



# From Guarding to Safeguarding

A Guide for Model Engineering Societies

## PART 1: WHAT IS SAFEGUARDING AND HOW SHOULD CLUBS RESPOND?

Dr Peter Kenington

FMES

I'm sure we've all heard of "Safeguarding" at some point in the recent past – usually through shocking headlines resulting from catastrophic historical failures in this area – but have probably felt that it doesn't apply to us or our hobby. We are, after all, doing this for fun, as volunteers, and are all law-abiding, upstanding members of society. Surely safeguarding is for activities involving children's groups – scouts, guides, sports clubs, etc.? We just allow people to ride on our model trains/sail our boats/admire our traction engines, etc., harking back to a more innocent era.

You will no doubt guess from the length of this article series that this is, unfortunately, not the case.



*Safeguarding is not just for scout groups, sports clubs, etc.*



The aim of what follows is to try to explain and simplify what is quite a complex topic and to help you and your club to remain on the right side of the law in this complex area. It is split into four parts covering:

- WHAT IS SAFEGUARDING AND HOW SHOULD CLUBS RESPOND?
- DBS CHECKING – THE WHETHER, WHY AND HOW?
- WHO IS VULNERABLE? DO I REALLY NEED A DBS CHECK?
- TRAINING AND PROCEDURES – WHEN TO REPORT, WHAT TO REPORT AND TO WHOM?

There is a lot to digest, but if you make it all the way through, you will have a thorough understanding of what Safeguarding is all about and, more importantly, what you need to do about it as a Model Engineering club or society.

## The ‘One-eyed Man’

*In regione caecorum rex est luscus* – “in the land of the blind, the one-eyed man is King”. In this context, I would style myself as the “one-eyed man”. I am not a legally-qualified safeguarding professional and nor do I have a social work background of any form (this would have been very handy) – I am an engineer, like many of you out there – I came to safeguarding by accident, through volunteering for a large charitable organisation and being the person who failed to take a step back when an Area Safeguarding Officer role needed to be filled.

The history of this organisation (I won’t name it, to save its blushes) was not good, in regard to safeguarding. It had suffered a small number of incidents and these highlighted how poor its processes and systems were in this area. It consequently received a severe rebuke from the relevant authorities (more on these later) and an instruction, in no uncertain terms, to put its house in order.

This proved to be a long-overdue wake-up call and its house was very much put in order in a very short period; the need for an Area Safeguarding Officer role being one part of this reform process. Most relevantly, I received a lot of training for this role and this training was (largely) very good. A session was even organised directly with HM Government’s Disclosure and Barring Service, which was eye-opening to say the least. Again, I will go into more detail in due course.

## Expert Help

Having established that I am not a professional in this area, it seemed sensible to consult with someone who is. FMES secured the services of Catherine Rushforth & Associates to check through what is written here and to advise on areas which were missing or were given insufficient or excessive prominence. We can therefore have a good degree of confidence that what you are about to read (and any subsequent guidance provided by FMES) is rooted in both the law and best-practice in this area.

## What is “Safeguarding”?

In this context, “Safeguarding” refers to the measures taken to protect individuals—particularly children and vulnerable people—from harm, abuse, neglect, and exploitation. It involves creating safe environments where their well-being is prioritized, ensuring they are treated with dignity, respect, and care. It also includes being alert to ‘clues’ that a child or vulnerable person might be being harmed and gently inquiring about these signs.

For children, safeguarding encompasses laws, policies, and practices designed to keep them safe at home, in schools, and in other settings (including model engineering societies and their associated



facilities). It embraces things like background checks for people working with children, awareness training, and reporting mechanisms for when concerns arise.

It is obviously a crucial concept in education, healthcare, social work, and other fields where protecting individuals from harm is a priority, but is also highly-relevant to both the operation of any of our facilities which are open to the public and to our club activities in general **even if such activities do not involve children**. Both child and adult members (and, sometimes, regular visitors to clubs) build trusting relationships with other club members. On occasion they might tell us about concerns including harm, abuse and neglect in their lives. It is crucial that clubs know how to respond in a supportive and caring manner, if required.

In short, we can't ignore it!

Safeguarding issues also can (and do) occur outside of clubs, societies or events (e.g. public running days) and we need to have an awareness and a sensitivity to what is happening in the wider lives of our members. Has a previously outgoing (younger or older) member become more reticent or withdrawn? Are they attending less frequently with no obvious reason for doing so? It may even be that a 'vulnerable' member confides in another member, whom they trust, regarding an 'external' safeguarding issue. Perhaps they are being regularly assaulted by a partner who has dementia or has a drug or alcohol dependency.

This does not mean to say that we all need to become de-facto social workers and pry into the lives of others, merely that we need to be sensitive to such things and to take action (e.g. reporting problems, as will be discussed later) when we feel it to be appropriate. Whether we like it or not, our hobby tends to attract people (both young and old) who, to use the modern terminology, are 'neurodivergent' and our clubs may well be their 'safe space'. I certainly know of people who fit into this category (and they are a great asset to their clubs). They might also find it much easier to talk with one of us about their concerns, as they feel confident in our relationship and understanding.

Note that even if a safeguarding concern relates to activities or situations arising outside of the club and its members, it is still advisable to record the concern and to act on them, as appropriate. (using the mechanisms to be discussed later).

## Relevant Legislation and Statutory Guidance

There are six pieces of core legislation and statutory guidance relevant to safeguarding (in England – similar provisions are in force in Wales, Scotland and Northern Ireland and a quick Google search should find them):

1. Working Together to Safeguard Children 2023 [1] - A guide to multi-agency working to help, protect and promote the welfare of children. Published by: the Department for Education. December 2023. Available on Gov.uk.
2. What to Do if You're Worried a Child is Being Abused 2015 [2]
3. The Children Act 1989 [3] and The Children Act 2004 [4]
4. The Care Act 2014 [5]
5. The Mental Capacity Act 2005 [6]

The aim of this series of articles is to summarise the relevant aspects of the above legislation, so there should be no need for clubs to read them in detail. If you do want/need to refer to the legislation in more detail, ref [1] is probably the most useful place to start. See, in particular, pages 106 - 109, 128 & 129.

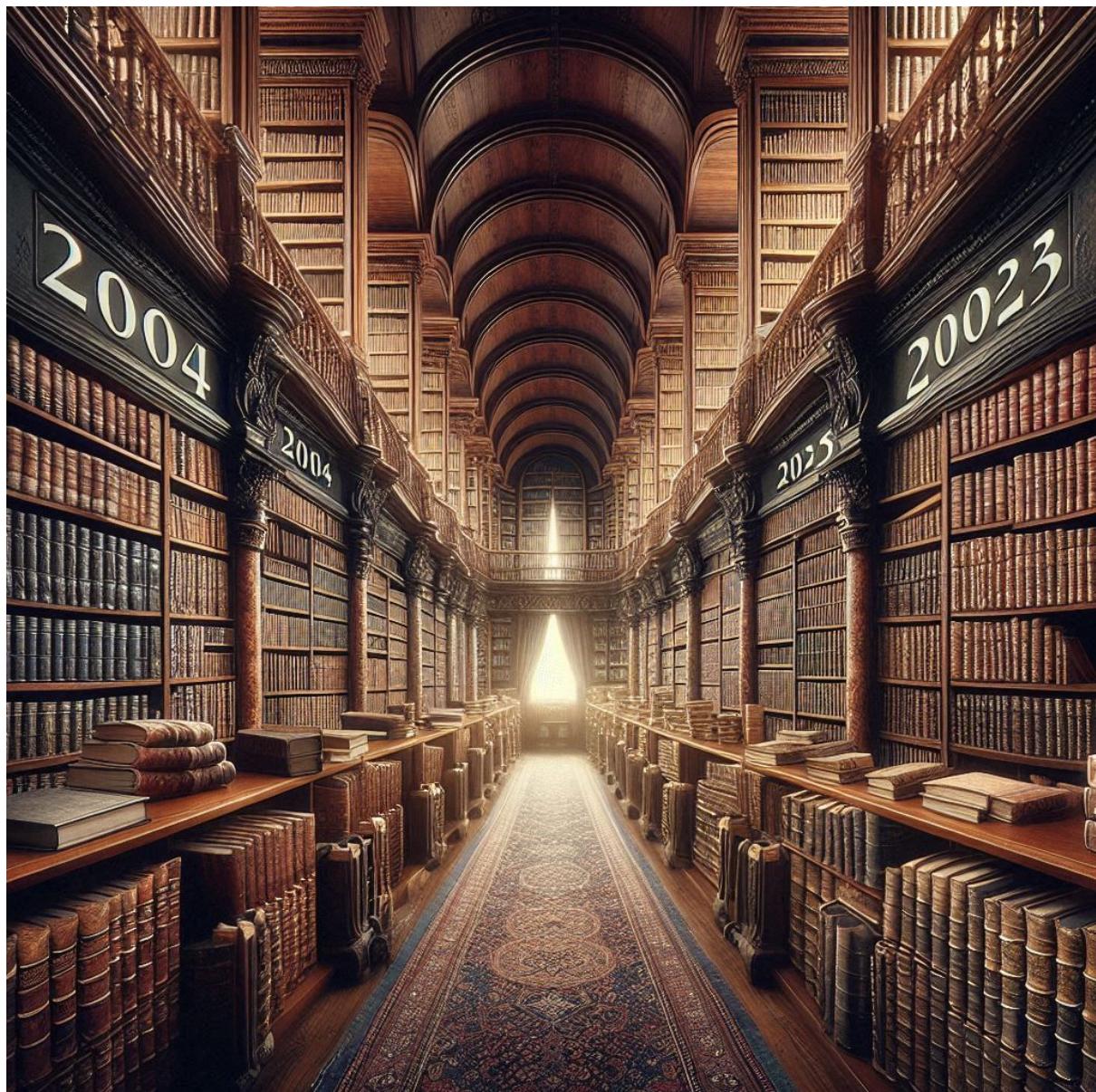


As a taster, some relevant quotes (from [1]) are (my emphasis):

“Voluntary, charity, social enterprise (VCSE) and private sector organisations ... should have appropriate arrangements in place to safeguard and protect children from harm”

“All practitioners working in these organisations and agencies who are working with children and their families are subject to the same safeguarding responsibilities, whether paid or a volunteer”

“Every VCSE ... should have policies in place to safeguard and protect children from harm. These should be followed, and systems should be in place to ensure compliance in this. Individual practitioners, whether paid or volunteer, should be aware of their responsibilities for safeguarding and protecting children from harm, how they should respond to child protection concerns and how to make a referral to local authority children’s social care or the police, if necessary.”



*I'm not sure that this is an exact likeness of the House of Commons library, but it's probably close*



## Safeguarding is More Than DBS Checks

I think most people will, by now, have some awareness of DBS (Disclosure & Barring Service) checks - these are an examination of the background history of an individual as it is known to the relevant authorities. Information is gathered from several sources to assess an individual's criminal record and suitability for certain roles. The key sources include:

- **Police National Computer (PNC)** – Contains records of convictions, cautions, reprimands, and warnings.
- **Local Police Records** – For enhanced checks, local police forces may provide additional relevant information.
- **Barred Lists** – If applicable, the DBS checks whether an individual is on the **Children's Barred List** or **Adults' Barred List**, which prevents them from working in regulated roles.
- **Other Government Databases** – Some checks may involve information from agencies like the Home Office or other regulatory bodies.



*Health and Safety and Safeguarding can be viewed as two sides of the same coin*



Different levels of DBS checks (Basic, Standard, Enhanced) determine how much information is retrieved (we will discuss this in more detail in due course).

But safeguarding is about much more than checks on an individual's background – **even having all of your club members DBS checked** (those that are willing to remain once you have announced the policy, that is...) **does not mean that you are 'sorted' in regard to safeguarding**. This is true in the same way that having a few written policies gathering dust in a filing cabinet does not magically transform your club into one which is 'health and safety' compliant and thereby immune from prosecution. Documentation is necessary but not sufficient.

## A 'Safe' Club is One Where All Feel Safe

There are a whole mix of things that go into making a club and its facilities 'safe'. These, of course, include health and safety related matters such as inspections and maintenance schedules, but making an environment feel 'safe' is about much more than protection from physical harm. It also includes protection from emotional threat, or being groomed or manipulated in some way.

Think of the occasions where you have felt unsafe; some of these may involve the fear of physical violence (e.g. walking through an unknown neighbourhood or city) but others may involve the fear of (verbal) bullying or intimidation (a toxic work environment, for example), coercive control (again in a work or even a domestic situation) or even sexual abuse (perhaps in a school setting, home or at a sports club). It is no use saying that "nothing like that ever happens at our club" – perhaps not, but does the environment *feel* safe to both members and visitors? Instilling a feeling, in an individual, of feeling 'unsafe' can arise from something as simple as being a bit too 'friendly' or 'helpful' when loading passengers onto a train. The action may be entirely innocent, but the person on the receiving end of your 'help' (or their parent/guardian) may feel uncomfortable with your actions. We never know what their earlier life experiences might have been; what is fine for one person may not be for another, with a different personal background. They may feel 'unsafe' in that environment. It is, in many ways, very sad that we, as a society, have got to this point, however we, as model engineering societies, are not in a position to change this or to 'fight back' and we must adjust our actions/procedures/training accordingly.

In my short time of looking at safeguarding in a model engineering context, I have become aware of, or have some in-depth experience/knowledge of, **at least half a dozen, separate, 'incidents'** at as many clubs, where these 'incidents' **have each had a significant impact on the clubs involved** (and I will discuss one of the more serious examples in more later in this series). In some cases, the original issue is totally unrelated to the club, but as it involved a (probably innocent) club member, the club had to take account of it in its procedures and activities. I'll repeat: safeguarding is not something we can ignore, we must assume our responsibilities, like a number of other similar community clubs, and must act accordingly.



*Safeguarding is not just about strangers offering sweets...<sup>1</sup>*

### **Martyn's Law**

I'm including this early in proceedings, to raise awareness, as it is in some senses a piece of 'safeguarding' legislation, although it is entirely separate from the main safeguarding acts and guidance which are the main focus of these articles.

Martyn's Law, officially known as the **Terrorism (Protection of Premises) Act 2025**, is a UK law designed to improve security at public venues and events by requiring them to prepare for potential terrorist attacks. It received Royal Assent on Thursday 3 April 2025 and it is expected to take at least 2 years to come into full effect (so we have some time to prepare).

The law was inspired by the tragic Manchester Arena bombing in 2017, which claimed the lives of 22 people, including Martyn Hett. His mother, Figen Murray, led the campaign for stronger security

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<sup>1</sup> In fact, the perpetrator is much more likely to be someone we think that we know!



measures in public spaces. The law aims to ensure that venues take reasonable steps to protect visitors, such as conducting risk assessments, implementing security measures like bag checks and CCTV, and training staff on emergency procedures.

Martyn's Law introduces a tiered approach based on the size of the venue:

- **Standard Tier** (200–799 people): Requires basic security measures, such as emergency planning and staff training.
- **Enhanced Tier** (800+ people): Requires additional protections, including physical security measures like bag searches and CCTV.

The **Security Industry Authority (SIA)** will oversee enforcement, ensuring venues comply with the law. The government has allowed a **24-month implementation period** to help venues prepare before the law takes full effect.

You will notice that venues which have under 200 visitors (at any given time) are exempt from the act. This will allow clubs with no, or very small/limited public running events, to circumvent its provisions, but many clubs will need to take account of the act's requirements (at least in regards to the Standard Tier).

Although clubs are not required to put anything in place just yet, this legislation does indicate direction of travel with view to public safety, including safeguarding.

We may return to this topic closer to its implementation date, but for the present we will move on to the remaining, established, aspects of safeguarding.

## Safeguarding: How Should Clubs Respond?

At a top-level, these are the actions which a club would be advised to undertake in order to create (and, perhaps just as importantly) be able to show that they have created, a 'safe' environment for both their members and the general public:

1. Appoint a 'Safeguarding Officer' and send them on a basic safeguarding training course – these are available online for a small cost.
2. Develop safeguarding procedures specific to your club (based on its activities, scale, etc.) – these are very much akin to the Health and Safety procedures you should already have as a club.
3. Ensure that the club is confident in making a report to Children's Social Care or Adult Social Care (see Figure 1)
4. Consider developing a short/simple 'Code of Conduct' for your members to abide by. This helps clarify/reinforce what is expected of members in various scenarios (e.g. during public running days, when providing training or tuition, or activities and operations which take place in close working environments, such as the club kitchen, etc.)
5. Ensure that a procedure accompanies this Code of Conduct for any occasion where it comes to light that a person, including a professional, (in a club, school, health or sports setting) might have 'Abused their Position of Trust' and harmed a child or vulnerable adult
6. Provide training for members on what to do/what not to do (in a similar manner to the pre-season training that most clubs undertake for public running days). Indeed, both aspects can be covered on the same day/event.
7. Have a written procedure detailing what to do if an incident is reported and a suitable form on which to record details of the incident (akin to the accident recording forms which

most/all clubs should have for health and safety related incidents). I will provide an example of a suitable form later<sup>2</sup>.

8. Consider whether any roles will require a member to have a DBS check and, if so, what 'level' of check is needed – detailed guidance on this aspect will again be provided later

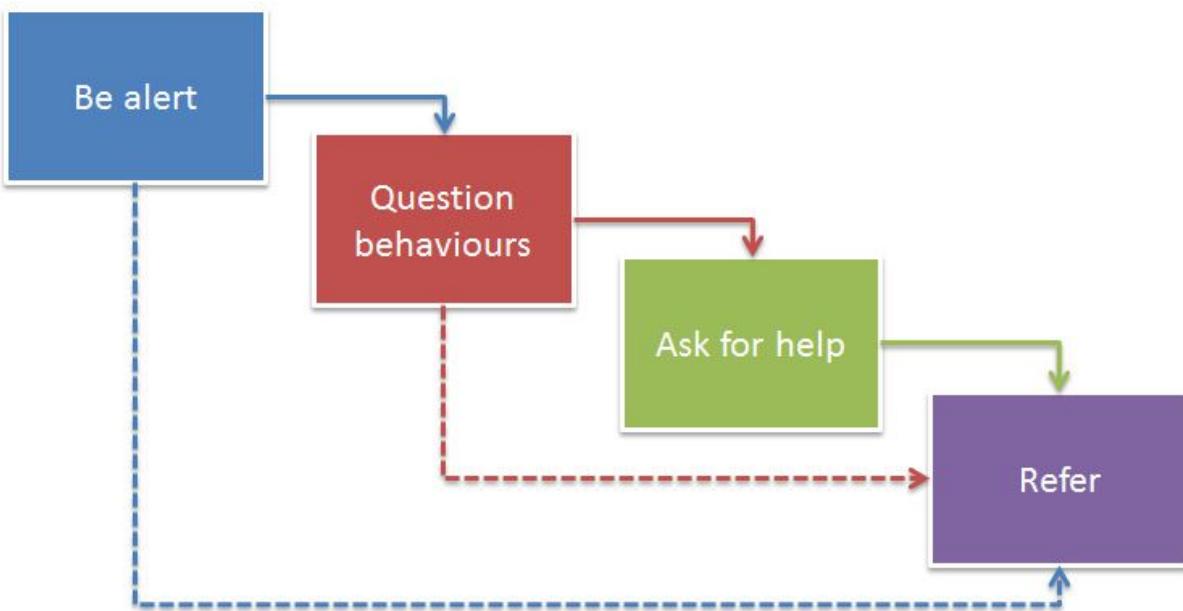


Figure 1: The four key steps to follow to help you to identify and respond appropriately to possible abuse and/or neglect (from [2]).

Note that the latter point, regarding DBS checks, uses the word 'consider'. Requiring all members to be DBS checked will be a significant over-reaction in, probably, all clubs. It is tempting to go down this route (at least in respect of a 'basic' check) on the basis that if a member is unwilling to submit to such a check, then this might cause the club to question why this might be the case. This could lead to a, potentially erroneous, conclusion that they are not a suitable club member.

This is a very harsh attitude to take and will result in clubs needlessly losing members (exactly this has happened in at least one club, to my knowledge). Some members may simply not want to go through the needless hassle (as they, probably correctly, see it) of undertaking a DBS check and promptly leave 'in a huff'. Many clubs are already struggling for members and an overly-prescriptive attitude to safeguarding is likely to accelerate this process!

Note that if a club fails to (or decides not to) appoint a Safeguarding Officer, this role will, in effect, default to the Chair (from a legal perspective). The 'we didn't have a safeguarding officer, so we didn't know about this stuff' excuse won't fly, unfortunately. Again, think of the parallels with health and safety.

<sup>2</sup> In time, FMES may develop model Safeguarding Procedures for clubs, to customise according to their setting, perhaps together with suggested training levels and options etc. Clubs should not, however, use the lack of such advice/procedures, at the present time, as an excuse not to act.



*Every club should have a safeguarding officer (badges optional!)*

## Code of Conduct

What should be covered by a safeguarding 'code of conduct' (and, similarly, the associated procedures)? This will be club-specific as all clubs undertake different activities with different demographics of people, however a few areas to think about are:

- Procedures for loading/unloading carriages on a running day – lifting children onto carriages would be an example of something to warn against, in this context, but the same kinds of issues/'misunderstandings' could also occur with female passengers (say) and the need to 'steady' a carriage as people board or alight
- How to handle the need to closely supervise a trainee driver (e.g. being in a position to 'take over' quickly in the event of something going wrong) vs the issues surrounding the resulting, inevitable, physical proximity and the potential for being out of sight of parents/guardians/other members at some point on your track)

- Rules for members when on-site where young people are around (whether on a 'work day', a school visit or a public running day). For example, it would be sensible not to allow a member to be alone with a young person at any point (although over-riding health and safety concerns may prevail, e.g. rescuing someone following an emergency/accident or endeavouring to prevent one)
- Rules for members in a workshop/training situation, especially around touching/helping and similar close proximity activities. One option here is to insist that a parent/guardian is present at all times, witnessing the interaction, in the case of younger members. Some sports settings have adopted a practice to ask if it is okay to physically assist young people, saying for example: "I am going to put my hand on your shoulder like this. Is that okay with you?"



*A safeguarding 'code of conduct' needn't be quite as elaborate as this example (and would preferably be written in English...)*



- A statement that physical chastisement of any form is not permitted, even if the individual is doing something silly or dangerous (although physically removing someone from a dangerous/life-threatening situation would, typically, over-ride this)
- Drawing attention to the fact that occasionally children or vulnerable adults might develop a crush or infatuation with a member and suggesting ways of responding. Equally ensuring not to be over friendly or casual in the use of language, or appear at all flirtatious, as each 'could be' understood as grooming-type behaviours.
- Rules regarding online contact with young or vulnerable members (e.g. all contact with children/young people must be via a parent or guardian)

Always bear in mind the phrase I was taught by a fellow hot air balloon pilot (who had a commercial, passenger-carrying, license and regularly flew paying passengers – I was only ever a humble private pilot). When he was thinking whether some activity was safe (e.g. whether the weather was suitable for a flight or a bit 'marginal'), he would run this phrase through his mind: "At the subsequent inquiry...". Examine your (potential) actions/procedures and think about how you would justify them in a court of law (for example) – if you would struggle to do this credibly, you are probably over-stepping the mark somewhere.

## The Scary Bit

There is no way of sweetening the medicine here, so I won't try. If you, as an individual or a club officer, get specific aspects of safeguarding wrong, you can be held *personally, criminally* liable. You can also, of course, be liable for damages to an affected individual, however it is usually possible to insure against this, for example through a director's liability policy, if your club is a limited company (or a club officers' policy, more generally). You cannot, however, insure against criminal liability – you could be cautioned, fined or even go to prison if you get this wrong. **As in many things in the law, ignorance is no defence.** Note that civil litigation and appropriate mitigating insurance is outside of the scope of this article and you should seek qualified professional advice (although some aspects of insurance will be discussed below and it is a topic that will be returned to by FMES in due course).

I will explain the circumstances surrounding any pure, code of conduct oriented, criminal liability in due course, but I thought it was important to point this out early on.

The best way to think of this topic, scary though it might sound initially, is as being analogous to the health and safety (H&S) practices and processes we have all needed to introduce in our clubs, in the past. This is, in fact, a very good analogy, as no amount of H&S paperwork will *guarantee* to get you and your club 'off the hook' in the event of an incident, but the more paperwork, procedures, signed inspection certificates and the like that can be produced and the more evidence that exists to show you had acted reasonably and anticipated and managed risk, the more *likely* it is that any negative findings or penalties will be contextualised and small. The same is true of safeguarding – the more that processes and procedures have been developed to minimise risks and the more that 'best practice' is followed (and is seen to be followed, in the form of paperwork, training, etc.) then the more likely it is that any incident or penalties will be viewed in a more favourable context.



*It is important to get this stuff right – you don't want to end up somewhere like this!*

## Insurance

As with all things related to our hobby, the question of insurance cover arises in relation to safeguarding. If an incident occurs at our club, whether or not a club member is directly or indirectly involved, and this results in a club member or a member of the public wishing to sue for compensation, does the club's insurance policy cover this scenario?

As an example of how things can escalate, the starting point for a victim is often that of wishing to prevent the (alleged) perpetrator from being able to repeat the (alleged) offence. They want the miscreant locked-up, preferably on a remote island, with no possibility of escape or parole. Unfortunately, once any judicial process is underway (or even in the absence of a judicial process), this can also then turn into a desire for some form of financial recompense for 'mental anguish', 'trauma' and the like, even where no physical harm has been done (which is often the case – 'inadvertent' touching, for example, rarely causes any direct physical symptoms).

This is a topic we will need to return to as it is a complex one. For example, the question of 'who is liable?' arises – is it the accused individual, the club as an entity, the officers of the club, who may be deemed to have failed to ensure a 'safe' environment, either through neglect (failure to have a safeguarding policy, for example, or a failure to communicate it or enforce it) or ignorance? What if a member of the public indulges in harmful behaviour with another (unrelated) member of the public, on a club site, during a club event? This is not a simple and straightforward area and is one which, in our context, will evolve rather than one for which every scenario is already known and understood.



## Accountability

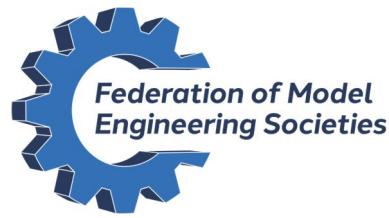
As a starting point, **if a club has implemented the requirements of the legislation and guidance**, as will be outlined in these articles, **and ensures that a senior person** (the Chair of the Club or a Designated Safeguarding Officer for example) **is appointed who is accountable, appropriately trained and where the training is updated at regular (2 yearly) intervals, then the accountability lies with the club, through the Chair**. Whilst a safeguarding or criminal investigation might be made about a volunteer at a club, this is followed up via the Local Authority Designated Person/Officer (LADO), not as an individual criminal matter. This is one reason why it is important that everyone is trained and working according to the club's Code of Conduct.

- It is not possible to plan for every eventuality, but in an alert, well-informed and caring club, the club would actively discourage and bring to a close any activity or behaviour that does not sit within its 'Provision of a Safe Environment' and 'Code of Conduct'.
- In the event of inappropriate behaviour on a club's premises, by people unknown to the club (i.e. the general public, on a running day, say), they should be asked to desist. If this has no impact they should be asked to leave and, in extreme cases, the police should be called.

## Is All This Really Necessary?

I know what you're probably shouting at this page right now: "We're a miniature railway taking a few kids/parents/grandparents for a ride, once per month, we're not GWR – is all this really necessary?". Unfortunately, I can't directly answer that question for you, but what I can do is present you with the relevant information to hopefully allow you to answer it for yourself, with a degree of confidence. Every club is different, every track set-up, running procedures, embarkation and disembarkation process, tunnel, carriage shed, membership profile, club house, etc. etc. is different. What is needed at a major commercial miniature railway, for example, will probably be different to what is needed in my back garden (when I eventually finish my railway – let's not go there for the moment...).

If, having read these articles, you conclude that many/most aspects are not relevant to your club, then at least you will (hopefully) have reached an informed decision which you can subsequently defend, to the relevant authorities, should the need arise



## References

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- [1] *Working Together to Safeguard Children 2023 - A guide to multi-agency working to help, protect and promote the welfare of children*. Published by: the Department for Education. December 2023. Available on Gov.uk.
- [2] *What to do if you're worried a child is being abused: Advice for practitioners*, March 2015. Available on gov.uk at: <https://www.gov.uk/government/publications/what-to-do-if-youre-worried-a-child-is-being-abused--2>
- [3] The Children Act 1989 (available on legislation.gov.uk)
- [4] The Children Act 2004 (available on legislation.gov.uk)
- [5] The Care Act 2014 (available on legislation.gov.uk)
- [6] The Mental Capacity Act 2005 (available on legislation.gov.uk)