

Safeguarding policy

Introduction

The AWNW is committed to protecting children and vulnerable adults at risk from harm. The AWNW aims to adopt the highest standards and will take all reasonable steps to ensure the safety and welfare of young and vulnerable people with whom we come into contact and to ensure that staff, members and volunteers know how to conduct themselves in their interactions with these individuals.

This policy has the following aims;

- To promote the safety and welfare of children or adults at risk who come into contact with AWNW staff, members and volunteers (either working for us or with us).
- To protect and promote the reputation of the AWNW and public trust and confidence in it
- To ensure that all staff, members and volunteers are aware of both the **Code of Good Practice - Appendix 1** and the **Legal Framework - Appendix 2** in relation to interactions with children or adults at risk.
- To ensure that the Network provides a clear procedure for reporting any suspected risk of harm to children or adults at risk

This policy is an important step in safeguarding vulnerable groups, AWNW staff, members and representatives and the organisation as a whole as part of the Network's risk management strategy. The policy should enhance the confidence of staff, members & volunteers in knowing what is expected of them and others when coming into contact with children and adults at risk in the course of their work.

Scope

This policy applies to anyone who works for or carries out activities for the Network including;

- Employees
- Volunteers
- Network Members
- Agency workers
- Consultants
- Contractors

Questions about this policy

This policy is not intended to cover every situation, and the AWWN recognises that people may have questions and concerns relating to Safeguarding. It is the Network's policy to encourage open discussion with staff, members and volunteers to ensure that questions can be resolved as quickly as possible. Please contact the Network Manager if you have any questions or concerns: contact@awnwwales.org

We recommend that people first raise any issues with the Network Manager. If they are unable to help, then the 'subject matter expert' for this policy is the Safeguarding Officer for the Network. This is Ellie Jones, Community Advisor for the Network (0300 1238909), who can provide further information and advice.

Please also see Incident reporting & support available and [Appendix 4 - Referral procedure](#) for further information about reporting incidents.

Definitions

The following definitions are used in this policy

"Children" means any young person under the age of 18 years

"Adults at risk" (who used to be termed "Vulnerable adults") means:

The safeguarding duties (Social Services and Well-being (Wales) Act 2014) apply to an adult who:

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

"Abuse" is normally defined in one of four ways:

- Emotional abuse – where a person is caused distress, emotional trauma or psychological damage by severe or persistent verbal abuse, disparagement or neglect.
- Physical abuse – where a person is caused pain, hurt or injury, by direct physical force, by the use of some instrument, or by neglect.
- Sexual abuse – where a person is used to gratify the sexual desire of another person, physically or otherwise.
- Neglect – is the persistent failure to meet a person's basic physical and/or psychological needs, likely to result in the serious impairment of the individual's health or development.

“**Harm**” means the ill treatment or impairment of health or development (including for example impairment suffered from seeing or hearing the ill treatment of others - human or animal)

“Harm” is 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:

Harm or exploitation may be:

- Physical
- Psychological / mental / emotional
- Financial or material
- Sexual
- Neglect and acts of omission
- Discrimination
- Abuse of trust
- Institutional
- Self-neglect
- Modern Slavery

Responsibilities

All staff, members and volunteers are expected to become familiar with this policy and its appendices and to ensure that they conduct themselves in a manner consistent with its requirements by:

- Developing an awareness of the issues outlined in this policy which may cause young or vulnerable people harm.
- Maintaining a duty to safeguard the welfare of vulnerable groups.
- Taking appropriate actions to identify and report abuse in line with this policy.
- Taking steps to ensure that children or adults at risk come to no harm when visiting our centres, or when we enter their homes
- Doing everything reasonably possible to ensure the safety and welfare of young or vulnerable people while they are in contact with the Network (by any form of communication, including face-to-face, by telephone or electronically)
- Not intervening in an abusive situation unless this can be achieved without unreasonable risk to yourself, another member of staff/volunteer or the person being abused. If you have any doubt

about the appropriateness of an action, please consult with your line manager immediately (or in their absence, a member of the HR team)

- Acting in accordance with the [Code of Good Practice - Appendix 1](#).

Incident Reporting and Support Available

Anyone who:

- Suspects that a child or adult at risk has been, or is at risk of being abused; or

Has had a disclosure of abuse made to them;

Must make notes and follow the [Safeguarding Referral Procedure at Appendix 4](#).

Anyone making a complaint, allegation or expressing concern, whether they are staff or volunteers, service users or members of the general public should be reassured that they will be taken seriously. Comments will be treated confidentially unless their content needs to be shared with the appropriate authorities for legal reasons.

If you have witnessed something or had something reported to you that you believe contravenes this policy or the [Code of Good Practice - Appendix 1](#) then in the first instance please speak to your manager as soon as possible (if this relates to your line manager, then please speak to their line manager). You may also refer the matter to the Network Safeguarding Officer (please see [Questions about this policy](#) above).

Code of good practice (Appendix 1)

Good practice safeguards people who may be vulnerable. It also protects staff from being wrongly accused of abuse or misconduct.

The following guidelines are intended to be a common sense approach that both reduce opportunities for the abuse of young people and adults at risk and help to protect staff from any false allegation. The behaviour of all staff should be above reproach.

You **should**:

- Treat all young and vulnerable people with respect and respect their right to personal privacy.
- Be aware that contact with a child or adult at risk via email and/or other electronic media (such as Facebook, or Twitter), may be misinterpreted (for example, as an 'unsupervised one to one').
- Ensure that, whenever possible, there is more than one adult present during activities or that you are within sight or hearing of others.
- Exercise caution when discussing sensitive issues with children or adults at risk.
- Exercise caution in initiating any physical contact with a young person or adult at risk

- Operate within the guidance offered by this Code.
- Challenge all unacceptable behaviour and report all allegations or suspicions of abuse. Speak to your line manager or Safeguarding Officer.
- Avoid as far as possible situations where you are alone with a child or adult at risk who is not accompanied by a responsible adult.
- Always respect diversity and the fact that all children or adults at risk from whatever background are entitled to equal protection and care
- Challenge aggressive or antagonistic behaviour and the use of inappropriate or offensive language either by or in the presence of a child or adult at risk; however, this should not be allowed to escalate into an aggressive or violent confrontation.

You should not:

- Meet with a child or adult at risk outside of organised activities
- Take young people or adults at risk alone in a car journey.
- Take young people or adults at risk to your home.
- Engage in physical or sexually provocative games including horseplay.
- Allow or engage in inappropriate touching of any form.
- Physically restrain a child or adult at risk unless the restraint is to prevent physical injury of the child or adult at risk or others.
- Make over-familiar or sexually suggestive comments or approaches to a young person or adult at risk.
- Let allegations, over familiar or sexually suggestive comments, approaches or inappropriate behaviour, made by a young person or adult at risk go unchallenged or unrecorded.
- Do things of a personal nature that young people or adults at risk can do for themselves.
- Take photographs, videos or other images of a young person without the express permission of their parents.

Give a child or adult at risk a gift of any kind or accept one from a person in their care. All offers of gifts should be reported to your line manager or designated safeguarding officer.

The legal framework (Appendix 2)

Wales

For current, legislation and resources see wales.gov.uk. For the All Wales Child Protection Procedures Review Group procedures and protocols see www.awcpp.org.uk. This publication is particularly helpful:

- [Safeguarding Children: Working Together under the Children Act 2004 \(2006\)](#)

Safeguarding Vulnerable Groups Act 2006 (SVGA 2006)

Under the SVGA 2006 (as amended by the Protection of Freedoms Act 2012), organisations engaged in Regulated Activities (see Definitions below) must not employ persons barred from carrying out such activity by the Disclosure and Barring Service (DBS). They must ensure that all individuals employed to work with children or vulnerable adults obtain an enhanced DBS check and a check against the relevant barred list. There are criminal sanctions for knowingly employing a barred individual. An employer removing someone from a Regulated Activity for causing harm or creating a risk of harm is also under a legal duty to make a referral to the DBS.

Regulated activity under the Safeguarding Vulnerable Groups Act;

Relating to children, is paid and unpaid work that involves certain close interaction with children or, in specified places, the opportunity for contact. It also covers the work of certain office holders whose functions relate to services provided for, or in relation to, children. The following would be regulated activities relating to children if carried out frequently i.e. once a week or more, on an ongoing basis:

- Teaching, training or instruction.
- Care or supervision.
- Advice or guidance.
- Public electronic interactive communication service.
- Conveying (transporting) children.

Relating to vulnerable adults each of the following is a regulated activity and only needs to be done once to be covered :

- The provision of health care by, or under the direction or supervision of, a health care professional.
- The provision of relevant personal care.
- A social care worker's provision of relevant social work to a client or potential client.

- The provision of assistance in relation to general household matters which is required by reason of age, illness or disability.
- The provision of any relevant assistance in the conduct of an adult's own affairs.
- The conveying of adults who need to be conveyed by reason of age, illness or disability by prescribed people in prescribed circumstances.

Children Acts 1989 and 2004

The Children Acts establish the principle that the welfare of the child is paramount and place a duty on local authorities and other key organisations such as the NHS, police and educational bodies to promote and safeguard the welfare of children in need in their area. The Acts give emergency protection powers to the courts and police.

The Equality Act 2010

The **Equality Act 2010** outlaws less favourable treatment of those who have protected characteristics - including age and physical / mental disability - in the provision of goods, services or facilities. In addition to general obligations not to discriminate, victimise or harass, there is a positive duty to make reasonable adjustments to procedures, policies and practices that put disabled service users at a substantial disadvantage compared to others.

Mental Capacity Act 2005

This protects and supports persons who may lack mental capacity, whether due to a severe learning disability, mental health condition, a brain injury or conditions like dementia. It introduces the concept of the lasting power of attorney, which allows a person to appoint someone to make decisions about their health and welfare, finances and property if they become unable to do this for themselves.

Data Protection Act 1998 (DPA)

UK **data protection law** is primarily governed by the DPA which sets out eight data protection principles and while all will apply to the processing of personal data, the following may be more relevant to the processing of a child or vulnerable person's data:

- Personal data must be processed fairly and lawfully (first data protection principle).
- Organisations may only process personal data that is relevant, adequate and not excessive for the purposes for which the data is being processed (second data protection principle).
- Data should only be retained for as long as needed (fifth data protection principle).
- Data must be processed in accordance with the rights of the data subject (sixth data protection principle).
- Data must be kept safe and secure (seventh data protection principle).

NB - the DPA it is not a barrier to sharing information where a failure to do so would result in a child or vulnerable adult being placed at risk of harm. The most important consideration is whether sharing information is likely to safeguard and protect the individual.

Social Services and Well-being (Wales) Act 2014

The Social Services and Well-being (Wales) Act received Royal Assent and became law on 1 May 2014. It came into force on 6 April 2016. The Act provides the legal framework for improving the wellbeing of people who need care and support, and carers who need support, and for transforming social services in Wales.

Involving young volunteers (Appendix 3)

Introduction

Young people are legally classed as vulnerable and therefore we need to take this into account when involving them as volunteers. As people over the age of 16 can undertake an apprenticeship, our protection policies are more stringent in relation to the under 16's.

While there are legal restrictions on employing young people, these are not all relevant to volunteers. However it is worth being aware of the legislation and to remember that young people have other demands on their time outside volunteering, such as school, homework, socialising and so on.

Many local authorities have bye-laws restricting the work young people may do and these bye-laws apply to volunteering. You must therefore contact your Local Authority (via your local Council switchboard or website) if you are thinking of taking on a volunteer who is still at school.

The Local Authority may require you to complete an "Application for Employment Certificate" which applies to volunteers, even though they are not actually employed (see Young volunteers in charity shops below). They will also advise you of the maximum hours the young person is permitted to volunteer.

In general, adhering to some basic principles means we can involve young people as volunteers:

- Always complete a Young Person's Risk Assessment before involving a young volunteer (see Health and safety below).
- Ask for parental consent in writing (see Parental permission below).
- Young volunteers should always be closely supervised – it is important to ensure you can provide adequate supervision and that young volunteers will not be left unattended at any time.
- It is safer if young people are supervised by two or more adults. Any departure from this best practice must be reflected in a comprehensive risk assessment which includes the activities the

young person will carry out, for how long, where the activities will take place, the level of supervision that will be provided and the measures taken to mitigate risks.

Practicalities

Health and safety

Section 3 (5) of the Children Act 1989 states that 'An individual shall do what is reasonable for the purposes of safeguarding or promoting a child's welfare while the child is in his or her care'. There is also an enhanced duty of care towards young volunteers, reflecting their relative immaturity. This means that risk assessments cannot take responsible behaviour for granted, and are likely to imply increased supervision, more explicit instructions and so on. This needs to be well judged – 17 year olds are likely to be more mature than 14 years olds, but everyone is an individual, and some 17 year olds are more mature than others.

The Young Persons risk assessment form can be found in the Health and Safety manual. This applies to volunteers up to the age of 18.

All volunteers should complete a medical enquiry form once they have been offered a role, to ensure the activities involved pose no risk to their health. (Please refer to the standard volunteer medical enquiry form).

Parental permission

Parental consent should be sought when involving young volunteers. Parental responsibility continues until the age of 18, unless the young person is 16 or over and living independently of parents or social services. It is strongly advised that you obtain a signed parental/guardian consent form (a sample is provided). Both the young person and their parent or guardian should fully understand what the voluntary work entails. Provide clear information about the work the volunteer is expected to do. Make sure that they are aware of time commitments, where the work will take place and how it will be supervised.

Insurance

The AWNW's employers' liability insurance provides cover for volunteers if they are injured or involved in a serious accident during the course of volunteering for the Network.

Disclosure and Barring Service (DBS) checks (formerly CRB checks)

There are specific roles within the Network which require DBS checks. However, if you agree to take on a young volunteer, it is not a requirement to DBS check staff or volunteers who will come into contact with the young volunteer.

Specific volunteering roles

Participation in fundraising activities

For children up to the age of 16 years, it should be for the parents to decide whether or not a child may take part in a fundraising event. Participation in any fundraising activity must always be authorised by a parent or guardian.

Challenge events in aid of the AWNW can only be done by those aged 18 or over.

Sponsored events

Children may participate in low risk sponsored events, but with the consent and supervision of a parent or guardian. For sponsored events the signature of the parent or guardian must be obtained on the sponsor form.

Sponsor forms must show clearly the maximum time available to do the event or the maximum number of units (e.g. laps, lengths) in order that the sponsor can determine the maximum level of money promised at the time of sponsorship.

Clear information about when the event takes place and when the child will be collecting their sponsorship money should be given to sponsors at the time the child requests the sponsorship. If any sponsorship money is paying for a place/participation in the event the amount and/or proportion should also be clearly stated on the form.

All participants and parents/guardians should make sure all the amounts collected go to the advertised charity. Failure to do so is a breach of trust and may amount to a criminal offence.

Asking for money

It must be emphasised that children should not approach strangers for money and collecting in the street and door-to-door is against the law. Collectors must be at least 16 years of age.

Children should only approach friends and relations for sponsorship. Children should be encouraged to discuss first and fully with their parents or guardians whom they may approach and examples of “safe” sponsors should be given.

Badges

Children should be warned to take care when handling pin badges. They should not be given to very young children (under 3) and preferably not under 7 years old.

Photography

You may want to capture your fundraising activity on film. Please be aware that permission should be sought from the participants themselves, plus where the participants are under 18 you should also seek permission from the parents/guardians before undertaking photography or filming of any sort.

Summary

All volunteers and staff should be made aware of the Safeguarding policy, this sets out adequate safeguards around day to day working practices, routes for complaints and procedures to deal with any problems, plus recruitment procedures.

Young volunteers should always be closely supervised – it is important to ensure you can provide adequate supervision and that young volunteers will not be left unattended at any time. It is safer if young people are supervised by two or more adults.

Be aware that contact with a young volunteer via email and/or other electronic media (such as Facebook, or Twitter), may be misinterpreted.

It is important to ensure that younger volunteers are never exposed to euthanasia.

Involving younger volunteers is a sensitive area. Any incident involving children may lead to bad publicity, which is damaging to the Network’s reputation, in addition to the risk of potential legal claims.

The law and policy changes public opinion. For that reason this guidance is not exhaustive and should not be relied upon as an accurate statement of law. It is important to take specific professional advice if you are not sure.

Checklist - involving young volunteers

- What is the age of the volunteer?
- If they are still at school have you checked with the local authority re: any bye-laws restricting the work of young people and filled in any necessary paperwork?
- Have you considered health and safety and carried out a young persons risk assessment? (required up to age 18).
- Have you discussed and agreed the duties of the role and the times of work with the volunteer and the parent/guardian?
- Do you have the consent of their parent/guardian in writing?
- Have you asked the volunteer to complete a medical enquiry form?
- Have you considered any training that those working with the young volunteers may need?
- Do you have safeguarding procedures in place and are all staff & volunteers aware of them?
- Can you provide adequate supervision and support?
- Are you adequately insured?

Have you recorded the details of discussions/training/guidance you have provided to the young volunteer?

Safeguarding referral procedure (Appendix 4)

All those who come into contact with children and families in their everyday work have a duty to safeguard and promote the welfare of children and adults at risk. Anyone working with children and families should:

- Be familiar with and follow policy and procedures for safeguarding the welfare of children and adults at risk.
- Know who to contact to express concerns about a child's or adult's welfare
- Remember that an allegation of child abuse or neglect may lead to a criminal investigation and therefore practitioners should not do anything that may jeopardise a police investigation, such as asking leading questions or attempting to investigate the allegations of abuse

- Attend training that raises awareness of safeguarding issues and equips them with the skills and knowledge needed. If anyone has a concern about any child's or vulnerable adult's welfare they should follow these procedures:

NB: If you have immediate concerns that a child or vulnerable adult is at risk of significant harm contact Children's Services or Adult Services or the Police. If you think a criminal offence has been committed contact the police and inform the designated Safeguarding Officer.

NSPCC can be contacted for advice on: 0808 800 5000

Scenario 1 - if you are approached by a child, young person or adult at risk, with a disclosure that s/he is being, or has been harmed or abused, or you are informed of such a disclosure by a staff member, or member of the public,

Do:

- Stay calm.
- Provide a listening ear and an open mind.
- Be reassuring, particularly that the individual is doing the right thing by telling you.
- Record the information you are provided with and report as quickly as possible to your line manager or Safeguarding Officer who will decide what further action will need to be taken.

This information is likely to be passed to the Safeguarding Officer and/or an external agency and should include a record of the time, date and persons present. Line manager to liaise with local Children's or Adult Social Care Services for the appropriate area. If line manager is not available contact the Safeguarding Officer or Children's or Adult Services for the appropriate area.

Don't:

- Promise to keep the information secret. Make it clear that you have a duty to refer the matter on.
- Stop the individual who is freely recalling significant events.
- Make the individual tell anyone else. S/he may have to be formally interviewed later and it is important to minimise the number of times information is repeated.
- Make any suggestions to the individual about how the incident may have happened.
- Question the individual, except to clarify what they are saying.
- Discuss the information with anyone other than your line manager, a Safeguarding Officer or an appropriate external agency.

Scenario 2 - if you are concerned that a child, young person or adult at risk is, or may be subject to, abuse or harm:

- Make a written, dated note of observations.
- Inform your line manager or Safeguarding Officer as soon as possible.
- Your line manager or Safeguarding Officer will assess the concerns to determine whether an external referral to Children's Services, Adult Services or the police needs to take place.
- Where a referral is to be made externally, the appointed officer will report the matter to the appropriate Children's Services or Adult Services, and/or to the police. The external agency will conduct their own investigation with regard to their policies and guidelines. Anonymity may not be maintained on reporting.