



Safeguarding Policy

Contents

Introduction, Purpose and Scope.....	3
The Legal Context	3
Underpinning Principles.....	3
Definition of Safeguarding	4
Safeguarding Children	4
Safeguarding Adults.....	4
Situations which trigger safeguarding concerns.....	5
Early Warning Signs of Possible Abuse or Neglect.....	5
Recognising Emergency Situations	5
Non-Emergency Situations	6
Making a Record.....	6
The Role of the Safeguarding Coordinators	6
What Happens Next	7
Confidentiality and Data Protection	7
Important Considerations.....	8
Allegations against a member of staff.....	8
Getting personal support.....	9
Prevention and early intervention	9
Following safer staff recruitment and selection practices.....	10

Introduction, Purpose and Scope

- As a registered charity, the Cherish Freedom Trust operates the Margaret Thatcher Centre (“the Centre”). The Centre prides itself on its commitment to the public good and therefore supports the principle that 'safeguarding is everybody's business' and is committed to supporting staff to 'do the right thing' when they have a concern.
- The statutory safeguarding agencies – local council social services departments, the Police and the NHS work – work with a wide range of partners, because they recognise that community resources, leisure facilities and the population as a whole have a significant contribution to make in identifying, preventing and responding to abuse and harm.
- The policy is designed to:
 - reflect the fact that the Centre may have students with care and support needs who may be vulnerable to abuse and harm.
 - help the Centre to be a safe organisation, which promotes well-being and protects adults and children who may be at risk of harm or abuse.
 - make staff aware of our safeguarding responsibilities for adults and children who come to, or are linked with, all organisation related activities on and off the organisations premises.
 - help staff to understand the part they can play in safeguarding, recognising risks to adults and children, including where we receive information which points to risks in the wider community, and knowing what action to take.
 - enhance the ability of the Centre to exercise social responsibility and support for students who might otherwise find it difficult to continue their studies.
 - demonstrate our wider commitment to raising awareness about what can lead to adults and children becoming vulnerable to abuse and harm, preventing harm from occurring in the first place, and creating a safe environment.

The Legal Context

- Organisations such as the Centre are not specifically named in either the Children Act or in the Care Act as having a duty to safeguard and protect children or adults.
- We do however have a general duty of care under common law to take such steps as are reasonable to ensure that children, young people and adults who may be at risk are safe and that reasonably foreseeable harm does not occur as a result of careless acts or omissions of the organisation, and adopting a robust approach to safeguarding is increasingly a societal expectation for organisations such as the Centre.

Underpinning Principles

- Reflect the law and the good practice principles within statutory guidance which addresses safeguarding.
- Ensuring that approaches to safeguarding at the Centre are congruent with those adopted by statutory agencies.

- Identifying people within the Centre's management structure who hold safeguarding responsibilities and set out their roles and responsibilities.
- Provide good quality advice and information about support and services to help protect adults and children from abuse and harm, or respond to identified needs. This includes specialist safeguarding responses, general support and targeted support that will help reduce vulnerability and safeguarding incidents.
- Promote a culture of listening to children and adults and taking account of their wishes and feelings.

Definition of Safeguarding

- Safeguarding relates to protecting children and adults who may be vulnerable from all forms of abuse or exploitation.
- There is no exhaustive list of what may constitute abuse or exploitation but it includes physical, emotional, sexual, financial, neglect, online abuse, domestic abuse, human trafficking, and discriminatory abuse.
- Safeguarding also relates to broader preventative responsibilities that are wide-ranging concerning the welfare and well-being of children and enabling people to reach their full potential as well as to stay safe and healthy.

Safeguarding Children

- Safeguarding duties in respect of children apply to anyone who has not yet reached their 18th birthday. The fact that the child is living independently, or is in further or higher education, does not change their entitlement to protection.
- However there is still an obligation to act on safeguarding concerns relating to children whether or not this is the child's preferred course of action.
- On occasions information will be received relating to children from an adult who does not want action to be taken. In safeguarding children the child's needs are paramount, and the needs and wishes of each child, be they a baby or infant, or an older child, should always be put first.

Safeguarding Adults

- Safeguarding duties apply to adults who are, or may be, in need of community services due to age, illness or a mental or physical disability and who is, are, or may be, unable to take care of himself/herself, or unable to protect himself/herself against significant harm or exploitation.
- Adults must be assumed to have capacity to make their own decisions and be given all practicable help before anyone treats them as not being able to make their own decisions, even in situations where their actions may seem unwise.
- Where an adult is found to lack capacity to make a decision then any action taken, or any decision made for, or on their behalf, must be made in their best interests.
- It is possible that an adult may not want any action to be taken. If an adult has the mental capacity to make informed decisions about their safety, and they do not want any action to

be taken, it is still good practice to share the information you have with a safeguarding coordinator.

Situations which trigger safeguarding concerns

- Witnessing something which constitutes harm or neglect.
- Abuse or neglect has been disclosed to you. In some cases a disclosure may relate to something that happened a long time ago (often referred to as historic abuse) but that is still significant and important for the individual to deal with.
- Where disclosures relate to historic abuse it is important to be aware that the abuser could still be in a position to abuse children or adults who are vulnerable in the present, and action still needs to be taken.
- You may have a suspicion that abuse or neglect is occurring. It is important to be vigilant and sensitive to warning signs of abuse.

Early Warning Signs of Possible Abuse or Neglect

- There is no exhaustive list of what may indicate abuse.
- Emotional abuse could be indicated by unusual behaviour; developmental delay; lack of self-esteem; and/or unprecedented violent outbursts.
- Neglect may be indicated by constant hunger; weight loss; constant fatigue; inappropriate or uncharacteristic dress/clothing; and/or isolation/inability to socialise.
- Physical abuse may be indicated by unexplained bruising; scalds; broken bones etc.; fear of parents/carers/others; flinching when approached; and/or concealing injuries.
- Sexual abuse may be indicated by sexually transmitted infections; fear of being left alone with perpetrator; sexual knowledge far beyond developmental level; and/or inappropriate sexualised/risky behaviour.
- Financial abuse may be indicated by difficulty in purchasing everyday items; lack of essential resources; regularly borrowing money; and/or old/inadequate clothing.

Recognising Emergency Situations

- If there are reasonable grounds for believing that an individual is at immediate risk consideration should be given to contacting the police by phoning 999, and emergency medical services if appropriate.
- A safeguarding coordinator should be informed of the situation as soon as practicable after such urgent action is taken.
- Deciding whether a situation is an emergency or urgent situation is always in practice a matter of judgement according to the circumstances of the situation, but someone who is expressing concerns about their immediate safety, is afraid to go home, appears desperate to seek help, has any physical injuries or there is evidence of immediate suicidal intent, would warrant consideration of contacting emergency services.

Non-Emergency Situations

- When concerns first come to light your role is to listen and to gather and record information. At this stage you should not unilaterally decide if abuse/harm has taken place or carry out your own investigation.
- Be discreet, respect the person's privacy, and follow guidance on confidentiality (see below).
- Try and find out if the person is in touch with any support agencies already.
- Contact a safeguarding coordinator, who will help decide what action to take. If you are in any doubt about whether an issue needs further action always contact a safeguarding coordinator.

Making a Record

- You should make a record of any action you have taken regarding safeguarding as soon as possible.
- You must bear in mind that this record could become disclosable evidence in the event of a prosecution or other proceedings.
- You should record what the person said or the incident they witnessed or details of any significant marks or behaviour which were observed, noting any names and contact details (yours and those of the child or adult), dates and times.
- You should ensure that accurate details of any witnesses are recorded - did anyone else hear what the person said, see the marks or notice the behaviour?
- Record exactly what people said, not what you think was meant; you may want to record this as well, but you must distinguish between fact and opinion.
- This record should be kept safe and given to the safeguarding coordinator, who will give arrange for it to be securely stored at the earliest opportunity.

The Role of the Safeguarding Coordinators

- In responding to safeguarding concerns, safeguarding coordinators will seek to establish what is known, how and why the concern has arisen, and determine a response which is proportionate to the situation.
- They may themselves seek further advice in deciding what to do. They may decide that offering support or services within the organisation is the right way forward. Or they may decide to pass the concern on to the relevant council social services team, who will be responsible for making further enquiries. This will be the council which covers the area where the child or adult lives.
- Once it has been determined that there is a safeguarding concern or reasonable grounds to believe there may be the person who identified the concern or the safeguarding coordinator must refer the matter to social services or the police, which work in the areas that the person lives on the same day.
- If there is any doubt whether an issue meets the thresholds set out in this policy then a referral will be made.

What Happens Next

- When the safeguarding coordinator passes a concern on to social services, they may wish to discuss concerns with you, or there may be no further contact, depending on how the matter is dealt with.
- If abuse or neglect is suspected or identified social services and/or the Police will consider making enquiries to establish if any action needs to be taken to prevent or stop abuse, and if so by whom.
- It will often mean that social services and the Police will need to work with other organisations and individuals in the best interests of the adult and/or child being protected.
- Police investigations: In safeguarding, for both children and adults, any criminal investigation by the Police takes precedence over all other forms of enquiry.
- If the safeguarding coordinator can give you any feedback on what happens as a result of your concern, they will. It is not always possible to share information about everything that happens.

Confidentiality and Data Protection

- Members of staff should never offer complete confidentiality. All staff need to understand how to share information legally and professionally.
- It should always be made clear that information which suggests the possibility of an individual being a serious risk to themselves or others, which may give rise to concerns about the welfare of a child or adult, or relates to criminal activity, may need to be passed on.
- The Data Protection Act is not a barrier to sharing information but provides a framework to ensure that personal information about living persons is shared appropriately.
- Be open and honest with the person (and/or their family where appropriate) from 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.
- 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 the public interest. You will need to base your judgement on the facts of the case.
- Base your information sharing decisions on considerations of the safety and well-being of the person and others who may be affected by their actions.
- Information which is shared should be necessary for the purposes you are sharing it, and is only shared with those people who need to have it. This is relevant to information shared within the Centre as well as with external agencies.
- Ensure any information share is accurate and up-to-date, is shared in a timely fashion and is shared securely.
- Keep a record of your decision around whether or not to share information, what you have shared, with whom and for what purpose.

Important Considerations

- Securing evidence (where you have any), to support any action by the police is vital. This includes any records as well as physical evidence.
- Understand the importance of respect for and understanding of the child/adult's views as their engagement is vital to positive intervention and support.
- No single person can have a full picture of a child or adult's needs and circumstances and, if these individuals who may be in need of support are to receive the right help at the right time, everyone who comes into contact with them has a role to play in identifying concerns, sharing information and taking prompt action.
- It can sometimes be difficult to decide whether a particular act or act of omission is abuse or poor professional practice. You should consider speaking to your HR Partner to support decision making when an issue relates to the conduct of a member of staff.
- The seriousness or extent of abuse is often not clear when an alert is first raised. It is important, therefore, when considering whether it is appropriate to refer, that all allegations, alerts and concerns are treated seriously and approached with an open mind.
- There will be different levels of need presented by a range of situations, from those requiring specialist safeguarding support services to those requiring targeted support from appropriate services, to those requiring universal services such as from a GP. Whatever level of response may be required; multi-agency input can support positive outcomes.
- The person responsible for making a decision not to refer, should document clearly how this decision was reached, who was consulted in making this decision, and what steps have been taken to ensure any risks have been minimised and any support that has been offered to the alleged victim/s as necessary.

Allegations against a member of staff

- This can be an extremely difficult issue to deal with. It can be difficult to accept that a colleague may deliberately harm someone. It may also be that the behaviour that causes concern is bad practice rather than abuse. Any concerns should be reported to a safeguarding coordinator in the first instance.
- If a member of staff feels that they or another member of staff may be at risk from being the subject of, or exposed to, an unwarranted accusation in connection with younger or vulnerable students, they should alert their line manager in the first instance. The line manager should then speak with their HR Partner if they think any action needs to be taken. The Centre may take action against staff that make accusations against other staff and the Centre has good grounds for believing that the accusation was not made in good faith.
- It is important that any response is properly co-ordinated and that events are managed in the right order. Any direct action against a member of staff will as far as possible be with reference to advice and agreement of other investigating agencies (e.g. police; social services).
- It is vital that staff do not question the alleged perpetrator about the alleged offence. However it may be necessary to take immediate protective action such as suspending the

member of staff, and this should be discussed with your HR Partner. It is possible to take this action without questioning that alleged perpetrator.

- It is vital that those who are party to information in the context of such allegations do not share this information with anyone except on a need to know basis and with HR and the safeguarding coordinator.
- If, following consideration and any consultation, the concern is clearly about bad practice rather than abuse, the Centre will take the necessary action to advise, manage or instigate disciplinary action against the member of staff about whom the allegation has been made.
- Irrespective of the outcome of any police or social services investigations, the Centre may consider carrying out its own internal investigation in accordance with its own disciplinary procedures, and disciplinary action up to and including dismissal may result.

Getting personal support

- Coming into contact with children or adults in need of safeguarding and/or who have experienced abuse, raising a safeguarding concern, and dealing with information about abuse and harm, can all have a personal impact.
- It is common to feel angry, powerless or sad, and these feelings can be overwhelming. You may have experienced abuse yourself and being involved in safeguarding may bring back memories or cause you distress. The safeguarding concern you have raised may be in relation to someone you know, and you may need to work out how you will relate to this person in the future.
- In all of these situations help and advice is available through line managers for members of staff.

Prevention and early intervention

- Prevention and early action are important elements of any response to safeguarding children and adults. This means taking steps to stop or reduce the things which could lead to abuse or harm taking place before they become a bigger problem.
- All staff members should treat any children and adults who they come into contact with dignity and respect. The Centre has a whistleblowing policy which allows staff to raise concerns should they think this is not being adhered to.
- Staff need to be aware that providing personal telephone numbers or e-mail or home addresses to students can place the staff member in a vulnerable position and should be avoided unless there is a strong operational justification for doing so. Engaging in social media activities with students also carries significant risks, and should be confined wherever possible to professional interactions.
- Inappropriate sexual remarks or unnecessary physical touching are highly likely to lead to misunderstandings around the boundaries between staff and students and should be avoided.
- Intimate relationships between staff and students are not entirely prohibited however staff need to be aware that such relationships can lead to significant difficulties.

- Staff should be particularly mindful of the fact that there are circumstances in which an intimate or sexual relationship with a student could constitute a criminal offence. A relationship between a staff member and a student who is under 18 would in most circumstances be a criminal offence and a relationship between a staff member and an adult who is vulnerable to abuse would be a criminal offence under certain circumstances.
- Staff should familiarise themselves with the Centre's communication policy to determine unacceptable use of IT equipment that includes information on the creation, transmission or display of any offensive, obscene or indecent images, data or other material, or any data capable of being resolved into obscene or indecent images or material.
- Every staff member can support early intervention by listening carefully to any concerns which are raised, being familiar with the support which exists within MTC and making referrals when concerns first arise.

Following safer staff recruitment and selection practices

- The Centre's recruitment and selection procedures are designed to identify any applicants (staff) who are already known/believed to be unfit to work with adults at risk or children and must be closely followed.
- Staff who are directly employed by the Centre will be subject to DBS checks where this is appropriate to their role.
- Persons working in a regulated position (according to the guidance provided by the Disclosure and Barring Service), who are not directly employed by the Centre, will also be required to undergo DBS checks. However, these checks will have to be carried out by their employer. Where a contractual relationship exists between the Centre and the organisation, this requirement where applicable will be reflected in contracts.
- It is important to be clear about boundaries for staff in their conduct with students. Staff with management and supervisory responsibilities will need to ensure that specific guidance is also provided in relation to a staff member's specific role. It is also helpful if these principles are communicated to staff.

Any queries in relation to this document should be directed to the Centre's trustees or the safeguarding coordinator, Donal Blaney, at donal@griffinlaw.co.uk.

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