

Safeguarding Children and Vulnerable Adults

INTRODUCTION

Vivacity Culture & Leisure Trust recognises that all staff who regularly come into contact with children and vulnerable adults must be made aware of the related welfare issues that could arise. This policy and guidelines have been produced in line with other organisations and agencies which have regular contact with children. Following recent legislation this has been extended to include vulnerable adults.

Vivacity Culture & Leisure Trust wants children to enjoy their involvement and experience with us whether they are on a work experience placement, a visitor to one of our facilities or taking part in one of our organised activities.

Whilst primarily intended to safeguard children and vulnerable adults this policy is also intended to protect staff from any false allegation of improper conduct in this regard. Whilst we cannot cover every possible eventuality the guidelines cover most situations that staff are likely to encounter.

For the purpose of this policy (irrespective of the age of consent for consensual sexual contact) the term child or children means, any child or young person under the age of 18 and is inclusive of staff under the age of 18 (Children Act 1989).

For the purpose of this policy vulnerable adults are people who are, or may be, in need of community care services because of mental disability or other disability, age or illness, and who are, or who may be, unable to take care of themselves or unable to protect themselves against significant harm or exploitation (Safeguarding Vulnerable Groups Act 2006).

PURPOSE

The purpose of this policy is to provide advice for staff working for Vivacity Culture & Leisure Trust to help meet the Trust's commitment of ensuring that any child or vulnerable adult receiving any form of training, advice or guidance is protected from exploitation and abuse. All staff are expected to accept our code of ethics and conduct. This policy is to ensure as far as is possible that all who work for the Vivacity Culture & Leisure Trust maintain a proper focus on safeguarding.

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1.0 POLICY STATEMENT

1.1 Responsibilities

Vivacity Culture & Leisure Trust will:

- operate, as far as is reasonable, to ensure the protection of young people using the services provided from physical, sexual, emotional abuse, neglect and bullying
- accept the moral and legal responsibility to implement procedures to provide a duty of care for young people and vulnerable adults, safeguard their well-being and protect them from abuse
- recruit, train and supervise its employees and volunteers to adopt best practice to safeguard and protect young people and vulnerable adults from abuse and protect themselves against false allegations
- require staff and volunteers to adopt and abide by a code of ethics and conduct and abide by this Safeguarding of Children & Vulnerable Adults Policy
- respond to any allegations appropriately and implement the appropriate disciplinary procedure

1.2 Principles

This policy is based on the following principles:

- identify the aspects of its service that are governed by Working Together To Safeguard Children 2010, Every Child Matters, The Children Act 2004, The Safeguarding Vulnerable Groups Act 2006, The Rehabilitation of Offenders Act 1974 and Disclosure Baring Service

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- all young people and vulnerable adults whatever their culture, disability, gender, religious belief and racial origin have a right to protection from abuse
- it is everyone's responsibility to report any safeguarding concerns, however it is the responsibility of experts in the safeguarding of young people to determine whether or not abuse has taken place
- all incidents or suspicions of poor practice and allegations should be taken seriously and responded to as soon as possible and appropriate
- confidentiality should be upheld in line with the Data Protection Act 1998 and the Human Rights Act 1998

Introduction

All organisations that make provision for children and young people must ensure that:

- the welfare of the child or vulnerable adult is paramount
- all children and vulnerable adults, whatever their age, culture, disability, gender, language, racial origin religious beliefs and/or sexual identity have the right to protection from abuse
- all suspicions and allegations of abuse will be taken seriously and responded to swiftly and appropriately
- all staff (paid/unpaid) working for Vivacity Culture & Leisure Trust have a responsibility to report concerns to the appropriate officer

Staff/volunteers are not trained to deal with situations of abuse or to decide if abuse has occurred – that is the responsibility of safeguarding children experts.

1.3 Adoption of policy

This policy was approved and implemented on 1st May 2010.

2.0 RECRUITMENT, EMPLOYMENT OF STAFF

2.1 Introduction

All reasonable steps will be taken to ensure unsuitable persons are prevented from working with children and young people and vulnerable adults. Identical procedures will be carried out whether the staff are paid or unpaid working casual, part-time or full-time hours.

2.2 Pre-recruitment requirements and information

The following procedures will apply prior to recruitment.

a) Advertising

When advertising to recruit staff or volunteers the advertisement will state:

- aims of the service and details of the appropriate programme if applicable
- responsibilities of the role
- level of experience and any qualifications required
- the Service's pro-active approach to safeguarding of children and young people

b) Application information

Details to be forwarded and information sent out to potential or interested applicants will contain:

- a job description including roles and responsibilities
- a person specification
- a Vivacity Culture & Leisure Trust application form

c) Applications

All applicants (including volunteers) for any positions will complete an application form from which the following information can be determined:

- name, address and National Insurance number (confirming identity and right to work)
- relevant experience, qualifications and details of any training undertaken
- details of past employment or involvement in sports and leisure activities
- any criminal convictions
- a self-disclosure question to reveal any history regarding action taken against them in relation to safeguarding of children and young people and vulnerable adults
- names and addresses of two referees to comment on the applicant's previous experience of, and suitability to work with, children and young people or vulnerable adults, one of whom should be a previous employer
- any personal involvement in cultural and/or sporting activities
- the applicant's consent to a disclosure barring service (DBS) check
- the applicant's consent to abide by the general terms and conditions of employment

2.3 Checks and references

All positions will be subject to an enhanced DBS check.

A minimum of two references will be taken up and at least one should be associated with working with children and young people/vulnerable adults.

2.4 Interview and induction

All sports coaches and other staff who will have direct access to working with children and young people and vulnerable adults will be subject to the interviewing process. The interviewer must have completed the appropriate training in recruitment and selection, preferably having undertaken the Safer Recruitment Training. Evidence of qualifications must be provided – original documents to be produced.

2.5 Training

All staff will undergo a formal induction which will include training in:

- Level 1 Safeguarding Children (validated by Peterborough & Cambridgeshire Safeguarding Boards)
- Vivacity Culture & Leisure Trust Safeguarding Children & Vulnerable Adults Policy
- First Aid
- Sports Development Team Normal Operating Procedures (as appropriate)

2.6 Complaints procedures

Vivacity Culture & Leisure Trust complaints and appeals procedures will be used to deal with any formal complaints

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and/or appeals. Managers will be sensitive to any concern about poor practice or abuse and act on them at an early stage.

3.0 CODE OF ETHICS & CONDUCT

Staff working for Vivacity Culture & Leisure Trust must always observe the following requirements where children, young people or vulnerable adults are concerned

3.1 Do's and don'ts for working with children

DO:

- remember the child comes first
- behave professionally
- treat everyone with respect
- communicate on their level
- listen to children
- be aware of policy and procedures
- report any suspicions in line with procedures outlined in this document
- be aware, approachable and understanding

DON'T:

- touch inappropriately
- use inappropriate language
- harm or frighten a child
- be alone if possible
- threaten or be aggressive, shout
- mistreat, demean, ignore, make fun of
- force a child to do something they do not want to do
- let a child expose themselves to danger
- take photographs of a child without the required permission

3.2 Do's and don'ts of working with vulnerable adults

DO:

- be respectful and professional
- listen and communicate
- use common sense – be caring, attentive and aware
- act in an appropriate manner
- be sympathetic to their needs
- be aware of policy and procedures
- know the appropriate contacts and act accordingly

DON'T:

- treat vulnerable adults as children
- be aggressive or physically restrain a person
- do anything of a personal nature that they can do themselves
- engage in inappropriate behaviour
- put yourself in a vulnerable position

3.3 Use of photographic/filming equipment

Photographs of children should only be used if written consent has been obtained from a parent, guardian or, in the case of school groups, the relevant school authority. Permission should be obtained for the taking of the photograph and for its reproduction. General group photographs may be used as long as no individual can be identified by reason of any attached data.

There is evidence that some people have used sporting events as an opportunity to take inappropriate photographs or film footage of young and disabled persons at sporting events in vulnerable positions. All staff should be vigilant about this possibility. Any concerns during an event should be reported to your manager or other responsible person.

If a professional photographer or the press are invited to an event, it is important that they understand your expectations of them in relation to safeguarding of children and vulnerable adults. You should:

- provide a clear brief about what is considered appropriate in terms of their behaviour and the content of the photography
- issue them with identification which they must display at all times
- participants and parents must be informed that a photographer will be present at the event and ensure they complete a consent form to filming and/or photography and to its publication
- do not allow photographers unsupervised access to children or vulnerable adults, or one-to-one photo sessions during the event
- do not approve photo sessions outside the events or at a participant's home

4.0 RECOGNITION OF POOR PRACTICE, ABUSE & BULLYING

4.1 Introduction

It is not always easy to recognise a situation where abuse may occur, or has already taken place – even for those experienced in working with child abuse. The staff in Vivacity Culture & Leisure Trust are no exception but do have a responsibility to act if they have any concerns about the behaviour of someone (an adult or another child) towards a young person or vulnerable adult. Vivacity Culture & Leisure Trust will encourage and expect staff to discuss any concern they may have about the welfare of a young person with their line manager immediately.

4.2 Poor practice

Poor practice includes any behaviour that contravenes the adopted Code of Ethics and Conduct to which all staff have signed and agreed to. This includes the rights and responsibilities of the child, young person, vulnerable adult, member of staff, the parent, the sports coach and volunteers and respect for others, officials and their decisions, coaches and the rules of the sport or activity in general.

4.3 Abuse

a) Children, young people and vulnerable adults with a disability

There is significant research to suggest that children and adults with a disability are at increased risk of abuse. Various factors contribute to this; isolation from

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mainstream facilities and services, inequality of power, more reliant on personal and intimate care, limited mobility or a limited ability to communicate that abuse is taking place.

b) Racism

Children and adults from black and minority ethnic groups (and their parents) are likely to have experienced harassment, racial discrimination and institutional racism. Although racism causes significant harm it is not, in itself, a category of abuse. All organisations working with children and vulnerable adults, including those operating where black and minority ethnic communities are numerically small, should address institutional racism, defined in the MacPherson Inquiry Report on Stephen Lawrence as *'the collective failure by an organisation to provide appropriate and professional service to people on account of their race, culture and/or religion'*.

c) Abuse types

Abuse is any form of physical, emotional or sexual mistreatment or lack of care that leads to injury or harm. It commonly occurs within a relationship of trust or responsibility and is an abuse of power or a breach of trust. Abuse can happen to a child or adult regardless of their age, gender, race or ability. Abusers can be adults (male or female) and other young people, and are usually known to and trusted by the child or vulnerable adult and family.

There are four main types of child abuse: **physical abuse**, **sexual abuse**, **emotional abuse** and **neglect**. The abuser may be a family member, or they may be someone the child encounters in residential care or in the community, including during sports and leisure activities. An individual may abuse or neglect a child directly, or may be responsible for abuse because they fail to prevent another person harming that child.

- **Physical abuse:** where adults or other young people physically hurt or injure children, including by hitting, shaking, throwing, poisoning, burning, biting, scalding, suffocating or drowning. This category of abuse can also include when a parent or carer reports non-existent symptoms of illness or deliberately causes ill health in a child they are looking after, as in induced illness.
- **Sexual abuse:** when adults (male or female) or other young people use children to meet their own sexual needs. This could include: full sexual intercourse; masturbation; oral sex, anal intercourse; fondling. Showing children pornography (books, videos, pictures) or talking to them in a sexually explicit manner are also forms of sexual abuse.
- **Emotional abuse:** the persistent emotional ill-treatment of a child, likely to cause severe and lasting adverse effects on the child's emotional development. It may involve communicating to a child that they are worthless or unloved, inadequate, or valued only in terms of meeting the needs of another person. It may feature expectations of children that are not appropriate to their

age or development. It may involve causing children to feel frightened or in danger by being constantly shouted at, threatened or taunted which may make the child very nervous and withdrawn. Ill-treatment of children, whatever form it takes, will always feature a degree of emotional abuse.

- **Neglect:** is when adults fail to meet a child's basic physical and/or psychological needs, to an extent that is likely to result in serious impairment of the child's health or development. For example, failing to provide adequate food, shelter and clothing, failing to protect a child from physical harm or danger, or failing to ensure access to appropriate medical care or treatment. Refusal to give children love, affection and attention can also be a form of neglect.

d) Indicators of abuse

Every child is unique, so behavioural signs of abuse will vary from child to child. In addition, the impact of abuse is likely to be influenced by the child's age, the nature and extent of the abuse, and the help and support the child receives. However, there are some behaviours that are commonly seen in children and young people who have been abused:

- the child appears distrustful of a particular adult with whom you would expect there to be a close relationship
- he or she has unexplained injuries such as bruising, bites or burns - particularly if these are on a part of the body where you would not expect them
- if he or she has an injury which is not explained satisfactorily or properly treated
- deterioration in his or her physical appearance or a rapid weight gain or loss
- someone else expresses concern about the welfare of a young person – either an adult or another young person
- a change in the child's general behaviour, for example, they may become unusually quiet and withdrawn, or unexpectedly aggressive; such changes can be sudden or gradual
- if he or she refuses to remove clothing for normal activities or wants to keep covered up in warm weather
- if he or she shows inappropriate sexual awareness or behaviour for their age
- has difficulty making friends
- is prevented from socialising with other young people

Remember that the above signs should be seen as a possible indication of abuse and not as a confirmation. Changes in a child's behaviour can be the result of a wide range of factors. However, if you are concerned about a child or young person **you have a responsibility to act** on those concerns.

4.4 Bullying

Bullying can be psychological, verbal, or physical in nature. It involves an imbalance of power in which the powerful attack the powerless, and occurs over time rather than being a single act. Examples of bullying behaviour include:

- being called names, insulted or verbally abused
- being deliberately embarrassed and humiliated by other children

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- being made to feel different or like an outsider
- being lied about
- being physically assaulted or threatened with violence
- being ignored

Bullying may not always be carried out by a young person on other young person but in some cases may be being carried out by an adult. For example:

- being deliberately embarrassed or humiliated
- being unfairly treated or verbally abused
- being ignored or not spoken to
- a parent who pushes their child too hard

The damage inflicted by bullying is frequently underestimated. It can cause considerable distress to young people, to an extent that it affects their health and development, or in extreme cases, cause them significant harm (including self-harm).

4.5 Action to be taken if bullying is suspected

The procedures outlined under will be followed if bullying is suspected.

a) Actions to prevent bullying and to help the victim:

- take all signs of bullying seriously
- encourage the young people to voice their concerns – create an open environment
- investigate all allegations and take action to ensure that the victim is safe
- speak with the victim and the bully(ies) separately
- reassure the young person but do not promise to keep things secret
- keep a written record of what is said and by whom
- report any concerns to the person in charge or the Designated Officer

b) Actions towards the bully:

- talk with the bully and explain the situation and try to get them to understand the consequences of their behaviour
- inform the bully's parents
- provide support for the person in charge of the victim
- impose any necessary sanctions
- encourage the bully to change their behaviour
- regularly update the parents to report progress
- inform all appropriate members of staff of the actions taken and to be taken
- keep a written record of any action taken

4.6 Indicators of abuse and Vulnerable Adults

Some recognised signs of **physical abuse** are scratches, bruises, abrasions, drowsiness from misuse of medication and anxiety in the presence of a carer.

Sexual abuse may include rape, sexual assault or sexual acts to which the vulnerable person has not consented, could not consent to or was pressurised into consenting to. Some recognised signs are changes in behaviour, bruising, sexually transmitted disease or sexualised behaviour.

Some recognised signs of **emotional abuse** are fear, passivity, confusion, apathy, reluctance to talk openly, or lack of eye contact. There may also be psychological

elements such as threats of abandonment, deprivation of contact, humiliation, controlling, intimidation, coercion, isolation or withdrawal from services or supportive networks.

Financial or material abuse may include theft, fraud, exploitation or the misuse or misappropriation of property, possessions or benefits.

Neglect may include ignoring medical or physical care needs, failure to provide access to appropriate health, social care or educational services, the withholding of personal necessities such as medication, adequate heating and nutrition. Some recognised signs include dehydration, infections, malnutrition or hypothermia.

Discriminatory abuse may include bullying, harassment based on individual's age, sex, disability, religion, race, ethnicity or sexual orientation. The recognised signs may be similar to psychological and emotional abuse.

5.0 Responding to disclosure, suspicions and allegations

5.1 Introduction

False allegations of abuse do occur but children and young people rarely lie about abuse. However, if a young person says or indicates that that he/she is being abused, or information is gained which gives concern that a young person is being abused, you should react immediately and follow the instructions included in this document.

5.2 Responding to disclosure

a) Action to take

If a child or vulnerable adult tries to talk to you about something that is worrying them, it is important to listen carefully and respond sensitively:

- if the child or vulnerable adult tells you about abuse they are experiencing, listen carefully to what they tell you
- do not ask direct questions: avoid who?, what?, when?, where?
- keep calm and even if you find what they are saying difficult or painful keep listening
- be honest with them - tell them you are not able to keep what they have told you secret and that you will try to find them the help they need
- ensure that you have a clear and accurate understanding of what has been said
- when they have finished make a detailed note of what they have said, what you have heard and what you have seen

Remember that a child or vulnerable adult may not be able to communicate clearly to you or be unable to express themselves verbally. However, if there are any concerns regarding a young person or adult record what has been observed in detail and follow the procedures below to report any concerns.

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b) Actions to avoid

The person receiving the disclosure should not:

- panic or allow their emotions of shock, horror or distaste to become apparent
- probe for information
- make any assumptions about what they are being told
- make any comments negative or otherwise about the alleged perpetrator
- make any promises or agree to keep any secrets

5.3 Responding to suspicions

It is not the responsibility of anyone working for Vivacity Culture & Leisure Trust to take responsibility or to decide whether or not abuse is taking, or has taken, place. However there is a responsibility to protect young persons and vulnerable adults and to inform the appropriate agencies so that they can carry out enquiries and take any necessary action.

In most situations it would be important to talk to parents or carers where there are concerns about their children to help clarify any initial concerns e.g. if a child seems withdrawn, there may be a reasonable explanation. He or she may have experienced an upset in the family such as; bereavement, parents separating, divorce or perhaps the birth of a sibling.

There are circumstances in which a young person or adult may be placed at greater risk if concerns are shared with parents or carers, for example, if the parent or carer is the alleged abuser. In these situations or where concerns still exist, any suspicion, allegation or incident of abuse must be reported to the person in charge as soon as possible.

a) Designated Officer

It is the responsibility of the Designated Officer to inform Social Services or Police without delay. If the person in charge is not available or the concern is about the person in charge, the person with concerns, or being informed of them, should contact Social Services Emergency Duty Team or Police.

Designated Officer:

Vivacity Culture & Leisure Trust: Chris Hunt

01733 863985 / 01733 264610 & 07920 160510

Social Services Assessment & Referral Team

01733 864180

Police (Child & Domestic Abuse Investigation Unit)

0345 456 4564

NSPCC Helpline (24 hours)

0800 800 500

b) Records and information

Information passed on to the Designated Officer, Social Services or Police must be as helpful as possible hence why a detailed record should be made at the time of disclosure or concern. Information wherever possible should contain the following:

- the nature of the concern or allegation

- a description of any visible bruises or other injuries
- a record of the young person's or vulnerable adult's account of the explanation of bruises or other injuries and how they occurred and what happened
- details of any witnesses to the incident
- any relevant dates and times
- young person's or vulnerable adult's details – name, age, date of birth, address, parental/carer details
- details of alleged abuser

The Designated Officer will forward copies of any records to Social Services within 24 hours as confirmation of the report. A record will be kept of the Duty Officer's name the referral was made to if passed on to Social Services or Police.

5.4 Allegations against staff

Abuse can and does occur outside of the family setting and within other settings such as sports and social activities. All allegations will be taken seriously and appropriate action taken. It is important that any concerns about a colleague's behaviour or actions are reported immediately.

The behaviour that you have seen is obviously outside the permitted parameters under section 3 of this policy and is contrary to working practices. The issue to be resolved will be whether the incident was bad practice, forgetfulness, enthusiasm, simply a mistake or something more serious. Objective and discreet observation should determine which the case is.

Do not discuss your concern with or report them to anyone other than the Designated Officer. Any person who reports a concern (without malicious intent) about a colleague's behaviour will receive full support and anonymity subject to any legal requirements.

The matter will be investigated in one or more of the following ways:

- an internal investigation
- a child protection investigation
- a criminal investigation

Any member of staff who is the subject of an investigation is liable to be suspended 'without prejudice'.

Full support will be given to all staff in the aftermath of an investigation and its outcome.

6.0 Implementation

- All staff will be made aware of this Safeguarding Children and Vulnerable Adults Policy and will sign to acknowledge that they have read and understood it.
- All staff will receive bi-annual training in this policy and procedures unless changes in legislation or procedures mean that this policy must be amended to include them.

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APPENDIX 'A'

PROMOTING GOOD PRACTICE WITH CHILDREN & YOUNG PEOPLE IN SPORT

Good practice guidelines

All personnel will be encouraged to demonstrate exemplary behaviour in order to promote children's welfare and reduce the likelihood of allegations being made. The following are common sense examples of how to create a positive culture and climate.

Good practice means:

- always working in an open environment (e.g. avoiding private or unobserved situations)
- encouraging an open environment with no secrets
- maintaining a safe and appropriate distance with players (e.g. it is not appropriate for staff or volunteers to have an intimate relationship with a child or to share a room with them)
- making sport fun, enjoyable and promoting fair play
- ensuring that if any form of manual/physical support is required, it should be provided openly and according to guidelines provided by the National Governing Body (NGB). Care is needed, as it is difficult to maintain hand positions when the child is constantly moving. Young people should always be consulted and their agreement gained. Parents' views will also be considered
- keeping up to date with technical skills, qualifications and insurance in sport
- involving parents/carers wherever possible, for example, encouraging them to take responsibility for their children in the changing rooms. If groups have to be supervised in the changing rooms, always ensure parents / teachers / coaches' work in pairs
- ensuring that if mixed teams are taken away, they should always be accompanied by a male and female member of staff (NB: remember that same gender abuse can also occur)
- ensuring that at tournaments or residential events, adults should not enter children's rooms or invite children into their rooms
- being an excellent role model – this includes not smoking or drinking alcohol in the company of young people
- giving enthusiastic and constructive feedback rather than negative criticism
- recognising the developmental needs and capacity of young people and disabled adults – avoiding excessive training or competition and not pushing them against their will

All participants will be registered and which will include;

- securing parental consent in writing to act in 'loco parentis', if the need arises to give permission to administer emergency first aid and / or other medical treatment
- awareness of any medicines being taken by participants or any existing injuries that must be considered
- keeping a written record of any injury that occurs, along with the details of any treatment given

Practices to be avoided

The following should be **avoided** except in emergencies. If the case arises where a situation is unavoidable it should be with the full knowledge and consent of someone in charge in the organisation or the child's parents. For example, a child sustains an injury and needs to go to hospital, or a parent fails to arrive to pick a child up at the end of a session.

Practices never to be sanctioned

The following should **never** be sanctioned:

- engage in rough, physical or sexually provocative games, including horseplay
- share a room with a child
- allow or engage in any form of inappropriate touching
- allow children to use inappropriate language unchallenged
- make sexually suggestive comments to a child, even in fun
- reduce a child to tears as a form of control
- fail to act upon and record any allegations made by a child
- do things of a personal nature for children or disabled adults, that they can do for themselves
- invite or allow children to stay with you at your home unsupervised

N.B. It may sometimes be necessary for staff to do things of a personal nature for children, particularly if they are young or are disabled. These tasks should only be carried out with the full understanding and consent of parents and the young persons involved. There is a need to be responsive to a person's reactions. If a person is fully dependent on you, talk with him/her about what you are doing and give choices where possible. This is particularly so if you are involved in any dressing or undressing of outer clothing, or where there is physical contact, lifting or assisting a child to carry out particular activities. Avoid taking on the responsibility for tasks for which you are not appropriately trained.

Parents should be informed of the incident:

- If you accidentally hurt a young person
- If he / she seems distressed in any manner
- If a young person appears to be sexually aroused by your actions
- If a young person misunderstands or misinterprets something that you have done