



**SAFEcic**  
The Safeguarding Specialists

# Raising Awareness of Safeguarding : Back to Basics

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# Aim

The context:

At the end of 2017 the Government issued an alert to all charities on safeguarding. This followed a number of recent reports to the Charity Commission of serious incidents involving concerns about the welfare of charity volunteers and beneficiaries.

This session looks at the charity's role in ensuring safeguarding issues and risks are managed properly and policies are robust and fit for purpose.

# 5 key points:

- Legislation & statutory guidance
- Safeguarding competence
- Policies & procedures
- Safer recruitment
- Safeguarding risk assessments

# Quiz

1. How many sexual abuse victims know the offender?  
*10%, 35% or 95%*
2. How many offenders are registered on the sex offenders list in England and Wales?  
*5,700; 57,000 or 570,000*
3. At what age are children criminally responsible for their own actions?  
*10, 12, 16*
4. At what age can someone be DBS checked?  
*14, 16 or 18*
5. What is the most common category of abuse alleged against professional carers?  
*Emotional, sexual or physical*
6. How many sexual abuse and harassment allegations were reported to the Charity Commission 2016-2017?  
*120, 1,200 or 12,000*
7. What is the average cost of settling an abuse case out of court, excluding legal fees?  
*£10,000, £25,000 or £175,000*

# Legislation & Statutory Guidance

# Children and Young People

# Key References (CYP)

**\* Essential reading**

- Children Act 1989
- Children Act 2004
- **Own authority's local Safeguarding Children Board\***
- Own organisation's policies
- **What to do if You're Worried a Child is Being Abused 2015\***
- Children and Social Work Act 2017
- **Keeping Children Safe in Education 2018\***
- **Working Together to Safeguard Children 2018\***

**Refer to [www.safecic.co.uk](http://www.safecic.co.uk) for a comprehensive list of references**

# Other References (CYP)

- Handling cases of forced marriages: multi-agency practice guidelines
- Child sexual exploitation: definition and guide for practitioners
- Safeguarding disabled children: practice guidance
- Safeguarding children who may have been trafficked: Practice guidance
- Multi-agency statutory guidance on female genital mutilation
- National action plan to tackle child abuse linked to faith or belief
- Criminal exploitation of children and vulnerable adults: county lines

**Refer to [www.safecic.co.uk](http://www.safecic.co.uk) for a comprehensive list of references**



# Adults

# Key References (Adults)

\* Essential reading

- Mental Capacity Act 2005
- Own Authority's Local Safeguarding Adults Board Policies and Procedures\*
- Care Act 2014
- Care and Support Statutory Guidance under the Care Act 2014\*

Refer to [www.safecic.co.uk](http://www.safecic.co.uk) for a comprehensive list of references

# Adults and Children

# Key References (CYP and Adults)

- Sexual Offences Act 2003
- Equality Act 2010
- Protection of Freedoms Act 2012
- Anti-social Behaviour, Crime and Policing Act 2014 [Forced marriage]
- Serious Crime Act 2015 [FGM]
- Counter Terrorism and Security Act 2015 [PREVENT Strategy]

Refer to [www.safecic.co.uk](http://www.safecic.co.uk) for a comprehensive list of references

# NHS and CQC References

- Safeguarding children and young people: roles and competences for health care staff  
INTERCOLLEGIATE DOCUMENT
- Child abuse and neglect NICE
- NHS England Safeguarding Policy
- CQC: The fundamental standards

# Health

All staff working in healthcare settings - including those who predominantly treat adults - should receive training to ensure they attain the competences appropriate to their role and follow the relevant professional guidance.

*Working Together to Safeguard Children*

# The Care Quality Commission (CQC)

The "CQC's main statutory objective is to protect and promote the health, safety and welfare of people who use health and social care services. Monitoring safeguarding arrangements for people using the services we regulate and making sure that providers fulfil their responsibilities to keep children and adults safe is fundamental to our meeting this objective"

*Statement on the CQC's roles and responsibilities for safeguarding children and adults*

# Charity Commission References

- Charity fundraising: a guide to trustee duties *2016*
- Strategy for dealing with safeguarding issues in charities *2017*
- Regulatory alert to charities - safeguarding *19 December 2017*
- Regulatory and risk framework *2018*
- Charities: how to protect children and adults at risk *2018*
- Actions to tackle exploitation and abuse agreed with UK charities *2018*
- Safeguarding children and young people *2018*
- There's no room for doubt around safeguarding: protecting people is too important CC Blog *2018*

*and DIFD Enhanced Due Diligence: Safeguarding for external partners published October 2018 (UK)*



“Any failure by trustees to manage safeguarding risks adequately would be of serious regulatory concern to the Commission. We may consider this to be misconduct and/or mismanagement in the administration of the charity and it may also be a breach of trustee duty”

Charity Commission

# That makes at least :

- 25 Acts of Parliament
- 20 sets of statutory guidance

***SO LET'S GET BACK TO BASICS!***

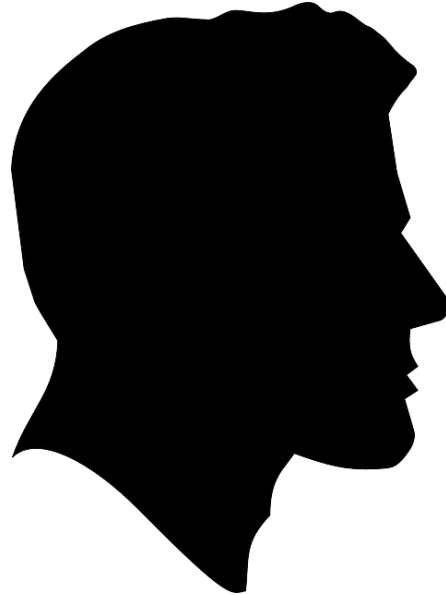
# What are we trying to do?

- Protect vulnerable groups: beneficiaries, children, young people and adults at risk, staff, volunteers and donors
- Prevent unsuitable people becoming involved with our charity
- Work ethically and within the law
- Protect reputation
- Be thorough but proportionate to the risks

# **Safeguarding Competence, a golden thread:**

**Both organisational and individual**

# Gamekeepers Turned Poachers



**Where are our weak points?**

# Safer Recruitment

# Criminal Records Checks

- **Rehabilitation of Offenders Act 1974**
- **Rehabilitation of Offenders Act 1974 (Exceptions) order 1975**
- **Police Act 1997**
- **Police Act 1997 (Criminal Records) Regulations**
- **Safeguarding Vulnerable Groups Act 2006**
- **Protection of Freedoms Act 2012**
- **Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2013**

This list is not exhaustive; amendments of the above listed legislation(s) as well as sector specific legislation/guidance may also be relevant. To access legislation online, go to: [www.legislation.gov.uk](http://www.legislation.gov.uk)

# Safer Recruitment

- Safeguarding statement on all recruitment documents, including adverts
- Disclosure and criminal records checks
- Confirmation of identity
- Evidence of necessary qualifications
- Scrutiny: gaps, CV “flow”, written references
- Interviews
- Robust tracking procedures
- Clear induction, probation, supervision and training systems, including PREVENT and FGM where relevant



# Other Checks

- “Certificates of good conduct” for foreign national applicants
- CEOP ICPC check for UK nationals returning from abroad
- Fitness for work, if relevant
- Anything specifically relevant to the sector

# Policies and Procedures

# All organisations should:

- have senior managers, directors and trustees committed to safeguarding
- be clear about people's responsibilities and accountability
- have a culture of listening to vulnerable groups
- have safer recruitment practices for all staff and volunteers working with vulnerable groups
- have procedures for safeguarding vulnerable groups and same day timelines for making external referrals
- external whistle blowing procedures

- have procedures for dealing with allegations against, and concerns about, staff and volunteers and include referral to the DBS and statutory regulators
- make sure staff have mandatory induction and further safeguarding training, supervision, reviews and support, including codes of practice (and ethical fund raising for charities)
- have agreements about working with other organisations and agencies, consent, confidentiality and information sharing

# What is Abuse?

## Children and Young People

There are four main categories

- Emotional
- Physical
- Sexual
- Neglect

# Other Issues

- Children living away from home or gone missing
- Peer abuse, including bullying
- Racism
- Radicalisation
- Violent extremism
- Sexual exploitation
- Female genital mutilation
- Forced marriage
- Concealed pregnancy
- Child trafficking
- Modern slavery
- eSafety

# Adult abuse: exploitation is a theme throughout

- Physical
- Domestic violence, including "honour" based violence
- Sexual
- Psychological
- Financial or material abuse
- Modern slavery
- Discriminatory
- Organisational
- Neglect and acts of omission
- Self-neglect
- Hate and mate crime

# Safeguarding Procedures



# Responding to Concerns

Flowchart for referral when you have concerns that a child, young people or adult at risk is being abused

## STEP ONE

**If you are worried a child or adult has been abused because:**

- You have seen something
- A child/adult at risk says they have been abused
- Somebody else has told you they are concerned
- There has been an allegation against a member of staff
- There has been an anonymous allegation
- An adult has disclosed they are abusing a child/adult at risk

- 
- Consult
  - Monitor
  - Record (sign/date/time)

**Any Consultation should not delay a referral.  
In an emergency, dial 999**

## STEP TWO

Your organisation should have a policy for child and adult safeguarding . If in a health setting talk to the Senior/Lead or Deputy for Safeguarding who may speak with the named NHS doctor or nurse. Otherwise refer to your charity Lead or Deputy for Safeguarding

- Consult
- Monitor
- Record  
(sign/date/time)

## STEP THREE

They (or anyone else if the Lead / Deputy is not available) should refer the concern to Social Care Services and/or the Police (in an emergency) and follow up the referral in writing within 24 hours.  
In cases of allegations against a person with a 'duty of care', the Local Authority Designated Officer (LADO) or Adult Social Care will co-ordinate the next procedural steps.

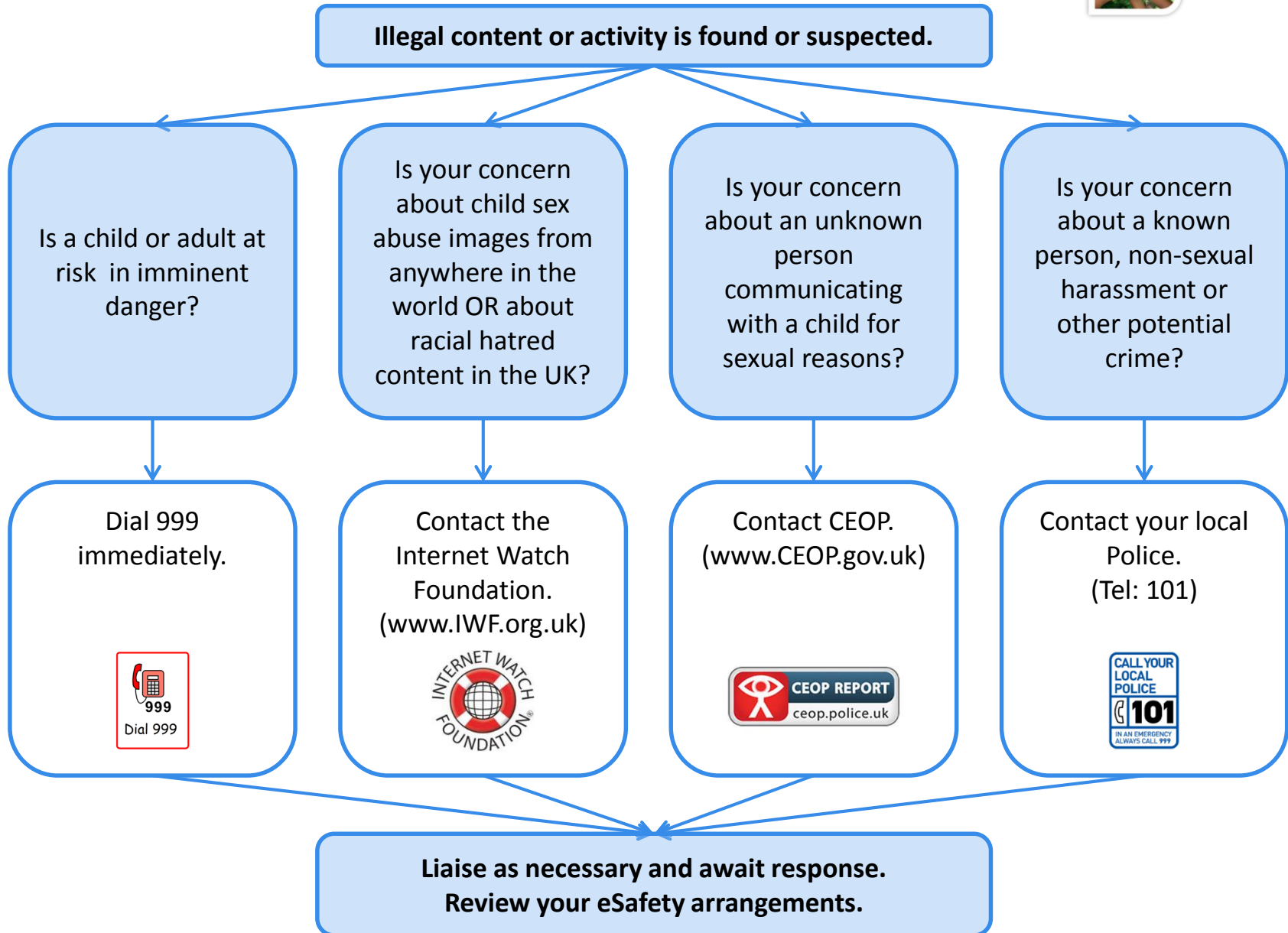
- Consult
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(sign/date/time)

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# eSafety Overview

**Remember** to record and refer any eSafety concerns exactly as you would any child safeguarding issues

# eSafety Referral Flowchart



# Handling Allegations

Involves the chair of the board or lead trustee/director or governor for safeguarding

- Referral to the LADO/ASM
- Open decision reached
- Strategy discussion
- Possible police investigation
- Notify Ofsted /CQC etc
- Referral to the DBS
- Any internal procedures must allow outside agencies to complete their investigations
- Reporting restrictions
- Informing parents and carers in confidence, under advice of LADO/ASM

# Whistleblowing

**Anyone can refer directly to their local Social Care Services or the Police, if a crime has or may have been committed, if they**

- believe a person to be at risk of harm or has been abused.
- have concerns about the safety or welfare of a child and/or or adult at risk and feel they are not being acted upon by a manager or named/designated safeguarding lead
- it is everyone's responsibility to take action.

## **CQC Whistleblowing**

[enquiries@cqc.org.uk](mailto:enquiries@cqc.org.uk)

## **Charity Commission Whistleblowing**

[whistleblowing@charitycommission.gsi.gov.uk](mailto:whistleblowing@charitycommission.gsi.gov.uk)

# Stress Testing Policies & Procedures

# Does our policy cover all our activities:

- Everywhere we work
- When we work
- Who we work with
- Online and social media
- Fundraising
- Partners
- Funders and donors
- Regulatory requirements



# If it went wrong, can we evidence:

- Annually reviewed safeguarding policies and procedures, signed off at board level
- Accurate and up to date HR files
- Current safeguarding training for all
- Incident and concern recording with full chronologies, signed, timed and dated

# Could we prevent?



- Myles Bradbury
- Harold Shipman  
and
- Jimmy Savile:

From 1955 -2011, 500 vulnerable victims as young as two years old were abused at institutions including the BBC's broadcasting studios, 14 hospitals and 20 children's hospitals across England.

There are now over 40 NHS investigations and reports

# What do we do now?

*Safeguarding risk assessments*

# The “Hot” Spots

- Unsupervised and/or remote workers
- Third party contractors
- Appropriate touch
- Managing difficult and “red flag” behaviours
- Social media & photography
- Fundraising

# Questions?