



Family Refugee Support Project

Safeguarding Policy
January 2021

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1. Introduction

Family Refugee Support Project (FRSP) supports refugees and people seeking asylum to improve their mental health through therapy, to achieve settlement and independence in the UK. FRSP works with families and individuals and through its base in Liverpool provides psycho-therapy and support in outside spaces, using horticulture as part of its family therapeutic practice.

FRSP as a registered charity is committed to ensuring that a safe and supportive environment exists for all Trustees, staff, volunteers, and clients. The work of FRSP may include children and young people but is predominately focused on adults.

We recognise that in order to provide a safe and supportive environment we must place wellbeing and safeguarding at the heart of all our actions and thoughts. We are committed to working together with our partners, commissioners and statutory services to ensure safeguarding remains a priority in the delivery of our services.

The values of the organisation are central to all our services and underpin our commitment to safeguard and promote the wellbeing of all children and adults we engage with. Our values are:

- Human rights are at the core of everything we do
- Our approach is client-focused at all times
- We work flexibly, responding to the needs of each client, as far as this is possible
- Stories are central to our communication approach
- Our services are accessible
- We aim to minimise stigma and pathologising
- We aim to instil hope and build on clients' strengths

This policy and the supporting procedures seek to ensure that FRSP undertakes its responsibilities with regard to the safeguarding of children and adult. This policy establishes a framework to support all those who come into contact with FRSP, protect them from abuse and maltreatment of any kind and clarifies the organisation's expectations.



Karen Jonason
Chair of Trustees

2. Scope and Purpose of the Policy

This policy applies to all aspects of Family Refugee Support Project's (FRSP) work as a registered Charity Number 1098825. The policy and supporting procedures apply to all Trustees, staff (including temporary staff), volunteers and any other personnel working for or delivering services on behalf of FRSP.

FRSP acknowledges its duty of care to safeguard and promote the welfare of children and the wellbeing of adults and is committed to ensuring safeguarding practices reflect statutory responsibilities, government guidance and complies with best practice standards and Charity Commission requirements.

The purpose of this policy is to ensure that, regardless of age, gender, religion or beliefs, ethnicity, disability, sexual orientation or socio-economic background, all children and adults have a positive experience of FRSP through the services, support or activities they engage in.

Family Refugee Support Project Safeguarding Statement

Safeguarding is Everyone's business – Family Refugee Support Project is committed to safeguarding and promoting the wellbeing of all children and adults and expects all Trustees, staff, and volunteers to share this commitment.

Family Refugee Support Project Modern Slavery Statement

Family Refugee Support Project has a zero-tolerance approach to modern slavery and is committed to acting ethically and with integrity in all its business dealings and relationships and to implementing and enforcing effective systems and controls to ensure modern slavery is not taking place anywhere in its own business or in any of its supply chains.

This policy and supporting procedures aim to safeguard and protect children and adults who are subject to or at risk of abuse or neglect. FRSP understands its responsibility for safeguarding and will promote effective and early identification of all safeguarding concerns.

FRSP's Trustees, staff and volunteers will promote a safe environment for children and adults accessing our services and will provide information and support for any individual who is at risk of abuse or neglect.

FRSP will ensure that good governance and quality standards are maintained within the organisation and establish clear policies and procedures based on legislation and guidance. We will apply robust risk management processes for the identification

of situations which may require the organisation to make professional judgements to protect children and/or adults from harm.

Confidentiality is essential to the environment of trust with clients but this will be balanced against the organisation's common law duty to protect children and adults including the organisation's own Trustees, staff and volunteers.

The organisation will collectively manage risks and reduce the likelihood of abuse by:

- The provision of up-to-date safeguarding policies and procedures that reflect current safeguarding legislation and guidance
- Operate in line with the Local Authority safeguarding policies and procedures
- Have robust safer recruitment, selection and appointment procedures for Trustees, staff and volunteers
- Promote and use safer working practices for Trustees, staff, volunteers, and clients
- The provision of induction and ongoing training for all Trustees, staff and volunteers
- Developing and maintaining a culture of vigilance within all areas of the organisation's work
- Protecting people from harm
- Making sure people can raise safeguarding concerns
- Handling allegations or incidents in accordance with policies and procedures
- Report any allegations or incidents to the relevant authorities

3. Duty of Care

FRSP understands its Common Law Duty of Care and [Responsibilities under HSE](#) to take all reasonable steps to ensure the safety of Trustees, staff, volunteers and clients that are involved in any activity or interaction for which the employee or the organisation is responsible. Any person in charge of, or working with, clients in any capacity is considered, both legally and morally, to owe them a duty of care.

In addition to its safeguarding responsibility FRSP will endeavour to provide support and guidance to any person requiring help or assistance (signposting), by contacting relevant people, agencies and services with consent or on rare occasions without consent because someone cannot ask for help themselves i.e. a client under duress in a relationship or suffering from a mental health illness.

See Sections on Adults lacking capacity and Sharing Information Sections 8&9.

4. Safeguarding Principles and Definitions

Safeguarding is about protecting children and adults from significant and serious harm and keeping them safe. It involves identifying those who have suffered harm or who may be at risk of harm; and working with them and other agencies in order to protect them from avoidable harm.

Safeguarding responsibilities for charities and trustees

Protecting people and safeguarding responsibilities is a governance priority for the Family Refugee Support Project Charity. We will take reasonable steps to protect from harm people who come into contact with our charity.

This includes:

- people who benefit from our charity's work
- staff
- volunteers
- visitors

We will monitor and be alert to risks that include:

- sexual harassment, abuse and exploitation
- negligent treatment
- physical or emotional abuse
- bullying or harassment
- health and safety
- commercial exploitation
- extremism and radicalisation
- forced marriage
- child trafficking
- female genital mutilation
- discrimination on any of the grounds in the Equality Act 2010
- people who may target our charity
- the charity's culture in relation to poor behaviour
- people abusing a position of trust they hold within the charity

Safeguarding Children

In English law a child is anyone under the age of 18 and an adult is anyone 18 years of age or over.

Safeguarding children and promoting their welfare is defined in the statutory guidance, '[Working together to safeguard children, 2018](#)' as:

- Protecting children from maltreatment
- Preventing impairment of children's physical and mental health or development
- Ensuring that children grow up in circumstances consistent with the provision of safe and effective care
- Taking action to enable all children to have the best outcomes

Significant Harm

Significant harm is the level of harm that justifies compulsory intervention in family life in the best interests of children, and gives Local Authorities a duty to make enquiries to decide whether they should take action to safeguard or promote the welfare of a child who is suffering or likely to suffer significant harm.

There are no absolute criteria upon which to rely when judging what constitutes significant harm; sometimes a single traumatic event may constitute significant harm. More often, however, significant harm is a compilation of significant events, both acute and long-standing which interrupt, change or damage a child's physical and psychological development.

Children Act 1989 Guidance and Definitions

Within the Children Act 1989, the following guidance is offered:

Significance is not defined within the Children Act although it is to be 'measured' in terms of:

- a child's health and development; and that which could reasonably be expected of a similar child.
- **'Harm'** means ill treatment or the impairment of health or development;
- **'Development'** means physical, intellectual, social, emotional or behavioural development;
- **'Health'** means physical or mental health; and
- **'Ill treatment'** includes sexual abuse and forms of treatment that are not physical, including for example, impairment suffered from seeing or hearing the ill treatment of another.

Safeguarding Adults

The [Care Act 2014 Care and Support Statutory Guidance](#) defines adult safeguarding as:

- Protecting an adult's right to live in safety, free from abuse and neglect.

It is about people and organisations working together to prevent and stop both the risks and experience of abuse or neglect, while at the same time making sure that the adult's wellbeing is promoted including, where appropriate, having regard to their views, wishes, feelings and beliefs in deciding on any action.

This must recognise that adults sometimes have complex interpersonal relationships and may be ambivalent, unclear or unrealistic about their personal circumstances.

The Care Act 2014 outlines the safeguarding process for protecting 'Adults at Risk of abuse and neglect' who are any adult that:

- has needs for care and support by reason of mental or other disability, age or illness; whether or not the L.A. 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.

Duty to Safeguard Adults at Risk

Safeguarding is mainly aimed at adults at risk who have care and support needs and who may be in vulnerable circumstances and at risk of abuse or neglect by others. In these cases, local services must work together to spot those at risk and take steps to protect them.

FRSP recognise that any adult can become vulnerable and at risk of harm at any time whether or not they have care and support needs.

The aims of adult safeguarding are to:

- stop abuse or neglect wherever possible;
- prevent harm and reduce the risk of abuse or neglect to adults with care and support needs;
- safeguard adults in a way that supports them in making choices and having control about how they want to live;
- promote an approach that concentrates on improving life for the adult(s) concerned;
- raise public awareness so that communities as a whole, alongside professionals, play their part in preventing, identifying and responding to abuse and neglect;
- provide information and support in accessible ways to help people understand the different types of abuse, how to stay safe and what to do to raise a concern about the safety or well-being of an adult; and
- address what has caused the abuse or neglect

Care and Support Needs

The threshold for eligible care and support needs is based on identifying how a person's needs affect their ability to achieve relevant outcomes, and how these needs impact on their wellbeing.

Threshold Eligibility Criteria

If an adult has a physical or mental impairment or illness and they are unable to achieve at least two of the below wellbeing outcomes, and as a consequence of being unable to achieve one of the outcomes there is, or is likely to be a significant impact on the adult's wellbeing then they are eligible for care and support by the local authority.

Wellbeing areas:

- personal dignity (including treatment of the individual with respect)
- physical and mental health and emotional wellbeing
- protection from abuse and neglect

- control by the individual over day-to-day life (including over care and support provided and the way it is provided)
- participation in work, education, training or recreation
- social and economic wellbeing
- domestic, family and personal relationships
- suitability of living accommodation
- the individual's contribution to society

In response to the [Care and Support Statutory Guidance](#) (issued under the Care Act 2014) we will benchmark our safeguarding arrangements against the following six safeguarding principles from the legislation, which are:

- **Empowerment** - Presumption of person led decisions and informed consent.
- **Protection** - Support and representation for those in greatest need.
- **Prevention** - It is better to take action before harm occurs.
- **Proportionality** – Proportionate and least intrusive response appropriate to the risk presented.
- **Partnership** - Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse.
- **Accountability** - Accountability and transparency in delivering safeguarding.

5. Safeguarding Governance

Safeguarding is a term used in the United Kingdom and Ireland to denote measures to protect the health, well-being and human rights of individuals, which allow people — especially children, young people and adults at risk — to live free from abuse, harm and neglect.

The Charities Commission states that protecting people and safeguarding responsibilities should be a governance priority for all charities. As part of fulfilling our duties Trustees will take reasonable steps to protect people who come into contact with FRSP from harm. This includes:

- People who benefit from the work of FRSP
- Staff
- Volunteers

It may also include other people who come into contact with FRSP through our work, services and activities.

FRSP Board of Trustees has the ultimate and collective responsibility for directing the affairs of the organisation, and ensuring that it is well-run, financially sustainable and solvent and delivers the objectives for which it has been set up.

The Charities Commission expect charities to:

- Make sure all trustees, employees, volunteers and beneficiaries know about safeguarding and people protection.
- Have appropriate policies and procedures in place.
- Check that people are suitable to act in their roles.
- Know to spot and refer or report concerns.
- Have a clear system of referring or reporting to relevant organisations as soon as you suspect or identify concerns.
- Set out risks and how you will manage them in a risk register which is regularly reviewed.
- Be quick to respond to concerns and carry out appropriate investigations.
- Not let one trustee dominate your work - trustees should work together.

In addition, charities who work with children, young people or adults at risk should:

- Establish good safeguarding policies and procedures that all trustees, staff and volunteers follow.
- Make sure all staff and volunteers receive regular training on child protection or working with adults at risk.
- Appoint a safeguarding lead to work with your local authority safeguarding boards.
- Manage concerns, complaints, whistle blowing and allegations relating to child protection or adults at risk effectively.
- Follow relevant legislation and guidance.

6. Roles and Responsibilities

Safeguarding is Everyone's business – Family Refugee Support Project is committed to safeguarding and promoting the wellbeing of all children and adults and expects all Trustees, staff, and volunteers to share this commitment.

FRSP is committed to providing support to all those involved with the organisation. A clear structure of safeguarding accountability supports everyone to understand their individual and collective responsibilities for safeguarding.

FRSP will ensure it has arrangements in place to fulfil its commitment and duty to safeguard children and adults in accordance with legislation and statutory guidance.

FRSP Board of Trustees Responsibilities

Trustees play a vital role in ensuring that they are legally compliant in order to manage the charity's resources effectively and provide a long-term vision and protect the charity's reputation and values.

FRSP's Board of Trustees are responsible for:

- Approving all safeguarding policies and supporting procedures
- Ensuring adequate resources are available for effective safeguarding practices and training
- Ensuring effective reporting and auditing processes are in place and that the same are regularly reviewed
- Ensuring Safeguarding is a standing item on the agenda of each Board meeting
- Receiving regular safeguarding reports from the Project Director
- Developing a culture within the organisation that promotes effective safeguarding practices

Lead Trustee for Safeguarding

The Board of Trustees has agreed that **Robert Waugh** will hold lead responsibility for safeguarding however, this does not remove the collective responsibility of the whole Board.

The Lead Trustee for Safeguarding is responsible for:

- Championing safeguarding issues within FRSP
- Encouraging all Trustees to develop their understanding of the Board's collective safeguarding responsibilities, assisting the Board to perform their statutory functions and responsibilities
- Meet regularly with the DSL (and/or Deputy DSL's) in order to discuss and have strategic oversight of the effectiveness of the organisation's safeguarding policies and practices
- Oversee all safeguarding allegations against staff in conjunction with the Designated Safeguarding Lead (DSO) and the Chair of the HR and Safeguarding Committee
- Provide an escalation point of contact for staff or volunteers in the event of a complaint about the DSO lack of action in respect of safeguarding concerns
- Provide the Board with regular reports on the effectiveness of the organisation's safeguarding policies and practices including a strategic overview of safeguarding concerns.

HR and Safeguarding Committee

FRSP'S HR and Safeguarding Committee has delegated responsibility on behalf of the Board of Trustees for the strategic oversight and challenge to the organisation on the safe discharge of its safeguarding responsibilities. The Committee is responsible

for the monitoring, review and audit of all safeguarding matters. It will promote full compliance with safeguarding legislation and guidance in all FRSP'S functions. The Committee will meet at least three times a year and have ready access to the Chair of Trustees in order to report or escalate safeguarding matters in a timely manner to the Board.

FRSP Project Director

FRSP's Project Director will ensure a commitment to safeguarding is integral in the delivery of all its services, activities, events and contracts. They will assist in the safer recruitment and selection of staff and volunteers.

The Project Director will ensure that:

- Safeguarding and a culture of vigilance is promoted and embedded in all areas of the organisation including with FRSP's partners and commissioners
- Clear and effective communication pathways for safeguarding are shared with all staff and volunteers
- Proposed changes to safeguarding policies and supporting procedures are presented to the Board in accordance with the agreed cycle of policy review
- There is an approved safeguarding training strategy for all Trustees, staff and volunteers
- The Named Designated Safeguarding Lead and any Deputy Designated Safeguarding Lead(s) have sufficient resources in order that they may discharge their functions detailed below
- They coordinate the investigation of concerns and allegations against staff members or volunteers
- Safe recruitment and selection practices of staff and volunteers are implemented in accordance with the safer recruitment policy and procedures
- There is a safeguarding annual report to the Board of Trustees

FRSP Named Designated Safeguarding Lead and Deputy(ies)

The Named Designated Safeguarding Lead and deputy(ies) will be provided with the appropriate level of training to enable them to fulfil their responsibilities in supporting and guiding staff and volunteers on safeguarding matters. They are responsible for responding to initial concerns or disclosures.

The Named Designated Safeguarding Lead and deputy(ies) will:

- Provide ready and accessible support and guidance to all staff, volunteers and trustees on safeguarding matters
- Manage all safeguarding reports and act as liaison for statutory services during any criminal or safeguarding investigation
- Ensure that serious incidents relating to safeguarding are reported immediately and managed effectively

- Report allegations against Trustees, staff, volunteers, service users to the Local Authority Designated Officer (LADO) and Disclosure and Barring Service
- Ensure accurate records of all safeguarding concerns and the secure storage of all safeguarding records
- Provide a quality assurance and review function for all safeguarding concerns
- Work with all the above governance bodies to inform of serious or untoward safeguarding incidents as appropriate
- Ensure the adoption, implementation and auditing of all policies and strategies in relation to safeguarding
- Work alongside the identified Deputy Designated Safeguarding Leads, act as the out-of-hours contact for all safeguarding
- Liaise with the Lead Trustee for Safeguarding contributing to reports to the Board

Designated Safeguarding Lead

Jason Ward
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Deputy Designated Safeguarding Lead

Julia Nelki
07931 632850
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FRSP Staff and Volunteers

All FRSP staff and volunteers have a shared responsibility to safeguard and promote the wellbeing of children and adults. They should know how to recognise, respond to, report and record any safeguarding concerns.

All staff and volunteers are responsible for following the organisation's safeguarding procedures for reporting any concerns relating to abuse or neglect or suspected abuse or neglect of any child or adult immediately.

In an emergency staff and volunteers will be expected to report urgent concerns direct to the relevant statutory agency.

7. Consent and Confidentiality

Consent is a legally defined decision given by someone who is competent, who has been adequately informed (and has adequate understanding), and who is free from undue influence enabling them to make a voluntary decision.

The person can provide consent themselves (provided they are competent). Otherwise, someone else who is empowered by law can provide it (e.g., a parent in the case of children). A child who is not capable of giving consent alone can still be involved in the decision-making process with others who are able in law, to provide consent.

It is a fundamental principle of English law that adults have the right to make decisions on their own behalf, and are assumed to have the capacity to do so. This is known as the '*presumption of capacity*' and extends to decisions that may entail personal risks and that may not be in accordance with an objective view of their best interests.

Where an adult has refused to consent to information being disclosed for safeguarding purposes, then the Designated Safeguarding Lead (or Deputy) must consider whether there is an overriding public interest that would justify information the sharing (e.g. because there is a risk that others are at risk of serious harm) and wherever possible, the appropriate Caldicott Guardian should be involved from the local authority.

Confidentiality is an important part of FRSP's culture, ethos and values. However, there are certain situations where interventions are needed in order to protect children and adults. In fulfilling its safeguarding duties, FRSP will ensure that:

- Confidentiality is not confused with secrecy
- Staff and volunteers do not give assurances of absolute confidentiality in cases where there are concerns about abuse of either children or adults at risk
- Information regarding a safeguarding concern is shared on a 'need to know'
- Informed consent is obtained but, if this is not possible and other adults are at risk of abuse or neglect, it may be necessary to override the requirement

8. Adults Lacking Capacity

Adults lacking capacity to make decisions that would protect and promote their own interests are potentially extremely vulnerable. Although, in accordance with the principles of the [Mental Capacity Act 2005](#), adults lacking capacity should be at liberty to participate as far as possible in decision-making, and express their views and emphasis should shift to ensuring that decisions made on the adults' behalf promote their overall best interests.

Where an adult lacks capacity, information can be disclosed in accordance with the Mental Capacity Act 2005, where, in the opinion of the member of staff or volunteer, it would be in the incapacitated person's best interests.

On the rare occasions that FRSP's staff or volunteers have to make a decision on behalf of an adult who is lacking capacity they will do so in that person's best interest, using the common checklist of factors outlined in the [Mental Capacity Act Code of Practice](#)

Where an adult lacks capacity to consent to disclose it is usually reasonable to assume that they would want people close to them, or directly involved in their care to be given appropriate information about their situation unless there is evidence to the contrary.

9. Sharing Information

Effective sharing of information between FRSP and local organisations and statutory agencies is essential for the early identification of need, assessment and intervention in order to keep children and adults at risk safe.

Fears about sharing information cannot be allowed to stand in the way of the need to safeguard and promote the welfare of children and adults, especially those adults identified as being 'at risk of abuse or neglect'.

Personal information held by FRSP is subject to a legal duty of confidentiality and will not normally be disclosed without the consent of the individual. However, the right to confidentiality and respect for private and family life (Article 8, Human Rights Act, 1998) is not absolute.

The only exceptions to this are where confidentiality can be overridden either by a court order or other legal authority (e.g., Prevent Duty), or in the public interest i.e., in order to safeguard a child or adult at risk.

Public interest justifications usually relate to disclosures to prevent significant or serious harm to third parties or to prevent or to prosecute a serious crime. e.g., suicide pacts, terrorist threats, an unsupervised young child.

FRSP recognises that information sharing between key organisations is essential to safeguard children and adults at risk of abuse, neglect and exploitation.

FRSP will ensure that where staff or volunteers need to share special category personal data, they are aware that the [Data Protection Act 2018](#) includes 'safeguarding of children and individuals at risk' as a condition that allows practitioners to share information without consent.

FRSP will ensure that confidential information is only shared where it is lawful and ethical to do so. All staff and volunteers must be clear about situations when they can share information with appropriate agencies and professionals working together within local information sharing protocols i.e. when they believe a child or adult at risk of harm.

FRSP staff and volunteers will give due regard to relevant legislation, guidance and local information sharing protocols when making decisions on sharing information including the following:

- The Data Protection Act 1998 and 2018 (GDPR)
- The Children Act 1989 and 2004
- The Care Act 2014

10. Safeguarding Allegations Against Trustees, Staff or Volunteers

FRSP recognises its duty to report concerns or allegations against its Trustees, staff or volunteers within the organisation or from a partner organisation acting on behalf of the FRSP. All Trustees, staff and volunteers must comply with the relevant Code of Conduct when performing their role in order to promote safer working practices.

FRSP will deal appropriately and promptly with all allegations or concerns and refer all safeguarding concerns or allegations about its Trustees, staff or volunteers immediately to the appropriate local authority social services safeguarding team (adults or children).

It is a matter of policy that any Trustee, staff member or volunteer, against whom a safeguarding allegation is made, will be suspended without prejudice immediately pending investigation. This will be the case even if the allegation is not linked to their role or activity with FRSP. Such instances will be rare occasions and any decision to suspend will not be taken lightly. The decision will be taken after full discussions with the Lead Trustee for Safeguarding and Chair of Trustees, in consultation with the Chair of the HR and Safeguarding Committee.

During any investigation of an allegation against a Trustee, staff member or volunteer suspended from the work place, FRSP recognises that it has a continuing duty of care. It will ensure a link person is nominated (not connected to the investigation) to provide support and guidance and be able to signpost those suspended to other external support networks. e.g., local trade union reps, Occupational Health, G.P., Samaritans etc.

DBS requirement and duty to report

Under legal duties to make referrals to the Disclosure and Barring Service, the organisation will report any concerns about unsafe practice by any of its Trustees, staff or volunteers to the Disclosure and Barring Service (DBS).

If at any time the organisation dismisses a Trustee, member of staff or volunteer due to relevant conduct, risk of harm or receiving a caution or conviction for a relevant offence (or the person has resigned or left that post in circumstances where they may have been removed), then a referral to the Disclosure and Barring Service will be made by the Chief Executive Officer.

11. Whistleblowing

The Public Interest Disclosure Act 1998 introduced protection for workers from reprisals for disclosing information in the public interest. It emphasises the importance that the role 'whistleblowing' can play in deterring and detecting malpractice and abuse of children and adults at risk.

FRSP will promote practical arrangements for whistleblowing to enable its Trustees, staff and volunteers to voice their concerns, made in good faith, without fear of repercussion. Any Trustee, member of staff or volunteer who uses the 'whistleblowing' policy and procedure will be made aware that their employment rights are protected.

Trustees, staff members and volunteers will be supported in this individual responsibility to bring matters of concern to the attention of senior management and/or relevant external agencies. This is particularly important where the welfare of children, and vulnerable adults may be at risk.

FRSP will:

- Ensure it has appropriate whistleblowing procedures in place.
- Ensure that it has clear procedures for dealing with allegations against Trustees, staff or volunteers.
- Empower and support Trustees, staff and volunteers to report any behaviour by colleagues or professionals that raises concern regardless of source.

12. Recruitment, Selection and Training

Recruitment and Selection

FRSP is aware of its responsibility for ensuring that it carries out appropriate safer recruitment practices for all positions within the organisation. The Safeguarding Vulnerable Groups Act 2006 requires the organisation to carry out specific vetting (enhanced DBS) and checks on 'references' of staff or volunteers if they are to perform 'regulated activity'. i.e., work closely with children or adults at risk.

The recruitment and selection of all Trustees, staff and volunteers will comply with current legislation and safeguarding guidance. This means that all new 'regulated activity' positions will clearly state in advertisements and application packs of the need to undergo and clear an enhanced DBS disclosure check.

To comply with safety legislation FRSP may also conduct specific risk assessments that address the risks and individual needs of working with children or adults at risk.

In order to deter unsuitable individuals and inappropriate behaviour FRSP will include the Safeguarding statement (see section 2) in the following recruitment and selection processes and documents:

- Publicity materials
- Recruitment websites
- Candidate information packs
- Person specifications
- Job descriptions
- Volunteer Role Specifications
- Induction and ongoing training
- Supervision and appraisal

[Automatic Disqualification Rules for Charity Trustees and Charity Senior Positions](#)

There are rules which disqualify certain people from being a Trustee or senior manager of a charity. Being disqualified means that a person can't take on, or stay in, a charity trustee position or senior manager position – even on an interim basis, unless the Charity Commission has removed (or 'waived') the disqualification. A person is disqualified from acting as a charity trustee or senior manager if any of the reasons shown in the disqualifying reasons table of the Charity Commission guidance apply. The senior manager positions that are affected by disqualification are at chief executive and chief finance officer level.

Training

FRSP identifies that training and raising awareness of safeguarding issues, policies and procedures is fundamental to the development and maintenance of a safer environment, safer organisation and safer staff. It will ensure that appropriate safeguarding training is provided to all Trustees, staff and volunteers to assist them in:

- preventing abuse
- recognising abuse

- recording concerns
- responding appropriately to allegations of abuse
- knowing who to tell, and
- when information can be shared.

Safeguarding training at the appropriate level to the role and responsibilities held will be a mandatory element of all inductions for Trustees, staff and volunteers. Furthermore, safeguarding training will not be regarded as a 'once only' activity, but as an ongoing development of skills and knowledge of safeguarding.

Monitoring the working practice of Trustees, staff and volunteers will be undertaken not less than once per year through the appropriate supervision mechanisms such as appraisals to ensure the requirements of this policy and supporting procedures are being met.

13. Complaints

All complaints that are received about the conduct or behaviour of FRSP's Trustees, staff or volunteers will be dealt with according to the organisation's Complaints Policy and Procedure.

If a complaint is identified as a potential safeguarding concern, then the Safeguarding Procedures will be followed.

14. Quality Assurance and Review

FRSP is committed to striving for excellence in the provision of all its services. We do this by actively reviewing the safeguarding systems in place. We use an electronic recording system to capture all relevant data that supports the evidencing and monitoring of compliance in safeguarding. This quality assurance mechanism is a crucial and integral part of the governance structure.

The HR and Safeguarding Committee review the safeguarding policy and supporting procedures annually to ensure they continue to reflect legislation and guidance.

15. Underpinning Legislation and Guidance

[**The Children Act 1989**](#) places a legal duty on the local authority to make enquiries if they have reasonable cause to suspect a child is suffering or likely to suffer significant harm to enable them to decide whether to take any action in order to safeguard or promote the child's welfare.

[**The Children Act 2004**](#) [Section 11](#) of the Children Act 2004 placed duties on a range of organisations and individuals to ensure their functions, and any services that they contract out to others, are discharged having regard to the need to safeguard and promote the welfare of children, e.g. Police, NHS, Local Authorities, Probation, Prisons and Offending services.

[**Working Together to Safeguard Children - HM Government 2018**](#) A Guide to inter-agency working to safeguard and promote the welfare of children. These documents define the categories of child abuse and provide a useful list of signs and symptoms.

[**The United Nations Convention on the Rights of the Child**](#) Families and Babies believe that every child has the right to be loved and cared for and to be safe and well, to be offered a good standard of education, to be protected from exploitation and to have opportunities for rest and play (1991). Similarly, all children have the same rights and the same value, regardless of age, race, culture, gender, disability, or social/economic background.

[**What to do if you're worried a child is being abused \(DOH 2015\)**](#) The guidance is accompanied with flowcharts following the procedure from referral, initial assessment, emergency action that might need to be taken, through to what happens after a strategy discussion and child protection review conference.

[**Safeguarding Vulnerable Groups Act 2006**](#) (as amended by the [Protection of Freedoms Act 2012](#)) Created the Independent Safeguarding Authority along with Vetting and Barring Scheme to help prevent unsuitable people from working (paid or otherwise) with children and Adult at Risks. In 2012 The Criminal Records Bureau (CRB) and the Independent Safeguarding Authority (ISA) merged into the Disclosure and Barring Service (DBS). CRB checks are now called DBS checks.

[**Care Act 2014 – HM Government**](#)

The Care Act helps to improve people's independence and wellbeing. The Act creates a single, consistent route to establishing an entitlement to public care and support for all adults with needs for care and support. It also creates the first ever entitlement to support for carers, on a similar basis. The act created Safeguarding Adult Protection Boards, with vetting and training becoming mandatory for the first time. The Act came into force April 2015.

[Care and Support - Statutory Guidance on Implementation of the Care Act 2014](#)

This statutory guidance explains how the Care Act works in practice. They made changes that included clarifying the guidance on adult safeguarding and revising the eligibility criteria to focus on outcomes and better address social isolation.

[Mental Capacity Act- Code of Practice 2005](#) provides a statutory framework to empower and protect vulnerable people who are not able to make their own decisions. It makes it clear who can take decisions, in which situations and how they should go about this.

[Safer Working Practices DCSF 2009](#) Whilst this practice guidance is archived, it continues to provide clear advice on appropriate and safe behaviours for all adults working with children in paid or unpaid capacities, in all settings and in all contexts. A revised edition was published in 2015 and again in May 2019 by the **[Safer Recruitment Consortium](#)**, however this is specifically aimed at educational settings. There is however useful information within the guidance document that any setting can benefit from. A **[Covid-19 addendum](#)** was also developed in April 2019

Safer Recruitment - Information on the **[DBS website](#)** should be referred to when making safer recruitment decisions.

[The Equality Act 2010](#) and **[guidance](#)** puts a responsibility on public authorities to have due regard to the need to eliminate discrimination and promote equality of opportunity. This applies to the process of identification of need and risk faced by the individual child and the process of assessment. No child or group of children must be treated any less favourably than others in being able to access effective services which meet their particular needs.

[Data Protection Act 2018](#) The Data Protection Act 2018 updates our data protection laws for the digital age. "The Data Protection Act gives people more control over their data, supports businesses in their use of data, and prepares Britain for Brexit. "In the digital world strong cyber security and data protection go hand in hand. The 2018 Act is a key component of our work to secure personal information online." See also **[Government guidance](#)**.

[Information Sharing – advice for practitioners 2018](#)

This HM Government advice is non-statutory, and has been produced to support practitioners in the decisions they take when sharing information to reduce the risk of harm to children and young people. This advice is for all frontline practitioners and senior managers working with children, young people, parents and carers who have to make decisions about sharing personal information on a case by case basis. It might also be helpful for practitioners working with adults who are responsible for children who may be in need.

Counter-Terrorism and Security Act 2015 Section 26 of the Act places a duty on partners of Local authorities and certain bodies, in the exercise of their functions, to have *“due regard to the need to prevent people from being drawn into terrorism”*.

Safeguarding and protecting people for charities and trustees 2018

This guidance helps Charities know what to do to protect people who come into contact with their charity through its work from abuse or mistreatment of any kind.