

## Safeguarding Children and Vulnerable Adults Policy

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<b>Prepared by:</b>	Programme Director and CFO
<b>Superseded documents:</b>	Safeguarding Policy

## **1. Introduction**

Brain in Hand Ltd makes a positive contribution to a strong and safe community and recognises the right of every individual to stay safe.

Brain in Hand Ltd comes into contact with children and vulnerable adults through the provision of training to use our system.

This policy seeks to ensure that Brain in Hand Ltd undertakes its responsibilities with regard to protection of children and vulnerable adults and will respond to concerns appropriately. The policy establishes a framework to support paid staff, unpaid staff, consultants and contractors in their practices and clarifies the organisation's expectations.

## **2. Legislation**

The principal pieces of legislation governing this policy are:

- Working together to safeguard Children 2010
- The Children Act 1989
- The Adoption and Children Act 2002:
- The Children act 2004
- Safeguarding Vulnerable Groups Act 2006
- Care Standards Act 2000
- Public Interest Disclosure Act 1998
- The Police Act – CRB 1997
- Mental Health Act 1983
- NHS and Community Care Act 1990
- Rehabilitation of Offenders Act 1974

## **3. Definitions**

Safeguarding is about embedding practices throughout the organisation to ensure the protection of children and vulnerable adults wherever possible. In contrast, child and adult protection is about responding to circumstances that arise.

Abuse is a selfish act of oppression and injustice, exploitation and manipulation of power by those in a position of authority. This can be caused by those inflicting harm or those who fail to act to prevent harm. Abuse is not restricted to any socio-economic group, gender or culture.

It can take a number of forms, including the following:

- Physical abuse
- Sexual abuse

- Emotional abuse
- Bullying
- Neglect
- Financial (or material) abuse

#### Definition of a child

A child is any person under the age of 18 (as defined in the United Nations convention on the Rights of a Child).

#### Definition of a Vulnerable Adult

A vulnerable adult is a person aged 18 years or over who may be unable to take care of themselves or protect themselves from harm or from being exploited.

This **may** include a person who:

- Is elderly and frail
- Has a mental illness including dementia
- Has a physical or sensory disability
- Has a learning disability
- Has a severe physical illness
- Is a substance misuser
- Is homeless

## 4. Responsibilities

4.1 **All staff and contractors** (paid or unpaid) have responsibility to follow the guidance laid out in this policy and related policies, and to pass on any welfare concerns using the required procedures.

We expect all staff and contractors (paid or unpaid) to promote good practice by being an excellent role model, contribute to discussions about safeguarding and to positively involve people in developing safe practices.

4.2 **The Senior Management Team (SMT)** have responsibility to ensure:

- The policy is in place and appropriate
- The policy is accessible
- The policy is implemented
- The policy is monitored and reviewed
- Liaison with and support for the Designated Safeguarding Officer

- Sufficient resources (time and money) are allocated to ensure that the policy can be effectively implemented

4.3 **The Designated Safeguarding Officer (DSO)** is the Programme Director and has the following responsibilities:

- Promote the welfare of children and vulnerable adults
- Ensure staff and contractors (paid and unpaid) have access to appropriate training/information
- Receive staff concerns about safeguarding and respond seriously, swiftly and appropriately
- Keep up to date with local arrangements for safeguarding and CRB
- Develop and maintain effective links with relevant agencies
- Take forward concerns about responses

## 5. Implementation Stages

The scope of this Safeguarding Policy is broad ranging and, in practice, it will be implemented via a range of policies and procedures within the organisation. These include:

- Whistleblowing –ability to inform on other staff/ practices within the organisation
- Grievance and disciplinary procedures – to address breaches of procedures/ policies
- Health and Safety policy, including lone working procedures, mitigating risk to staff and clients
- Equal Opportunities policy– ensuring safeguarding procedures are in line with this policy, in particular around discriminatory abuse and ensuring that the safeguarding policy and procedures are not discriminatory
- Data protection (how records are stored and access to those records)
- Confidentiality - ensuring that service users are aware of your duty to disclose
- Staff induction
- Staff training

### 5.1 Safe recruitment

Brain in Hand Ltd ensures safe recruitment through the following processes:

- Job or role descriptions for all roles involving contact with children and vulnerable adults will contain reference to safeguarding responsibilities.
- Shortlisting is based on formal application processes and not on provision of CVs.
- Interviews are conducted according to equal opportunity principles and interview questions are based on the relevant job description and person specification.

- DBS checks will be conducted for specific roles for all staff (paid or unpaid) working with children and vulnerable adults. Portable / carry over CRB checks from another employer will not be deemed to be sufficient. It is a criminal offence for individuals barred by the ISA to work or apply to work with children or vulnerable adults in a wide range of posts.
- If a new employee starts work before CRB clearance is given then no contact with children or vulnerable adults is permitted until the CRB clearance is confirmed.

## 5.2 Criminal Bureau Records Gap Management

The organisation commits resources to providing Criminal Bureau Records check on staff (paid or unpaid) whose roles involve contact with children and /or vulnerable adults.

In order to avoid CRB gaps, the organisation will maintain and review a list of roles across the organisation which involve contact with children/ vulnerable adults.

In addition to checks on recruitment for roles involving contact with children / vulnerable adults, the following processes are in place:

- A 3 year rolling programme of CRB re-checking is in place for holders of all identified posts.
- Existing staff (paid or unpaid) who transfer from a role which does not require a CRB check to one which involves contact with children / vulnerable adults will be subject to a CRB check.

## 5.3 Service delivery contracting and sub-contracting

- There will be systematic checking of safeguarding arrangements of partner organisations.
- Contracts and memorandums of agreement for partnership delivery work will include clear minimum requirements, arrangements for safeguarding and non-compliance procedures.

## 6. Training and support for staff

Brain in Hand Ltd commits resources for induction, training of staff and contractors (paid and unpaid), effective communications and support mechanisms in relation to Safeguarding.

### 6.1 Induction and Training

All staff who, through their role, are in contact with children and / or vulnerable adults will have access to safeguarding training at an appropriate level.

### 6.2 Support

We recognise that involvement in situations where there is risk or actual harm can be stressful for staff concerned. The mechanisms in place to support staff include:

- Debriefing support for paid and unpaid staff so that they can reflect on the issues they have dealt with.
- Seeking further support as appropriate e.g. access to counselling.
- Staff who have initiated protection concerns will be contacted by line manager / DOS within 1 week.

## **7. Professional boundaries**

Professional boundaries are what define the limits of a relationship between a support provider (including, non-medical helpers) and a client. They are a set of standards we agree to uphold that allows this necessary and often close relationship to exist while ensuring the correct detachment is kept in place.

Brain in Hand Ltd expects staff to protect the professional integrity of themselves and the organisation.

The Employee Handbook also contains guidance on staff (paid or unpaid) conduct.

Breaching professional boundaries and / or organisational policies could result in disciplinary procedures.

## **8. Guidance for staff who become aware of concerns**

- 8.1 If a member of staff is notified, or becomes aware through the declaration, indication or disclosure (behaviourally, verbally or in writing) of an individual, that a child or a vulnerable adult is being, or has been, abused or is at risk from themselves or others, the staff member must:
- React calmly.
  - Reassure the person they were right to disclose the matter.
  - Take what is said seriously. Be clear that staff cannot keep secrets and that they must pass the information on if they think a child or vulnerable adult has been or is being harmed or is at risk of harm in some way.
  - Keep questions to an absolute minimum to ensure a clear and accurate understanding of what is being said.
  - Only ask questions if they need to clarify what they are being told. They must not ask about explicit details as it is up to the external agency to investigate fully.
  - Clarify the facts about what happened only, and avoid asking leading questions.
- 8.2 The member of staff must make it clear that if they are concerned about the wellbeing or safety of any child or vulnerable adult then they may notify other services as appropriate in accordance with the Brain in Hand Terms and Conditions of Use and Safeguarding Policy. This may include contact with for example the student's school, college or university, Student Support Team or Non-Medical Help Provider, or the individual's support provider or referring agency.
- 8.3 The member of staff must also make it clear that if they are concerned for the immediate safety of a child or vulnerable adult then they will contact the individuals' emergency contact or the emergency services as appropriate.
- 8.4 If the person disclosing about abuse or harm is a child or vulnerable adult they may not wish to take the matter further than the person they have informed. They may fear the effect this will have on their or another person's family or may fear forms of retribution. The child or vulnerable adult must be helped to understand why the report must be made and what is likely to happen as a result. This

discussion need not happen if on the balance of probabilities having the discussion could result in a worsening situation or further avoidable harm.

- 8.5 If a child or vulnerable adult alleges that they or another child or vulnerable adult is a cause for concern, Safeguarding Procedures must be followed in respect of both parties. Brain in Hand will attempt to ensure their disclosure is handled confidentially, although no absolute guarantees will be offered.

## **9. Reporting form procedure**

- 9.1 All child protection or safeguarding concerns must be recorded on a Brain in Hand Safeguarding Report Form.
- 9.2 Where forms are submitted digitally to ensure delays do not occur, a signed copy must follow.
- 9.3 All forms will be reviewed by the DSO with support from the SMT as appropriate.
- 9.4 All forms must be completed, reviewed and relayed onwards if appropriate within 24 hours of having a concern or an incident occurring.
- 9.5 These records may need to be disclosed to third parties such as children's services, police, the courts and solicitors, so every care must be taken that they are clear, accurate and objective.
- 9.6 Staff members should take care not to write speculative comments and stick to the facts given by the person raising the concern.
- 9.7 Staff opinions may in some circumstances be crucial but they must be recorded as an opinion and evidence accompanied to support these opinions.
- 9.8 All fields should be completed and where information is non-applicable, unknown or unavailable this must be clearly noted.
- 9.9 The person filling in the form is responsible for the contents and ensuring it is sent on to the DSO or other member of SMT.

## **10. Making contact with an external agency**

- 10.1 The decision whether to make a referral will be based on the information provided in the reporting form following review by the DSO and SMT if appropriate. Any other issues Brain in Hand Ltd is aware of in relation to the child or vulnerable adult should be taken into account and any risks associated with not taking action should be assessed and documented.
- 10.2 The referral to the appropriate services will be made by the DSO or appropriate Programme Manager under the guidance of the DSO.
- 10.3 If appropriate, it is the responsibility of the DSO, after discussing with the relevant Programme Manager and taking advice from the NSPCC helpline, to decide whether the parents/carers of the child or vulnerable adult should be informed of the referral report if they have not already been made aware of this.

- 10.4 If the child or vulnerable adult has a known contact with an external agency, they must be informed of Brain in Hand Ltd's concerns.
- 10.5 Once the referral has been made in writing, the DSO or reporting Programme Manager must ensure he/she has a written record that this has been received. This must be stored with the reporting form and any other paperwork relating to the case in line with agreed processes.
- 10.6 If a referral is made outside the organisation, it is the responsibility of the DSO or reporting Programme Manager to ensure that the referral has received appropriate attention from the external agency within 7 days. The DSO or reporting Programme Manager should confirm this and record the action on the form.

## **11. Managing information**

- 11.1 Information will be gathered, recorded and stored in accordance with the Data Protection Policy and Access to Confidential Information Policy.
- 11.2 All staff must be aware that they have a professional duty to share information with other agencies in order to safeguard children and vulnerable adults. The public interest in safeguarding children and vulnerable adults may override confidentiality interests. However, information will be shared on a need to know basis only, as judged by the Designated Safeguarding Officer.
- 11.3 All staff must be aware that they cannot promise service users or their families / carers that they will keep secrets.
- 11.4 All concerns and any discussions about the welfare of a child or vulnerable adult must be recorded on a reporting form whether or not further action is taken.
- 11.5 Reporting forms and associated records will be logged on the Incident Log, with relevant hard copies of forms scanned and attached to the record. This Log is held securely on the shared drive in a restricted folder. Hard copies must then be shredded.
- 11.6 Only the reporting Programme Manager, DSO and SMT will have access to these records. Any other member of staff will need to request access from one of the above, which will be granted only for a valid reason.
- 11.7 Verbal discussions around any child protection or safeguarding case will be conducted confidentially and not in the open office.
- 11.8 Any information sent through the post around a child protection or safeguarding case will be marked 'Confidential – addressee only'.
- 11.9 Sensitive information sent in emails around a child protection or safeguarding case must be included in a password-protected document attached to the email.

## **12. Communicating and reviewing the policy**

Brain in Hand Ltd will ensure that this Safeguarding Policy is readily accessible on their website.

This policy will be reviewed by the DSO and SMT at least every 2 years and when there are changes in legislation.