

Safeguarding children and adults at risk policy

Aims

The aims of this policy are:

- To ensure that the need to safeguard and promote the welfare of children and adults at risk is embedded in all aspects of Sutton Mencap's work.
- To ensure all trustees, staff and volunteers at Sutton Mencap understand the importance of safeguarding and how to respond appropriately to concerns.
- To ensure Sutton Mencap understands and fulfils its role in working with other agencies to safeguard and promote the welfare of children and adults at risk.
- To ensure Sutton Mencap complies with legal, regulatory and contractual responsibilities in regard to safeguarding.

Introduction

Sutton Mencap recognises the vital role the organisation can play in safeguarding and promoting the welfare of the people we support. As a provider of services to adults and children with a learning disability, we recognise that people we support are vulnerable to abuse and we have a responsibility to do everything we can to protect them from harm, and to act on concerns where they come to our attention.

This policy seeks to ensure that Sutton Mencap undertakes its responsibilities with regard to protection of children and adults at risk. The policy lays out a framework to support trustees, staff and volunteers in their roles and clarifies the organisation's expectations.

Legislation

This policy has been drawn up on the basis of law and guidance that seeks to protect children and adults at risk, in particular:

- Children Act 1989
- United Convention of the Rights of the Child 1991
- Data Protection Act 1998
- Sexual Offences Act 2003
- Children Act 2004
- Protection of Freedoms Act 2012
- The Care Act 2014

The policy also draws on relevant government guidance on safeguarding children and adults at risk, in particular:

- London Multi-Agency Adult Safeguarding Policy and Procedures
- London Child Protection Procedures and Practice Guidance
- Working Together to Safeguard Children (2018)

The policy is also designed to support multi agency working co-ordinated through the Sutton Safeguarding Children Board and Sutton Safeguarding Adults Board.

Scope

This policy applies to all trustees, staff and volunteers at Sutton Mencap.

Safeguarding leads

Sutton Mencap has nominated key individuals to lead on safeguarding within the organisation and to take on specific responsibilities, as follows:

- To act as a first point of contact within the organisation and externally in relation for safeguarding issues.
- To ensure that Sutton Mencap provides appropriate training, support and supervision to trustees, staff and volunteers in relation to safeguarding.
- To monitor and report on safeguarding practice within the organisation.

The nominated individuals are David Hobday (Chief Executive Officer) and Clare Fionda (Vice Chair of the Trustee Board).

Definitions

Safeguarding and Child Protection/ Protection of Adults at risk

Safeguarding relates to embedding practices throughout the organisation to ensure the protection of children and / or adults at risk wherever possible. In contrast, child and adult protection is about responding to circumstances that arise.

Abuse

Abuse is a selfish act of oppression and injustice, exploitation and manipulation of power by those in a position of authority. This can be caused by those inflicting harm or those who fail to act to prevent harm. Abuse is not restricted to any socio-economic group, gender or culture. It can take a number of forms, including the following:

- Physical abuse
- Sexual abuse
- Emotional abuse
- Bullying
- Neglect
- Financial (or material) abuse

Children and adults at risk

A child is defined as a person under the age of 18 (as defined in the United Nations convention on the Rights of a Child). An adult at risk is defined as a person aged 18 years or over who needs community care services because of mental or other disability, age or illness and who is, or may be, unable to take care of her/himself or protect her/himself from significant harm or from being exploited. Sutton Mencap acknowledges that children and adults with a learning disability can be more vulnerable than other people of the same age.

Safeguarding Procedures

1. Identifying and reporting concerns

Sutton Mencap staff and volunteers have a duty to be vigilant in watching out for signs of abuse and to act on any concerns.

Sutton Mencap recognises that children and adults with a learning disability are particularly vulnerable to abuse and that the people we support may not be able to communicate easily with others regarding abuse that is or has been taking place. Therefore signs of abuse may come through the things individuals say, or through observation by staff or volunteers, who may notice changes in appearance or behaviour, a deterioration in general wellbeing, unexplained bruising, or marks or signs of possible abuse or neglect.

Where a staff member or volunteer has a concern, s/he must:

- Listen to the individual, offer reassurance and give assurance.
- If urgent, seek medical attention, if in immediate danger contact the police.
- Explain that you will need to inform others, but on a need-to-know basis.
- avoid questioning the person, or asking leading questions.
- If possible, write down word for word what has been disclosed (do not add or elaborate) Do not make judgements on what you think may have been said or happened.
- Report directly to the Sessional Coordinator, Service Manager or the Chief Executive Officer, passing on any written records or evidence, which will be stored securely and confidentially.
- If staff or volunteers are unsure about whether it is necessary to report a concern, talk to the Service Co-ordinator, Service Manager, or the Chief Executive Officer. If still unsure, they can contact the nominated safeguarding trustee for advice.

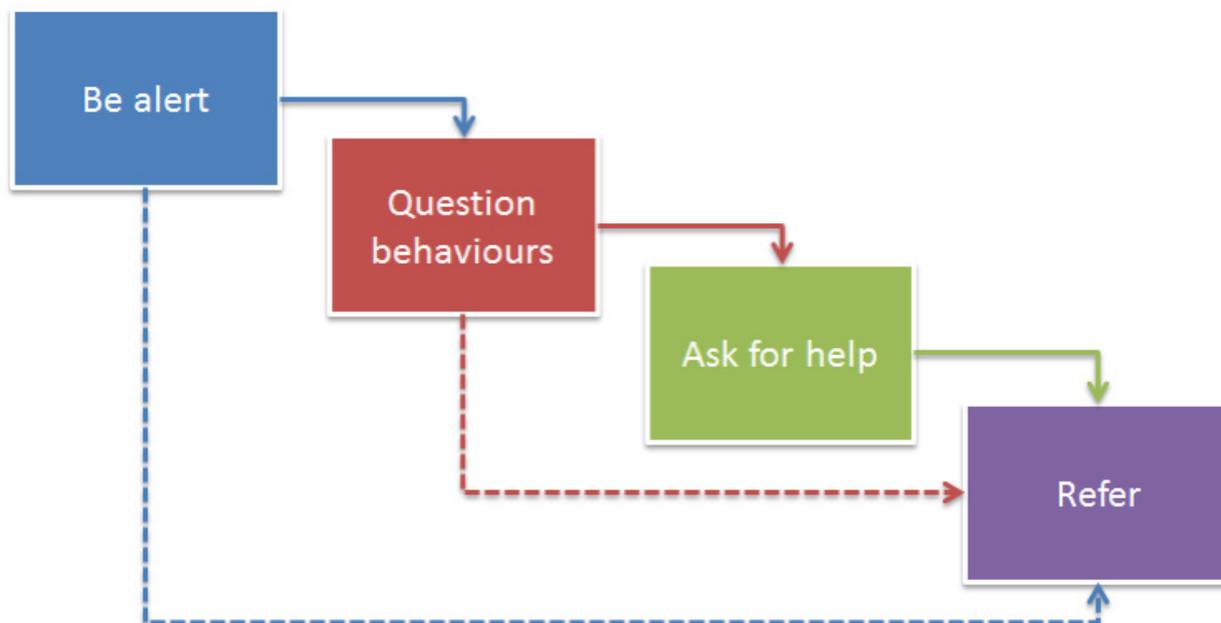
2. Making a referral to the local authority

The Chief Executive Officer or Service Manager will refer safeguarding concerns to the local authority, as follows:

- For children and young people, through the Multi Agency Safeguarding Hub (MASH) on 020 8770 6001 (out of hours: 020 8770 5000) or mash@sutton.gov.uk
- For adults, either through the nominated social worker, or the safeguarding referral point on 020 8770 6770, or referralpoint@sutton.gov.uk
- All evidence will be forwarded to the relevant person dealing with the investigation.
- Sutton Mencap will support the lead agency in its work and attend any multi-agency meetings as required.
- Concerns regarding Sutton Mencap staff or volunteers will be handled according to a specific procedure – see section 15.

Sutton Mencap recognises that parents, carers and service users may also need to know how to make a referral to the local authority. We will therefore share this information with the wider community through information packs and publicity materials.

The following flowchart sets out the basic stages leading to a referral. In some case, such as when a child is in immediate danger or is at risk of harm it may be necessary to miss out stages and go straight to a referral to children’s social care, or to the police.



Source: What to do if you’re worried a child is being abused. Advice for Practitioners March 2015 HM Government.

3. Reporting to regulators

As a registered charity, Sutton Mencap is required to report serious safeguarding incidents to the charity commission, in accordance with guidance at <https://www.gov.uk/guidance/how-to-report-a-serious-incident-in-your-charity>.

As a registered provider of childcare services, Sutton Mencap is also required to report serious incidents to Ofsted. For more information visit www.gov.uk/register-childminder-childcare-provider/after-youre-registered.

4. Sharing information with service users and/ or parents or carers

Sutton Mencap’s role in safeguarding and promoting the welfare of children and adults at risk is set out in our parents’ handbook and information for adult service users and their family members. This sets out our responsibilities in relation to observation and monitoring, reporting concerns and liaising with external agencies.

In relation to children we will aim to discuss any concerns with parents or carers in the first instance, unless we believe that doing so would result in a risk of significant harm to the person involved. In such circumstances, we will refer directly to the relevant authorities.

In the case of adults at risk, we will aim to keep them at the centre of any safeguarding process, whilst recognising our responsibility to work with other agencies to protect them.

5. Service delivery

Sutton Mencap's service delivery model is designed around the need to safeguard children and adults at risk. Specific issues in relation to safeguarding are as follows:

- Risk assessments are carried out in relation to services, activities and the specific needs of individual service users. Staff must take account of these risk assessments when carrying out activities.
- Staff on both adults and children's services work in teams, with staff ratios sufficient to provide appropriate support for service users.
- Service areas for children and youth services are constantly supervised and staff and volunteers are not left alone with service users.
- Across all services, staff and volunteers must act in accordance with Sutton Mencap's Intimate Personal Care policy, in particular ensuring that two members of staff are always present when carrying out personal care.
- Across all services, medication must be stored and administered in accordance with Sutton Mencap's Medication policy.
- On children and youth services, the session co-ordinator is the only staff member who will carry a mobile phone on service.
- Staff and volunteers on children and youth services are not to use or carry their mobile phones while working on a service unless they are away from Sutton Mencap and need to maintain contact with the co-ordinator, other staff or emergency services.
- Across all services, staff and volunteers must not use personal equipment for taking and storing images. Only Sutton Mencap's equipment can be used.
- For children and young people who use our services, parents and carers will be required to provide signed consent in relation to the following: application of sunscreen, administration of medication, trips outside of Sutton Mencap premises, the taking, use and storage of children's images. Consent will be recorded on the child information form. Parents will also be informed of the need for Sutton Mencap to share information with other agencies who work with their child, such as social services, schools and other service providers.
- Adult service users will similarly be asked for written consent in relation to the taking, using and storing images.
- Sutton Mencap staff and volunteers must maintain appropriate professional boundaries as set out in the Professional Boundaries Policy. This covers physical contact, use of appropriate language, sharing personal information and contact with service users and carers outside the work place.
- Where services users require support in managing appropriate behaviour, this must be provided in accordance with Sutton Mencap's Positive Behaviour Management policy.
- Across all services, incidents and accidents must be recorded on Sutton Mencap's Incident and accident form. Parents or carers will be asked to read and sign an incident form in relation to their child.
- Sutton Mencap provides equipment that can be used by service users and staff to access the internet during services. Use of the internet must be in accordance with Sutton Mencap's Information and Communication Technology policy.
- Visitors to Sutton Mencap during periods of service delivery will be supervised at all times.

- Co-ordinators for both children and adults services will provide a summary of the day for service managers which includes information on any incidents.
- Arrangements will be agreed in advance for collection of children and young people at the end of sessions, as set out in Sutton Mencap's child collection policy.
- Information for service users, parents and carers on how to make a complaint will be circulated as part of our information pack and displayed prominently within the building, in line with Sutton Mencap's complaints policy.

6. Confidentiality

In accordance with Sutton Mencap's confidentiality policy, staff are required to maintain confidentiality in relation to service users, except in specific circumstances, such as to protect them from abuse or where an offence may be committed.

Staff and volunteers are also required to adhere to Sutton Mencap's Information and Communication Technology policy in relation to sharing information about themselves or clients via social media or other electronic means.

7. Protection against Child Sexual Exploitation

Sexual exploitation of children and young people under 18 involves exploitative situations, contexts and relationships where the young person (or third person/s) receive 'something' (e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of them performing, and/or another or others performing on them, sexual activities. CSE can occur through the use of technology without the child's immediate recognition; for example being persuaded to post images on the internet / mobile phones without immediate payment or gain.

Sutton Mencap recognises the vulnerability of children and young people who use our services to sexual exploitation and the need to watch out for potential warning signs and the act on concerns including reporting to the relevant authorities.

8. Protection against Female Genital Mutilation

Female Genital Mutilation (FGM) is a criminal offence. It is child abuse and a form of violence against women and girls, and therefore should be treated as such.

Sutton Mencap recognises the vulnerability of children and adults to FGM and the need to act on concerns including reporting to relevant authorities.

9. Safeguarding Children and adults at risk of being exposed to extremist ideology

Children and adults at risk can be vulnerable to radicalisation and grooming for involvement in extremist activity.

Sutton Mencap recognises its responsibilities in relation to looking out for potential warning signs in relation to extremist ideology and the need to act on concerns, including reporting to the relevant authorities as part of the local Prevent strategy.

10. Safeguarding against peer on peer abuse

Severe harm may be caused to children and adults at risk through abusive and bullying behaviour of others. This can include sexting, sexual assaults, teenage relationship abuse, peer or peer exploitation, sexual bullying, serious youth violence or harmful sexual behaviour.

Sutton Mencap is aware of the potential for peer on peer abuse amongst service users and will respond in accordance with this policy and procedures.

11. Safeguarding in relation to forced marriage and honour killing

A forced marriage is where one or both people cannot consent to a marriage and pressure or abuse is used. Forced marriage can involve sexual and physical abuse, abduction, violence and rape, enforced pregnancy or abortion. Sutton Mencap is also aware that rejection by families could put clients at risk of so-called 'honour killing'

Sutton Mencap recognises the vulnerability of its clients to forced marriage and honour killing and will act in accordance with this policy and local and national guidance. Further guidance regarding concerns can be sought from the Forced Marriage Unit (020 7608 0151) and the Honour Network (0800 2000 247).

12. Safe recruitment

Sutton Mencap's recruitment procedures are set out in full in our staff recruitment and selection policy. They cover the following areas in relation to safeguarding:

- Reference to safeguarding is made in all job descriptions and in job adverts.
- Job application packs contain self-declaration forms with regard to suitability to work and a declaration regarding the Rehabilitation of Offenders Act 1974.
- Job interviews include Value-Based Interviewing questions (VBI) to assess suitability of candidates to work with children and adults at risk.
- Employment references are taken up before a job offer is confirmed. Checks are made on the identity and suitability of referees.
- Checks are made to confirm the identity of candidates who have been offered a post, as well as their entitlement to work in the UK.
- Take up of enhanced checks with the Disclosure and Barring Service (DBS). In most cases our core and administrative staff have regular contact with service users. In accordance with multi-agency safeguarding arrangements core and administrative staff are defined as being likely to be seen by children/ vulnerable adults as being a safe, responsible and trustworthy adult. Under DBS requirements they are therefore defined as "advising or guiding disabled adults on a frequent basis" and as such will be subject to an enhanced DBS check.

13. Staff training, development and supervision

Sutton Mencap's procedures in relation to staff training, development and supervision are set out in full in our staff recruitment and selection policy. They cover the following areas in relation to safeguarding:

- Induction and probationary procedures for new staff.
- Procedures for supervision and appraisal, team meetings and briefing sessions. All meetings include reference to safeguarding.
- The use of exit interviews for all staff.

- Mandatory training requirements for all staff in relation to safeguarding and other key areas.

All staff are provided with a staff handbook at the beginning of their employment, which includes a copy of the Safeguarding policy alongside other key documents. Mandatory training on safeguarding will be based around the contents of this policy.

14. Trustee recruitment and training

In line with guidance from the Charity Commission, Sutton Mencap will obtain an enhanced DBS check for all trustees. As the role of Sutton Mencap trustee is not considered a regulated activity, trustees will not be eligible for a check against the Children's Barred List and/or the Adults' Barred List.

15. Volunteer recruitment and involvement

Procedures in relation to recruiting and involving volunteers are set out in Sutton Mencap's volunteer policy. This covers the following areas in relation to safeguarding:

- Take up of references and, where the role requires it, the use of DBS checks.
- Participation in safeguarding training.
- Procedures around service delivery, to ensure volunteers are not left alone with service users.
- Requirements to comply with safeguarding policies and procedures and how breaches will be dealt with, including if required, reporting to the DBS.
- The use of exit interviews for volunteers.

Regular volunteers are provided with a volunteer handbook when they take up their role, which includes a copy of the safeguarding policy alongside other key documents.

16. Managing allegations against staff members

All staff are expected to report allegations against Sutton Mencap staff or volunteers to the Chief Executive Officer or the lead Trustee for safeguarding.

Sutton Mencap will act immediately in relation to allegations against paid staff. The internal procedure will be managed in accordance with Sutton Mencap's Grievance and Disciplinary policy.

Sutton Mencap will also follow recognised information sharing protocols in relation to allegations against paid staff or volunteers. Currently these are as follows:

- The Chief Executive Officer or lead Trustee for safeguarding will report immediately any allegations against staff or volunteers working with children or young people to the Local Authority Designated Officer (LADO) at the London Borough of Sutton. Where the Chief Executive Officer or lead Trustee is unclear if the allegation meets the threshold for a referral to the LADO, s/he will contact the LADO for advice.
- The Chief Executive Officer or lead Trustee for safeguarding will report immediately any allegations against staff or volunteers working with adults to the Adult Services section of the People Directorate at the London Borough of Sutton.
- Sutton Mencap will co-operate with the relevant authorities, including the police, in the conduct of any investigations and in any actions required to safeguard children or adults at risk.

- Sutton Mencap will notify regulators, such as OFSTED and the Charity Commission in accordance with their requirements.

If the outcome of an investigation results in the dismissal of a staff member or the ending of a volunteer placement, Sutton Mencap will notify the Disclosure and Barring Service (DBS). Sutton Mencap will also notify the DBS if a person leaves before an investigation has been completed. Sutton Mencap will also provide this information in future reference requests concerning the staff member or volunteer.

17. Whistleblowing

Staff and volunteers are required to adhere to the procedures laid out in Sutton Mencap's Whistleblowing policy. This policy sets out the circumstances under which staff can make a disclosure. In relation to safeguarding, these include matters that staff reasonably believe are:

- a criminal offence;
- a danger to the health and safety of any individual;
- the deliberate concealment of information in relation to these or other matters.

Responsibilities

Specific responsibilities of safeguarding leads are set out at the beginning of this policy. Responsibilities for others connected with Sutton Mencap are as follows:

Trustees

- To approve and review the policy on a regular basis.
- To take reasonable steps to satisfy themselves that the policy is being implemented.
- To act in accordance with the policy.

Senior staff

- To act in accordance with the policy.
- To communicate the policy to other staff and volunteers and to ensure it is being implemented correctly.
- To monitor performance of the policy and report to trustees.

All Staff and volunteers

- To act in accordance with the policy.

Related policies

- Child collection policy
- Complaints policy and accessible complaints procedure
- Confidentiality policy
- Data protection policy
- Grievance and disciplinary policy
- Information and communication technology policy
- Intimate personal care policy
- Medication policy
- Positive behaviour management policy
- Professional boundaries policy

- Recruitment and selection policy
- Risk assessment and management policy
- Training, development and supervision policy
- Volunteer policy
- Whistleblowing policy

Signed on behalf of the Trustee Board of Sutton Mencap

Chairman:  Date: November 2020
Mavis Peart

Review date: Nov 2021