

Notes about membership of the MCG by under 18s

Under 18s are currently not able to join the MCG. The new MCG CIO constitution says:

Persons aged under 18 years' may attend the CIO premises and join CIO caving trips either with a parent, legal guardian or carer who is a Probationary, Full or Affiliate member of the CIO or with the recorded consent of the same, freely accepted by any CIO members involved. CIO members shall be under no obligation to supervise under 18's.

The CIO constitution is more liberal than our old constitution in providing for under 18s to cave with members who are not their parent or legal guardian provided that parent or guardian have recorded their consent for the under 18 so to do. We have composed a suitable consent form, following BCA guidelines, which can be found here

https://www.mendipcavinggroup.org.uk/app/download/11255810/bca_consent_form.pdf .

A primary motivator for perhaps permitting under 18s as members of the MCG, in a new membership class with few if any, rights, is to do with BCA PL insurance. FAQs about the BCA PL insurance will be found here.

[Insurance & Membership FAQs - British Caving Association \(british-caving.org.uk\)](http://british-caving.org.uk)

FAQ 52, 53, 54, 88 and 89 are important with regard to non-members and children who cave with MCG.

BCA PL insurance covers guest / novice cavers for four trips, after which they are expected to join the BCA, either through a club or as a direct individual member. As MCG do not presently admit under 18s, the only way for under 18's who want to regularly attend MCG meets to obtain BCA PL insurance, is as BCA direct individual members. For now, MCG should require that this condition is met. For the future, administration and record keeping might be easier, if MCG could admit under 18s and apply for BCA membership on their behalf as we do for our other members.

The committee observes that many members and prospective members of the MCG may wish to take their children caving, or permit them to be taken caving by other MCG members, perhaps more than four times. Some other clubs have family or junior memberships available.

Another significant issue with under 18s is safeguarding – we currently follow the safeguarding guidelines published by the BCA - [Safeguarding - British Caving Association \(british-caving.org.uk\)](http://british-caving.org.uk)

The Wessex Cave Club admits under 18's as members. I have asked their secretary what rights they give and what restrictions they impose, on their under 18 members. Their reply is as below:

Club rule 3.4

Junior Membership is available to persons under the age of 18 at the start of the Club year. These members must be accompanied by a parent or an adult in loco parentis who is a full member. It is assumed that the junior member will have access to club journals, use of tackle, keys and library via their parent or an adult in loco parentis, so there is no subscription for this class of membership. The benefits of membership are the use of the hut facilities and participation in club activities. Junior members do not have a vote. On attaining the age of 18

Junior Members automatically become Full Members but shall re-submit an application form, accepting the Club rules.

There is no lower age limit for Junior Membership.

We do procure BCA insurance for under 18s if they opt to access this through the club, or they can become BCA DIM's and get their own.

It is a requirement of Wessex membership that ALL members of WCC are insured.

The BEC have some clear and fairly restrictive rules about under 18's published on their website here https://bec-cave.org.uk/index.php?option=com_content&view=article&id=240:club-rules&catid=46&Itemid=547&lang=en The relevant rules are repeated below.

- *Young persons (16-18 years) and children (under 16 years) whilst on trips or taking part in social activities must be in the care of their parent/guardian.*
- *Young persons (16-18 years) may stay overnight in The Belfry, but must always be in the care of their parent/guardian and stay in the same room as that person.*
- *Children under 16 years are only permitted to sleep in The Belfry at the discretion of the Hut Warden when groups of members or guests are not present and must stay in the same room as their parent/guardian. At any other time they may only camp in a designated camping area in the care of their parent/guardian and are only permitted to enter the Belfry after 9pm at the discretion of the Hut Warden.*

Before admitting under 18s as MCG members we would have to consider, in considerable detail, what our constitution says about under 18s and what rules we would apply to them and in turn, to our trustees and members interacting with them. We might want to treat under 16s (children) differently to under 18s (young persons). We would need to consider:

- What, if any, access under 18s/16s would have to our premises and equipment with and without a parent / guardian
- Whether under 18s/16s can take part in caving trips without their parent / guardian
- Whether under 18s can stay overnight at our hut without a parent / guardian.
- Whether under 18s could stand for election as committee members or trustees. The charity commission permits some, but not exclusively, under 18 trustees for a charity or CIO. They write - *The Commission encourages charities to involve young people in their governance in whatever ways are appropriate in the circumstances, but advises against having a board made up entirely of people under 18. CIO trustees cannot be under 16.*
- We would have to actively undertake to follow the fairly onerous guidance here <https://www.gov.uk/guidance/safeguarding-duties-for-charity-trustees#policies-procedures-and-practices-you-need-to-have>

Observe that with our CIO constitution, the minimum age of an MCG committee member or trustee would be 18 years and 6 months as 6 months must be served as a Probationary member before becoming a Full member and so be eligible to stand for a committee post.

At a committee meeting in October 2021, we were joined by the BCA's youth officer Josh White. The key points he made regarding caving, rather than overnight accommodation, were:

1. The BCA recognise 3 levels of under 18 participation at Caving Clubs:

*a) **Red** – No under 18s*

*b) **Amber** – Under 18s can cave with a club on a parental consent basis with either a parent or 'long term family friend' accompanying the minor. This means there is no requirement for a nominated Child Protection officer or DBS checks for anyone.*

*c) **Green** – There is a nominated Child Protection officer who is DBS checked.*

2. A Child Protection officer would be there to assess the suitability of those taking any Minors caving. This would include their reliability to minors and the suitability of the trip.

3. No one who takes Minors would need specific Cave Leader or other qualifications.

4. A Child Protection officer would not need to accompany all trips. Their role is to promote a climate, ethos and understanding in which Minors can cave safely.

The MCG can be seen to operate currently according to the 'Amber' BCA level. To move to 'Green' we would have to appoint one or more Child Protection Officers who would be DBS checked via BCA free of charge. Scout leaders will have DBS checks for activities with a Scout group. We understand that a separate DBS check would be needed for such a Scout leader to also act as an MCG Child Protection Officer.

Provision of overnight accommodation for under 18s not accompanied by a parent or guardian is if anything even more difficult to arrange than caving. Midsummer Norton scouts have recently made a whole hut booking and wrote:

"From a Scouting child safeguarding perspective, we wouldn't ever be able to share accommodation with other adults who do not hold a DBS from the Scout association. Not that I question any of your members but we couldn't have a situation where an adult who we don't know could walk into a room where children are sleeping. On the other hand, your members would not be protected in case a child made an untrue allegation against them so the safe guarding works in both ways."

The same leader also wrote:

"Your right it (our booking) excludes members from using the hut for a weekend but we have introduced 15 new young people to caving who probably wouldn't have been given the opportunity otherwise. Thank you once again for letting us use your fantastic facilities and the additional shower was ideal for the girls to use."

Whilst the income from whole hut booking for youth groups is welcome and the use of the hut by youth groups helps fulfil our charitable remit, the committee consider that it is only appropriate to permit two or three such bookings a year. Day time access to the hut by members during such a booking should be possible, but will need the co-operation of the youth group leaders.

For the MCG to provide overnight accommodation for under 18's without their parent or guardian, the Scouts claims above indicates that only MCG DBS checked members would be able to stay at the same time. That is clearly not practical. Consequently, under 18s will only be able to use our overnight accommodation when accompanied by a parent / guardian.

The current MCG rules regarding under 18s can be found here:

https://www.mendipcavinggroup.org.uk/app/download/11376517/Initial_CIO_rules_9th_march_2022.pdf