

CBRL SAFEGUARDING POLICY

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1. Scope of policy:

This policy applies to all trustees, employees, contractors and anyone working pro bono for CBRL.

For all CBRL managers and researchers supported by CBRL, please also read the **CBRL Research Manual** which sets out safeguarding in the context of research and conducting appropriate relationships.

This policy refers to UK law which is CBRL's standard and guide for safeguarding while acknowledging that we must abide by local law as relevant.

2. Policy Statement:

At CBRL we believe that everyone has the right to live free from abuse or harm of any kind. We have a duty to protect all people connected with CBRL from harm, whether staff, volunteers, trustees, researchers, or any other people we come into contact with through our work. We do this through our values and code of conduct, and through maintaining relevant policies including whistleblowing, harassment and bullying, and data protection.

We have a particular responsibility to keep children and vulnerable adults safe and will do everything in our power to ensure children and vulnerable adults who come into contact with CBRL, in any capacity, and in all locations where we work, are safeguarded.

- Safeguarding means protecting the rights of children and vulnerable adults to live in safety, free from abuse and neglect and protecting children from maltreatment; preventing impairment of health or development; ensuring they are growing up in circumstances consistent with the provision of safe and effective care; and taking action to enable them to have the best outcomes
- The welfare of children and vulnerable adults is paramount.
- A child is anyone under the age of 18 and a vulnerable adult is defined by the **UK Care Act 2014** as an adult who has care and support needs and is experiencing (or at risk of) abuse or neglect and is unable to protect themselves because of those needs. Vulnerable groups may include:
 - People at risk of harming themselves or others
 - People with disabilities
 - People with learning disabilities
 - People with mental health conditions
 - Older people
 - People who have experienced physical or sexual violence
 - People who hold refugee status
- All people, regardless of age, ability, gender, racial heritage, religious belief, sexual orientation, culture or identity, have a right to equal protection from all types of harm or abuse and no person or group of people should be treated less favourably than others in being able to access services which meet their particular needs.
- All concerns, and allegations of abuse will be taken seriously by trustees and staff and responded to appropriately. This may require a referral to relevant authorities such as social care services and in emergencies, the police.
- We have a commitment to safe recruitment, selection and vetting that include checks into the eligibility and the suitability of all trustees and staff where relevant

This safeguarding policy is part of CBRL's code of conduct.

We will seek to keep children and vulnerable adults safe by:



- Valuing them, listening to and respecting them
- Providing effective management for staff and volunteers through supervision, support and training
- Sharing information about child protection and protection of vulnerable adults and good practice with staff, trustees and researchers who are part of our activities
- Timely assessment and mitigation of risks

What you should do to safeguard children and vulnerable adults

You must:

- Be aware of situations which may present risks to children and vulnerable adults;
- Assess, plan and organise your work so as to minimise these risks
- Always be visible to others when working with children and vulnerable adults. There should never be a situation in which anyone who works for or with CBRL is alone with a child or vulnerable adult

3. Safeguarding roles and responsibilities at CBRL

All those who work for or with CBRL share the responsibility for safeguarding children and vulnerable adults.

Safeguarding Training:

All staff will receive safeguarding training. Staff should read the safeguarding policy and reporting a concern procedure every year.

Our Safeguarding Leads will receive relevant safeguarding training to equip them in their roles.

4. Designated safeguarding Leads at CBRL

Overall Safeguarding Lead: Carol Palmer, Director CBRL directorsafeguarding@cbri.ac.uk

Trustee Safeguarding Leads: Tom Thomson (Hon Sec) trusteesafeguarding@cbri.ac.uk

5. Understanding and recognising abuse

We define abuse in its widest possible terms i.e. as treatment that causes harm to a child or vulnerable adult. **Please read APPENDIX C: Definitions of Abuse**

Categories of abuse include but are not limited to:

- Sexual harassment, abuse and exploitation



- Negligent treatment
- Physical or emotional abuse
- Bullying or harassment
- Child trafficking
- Financial abuse
- Domestic violence

6. Recording and reporting concerns

Reporting Safeguarding Concerns:

All safeguarding concerns should be reported promptly to our Designated Safeguarding Leads by:

- Reading our Safeguarding reporting procedure (flowchart) – **APPENDIX A**
- AND Completing an incident reporting form – **APPENDIX B** and emailing it to our Safeguarding Leads.

Our Designated Safeguarding Leads have overall responsibility to respond to and investigate safeguarding concerns.

If you have a safeguarding concern about a child or vulnerable adult, or a child or vulnerable adult makes a disclosure of possible abuse to you – **follow Flowchart One – APPENDIX A and complete APPENDIX B**

If you have a safeguarding concern (or an allegation) about a member of staff, or equivalent, abusing a child or vulnerable adult – **follow Flowchart Two – APPENDIX A and complete APPENDIX B**

If a child or vulnerable adult makes a disclosure:

- Always listen to what a child or vulnerable adult is saying.
- Reassure them that they can tell you about their concerns.
- Clarify with them what they are saying and explain to them what will happen next. Explain that you will need to pass this information on.
- Complete an incident reporting as soon as possible after the disclosure and send this to your safeguarding lead. Your safeguarding lead is responsible for handling the safeguarding concern from the point when they receive the incident reporting form.

Essential principles of recording the information received/disclosed/observed:

- a. Remember: do not investigate or ask any leading questions
- b. make notes within the first one hour of receiving the disclosure or observing the incident
- c. be clear and factual in your recording of the incident or disclosure
- d. avoid giving your opinion or feelings on the matter



e. aim to record using: When, where, what, why and how

f. do not share this information with anyone else except your safeguarding lead/s

g. make use of the additional information section to add any other relevant information regarding the child/adult/ family that you may be aware of. This can include any historic concerns or observations.

The importance of reporting:

The protection of children and vulnerable adults is our shared responsibility and if you have any concerns a child or vulnerable adult is being maltreated, or you have safeguarding concerns about the behaviour of another member of staff or someone working with or for CBRL, follow our safeguarding procedure.

If you have a concern or suspect that a child or adult has been a victim of abuse but you are uncertain abuse has taken place, report your concern. All staff should report anything they see or hear that they think might be abuse.

It is not your role to decide if abuse has definitely happened or not, or what follow up action is necessary. This is the Safeguarding Lead's role.

If you have safeguarding concerns, always report it to your Safeguarding Lead. It is better to err on the side of caution and get it wrong than do nothing.

7. Escalating Concerns

It is important to note that if you raise a safeguarding concern or pass on an allegation, you have a duty to ensure your concern is addressed to your satisfaction.

If you feel that your concern has not been addressed (and that the child or vulnerable adult has not been protected) you should escalate the matter to a trustee with responsibility for safeguarding.

No person raising a concern in good faith will be subject to any form of victimisation and will be appropriately protected from this.

8. Information Sharing & Confidentiality

You can never guarantee confidentiality to a child, or vulnerable adult. Information should always be shared if you think a child or vulnerable adult is suffering, or likely to suffer, abuse.

The protection of children and vulnerable adults must take precedence over other legal rights. You should ensure that the information you share is necessary for the purpose for which you are sharing it, is shared only with those individuals who need to have it, is accurate and shared promptly.

9. Serious Incidents

It is a requirement of the Charity Commission that all charities inform them of serious incidents that may occur. The Charity Commission defines a serious incident as “an adverse event, whether actual or alleged, which results in or risks significant:

- loss of your charity’s money or assets
- damage to your charity’s property
- harm to your charity’s work, beneficiaries or reputation”¹

It is the responsibility of the trustees to report a serious incident. More details can be found on the Charity Commission website <https://www.gov.uk/guidance/how-to-report-a-serious-incident-in-your-charity#what-to-report>

10. Breach of Policy

We will treat any breach of this policy very seriously. For those who work for us, failure to follow this policy could lead to disciplinary action, which may ultimately result in dismissal. For those who work with us, we reserve the right to immediately terminate your contract and, for trustees, to require you to immediately cease being a trustee.

All concerns and allegations of abuse will be taken seriously.

11. Reviewing policy

The safeguarding policy will be reviewed, approved and endorsed by the board of trustees annually or when legislation changes.

APPENDIX A: What to do if you have a safeguarding concern

Flowchart One

You have a safeguarding concern about a child/vulnerable adult, or a child or vulnerable adult makes a disclosure of possible abuse. Write down key details of what you have heard or observed, or has been disclosed to you as soon as possible.



Inform the designated safeguarding lead. In the case of a disclosure, if it concerns a child or vulnerable adult, make it clear you cannot keep the information confidential.



If the Safeguarding Lead thinks that abuse may have occurred, they will make contact with the appropriate authority for advice

Flowchart Two

Concern/allegation about a member of staff or a trustee abusing a child or vulnerable adult



Inform the Safeguarding lead, unless the allegation is about this person or they are absent, in which case inform a trustee safeguarding lead



The person to whom this information has been given makes contact with the appropriate authority for advice and guidance.

APPENDIX B: Incident Reporting Form

Name of child/ adult:	
Date of Birth:	
Address:	
Date and time of incident:	
Date and time of reporting:	
Your name and job role:	
Record the following factually: Nature of concern, e.g. disclosure, change in behaviour, demeanour, appearance, injury, witnesses etc. (please include as much detail in this section as possible. Remember – the quality of your information will inform the level of intervention initiated.	
How did the concern come to light?	
Any other relevant information. Previous concerns etc.	

APPENDIX C: Definitions of abuse (source: Refugee Council)

Physical Abuse

The use of force which results in pain or injury. The non-accidental infliction of physical force that results in bodily injury, pain or impairment. Examples of this are:

- Physical injuries, which have not been adequately explained and suspicion that they have been inflicted intentionally;
- Bullying;
- Forced medication; and
- Prolonged physical restraint.

Sexual Abuse

Sexual abuse is the direct or indirect involvement of the adult at risk in sexual activity or relationships, which they:

- Do not want or have not consented to;
- Cannot understand and lack the mental capacity to be able to give consent to; or
- Have been coerced into because the other person is in a position of trust, power or authority (for example a care worker).

Emotional and Psychological Abuse

Emotional abuse includes actions or behaviour that have a harmful effect on the emotional, health and/or development of an adult who is at risk. For example, threats, deprivation of contact, shouting, ignoring, cruelty, bullying, humiliation, coercion, negating the right of the adult at risk to make choices and undermining self-esteem.

Further examples of this are:

- Humiliating someone in private or public;
- Rejecting or ignoring them;
- Making someone afraid;
- Making someone unnecessarily dependent; and
- Abuse through social media and cyber bullying.

Financial and Property Abuse

Financial abuse is the use of a person's property, assets, income, funds or any resources without their informed consent or authorisation. Financial abuse is a crime. It includes:



- Theft or fraud;
- Exploitation;
- Undue pressure in connection with wills, property, inheritance or financial transactions;
- The misuse or misappropriation of property, possessions or benefits; and
- The misuse of an enduring power of attorney or a lasting power of attorney, or appointeeship.

This is also the misappropriation of money or property. Examples of this are:

- The control of a client's financial affairs by an appointee or another party, but a refusal to meet their financial needs;
- Money being spent by the appointee or another party on their or other's benefit without this having been intended by the owner; and
- Disposal or sale of possessions by another party.

Neglect and Acts of Omission

Neglect and acts of omission – the failure of any person, who has responsibility for the charge, care or custody of an adult at risk, to provide the amount and type of care that a reasonable person would be expected to provide. Neglect can be intentional or unintentional. Examples of this are:

- Depriving someone of everyday essentials like food, clothes, warmth and hygiene needs; and
- Depriving someone of a service.

Discriminatory Abuse

Discriminatory abuse occurs when values, beliefs or culture result in a misuse of power that denies opportunity to some groups or individuals. It can be a feature of any form of abuse of an adult at risk, but can also be motivated because of age, gender, sexuality, disability, religion, class, culture, language, and race or ethnic origin.

It can result from situations that exploit a person's vulnerability by treating the person in a way that excludes them from opportunities they should have as equal citizens, for example education, health, justice and access to services and protection.

Institutional

Institutional abuse is the mistreatment, abuse or neglect of an adult at risk by a regime or individuals. It can take place within settings and services that adults at risk live in or use, and it violates the person's dignity, resulting in a lack of respect for their human rights.

Institutional abuse occurs when the routines, systems and regimes of an institution result in poor or inadequate standards of care and poor practice. It can take the form of an

organisation failing to respond to or address examples of poor practice brought to their attention.

It can take place in various places, for example day care, care homes, hostels, supported housing, hospitals, supported housing and detention centres. It can be difficult to identify the difference between a poor service and institutional abuse.

Domestic Violence or Abuse

Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality. This can encompass but is not limited to the following types of abuse:

- psychological;
- physical;
- sexual;
- financial; and
- emotional.

Controlling behaviour is: a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour. Coercive behaviour is: an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim.”*

*This definition includes so called 'honour' based violence, female genital mutilation (FGM) and forced marriage, and is clear that victims are not confined to one gender or ethnic group.

Women in Initial Accommodation: In July 2019, the Home Office published their revised Domestic Abuse Guidance setting out how the Home Office, accommodation providers and Migrant Help should respond to reports of people seeking asylum at risk of domestic abuse.

The new guidance contains a number of safeguards to improve the protection available to victims of abuse including:

- the presumption is that the victim should be believed, at this stage corroborating evidence is not required;
- the person and their children must immediately be offered safe alternative accommodation and if that offer is accepted, transferred without delay;
- some victims may wish to remain in their current accommodation and, in these cases, consideration must be given to relocating the perpetrator;



- there is no need for accommodation providers to obtain prior Home Office consent to transfer the victim and their children to alternative accommodation, but a report to the Home Office must be made without delay; and
- the victim must be referred to a specialist organisation for assessment and supported by a domestic violence specialist worker.

Types of modern slavery

Slavery is an umbrella term for activities involved when one person obtains or holds another person in compelled service.

- Human trafficking;
- Forced labour;
- Domestic servitude;
- Sexual exploitation, such as escort work, prostitution and pornography; and
- Debt bondage – being forced to work to pay off debts that realistically they never will be able to.

Self-neglect

Self-neglect is a behavioural condition in which an individual neglects to attend to their basic needs such as personal hygiene, appropriate clothing, feeding or tending appropriately to any medical conditions they have. Types of self-neglect:

- Lack of self-care to an extent that it threatens personal health and safety;
- Neglecting to care for one's personal hygiene, health or surroundings;
- Inability to avoid self-harm;
- Failure to seek help or access services to meet health and social care needs; and
- Inability or unwillingness to manage one's personal affairs.

Self-harm and suicide ideation

People who self-harm must be considered under the Adult Safeguarding Policy. Due to trauma and distress in adults, depression and low self-esteem, and as these factors increase, they can lead to suicide ideation, where a person may be presenting as high risk. These may not always be verbalized but show signs in their behaviour.

Hate and Mate crime

People who suffer from hostility or prejudice based on their disability, religion, gender or identity. It should be noted that this definition is based on the perception of the victim.

Mate crime is defined where vulnerable people are befriended by members of the community who go on to exploit and take advantage of them

APPENDIX D: Terminology

“Safeguarding” and “Child Protection”

In terms of adults, the Care Act 2014 defines adult safeguarding as “protecting a person’s right to live safely, free from abuse and neglect”. There are more categories of abuse with adults than there are with children. With adults the categories are physical abuse, emotional/psychological abuse, financial abuse, sexual abuse, organisational abuse, neglect, discriminatory abuse, domestic violence, modern slavery and self-neglect.

In terms of children, the definition of safeguarding is broader and is set out in “*Working Together to Safeguard Children 2015 - A guide to inter-agency working to safeguard and promote the welfare of children*”. This is the statutory guidance that sets out the legislative requirements and expectations of individual services to safeguard and promote the welfare of children.

Working Together to Safeguard Children 2015 does not separate safeguarding and promoting the welfare of children. This is the definition:

- Protecting children from maltreatment;
- Preventing impairment of children’s health or development;
- Ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and
- Taking action to enable all children to have the best outcomes

Separate to safeguarding children is “child protection”. Child protection is defined in the Children Act 1989 as where there is “reasonable cause to suspect a child is suffering, or is likely to suffer, significant harm”. The Children Act 1989 introduced significant harm as the threshold that justifies compulsory intervention in family life in the best interests of children. Physical abuse, sexual abuse, emotional abuse and neglect are all categories of significant harm. Harm is defined as the ill treatment or impairment of health and development.

In simple terms, safeguarding is the overall well-being of the child and every professional and every organisation is responsible for the safeguarding of children. Within that there is child protection, when it is thought a child is either being maltreated or is at risk of maltreatment.

Age of a Child

A child becomes an adult in law at 18 in the UK, this is in line with the United Nations Convention on the Rights of the Child. Many people use the term “young people” but there is no legal definition for the age of a “young person”. 16 and 17-year olds are children, in legal terms.

Vulnerable Adult

An adult at risk is defined by the Care Act 2014 as a person 18 and over who;



- has needs for care and support (whether or not the local authority is meeting any of those needs);
- 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.

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