

The Federation of Astronomical Societies



Child Protection Guidelines

Version 1.3

3rd February 2020

Document History

Date	Author(s)	Version	Comments
03-Feb-2020	Paul Daniels	1.3	Re-imported into FAS template, re-formatted, changed most 'Federation of Astronomical Societies' into FAS.
05-Jan-2020	Graham Bryant	1.2	Updated as post GDPR Implementation
22-Apr-2018	Paul Daniels	1.1	Documents combined and re-formatted
01-Oct-2013	Graham Bryant	1.0	Document released to membership
15-Jun-2013	Graham Bryant	0.1	Document Created

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1 Position Statement

The Federation of Astronomical Societies (FAS) is committed to protecting children and ensuring that, when children pursue an interest in astronomy through its affiliated societies, those children are safe from abuse.

The FAS aims to provide practical assistance regarding information and guidance on Child Protection for its affiliated member societies.

2 Purpose of Child Protection Guidelines

To provide information to astronomical societies in light of changing legislation and the general raising of awareness of Child Protection and Safeguarding issues in society.

To provide Society officers, members and their volunteers with guidance on procedures that they should, and in some circumstances the law expects them, to adopt.

These guidelines offer advice on what to do in the event that an astronomical society suspects a child may be experiencing harm, or where they reasonably consider a child may be at risk of harm (see final paragraph under section 'Introduction').

These guidelines, if adopted by an affiliated society, should apply to all Society members including committee members, officers, volunteers or anyone working on behalf of that affiliated astronomical society and applied in their entirety.

Disclaimer: However, although these are provided in good faith the Federation of Astronomical Societies (FAS) cannot accept responsibility for the adequacy of these guidelines and it is clearly the responsibility of each astronomical society to ensure that it complies with legal requirements relating to child protection.

In addition, these guidelines must *only* be adopted as 'FAS Guidelines' *in full and without any modification*. The FAS disclaims any connection with and does not agree to any Society adding to, deleting parts of, modifying or changing in any way these guidelines whilst still claiming them to be FAS guidelines.

3 Introduction

The FAS is aware that many young people are fascinated by astronomy and may seek further advice or practical experience by approaching their local astronomical society for advice and guidance. Children should find astronomy safe, fun, enjoyable and informative.

Much has been written in the popular media about child protection policies and the restrictions that such policies place on some members of society. Consequently there are occasions when astronomical societies may, due to the desire to be 'watertight' in policy, adopt policy and behaviours based on old information and/or mistaken beliefs, rather than current information and a common sense approach.

Some societies may be so concerned about child protection issues that they may intentionally or inadvertently discourage young people from joining their society and thus denying the ability for children to enjoy the benefits of studying astronomy through an astronomical society.

This document aims to set out some facts and salient requirements that current regulations will place on astronomical societies and its members in respect to the involvement of children in an astronomical society setting. In doing so it is hoped that astronomical societies can be more confident in involving young people in their Society and astronomy as a whole.

It should be remembered that children often have scrapes, cuts, bruises and, occasionally, broken bones as part of the 'rough and tumble' of childhood and their presence may not indicate anything untoward in respect of child protection issues. Indeed, in the overwhelming number of instances, such 'signs' will not constitute an

indication of abuse at all. Consequently, one should not automatically be 'jumping to conclusions' by their presence on a child.

4 Background

There have been a number of high profile cases, where children have been abused or murdered, which resulted in legislative recommendations to Government. The murders of children Holly Wells and Jessica Chapman in Soham were one such event, which, following a review of the Soham case by Sir Michael Richard, led to the setting up of the Vetting and Barring Scheme which was administered through the Independent Safeguarding Authority (ISA).

The ISA undertook to create a register of people who wished to work (paid or volunteer) with Vulnerable People and Children and confirmed to employers and the like that there was no known reason why that individual should not work with these client groups.

There was much criticism of the ISA, not least of which was driven by the estimate that over 9 million people might need to register with the ISA by virtue of their involvement (albeit occasional or casual contact) with vulnerable people and children and was considered by some campaigners to be 'Orwellian' in its approach and scope.

The 2010 Coalition Government, responding to these concerns, scaled back the scope of the ISA and merged it with the Criminal Records Bureau (CRB). The new organisation is now known as the Disclosure and Barring Service (DBS). This scheme merges the roles of vetting and barring and of criminal record disclosure.

Importantly, the background to the scaling down and the merging of these two organisations arose from the concern that the requirement for registration through ISA and CRB checks had the unintentional consequence of creating widespread fear and creating the perception that anyone could be an abuser.

It was felt that the old registration scheme created an environment where individuals were not considered safe to work with children and vulnerable people unless they had been vetted. It was considered that this wrongly placed the emphasis on the State to provide assurance on people's suitability to work with children and vulnerable people, rather than individual organisations adopting robust, sensible and reasonable selection procedures.

So, whilst the new system does not negate the need for vetting checks, it is acknowledged that the emphasis should be on the need to identify the relatively small number abusers and paedophiles in society and exclude them from working with children and vulnerable groups and not to cast fears and doubts on the majority of the population who would not pose a threat to children and vulnerable groups.

As part of the scaling down of the scope of vetting, there has also been a review, and guidance issued on what level of contact with children, above which requires a DBS check as well as the type of activity undertaken with children which, again, will require a DBS check.

5 Legislative/Guidance Framework

It must be acknowledged that any written guidance may be outdated by the publication of further legislation, legal ruling or Government/non-Governmental guidance. Therefore the following legislative framework is stated so that astronomical societies can see how the current FAS guidance has been arrived at and further, more detail can be obtained by those astronomical societies who wish to know more of the background and detail in respect to protecting children.

- The Children Act 1989
- Education Act 2002
- Safeguarding Vulnerable Groups (SVG) Act 2006 (Amended by Protection of Freedoms Act 2012)
- Drawing The Line Report (2009) Sir Roger Singleton
- Working Together to Safeguard Children 2010

- Vetting and Barring Scheme Remodelling Review – Report and Recommendations Feb 2011
- Regulated Activity in Relation to Children: Scope Factual Note by HM Government
- Statutory Guidance: Regulated Activity (children) – supervision of activity with children which is regulated activity when unsupervised

6 Definitions of Abuse

Abuse can occur within many situations including the home, school and other environments. Any astronomical society member who has contact with young people can be an important link in identifying cases where a child may need protection. Cases of where there are reasonable grounds to suspect abuse or where abuse is witnessed, it must be reported to the appropriate authorities.

Abuse can present itself in many forms. There are obvious forms of abuse such as:

Physical abuse

Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.

Sexual abuse

Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, whether or not the child is aware of what is happening. Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.

And there are less obvious categories of abuse such as:

Neglect

Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

Emotional abuse

Emotional abuse is the persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child's emotional development: it may involve conveying to children that they are worthless or unloved, inadequate or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate.

Some level of emotional abuse is involved in all types of maltreatment of a child, although emotional abuse may occur alone.

It is fully acknowledged that it may be more difficult to identify emotional or psychological abuse.

Child abuse, particularly sexual abuse, can arouse strong emotions in those facing such a situation. It is important to understand these feelings and not allow them to interfere with judgement regarding the appropriate action to take.

7 Society Members' Behaviour

It is impossible to describe all behaviours which should either be promoted or avoided. The following are given as some obvious examples. Astronomical society members should take a common sense approach to both aspects.

Wherever a Society member's behaviour gives cause for concern, their behaviour should be discussed openly with that member and witnessed. The exception to this might be where obvious abuse is taking place and this concern is to be reported to the relevant authorities (see section on Reporting a Concern).

Avoid:

1. Engaging in rough physical or sexually provocative games, including horseplay
2. Allowing or engaging in any form of inappropriate touching
3. Allowing children to use inappropriate language unchallenged
4. Making sexually suggestive comments to a child, even in fun
5. Reducing a child to tears as a form of control
6. Allowing allegations made by a child to go unchallenged, unrecorded or not acted upon
7. Doing things of a personal nature for children that they can do for themselves
8. Inviting or allowing children to stay with you at your home or other venue for 'private' stargazing, *etc.*
9. Taking on a care giving or supervisory role without formal processes being put in place first (see definition on Regulated Activity)

Promote good practice by:

1. When attending externally organised events (Scouts/Guides groups, *etc.*) the astronomical society should always stipulate that the external group itself must provide the DBS checked adults and they must be present at all times.
2. Ensuring parents/carers take responsibility for their own children
3. Always putting the welfare of each young person first
4. Always working in an open environment, avoiding private or unobserved situations and encouraging open communication
5. Treating all young people equally with respect and dignity
6. Maintaining a safe and appropriate distance with children
7. Building balanced relationships based on mutual trust and empowering children to share in decision making
8. Making astronomy fun and enjoyable
9. Ensuring that if any form of manual/physical support (such as at a telescope) is required, it should be provided openly and the child and parent must always be consulted and their agreement gained
10. Being an excellent role model – this includes not smoking or drinking alcohol in the company of young people
11. Giving enthusiastic and constructive feedback rather than negative criticism
12. Recognising the developmental needs and capacity of young people and not 'pushing' them against their will
13. Keeping a written record of any injury that occurs, along with details of any treatment given

8 Administration of First Aid

A number of astronomical societies express concern with respect to 'laying on of hands' with a child in first aid situations. The following is set out to clarify appropriate touching in this situation.

As a point of good practice, all astronomical societies should consider having fully trained First Aiders on site, especially if the Society is conducting a public viewing session or some form of outreach activity. The fully trained First Aider should be able to assess the severity of any situation and make an informed decision regarding the administration of appropriate first aid.

Society members should take a common sense approach to the administration of first aid to children. Example: if parents/guardians are present, they could administer the first aid if they are competent/confident to do so – this could be with the guidance of the Society's First Aider. If the parents do not feel able/willing to do so, then with their agreement first aid should be administered.

If the parents are not present, first aid should be given with the agreement of the child. It is a point of good practice to record what had occurred and what first aid was administered.

In the event of serious injury or life threatening situations first aid and life saving measures must be given regardless and the Emergency Services called.

In all events above, if parents were not present, they should be contacted as soon as is practicable and informed of the accident and of the first aid administered.

Protection of Children from Harm

It would also be considered appropriate to 'touch' children when in doing so would prevent harm from occurring to that child. It is impossible to describe all circumstances, but an obvious example would be to physically stop a child from running into the path of an oncoming vehicle.

9 General Principles in Relation to Contact with Children in an Astronomical Setting

Any person, whether they are a member of an astronomical society or not, who is known to have committed a serious offence against children is not permitted to work with or volunteer to work with children. Note: it is a criminal offence to knowingly permit someone in such circumstances to 'work' with children.

Individuals from astronomical societies who go into different schools or similar settings to give astronomical talks or demonstrations with different groups of children are not required to undertake a DBS check unless they have contact with the same children on a *Frequent* or *Intensive* basis (see definitions).

Additionally the visiting astronomical society member will be under reasonable *supervision* (see definition) by a member of staff who are themselves subject to the requirements of providing *Regulated Activity* (see definitions) and who have themselves been subject to a DBS check. However, it is possible that the Headmaster/Scout or Guide Leader or similar may insist on a DBS check being undertaken before any external speaker is invited to the school or scout/guide pack, *etc.*

If a member of an astronomical society is asked to look after a child by a friend or relative and the friend or relative is the parent of that child, the Society member can take that child to an astronomical meeting. This is considered to be a private arrangement between the parent and the member of the astronomical society and there is no requirement for any DBS checks upon that astronomical society member – this is known as *Mutually Agreed Contact* (see definitions).

If an astronomical society holds an event to which the public are invited and children are present and accompanied by their parent or guardian, or indeed where older children turn up for a one-off event, this is considered as *incidental contact* (see definitions); there is no need for astronomical society members to be DBS checked.

If an astronomical society decides to create a 'junior section' where the membership of the section is made up of children (people under 18 years of age) and the section is organised and supervised only by members of the astronomical society, DBS checks will be required on all those Society members involved with the children. This is because they may have contact with the same child or children on a *Frequent* or *Intensive* (see definitions) basis and this activity falls within the remit of *Regulated Activity* (see definitions).

Astronomical societies may create a junior section or series of children's events but may insist on the parents/guardians always being present. In this situation the children are supervised by their parents and Society members are not required to undertake a DBS check.

10 Astronomical Society Governance in Relation to Child Protection

It is good practice for every astronomical society to have a member who takes the lead for overseeing child protection matters within their astronomical society. The FAS would suggest that if there is no singularly designated person within the astronomical society, then this responsibility should default to the Chairman, President or similar and should be made explicit to the post holder.

Responsibilities of the Lead for Child Protection:

The responsibilities on the Lead for Child Protection when a Society does not have a junior section should not be onerous

- They would help to ensure that their Society is compliant with regulations regarding the protection of children as described in these guidelines and act as a point of contact in the event of a child protection issue or query being raised
- They should ascertain the local contact numbers (Local Authority Children's Services or Police non-emergency number) and place these within the Society's Child Protection Policy
- Ensure that all Society members are aware that this policy is in force
- They should make their own contact details available to Society members so they can provide support to those members should this be necessary

If an astronomical society has a junior section, the FAS strongly suggests that one senior member of the Society, involved in that junior section acts as a Designated Child Protection Officer (DCPO). It is good practice for these astronomical societies to also have a Deputy DCPO.

Responsibilities of the Designated Child Protection Officer:

- The Designated Child Protection Officer (DCPO) takes the lead responsibility for child protection policy compliance within the astronomical society including support for other Society members in relation to child protection matters.
- Developing Society practices/policies in relation to children
- Ensuring the implementation of those practices/policies in relation to child protection
- Training and/or giving guidance to Society members
- Information sharing in relation to child protection with other agencies when this becomes necessary
- They should ascertain the local contact numbers (Local Authority Children's Services or Police non-emergency number) and place these within the Society's Child Protection Policy
- Ensure that all Society members are aware that this policy is in force
- They should make their own contact details available to Society members so they can provide support to those members should this be necessary

The DCPO/Deputy will ensure that their contact details are available to Society members so that, if a concern arises, they are able to give advice, guidance and support to those Society members witnessing/reporting the concern.

If a concern is raised, the DCPO/Deputy will ensure that those witnessing/reporting are encouraged to record the facts of the situation. The DCPO/ Deputy will be able to remind the witness/reporter of the alleged abuse that their notes may be used at a later date in a subsequent investigation or legal proceedings.

The DCPO/Deputy will ensure that they have an up-to-date list of contact numbers including the Police and the Local Authority's Children's Services – this is for the purpose of reporting a concern or raising a query.

11 Astronomical Society Members' Responsibilities

If it is necessary, individual members of an astronomical society are perfectly within their rights to report a concern directly to the Local Authority Children's Services or the Police. As, in these instances, the concern relates to a child involved in an astronomical society activity, they should also inform the Child Protection lead or DCPO for their Society of their actions.

It is the responsibility of all members of an astronomical society to ensure that any child protection concerns, both minor and serious, are raised with their Society Child Protection lead as soon as is reasonably possible as the Society's committee may have to make decisions regarding the Society member (see Reporting a Concern - barring a member).

12 Reporting a Concern

It is paramount that if a child is being abused in an astronomical society meeting or event, immediate steps are taken to protect that child from further abuse. This may be immediate action by the astronomical society *e.g.*

separating a person who may be physically abusing a child or it may be the act of reporting a concern to the relevant authorities.

Immediate care and support may need to be carefully offered to the victim of abuse. Parents (if they are not the abusers) should be called immediately.

It is expected that the astronomical society Child Protection Lead, whether that be the Chairman/President, *etc.* or the DCPO/Deputy, will ensure that facts are gathered in relation to the child protection issue. These facts should relate to the immediate abuse issue only. If any further detailed information is required it will be gathered formally by the Police or other relevant authorities.

As previously described, child abuse can elicit strong emotions in people and support for the witness(es) may need to be offered.

Advice must be taken from the relevant authorities (especially the Police) before any discussion takes place with the alleged perpetrator.

In the event of the alleged perpetrator being a Society member then, until the matter is fully resolved, a temporary ban on their attendance at all of the astronomical society's events is strongly recommended. If there is the possibility that a child may attend a Society meeting/event, then the ban is essential.

The decision to ban can be reviewed in the light of any further investigation/conclusion by the relevant authorities. It may be of help to discuss the issue of excluding the alleged perpetrator from Society activities with the relevant authorities (Child Services) or the Police.

If it is known that the alleged perpetrator is a member of an adjoining Society then that Society should be informed of the facts and actions taken. Again, discussion of this issue with the relevant authorities (Child Services) or the Police may be of help.

13 Vetting of Astronomical Societies Members

Where an astronomical society has a need for some of its members to be vetted, there are a number of approved companies that will perform the DBS check as an 'umbrella' organisation on the behalf of the astronomical society. In most cases there is a small charge.

There is no regulatory frequency at which a DBS check should be renewed. Some organisations insist that a DBS re-check is undertaken regularly, such as 3-5 yearly intervals. Other organisations state that whilst an individual has continued employment or continuous volunteering contact with them, then an initial DBS check is sufficient and is on the proviso that, if there is any subsequent Police contact, it is reported to the employer.

The frequency of DBS checks should be made at a local astronomical society level and may be determined by the frequency of turnover of volunteers, nature of venue and type of activity undertaken by the astronomical society. The age, sex and vulnerability of the children may also influence the frequency decision.

Whichever frequency of check is adopted, either a one-off DBS check or regular checks, a system should be put in place locally to hold confidentially the information gained as a result of these DBS checks. This information will be subject to the General Data Protection Regulation (GDPR) and the astronomical society must act in accordance with the provisions of those regulations.

In the past, vetting checks would have been required for every different job or volunteered activity, even if they occurred concurrently. Now, one DBS check is adequate and can be provided to all organisations requiring a check for employment or volunteering. DBS checks are now considered 'transportable'; this was not the case in the past. Consequently many volunteers may already have a copy of an appropriate DBS check without need for a further check.

If astronomical society members are aged 16 and/or 17 and are involved in assisting/organising in the astronomical society's junior section, they will also be subject to a DBS check.

Note: If a DBS check is required, it is an *enhanced DBS* check that is required when working with children (see definitions).

14 Astronomical Societies Adopting A Child Protection Policy

An astronomical society may wish to adopt the FAS Child Protection Guidelines and make a simple policy statement to that effect.

The policy document could state the relevant responsibilities and various contact details. A sample document is appended for use/consideration by affiliated societies.

However, some Societies may feel that they require a more in-depth document which would describe in detail the circumstances of their Society's child involvement. In such circumstances the FAS Child Protection Guidelines are intended to assist in clarifying current requirements and responsibilities on astronomical societies and their members, and may be used as a basis for a more detailed and tailored document.

15 Exceptional Circumstances

In the event of an astronomical society finding itself dealing with exceptional circumstances or in a situation which is either unclear or requires further clarification, members of astronomical societies (ideally the member with child protection responsibility/DCPO) should contact their local Children's Services and seek that clarification.

In order for the staff of the Local Authority to assist with an enquiry, they will require as many facts as possible.

16 Conclusion

These guidelines are only valid whilst the current legislation and regulations are in force. Should these be updated, astronomical societies are strongly advised to either review their practices in light of any new regulations or seek clarification from either the FAS or their local Children's Services.

17 Definitions & Glossary

- **Child**
A Child is defined as someone less than 18 years of Age
- **Independent Safeguarding Authority (ISA)**
The ISA previously maintained the Barred Persons list but is now replaced by the Disclosure and Barring Service (DBS).
- **Criminal Records Bureau (CRB)**
The CRB was an organisation which was responsible for providing details of an individual's criminal record to an employer/body where that body had a legitimate need for that information. The CRB has now been replaced with the Disclosure and Barring Service (DBS).
- **Disclosure and Barring Service (DBS)**
The DBS replaces the Criminal Records Bureau and the Independent Safeguarding Authority into a single and smaller organisation. Consequently a CRB check is now defunct and is replaced with a DBS check.
- **Frequent Contact**
Frequent Contact is defined as contact that takes place once a week, or more often, with the same children.
- **Intensive Contact**
Intensive is defined as contact that takes place on four days in one month, or more, with the same children or overnight (between 2am-6am).
- **Regulated Activity**
Regulated activity is work that a barred person must not do. There are basically a number of domains that Regulated Activity falls into, these are:
 - Health Care
 - Health care for children provided by, or under the direction or supervision of a regulated health care professional (Doctor, Nurse, etc)
 - **This is regulated activity even if the activity is only carried out once.**
 - Personal Care
 - Physical help in connection with eating or drinking for reasons of illness or disability;
 - Physical help for reasons of age, illness or disability in connection with toileting, washing, bathing and dressing,
 - Prompting with supervision or training or advice in relation to the above examples where the child is unable to decide to carry out the activities without that prompting or advice
 - **This is regulated activity even if the activity is only carried out once.**
 - Education
 - Unsupervised activities: teach, train, instruct, care for or supervise children, or provide advice/guidance on well-being, or drive a vehicle only for children;
 - Work for a limited range of establishments (known as 'specified places'), with opportunity for contact with children: e.g. schools, children's homes, childcare premises.
- **Non-Regulated Activity**
 - Mutually Agreed Contact
Mutually agreed and responsible arrangements made between parents and friends for the care of their children does not come under the remit of the Vetting and Barring Scheme.

- Incidental Contact

The activity is not being provided for children and the presence of a child or children is unforeseen and does not come under the remit of the Vetting and Barring Scheme.

- **Supervised**

Supervision can be given by a person who is in regulated activity themselves (thus subject to a DBS check) and must be engaged in that regulated activity on a regular or on a day to day basis.

Supervision must take place on a regular basis and not given intensively in the beginning and then tailed off after a number of weeks or months, *etc.*

- **DBS Checks**

- Basic Disclosure

A Basic Disclosure (termed as a "criminal conviction certificate" in Part V of the Police Act 1997) is the lowest level of Disclosure and is available to anyone for any purpose. It contains details of convictions considered unspent under the Rehabilitation of Offenders Act 1974 or state that there are no such convictions. It is not job-specific or job related and may be used more than once.

- Standard Disclosure

These are primarily for people entering certain professions, such as members of the legal and accountancy professions and other FSA Regulated roles. The Standard check contains details of all convictions held on the PNC including current and 'spent' convictions as well as details of any cautions, reprimands or final warnings.

- Enhanced Disclosure

Note: This is the check that would be applied for if an astronomical society wished to have any of its members DBS checked

These are for posts that involve a far greater degree of contact with children or vulnerable adults. In general the type of work will involve regularly caring for, supervising, training or being in sole charge of such people. Examples include a Teacher, Scout or Guide leader.

The check will evidence current criminal record, unspent convictions, spent convictions, cautions, warnings, reprimands and any other information the Police may wish to disclose about the applicant.

References