wise to inform both the parent and child about the nature of the activities to be undertaken and any arrangements, so they can decide whether they are happy with these or decline the offer if they are not. It is important that they are not only informed about the activities, but also understand the nature of them/risks attached, so that they can make an informed decision. There is a download (Young people: Climbing, Hill Walking, Mountaineering, A Parent's Guide) <http://www.thebmc.co.uk/Download.aspx?id=9> on the BMC website to help parents understand these risks.

4. Risk and Reasonableness

Clubs which allow under 18s with or without parents/carers or an adult in loco parentis should ask themselves two questions that can help to serve as useful guides where considering difficult issues:

- ✓ What are the risks to the young people and how can these be managed?
- ✓ 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?

This would include, as examples, common sense actions such as identifying and minimising hazards such as access to toxic cleaning materials, ensuring correct storage of sharp tools at maintenance meets, informing other hut users that children may be or are present.

5. The BMC Child Protection Policy

For clubs which allow under 18s to attend meets without a parent/carer or adult in loco parentis.

- ✓ The club should have a designated Youth Officer who is responsible for child protection within the club. It is desirable that this person should know how to respond if any allegation or concern is raised and that they should know what to do next. (see YO info

http://www.thebmc.co.uk/bmcNews/media/u_content/File/clubs_huts/clubs/Club%20Youth%20Officer%20role%202007.doc)

- ✓ At meets it is recommended that there is a designated person responsible for Child Protection issues present at all times. This person should be identified as such to all present – including children. This may, or may not, be the designated Youth Officer/Welfare Officer/ Club Child Protection Coordinator
- ✓ Wherever 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 the children and those likely to be on their own with children should be CRB checked. The CRB checking procedure is set out at the back of the **BMC Child Protection Policy** and can be downloaded here
<http://www.thebmc.co.uk/Download.aspx?id=11>

6. Frequently Asked Questions, and Responses

Q. *I'm a BMC individual member and I offer to take my friends' 16 year old son and 17 year old daughter scrambling. Am I affected by Child Protection issues?*

R. You will have an enhanced duty of care to be responsible in the judgements you make on and off the hill and you will be acting in loco parentis for the two under 18s. It's important that your friends understand the nature and risks of scrambling so that they can make an informed decision about whether or not to let their children accompany you and put you in the position of being in loco parentis.

CLUBS - OCCASIONAL VISITS

Q. *Occasionally, I would like to take my grandchild/niece/nephew or a friend's children with me when I attend a club meet. Can I do this?*

R. Yes, provided it is permissible within the club rules. Also, be clear to have the consent of the child's parent/carer and inform them of the activities and arrangements. You will be in *loco parentis* for that particular child. There is no need for the club to have adopted the BMC Child Protection Policy.

PROSPECTIVE MEMBERS

Q. A prospective member of our club wants to bring their child on a club meet. Is that permissible?

R. Yes, providing it is permissible within the club rules. The general point, for insurance purposes, is to keep a list of all prospective members and declare them to the BMC on your club's returns once they have been attending for 3 months, even if they are not yet full club members. Child Protection Policy does not need to be adopted.

Q. We're asked if we can take under-18s on our mid-week climbing meets. Is this OK?

R. Yes, providing it is within club rules. If the under 18 is accompanied by a parent/carer who will eventually join the club after a period of being a prospective member, or if one of your existing members will be nominated by a parent to be *in loco parentis*, then Child Protection Policy does not need to be adopted. If club rules allow the under 18 to attend without a parent/care or adult *in loco parentis*, the Child Protection Policy does need to be adopted.

HUTS AND NIGHTS AWAY FROM HOME

Q. We have Family Rooms within our club hut where children are allowed to share a room with their parents. Is this permissible?

R. Yes and Child Protection Policy does not need to be adopted.

Q. I believe that when a parent – or an adult acting in loco parentis - accompanies a child, they can make decisions about the sleeping arrangements that might be available for that child. Is this correct?

R. Yes. If possible, both parent/specified adult and child should be happy with the arrangements prior to the trip taking place.

If you are acting in loco parentis it is wise in these circumstances that in addition to obtaining parental consent, you make clear to the child(ren) and parent(s) before the trip precisely what the sleeping arrangements are likely to be in the hut (or on the campsite). If the parent, child or you as the in loco parentis adult are not happy or not satisfied with the arrangements it is best that alternative arrangements are found or that the child does not go on the trip. Ultimately, whatever the situation and whoever is also in the hut (or on a campsite), if a parent - or a specified adult in loco parentis – is with the child at a hut (or campsite) they can decide whether they are satisfied and happy with the sleeping arrangements available for that child.

However, the club and its officers do have a duty of care, for example to make parents/specified adults and children aware of known hazards and risks. It may also be wise to suggest that other hut users respect the fact that there are children in the hut.

SUPERVISED GROUPS AT CLUB HUTS WITH UNDER 18s AMONGST THE GROUP

Q. I believe that when a school or youth group is allowed access to a club hut, it is wise not to allow members of the club who have nothing to do with the group to use the hut?

R. There are two possibilities here:

When a hut is hired out to a group such as a school or a youth group containing under 18s, the club has a duty of care, and should inform members not to use the hut while the group are using it. It is also reasonable to say to those organising the group that they need to give adequate notice so that club members can be informed in good time.

The second possibility is when a group of parents (including individual adults in loco parentis) with children want to use or hire a hut. In this case the advice given in the previous section applies. As each child will be accompanied by a parent or an adult in loco parentis then the adult accompanying each child will be able to make decisions about the sleeping arrangements for the child or children they are responsible for. See previous section for more on this. This does mean then that a club may reasonably decide that club members may use the hut at the same time as such a group. If this is the decision of the club then it is advised that the group taking the children be informed that members of the club will still have access to the hut. Additionally, it would be reasonable for the club to inform its members that a group containing children will be using the hut and specify the dates.

CLUBS WHICH ALLOW UNDER 18s AS MEMBERS OR ON TRIPS WHEN UNACCOMPANIED BY A PARENT/GUARDIAN OR ADULT IN LOCO PARENTIS

Q. If our club allows under 18s to join as members in their own right or allows under 18s to attend club meets without a parent/guardian or specified adult who has agreed to act in loco parentis, then this is the kind of situation where we need to adopt the BMC's Child Protection Policy and appoint a Youth Officer. Is that correct?

R. Yes. See section 5 for what you need to do.

Sample BMC Huts Consent form for adults in loco parentis

Clubs allowing adults acting in loco parentis to bring a child to stay at a hut may wish to require that adult to obtain written consent from the child's parent. This form may be used for that purpose.

Parental Consent Form

I give consent for my child

to accompany (*name of adult*)

to

from (date) to

I have been informed about the nature of the accommodation and the likely sleeping arrangements. I understand that huts may have communal facilities, which include communal sleeping arrangements.

I understand that the above adult will endeavour to ensure that appropriate sleeping accommodation will be arranged for my child, with regard to age and sex and with regard to the needs of other members present

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 own signature is considered inadvisable by the doctor or surgeon concerned.

Signed(parent) Date

Address

Tel Mobile

This form is to be completed by the parent(s) and given to the adult named above before the visit to the hut takes place.