

A Guide and Code of Conduct for Working with under18s and Vulnerable Adults



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This is a living document and changes may be made to it prior to the review date to keep it up to date.

Introduction and Purpose

This document is for use by those working directly with or managing others working directly with under18s and vulnerable adults. The following points apply when working with under18s and vulnerable adults to safeguard not only the welfare of this group, but also the staff and volunteers that work and/or volunteer with them.

This document will be reviewed on a 2 yearly basis or sooner, to ensure it is updated in line with new legislation. Use this in conjunction with the **Safeguarding and Working with Under18s and Vulnerable Adults Policy**.

Definitions

A **child** is defined as a person under the age of 18 (The Children's Act 1989) and **young people** are defined as a person generally from 14 to 17 years of age (as defined by the Department of Health). For the purposes of this document, these groups are referred to collectively as **under 18s**.

The legal definition of a vulnerable adult: **'an adult is defined as vulnerable when they are in receipt of a 'regulated activity' in relation to vulnerable adults'**. 'Regulated activities' include assistance with healthcare, personal care and assistance with a person's own affairs, such as managing cash and paying bills (sections 65 and 66 of the Protection of Freedoms Act 2012).

A more generic definition is that a **vulnerable adult** can be defined as someone aged 18 or over who is, or may be, in need of community services due to age, illness or a mental or physical disability and who is, or may be, unable to take care of himself/herself, or unable to protect himself/herself against significant harm or exploitation (definition from the Department of Health 2002).

You should consider both the legal and generic definitions when considering whether you are dealing with a **vulnerable adult**, although if there is conflict the legal definition shall take priority.

Vulnerable adults may fall in one or more of these groups:

- Older people
- People with mental health problems
- Disabled people
- People with learning difficulties
- People with acquired brain damage
- People who misuse substances

For definitions of abuse (and discussion of the legal framework around this) and for definitions of **rape** and **sexual assault** **see the** Safeguarding and Working with Under18s and Vulnerable Adults Policy.

Code of Conduct for Working with under18s and Vulnerable Adults

General points to note

- Party members are expected to actively contribute to an organisational culture where inappropriate behaviour is not tolerated.
- A copy of the Members' Code of Conduct is available on the Party website here: <https://www.libdems.org.uk/doc-code-of-conduct>
- Party members who are also elected officials or regulated by any external body by virtue of their profession, vocation or any voluntary role should also take into account the codes of conduct and regulatory rules applicable to them in these capacities.

Working directly with Under18s and Vulnerable Adults

This code of conduct aims to assist you in providing appropriate support for under18s and vulnerable adults when you are working directly with them. If, as part of that work, an under18 or vulnerable adult discloses to you alleged inappropriate behaviour from another person (whether an adult or other under18) then please refer to the **Safeguarding and Working with Under18s and Vulnerable Adults Policy**.

- Work should be undertaken in an open environment avoiding private or unobserved situations. Avoid spending excessive² amounts of time alone with under18s or vulnerable adults away from others.
- Encourage open communication, wherever possible.
- Treat all under18s and vulnerable adults, regardless of race, disability, religion or belief, gender, sexual orientation, equally and with respect and dignity.
- Always put the welfare of any under18 or vulnerable adult first.
- It is not appropriate for staff to have a physically or emotionally intimate relationship with a either a vulnerable adult or any under18. Particular attention is drawn to the provisions of the Sexual Offences Act 2003 which creates a criminal offence of abuse of "**a position of trust**".
- Ensure that if any form of physical touching is required, it should be provided openly and kept to a minimum. Consent should be obtained wherever possible. Situations where it may not be possible to obtain consent include where the under18 or vulnerable adult is unconscious or otherwise incapacitated (e.g. if they have fainted or are under the influence of alcohol or other drugs), they are in need of urgent medical assistance which requires physical intervention (e.g. if they have suffered an allergic reaction), or where there is a risk of harm to themselves or others without physical intervention (e.g. if they are in possession of a weapon or making threats and physical restraint is necessary).
- Positively support a "whistle-blowing" culture where any concerns about inappropriate behaviour are reported and dealt with in a timely manner.
- Never give alcohol or other drugs, cigarettes, or e-cigarettes to any under18 or any vulnerable adult or encourage or appear to encourage any 18 or vulnerable adult to take such gifts from others or use such substances.

- It is not advisable to give under18s or vulnerable adults your personal details such as home or mobile phone number, home address, or internet (**IP**) address or to communicate on a personal basis via social networking sites, for example, Facebook, Twitter etc. If there is a need for contact details to be shared consider using the official channels.
- Parental consent must be obtained for activities involving under18s.
- Written consent to take and use images of under18s and vulnerable adults should be obtained prior to the taking of photographs and/or video footage. Parents/carers of under18s and either the vulnerable adult (if they are capable of giving consent) or the carer of that vulnerable adult (if they are not) should be made aware of when, where and how the images may be used to give their informed consent.
- Always act in a professional manner at all times.

Managers or those responsible for working with under18s or vulnerable adults

Managers should apply all of the rules for those working directly with under18s and vulnerable adults as listed above, ensure all their staff or volunteers are aware of these rules and the related policies and also ensure the following:

- Supervision of under18s and vulnerable adults by a designated adult.
- That the designated adult should have Disclosure and Barring Service (**DBS**) certificate.
- Completion of a risk assessment of a venue or activity involving under18s/vulnerable adults and plans for eventualities.
- Organisation of separate accommodation for female and male under18s, if there is a need for overnight accommodation.
- Supervision by a designated adult, if a delivery route or canvassing is being completed by under18s or vulnerable adults. Two way contact details should be provided, and clearly marked route maps should be provided. Route maps designated with unsafe areas should not be allocated to under18s or vulnerable adults.

Safeguarding at party events (including where under18s and/or vulnerable adults are present)

- Party staff and volunteers regularly run events which under18s and/or vulnerable adults may attend.
- These events vary from large scale multi-focal events (e.g. federal, national and regional conferences) to small events (e.g. post-canvassing meet-ups) and they can be purely social, political or both. The approach to safeguarding should be tailored to the nature and size of the event. There may be events where it is appropriate to provide safeguarding to all attendees, regardless of their age and vulnerable status (for example, events where alcohol is provided and it is possible attendees judgment may be impaired as a result).
- Where there is a concern about safeguarding, a safeguarding officer or officers present at the event should be identified to attendees before or at the start of the event. This can be done by announcement or in written material advertising the event, whether in hard copy or online.

- It should be made clear that attendees can approach the safeguarding officer during or after the event, and that if they do not feel comfortable approaching the safeguarding officers identified at the event they can instead approach their local party chair or the PCO (regardless of whether their local party chair or the PCO were present at the event).
- If alcohol is available at any event this should never be provided to under18s and ID checks should be undertaken where someone looks under 25 or you are otherwise concerned that a person seeking alcohol may not be 18 or over. Anyone caught serving alcohol to under18s or under18s seeking to acquire alcohol by deceit would be considered to be breaching the Members' Code of Conduct.

Further Guidance

Disclosure and Barring Service

Anyone who works closely and regularly¹ with under18s must obtain a Disclosure and Barring Service Certificate (**DBS**), previously called a CRB check. Anyone with convictions for sex and violent offences cannot work in any capacity with under18s.

If you, or a member of your staff or a regular volunteer, or your local party, AO, SAO or other party body, is or is likely to be working with under18s on a regular basis please confirm whether the person or people involved have a valid DBS certificate. If not, please do not undertake the activity until you have contacted the Pastoral Care Officer to find out whether and how to get a DBS certificate.

If you suspect abuse has occurred

Please contact the following:

- **Police:** If you think a crime is being committed or has very recently been committed and urgent intervention is required please call 999. Otherwise, to report a past crime please either call the police non-emergency line on 101 or call your local police station, details of which can generally be found at <https://www.police.uk/pt/contact-the-police/>.

The police can also offer advice regarding safety at home and in the community and may refer people who have experienced violence, abuse or crimes to the Victim Support helpline - 0845 303 0900.

- **The local area social services team (safeguarding team):** there are generally separate teams for under18s and vulnerable adults. This information can be found on the local council's website. Key people to contact within the team include: Director of children services and Head of safeguarding and Director of social services.
- **Pastoral Care Officer:** you must also contact the party's Pastoral Care Officer, who can advise on whether you should contact an outside agency and whether and how to report complaints and issue within the Party to: pastoralcareofficer@libdems.org.uk and phone: 07 3850 31170.

When submitting a report to the relevant authorities such as the police or social services a written record of the date and time of the report shall be made and the report must include the name and position of the person to whom the matter is reported. The telephone report must be confirmed in writing to the relevant local authority Social Services department within 24 hours. For more details see Appendix 3 of the **Safeguarding and Working with Under18s and Vulnerable Adults Policy**.

Additional information can be found here:

1. Working together to Safeguard Children
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/779401/Working_Together_to_Safeguard-Children.pdf
2. Helping employers make safer recruiting decisions:
<https://www.gov.uk/government/organisations/disclosure-and-barring-service/about>
3. A guide to eligibility for criminal record checks:
<https://www.gov.uk/government/organisations/disclosure-and-barring-service/about#eligibility>
4. Barring guide: <https://www.gov.uk/government/organisations/disclosure-and-barring-service/about#barring>
5. Protection of Freedoms Act 2012, sections 65 and 66:
http://www.legislation.gov.uk/ukpga/2012/9/pdfs/ukpga_20120009_en.pdf?time_line=true
6. Regulated activity (adults); The definition of 'regulated activity' (adults) as defined by the Safeguarding Vulnerable Groups Act 2006 from 10th September 2012, Department of Health
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/216900/Regulated-Activity-Adults-Dec-2012.pdf

Department of Health Statement of Government Policy on Adult Safeguarding:
<https://www.gov.uk/government/publications/adult-safeguarding-statement-of-government-policy>