

## 24 - Safeguarding Children and Vulnerable Adults Policy

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<b>Approved by:</b>	Louise Morpeth CEO

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**N.B. Please ensure that all written correspondence relating to Safeguarding concerns are emailed to: [safeguarding@braininhand.co.uk](mailto:safeguarding@braininhand.co.uk)**

## 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 adults at risk through the provision of Specialist Support to use our system and through the provision of associated Response Services.

This policy seeks to ensure that Brain in Hand Ltd undertakes its responsibilities with regard to protection of children and adults at risk 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 2015
- 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
- Counter-Terrorism and Security Act 2015
- The Equality Act 2010

## 3. Definitions

Safeguarding is about embedding practices throughout the organisation to ensure the protection of children and adults at risk 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 an Adult at Risk

An adult at risk 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 Leadership Team (SLT)** 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 Head of Service Delivery 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 DBS
- Develop and maintain effective links with relevant agencies
- Take forward concerns about responses

## 5. Implementation Stages

5.1 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

### 5.2 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 adults at risk 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 adults at risk. Portable /carry over DBS 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 adults at risk in a wide range of posts.
- If a new employee starts work before DBS clearance is given, then no unsupervised contact with children or adults at risk is permitted until the DBS clearance is confirmed.

### 5.3 Criminal Records Bureau Gap Management

The organisation commits resources to providing DBS check on staff (paid or unpaid) and whose roles involve contact with children and /or adults at risk.

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

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

- A 3 year rolling programme of DBS 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 DBS check to one which involves contact with children / adults at risk will be subject to a DBS check.

#### 5.4 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 adults at risk 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 / DSO 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 an adult at risk 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 adults at risk 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 adult at risk 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 adults at risk then they will contact the individuals' emergency contact and/or the emergency services as appropriate.
- 8.4 If the person who is disclosing abuse or harm is a child or adult at risk, 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 adult at risk 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 adult at risk alleges that they or another child or adult at risk 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 and emailed securely to [safeguarding@braininhand.co.uk](mailto:safeguarding@braininhand.co.uk).
- 9.2 Where forms are unable to be submitted securely, to ensure delays do not occur, a record may be taken by phone and a signed hardcopy must follow within one week (5 working days).
- 9.3 All forms will be reviewed by the DSO and an appropriate member of the SLT 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 SLT.

## **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 SLT if appropriate. Any other issues Brain in Hand Ltd is aware of in relation to the child or adults at risk 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, under the guidance of the DSO, the appropriate Programme Manager.
- 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 adults at risk should be informed of the referral report if they have not already been made aware of this.

- 10.4 If the child or adults at risk 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, under the guidance of the DSO, a 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 adults at risk. The public interest in safeguarding children and adults at risk may override confidentiality interests. However, information will be shared on a need to know basis only, as judged by the DSO.
- 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 adults at risk 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 appropriate members of SLT 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. Preventing Radicalisation

- 12.1 Under Section 26 of the Counter-Terrorism and Security Act 2015, and as part of our safeguarding procedures, all staff and contractors working for and on behalf of Brain in Hand Ltd must have “due regard to the need to prevent people from being drawn into terrorism”.
- 12.2 The Prevent Strategy is part of the Government’s overall counter-terrorism strategy, known as CONTEST. The specific aim of Prevent is to stop people becoming drawn into terrorism.
- 12.3 The three specific strategic objectives under Prevent are:
- o Respond to the ideological challenge of terrorism and the threat we face from those who promote it
  - o Prevent people from being drawn into terrorism and ensure they are given appropriate advice and support
  - o Work with sectors and institutions where there are risks of radicalisation that we need to address
- 12.4 The following list of behaviours may indicate an individual as at risk of radicalisation:
- o Expressing opinions that indicate a support for terrorism or violence and / or for the leaders of terrorist organisations
  - o Possession of violent or extremist material either in hard copy or digital formats
  - o Attempts to access violent extremist websites and associated password protected chat rooms
  - o Possession of material relating to weapons and explosives
  - o Possession of material relating to military training skills and techniques (outside of British Armed forces recruitment / careers material)
  - o Social isolation from family, peers and social events, particularly if this is in conjunction with association with proscribed organisations or individuals known to hold extremist views
- 12.5 The above list is not exhaustive and it should be noted that the behaviours listed above are not in themselves indicators of criminality or criminal intent. Prevent is about looking for signs that an individual may be at risk and benefit from some supportive intervention.
- 12.6 There is evidence that radicalisation can be linked to a crisis of identity and uncertainty about belonging, which may be triggered by experiences of victimisation, racialism or abuse, hence the importance of identifying clients who may be vulnerable due to issues and challenges within their personal and home life.
- 12.7 Staff or contractors should not investigate concerns or allegations themselves but should report them immediately to the designated safeguarding officer. Staff and contractors

need to act without delay by speaking with the designated person. Referral should follow Brain in Hand Ltd's existing safeguarding protocols.

### **13. 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 SLT at least every 2 years and when there are changes in legislation.