



West Calder Aeromodellers



West Calder & District Model Flying Club

Child and Vulnerable Adult Protection Policy

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Revision History

Rev	Date	Prepared by	
0		J. Borland	22/05/06
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1. CHILD & VULNERABLE ADULT PROTECTION POLICY

POLICY STATEMENT

The West Calder and District Model Flying Club (WCDMFC) recognise that the welfare of all children, young people and vulnerable adults is paramount and that all; regardless of ability or culture, have equal rights of protection. We have a duty of care and we will do everything we can to provide a safe and secure environment whilst they are engaged in our activities.

WCDMFC seeks to ensure that its policy and procedures reflect available guidance on good practice in safeguarding children, young people and vulnerable adults, and that safeguarding arrangements are in accordance with the Scottish Law and Government national guidance for child protection, and are proportionate to the risks involved.

2. SPECIFIC PRACTICES AND ACTIONS

1. No unaccompanied children or vulnerable adults are allowed on site. All children and vulnerable adults must be supervised by a parent / guardian at all times.

2. All Instructors teaching a child or vulnerable adult are recommended to be members of the Scottish Protection of Vulnerable Groups (PVG) scheme as operated by Disclosure Scotland via an appropriate organisation registered with the scheme (e.g. the SAA via Volunteering Scotland Disclosure Service VSDS).

Note : We are recommending PVG membership rather than a stronger requirement of making it mandatory.

Being a member of the PVG scheme is currently not the law in Scotland , but a “ voluntary arrangement . Having this as a recommendation gives some discretion on pursuing this complex process. E.g. the consideration of a recent PVG certificate from another organisation.

Also, with parents on site the equivalent situation in England would not require any “ Disclosure”. Hence visiting examiners might not have the equivalent disclosure.

3. Making direct contact with a child or vulnerable adult is not part of normal club duties.

Therefore no club official shall attempt to contact a young person or vulnerable adult directly. Contact shall always be via their parent / guardian or responsible adult.

As a further safeguard , the personal contact details of a child or vulnerable adult will not be held on record by the club , e.g e mail or phone numbers”

4. No child or vulnerable adult shall undertake any activity which might place him or her at risk. In any event prior consultation with their parent, guardian or

carer must take place if there is any doubt on the member's abilities to undertake a specific activity.

5. Should any member, parent, guardian, carer or the person themselves have concerns about the welfare of children or vulnerable adults then they should report these concerns to a committee member, nominally the club secretary. The committee will then take advice from our governing bodies on an appropriate course of action.
6. All members are required to respect the rights and dignity of children and vulnerable adults and to take common sense steps to ensure their welfare and safety on site.
7. This document and PVG status will be reviewed at least every 3-5 years to ensure that everything is still in place .e.g e mail addresses etc.
8. We will notify the appropriate organisation or registered body (e.g. SAA, VSDS) if any of our contact details change, due to e.g. committee changes.

3. DISCLOSURE AND PVG SCHEME OPERATION

This is our current understanding of the Disclosure and PVG scheme. (*Its inclusion here is to assist in any future amendment of this document.*)

The Disclosure scheme exists to help ensure that unsuitable people do not work with children or vulnerable adults

In Scotland, this disclosure process is NOT a legal requirement ... at the minute, but Disclosure Scotland believes it is the intention to make it a law within the next few years. It is currently a “voluntary arrangement”

<https://www.mygov.scot/pvg-scheme>

In Scotland there are 4 types of “disclosure” Basic , Standard, Enhanced, and PVG membership. However the only one relevant to doing “Regulated work” (see definitions) with children is to be a member of the PVG scheme. A parent on site supervising makes no difference (unlike the situation in England)

<https://www.mygov.scot/disclosure-types>

The old Disclosure Scotland scheme was changed in 2011 and now differs from that in England.

In England you are legally required to have “Enhanced Disclosure” to work with children. However the BMFA has indicated that this is not required if a parent is on site supervising.

How it operates

The PVG scheme works by a member being registered with the scheme.

<https://www.mygov.scot/apply-for-pvg>. E.g The SAA , via Volunteer Scotland Disclosure Service (DSDS) will begin the application which is then e mailed to the member who wishes to apply.

Disclosure Scotland then continuously monitor a member's status to work with vulnerable groups.

Should they be barred from working with Vulnerable Groups, then Disclosure Scotland will notify the member's governing organisation. They will then notify our committee, who would take appropriate action.

E.g. In the case of an SAA member.

1. Disclosure Scotland monitors the records and alerts the registered body , Volunteer Scotland Disclosure Service (VSDS) if any of our PVG members became barred from working with children.
2. VSDS then alerts the Scottish Aeromodellers Association (SAA).
3. The SAA then notifies our club.
4. Our committee will then take appropriate action.

Once registered to the scheme you will remain a member until you choose to leave. The scheme continuously monitors a members status to work with vulnerable groups. You do not need to reapply periodically.

<https://www.mygov.scot/apply-for-pvg/existing-members-of-the-pvg-scheme>

.Membership of the PVG scheme is only available to those doing "Regulated work ". (see definitions).

In our situation this is

.."Teaching, instructing, training or supervising children".

All other club members , including committee members , who do not engage directly with the child on site with the above role, would not be required to , or be able to be members of the PVG scheme . As they do not perform "regulated work" Disclosure Scotland would not process any such application.

4. DEFINITIONS

1. Child

A Child in this context of this document is defined as any young person under 18 years of age.

Note: A child can be defined differently in different legal contexts. a. Section 93(2) (a) and (b) of the Children (Scotland) Act 1995 defines a child in relation to the powers and duties of the local authority. Young people between the age of 16 and 18 who are still subject to a supervision requirement by a Children's Hearing can be viewed as a child. Young people over the age of 16 may still require intervention to protect them. b. The United Nations Convention on the Rights of the Child applies to anyone under the age of 18. However, Article 1 states that this is the case unless majority is attained earlier under the law applicable to the child. – Ref Scottish Government National Guidelines for Child Protection 2010.

2. Vulnerable Adult

A vulnerable adult is defined as a person of 18 years of age or over but through mental or physical attributes requires a higher level of supervision than would be normally commensurate with an adult member.

Note that: Adult Support and Protection (Scotland) Act 2007 defines Adults at Risk, through a three-point test, as adults, aged 16 years or over, who: a. Are unable to safeguard their own well-being, property, rights or other interests; b. Are at risk of harm; and c. Because they are affected by disability, mental disorder, illness or physical or mental infirmity, are more vulnerable to being harmed than adults who are not so affected.

3 . Vulnerable Groups.

A child or vulnerable adult.

3 Regulated work with Children

The following definition was e-mailed by Disclosure Scotland. It further explains the definition of regulated work in Scotland. It may have been extracted by Disclosure Scotland from the Protection of Vulnerable Groups (Scotland)Act 2007.

<https://www.legislation.gov.uk/asp/2007/14/schedule/2>

It is also defined here

<https://www.mygov.scot/pvg-scheme/types-of-work-covered-by-pvg>

REGULATED WORK WITH CHILDREN

An individual may be doing regulated work with children if their work involves any of the following activities (as part of their normal duties):

- Caring for children.
- Teaching, instructing, training or supervising children.
- Being in sole charge of children
- Unsupervised contact with children under arrangements made by a responsible person
- Providing advice or guidance to a child or to particular children which relates to physical or emotional well-being, education or training
- Moderating a public electronic interactive communication service which is intended for use wholly or mainly by children
- Providing, or working for an organisation which provides, a care home service which is provided exclusively or mainly for children.
- Providing, or working for an organisation which provides, an independent health care service which is provided exclusively or mainly for children.
- Work on any part of day care premises at times when children are being looked after in that part.
- Being a host parent

An individual may be doing regulated work with children if they work in any of the following establishments(as part of their normal duties):

- An institution which is exclusively or mainly for the detention of children.
- A hospital which is exclusively or mainly for the reception and treatment of children.
- A school
- A further education institution
- A hostel used mainly by pupils attending a school or further education institution.
- A home which is exclusively or mainly for children and is provided by a council under social work or mental health legislation.

Work in an establishment is not regulated work with children unless doing anything permitted or required in connection with the position gives the person the opportunity to have unsupervised contact with children. This means that any individual working in an establishment, or part of an establishment, where no children are present is outside the scope of regulated work. Secondly, any individual working in an establishment where children are present but who is supervised is not by this fact alone within the scope of regulated work. The phrase “doing anything permitted or required in connection with the position” precludes individuals who might have opportunity for unsupervised contact with children if they act outside their authority.

Incidental activity

The scope of regulated work is narrowed by the incidental test. Some, but not all, activities with children or protected adults are excluded from being regulated work if the activity is occurring incidentally to working with individuals who are not children or protected adults. For example, a teacher in a school is doing regulated work with children but a college lecturer running woodwork classes in the evening aimed at adults is outside the scope of regulated work, even if one or two children attend his class. This is because the presence of children (and the teaching of children) is incidental to the main activity and purpose of the class which is to teach adults.

An activity is likely to be incidental when:

- open to all (characterised by where the event is held, where it is advertised, admission policy etc);
- attractive to a wide cross-section of society; or
- attendance is discretionary.

An activity is unlikely to be incidental when:

- targeted at children or protected adults (characterised by where the event is held, where it is advertised, admission policy etc);
- more attractive to children or protected adults than others; or
- attendance is mandatory.

5. REFERENCES

The WCDMFC is affiliated to the Scottish Aeromodellers Association (SAA) and the British Model Flying Association (BMFA). The following BMFA guidelines were referenced in the writing of this document.

BMFA - Club Safeguarding Guidelines for Children and Vulnerable Adults - April 2021

<https://bmfa.org/Downloads/All-Downloads>

An SAA equivalent document was unavailable at the time of writing.