



# **SOUTHERN FEDERATION of MODEL ENGINEERING SOCIETIES**

## **INFORMATION SHEET No. 6**

**DATE: March 2008**

**SUBJECT: SAFEGUARDING VULNERABLE GROUPS (SVG) Act 2006.**

### **Introduction**

As you are aware, the Federation has been in contact with a number of MPs and in particular Mr. Kevin Brennan, Parliamentary Under Secretary of State for Children, Young People and Families, seeking clarification of the above Act in view of what was perceived as its potentially serious impact on our hobby.

We have now received a reply giving Her Majesty's Government (HMG's) official policy, and permission to publish it. Extracts from it follow:

### **Extracts from Mr Kevin Brennan's letter of 13<sup>th</sup> December 2008.**

"The SVG Act aims to prevent those who are deemed unsuitable to work with children and vulnerable adults from gaining access to them through their work. Broadly, the SVG Act will apply to hobby societies where members take part in certain specific activities with children or, less likely in the case of model engineering societies, with vulnerable adults. The scheme does not make a distinction between paid work and those who volunteer. This is because in both cases unsuitable people should not have the opportunity to cause harm. Unfortunately, although many societies do treat child protection issues seriously, it is not always easy for a society or any organisation to spot an individual who seeks to harm vulnerable groups. We would not wish to seek to amend the legislation to exempt hobby societies and have them become a haven for unsuitable individuals who perceive it to be an easier way to access vulnerable groups. However, applications for membership for volunteers will be free.

Individuals will be required to register with the Independent Safeguarding Authority (ISA) where they engage in what the Act terms "regulated activity" in relation to children and/ or vulnerable adults. It does not follow that every society that has junior or senior citizens, as members will be engaged in regulated activity.

In order to work out whether a particular member of a hobby society is covered, the society needs to look at whether their members are engaging in regulated activity. Taking regulated activity in relation to children first; the Act will bite on those, amongst others, who are frequently, or intensively (defined as more than 2 days in a 30 day period), teaching, training, instructing, caring for or supervising children where this is not incidental to the same activity in relation to adults. Therefore a member of the society operating the miniature railway would not have to join the scheme if they ran an open day for the general public teaching them about engineering and some children happened to attend along with adults. Equally if the society is open to the general public to join and part of the society's purpose is to teach, instruct etc members about model engineering they are not automatically engaged in regulated activity by virtue of having junior members as well as adults.

If however, the society ran events where a member of the society went into schools frequently to teach children about model engineering, then they would be engaging in regulated activity. If the society had specific projects targeted at children where members frequently supervised the children, then they would again be engaged in regulated activity. As the code of practice (*\*ie Southern Federation Bulletin #1\**) states ‘relationships do build up between children and adults’ and we seek to avoid unsuitable individuals using these relationships as an opportunity to cause harm. Therefore such individuals would have to register with the ISA and be checked by the head of the voluntary group.

Turning to regulated activity in relation to vulnerable adults, it’s worth clarifying that being a senior citizen does not mean an individual is a vulnerable adult. Therefore it doesn’t follow that members of model engineering societies who are senior citizens are vulnerable adults. The SVG Act provides a definition of “vulnerable adult” for the purposes of the Act. It provides, among other things, that a vulnerable adult includes a person aged 18 or over who receives a service or participates in an activity that is targeted at people with age-related needs, disability or prescribed physical or mental health problems. In addition you are only engaged in regulated activity in relation to vulnerable adults if you are doing specific types of activity such as offering assistance, advice or guidance wholly or mainly to vulnerable adults.

Therefore in deciding whether their members will need to register with the ISA hobby societies should consider again whether their services are targeted at vulnerable adults or at the public more generally. Where services are targeted at the general public, as seems likely in the case of model engineering societies, and vulnerable adults may or may not use those services, individuals will not need to be ISA registered in order to provide regulated activity such as offering assistance, advice or guidance to a vulnerable adult.

I hope that this reply will reassure modelling engineering enthusiasts, and that these societies will continue to thrive.”

## **Comment**

The Federation had previously issued Guidelines (Information Sheet No. 001, dated December 2005), and these Guidelines are judged still to be robust, and it is recommended that Societies adopt them as a Code of Practice. However, we must be ever vigilant, and take firm action on any undesirable individuals,

Based on Mr Brennan’s letter, it would appear that the vast majority of Model Engineering activities should fall outside the requirements of the Act, but the onus is on Societies to ensure that their activities meet the criteria, in which case, no further action should be required on their part.

Further information may be obtained from the following Websites: -

[www.opsi.gov.uk/acts/acts2006/20060047htm](http://www.opsi.gov.uk/acts/acts2006/20060047htm)

[www.everychildmatters.gov.uk/vettingandbarring](http://www.everychildmatters.gov.uk/vettingandbarring)

*Note: \* Italic entry is for clarification; not in original letter.\**

This information first appeared in the *Southern Federation News* dated March 2008.