



Safeguarding Policy 2023

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Safeguarding Policy

Policy, procedure, and guidance

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1 Introduction

1.1 This policy sets out the statutory requirements for St Francis Employability CIO to discharge its appropriate accountability for Safeguarding children, young people, and adults at risk of harm or abuse. This policy should be read alongside the St Francis Employability CIO Recruitment Guidance; Managing Safeguarding Allegations Policy; Whistleblowing Policy; and Disciplinary Policy. If the issue relates to dealing with Safeguarding allegations about staff, please refer to the Managing Safeguarding Allegations policy.

1.2 This policy sets out the collective and individual expectation for St Francis Employability CIO staff to comply with legislation, codes of conduct and behaviours required as an employee of St Francis Employability CIO. The policy describes the definitions of abuse for both children and adults; it sets out how employees should report such abuse.

2 St Francis Employability CIO Commitments and Values

2.1 St Francis Employability CIO is committed to achieve, together with responsibilities, which the public, clients and staff owe to one another to ensure that St Francis Employability CIO operates fairly and effectively.

2.2 St Francis Employability CIO expects exacting standards from all its employees. St Francis Employability CIO aspires to the highest standards of excellence and professionalism in the people it employs, the education, training, and development they receive and in the leadership and management of the organisation.

2.3 Throughout this document, safeguarding children, young people and adults at risk includes those vulnerable to violent extremism/ radicalisation. The key legislative framework includes The Children Act 1989 (2004), Working together to safeguard children (2015), No Secrets (2000), The Crime and Disorder Act (1998), The Health and Social Care Act (2008) and the Care Act (2014). (Appendix 1 sets out the legislation framework).

2.4 Equality and diversity are at the heart of St Francis Employability CIO values. Throughout the development of the policies and processes cited in this document, we have given due regard to the need to eliminate discrimination, harassment, and victimisation, to advance equality of opportunity, and to foster good relations between people who share a relevant protected characteristic (as cited in the Equality Act 2010). This policy and procedure will not discriminate, either directly or indirectly, on the grounds of the 9 protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex, sexual orientation).

3 Purpose

3.1 This policy sets out the key principles that all staff and workers working in St Francis Employability CIO should be complying with safeguarding children, young people, and adults at risk of harm or abuse.

3.2 All staff carrying out the business of St Francis Employability CIO need to be aware of the integrated agenda to support vulnerable children, young people, and adults at risk, in particular those in need of protection.

3.3 St Francis Employability CIO commits to provide line management support and opportunities for learning and development, to ensure that employees have the skills they need to perform their duties and to succeed in their role.

4 Application and Scope

4.1 This policy applies to all employees and workers of St Francis Employability CIO, including volunteers, students, trainees, contractors, and temporary workers.

4.2 For ease of reference, all employees and workers who fall under these groups will be uniformly referred to as “staff” in this document.

5 Objectives

5.1 In developing this policy St Francis Employability CIO recognises that safeguarding children, young people, and adults at risk is a shared responsibility, with the need for effective joint working between agencies and professionals that have distinct roles and expertise. To achieve effective joint working there must be constructive relationships at all levels, promoted and evidenced by:

- Clear lines of accountability within the organisation for safeguarding.
- Robust communication and escalation process's that complement Local safeguarding Children Boards (LSCBs) and safeguarding Adults Boards (SABs) strategies.
- Staff training and continuing professional development so that staff are competent to undertake their roles and responsibilities, and those of other professionals and organisations in relation to safeguarding children and adults at risk.
- Safe working practices including recruitment, vetting, and barring procedures.
- Effective interagency working, including effective information sharing.
- Designated Professionals as a vital source.

6 Definitions of Harm or significant risk of harm

6.1 The legislation previously listed within this policy sets out the definition of harm and significant risk for children, young people, and adults at risk of harm or abuse.

6.2 Appendix 2 sets out these definitions in detail.

7 Roles & Responsibilities

7.1 The CEO will have overall responsibility of Safeguarding in St Francis Employability CIO.

7.2 The appointed Safeguarding Officer shall:

- Providing assurance, via the AGM, to the St Francis Employability CIO Board on the effectiveness and quality of the safeguarding arrangement.
- Ensuring effective arrangements are in place, to discharge safeguarding duties including information sharing, sharing best practice, and embedding learning from incidents, as well as leading and defining improvement in safeguarding practice at a local level.
- Ensuring effective systems are in place for responding to incidents of abuse and neglect of children and adults, i.e. making sure that when St Francis Employability CIO receives notification, a timely referral is made into either the local safeguarding children or safeguarding adults processes.
- Ensuring St Francis Employability CIO staff are appropriately trained, supervised and competent to carry out their responsibilities for safeguarding.
- Ensuring safeguarding expertise is provided to support CCG assurance processes.

7.3 Employees of St Francis Employability CIO

7.3.1 Employees have a responsibility to achieve and maintain the standards set out in this policy. They must therefore report any Safeguarding concerns to their line manager.

7.3.2 They must co-operate with their managers in identifying development needs and act on them.

7.4 Line Managers

7.4.1 Line managers have a responsibility to understand the safeguarding policy and the commitment of St Francis Employability CIO to ensure all staff are supported to maintain training and awareness.

7.4.2 Must conduct regular reviews of the standards required for each role. A full reassessment will be required if changes are made to the duties of the role which warrant a new and different level of employment check (e.g. if the post holder takes on new duties involving children or adults at risk of harm or abuse).

8 Training

8.1 St Francis Employability CIO is committed to have arrangements in place to ensure effective training of all staff. St Francis Employability CIO expects all their staff to be trained in children and adult safeguarding at basic level, further levels of training will be determined by the responsibilities set out in job descriptions/role functions.

8.2 Support, supervision and mentorship will be provided for safeguarding leads within St Francis Employability CIO as appropriate and identified through personal development needs. Line managers will agree the level of safeguarding training required for each employee depending on their role and responsibilities.

9 Safe Recruitment

9.1 Please refer to Recruitment Policy for further information

10 Managing Safeguarding Concerns

10.1 If an employee of St Francis Employability CIO has concerns that a child, young person, or adult is at risk of harm or abuse, they should notify their line manager and/or safeguarding officer and the local Social

Services department as per the local policies and procedures for their area, the person should also consider informing the local Police.

11 Information Sharing

11.1 It is important that all involved remain confident that their personal information is kept safe and secure and that staff maintain the privacy rights of the individual, whilst sharing information to deliver better services. It is important that staff can share information appropriately as part of their day-to-day practice and do so confidently.

11.2 Staff should ensure they are familiar with St Francis Employability CIO Sharing of Information policy. This will clarify what information is appropriate to share. Local LSCBs and SABs will have multi-agency information sharing policies/protocols in place and staff should ensure they understand and adhere to these.

11.3 There are seven golden rules for information sharing:

- Remember that GDPR & the Data protection Act 2018 is not a barrier to sharing information
- Keep a record of your decision and the reasons for it. Record what you have shared, with whom and for what purpose
- Be open and honest with the person (and/or their family where appropriate) at the outset about why, what, how and with whom information will, or could be shared, and seek their agreement, unless it is unsafe or inappropriate to do so.
- Seek advice if you are in any doubt, without disclosing the identity of the person where possible
- Share with consent where appropriate and, where possible, respect the wishes of those who do not consent to share confidential information. You may still share information without consent if, in your judgement, that lack of consent can be overridden in public interest. You will need to base your judgement on the facts of the case
- Consider safety and well-being of the person and others who may be affected by their actions

- Necessary, proportionate, relevant, accurate, timely and secure

12 Monitoring

12.1 The Safeguarding Officer is responsible for the monitoring, revision and updating of this policy.

12.2 This policy will be monitored regarding the implications of equality and diversity on a regular basis.

13 Equality and Health Inequalities Analysis

Throughout the development of the policies and processes cited in this document, we have:

13.1 Given due regard to the need to eliminate discrimination, harassment, and victimisation, to advance equality of opportunity, and to foster good relations between people who share a relevant protected characteristic (as cited under the Equality Act 2010) and those who do not share it;

13.2 Given regard to the need to reduce inequalities between clients in access to, and outcomes from, healthcare services and in securing that services are provided in an integrated way where this might reduce health inequalities.

Appendix 1- Legislative Framework

Responsibilities for safeguarding are enshrined in legislation. Some duties apply only to children, some apply only to adults, and some apply to both. This section deals with each in turn.

There are fundamental differences between the legislative framework for safeguarding for children, and for adults, which stem from who can make decisions. Adults have a legal right to make their own decisions, even if they are unwise, if they have capacity to make that decision and are free from coercion or undue influence. However decision-making power relating to children lies with those who have parental responsibility for the child. As a child grows in maturity and understanding, the law gives the child a greater say in decisions. Once a child understands fully the choice to be made and its consequences, the child's view prevails, at least as regards consent, though on occasions the courts have been prepared to override a capable child's refusal of life-saving treatment.

The Mental Capacity Act covers and empowers children aged 16 and 17. Once 18, the young person is an adult. When issues about a child's upbringing, or their money or property, are considered by a court, statute makes it clear that "the child's welfare shall be the court's paramount consideration." Known widely as the "paramountcy principle," this has a far-reaching effect on children's social care practice, emphasising to all what a court would need to see to approve arrangements.

While many key statutory provisions apply directly to a broad range of public bodies, including the NHS and the Police, some key provisions of legislation impose duties directly on local authorities only. The duties are not placed directly on any other agencies. However the NHS, as well as other agencies, is covered by these duties indirectly, because it has statutory duties to co-operate with local authorities over safeguarding.

Children and young people

The legislation and guidance relevant to safeguarding and promoting the welfare of children includes the following:

- Children Act 1989 and 2004

- Working Together to Safeguard Children (2015) – statutory guidance

The task of monitoring inter-agency co-operation falls to the local safeguarding children board (LSCB). Local authorities must establish an LSCB for their area.

The objectives of an LSCB are to co-ordinate activities of board members to safeguard and promote the welfare of children, and to ensure the effectiveness of those activities. LSCBs also commission serious case reviews where abuse or neglect of a child is known or suspected, the child has either died or been seriously harmed, and there is concern over how agencies and service providers have worked together.

Adults at risk of harm or abuse

The legislation and guidance relevant to safeguarding adults at risk of harm or abuse includes the following:

- Care Act 2014
- Care and Support Statutory Guidance (Chapter 14 – Safeguarding)

Each local authority must establish a safeguarding adult board (SAB) in its area. Its main objective is to help and protect those adults in its area. CCGs, working with the health system, should ensure appropriate representation on the SAB. The local authority may include any other body it considers appropriate following consultation with other members.

A SAB can arrange a safeguarding adult review whenever it chooses. However it must arrange one where an adult has died from or experienced serious abuse or neglect, and there is reasonable cause for concern about how those agencies and service providers involved worked together to safeguard the adult. Core partners are required to contribute to such reviews when requested.

The Government has issued a policy statement on adult safeguarding which sets out six principles for safeguarding adults. Whilst not legal duties, these do represent best practice and provide a foundation for achieving good outcomes:

- Empowerment - presumption of person led decisions and consent.
- Protection - support and representation for those in greatest need.
- Prevention of harm or abuse. .
- Proportionality and least intrusive response appropriate to the risk presented.
- Partnerships - local solutions through services working with their communities. Communities have a part to play in preventing, detecting, and reporting neglect and abuse.
- Accountability and transparency in delivering safeguarding.

Legal requirements applying to safeguarding of both children and adults

Information sharing

Valuable information sharing practice, is at the heart of good safeguarding practice. The area is covered by legislation, principally the Data Protection Act 2018, and by court decisions on issues of confidentiality and privacy.

At its heart is the principle that information should be shared if that helps to protect children or adults, or to prevent a crime. In addition, there are some specific statutory provisions (for example relating to the operation of LSCBs, and SABs, and relating to the statutory scheme for vetting and barring) which require information sharing.

Vetting and barring

There is a statutory scheme for vetting people working with children and adults vulnerable to abuse or neglect. It is administered by the Disclosure and Barring Service. The system provides checks on people

entering the workforce, and maintains lists of individuals who are barred from undertaking regulated activity with either children or adults at risk of harm or abuse.

Appendix 2- definitions of abuse

Definition of Abuse (Children)

Physical Abuse

- Physical abuse may involve hitting, shaking, throwing, poisoning, burning, or scalding, drowning, suffocating, or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.

Emotional Abuse

- Emotional abuse is the persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children that they are worthless or unloved, inadequate, or valued only as far as they meet the needs of another person. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond the child's development capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill treatment of another. It may involve serious bullying, causing children frequently to feel frightened or in danger, or the exploitation or corruption of children of children. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.

Sexual Abuse

- Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, including prostitution, whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative (e.g. rape, buggery or oral sex) or non-penetrative acts. They may include non-contact activities, such as involving children in the looking at, or in the production of, sexual online images, watching sexual activities or encouraging children to behave in sexually inappropriate ways.

Neglect

- Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in serious impairment of the child's health or development. Neglect may occur during pregnancy because of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to:
 - Provide adequate food, clothing, and shelter (including exclusion from home or abandonment);
 - Protect a child from physical and emotional harm or danger;
 - Ensure adequate supervision (including the use of inadequate care-givers); or
 - Ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

Staff also need to be aware of vulnerable groups such as those with disabilities, children living away from home, asylum seekers, children and young people in hospital, children in contact with the youth justice system, victims of domestic abuse and those vulnerable due to religion, ethnicity etc. and those who may be exposed to violent extremism.

Definition of adults at risk of harm or abuse

- Living a life that is free from harm and abuse, is a fundamental human right for every person and an essential requirement for health and well-being. Safeguarding adults is about safety and well-being but providing additional

measures for those least able to protect themselves from harm or abuse.

Physical

- Examples of physical abuse are assault, rough handling, hitting, pushing, pinching, shaking, misusing medication, scalding, inappropriate sanctions, and exposure to excessive heat or cold. Unlawful or inappropriate use of restraint or physical interventions and/or deprivation of liberty are also physical abuse.

Sexual and Sexual Exploitation

- Some examples of sexual abuse/assault include 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;
 - They cannot understand and lack the mental capacity to be able to give consent to;
 - They have been coerced into because the other person is in a position of trust, power, or authority, for example, a care worker; or
 - Required to watch sexual activity.

Psychological/ Emotional

- This is behaviour that has a harmful effect on the person's emotional health and development or any form of mental cruelty that results in:
 - Mental distress;
 - The denial of basic human and civil rights such as self-expression, privacy, and dignity;
 - Negating the right of the adult at risk to make choices and undermining their self-esteem;

- Isolation and over-dependence that has a harmful effect on the person's emotional health, development, or well-being;
- Bullying;
- Verbal Attacks; or
- Intimidation.

Neglect

- A person's well-being is impaired and care needs not met. Behaviour that can lead to neglect includes ignoring medical or physical needs, failing to allow access to appropriate health, social care, and educational services, and withholding the necessities of life such as medication, adequate nutrition, hydration, or heating. Neglect can be intentional or unintentional. Intentional neglect would result from:
 - Wilfully failing to provide care;
 - Wilfully preventing the adult at risk from getting the care they needed; or
 - Being reckless about the consequences of the person not getting the care they need.

Unintentional neglect could result from a carer failing to meet the needs of the adult at risk because they do not understand the needs of the individual, they may not know about services that are available or because their own needs prevent them from being able to give the care the person needs. It may also occur if the individuals are unaware of or do not understand the possible effect of the lack of action on the adult at risk.

Discrimination

Discriminatory abuse exists when values, beliefs, or culture result in a misuse of power that denies opportunity to some groups or individuals

and this results in harm. Psychological abuse that is racist, sexist, or linked to a person's sexuality, disability, religion, ethnic origin, gender, culture, or age.

Institutional

Observed lack of dignity and respect in the care setting, rigid routine, processes/tasks organised to meet staff needs, disrespectful language and attitudes.

Domestic violence and self-harm need to be considered as possible indicators of abuse and /or contributory factors.

Financial

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

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