

# SAFEGUARDING POLICY

## Children, Young People and Adults

*\*NB. This Policy applies across all Spurgeons, Fegans & Dad.info branded services\**

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## SAFEGUARDING STATEMENT

Our mission is to provide support for children, young people, adults who are vulnerable and families who are experiencing difficulties or challenges so that they can have a better present and a hopeful future. To make that a reality, remaining child-centred and ensuring those we work with and encounter are safeguarded and their welfare promoted is the **#1 priority** for the entire workforce<sup>1</sup>.

Whilst neglect and the physical, emotional and sexual abuse of children by adults is not new, we recognise from our service provision the broader and additional ways in which children can be at risk of maltreatment and impaired health or development, and require professional intervention to protect them from harm and support them, for example: *Sexual exploitation, impact of domestic abuse, impact of parental mental and physical health (including substance misuse), impact of parental imprisonment, risks with social networking (including through gaming, sexting), isolation / loneliness / self-harm, high 'screen-time' / sleep deprivation, age / development inappropriate activity (including online media content).*

The Safeguarding Policy sets out our overall position while the Child Protection Procedures and Appendices then set out its practical application and guide the workforce on the actions they **must** take in particular situations. Each takes into account the government guidance Working Together to Safeguard Children (2018) in relation to the nature and context of our service delivery.

Our organisational system of safeguarding comprises of more than policy and procedure. Safer recruitment, our code of conduct, induction process, supervision and training are integral to ensuring the workforce are suitable and have essential safeguarding knowledge and skills. The workforce has access to off-line and on-call specialist support and advice about safeguarding. Decision-making is monitored case-by-case, with corporate performance scrutinised at Board level each quarter to ensure joined up working across departments / functions, to hold those responsible for performing and controlling safeguarding work accountable, to maintain a reflective approach, ensure continuous improvement and appropriate internal communication.

Given the emphasis we place on the importance of safeguarding alongside all other business critical activities Spurgeons will ensure that robust arrangements and sufficient resources are available to enable the policy and procedures to be implemented throughout the organisation in a timely way to prioritise children's safety, and legal compliance - in keeping with our core values.

The Safeguarding Policy must be read and fully understood by all members of the workforce on appointment or engagement and **always** prior to undertaking direct work with children, young people and families, and together we operate a safeguarding aware culture: **If in doubt, you must ask**. We will consult with workforce representatives over changes to Safeguarding Policy and Child Protection Procedures to achieve appropriate workforce involvement. Both will be reviewed annually and updated as necessary.

**Paul Ringer (Deputy chief executive)**



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<sup>1</sup> Throughout the statement, policy and procedures "workforce" refers to: volunteers, casual, agency, temporary and permanent staff

## 1.0 INTRODUCTION

This policy framework sets out: who it applies to, outlines the relevance of 'health or development' and 'significant harm', provides definitions of the main types of abuse and neglect, lists other specific safeguarding issues, details the safeguarding responsibilities of everyone and those in specific roles, states our position on Child Safeguarding Practice Reviews, Child Death Reviews and allegations against members of the workforce, and confirms its audit and review arrangements.

The legal basis for responding to concerns regarding safeguarding of vulnerable adults is different from that of children and young people under 18. Spurgeons will bring to the attention of statutory agencies (the local authority and the police) any concerns in relation to safeguarding vulnerable adults identified through any part of its work.

Spurgeons makes a positive contribution towards creating and maintaining strong and safe families and communities and recognises the right of every individual to stay safe. Safeguarding is about embedding practices throughout the organisation to ensure the protection of children and young people wherever possible. Child protection is about responding to specific circumstances that arise.

In order to fulfil our responsibilities effectively Spurgeons works in accordance with the principles as set out in *Working Together to Safeguard Children (A guide to inter-agency working to safeguard and promote the welfare of children)* HM Government July 2018 and Section 10 and Section 11 of the Children Act 2004, Childcare Act 2014 Care Act 2014 Children and Families Act 2014, Counter-Terrorism and Security Act 2015 (by virtue of being contracted by 'specified authorities'), Children's Homes (England) Regulations 2015, Children & Social Work Act 2017, Data Protection Act 2018, and Domestic Abuse Act 2021.

This policy will be reviewed and updated as service delivery, through contracted, funded and discretionary work changes year-to-year in order to always reflect current activities and circumstances, thereby maintaining the relevance of the policy as an aid to appropriate and effective safeguarding practice for all service users and beneficiaries.

## 2.0 WHO THIS POLICY APPLIES TO

**Definition of a child:** this policy applies to unborn children, all children and young people up to the age of 18 years of age (as defined in the United Nations convention on the Rights of a Child), however our policies and procedures also support working with adults who are vulnerable. No child or group of children must be treated any less favorably than others in being able to access services which meet their particular needs. All children without exception have the right to protection from abuse regardless of gender, ethnicity, disability, sexuality or beliefs.

Children may be service users in their own right or children cared for by adults who are receiving services via Spurgeons. It also covers other children in the wider community that come to the attention of staff in the course of their work e.g. children

associated with a family group or connected in any way with a child or adult engaged with a Spurgeons' service provision.

**Definition of an adult who is vulnerable:** the adult's circumstances must be unable to be altered or improved by the adult's own individual actions without direct assistance. The vulnerable adult must also be shown to be, on some significant level, a risk to him or her self if assistance is not provided. This could include but is not exclusive to

- Isolation
- Domestic Abuse
- Family conflict
- Post natal depression
- Mental health issues
- Substance misuse (Alcohol/Drug misuse including synthetic drugs)
- Adults with learning and/or physical disabilities

### 3.0 HEALTH OR DEVELOPMENT / SIGNIFICANT HARM

All members of our children's workforce must be aware of local early help processes, and understand their role in identifying emerging problems for children, young people, adults who are vulnerable, and families, and share information with relevant professionals to support early identification and support.

They must be aware of the local process for making referrals to children's social care for statutory assessments under the Children Act 1989 that may follow, along with the role they might be expected to play in such assessments or in ensuring protection for a child at risk.

Under the Children Act 1989, the welfare of the child is paramount and local authorities are required to provide services for children in need within their area for the purposes of safeguarding and promoting their welfare. Local authorities undertake assessments of the needs of individual children to determine which services to provide and what action to take. This can include:

Section 17- A child in need is defined under section 17(10) of the Children Act 1989 as a child who is unlikely to achieve or maintain a reasonable level of **health or development**, or whose health or development is likely to be significantly or further impaired, without the provision of services; or a child who is disabled.

Section 47- If the local authority has reasonable cause to suspect that a child is suffering, or likely to suffer, **significant harm** they have a duty to make enquires under section 47 to enable them to decide whether they should take any action to safeguard and promote the child's welfare. This duty also applies if a child is subject to an emergency protection order (under section 44 of the Children Act 1989) or in police protective custody under section 46 of the Children Act 1989.

Where a member of the workforce believes that a child or young person is suffering, or likely to be suffering, significant harm, they **must** take action in line with the Child Protection Procedures. A complete list of relevant legislation is provided within the Child Protection Procedure Appendices.

#### 4.0 TYPES OF ABUSE AND NEGLECT

Abuse, neglect and safeguarding concerns are described by, but not limited to, the following definitions and in some instances multiple concerns will exist.

**Abuse:** is a form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting by those known to them (in person or virtually), or more rarely, by others. They may be abused by an adult or adults or another child or children. Abuse is not restricted to any socio-economic group, gender or culture.

**Physical abuse:** is a form of abuse which 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 of a child.

**Emotional abuse:** the persistent emotional maltreatment of a child such as to cause severe and adverse effects on the child's emotional development. It may involve conveying to a child that they are worthless or unloved, inadequate, or valued only insofar 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 a child's developmental 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 (including cyberbullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, although it can occur alone.

**Sexual abuse:** involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (of the vagina, anus or mouth) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet / through social media). Sexual abuse is not exclusively perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.

**Neglect:** the extreme, repeated or persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health

or development. Neglect can occur during pregnancy as a result 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), to protect a child from physical and emotional harm or danger, to ensure adequate supervision (including the use of inadequate care-givers), or to ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

**Domestic abuse:** the Domestic Abuse Bill 2020 definition is when both the perpetrator and victim are each aged 16yr or over, are personally connected to each other, and the abusive behaviour consists of any of the following: physical or sexual abuse, violent or threatening behaviour, controlling or coercive behaviour, economic abuse or psychological, emotional or other abuse (e.g. 'gaslighting'), regardless of whether the behaviour consists of a single incident or a course of conduct. Victims of domestic abuse include a child who sees, hears, or experiences the effects of the abuse and is related to either the adult perpetrator or victim (or the adult/s has parental responsibility for the child). Spurgeons maintains **zero tolerance** towards domestic abuse and recognises that domestic abuse affects the whole family. Witnessing it and being exposed to a family climate in which it takes place and the attitudes that perpetuate it can harm children and young people's health or development and place them at risk of significant harm (e.g. physical injury or death, long term negative impacts on mental health, wellbeing, behaviour and relationships as a result of the trauma). This may also cause adults to experience vulnerability themselves which will require appropriate support from an appropriately qualified professional or support group.

Spurgeons does not support **smacking**, albeit that parents / those in 'loco parentis' are currently allowed to use 'reasonable chastisement' (mild forms of physical punishment) when disciplining their children. There are positive ways to discipline children that are more effective.

## 5.0 SPECIFIC SAFEGUARDING ISSUES

There is now better understanding in the UK – from experience, research and experts – about the broader and additional ways in which children can be at risk of maltreatment and impaired health or development, and require professional intervention to protect them from harm and support them. Government safeguarding guidance exists and can be accessed via the [www.gov.uk](http://www.gov.uk) website for the following specific issues:

- child missing from education
- child missing from home or care
- child criminal exploitation (CCE)
- child sexual exploitation (CSE)
- bullying including cyberbullying
- domestic abuse
- drugs (possession and supply)
- fabricated or induced illness

- faith abuse
- female genital mutilation (FGM)
- forced marriage
- modern day slavery
- gangs and youth violence
- gender-based violence/violence against women and girls (VAWG)
- mental health (for young people at risk of self-harm and/or suicide Spurgeons adopts [Papyrus'](#) advice / resources)
- private fostering
- preventing radicalization
- sexting
- teenage relationship abuse
- trafficking
- deliberate targeting / abuse of positions of trust (e.g. to gain access to vulnerable people)

## **6.0 SAFEGUARDING ROLES AND RESPONSIBILITIES**

All members of the workforce, regardless of role, are expected to undertake their work in a way that upholds the part we play as a voluntary sector provider in keeping children safe.

*“Voluntary charity, social enterprise (VCSE) and private sector organisations and agencies play an important role in safeguarding children through the services they deliver All practitioners working in these organisations and agencies who are working with children and their families are subject to the same safeguarding responsibilities, whether paid or a volunteer.”*

*From Working Together to Safeguard Children 2018 (pages 70-71)*

### **6.1 All members of the workforce**

Everyone has a role to play in fostering a positive attitude to create a culture of safeguarding children and young people. This policy is designed to support everyone in fulfilling their duties and to ensure all line managers take responsibility for the actions of their local workforce. Failure to respond to, or report concerns regarding the safety or welfare of children and young people could result in disciplinary action.

All members of the workforce are responsible for ensuring that they have read and understood this policy and the accompanying procedure and what their role specific responsibilities are, and to comply with both. Everyone shares the responsibility to respond to concerns regarding the safety or welfare of a child. However, it is not the responsibility of anyone within Spurgeons to investigate concerns, but to take action regarding their concerns and ensure statutory agencies fulfil their responsibilities.

Everyone has a responsibility to act on, and inform their immediate line manager about, any safeguarding or child protection concerns – which can and do arrive through very

different routes (e.g. calls to reception, complaint e-mails, fundraising correspondence, and in-person disclosures). For that reason all Spurgeons services and sites **must** have a nominated Designated Safeguarding Lead (DSL) who will support staff with handling safeguarding concerns; accordingly everyone must be aware who their DSL is. The DSL may be an experienced staff member, senior worker, or manager who is suitably trained. If the DSL is needed but unavailable the matter must be escalated through the management line and if necessary the on-call manager contacted. For Rushden (central) office it is the Head of Practice.

A complete list of all associated Spurgeons' policies and procedures which promote children's safety and welfare is provided within the Child Protection Procedure appendices on the intranet.

### **6.3 Trustees**

The Board of Trustees is responsible for ensuring Spurgeons compliance with Charity Commission guidance (Safeguarding and protecting people for charities and trustees, 2021) for ensuring relevant safeguarding and child protection legislation and guidance is followed and that there is an up to date Safeguarding Policy and Child Protection Procedures in place. Albeit the associated work is discharged by the executive and wider workforce, Trustees actively monitor safeguarding performance through the Standards and Outcomes Committee of the Board.

### **6.4 Chief Executive Officer (CEO)**

The CEO is responsible for ensuring:

- 6.4.1 Spurgeons Safeguarding Policy and Child Protection Procedures are consistently applied throughout the organisation.
- 6.4.2 Trustees are advised of resource issues which may impact on compliance with Safeguarding Policy and Child Protection Procedural compliance within Spurgeons.
- 6.4.3 Safeguarding and child protection issues are given equal importance to other business critical issues and funding of improvements is approved where practicable.
- 6.4.4 A named senior manager provides strategic leadership on safeguarding and child protection and for ensuring sound day to day management of safeguarding.

### **6.5 Named senior manager (deputy chief executive, 'DCE')**

The named senior manager / board level lead is responsible for ensuring:

- 6.5.1 Competent safeguarding and child protection support and advice are readily available to the workforce to enable compliance with the policy and procedures.
- 6.5.2 The promotion of learning and improvements in safeguarding and child protection and bringing to CEO / trustees attention any relevant new or changed legislation.
- 6.5.3 That the Safeguarding Policy and Child Protection Procedures are available to the entire workforce.



- 6.5.4 Sufficient and appropriate supervision and training, including refresher training, to ensure competence through the level of workforce knowledge and skills.
- 6.5.5 That the handling of safeguarding (including allegations against the workforce) is prompt and in accordance with local safeguarding partner arrangements (formerly Local Safeguarding Children's Boards).
- 6.5.6 The quarterly Safeguarding Panel achieves joined up working across departments and holds those responsible for performing and controlling safeguarding work accountable.

The Deputy chief executive may delegate specific responsibilities / tasks to the Head of Practice post-holder e.g. chairing Safeguarding Panel, Child Protection Procedure content.

## **6.6 All Heads of function / departments (including Fegans branded departments)**

Heads are responsible for ensuring:

- 6.6.1 The direction of safeguarding and child protection management in their departments and that the policy and procedure is understood by the workforce.
- 6.6.2 The implementation of the policy and procedures within their areas of responsibility and liaising with the DCE about concerns over, or changes required, with either.
- 6.6.3 Through recruitment, induction, supervision, training that all managers have sufficient experience, knowledge / skills to lead teams in fulfilling their responsibilities.
- 6.6.4 Through central reporting systems and reports generated, monitor and ensure compliance in the day-to-day handling of safeguarding / child protection concerns.
- 6.6.5 Through sampling of safeguarding undertaken in their departments, ensure work is compliant, corrective action taken if necessary and learning / good practice shared.
- 6.6.6 Ensure that all relevant statutory regulations and codes of practice are adhered to and that all statutory registers (i.e. single central records) are maintained.

## **6.7 Designated Safeguarding Lead (DSL), Regional & Practice Improvement Managers**

Each service / site must have a Designated Safeguarding Lead (DSL) who oversees the handling of safeguarding and child protection concerns, provides advice and guidance on making referrals to other agencies, and holds knowledge about the local children's social care referral process and support services available - for Fegans service delivery this is undertaken by a contracted social work qualified 'Head of Safeguarding'. The DSL is responsible for ensuring:

- 6.7.1 That the local workforce has access to their contact details, those of other managers within the reporting line, and those providing national on-call (out of hours/weekend).
- 6.7.2 That the local workforce is confident / competent in their knowledge of this policy / Child Protection Procedures, including practice reporting and escalating concerns.
- 6.7.3 That they seek advice and guidance on matters beyond their experience, knowledge or confidence (e.g. complex cases) from Regional or Practice Improvement Managers.
- 6.7.4 That staff have adequate resources / support to comply with procedures and escalate to their manager concerns about resources or staffing impacting on safe practice.

- 6.7.5 That the Safeguarding Policy and Child Protection Procedures are available to the entire local workforce including those who don't have ready access to a computer.
- 6.7.6 That every Spurgeons workplace has a safeguarding notice board clearly displaying as a minimum the safeguarding flowchart, 'What to do if you're worried a child is being abused' advice for practitioners', Top Ten MUST do's, and the list of local safeguarding personnel.
- 6.7.7 That children, young people and parents are informed in an age and developmentally appropriate way of the existence of this policy and our Child Protection Procedures.
- 6.7.8 The Practice Team (Regional & Practice Improvement Managers) are responsible for ensuring adequate DSL cover locally and/or providing it themselves when necessary.

## **6.8 Head of People**

The Head of People is responsible for:

- 6.8.1 Being the authority on safeguarding for staff and volunteer vetting, pre-employment checks and legislative compliance over the employment / engagement of ex-offenders.
- 6.8.2 Leading on Safer Recruitment and ensuring that there is someone on appointment panels for staff / volunteers working with children / young people who have successfully completed safer recruitment training.
- 6.8.3 Ensuring all members of the workforce directly working with children and families are checked by the Disclosure & Barring Service (DBS) at an enhanced level before undertaking direct work and managing the positive DBS risk assessment process.
- 6.8.4 The Head of People is the Responsible Officer for the maintenance and day-to-day operation of the Whistleblowing Policy, and one of the points of contact options. See Whistleblowing Policy (2020).

## **7.0 SAFER RECRUITMENT**

Spurgeons carries out safer recruitment checks on everyone who works for us. All roles at Spurgeons require a Disclosure and Barring Service (DBS) check and references before the individual joins us and begins any work. See Safer Recruitment Policy (2019).

## **8.0 CHILD SAFEGUARDING PRACTICE / CHILD DEATH / DOMESTIC HOMICIDE REVIEWS**

Given the nature and level of the services Spurgeons provide we will on occasions have active or have had past involvement in cases that then become subject to Child Safeguarding Practice, Child Death or Domestic Homicide Reviews led by local safeguarding partner arrangements (formerly LSCB's) Safeguarding Adults Board, Child Death Review or Domestic Homicide Review teams due to concerns about the way in which an authority, their partners and other agencies worked together to safeguard children or vulnerable adults. As well as being held to account we actively seek to learn and improve alongside all professionals in the sector.

All statutory information requests, correspondence and communication from those bodies over these matters (including at the earliest point when information is being gathered in order to arrive at the decision to progress) should be addressed to the DCE and if notified through another route **must** be brought to their attention the **same day**. The DCE will then decide on how communication is handled, take steps to ensure the relevant hard copy and electronic records are secured, ensure local staff are supported, and commission any Internal or Individual Management Review (or equivalent) then required.

Harm to the charity's work, beneficiaries or reputation is deemed a 'serious incident' as defined by the Charity Commission. Whenever the charity's work has become subject to independent scrutiny (as part of a statutory review processes) the senior executive team will assess an analysis of any shortcomings and learning from the case and agree actions necessary to remedy them are being taken and bring both to the attention of Trustees.

Cases that become subject to review which involve the voluntary sector frequently fall into the category of being highly complex, often with long-standing problems where multiple agencies are providing services to a family. The key issues for voluntary agencies in past serious case reviews nationally mainly relate to adult focused services, a lack of clarity around referral criteria, confusion around different agency involvement, and wrongly prioritising good relationships with adult clients over the safety and welfare of children.

Based on our own experience and learning as well as from the expertise and the most recent national overview of child safeguarding practice reviews involving voluntary and community sector organisations that the NSPCC (National Society for the Prevention of Cruelty to Children) undertook in 2019, the following are relevant **key learning points**:

- i.* Voluntary agencies should gather and record detailed information about family arrangements to inform multi-agency risk assessments.
- ii.* This includes where children live and information about any men visiting, staying or living in the home.
- iii.* Voluntary agencies should feel confident reporting concerns about case management to other agencies involved in child protection cases; including following up referrals if it seems that no action has been taken.
- iv.* Information about safeguarding concerns should be shared with relevant agencies even if service users do not consent to this.
- v.* Whilst telephone and face to face conversations can be more immediate, they should always be followed up with formalised referrals of concerns to relevant services.
- vi.* Voluntary agencies providing services to adults who are parents must consider the impact of a parent's problems on their ability to care for and safeguard their children and share concerns with relevant agencies.
- vii.* Robust and timely assessments should be undertaken, and progress and developments recorded.
- viii.* Voluntary organisations should inform the agency who referred a person to use their service if the service user is not engaging with the service (including refusing to attend or missing appointments).

- ix. Organisations should consider how to overcome barriers to service user engagement, such as people not having the bus fare to get to the service.

## 9.0 ALLEGATIONS AGAINST MEMBERS OF THE WORKFORCE

Given the scale of the workforce, and what is known from experience and research, we may receive allegations of abuse against present or past members of the workforce (in relation to current or historical matters). In the event that we do we will ensure that any concerns raised and allegations made are taken seriously. In the course of following the detailed procedures on the subject both the Head of People and the DCE **must** be notified on the **same day** and will then take charge of the matter including making or ensuring a referral to the independent Local Authority Designated Officer or team of officers, is made when the threshold is met. Notwithstanding our duty of care to employees and volunteers, our priority is to deal with allegations quickly in a fair and consistent way that first provides effective protection for children whilst at the same time separately supporting the person subject to the allegation. A beneficiary alleging to have suffered serious harm or an allegation that a member of the workforce has assaulted or neglected a beneficiary whilst under the charity's care is deemed a reportable 'serious incident' by the Charity Commission.

## 10.0 AUDIT AND REVIEW OF THIS POLICY

Each year services will be audited on compliance with this Safeguarding Policy and the Child Protection Procedures with the results reported to, and monitored by, the

Safeguarding Panel. That will primarily be a self-audit with checking and remedial action undertaken by, or under the supervision of, second line managers but may also include direct intervention from the Practice Improvement Manager - who undertakes a thematic analysis.

We will consult with the workforce representative members of the Safeguarding Panel over significant changes to the Safeguarding Policy and Child Protection Procedures to ensure appropriate workforce involvement. Both will be reviewed and refreshed annually and updated more frequently if necessary.

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