

Bar Council

Safeguarding Procedures

1. Introduction

1.1 The Bar Council believes that children should never experience abuse¹ of any kind, and that we have a responsibility to promote and protect the welfare of all children that we work with. We are committed to acting in a way that protects them. The following procedures apply to all staff and volunteers, including Bar Council members, senior management, paid staff, sessional workers, barristers undertaking *pro bono* work, agency staff, pupils, students or anyone working on behalf of the Bar Council.

1.2 In addition to familiarising themselves with and acting in compliance with this document, barristers or members of Bar Council staff who attend schools (or other external organisations with responsibility for children) should familiarise themselves with and act in compliance with the procedures of that school (or other organisation). This will usually require supervision, checking in and out and wearing an ID badge.

2. Strictly Prohibited Behaviour

Under no circumstances is any of the following behaviours acceptable:

- 2.1 Arranging to meet with a young person attending an event in a personal capacity, even if it is in a public place
- 2.2 Engaging in rough/physical activity or sexually provocative games
- 2.3 Allowing or engaging in any form of inappropriate touching
- 2.4 Making sexually suggestive comments to a young person, or
- 2.5 Failing to report witnessing any of the above.

3. Appointing a named person

3.1 To demonstrate our commitment to safeguarding the young people we work with, the Bar Council appoints a named person responsible for ensuring the validity of and adherence to our policy and procedures.

3.2 The duties of the named person are to include:

- 3.2.1 Ensuring staff members who regularly work with unsupervised young people undergo checking through the Disclosure and Barring Service to the appropriate level, and
- 3.2.2 Being the point of contact with the Local Authority Designated Officer (LADO) if necessary
- 3.2.3 Ensuring that safeguarding policies and procedures are kept up to date in line with any legal changes and NSPCC guidance.
- 3.2.4 Ensuring that new staff who will work with young people in the course of their duties are aware of the Bar Council's safeguarding policies and procedures.

4. Handling concerns, allegations and disclosures

This procedure for responding to safeguarding and child protection concerns, disclosures and allegations is in line with statutory guidance. If a young person makes a disclosure to you, as an adult working with the Bar Council, you should:

- 4.1 Make it your priority, as such issues need to be dealt with as quickly as possible.
- 4.2 Listen carefully to the concern that is being raised or disclosures.
- 4.3 Try not to ask leading questions, as these may influence the answers of the subject, and distort the evidence.

¹ See Annex B. of this policy for our definition of 'abuse'

4.4 Record the concern in writing, making an effort to use the exact words the subject has used in order to be as accurate as possible. Details such as names, dates, times, and location should all be recorded.

4.5 Once you have established the problem, reassure the young person and indicate how they will act in a way that is best for the young person's safety.

4.6 Make it clear that you cannot guarantee absolute confidentiality as (at least) the Designated Contact must be informed. Social services and other authorities may also need to be notified. It is important to show the young person that such information will only be shared with people that will help to ensure the young person's safety and well-being. All information will be shared only via secure channels such as electronic mail.

4.7 Inform the Designated Contact immediately (or the Secondary Contact if the Designated Contact is not available or is involved in any way with the allegations).

4.8 The Designated Contact should not carry out an investigation, but should review the evidence and consider the seriousness of the allegations. He should then refer the case to the Local Authority Designated Officer (LADO) if the allegations are that an employee has:

4.8.1 Behaved in a way that has or may have harmed a young person

4.8.2 Possibly committed a criminal offence against or related to a young person, or

4.8.3 Behaved in a way that indicates they are unsuitable to work with young people.

4.9 The Designated Contact and the LADO will consider whether the Police or any external agency should be contacted. Every possible assistance should be provided to any external investigator in the carrying out of the investigation.

4.10 Provided that it is possible to do so without impeding the investigation or posing any risk to the young person's safety:

4.10.1 The parents/carers of the young person involved should be informed of the allegation, and kept informed of any progress. If there has been any physical injury to the young person the parents/carers should be informed immediately.

4.10.2 The subject of the allegations should be informed of them, and of the progress of the investigation. Given the potential damage to career/reputation, the Bar Council will always aim to treat matters sensitively and to keep an open mind.

4.11 If external investigators are not required, or if the external investigation has been completed, the Designated Contact should carry out an internal investigation and consider whether to take any further action (see the Bar Council's disciplinary and grievance policy).

5. Good Practice

The following list, whilst not exhaustive, gives examples of behaviours and practices that the Bar Council deems good practice in working with young people:

5.1 Giving young people enthusiastic and constructive feedback rather than negative criticism;

5.2 Basing the young person in an environment where they can be around lots of people (i.e. not confining them to an office space with only one or two other adults in it for long periods of time);

5.3 Thinking of oneself as a role model and behaving accordingly (e.g. not consuming alcohol in front of a young person);

5.4 Avoiding being alone with a young person where possible, but keeping doors open and blinds up where this is the case

5.5 Treating young people with respect and dignity at all times;

5.6 Thinking carefully about how any comments or behaviours will be perceived by a young person,
and

5.7 Promptly informing the Bar Council of any problems or concerns arising

6. Designated Contacts

Primary Contact

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