



**SAFEGUARDING POLICY AND PROCEDURES**

**Policy ACC-007**

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**Revision History**

Revision	Revision Date	Document Status	Revision Comments	Author	Approved by
	10/12/2019	Document creation		S Shotter / K Gledhill	Board of Trustees 22/07/2020

## **POLICY**

### **Policy Purpose**

- To explain the responsibilities Aspire Creating Communities and its staff, volunteers, management committee members and trustees have in respect of safeguarding children and adults at risk.
- To provide staff, volunteers, management committee members and trustees with an overview of child and adult safeguarding.
- To provide a clear procedure that will be implemented where a child or adult at risk safeguarding issue arises.

### **Policy Scope**

This policy applies to all trustees, all staff and volunteers working for Aspire Creating Communities. Community partners delivering services to Aspire Creating Communities will be required to comply with this Aspire Creating Communities Safeguarding Policy. Any staff, volunteers or community partners delivering Aspire Creating Communities services in external venues where service users reside or meet will need to also familiarise themselves with the in-house Safeguarding Policy which applies to the venue where they are delivering their service. When working in partnership with other organisations we will ensure they have their own safeguarding policies and procedures.

### **Roles and Responsibilities**

#### **All staff and volunteers**

Every individual working for Aspire Creating Communities, irrespective of their role, has a part to play in safeguarding children and adults at risk from abuse. All trustees, sessional workers, employees and volunteers will undertake training in accordance with this policy. All staff and volunteers must familiarise themselves with this Safeguarding Policy and associated procedures.

#### **Trustees**

Charity trustees serve on the governing body of Aspire Creating Communities and have responsibility for the general control and management of the administration of the charity. Trustees of charities which work with children and adults at risk have a duty of care to their charity, which includes taking the necessary steps to safeguard those at risk from abuse, managing risk and protecting the reputation of the charity. **Anne Brier** is the appointed safeguarding lead, and safeguarding is a standing item on the agenda for the trustees meeting.

#### **Principles**

Aspire Creating Communities is committed to the safeguarding of all children, young people and adults at risk with whom it has contact.

Everyone involved in the care of children, young people and adults at risk has a responsibility for the protection of those individuals from harm. It is also essential that we honour the trust of those who allow us to care for their children, young people and adults at risk.

There is a duty placed on public agencies under the Human Rights Act (1998) to intervene to protect the rights of citizens. Also the Children Act (1989) makes it clear that the welfare of the child is paramount and that everyone involved in the care of children has a responsibility to protect those children from harm. Likewise, the Care Act (2014) sets out a clear legal framework for the protection of adults at risk of harm or abuse.

In order to protect everyone from potential and actual abuse it is necessary for all staff and volunteers to have an understanding of the issues involved and that appropriate procedures are in place that are shared and understood by all concerned, with clear leadership of safeguarding.

Aspire Creating Communities' Safeguarding Policy arises from the following principles:

- The welfare of the child, young person or adult at risk is paramount;
- Everyone, regardless of age, gender, sexual orientation, disability or ethnic origin has a right to be protected from all forms of harm, abuse, neglect and exploitation;
- It is not your responsibility as members of Aspire Creating Communities to decide whether or not abuse is occurring, but it is your responsibility to act on any concerns and do something about it.

### **Definitions**

**Child** - A child is a child before their birth (i.e. during pregnancy) and until their 18th birthday.

**Adult at Risk** - An "adult at risk" is any adult who needs community care services because of mental or other disability, age or illness (whether or not they are receiving such services) and who are, or may be, unable to protect themselves against harm or exploitation. The term "adult at risk" replaces "vulnerable adult" and "alleged victim".

Safeguarding duties apply to an adult who:

- has needs for care and support (whether or not the local authority is meeting any of those needs) and;
- is experiencing, or at risk of, abuse or neglect; and
- as a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect.
- These adults for example may be:
  - Frail due to age, ill health, physical disability or cognitive impairment, or a combination of these
  - Have a learning disability
  - Have a physical disability and/or a sensory impairment
  - Have mental health needs including dementia or a personality disorder
  - Have a long-term illness/condition
  - Users of substances or alcohol
  - Unable to demonstrate the capacity to make a decision and is in need of care and support.

This list is not exhaustive.

### **Safeguarding**

Safeguarding is the term used to denote measures taken to protect the health, well-being and human rights of individuals which enables children, young people and adults at risk to live free from abuse, harm and neglect. The term 'safeguarding' is used to refer to both preventative measures and measures taken in response to identified concerns and actual harm.

### **Identifying abuse**

The term 'abuse' is used to describe various ways that someone can be harmed or mistreated.

Abuse can happen anywhere and at any time and by anyone, but research indicates that the perpetrators of abuse are likely to be known and trusted by the child or young person. For adults at risk, evidence suggests that the perpetrators of abuse are often professional carers or other adults at risk.

Child abuse falls into four categories - physical, neglect, sexual and emotional. Abuse of adults at risk falls into ten categories; it includes the four which also relate to children and six further categories; financial, organisational, discriminatory, domestic, modern slavery, self-neglect. The definitions of these different types of abuse are as follows:

### **Physical abuse**

This may involve hitting, kicking, shaking, throwing, squeezing, suffocating, drowning, burning or biting the child or adult at risk. Giving a child alcohol is also a form of physical abuse. Giving a child or adult at risk (against their free and informed consent) drugs, poison or overmedication using prescribed medications are also forms of physical abuse. Physical harm may also be caused when a parent fabricates the symptoms of, or deliberately induces, illness in a child. Physical restraint may also be a form of physical abuse if it is not necessary and proportionate to prevent harm.

### **Neglect**

Neglect is the persistent failure to meet a child's or an adult at risk's basic physical and psychological needs. This may include the failure to meet basic needs, like food, shelter, warm clothing or medical attention. Neglect can be intentional or unintentional, for example, due to a lack of understanding or appropriate training and supervision.

Neglect of children may occur before their birth (i.e. during pregnancy) as a result of substance misuse and is also the failure to provide adequate supervision (including leaving children with inappropriate carers).

### **Sexual abuse**

Sexual abuse involves forcing or enticing a child or adult at risk to take part in sexual activities, including prostitution, whether or not the individual is aware of what is happening. Activities may

involve penetrative and non-penetrative acts or non-contact activities such as forcing a child or adult at risk to look at, or take part in the production of pornographic materials.

For children it can also include encouraging them to behave in sexually inappropriate ways. Sexual abuse includes grooming a child in preparation for abuse, for example, via the internet.

### **Emotional abuse**

For children emotional abuse is the persistent emotional ill-treatment of a child, such as to cause severe adverse effects on that child's emotional development. This may involve a lack of love and affection, telling a child they are worthless, serious bullying or being constantly shouted at. Emotional abuse also occurs when the child is valued only insofar as they meet the needs of another person, when the child is overprotected and unable to explore and learn on their own, or when they witness the ill-treatment or abuse of another (including domestic violence, or animal cruelty). Other examples are serious bullying, including cyber bullying, making fun of what the child says or how they communicate.

For adults at risk, emotional, sometimes called psychological, abuse can include the threats of harm or abandonment, blaming or controlling behaviour or enforced isolation.

### **Financial abuse**

This type of abuse is used for abuse of adults at risk only, however if you think that a child is being abused financially you should report this in the usual way to Children's Services.

Financial abuse is when an adult at risk is exploited for financial gain. This can include theft, fraud, scams, exploitation, pressure in connection with wills, property or inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.

### **Organisational abuse**

Again this type of abuse is used for abuse of adults at risk only, however if you think that a child is experiencing this type of abuse you should report this in the usual way to Children's Services and also consider contacting the Local Authority Designated Officer (see section on managing allegations).

Organisational abuse occurs when the routines, systems and regimes of an institution result in poor or inadequate standards of care and poor practice which affects the whole setting and denies, restricts or curtails the dignity, privacy, choice, independence or fulfilment of adults at risk. Decisions will be taken because they are in the best interests of the staff or institution not in the best interests of the adult at risk.

### **Discriminatory abuse**

Discriminatory abuse is behaviour that makes or sees a distinction between people as a basis for prejudice, harassment or unfair treatment, in terms of age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership and pregnancy and maternity. These are now called 'protected characteristics'. The Equality Act (2010) extends some protections to

characteristics that were not previously covered, and also strengthens particular aspects of equality law.

### **Domestic abuse**

Examples of domestic violence include psychological, physical, sexual, financial, emotional abuse; as well as so called 'honour' based violence, forced marriage and female genital mutilation. Many people think that domestic abuse is about intimate partners, or abuse of women by men, but it may also be caused by wider family members, and committed by women towards men and in same sex relationships, as made clear in the Home Office definition (2013): "An incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse... by someone who is or has been an intimate partner or family member regardless of gender or sexuality."

### **Modern slavery**

Modern slavery includes human trafficking, forced labour and domestic servitude. Traffickers and slave masters use the means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhuman treatment. 'County Lines', a related phenomenon, is the organised criminal distribution of drugs from big cities into smaller towns and rural areas using children and adults at risk.

### **Self-neglect**

Self-neglect covers a wide range of behaviours, such as neglecting to care for one's personal hygiene, health or surroundings, including hoarding. Where a person experiencing self-neglect lacks mental capacity in relation to their care and support needs, decisions should be made in the person's best interests as required under the Mental Capacity Act 2005. However, if a person has mental capacity in relation to their care and support needs, or where issues of capacity are or have been difficult to assess, a response within the Safeguarding Adults Procedure may sometimes be appropriate, depending on the adult's ability to protect themselves by controlling their own behaviour.

### **Possible signs of abuse include:**

- Unexplained or suspicious injuries such as bruising, cuts, or burns, particularly if situated on a part of the body not normally prone to such injuries, or the explanation of the cause of the injury is ill-fitting.
- A disclosure of abuse, or description of what appears to be an abusive act by a child or adult at risk.
- Someone else (child or adult) expresses concern about the welfare of another child or adult at risk.
- Unexplained change in behaviour, such as withdrawal or sudden outbursts of temper.
- Inappropriate sexual awareness or sexually explicit behaviour.
- Distrust of a particular individual, particularly those with whom a close relationship would normally be expected.
- Difficulty in making friends.
- Eating disorders, depression, self-harm or suicide attempts.

- Deterioration in health or appearance including loss of weight.
- Unexplained loss of money or material goods (financial abuse)
- Unexplained possession of money or goods such as mobile phones (child sexual exploitation)
- Fear or anxiety

This is not an exhaustive list of possible indicators of abuse.

**PROCEDURES**

**What to do if abuse is suspected**

If any member of Aspire Creating Communities suspects abuse is taking place they should immediately inform the Designated Safeguarding Officer or Deputy Safeguarding Officer within 24 hours who will take responsibility for onward referral; contact details as follows:

Safeguarding Officer (trustee) Anne Brier: 07766 196923

Deputy Safeguarding Officer (Aspire Project Manager) Susanna Shotter: 07542 771518

A log of the concern must be kept (see Safeguarding Concern Log Appendix 1). All sessional leaders will be supplied with a box containing policies and other relevant documentation including copies of the Safeguarding Concern Log.

If it is felt that further investigation is required in order to keep a child safe then the matter must be referred to Kirklees Children’s Social Care. Children’s Social Care may be contacted at any time for advice and consultation. In the event of a referral to Children’s Social Care all relevant information must be shared, including copies of correspondence, log of previous concerns and notes of any conversations with the child, their family or other staff.

If it is felt that further investigation is required in order to keep an adult at risk safe then the matter must be referred to Gateway to Care. Gateway to Care may be contacted at any time for advice and consultation. In the event of a referral to Gateway to Care all relevant information must be shared, including copies of correspondence, log of previous concerns and notes of any conversations with the adult at risk, their family or other staff.

In the event that the designated safeguarding champion is not available or contactable this should not delay action being taken to protect a child or adult at risk. Any member of Aspire Creating Communities may contact Children’s Social Care or Gateway to Care directly to raise their concerns.

<p><b>Kirklees Children’s Social Care</b>          01484 456848          01924 326097          01924 326076          01924 431429          Out of hours – 01484 414933</p>	<p><b>Gateway to Care</b>          01484 414933 (24 hours)</p>
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If there are any concerns about the immediate safety of a child or an adult at risk then the police must be contacted on 999 without delay.

The Charity Commission requires charities to report serious incidents. If a serious incident takes place within Aspire Creating Communities, it is important that there is prompt, full and frank disclosure to the Commission.

All serious safeguarding incidents will be reported to the Charity Commission by the Aspire Creating Communities Trustees in accordance with the Charity Commission guidance within a timely manner. For a list of examples of serious safeguarding incidents see:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/752170/RSI\\_guidance\\_what\\_to\\_do\\_if\\_something\\_goes\\_wrong\\_Examples\\_table\\_deciding\\_what\\_to\\_report.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/752170/RSI_guidance_what_to_do_if_something_goes_wrong_Examples_table_deciding_what_to_report.pdf)

Guidance as to how to decide whether to report to the Charity Commission are found here:

<https://www.gov.uk/government/publications/its-your-decision-charity-trustees-and-decision-making/its-your-decision-charity-trustees-and-decision-making>

### **Safer Recruitment**

A range of methods will be used throughout the recruitment and selection process to minimise the risk of employing someone who is a risk to children or adults at risk. This will include Disclosure and Barring Service (DBS) checks for all members of staff and volunteers. Please refer to the Safer Recruitment Policy for full details.

### **Allegations against staff**

Any suspicion that a child, or an adult at risk, has been abused by a member of staff or a volunteer must be reported to the Safeguarding Officer, or Deputy, otherwise known as the Alerting Manager, who will take such steps as considered necessary to ensure the safety of the child or adult at risk in question and any other child or adult who may be at risk.

The Safeguarding Officer, or Deputy will refer the allegation to Children's Social Care or Gateway to Care who may involve the police or will refer directly to the police if out-of-hours.

For abuse (or allegations of abuse) of children, Children's Social Care and the Safeguarding Officer, or Deputy will liaise with the Local Authority Designated Officer (LADO) whose responsibility it is to:

- Provide advice and guidance;
- Liaise with the police and other agencies;
- Provide assistance in discussions regarding suspension and referral to the Disclosure and Barring Service.

Details for the Kirklees LADO including a referral form can be found at:  
<http://www.kirkleessafeguardingchildren.co.uk/allegations.html>

**KIRKLEES LADO (Local Authority Designated Officer) 01484 226748**

For concerns relating to adults, Adult Safeguarding will be contacted.

**ADULT SAFEGUARDING 01484 221717**

The parents or carers of the child or adult at risk will be contacted as soon as possible following advice from Children's Social Care / Gateway to Care and/or the police.

If the Safeguarding Officer or Deputy are the subject of the suspicion / allegation, the concern must be made directly to Children's Social Care or Gateway to Care.

Where there is a complaint against a member of staff there may be three types of investigation:

- A criminal investigation
- A child protection / safeguarding adult investigation
- A disciplinary or misconduct investigation

The timing and method of any action to be taken will be discussed and agreed with the LADO or Adult Safeguarding Adviser. This will cover communication with the worker, suspension, investigation and possible strategy meetings. A decision will be taken by the LADO or Adult Safeguarding Adviser about when to inform the worker and the charity will follow this advice.

In accordance with the law, a referral will be made to the Disclosure and Barring Service (DBS) / Protecting Vulnerable Groups scheme (PVG) if the charity withdraws permission for an individual to engage in work with children / adults at risk OR would have done so had that individual not resigned, retired, been made redundant or been transferred to a different position because the employer believes that the individual has engaged in relevant conduct, satisfied the harm test, or committed an offence that would lead to automatic inclusion on a barred list.

In such cases, a report will also be made to the Charity Commission, as they deem such a referral to be a 'serious incident' and therefore require notification.

**Internal enquiries and suspension**

The Safeguarding Officer will make an immediate decision about whether any individual suspected of abuse should be temporarily suspended pending further police and Social Care enquiries.

Where an individual is suspended it is advised that other employees / volunteers should have no contact with them until enquiries have concluded.

Irrespective of the findings of Social Care or police enquiries the organisation will assess all individual cases to decide whether a member of staff or volunteer can be reinstated. The welfare of the child or adult at risk should remain of paramount importance throughout.

## **Mental Capacity**

N.B. The following section applies only to adults. As a general rule children cannot be assessed for capacity under the Mental Capacity Act (2005) except in specific circumstances.

In accordance with the Mental Capacity Act (2005), public agencies work from a presumption that an adult has capacity to make their own decisions unless a person's apparent comprehension of a situation gives rise to doubt. It is the right of adults who have capacity to make their own choices, irrespective of how unwise we might consider that decision to be.

However, where:

- A crime is suspected or;
- Allegations involve a member of staff, paid carer or volunteer, or;
- There is a risk of significant harm to that person or any other adult at risk

then, relevant agencies must be informed and allegations must be investigated whether the alleged victim is willing to take an active part in the process or not.

Where adults lack the capacity to safeguard themselves, other people will need to make those decisions, and to ensure that this is done appropriately it may be appropriate to ask the following agencies for support:

Social Services (Adults)	Gateway to Care 01484 414933
Police	Vulnerable Victims Team 01924 206309 or 01924 206349
Community Partnerships	01484 225142

## **Risk Management**

Any identified safeguarding risks will be assessed by the Safeguarding Officer and, or Deputy Safeguarding Officer with multi-agency consultation as required for the management and review of risk.

## **Confidentiality and Information Sharing**

The Data Protection Act should not be a barrier to sharing information. It provides a framework to ensure that personal information about living persons is shared appropriately. Whenever possible, informed consent to the sharing of sensitive personal information should be obtained. However:

- Emergency or life-threatening situations may warrant the sharing of relevant information with the relevant emergency services without consent.

- The law does not prevent the sharing of sensitive, personal information within organisations. If the information is confidential, but there is a safeguarding concern, sharing it may be justified.
- The law does not prevent the sharing of sensitive, personal information between organisations where the public interest served outweighs the public interest served by protecting confidentiality – for example, where a serious crime may be prevented.

In those instances where the person lacks the mental capacity to give informed consent, staff and volunteers should always bear in mind the requirements of the Mental Capacity Act 2005 and whether sharing information will be in the person's best interest.

### **Record keeping**

Any records kept in relation to safeguarding concerns for a child or an adult at risk must be kept securely and confidentially in an agreed place. Records must be factual, accurate and clearly written in black ink or typed, with a legible date, time and signature.

Electronic records will be kept securely on a password protected system (in accordance with GDPR) and accessible only by the Designated Safeguarding Officer and Deputy Safeguarding Officer. Once a paper copy of a record has been scanned in it will be destroyed as confidential waste.

### **Training**

All members of Aspire Creating Communities will receive a copy of this policy and undergo training as part of their induction to the organisation and thereafter refreshed every 3 years by completing the highest previous level of training.

There are 3 levels of training:

- **Basic Awareness** (Level 1) – required for anyone who needs a basic level of awareness of safeguarding. Required for anyone going on to complete Foundation or Leadership Training. On-Line training. Providers include: Church of England; C/o Kirklees Council website; Social Care Institute for Excellence; Skills for Care.
- **Foundation** (Level 2) – required for anyone who has safeguarding responsibilities or contact in their role with children, young people and / or adults at risk. On-Line training. Providers include: Church of England; C/o Kirklees Council website; Social Care Institute for Excellence; Skills for Care.
- **Leadership** (Level 3) – required for anyone who has leadership responsibilities for safeguarding or responsibilities for leading activities involving children, young people and / or adults at risk. Face to face training. Providers include: Church of England Leeds Diocese; Kirklees Council.
- **Trustees and Designated Safeguarding Officer and Deputy Safeguarding Officer:** Basic Awareness, Foundation and Leadership. Leadership level 3 training to be refreshed every 3 years.

**Staff (Sessional Leaders):** Basic Awareness, Foundation and Leadership. Leadership Level 3 training to be refreshed every 3 years.

**Volunteers:** Basic Awareness and Foundation. Foundation Level 2 training to be refreshed every 3 years.

On induction, volunteers will receive a pack including safeguarding awareness and highlighting information as to whom to report a concern. A basic awareness workbook will be given to them to complete as part of their induction and to support e-learning training.

Electronic training records for trustees, staff and volunteers will be maintained by the Aspire Project Manager.

**Equality Statement**

Aspire Creating Communities is committed to providing services which embrace diversity and that promote equality of opportunity. Everyone who accesses our services or works for us in a paid or voluntary capacity should be safe, empowered to play a part in promoting their own welfare and that of others and able to live a life free from abuse. This applies to all, regardless of age, gender, ethnicity, disability, sexuality or belief. (2010 Equalities Act)

**Confidentiality Statement**

This policy is to be read in conjunction with ACC-016 Confidentiality Policy

**Additional Related Policies**

Aspire Creating Communities also has policies on the following related topics which all staff and volunteers must be familiar with:

- Safer Recruitment Policy ACC-010
- Disciplinary / Grievance Policy ACC-009
- Health and Safety Policy ACC-001
- Complaints and Compliments Procedure ACC-011
- Lone Working Procedure ACC-013
- GDPR Policy ACC-006
- Whistleblowing Policy ACC-014
- Code of Conduct ACC-012
- Risk Management Policy ACC-003

**Policy Adoption and Review**

This policy has been formally agreed and adopted by the Trustees of Aspire Creating Communities. This policy will be reviewed annually, or sooner where there are significant changes to guidance or legislation by the Trustees who are also responsible for the implementation of this policy.

Policy Number	ACC-007	Signed:
Policy Title	Safeguarding Policy and Procedures	
Author (s)	Susanna Shotter / Karina Gledhill	

		<i>K. J. Cleedhill.</i>
Date Written	10/12/2019	Position:
Review Date	10/12/2020	Aspire Creating Communities Chair of Trustees

**Appendix 1**

**Template Safeguarding Concerns Log**

Name of person:	Date of birth:
Date of completing form:	Time of completing form:
Your name:	Your position:
Your signature:	Your organisation:
Reasons for recording incident:	
Record the following as factually as possible:	
Who:	
What:	
Where:	
When:	
Offer an opinion where relevant (how and why this may have happened):	

Substantiate the opinion. Make a note of any actions taken, including the names and role of anyone to whom information was passed.