

# SAFEGUARDING & PREVENT

## BOARD OF DEPUTIES POLICY

LAST UPDATED: JANUARY 2020

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### **What are the key policy principles?**

The Board of Deputies is committed to ensuring its safeguarding practices reflect statutory responsibilities, government guidance and comply with best practice and requirements.

The Board of Deputies recognises that the welfare and interests of children, young people and vulnerable adults are important in all circumstances, regardless of age, gender, religion or beliefs, ethnicity, disability, sexual orientation or socio-economic background.

### **The Board of Deputies - People Responsibilities**

Employees/Volunteers are responsible for:

- Ensuring that you are fully aware of this policy, so when you believe there is a need to notify us of such an incident you immediately inform the safeguarding lead or necessary authorities within the organisation.

The Designated Safeguarding Lead is responsible for:

- Ensuring compliance
- Undertaking and completing a full investigation on any issues or concerns raised
- Reporting any incident to the necessary authorities

### **What is the process?**

#### **1. Our commitment**

This policy has been produced to help you to establish safe and responsive environments which safeguard all individuals and reduce the risk of you being unjustly accused of improper or unprofessional conduct.

We all have a duty of care to safeguard and promote welfare, and to enhance awareness of the broader welfare spectrum, specifically the issues facing young people in today's society. Staff members and volunteers are to report any signs of abuse or neglect to the Designated Safeguarding Lead.

#### **2. Objectives**

The aim of the policy is to ensure you are aware of, and understand, your responsibilities.

This means understanding the responsibility of others, and recognising signs that might be a safeguarding concern, along with knowing the reporting procedures for all safeguarding issues.

### 3. Scope

This policy covers the safeguarding of children and adults at risk, visitors who are engaging with our education department and those in settings where we operate who fall into the category of child or an adult at risk.

It is inclusive of specific highlighted safeguarding agenda areas as defined by law and also aligns our compliance with the Government Prevent strategy.

### 4. Historical Abuse

When allegations of historical abuse are made this policy and procedure should also be followed.

### 5. Key Contacts

**Designated Safeguarding Lead:** Director of Operations (currently Judy Silkoff)

**Email:** judy.silkoff@bod.org.uk

**Contact No:** 020 7543 5436

### 6. Definitions

**Safeguarding** is the action that is taken to promote the welfare of children and protect them from harm (NSPCC) and can also apply to adults at risk, (previously known as vulnerable adults), over the age of 18. The Safeguarding Agenda includes a wide range of potential issues:

- Abuse (physical, emotional, financial, institutional, sexual, organisational)
- Self-neglect
- Discrimination
- Child sexual exploitation
- Bullying & cyberbullying
- Substance misuse
- Fabricated or induced illness
- Faith abuse
- Forced marriage
- Gang and youth violence
- Private fostering
- Female genital mutilation (FGM)
- Gender based violence
- Radicalisation
- Sexting
- Teenage relationship abuse
- Mental health concerns

A 'child' is defined as anyone under the age of 18 including unborn children right up to teenagers (UK government guidance: 'Working together')

An 'adult at risk' (previously 'vulnerable adult') is defined as any person over the age of 18 and at risk of abuse or neglect because of their need for support or their personal circumstance.

Alongside the Safeguarding Agenda above, this could be due to, and not limited to any of the following:

- Living in sheltered housing
- Receiving any form of healthcare
- Receiving a welfare service to support their need to live independently
- Receiving a service due to their age or disability
- Living in residential accommodation such as a care home
- Receiving domiciliary care in their own home

While the definitions of a child and adult at risk give the rationale for legislative intervention, it is important to note that an individual may be deemed at higher risk of a safeguarding issue affecting them due to other factors, examples:

- Poor numeracy and literacy skill, or specific learning need
- Unsupportive home environment
- English not a first language
- Unsupportive employer
- Under-represented group
- Acting as a carer for another family member
- Background in offending
- Disability or social need

## **7. Our responsibility**

We all have a responsibility to ensure that children, young people and adults at risk are protected from harm, informed about potential risks to their welfare, and understand how to seek help.

We must ensure all concerns are dealt in a timely manner and appropriately. We also have a responsibility to minimise the risk of allegations against you.

All staff and volunteers are expected to comply with any DBS check request that is specifically made of them by the Director of Operations and to have a good understanding of what constitutes a safeguarding or welfare concern and how to provide support and guidance in such instances, and the channels for escalating a concern.

To assist you in this we will provide training and awareness to help you to feel confident in proactively promoting safeguarding and understanding your individual responsibilities.

The responsibilities of The Board of Deputies Staff and Board are detailed below:

- Our Directors - to ensure we have effective policies.
- Our Board - to ensure policies are implemented and followed, and sufficient time and resources are allocated to employees to carry out their responsibilities.
- Our Designated Safeguarding Lead - to carry out investigations where appropriate into welfare concerns reported and liaise with external bodies such as the safeguarding board where appropriate. Overall recording and management of safeguarding issues and report on any issues that arise. Review procedures and policies on a timely basis. Maintain own CPD to ensure their role can be fulfilled competently.
- Our Staff/Volunteers - to check safety and welfare of all groups and individuals visiting who are potentially vulnerable children and adults at risk.

## **8. Safer Recruitment**

The Board of Deputies carries out a safe recruitment process and ensures that all appropriate checks are carried out on new staff that will work or encounter children, young people and adults at risk in what is known as regulated activity (as per the definition below), in line with the Disclosure and Barring Service requirements.

### **8.1 Disclosure and Barring Service Checks**

The Disclosure and Barring Service (DBS) is an executive agency of the Home Office and its primary purpose is to help employers make safer recruitment decisions and appointments. By conducting checks DBS helps to identify applicants who may be unsuitable for certain work and positions, especially those involving contact children, young people and adults at risk. Depending on the type and regularity of contact with children or adults at risk involved in a particular role, employers are entitled to make appropriate types of enquiry about the applicant's criminal record and seek a disclosure through a DBS check.

The Board of Deputies undertakes different types of criminal records checks depending on the role applied for:

1. Standard DBS check: this will be for positions that are included in the Rehabilitation of Offenders Act (ROA) 1974 (Exceptions) Order 1975. This type of check contains details of individual's convictions, cautions, reprimands or warnings recorded on police central records and includes both 'spent' and 'unspent' convictions that will be shown on a criminal records check.
2. Enhanced DBS check: this will be for positions included in both the ROA 1974 Exceptions Order and in the Police Act 1997 regulations. This type of check contains the same details as the standard check plus any information held locally by police forces that it is reasonably considered to be relevant to the post applied for.
3. Enhanced DBS & barred list check (child): an enhanced check with information from the DBS' children's barred list is only available for those individuals engaged in regulated activity with children and a small number of posts as listed in the Police Act 1997 regulations.
4. Enhanced DBS & barred list check (adult): an enhanced check with information from the DBS' adults barred list is only available for those individuals engaged in regulated

activity with adults and a small number of posts as listed in the Police Act 1997 regulations.

5. Enhanced DBS & barred list check (child and adult): an enhanced check with information from the DBS' children and adults barred list is only available for those individuals engaged in regulated activity with both vulnerable groups including children and a small number of posts as listed in the Police Act 1997 regulations.

## **8.2 When and What Type of DBS Check is Appropriate**

The Safeguarding Vulnerable Groups Act 2006 (amended by the Protection of Freedoms Act 2012) defines what types of activities involving children, young people and adults at risk are regulated and therefore require barring list checks.

'Regulated Activity' is a term that defines activities that an individual engages in. The criteria for regulated activity differs for adult and children as detailed below:

### **Children**

- Regular activity (once per week or 4 times over the course of 1 month)
- Unsupervised activity
- Teaching, training, assessing, mentoring based activities - working intensively and closely with a child
- Within specified setting

### **Adult**

- Aiding in someone's personal affairs or allowing someone else to do so
- Aid with cash, bills and shopping (allowing someone else to or shopping on someone's behalf)

Further advice on types of DBS disclosure and the circumstances in which regulated activity applies can be obtained from the Designated Safeguarding Lead.

When the most suitable candidate for a position that requires a DBS check has been identified, the offer of appointment will be made subject to a satisfactory DBS, right to work, references and qualification checks.

In the instance that the outcome of a DBS check has not been received from the appropriate authority prior to any regulated activity being carried out, all activities or visits that involve with children or adults at risk will be supervised by a person whose DBS outcome has been received and approved.

The Designated Safeguarding Lead will be responsible for arranging this supervision.

As a DBS check forms part of our recruitment process for roles that are involved in regulated activity, we encourage all candidates to declare anything relevant to the type of disclosure required for the role they applied for. Once an offer has been made, candidates should tell us of any further details of convictions, including those that normally would be considered as spent, cautions or reprimands.

DBS checks have no official expiry date. We will re-apply for the appropriate types of DBS checks as or when required, and our aim is to review on a 3-year basis during employment with The Board of Deputies.

### **8.3 Confidentiality**

Information provided in a DBS disclosure report must be kept confidential and only on a need-to-know basis. Such information will be handled in accordance with The Board of Deputies' policies on data protection.

We recognise that job applicants and our employees need to feel confident that information about their convictions will not be disclosed to colleagues unless there is a specific reason for doing so. Those involved in recruitment decisions should ensure that when appointing an individual with a conviction, they are advised as to whom within The Board of Deputies knows of their conviction and the reasons why the information has been disclosed.

A failure to disclose information relevant to the type of DBS check appropriate to the role (eg, having a criminal record) does not necessarily preclude an individual from working at The Board of Deputies

The decision as to whether a person with a criminal record should be appointed, or an offer of employment withdrawn, or employment terminated, will be taken only after careful and thorough consideration of the outcome of any DBS check as well as the job and offence-related factors.

A failure to disclose information relevant to the type of DBS check appropriate to the role would be seen by The Board of Deputies as a breach of trust and confidence. Such acts are considered as gross misconduct and the employee would be invited to a disciplinary hearing with a potential outcome of instant dismissal.

### **8.4 Exploring the Relevance of Information Provided in the Disclosure Report**

As explained in the previous section, having a criminal record does not necessarily preclude an individual from working at The Board of Deputies. The decision as to whether a candidate with a criminal record should be appointed, or an offer of employment withdrawn, will be taken only after careful and thorough consideration of the outcome of any DBS check as well as the job offered.

Like the recruitment process, a disclosure of a criminal record will not necessarily lead to termination of employment and the decision will be taken only after careful and thorough consideration of the job and offence-related factors. Any decision to terminate employment would follow our Disciplinary Policy (or Probation). The Designated Safeguarding Lead will make an initial assessment of the content of the disclosure report.

### **8.5 Exploring a Conviction and its Relevance**

All discussions relating to convictions must take place after the selection process has been completed and will involve the line manager and the Designated Safeguarding Lead. As part of the decision-making process, they will normally meet with the individual to gain more information from the person about the nature and circumstances of any conviction.

The suitability for employment of a person with a criminal record will clearly vary, depending upon the nature of the job and the details and circumstances of any convictions.

The decision will be made based on a risk assessment to enable the applicant's criminal record and circumstances to be assessed in relation to the tasks he or she will be required to perform and the circumstances in which the work is to be carried out.

The following job-related factors should be considered:

- Does the post involve direct contact with children or adults at risk?
- What level of supervision will the post-holder receive?



- What level of trust is involved? Will the nature of the job present any opportunities for the post-holder to reoffend in the place of work?
- Does the post involve any contact with children or adults at risk, who could be, visitors, volunteers or employees?
- The assessment is also likely to include consideration of the following factors relating to the individual's offence(s):
  - The seriousness of the offence(s) and relevance to the safety of other employees, students, research subjects, the public etc.;
  - The length of time since the offence(s) occurred;

## **9. Reporting a Concern**

If a visiting child or adult at risk who is working with you has a concern over their own personal welfare and wellbeing, you are to listen to and record all information given, making no judgement or assumptions and inform the Designated Safeguarding Lead.

If a parent or carer of a visiting child or adult at risk who is working with you contacts you to report a concern about their child or the adult at risk, ensure you listen, and record the details. Ensure you have contact details for the parent or carer.

You must report the issue to the Designated Safeguarding Lead who will then decide the appropriate course of action, and if a referral outside the organisation is appropriate, liaise with the parent or carer as appropriate.

If a staff member or volunteer reports unsafe practices or safeguarding issues to you within their working environment, advise them to follow in-house reporting or whistle-blowing procedures. Report the incident to the Designated Safeguarding Lead who will offer additional guidance and signposting for the staff member or volunteer and will monitor.

It is important you do not pass any information to other parties or try to investigate the concern yourself.

If you require an immediate response, call the Designated Safeguarding Lead immediately. It should be noted that the Designated Safeguarding Lead may not be available out of normal working hours, so in circumstances where the individual is in immediate danger report the incident to the police on 999:

- The Designated Safeguarding Lead will endeavour to make initial contact with regards the concerns within 72 hours.
- The Designated Safeguarding Lead will assess if the individual is at risk of significant harm and decide upon the next course of action and complete the relevant documentation. This can range from offering signposting to support agencies to referral to the police and local safeguarding authorities, referral to the Prevent duty officer for the region and contact Chanel. This may also involve passing information to the DBS.

## **10. Training and Educating Employees**

The Designated Safeguarding Lead holds a formal safeguarding qualification and undertakes regular CPD events in order to keep updated with legislation and refresh their knowledge.

## 11. Keeping Yourself Safe

Maintaining personal safety is also encouraged and the following activities are strictly prohibited:

- Befriending visiting children or adults at risk or children and adults at risk who are working or volunteering with us on personal social media sites or distributing personal telephone numbers
- Visiting children, young adults or adults at risk at home or transporting them to and from locations
- You may naturally build a rapport with visiting children or adults at risk or children and adults at risk who are working or volunteering with us they may see you as a confident and support, but be sure to maintain professional boundaries whenever carrying out work on The Board of Deputies' behalf.
- Be respectful of all young and vulnerable adults at risk, and appreciate you are in a position of trust. We have the opportunity to listen to their concerns and support them.
- Avoid spending time alone with visiting children or adults at risk or children and adults at risk who are working or volunteering with us in a closed environment. If this is unavoidable for example during a one to one discussion/supervision, ensure another member of staff is aware where you are and monitors this.
- Be careful when giving visiting children or adults at risk or children and adults at risk who are working or volunteering with us advice – as this is based on your opinion, focus support around information (facts) and guidance (signposting).
- If at any point you feel unsafe in the company of a visiting children or adults at risk or children and adults at risk who are working or volunteering with us inform your line manager and the Designated Safeguarding Lead as soon as possible and take yourself out of the situation – if possible leave the premises.

## 12. Procedure for Responding to Allegations or Suspicions against a The Board of Deputies member of staff or volunteer

It is not the responsibility of any staff member or volunteer to decide whether or not abuse against a child or adult at risk has taken place. However, there is a responsibility to act on any concerns through contact with the appropriate authorities.

The Board of Deputies will assure all representatives that it will fully support anyone who in good faith reports their concern that a colleague is, or may be, abusing a child or adult at risk.

The Board of Deputies will seek social services advice on who should approach the alleged abuser.

The Board of Deputies understands that it has a duty towards its employees and volunteers to treat them in a fair and reasonable manner at all times, including if an allegation has been made against them. Consideration will be given to the kind of support those members of staff or volunteers against whom an allegation of abuse has been made require.

**Where there is a complaint against a member of staff or volunteer there may be three types of investigation:**

- a criminal investigation
- a child protection or adult services investigation



- a disciplinary or misconduct investigation.

The results of the police and child protection or adult services investigation may well influence the disciplinary investigation, but not necessarily so.

**Action:**

**1. Concerns about poor practice:**

If, following consideration, the allegation is clearly about poor practice, The Board of Deputies will deal with it as a misconduct issue.

**2. Concerns about suspected abuse:**

Any suspicion that a child, young person or adult at risk has been abused by a representative should be reported to the Lead Designated Safeguarding Officer who will take such steps as considered necessary to ensure the safety of the child or adult in question and any other child or adult who may be at risk.

The Board of Deputies will refer the allegation to the social services department which may involve the police or go directly to the police if out of hours.

The parents or carers of the child or carers of the adult will be contacted as soon as possible following advice from the social services department.

The Board of Deputies will also notify the relevant department who will deal with any media enquiries.

**Date: January 2020**

**Next review date: August 2020**