

Safeguarding Policy

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Signed



Role Chief Operating Officer

Date 10/05/24

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Policy Statement

FareShare South West (FSSW) is committed to safeguarding children and adults from abuse. FSSW believes that everyone we meet has the right to be protected from all forms of harm, abuse, neglect, and exploitation and will not tolerate these harms by staff, volunteers, or others.

We will give equal priority to keeping everyone safe, regardless of their age, disability, gender reassignment, race, religion/belief, sex, or sexual orientation, and recognise that some adults and children may be additionally vulnerable because of the impact of discrimination in these areas.

FSSW recognises that safeguarding is wider than just protecting adults and children at risk. It involves protecting all adults' and children's right to live in safety. It is about people working together to prevent abuse and neglect and to promote wellbeing and equity, taking the views, wishes and concerns of those at risk into account using a person-centred approach. We commit ourselves to this policy and to the development of sound procedures to ensure we implement our policy well.

Guiding Principles

We are guided by the six key principles that underpin safeguarding and are contained within Care Act 2014 guidance.

Empowerment. The empowerment of people at risk underpins all our safeguarding work and helps to prevent abuse. Wherever possible we should identify and endeavour to meet the desired outcome of the person at risk.

Protection. We will provide policies, information, and training to enable all FSSW staff and volunteers to identify and respond appropriately to safeguarding issues. Any abuse disclosed, discovered, or suspected will be reported in accordance with our procedures.

Prevention. Our safeguarding work aims to prevent abuse from taking place as it is better to act before harm occurs. We will provide an environment that is as safe as possible for children and adults and will use safe recruitment and working practices to promote their safety and well-being.

Proportionality. All reports or suspicions of abuse will be treated seriously, while endeavouring to always take the least intrusive response appropriate to the risk presented.

Partnership. We are stronger when we work together. Safeguarding children and adults at risk is everyone's business and responsibility at FSSW. We will also work in partnership with statutory, regulatory, and other relevant organisations to ensure that concerns are responded to appropriately.

Accountability. Accountability and transparency are essential. All suspicions will be reported to a member of the FSSW safeguarding team (below), whether or not the person is thought to be technically in the 'at risk' category. We will provide continuous learning and improvement opportunities.

Legal Framework

The relevant legislation is the Care Act 2014. The Care Act 2014 defines ‘an adult at risk’ as someone who:

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

‘Care and support’ needs can be a mixture of practical, financial, and emotional support for adults who need extra help to manage their lives and to be independent. This may include older people, disabled people, people with mental health needs or learning difficulties and carers.

We also use guidance issued by the Government (<https://www.gov.uk/guidance/care-and-support-statutory-guidance/safeguarding>).

This policy should also be read in conjunction with FSSW’s:

- Whistleblowing policy
- Health and safety policy
- Volunteer procedures.

Key roles and responsibilities

Safeguarding is everyone’s responsibility, and everyone should be made aware of their role in keeping adults and children safe. FSSW also have designated key roles for contact in case of queries and reporting.

All staff and volunteers

Safeguarding is the responsibility of all FSSW staff and volunteers, irrespective of their role or place of work. All are expected to:

- Make themselves familiar with our Safeguarding Policy and follow its procedures.
- Take an active part in safeguarding training and ongoing learning opportunities with a commitment to good quality safeguarding practice.
- Report any concerns about themselves or anyone else to the Designated People for Safeguarding (below).

Trustees

FSSW Trustees approve the Safeguarding Policy and have a duty of care to their charity, which includes taking the necessary steps to safeguard those at risk from abuse, managing risk and protecting the reputation of the charity. Safeguarding is an agenda item at board meetings.

Management staff

Senior leadership team members have a responsibility to ensure that safeguarding is included, where appropriate, in the strategic plans, risk assessments, recruitment processes, communications and quality assurance processes. In some cases, they will be required to make decisions in relation to complex or serious safeguarding concerns, in consultation with the Designated People for Safeguarding (DPS - below). Safeguarding is a rolling agenda item in the fortnightly SLT meetings.

Heads of Department and Managers are responsible for ensuring that they, and the staff and volunteers (including work experience participants) that they supervise, are aware of FSSW’s

safeguarding policy and procedures and access relevant training. They promote the discussion of safeguarding at team meetings as a rolling agenda item and as part of supervision or one-to-one meetings.

Designated Person for Safeguarding (DPS)

The Chief Fundraising and Communications Officer is the initial point of contact for all safeguarding queries and concerns. The DPS will advise on any matters related to safeguarding and will take the appropriate action when abuse is disclosed, discovered, or suspected. Where possible they will work together if issues arise.

Josie Forsyth - 0117 2356652 - Josie.Forsyth@faresharesouthwest.org.uk

If the DPS can't be reached, the CEO, Lucy Bearn, should be contacted on 0117 450 5046 / Lucy.Bearn@faresharesouthwest.org.uk

The Lead Trustee for Safeguarding, Andy Street, can be contacted as needed (see Dealing with a concern section) at astreet@slrconsulting.com

Safer recruitment


We are committed to safe and inclusive recruitment practices.

When recruiting staff, the following process will be applied:

1. We will develop a clear role profile, person specification and application form, with clear lines of accountability.
2. When advertising a role which involves working with children or vulnerable adults, we will make it clear that any appointment is subject to a DBS check and encourage applicants to provide details of their criminal record at an early stage in the process, reiterating that we will not discriminate based on criminal record. For roles which only require a Basic DBS check we will only ask about unspent convictions. A copy of the DBS Code of Practice will be made available on request.
3. All applicants will be asked to complete an application form and include the names of two referees, ideally one professional and one personal.
4. The shortlisting of applicants will be conducted by at least two people, including the line manager for the role.
5. Interviews will be conducted by at least two people, including the line manager.
6. References, a Self-Disclosure line in the interview form, right to work and, a basic DBS check (where required) must be completed satisfactorily before any appointed person starts working with vulnerable adults or children in their role. The latter will be reviewed via the updated service or renewed every five years. The level of DBS check required will depend on the role and eligibility should be checked against the government tool here: Find out which DBS check is right for your employee - GOV.UK (www.gov.uk)
7. If a criminal conviction is disclosed, the person must not start their role before a decision has been made and recorded by the interview panel, the DPS and CEO about their suitability based on the relevance and circumstances of offences and using the relevant legislation in an open and measured discussion. All information about the conviction will be stored securely and confidentially.
8. Risk assessments should be conducted with successful candidates where they have criminal convictions or cautions and/or where they have vulnerable adult status to determine if and how risks can be safely and confidently managed. This should be an inclusive process that is undertaken with the adult, and, where appropriate, an appropriate carer or support worker, so that we can offer them the best possible experience.

9. Safeguarding training and a copy of the policy will be provided to all staff working with children and vulnerable adults in the first two weeks of employment as part of their induction (see below).
10. There will be a probationary period after which a review will be held.

When recruiting volunteers and FareChance participants the following process will be applied:

1. Volunteers fill out a form on the FareShare UK website, through which the FSSW Volunteer Coordinators receive information on health/disability needs, criminal record, next of kin and a reference. FareChance participants are referred through their support workers, who must produce a risk assessment and profile of needs and key concerns or challenges. The FareChance participants then fill out a demographics form. We do not ask for two references as our supported volunteering programme often recruits people who have been out of work for a long time / never worked and who have been isolated. We will follow up with at least one referee or support worker per applicant and then gauge the safeguarding needs of all participants and volunteers.
2. Volunteer Coordinators and FareChance staff phone each applicant and ask again about health needs and criminal convictions. If an applicant states that they have a criminal conviction or that they have other issues that could cause a safeguarding issue, the volunteer coordinators will ring their referee before calling the applicant. If an applicant has been referred by a support service, this is usually evident in their reference section, and we will speak with their support worker first rather than a referee. Where our team are unsure if a disclosure precludes someone from volunteering in our main programme or on the FareChance programme, they will consult the DPS - or in their absence, the CEO - in line with the guidance of the Rehabilitation of Offenders Act 1974 and the Exceptions Order 1975, for a final decision while protecting the identity of the volunteer in each case.
3. Sensitive information about volunteers and FareChance participants will be recorded securely and confidentially on the Salesforce database and shared only as necessary among staff.
4. If the decision is made that their disclosure disqualifies them from having contact with a vulnerable adult or child, then we will tell them that they will not be able to volunteer with us.
5. If they are able to volunteer, then the Volunteer Coordinators and FareChance leads will confirm their induction and send the volunteer code of conduct.  Volunteer Code of Conduct Email Attachment.pdf If required, we will run a risk assessment with the applicant.

In addition, we will ensure that contractors and partner organisations, including corporate volunteer groups, are aware of our safeguarding policy and procedures and all relevant risk assessments, and require that any employees or volunteers provided by them work in line with the policy and use our procedure to report concerns or incidents.

Training

Everyone (paid or voluntary) at FSSW must be familiar with these procedures. All staff and trustees, including volunteers who work with people at risk, should attend Level 2 Safeguarding training before working without supervision, to ensure that they have the knowledge and confidence needed to deal with safeguarding issues as they arise. Staff involved in the employment of staff or volunteers with criminal records will receive training on the relevant legislation and best employment practice regarding employment and management of candidates with criminal records.

The Safeguarding Policy must be read and signed off by any new staff who will work with children and/or adults at risk before they start working without supervision. This is designed to be an

interim measure whilst a new member of staff or volunteer is waiting for a Level 2 Safeguarding course to take place. However, it is not a substitute for the Level 2 Safeguarding training and does not allow them to work without supervision. All staff will renew their Level 2 Safeguarding training every 3 years as recommended with the next date 2025.

A copy of the safeguarding policy statement is displayed in FSSW's offices and warehouses and on our website. A full copy is accessible on our shared computer server and be made available to any person who requests it.

Working practices - children and vulnerable adults

With children

- FSSW only involve people under the age of 18 as irregular volunteers by exception that needs the approval of the Head of Employability and Volunteering.
- Anyone under the age of 18 volunteering at FSSW should be supervised by two adults during their shift, especially in an isolated or closed environment - this could include a parent, support worker or guardian. There may be exceptional circumstances (such as an emergency) which mean this is not possible, and thought must be given to how to ensure the safety of a young person in all such cases. The other exception is on a van driving shift if there are only two spaces available: in this case they must only go out if with their parent/guardian.
- Anyone under the age of 18 is not allowed on site unless they can fulfil these requirements.
- Staff and volunteers may meet with people under the age of 18 while on deliveries and must always comply with the safeguarding policy.

With vulnerable adults

- Where an adult or an appropriate carer, advises that the prospective person has a need for care and support or is vulnerable a risk assessment should be conducted before any vulnerable adult can start a role. This should be an inclusive process that is undertaken with the adult, and/or an appropriate carer, so that we can offer them the best possible experience. Employability staff, Volunteering staff, Warehouse Managers and Senior Leadership Team and Heads can also make that assessment and we will also act on any self-disclosures from vulnerable adults themselves.
- Any vulnerable adults on site must be supervised by an adult member of staff.
- If, in discussion with a vulnerable adult, you reasonably believe that the person does not require this level of supervision then you must record your reasons for this. This information must also be shared appropriately.

Photographic or filmed images

In any instances where a person is recognisable, FSSW will seek written consent from individuals before displaying or sharing photographs or recorded footage in which they appear. Where the person is under 18 or determined as being vulnerable, then additionally consent from their parent, guardian, carer, or adult supervisor must be sought first. If consent is withdrawn, we will remove any photograph or recorded footage in which that person is featured. FSSW will ensure that all staff and volunteers are aware of their responsibility to avoid taking inappropriate photographs or recorded images of any person. This policy also applies to photographs published on FSSW's website, social media outlets and/or newsletters.

Procedure: dealing with a concern, disclosure, or incident

These responsibilities must be addressed on the same day as the concern is raised. They set out what to do if an abusive act is witnessed, disclosed, suspected, or evidenced. Remember the

following: Respond, Report, Record, Refer. Information should only be shared with the point of escalation and not with other people, including staff or volunteers.

Respond

Is the person in immediate danger? You should take immediate action to safeguard anyone at risk of immediate harm.

1. Call the police and/or medical assistance in an emergency. Make sure you note the log number/reference.
2. Where the person is under eighteen, they are the legal responsibility of the parent/guardian who must be involved as soon as practical unless this puts the child at immediate risk of harm.
3. Preserve evidence - get brief factual details about what happened and what the adult would like done about it, but do not probe, offer confidentiality, or conduct a mini-investigation. The following should be recorded: dates and times of their observations/discussion, any injuries, any words used by the vulnerable adult or child, questions asked by the responder, what action was taken. This should be signed and dated by the author and sent to the DPS.
4. Tell someone else what is happening - contact the DPS or in their absence the CEO.

In all other circumstances you need to follow the procedures for referral as set out below.

Report

If the person is not in immediate danger, the staff member or volunteer should speak to the DPS immediately. The DPS will advise/refer to it as appropriate.

- If there is a concern about a staff member, volunteer, or trustee (other than the CEO), this should be referred to the CEO.
- If there is a concern about the DPS or the CEO, this must be raised with the Lead Trustee for Safeguarding (see Roles and Responsibilities).
- Concerns about staff, trustees and volunteers must be referred to the LADO (Local Authority Designated Officer).

The DPS can report externally where needed using the following links.

To report to the police in emergency - 999

To report concerns about a child

<https://www.bristol.gov.uk/social-care-health/report-your-concerns-about-a-children>

<https://www.devon.gov.uk/educationandfamilies/children-protection/>

<https://www.cornwall.gov.uk/health-and-social-care/childrens-services/children-protection-and-safeguarding/>

To report concerns about an adult

<https://www.bristol.gov.uk/social-care-health/report-suspected-abuse>

<https://www.devonsafeguardingadultspartnership.org.uk/reporting-a-concern/report-your-concern-plymouth-local-authority-boundaries/>

<https://www.cornwall.gov.uk/health-and-social-care/adult-care-services/safeguarding-adults/>

Record

By this point, the matter should have been referred to the DPS and thus all actions should be taken by a staff member.

1. Unless it is not safe to do so, speak to the vulnerable adult or child concerned to get their views on the concerns or incident and what they would like to happen next.
2. Seek consent to act and to report the concern.
3. Consider whether the adult has capacity to make decisions about their own and other people's safety and wellbeing.
4. If you think it is necessary to act against their wishes or without their consent (due to concerns about the individual's capacity to make decisions), you must seek the authority of the CEO before acting. Any such decision must be recorded including the reasons for the decision.
5. If a criminal offence against a vulnerable adult or child has occurred or is likely to occur, seek informed consent from the client to report to police using a non-emergency number.
6. Record ASAP what has happened in line with GDPR policy, saving the information in a password protected document on the server. The password must be shared separately with the DPS and CEO.
7. Always complete a risk assessment where there is a clear risk of abuse.

Refer

The risk assessment should be shared with the DPS so that they may decide whether to refer to social care.

In deciding whether to refer to social care, the safeguarding lead should consider:

1. The adult's wishes and preferred outcome.
2. Whether the adult has mental capacity to make an informed decision about their own and other's safety.
3. The safety or wellbeing of children or other adults with care and support needs.
4. Whether there is a person in a position of trust involved.
5. Whether a crime has been committed.

Confidentiality and information sharing

FSSW expects all staff, volunteers, trustees to always maintain confidentiality. In line with Data Protection law, FSSW does not share information if not required. All information collected on any person at risk will be kept locked and secure, with access limited to the appropriate staff and relevant agencies.

When working with adults, it should however be noted that information should be shared with authorities when an adult is deemed to be at risk of immediate harm. Sharing the right information, at the right time, with the right people can make all the difference to preventing harm. For further guidance on information sharing and safeguarding see:

<https://www.scie.org.uk/care-act-2014/safeguarding-adults/sharing-information/keymessages.asp>

When working with children under 18 years, the law does not allow anyone to keep concerns relating to abuse of children to themselves. Therefore, confidentiality may not be maintained if the withholding of information will prejudice the welfare of a child or young person. In the event of an investigation, it is essential that no information on child protection concerns relating to a child or young person is disclosed inappropriately. Any such leaks could have serious consequences for both the child or young person concerned and any investigation.

Whilst parents/carers have the right to see any records kept on their child, this might not always be appropriate and should not put the child/young person or a staff member at risk.

Policy Review

The Safeguarding Policy, and associated guidance and procedures, will be reviewed every year, or sooner when there are significant changes required. Minor updates, such as role changes, will be made as required. This policy applies to all staff and volunteers at FareShare South West.

Appendix One - Definitions of abuse

Abuse is a violation of an individual's human and civil rights by any other person or people. It involves a risk of significant harm to a person. Abuse may consist of a single act or repeated acts.

Abuse may be:

- Something that is done to a person.
- Something that is not done when it should have been.
- It may be intentional or unintentional.
- Exploitation may be a common theme in the experience of abuse.

Abuse can take place anywhere, and FSSW will work to prevent abuse of adults and children at risk both within and outside its own services and premises.

It is important to look beyond single incidents to identify patterns of harm. Repeated incidents of poor care may indicate institutional abuse.

Categories of Abuse:

- **Physical abuse:** this includes assault, hitting, smacking, pushing, force feeding, biting, inappropriate restraint, poor manual handling, deprivation of liberty, misuse of medication.
- **Emotional / psychological abuse:** this includes verbal abuse, threats to harm or abandonment, rejection, humiliation, intimidation, coercion, mental cruelty, isolation, denial of human rights, denial of appropriate services and support, cyber bullying.
- **Sexual abuse:** this includes inappropriate touching, rape, sexual assault, sexual activities where there is no consent, subjection to pornography, sexual abuse through social media (sexting, inappropriate images), sexual harassment, sexual teasing.
- **Sexual exploitation:** this includes exploitative situations, contexts, and relationships where the adult receives affection, inclusion or some sort of reward (often food, drugs, alcohol, gifts, or money) as a result of performing sexual activities.
- **Financial or material abuse:** this includes theft, fraud, telephone and internet scamming, misuse of other's benefits, coercion in relation to financial affairs, property, wills, or possessions.
- **Neglect and acts of omission:** this includes ignoring medical, emotional, or physical care needs, failure to provide access to health service, lack of physical or emotional care, lack of personal care, access to hygiene, withdrawal of food, heating, or medication.
- **Self-neglect:** this includes neglect of personal hygiene, nutrition, hydration, medicine, squalor and hoarding and ignoring health needs thus endangering safety and well-being.
- **Organisational abuse:** this includes neglect and poor care practice in an organisation, policies and procedures that deny human rights e.g., lack of privacy, dignity, hygiene facilities, misuse of medication, denial of medical care.
- **Domestic abuse:** this was defined by the Home Office in 2013 as 'an incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse, by someone who is, or has been an intimate partner or family member - regardless of gender or sexuality'. This includes so called 'honour-based violence' and forced marriage.
- **Female Genital Mutilation (FGM)** is a form of domestic abuse and whilst there is a mandatory requirement to report any girl at risk of, or who has had, FGM as a child protection referral- there is no requirement for an automatic referral of an adult - however, this may be an indicator that children in the family may be at risk of possible FGM.
- **Modern slavery:** this includes slavery, trafficking, forced and compulsory labour and domestic servitude. There is a national framework to assist in the identification of victims and referral to services known as the National Referral Mechanism (NRM)
- **Discriminatory abuse:** this occurs when values, beliefs, or culture result in a misuse of power that denies opportunity to some groups or individuals. It can feature in an abuse of an adult at

risk where the abuse is motivated by the perpetrator's prejudice towards that adult's gender, ethnicity, disability, gender identity, age, sexuality, religion, culture, class etc.

- Forced marriage: this is a term used to describe a marriage in which one or both of the parties is married without their consent or against their will.
- Hate crime: This is a form of discriminatory abuse although it often also includes other abuse such as physical or psychological. It is a criminal offence committed against a person or their property that is motivated by hostility to their protected characteristics. Hate crime includes lack of respect, exclusion from services, swearing and name-calling, treating someone less favourably due to their ethnicity or other characteristics.
- Mate crime: There is an increasing awareness that people at risk may be targeted by people who they consider to be friends. This may be a particular issue if someone is disabled and has difficulty in understanding the nature of the relationship or recognising abuse, or if there are cultural differences and misunderstandings.

Further detailed information about possible indicators of abuse is available at <https://bristolsafeguarding.org/media/1123/guidance-for-adults-at-risk.pdf>

Appendix Two - Referral Process within FareShare South West

SAFEGUARDING IS EVERYONE'S RESPONSIBILITY

