



Safeguarding and Protecting People from Harm Policy

Audience: Board of Trustees, All Employees and Volunteers

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Safeguarding Policy

Introduction and context

Protecting people and safeguarding responsibilities is a priority for Shropshire Peer Counselling & Advocacy Service (PCAS).

The charity supports and works with a wide range of people throughout Shropshire & Telford & Wrekin and we recognise that some people we are in contact with may be at risk of harm.

The charity supports the rights of people to live in safety, free from abuse and neglect. We aim to provide a safe and trusted environment that safeguards everyone, including clients, employees and volunteers.

The aim of this policy is to set out how the charity promotes an organisational culture that prioritises safeguarding and manages reported incidents or concerns sensitively and properly. It demonstrates how safeguarding concerns and incidents are prevented, identified and handled, and the responsibilities of the Board of Trustees to ensure that risks are managed appropriately with clear routes for escalation.

Ultimately, trustees have accountability to safeguard children and adults at risk and protect anyone that comes into contact with the charity from harm.

The policy has been written with the Charity Commission guidelines 2018, Human Rights Act 1998, Mental Capacity Act 2005, the Safeguarding Vulnerable Groups Act 2006 and the Care Act 2014.

See Appendix A for further details of the relevant legislation and guidance that shapes and informs our approach.

Scope of this policy

The charity follows the broadest definition of safeguarding outlined by the Charity Commission in 2018 which goes beyond traditional vulnerable and 'at risk' groups and applies to: **Protecting anyone that comes into contact with the charity from harm.**

This policy therefore applies to all contexts in which we come into contact with individuals who may be at risk of harm.

However, given the nature of the services the charity provides, it is recognised that the most likely individuals that we will come into contact with, are Adults at Risk.

The Care and Support Statutory Guidance, issued under the Care Act 2014 defines an adult at risk as:

Any adult (aged 18 or over) who:

Has needs for care and support (whether or not the local authority is meeting any of those needs and regardless of mental capacity).

Is experiencing, or at risk of, abuse or neglect.

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.

An 'adult at risk' could include:

People with a disability/physical impairment.

Older People

People with learning difficulties/disabilities

People with mental health needs

People with sensory impairments

People who have suffered a head/brain injury

People who misuse drugs and alcohol.

Safeguarding means protecting individual's rights to live in safety, free from abuse, harm and neglect. **See appendix B** for more information about different types of abuse.

Principles underpinning our approach to safeguarding

Key Safeguarding Principles

Empowerment – People being encouraged to make their own decisions and informed consent.

Proportionality – The least intrusive response appropriate to the risk presented.

Prevention – It is better to action before harm occurs.

Partnership – Local solutions through services working together.

Accountability – Accountability and transparency in delivering safeguarding.

Protection – Support and representation for those in greatest need.

Protecting people and safeguarding responsibilities is a priority for our charity. This includes recognising that safeguarding and protecting people from harm goes beyond simply implementing policies and processes. As a fundamental responsibility for trustees, safeguarding and protecting people must go to the heart of the charity's culture.

The charity aims to provide a safe, trusted environment for all employees, volunteers and clients and to respond promptly and appropriately to reports of adults who are actually or potentially at risk. We do this by:

Safeguarding the welfare of all our clients, employees and volunteers, embedding it in everything we do.

Having recruitment, selection and training procedures for employees and volunteers.

Providing training to all employees and volunteers to ensure they understand and follow the approach and procedures laid out in this policy.

Having procedures to ensure that concerns of abuse or neglect are dealt with appropriately and that action is taken promptly.

Providing all employees with access to a designated lead who will have the details of the appropriate local agencies to whom they can report concerns of abuse.

Ensuring our fundraising activities are ethical. Fundraising activities are carried out in accordance with the charity's values and we strive to meet the highest of ethical standards.

Conducting a rolling programme of Disclosure and Barring Service Checks (DBS) on all employees in line with our Recruitment and Selection Policy.

Designated Leads

All employees and volunteers have a responsibility to report concerns relating to abuse or neglect that arise in the course of their work.

The designated leads within the charity to whom an employee or volunteer should report such concerns are: The PCAS Manager and/or the Chair of PCAS in the manager's absence.

The board of trustees holds ultimate accountability for the governance of all safeguarding matters. (Please see Appendix C) for lines of accountability and responsibility within the charity and the role of Trustees.

Identifying those at risk

The following is a list of ways in which a safeguarding incident may occur. (It is noted that this list is not exhaustive):

Telephone calls into the charity from members of the public (including clients).

Employee/volunteer report or complaint.

Client reporting an incident or complaint.

Safeguarding team report or refer in.

Procedure for reporting, recording and managing safeguarding concerns

The first priority is to ensure the safety and protection of the person at risk of harm. To this end it is the responsibility of all employees and volunteers to act on any concerns of abuse or neglect and pass these to the designated lead within the charity.

(Please see Appendix D) Procedure for employees, volunteers and trustee reporting concerns/incidents of suspected risk or abuse.

It is not the responsibility of anyone working, either paid or unpaid, within the charity, to decide whether or not abuse has taken place or to carry out an investigation as this is the role of the local authority safeguarding team or the police. These agencies

hold the lead responsibility for establishing and co-ordinating the local multi agency framework for safeguarding adults at risk through the Safeguarding adults: multi-agency policy and procedures for the West Midlands, which PCAS follows.

All employees and volunteers are required to act on any concerns raised and ensure that a decision is made on the appropriate action to be taken in each case. They are required to ensure that they act in line with the charity policy.

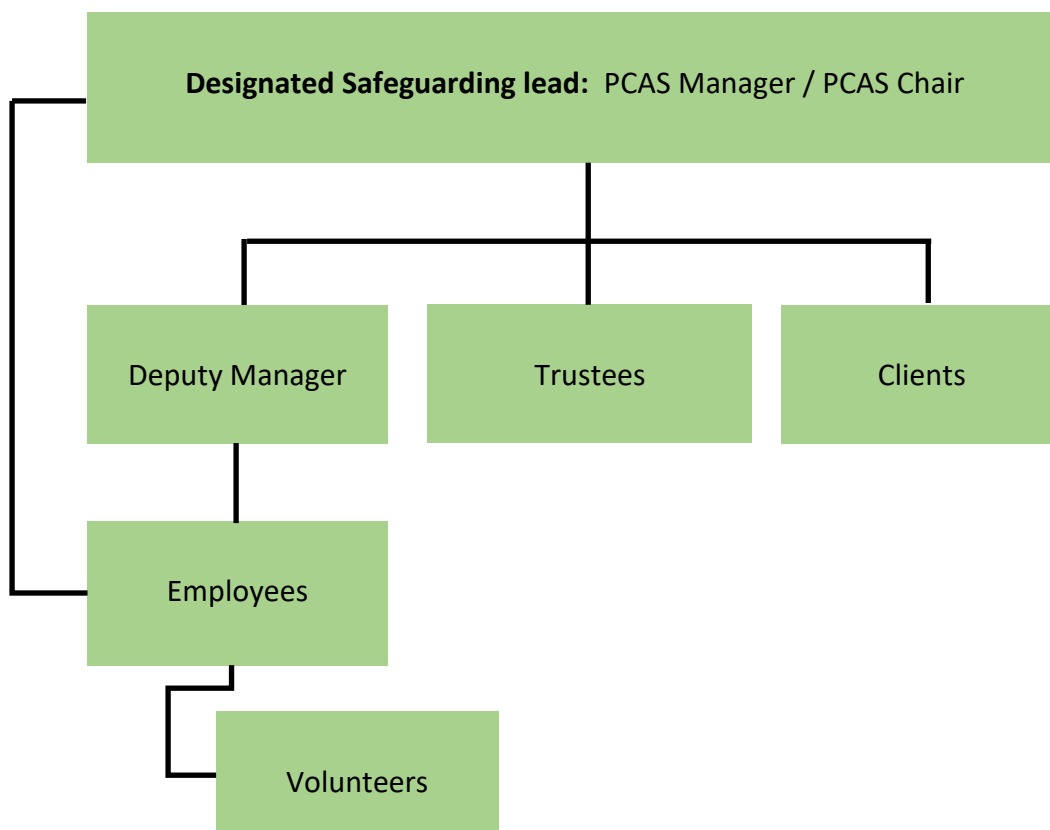
If a client with whom the charity is working with makes a disclosure of abuse or neglect, care should be taken to explain to them that a report will be made to the designated lead and or the local authority safeguarding team.

If it is considered by an employee or volunteer that someone is in immediate danger, then the police should be contacted without delay and a report made to the designated lead (PCAS manager).

Any suspected abuse or neglect must be reported to the designated lead as soon as possible, so a decision can be made as to who will report the concerns to the Adult Safeguarding Team.

To Raise a concern you must telephone: **Shropshire Council's First Point of Contact Team (FPoC) on: 0345 678 9021. For Telford & Wrekin the number is: Family Connect & Adult Safeguarding 01952 385 385.**

Figure 1. Process for reporting incidents internally



If an employee or volunteer is suspected of abuse this must be brought to the immediate attention of the Designated Safeguarding Lead or Chair of PCAS who will alert the Adult Safeguarding Team. The PCAS Manager will suspend or remove from active work the employee or volunteer pending the outcome of an investigation.

If either the PCAS Manager or Chair are suspected of abuse this must be reported to the Adult Safeguarding Team of the local authority.

If a trustee is suspected of abuse this must be reported to the Chair of Trustees.

Any concern should be documented in the Safeguarding proforma appendix E, with further actions and outcomes and stored in a protected file to be accessed only by the designated leads.

Personal information may be disclosed without the individuals consent if there are reasonable grounds to believe that an individual is at risk of harm.

Implementation and quality monitoring

All PCAS employees, volunteers and trustees will be made aware of the updated policy and be required to confirm that they have read it. The policy will be published on our website.

The policy will be reviewed on an annual basis to ensure it meets best practice, legislative and Charity Commission guidelines.

All employees who may come into contact with those at risk from harm will do mandatory Adult Safeguarding training bi-annually unless a change in National Safeguarding Policy/Guidance Indicates otherwise.

Updates will be emailed to all employees on any changes to the relevant safeguarding legislation.

The charity's approach to safeguarding will be outlined in the Trustees Annual Report.

All reported incidents will be recorded by the charity in line with this policy and reported to the board of trustees on a quarterly basis.

If it is found that a charity employee, volunteer or trustee has not followed the requirements of this policy, this may result in disciplinary action in line with the PCAS Disciplinary Policy.

Safeguarding & Trustee Duties

The Board of Trustees have the following responsibilities:

To take reasonable steps to protect people who come into contact with the charity from harm, including:

People who benefit from the charity's work

Employees

Volunteers

Promote the wellbeing and welfare of the charity's clients.

This involves managing safeguarding risks, conducting an annual review of the safeguarding policy, and making sure this is available to all employees, volunteers and clients.

The Board of Trustees must also ensure that any safeguarding incidents meeting the criteria of a serious incident according to the Charity Commission, are reported.

What is a serious incident? (Taken from the Charity Commission reporting of serious incidents).

A serious incident is an adverse event, whether actual or alleged, which results in or risks significant:

Harm to your charity's clients, staff, volunteers or others who come into contact with your charity through its work.

Loss of your charity's money or assets.

Damage to your charity's property.

Harm to your charity's work or reputation.

(See Appendix F: the Charity Commission Example table deciding what to report).

Good Practice and Supporting Documentation:

Appendix A Relevant legislation and guidance that shapes and informs our approach.

Appendix B Different types of Abuse

Appendix C Lines of accountability and responsibility within the charity.

Appendix D Procedure for employees, volunteers and trustee reporting concerns/incidents of suspected risk or abuse.

Appendix E Safeguarding Proforma.

Appendix F Charity Commission Examples Table: deciding what to report.

Appendix G References and further reading.

Other relevant policies:

Disciplinary Policy

Whistleblowing Policy

Shropshire/Telford & Wrekin Multi Agency Adult Protection Policy.

Appendix A

Relevant Legislation and Guidance that shapes and informs our approach:

Charity Commission guidelines 2018

Human Rights Act 1998

Mental Capacity Act 2005

Safeguarding Vulnerable Groups Act 2006

Care Act 2014

The Essential Trustee (charity commission 2015)

Appendix B

Different Types of Abuse

Psychological – includes emotional abuse / threats of harm / deprivation of contact / humiliation / controlling behaviour / exploiting / corrupting / cyber bullying / exposure to the ill treatment of someone else.

Discriminatory – includes forms of harassment / slurs / similar treatment because of race / gender / gender identity / age / disability / sexual orientation or religion.

Physical – includes assault / hitting / slapping / pushing / restraint / inappropriate punishment / shaking / burning. Misuse of medication and or physical harm caused when a parent/carer fabricates the symptoms of or deliberately induces illness in a child.

Financial/Material – includes theft / fraud / internet scams / coercion / misuse or misappropriation of property or possessions.

Neglect/acts of omission – persistent ignoring of medical, emotional or physical care needs / failure to provide access to appropriate healthcare / withholding the necessities of life / unsupervised in inappropriate situations.

Sexual – includes rape / indecent exposure / sexual harassment / exposure to pornography against the persons will / other sexual acts without consent.

Organisational – covers neglect and poor practice within an institution or specific care setting or in someone's own home. Can be through neglect or poor professional practice resulting from policies / culture / systems.

Self-neglect – covers a wide range of behaviour e.g. neglecting to care for one's own health / hygiene / surroundings / hoarding.

Modern Slavery – covers human trafficking / forced labour / domestic servitude / forcing individuals into a life of abuse or inhumane treatment.

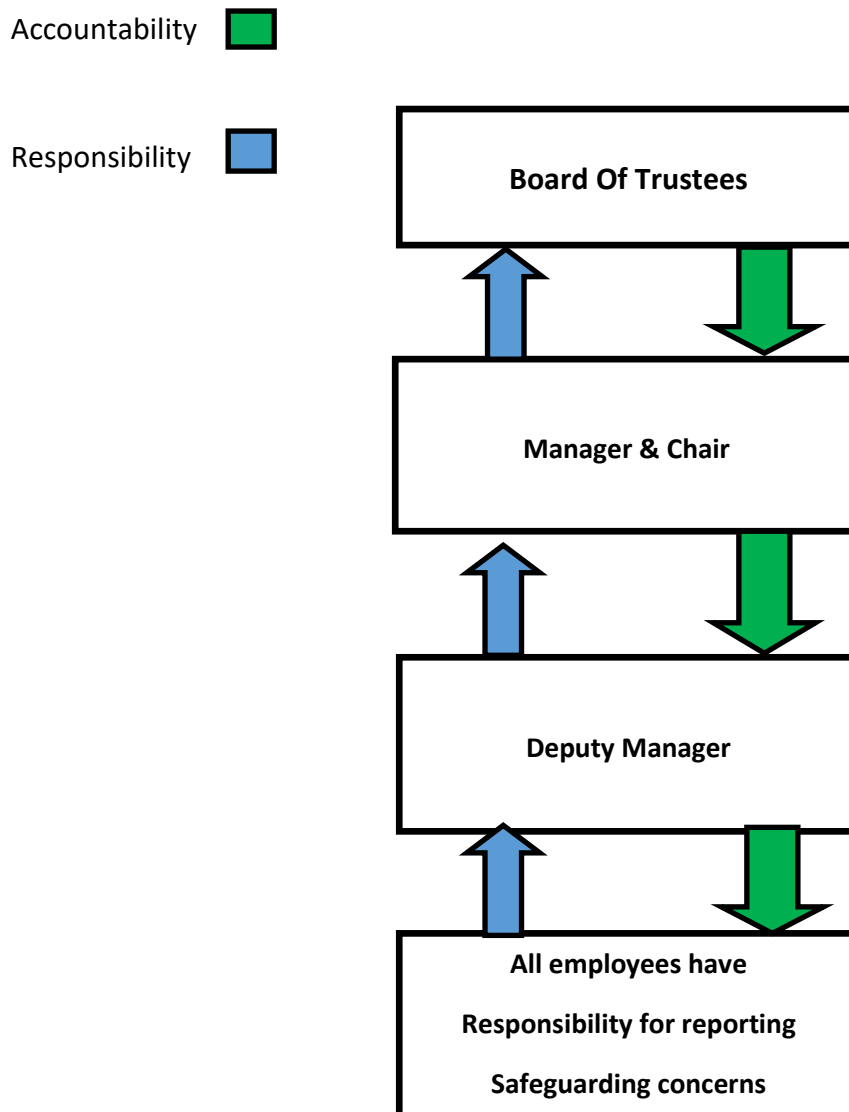
Domestic violence and abuse – the definition of domestic abuse is “Any incident of threatening behaviour, violence or abuse (psychological, physical, sexual, financial, emotional, controlling and coercive between those aged 16 and over, who are or have been intimate partners or family members, regardless of gender and sexuality. This includes issues of concern to black and minority ethnic (BME) communities such-as so called ‘honour killings’.

Abuse may be carried out deliberately or unknowingly and it may be a single or repeated act.

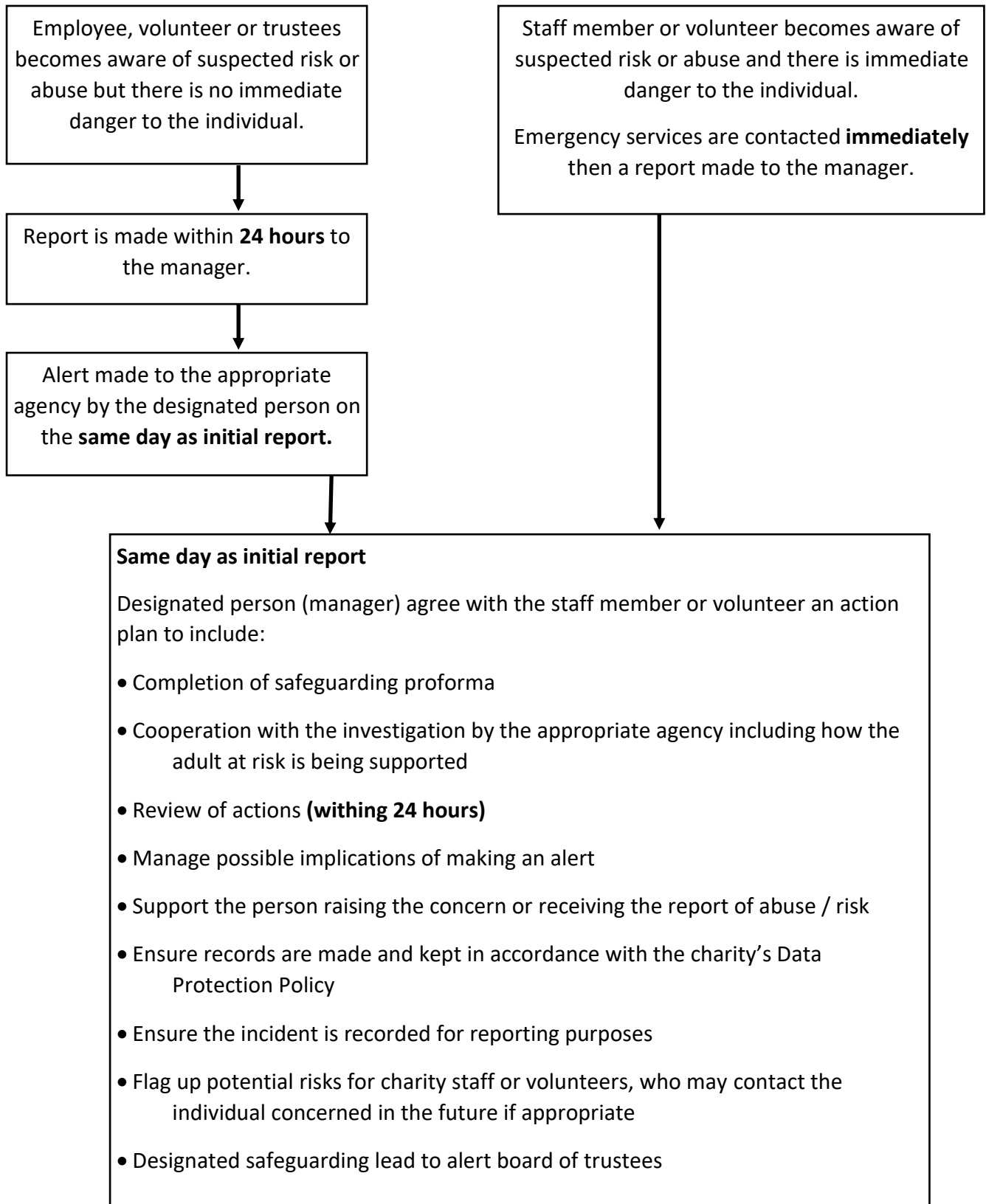
NB People at risk may be abused in more than one way.

Appendix C Lines of accountability and responsibility within the charity

The Board of Trustees holds accountability for all safeguarding practices for PCAS (the charity) – an accountability and responsibility chart is provided below:



Appendix D
Procedure for employees, volunteers and trustee reporting
concerns/incidents of suspected risk or abuse:



Appendix E
Safeguarding proforma
 Safeguarding Incident record

Check to make sure your report is clear to someone else reading it.

Incident date refers to the date recording of this incident (this should be the date you are made aware of the concern), if you any information regarding a relevant past incident add into details of concern section.

This will be the main record of the safeguarding incident and will need updating until concern is closed.

Form completed by		Date	Role
Information about person you have safeguarding concerns for			
Full name	DOB/Age	Gender	Additional needs e.g. Health/disabilities/social/housing/other
Home Address/Current address if different from home address			
Email address			Telephone
G.P details if known			
If concern raised by third party add their details here			
Significant Others if known (relatives, carers, friends, health / social care / other professionals to brackets etc)			

Name	Relationship to person	Address	Tel No

Details of concern

Date of incident

What happened / What is the concern?

Has person involved expressed what they want to happen? Do they have mental capacity to make an informed decision?

Breach of confidentiality information: Y / N

Is the person concerned aware that information has been shared with outside agencies and why?

What needs to happen? Note actions, including names of anyone to whom your information was passed and when.

Status

Recommendation	Action	Who Responsible	Completion Date	Progress update

Children: are there children or other vulnerable adults in the household even if not subject of the immediate safeguarding concern Y / N				
Details:				
Inform			Date	
Designated Safeguarding Lead / Manager				
Record Keeping				
Recorded on safeguarding database				

Breach of confidentiality may include:

Was information shared with outside agency?

(indicate with 'YES' where relevant below & provide additional details)

- 999 ambulance &/or Police
- GP (GP name / surgery name / phone number)
- Safeguarding Adult Team (name of person receiving your referral / phone number / Location)
- Other health professional (please specify & give name / phone number)
- Quality Care Commission (name of person receiving your referral / phone number)
- Other charity organisation e.g. Action on Elder Abuse

Appendix F



CHARITY COMMISSION
FOR ENGLAND AND WALES

Examples table: deciding what to report

Serious incidents to report	Incidents not to report
Protecting people and safeguarding incidents	
<p>A beneficiary or other individual connected with the charity's activities has/alleges to have suffered serious harm</p> <p>Allegation that a staff member has physically or sexually assaulted or neglected a beneficiary whilst under the charity's care</p> <p>The Chief Executive of the charity has been suspended pending the outcome of an investigation into their alleged sexual harassment of a fellow member of staff</p> <p>Allegation that a trustee, staff member or volunteer has been sexually assaulted by another trustee, staff member or volunteer</p> <p>A staff computer is found to contain images of child pornography</p> <p>An internal investigation has established that there is a widespread culture of bullying within the charity</p> <p>A beneficiary or individual connected with the charity's activities has died or been seriously harmed; a significant contributory factor is the charity's failure to implement a relevant policy</p> <p>Charity failed to carry out DBS checks which would have identified that a member of staff or trustee was disqualified in law (under safeguarding legislation) from holding that position</p>	<p>Minor unusual/aggressive behaviour by a beneficiary towards a member of staff</p> <p>Police called to charity premises because a beneficiary is drunk and disorderly</p> <p>Charity becomes aware of allegations of abuse or neglect of a beneficiary that occurred outside the charity; the charity has reported the allegations to the appropriate agencies, and there is no harm to the charity's reputation</p> <p>Beneficiary in a care home received the wrong medication as a 'one-off' error and there was no significant harm</p> <p>Logged accident book reports where there was no significant harm to individuals</p> <p>Details of reports under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR) where there has been no significant harm to individuals</p> <p>Minor accidental injury to a charity service user e.g. slipping on a wet floor</p> <p>A staff member who is not in a senior position or position of specific responsibility (e.g. head of safeguarding) has bullied or harassed a fellow staff member. There is</p>

<p>Repeated medication errors to beneficiaries in a care home indicating a systemic problem</p> <p>Charity discovers that an employee or volunteer coming into contact with children or at risk adults is on the sex offenders register</p>	<p>no indication of a widespread culture of bullying or harassment within the charity and the incident is dealt with by minor disciplinary action (for example, the staff member responsible has not been suspended or dismissed).</p> <p>A staff member who is not in a senior position or position of specific responsibility is dismissed for marrying a member of the community in which the charity is working, in breach of the charity's code of conduct but not in breach of local laws</p>
<p>Fraud, cyber-crime and money laundering</p>	
<p>Charity's Chief Executive and Treasurer produced false invoices for charity services</p> <p>A bogus fundraising scheme is being promoted online, using charity's name</p> <p>Charity funds lost due to an online or telephone 'phishing scam', where trustees were conned into giving out bank account details</p> <p>Attempted fraud by a member of charity staff but intercepted by internal financial controls</p> <p>Any actual/alleged fraud or money laundering should be reported. Any actual/alleged cyber-crime should be reported with the exception of the example in the right hand column</p>	<p>Attempted cyber-crimes that are blocked by the charity's computer network security systems, except where the attempted cyber-crime is unusual in nature and the charity wants to bring it to the attention of the Commission</p>
<p>Theft</p>	

<p>Each month, between £100-£200 goes missing, suspected stolen, from the cash till in the charity shop. It has been going on for six months and has been reported to the police.</p> <p>Charity office has been broken into and computers, holding personal details of beneficiaries and donors, stolen</p> <p>Remember, there is no minimum loss figure that should be reported. You need to decide whether incidents are serious enough to report, in the context of your charity and its</p>	<p>One-off random theft of items such as jewellery or a mobile phone at the charity's premises</p> <p>Theft of small amounts of cash belonging to a beneficiary, by another beneficiary, at a charity event</p> <p>Theft of a collection tin thought to contain small amount of cash</p>
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<p>income, taking account of the actual harm and potential risks posed</p>	
<p>Unverified or suspicious donations</p>	
<p>A significant amount over £25,000 is donated to the charity from an unknown or unverifiable source</p>	<p>Large legacy left in a will, received via solicitor dealing with probate, on condition donor remains anonymous</p> <p>Large donation made by an anonymous donor via solicitor who is aware of their identity</p> <p>Low value donations from unknown sources - refer to our guidance on due diligence and monitoring end use of funds</p>
<p>Other significant financial loss</p>	

<p>Significant loss of charity funds in a poor investment scheme, commissioned by trustees, without professional advice</p> <p>Sudden loss of 20% or more of charity's income (e.g. due to termination of major donor contract); charity has no reserves, meaning staff will be laid off and services stopped</p> <p>Substantial loss of charity funds due to legal costs incurred in a court case; excludes those charities routinely undertaking budgeted litigation on behalf of beneficiaries</p> <p>The charity's main premises is severely damaged in a fire and the charity is unable to deliver services to its beneficiaries</p>	<p>Loss of charity funds where the value lost represents less than £25,000 of charity assets and is less than 20% of the charity's income. There is no significant impact on the charity's services.</p> <p>Charity property overseas is damaged due to bad weather conditions (e.g. office roof blown off during a storm) but doesn't prevent charity from delivering services to beneficiaries</p> <p>A vehicle owned by the charity is badly damaged in an accident. Nobody was hurt, the damage is covered by insurance and the charity is still able to deliver services to its beneficiaries</p>
<p>Links to terrorism or extremism</p>	
<p>Charity discovers that an overseas partner has passed money to a member of charity's personnel who is a designated individual, subject to financial restrictions</p>	
<p>A member of charity staff or volunteer has been arrested for terrorism related offences</p> <p>Charity's warehouse in a war zone has been raided and vehicles/ stock taken at gunpoint</p> <p>Charity personnel have been detained or kidnapped by a terrorist group overseas</p> <p>A visiting speaker has used a charity event to promote extremist messages, via live speech or social media</p>	
<p>Other significant incidents - Disqualified person acting as a trustee</p>	

<p>Any person acting as a trustee or senior manager while disqualified – refer to the Commission’s guidance</p>	<p>A trustee or senior manager voluntarily steps down from trusteeship when disqualified for having an IVA (Individual Voluntary Arrangement)</p>
<p>Charity subject to investigation by a regulatory body</p>	
<p>Charity is subject to official investigation by another regulator e.g. Fundraising Regulator, Police, UK Visas & Immigration, Ofcom, Information Commissioner, Care Quality Commission or Care Inspectorate Wales</p>	<p>Routine inspections by a sector regulator e.g. Ofsted, CQC or CIW, do not need to be reported to the Commission unless there are adverse findings that place the future of the charity in doubt, relate to other categories of serious incidents or are likely to attract negative media attention</p>
<p>Major governance issues</p>	
<p>Mass resignation of trustees, leaving the charity unable to function</p> <p>Evidence that trustees have routinely signed blank cheques</p>	<p>One or two trustees stepping down at yearend, due to other commitments</p>

Fundraising issues	
<p>Suspicious of unauthorised public collections in A the name of the charity small sum of money</p> <p>Charity hasn't complied with law on Failure of a for solicitation statements or to submit small professional fundraising agreements for the charity</p> <p>Significant funds, due under a fundraising arrangement, have not been paid by the professional fundraiser, or commercial partner to the charity</p> <p>Incident has taken place involving a fundraising agency which will incur serious damage to the charity's reputation</p>	<p>missing collection tin thought to contain a sponsor, e.g. of a local fun run, requirements amounts of money raised</p>
Data breaches or loss	
<p>Charity's data has been accessed by an unknown person; this data was accessed and deleted, including the charity's email account, donor names and addresses</p> <p>A charity laptop, containing personal details of beneficiaries or staff, has been stolen and there is no encryption or other security measures that would prevent the perpetrator from accessing this information</p> <p>A Data Protection Act breach has occurred and been reported to the ICO</p>	<p>A charity laptop or mobile phone (not containing confidential data) has gone missing – it's been reported to the police</p>
Incidents involving partners	

<p>A delivery partner of the charity is alleged to have links to terrorism and extremism</p> <p>A delivery partner of the charity has ceased to operate and this has prevented the charity from providing assistance to its beneficiaries</p> <p>The charity's subsidiary trading company has gone into liquidation and this has resulted in financial difficulties which place the future of the charity in doubt</p>	<p>A serious incident has taken place involving a partner but it has no or minimal impact on the charity's reputation or the partner's ability to deliver its work with the charity</p> <p>A delivery partner of the charity has ceased to operate and this has had some impact on the charity's ability to provide assistance to its beneficiaries but it is not a</p>
<p>Staff of another organisation within the same federated structure are found to have been committing systematic abuse of beneficiaries and this has significantly damaged the reputation of the charity</p>	<p>material impact and the assistance to beneficiaries hasn't stopped</p>
<p>Other, including criminality</p>	
<p>Any other type of incident that appears serious and likely to damage reputation or incur loss of charitable funds/assets</p>	

Appendix G

References & Further Reading

- Human Rights Act 1998
- Mental Capacity Act 2005
- The Safeguarding Vulnerable Groups Act 2006
- Deprivation of Liberty Safeguards 2009
- Charity Commission – Strategy for dealing with safeguarding issues in charities – updated 2018
- Care Act 2014
- General Data Protection Regulations 2016/679
- Data Protection Act 2018
- GOV.UK Charity Commission Regulatory Alert 2018
- Care and support statutory guidance 2018
- Finding new trustees (charity commission 2012)
- Charities: how to protect vulnerable groups including charities (GOV.UK 2013)
- The Essential Trustee (charities commission 2015)
- Safeguarding adults multi agency policy – West Midlands.