



Position of Trust/Responsibility

for charity trustees and activity supervisors working with children and young people

YFC members, club presidents, advisory committee members and others elected to hold office in a YFC are in a *position of trust/responsibility* within the organisation. Being in this position should dictate that you conduct yourself in a way that would not put YFC members or the club itself harm or jeopardise the reputation of the club or the YFC community.

In addition to YFC code of conduct elected officers should:-

- Consider your behaviour when engaging with members and in your actions. Is it helpful to remember that you should judge your actions and behaviour on how it would be perceived by others rather than how it is intended.
- Have clear professional boundaries when working with young people and in your general conduct.
- Not abuse or misuse your *position of trust/responsibility*. All interactions between staff/volunteers and members must be seen in terms of a professional relationship.
- Ensure YFC relationships between elected officers and the general membership of the club are not misread or confused with friendship or other personal relationships. This is to protect elected officers/volunteers/staff and members from emotional harm or risk of potential false allegations.
- Remember that this code of conduct reflects not just your conduct and behaviour whilst working within YFC time and on YFC premises but also your behaviour whilst off-duty when you may encounter young persons with whom you have a relationship of trust/responsibility.
- Report your concerns to the club safeguarding officer, activity supervisor if you feel that an elected officer of the club is behaving in an unsuitable manner or one which could put them at risk.

Position of trust and the law

A *position of trust* is where an adult (over the age of 18 years old) is acting in 'loco parentis' for children and vulnerable people or holds responsibility or authority in relation to them as part of their duties (such as charity trustees), or as activity supervisors for the Young Farmers' Club activities.

People in YFC elected roles or volunteering for and with a Young Farmers' Club are in *positions of trust* – they will have regular contact and be supervising with YFC members under the age of 18 years (in law those under 18 years of age are considered children).

Those who have responsibility for, and authority or influences over, children or vulnerable groups are in relationships of trust in relation to the YFC members under the age of 18 and vulnerable members in their clubs and/or care.

A relationship of trust can be described as one in which one party has power and influence over the other by virtue of their work or the nature of the activity, irrespective of whether this is in a paid or voluntary capacity.

This means that those in relationships of trust should not:

- Use their position to gain access to information relating to vulnerable groups for their own or others' advantage. Such information should only be used or shared to meet the needs of vulnerable groups.
- Use their influence or power to intimidate, threaten, coerce, isolate or undermine vulnerable individuals.

- Use their status and standing to form or promote inappropriate relationships.

And

- In the United Kingdom, a person who holds a *position of trust* over another may not engage in sexual relations with that person, as it is an abuse of trust, as defined by the 2003 Sexual Offences Act. Abuse of a *position of trust* for sexual relations can also lead to criminal charges being raised against the abuser, especially when a minor is involved (statutory rape).

Therefore an elected club officer aged 18 years of over must not enter a personal relationship with a member of the YFC club who is under the age of 18. This kind of relationship is considered an abuse of trust in law.

There are two exemptions. These are:

1. Where both members are married to each other or
2. Where the members are in a relationship that started (pre-dates) before the member took up the *position of trust* at the YFC club (elected at an AGM). In this instance, providing the relationship is lawful, they are exempt from the Act.

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