Diocese of Guildford
Transforming Church
Transforming Lives

Use of Private Dwellings for Youth and Children's work

FAQs

Use of Private Dwellings for Youth and Children's work.

In September 2023 the DfE published non statutory guidance, "After School Clubs, Community Activities and Tuition", (the **Guidance**). The Guidance is for all organisations, including churches and for individuals who provide community activities, tuition or after-school clubs for children and young people and provides guidance on a broad safeguarding advice for providers.

The guidance specifically states that it is best practice for all regular youth and children's activities to take place in a public space and not in someone's home. Below are a series of frequently asked questions to help support you to implement the Guidance in your parish context. We are here to support and advise so if you have any further questions please get in touch with the safeguarding team or with Alastair Etheridge or Emma Coy.

FAQs

1. **Do we have to comply with this?**

   The Guidance is non statutory. That means that, whilst it is not legally binding, it sets out best practice. We would advise you to comply with such guidance unless there are cogent and compelling reasons why not. Any decision not to follow such guidance should be recorded along with the reasons for not doing so.

2. **What is a private dwelling?**

   Essentially a private dwelling is any structure or part of structure which is used as a private residence. The position with a vicarage/rectory is a little uncertain but a common-sense interpretation would bring it within the definition as a private dwelling given that is it's primary purpose.

3. **What is the role of the PCC?**

   All PCC members (both elected and *ex officio*) are charity trustees and who are responsible for the decision about the use of private dwellings for children's and youth work in your parish. The Guidance does allow private dwellings to be used for this purpose if there are cogent reasons for doing so. The PCC must decide and record whether these reasons are sufficiently compelling. As with all activities the risk assessment must be approved by the PCC. (See FAQ 7)

4. **What about one-off events?**

   The Guidance applies to regular events not one-off activities. So, an annual summer barbeque or Christmas celebration can still be conducted in a private dwelling if that would be appropriate. (It still needs a risk assessment though!)

5. **Can I hold activities in a private garden instead?**

   The garden is considered to be part of the private dwelling so the guidance would apply in the same way – as would the exception in FAQ 4.

6. **What is a cogent reason?**

   The decision rests with your PCC. Factors that your PCC may consider when making this decision may include:

   - there is no viable alternative public space;
   - there are no suitable toilets in the available public space;
   - the available public space is not sufficiently accessible;
   - the available public space does not have Wi-Fi where access to this is essential to the running of the group; and
   - the stated missional objectives of the activity can not be met using the available public space

   That said, the cogent reason must be genuine and a real effort has been made to find a suitable alternative.

7. **Do we need to risk assess the use of private dwellings?**

   All activities must be risk assessed and the risk assessment approved by the PCC. (The assessment should be reviewed at least annually or when something changes.) If the PCC does decide that an activity for children and youth can take place in a private dwelling , the risk assessment should include additional steps taken to mitigate the increased risks, e,g
   - Is there a downstairs toilet?
   - Are there clear “no go” areas?
   - Appropriateness of pictures displayed in the private dwelling.
   - Are there sufficient safely recruited leaders/helpers to manage risk considering the lay out of the private dwelling?
   - Have Home Based DBS checks been carried out, where eligible?
   - Are clear boundaries set and implemented on social media and on visits to that home beyond the church activity.
   - Could the event be hosted at the private home of an individual not connected with the youth work (with appropriate boundaries)?

8. **Where can we get support?**

   Emma or Alastair are happy to advise and support you in drafting a proposal to your PCC and in thinking through how best to implement best practice. Get in touch with the safeguarding team for general advice and guidance on how best to implement the Guidance and for the reasons why it is important.

9. **DBS checks**

   A home-based DBS check may be required where a youth or children's activity is taking place in the home and there are other members of the household present in the home during the activity, aged 16 or over. Further guidance on this is available at https://www.gov.uk/government/publications/dbs-home-based-positions-guide.

10. **We are already running youth activities in someone's home. Do we have to stop immediately?**

    No, the activity can continue, if it has an existing risk assessment previously approved by the PCC. However, you should ensure it is on the next PCC agenda with a proposal for scrutiny and review, in the light of the Guidance.

    Further Reading and Resource

    You can find further information on this on the National Youth Agency and Churches Together websites.