



SAFEGUARDING POLICY

Including- COVID 19 Safeguarding Policy Addendum – April 2020

AIM

The purpose of this policy is to outline the duty and responsibility of employees, volunteers and trustees working on behalf of Youth@Heart in relation to Safeguarding Vulnerable Young Adults including those under 18 who are considered to be children with regard to safeguarding.

All Children and Young Adults have the right to be safe from harm and must be able to live free from fear of abuse, neglect and exploitation.

"Abuse is a violation of an individual's human and civil rights by any other person or person's"

OBJECTIVES

To explain the responsibilities the organisation and its staff, volunteers and trustees have in respect of vulnerable children and adult protection.

To provide staff with an overview of vulnerable children and adult protection

To provide a clear procedure that will be implemented where vulnerable child and adult protection issues arise.

CONTEXT

For the purpose of this policy 'Young Adult' means a person aged 18-24 years, 'Child' means a person aged 16-18.

What do we mean by abuse?

Abuse of a vulnerable child or adult may consist of a single act or repeated acts. It may occur because of a failure to undertake action or appropriate care tasks. It may be an act of neglect or an omission to act, or it may occur where a vulnerable person is persuaded to enter a financial or sexual transaction to which they have not, or cannot, consent. Abuse can occur in any relationship and may result in significant harm to, or exploitation of, the individual.

Concerns about abuse may be raised and reported to the Trustees appointed Designated Safeguarding Lead because of a single incident or repeated incidents of abuse. However, for some service users the issues of abuse relate to neglect and poor standards of care. They are ongoing and if ignored may result in a severe deterioration in both physical and mental health and even death.

Anyone who has concerns about poor care standards and neglect in any setting may raise these with the appointed Designated Safeguarding Lead Trustee.

Where these concerns relate to a vulnerable child or young adult living in their own home, who is or at risk of homelessness, with family or with informal carers they must be reported to the Trustees appointed Designated Safeguarding Lead.

A Child or Young Adult who 'is or may be in need of community care services by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation'. (*Definition from 'No Secrets' March 2000 Department of Health*)



SAFEGUARDING POLICY

This could include people with learning disabilities, mental health problems, older people and people with a physical disability or impairment. It is important to include people whose condition and subsequent vulnerability fluctuates.

It may also include victims of domestic abuse, hate crime, homeless, and anti-social abuse behaviour. The persons' need for additional support to protect themselves may be increased when complicated by additional factors, such as, physical frailty or chronic illness, sensory impairment, challenging behaviour, drug or alcohol problems, social or emotional problems, poverty, or homelessness.

Many children or vulnerable young adults may not realise that they are being abused. They may be reluctant to assert themselves for fear of upsetting their carers or making the situation worse.

It is important to consider the meaning of 'Significant Harm'. The Law Commission, in its consultation document 'Who Decides,' issued in Dec 1997 suggested that; 'harm' must be taken to include not only ill treatment (including sexual abuse and forms of ill treatment which are not physical), but also 'the impairment of, or an avoidable deterioration in, physical or mental health; and the impairment of physical, intellectual, emotional, social or behavioural development'.

LEGAL FRAMEWORK

Human Rights Act 1998, the Mental Capacity Act 2005 and Public Interest Disclosure Act 1998

Data Protection Act 2018 Freedom of Information Act 2000, Safeguarding Vulnerable Groups Act 2006, Deprivation of Liberty Safeguards, Code of Practice 2008

The Children Act 2004 and Children Act 1989 and Working together to Safeguard Children 2018

The Mental Capacity Act 2005, covering England and Wales, provides a statutory framework for people who lack capacity to make decisions for themselves, or who have capacity and want to make preparations for a time when they may lack capacity in the future. It sets out who can take decisions, in which situations, and how they must go about this.

The Human Rights Act 1998 gives legal effect in the UK to the fundamental rights and freedoms contained in the European Convention on Human Rights (ECHR).

The Public Interest Disclosure Act 1998 (PIDA) created a framework for whistle blowing across the private, public and voluntary sectors. The Act provides almost every individual in the workplace with protection from victimisation where they raise genuine concerns about malpractice in accordance with the Act's provisions.

THE ROLE OF STAFF, VOLUNTEERS AND TRUSTEES

All staff, volunteers and trustees working on behalf of Youth@Heart have a duty to promote the welfare and safety of children and vulnerable adults.



SAFEGUARDING POLICY

Staff, volunteers, and trustees may receive disclosures of abuse and observe vulnerable children and adults who are at risk. This policy will enable employees /volunteers to make informed and confident responses to specific child and adult protection issues.

Trustees take ultimate responsibility for safeguarding within the charity. A nominated trustee ensures that this policy and any other safeguarding measures are implemented. Any major incidents or near misses are recorded and reported to the trustees and the Charities Commission if required.

Safer recruitment

All staff, volunteers and trustees are recruited using safer recruitment techniques:

- An application form is completed.
- Two references are taken up using the Youth@Heart proforma.
- An interview, either formal or informal depending on the role is carried out.
- A DBS is obtained.

Designated Safeguarding Lead

The charity has an appointed designated safeguarding lead (DSL) who is responsible for implementing this policy to ensure that the risk of abuse is managed for those involved with the charity as detailed in the DSL job description.

E-safety

All staff, volunteers and trustees know their responsibilities in relation to e-safety and safeguarding ensuring they adhere to the requirements of the Social and Digital Media Policy and Acceptable Use Policy.

TYPES OF ABUSE

Abuse may consist of a single act or repeated acts. It may be physical, verbal or psychological, it may be an act of neglect or an omission to act, or it may occur when a vulnerable person is persuaded to enter into a financial or sexual transaction to which he or she has not consented, or cannot consent.

The Department of Health in its 'No Secrets' 2000 report suggests the following as the main types of abuse:

Physical abuse - including hitting, slapping, pushing, kicking, misuse of medication, restraint, or inappropriate sanctions.

Sexual abuse - including rape and sexual assault or sexual acts to which the vulnerable adult has not consented or could not consent or was pressured into consenting.

Psychological abuse - including emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or supportive networks.

Financial or material abuse - including theft, fraud, exploitation, pressure in connection with wills, property or inheritance or financial transactions, or the misuse or misappropriation of property, possessions, or benefits.



SAFEGUARDING POLICY

Neglect and acts of omission - including ignoring medical or physical care needs, failure to provide access to appropriate health, social care or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating.

Discriminatory abuse - including race, sex, culture, religion, politics, that is based on a person's disability, age or sexuality and other forms of harassment, slurs or similar treatment, hate crime.

Institutional abuse - Institutional abuse although not a separate category of abuse, requires specific mention simply to highlight that adults placed in any kind of care home or day care establishment are potentially vulnerable to abuse and exploitation. This can be especially so when care standards and practices fall below an acceptable level as detailed in the contract specification.

Multiple forms of abuse - Multiple forms of abuse may occur in an ongoing relationship or an abusive service setting to one person, or to more than one person at a time, making it important to look beyond single incidents or breaches in standards, to underlying dynamics and patterns of harm. Any or all these types of abuse may be perpetrated as the result of deliberate intent and targeting of vulnerable people, negligence or ignorance.

Domestic abuse

Home Office Definition 2004

'Any incident of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults who are, or have been intimate partners or family members, regardless of gender or sexuality.'

Women's Aid Definition

'Domestic violence is physical, sexual, psychological or financial violence that takes place within an intimate or family-type relationship and that forms a pattern of coercive and controlling behaviour. This can also include forced marriage and so-called "honour crimes". Domestic violence may include a range of abusive behaviours, not all of which are in themselves inherently "violent".

Most research suggests that domestic violence occurs in all sections of society irrespective of race, culture, nationality, religion, sexuality, disability, age, class or educational level.

Both definitions would therefore also include incidents where extended family members may condone or share in the pattern of abuse e.g. forced marriage, female genital mutilation and crimes rationalized as punishing women for bringing 'dishonour' to the family.

It is important to recognise that Vulnerable Adults may be the victims of Domestic Abuse themselves or be affected by it occurring within their household. This is likely to have a serious effect on their physical and mental wellbeing.

Where Children or Vulnerable Adults are victims of Domestic Abuse, they may need extra support to plan their future. The violence or threat of violence may continue after a victim has separated from the abuser. It is important to ensure that all the vulnerable people in this situation have appropriate support to enable them to maintain their personal safety.

A separate Domestic Abuse Protocol is in place between Police, Social Services and Health.



SAFEGUARDING POLICY

Incidents reported by the police through the domestic abuse protocols will be addressed under the child or adult protection processes if it is considered that a vulnerable child or adult may be at risk of abuse. (*See Joint Police, Social Services and Health protocol for dealing with cases of domestic abuse where vulnerable adults are involved*)

PROCEDURE IN THE EVENT OF A DISCLOSURE

It is important that children or vulnerable young adults are protected from abuse. All complaints, allegations or suspicions must be taken seriously.

This procedure must be followed whenever an allegation of abuse is made or when there is a suspicion that a vulnerable adult has been abused.

Promises of confidentiality must not be given as this may conflict with the need to ensure the safety and welfare of the individual.

A full record shall be made as soon as possible of the nature of the allegation and any other relevant information.

This must include information in relation to the date, the time, the place where the alleged abuse happened, your name and the names of others present, the name of the complainant and, where different, the name of the adult who has allegedly been abused, the nature of the alleged abuse, a description of any injuries observed, the account which has been given of the allegation.

RESPONDING TO A DISCLOSURE

Any suspicion, allegation or incident of abuse must be reported to the Designated Safeguarding Lead (DSL) or Senior Manager on that working day.

The nominated member of staff shall telephone and report the matter to the appropriate local child or adult social services duty social worker. A written record of the date and time of the report shall be made, the report must include the name and position of the person to whom the matter is reported. The telephone report must be confirmed in writing to the relevant local authority child or adult social services department within 24 hours.

If the disclosure is made at the hospital or during work commissioned by the hospital, then the information shall be reported to the DSL at the hospital through their procedures. The Youth@Heart DSL should also be informed to ensure that all disclosures or concerns are followed up.

RESPONDING APPROPRIATELY TO A DISCLOSURE OF ABUSE

In the event of an incident or disclosure:

DO

- Make sure the individual is safe
- Assess whether emergency services are required and if needed call them
- Listen
- Offer support and reassurance
- Ascertain and establish the basic facts



SAFEGUARDING POLICY

- Make careful notes and obtain agreement on them
- Ensure notation of dates, time and persons present are correct and agreed
- Take all necessary precautions to preserve forensic evidence
- Follow correct procedure
- Explain areas of confidentiality; immediately speak to your manager for
- Support and guidance
- Explain the procedure to the individual making the allegation
- Remember the need for ongoing support.

DON'T

- Confront the alleged abuser
- Be judgmental or voice your own opinion
- Be dismissive of the concern
- Investigate or interview beyond that which is necessary to establish the basic facts
- Disturb or destroy possible forensic evidence
- Consult with persons not directly involved with the situation
- Ask leading questions
- Assume Information
- Make promises
- Ignore the allegation
- Elaborate in your notes
- Panic

It is important to remember that the person who first encounters a case of alleged abuse is not responsible for deciding whether abuse has occurred. This is a task for the professional child or adult protection agencies, following a referral from the appointed Designated Safeguarding Lead.

ALLEGATIONS MANAGEMENT

If you are concerned that the behaviour of a member of the workforce is harming or threatening to harm a child, or vulnerable adult, concerns should be immediately reported in the first instance to the DSL.

In all situations you will need to provide an outline of your concerns in writing. If the matter is referred to external agencies you may be asked to provide a formal statement of your concerns for subsequent investigations.

ESCALATION

If the member of staff or volunteer is not satisfied that the concerns raised have not been followed up sufficiently he or she should speak to the DSL who will either escalate concerns using the appropriate local authority escalation policy or will speak to the nominated trustee for safeguarding who will support the escalation process if it is judged necessary.

CONFIDENTIALITY

Vulnerable child and adult protection raise issues of confidentiality, which must be clearly understood by all.

Staff, volunteers and trustees have a professional responsibility to share relevant information about the protection of vulnerable children and adults with other professionals, particularly investigative agencies, child and adult social services.

Clear boundaries of confidentiality will be communicated to all.



SAFEGUARDING POLICY

All personal information regarding a vulnerable child or adult will be kept confidential. All written records will be kept in a secure area for a specific time as identified in data protection guidelines. Records will only record details required in the initial contact form.

If a child or adult confides in a member of staff and requests that the information is kept secret, it is important that the member of staff tells the child or adult sensitively that he or she has a responsibility to refer cases of alleged abuse to the appropriate agencies.

Within that context, the child or adult must, however, be assured that the matter will be disclosed only to people who need to know about it.

Where possible, consent must be obtained from the child or adult before sharing personal information with third parties. In some circumstances obtaining consent may be neither possible nor desirable as the safety and welfare of the vulnerable adult is the priority.

Where a disclosure has been made, staff must let the child or adult know the position regarding their role and what action they will have to take as a result.

Employees/volunteers must assure the child or adult that they will keep them informed of any action to be taken and why. The child or adults' involvement in the process of sharing information must be fully considered and their wishes and feelings considered.

This policy needs to be read in conjunction with other policies for the organisation including:

- Confidentiality
- Disciplinary and Grievance
- Data Protection
- Recruitment and Selection

THE ROLE OF KEY INDIVIDUAL AGENCIES

Adult Social Services

The Department of Health's recent 'No secrets' guidance document requires that authorities develop a local framework within which all responsible agencies work together to ensure a coherent policy for the protection of vulnerable adults at risk of abuse.

All local authorities have a Safeguarding Adults Board, which oversees multi-agency work aimed at protecting and safeguarding vulnerable adults. It is normal practice for the board to comprise of people from partner organisations who can influence decision making and resource allocation within their organisation.

Child Social Services

All local authorities have a Safeguarding Children Board, which oversees multi-agency work aimed at protecting and safeguarding vulnerable children. It is normal practice for the board to comprise of people from partner organisations who can influence decision making and resource allocation within their organisation.

The Police



SAFEGUARDING POLICY

The Police play a vital role in Safeguarding Children and Adults with cases involving alleged criminal acts. It becomes the responsibility of the police to investigate allegations of crime by preserving and gathering evidence. Where a crime is identified, the police will be the lead agency and they will direct investigations in line with legal and other procedural protocols.

Training

Training and induction will be provided, as appropriate, to ensure that staff/volunteers are aware of these procedures and Safeguarding in general. Specialist training (at level 3) will be provided for the member of staff with vulnerable children or adult protection responsibilities.

Complaints procedure

The Charity has a complaints procedure available to all staff/volunteers and trustees.

The Charity operates procedures that take account of the need to safeguard and promote the welfare of vulnerable children and adults, including arrangements for appropriate checks on new staff, volunteers and trustees where applicable.

This Safeguarding Policy, and the Procedures detailed above were agreed and minuted at a meeting of the Board of Trustees on: 5/9/19

Name:.....Trevor Kennett.....

Signed:.....

Date:.....7/9/19.....

Review Date	September 2020
Reviewed By	Trustees



SAFEGUARDING POLICY

COVID 19 Safeguarding Policy Addendum – April 2020

During this time of lockdown and the risk of COVID 19 our work is being carried out in very different ways. Many young people are now at home and Y@H staff may be affected through illness and self-isolation.

Despite the changes to our current practice the charity's Safeguarding Policy remains fundamentally the same. The welfare of the young people we work with always comes first and staff should respond quickly and strongly to any safeguarding concerns contacting the DSL in line with our established safeguarding procedure.

Daily operation

If concerns are raised these are to be done in the usual manner. Should the DSL not respond to phone calls/emails as per the procedure the Safeguarding Trustee should be contacted (077780464543) and advice taken. If the Trustee cannot be reached then the local authority safeguarding team should be contacted.

Safer recruitment

Enhanced rigor will be applied to any recruitment processes during this period.

Allegations Management and Whistleblowing

Again this is continuing to operate as per our usual policy. Any concerns should be referred to the Chair of the Trustees.

Online Risks

These are significantly increased as a result of young people being confined to their homes. Provision is being made for online events and Y@H need to be mindful of the increased risks. When our provision is online via media sharing platforms e.g. Zoom we will ensure that participants are protected as much as possible. This will be done by ensuring access to the platform is only shared by direct means i.e. email, direct message, individual text and the access is password protected. Should anything untoward occur during the session the Y@H staff member responsible for the session will terminate the session and contact participants individually to make sure they are safe.

We will continue to monitor our closed Facebook and Instagram groups ensuring they are safe places for our young people to meet.

Peer on peer abuse

Those who are in contact with young people will remind them of the option to report abuse by peers. Should this happen within the Y@H community concerns will be recorded in the usual way and the safeguarding trustee will be contacted for advice as to how to proceed in order to provide care for the victim and support for the abuser.

This addendum will be updated as necessary during the lockdown.

D I-T 6.4.2020



SAFEGUARDING POLICY

Initial cause for concern form

Date

Time

Name of individual cause for concern is about

Age (if known)

Address (if known)

Describe your concern and action taken

Observations to support cause for concern

Description and location of any visible marks, bruising etc

Name of alleged abuser, relationship with child (if known)

Name of person completing form:

Signature:

Date:

Name of Line Manager:

Signature:

Date:

Name of Safeguarding lead or Senior Manager

Signature:

Date: