



Safeguarding Children & Vulnerable Adults Policy

Policy Management

Policy Owner/Author	Dami Solebo
Final Version Approved By	Sophie Lewisohn
Final Version Approval Date	01/09/2023
Review Date (Within 12 months of approval)	01/09/2024

SAFEGUARDING CHILDREN & VULNERABLE ADULTS POLICY

INTRODUCTION

This policy aims to detail the framework for promoting and ensuring the safeguarding and protection of all who use ClementJames services.

Safeguarding in this context means recognising that the needs, wellbeing and safety of our learners and clients are considered at all times, and that actions relating to this are in line with legislative requirements and government recommendations.

1. PURPOSE

This policy:

- 1.1. Aims to ensure relevant and effective safeguarding practices exist within The ClementJames Centre and that a culture of adherence and continuous improvement in those practices is encouraged. It does so by setting out the framework of values and responsibilities within which other Centre policies and codes must operate and with which they must be consistent.
- 1.2. Articulates the right of every student and client of The ClementJames Centre to work within a safe, cooperative learning and working environment.
- 1.3. Explicitly commits The ClementJames Centre to:
 - be proactive in promoting child protection, Health & Wellbeing and student safety and development.
 - encourage and support all students and clients to help them get the best from themselves with support from others.
 - support and develop all staff so that they can operate effectively in this area of responsibility and contribute to the provision of an excellent experience and continued support.
 - working in partnership with the wider community and within legislative guidelines to establish, promote and model good practice and to tackle relevant issues.

2. SCOPE

2.1. All students, staff and other users of The ClementJames Centre, and all The ClementJames Centre activities.

3. DEFINITIONS

- 3.1. **Safeguarding** and Promoting the welfare of Children and Young People is defined within the Government Working Together to Safeguard Children 2015 Guidance as
 - protecting children from maltreatment
 - preventing impairment of children's health or development
 - ensuring that children grow up in circumstances consistent with the provision of safe and effective care
 - and taking action to enable all children to have the best outcomes

3.2 Child Protection is a part of safeguarding and refers to the specific activity that is undertaken to protect Children and Young People who are suffering, or who are at likely future risk of suffering, significant harm.

3.3 Section 47 of the Children Act 1989 introduced the concept of **significant harm** as the threshold to justify compulsory intervention in family life by statutory agencies; namely, Children and Young People’s Services, Police and the NSPCC. There are no absolute criteria as to what constitutes significant harm, and a judgment will need to be made on a case by case basis depending on the nature, degree and duration of the harm and many other factors, including the family’s strengths and support systems.

Even where a child or young person has been assessed as being at risk of significant harm, the overriding aim will be to work in partnership to support the family in being able to care safely for the child/children or young person(s). Other non-statutory agencies and services have a vital role in contributing to this work as well as earlier identification and intervention to prevent problems arising or escalating.

3.4 Children’s Social Care refers to the work of local authorities exercising their social services functions with regard to children. Arrangements for children’s social care will differ within each local authority and each Team/Centre Leader should ensure that s/he is familiar with the systems operated by their Local Authority.

4. POLICY STATEMENT

4.1 The ClementJames Centre is committed to the principle and practice of safeguarding. It is, therefore, the responsibility of everyone within The ClementJames Centre to ensure the safety and wellbeing of our students and clients. This could be on the grounds of harassment, abuse, neglect or personal safety.

4.2 In making that commitment, The ClementJames Centre recognises that its practices are also bound by a broad framework of legislation which includes:

Data Protection Act 1998 Human Rights Act 1998 Employment Protection Act 1975 Employment Relation Act 1999 Safeguarding Children in Education Every Child matters Children Acts of 1989 and 2004 United Convention of The Rights of the Child 1991 Keeping Children Safe in Education 2020 NSPCC Safer Recruitment Guide Children 1st Guidance Statutory Guidance on the Prevent Duty Statutory Guidance on FGM	Protection from Harassment Act 1997 Special Educational Needs and Disability Act 2001 Sex Discrimination Act 1975/1986 Safeguarding Vulnerable Groups Act 2006 London Child Protection Procedures 2007 Counter Terrorism and Security Act 2015 European Convention of Human Rights 1953 Sexual Offences Act 2003 Care Act 2014 Working Together to Safeguard Children 2018 Sexual Violence and Sexual Harassment Between Children 2018 Information Sharing 2018
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In addition to being bound by the legislative framework, The ClementJames Centre will use recognised codes of practice as the benchmark for procedures and measures introduced to ensure greater protection of our students and clients.

It is the case that the Children Acts 1989 and 2004 define a child as anyone who has not yet reached their 18th birthday. However, The ClementJames Centre will take action based on additional individual situations; for example where a student is over 18 but wishes to report

abuse which took place when they were younger or establishing if there are younger siblings in a family who are at risk.

A vulnerable adult is someone who is aged 18 years or over who 'is or may or may be in need of community care services by reasons of mental health or other disability, age or illness' and 'is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation'.

(Who Decides- Lord Chancellors Department (1997))

A vulnerable adult may be a person who for example:

- Has learning disabilities
- Suffers from mental illness
- Has physical disability
- Is a substance misuser
- Is homeless
- Is in an abusive relationship

4.3 The commitment to safeguarding extends collectively to everyone in The ClementJames Centre and all that we do. It is implicit that we will develop systems which deal with such matters and which will promote respect and safety for individuals and good relations between people across all areas of the The ClementJames Centre; with particular reference to

- opportunities for enrichment activities
- access to individual support
- partnerships with parents, communities, employers and other agencies
- staff recruitment
- professional development and access to further Child Protection training

The ClementJames Centre will take appropriate opportunities in these areas of its work to publicise and make explicit its commitment to the principle and practice of safeguarding. Procedures and practices developed by The ClementJames Centre management in these areas will also take a lead from and will comply with the principles and framework this policy sets out.

4.4 It is also the responsibility of individual members of The ClementJames Centre community to adopt the aims and values of this policy; to ensure user safety remains of paramount importance.

5. INTERNAL ROLES & RESPONSIBILITIES

5.1 The Trustees are responsible for ensuring that an appropriate Safeguarding Policy is in place and for nominating a 'Safeguarding Trustee' (see below)

5.2 The Safeguarding Trustee, Sophie Lewishon, has oversight of The ClementJames Centre's Safeguarding Policy and procedures, and responsibility for promoting the safeguarding of children, young people and adults within the charity.

5.3 Dami Solebo (Email: dami@clementjames.org tel:02072218810), The Chief Executive (CEO) - Designated Safeguarding Lead (DSL) and Deputy Safeguarding Lead, Esther Pickering (esther@clementjames.org) are responsible for ensuring that the Safeguarding

policy is implemented within the ClementJames Centre as a whole. They are responsible for coordinating processing and keeping records of all incidents and all referrals to external agencies, for internal staff and volunteer training and for ensuring that the charity is kept abreast of current legislation and best practice. They are responsible for supporting staff in their promotion to all students of awareness of their rights and responsibilities in respect of safeguarding and their knowledge of how to respond appropriately to concerns. They are also responsible for evaluating the organisation's adherence to its commitment to safeguarding and reporting to the board of trustees.

5.4 The Chief Operations Officer is responsible for ensuring that all employed staff have a current DBS check

5.5 Programme Managers are responsible for the implementation of the policy in their team and ensuring that all staff and volunteers are aware of the importance of the Safeguarding Policy. They are responsible for ensuring that all volunteers are checked with the DBS. They are also responsible for referring information to the Chief Executive/IU Team Leader and if required the Local Authority.

5.6 All staff and volunteers are responsible for safeguarding children, young people and adults. They should be diligent in sharing suspicions or disclosures with the Chief Executive/IU Team Leader and accurately recording information. They should promote to all students an awareness of their rights and responsibilities in respect of safeguarding and their knowledge of how to respond appropriately to concerns.

6. EXTERNAL ROLES & RESPONSIBILITIES

6.1 The Local Authority Designated Officer (LADO). The role of the LADO is set out in the HM Government guidance Working Together to Safeguard Children (2006). Appendix 5 outlines the procedures for managing allegations against people who work with children, for example, those in a position of trust, including club welfare officers. The LADO is located within Children's Services and should be alerted to all cases in which it is alleged that a person who works with children has:

- behaved in a way that has harmed, or may have harmed, a child
- possibly committed a criminal offence against children, or related to a child
- behaved towards a child or children in a way that indicates s/he is unsuitable to work with children.

The LADO is involved from the initial phase of the allegation through to the conclusion of the case.

Hammersmith and Fulham

Please call 020 8753 5125 and ask to speak to the Duty Child Protection Adviser

Email lado@lbhf.gov.uk

Kensington and Chelsea

Please call 020 7361 3013 and ask to speak to the Duty Child Protection Adviser

Email kclado.enquiries@rbkc.gov.uk Westminster

Please call 020 7641 7668 and ask to speak to the Duty Child Protection Adviser

Email lado@westminster.gov.uk

6.2 Local Authority Social Services. The local authority has a team overseeing safeguarding. Any concerns raised about children, young people or adults within The ClementJames Centre will be referred to the local authority.

Contact: socialservices@rbkc.gov.uk or tel: 020 7361 3013.

6.3 Bi-Borough Prevent Team. The local authority's Prevent department oversees the safeguarding of children and vulnerable adults from radicalisation and extremism. Any concerns raised about children, young people or adults within The ClementJames Centre will be referred to:

Contact: Bi-borough PREVENT

prevent@lbhf.gov.uk or tel: 020 8753 5727

6.4 The Police. Where a child, young person or adult has made a direct allegation or there is clear evidence of a person suffering or at risk of suffering significant harm the matter should be immediately referred to the Police (if it is not possible to obtain a response from social services).

6.5 Other Agencies. Other agencies who may be involved with the care of children, young people and adults or may be able to provide helpful information include:

- Schools (contact details can be found on the database)
- Education welfare (020 7598 4886)
- Blenheim Project (the London drug agency 02089605599)
- NSPCC (www.nspcc.org.uk, 08088005000)
- Family Friends (a charity helping families to help themselves: 020 8960 9099, info@familyfriends.uk.com)
- Mind (a charity working to improve the lives of people suffering from mental distress: 020 8964 1333, enquiries@kcmind.org.uk)

7. PRINCIPLES & VALUES

7.1 The welfare of all children, young people and adults is paramount

7.2 All children, young people and adults regardless of age, disability, gender, racial heritage, religious belief, sexual orientation or identity, have the right to equal protection from all types of harm or abuse

7.3 Working in partnership with children, young people, their parents, carers, vulnerable adults, and other agencies is essential in promoting children, young people and vulnerable adults' welfare.

7.4 The ClementJames Centre will seek to safeguard children, young people and vulnerable adults by:

- Valuing them, listening to and respecting them
- Recruiting staff and volunteers safely, ensuring all necessary checks are made. All staff and volunteers are required to obtain an Enhanced DBS check
- Sharing information about child protection, vulnerable adults and good practice with children, young people, adults, parents, staff, trustees and volunteers

- Sharing information about concerns with agencies who need to know, and involving parents, children and vulnerable adults appropriately
- Providing effective management for staff and volunteers through supervision, support and training

8. PROCEDURES

Where there is any concern of suspected abuse or neglect The ClementJames Centre staff and Volunteers must:

8.1 Inform the DSL or other member of the Senior Management Team (SMT) at the earliest possible opportunity. If neither are available, the chair of the trustee board should be contacted straight away.

8.2 The DSL or SMT will then decide whether to refer the concern to the local authority. If the matter is referred to the local authority, this should be done immediately by phone and followed in writing within 24 hours. Where a person has made a direct allegation or there is clear evidence of a person suffering or at risk of suffering significant harm the matter should immediately be referred to Social Services or the Police.

8.3 Whether the matter is referred or not, all relevant information should be collated and an accurate written record produced of any events, information or observations. This should be done as soon as possible on the student's or client's Salesforce record.

8.4 If required staff and volunteers must accurately fill out a referral form.

8.5 Staff and volunteers must complete and send a written referral to the DSL or other member of the SMT who will check the form and forward it to the Local Authority within 24 hours.

8.6 The Local Authority should acknowledge the written referral within one working day.

8.7 Staff and volunteers must check with the DSL or SMT that the referral form has been passed on.

8.8 If requested staff must be available to attend a child protection conference and/or strategy meeting.

8.9 When concerns are in relation to a person who has not reached the age of 18, the concerns should be discussed with the parent or carer and, where possible their agreement should be sought before making referrals to Children and Young People's Services unless this places a child or young person at increased risk of significant harm. For example, in cases where the allegation of abuse is of a sexual nature, this must involve a referral directly to Children and Young People's Services or the Police.

8.10 Where there is any concern of a child, young person or vulnerable adult being seduced by extreme ideological positions, the DSL, CEO or CPO should be informed at the earliest possible opportunity. The DSL, CEO or CPO will then decide whether to refer the concern to the local authority's Prevent team.

9. DEALING WITH ALLEGATIONS AGAINST STAFF & VOLUNTEERS

9.1 Allegations can arise against staff or volunteers and The ClementJames Centre is committed to having systems in place to deal with them fairly and consistently. Allegations may be that some kind of abuse has taken place but can also relate to conduct of concern or behaviour that falls short of professional standards. Allegations may arise from colleagues and

any staff member or volunteer who has concerns should feel safe to express them without fear of victimisation. Allegations can also arise because of misunderstanding or misinterpretation. They can be a way of seeking attention or in extreme cases maliciously motivated.

9.2 It is essential that all allegations should be brought to the attention of The Chief Operations Officer (COO) or the CEO immediately. If the allegation is against this person then chair of trustees should be informed.

9.3 The following action should be taken:

- Make sure that the child, young person or vulnerable adult is safe and away from the alleged perpetrator
- Refer the matter immediately to the COO who will discuss and agree the need for a referral to the Local Authority
- Follow any advice given regarding contact with the parents/carers if the alleged victim is a person who has not yet reached the age of eighteen.
- The ClementJames Centre's disciplinary procedures may be implemented, irrespective of the action that is taken by social workers or the police.
- Consider whether the subject has access to children, young people or vulnerable adults elsewhere and if so who needs to be informed.
- Work closely with the Local Authority as well as the police in following procedures.
- Follow up any external investigation with an internal review to ensure any changes needed are put in place.
- Keep a record of all allegations and reviews as this information will need to be provided to the Local Safeguarding Board, which has a responsibility to monitor practice and collect data on an annual basis.

10. INTERNET & COMPUTER SAFETY

10.1 The ClementJames Centre is committed to protecting children, young people and adults while using its services from the risks posed by the internet, the use of email, messaging and social networking. Students and clients are advised about the risks and measures that are in place to promote safe access to the internet.

10.2 The ClementJames Centre is aware of the increased risk to children and young people when using online platforms as seen in the 'How safe are our children online? 2019; An overview of data on child abuse online' review. We will keep children and young people safe by:

- providing clear and specific directions to staff and volunteers on how to behave online
- Supporting young people using our service to use the internet, social media and mobile phones in a way that keeps them safe
- Supporting parents/carers to do what they can to keep their children safe online
- Developing clear and robust procedures to enable us to respond appropriately to any incidents of inappropriate online behaviour
- Reviewing and updating the security of our information systems regularly

- Ensuring that images of children and families are used only after permission has been obtained, and only for the purpose for which consent has been given
- Providing supervision, support and training for staff and volunteers about online safety
- Examining and risk assessing any online platforms or new technologies before they are used within the organisation

11. MONITORING AND REVIEW

11.1 This policy applies to all staff, including senior managers and the Board of Trustees, paid staff, volunteers, students, clients and anyone working on behalf of The ClementJames Centre.

11.2 The ClementJames Centre is committed to reviewing our policy and good practice regularly

12. RECRUITMENT, SELECTION & TRAINING

12.1 The ClementJames Centre recruits staff and volunteers based on the best and the safest candidate.

12.2 All job particulars state that enhanced DBS check is a requirement of all employees at the charity.

12.3 Once candidates have been shortlisted The ClementJames Centre asks questions for safer recruitment. These question the candidate's motivation and attitudes to working with children, young people or vulnerable adults and the candidate's commitment to the ethos and values of the charity.

12.4 All applicants must sign a disclosure on the application form declaring any criminal convictions.

12.5 Before an appointment is made, satisfactory written references must have been received. These are checked with the original application to ensure that dates and other particulars match the application form. Any gaps/inconsistencies in a candidate's work history will be investigated. Candidates will be required to provide verification of identity and must supply original copies of degree certificates and other qualifications.

12.6 All volunteers will receive child protection/safeguarding training during their initial training period. All staff will receive child protection/safeguarding training within their first month of full employment. All trustees will receive child protection/safeguarding training.

13. CONFIDENTIALITY

13.1 Copies of all referral forms will be kept securely by the Chief Executive/IU Team Leader.

13.2 You should not discuss suspicions or allegations of abuse with anyone other than the staff members referred to in this policy.

14. PARENTAL INVOLVEMENT

14.1 Written permission is always obtained in advance for all on-site and off-site activities by the person/s with parental responsibility.

14.2 If possible, and the child or young person is not at risk of immediate harm, staff must inform the family first about any concerns (see 8.9 above).

15. Risk Assessments

The ClementJames Centre's risk assessments cover all staff and volunteers who children, young people and vulnerable adults may encounter through the activities of The ClementJames Centre's work. In preparing risk assessments for off-site, staff should ensure that other agencies (where appropriate) have an adequate Safeguarding policy and that all adults working with children or vulnerable adults have DBS clearance.

16. Ex-employees of the charity

From time to time ex-employees may come back to work or volunteer for the charity. Despite our prior relationship with them for the sake of this policy they should be treated in the same way as any other employee or volunteer whose DBS certificate has not been returned.

17. DBS Check Procedures

17.1 All paid staff, and all volunteer staff that have contact with children and young people in a specified place frequently or intensively, must obtain a satisfactory DBS enhanced clearance before their employment at The ClementJames Centre can be confirmed.

17.2 The DBS Manager will determine which volunteer roles do not require DBS clearance, assessing whether the role requires frequent or intensive work with children, young people or vulnerable adults, and whether the role is supervised by The ClementJames Centre staff with DBS clearance.

17.3 While a DBS application is being processed, paid staff and volunteers may work with children, young people and vulnerable adults as long as they are supervised by a member of The ClementJames Centre's staff who holds a DBS clearance. When staff complete their DBS application, they must also complete a Disclosure Declaration Form. This form will be held on file until a satisfactory DBS check has been received.

17.4 When staff complete their DBS application, they must also complete a Disclosure Declaration Form. (See Appendix C) This form will be held on file until a satisfactory DBS clearance has been received.

17.5 All DBS checks received by The ClementJames Centre will be considered by the DBS Manager and where there is a positive disclosure the DBS Manager will instigate a risk assessment process with the Chief Executive/IU Team Leader to decide whether the person is suitable to work with children, young people or vulnerable adults.

17.6 The risk assessment procedure will involve the following steps:

- The DBS Manager and Chief Executive will investigate the nature of the offence communicating, if necessary, with the applicant and (with the applicant's permission) any appropriate and relevant third parties.
- If further consideration is then needed, the DBS Manager will convene a Risk Assessment Panel consisting of the DBS Manager, The Chief Executive and the Trustee responsible for Safeguarding.
- The Risk Assessment Panel will make a decision on whether to employ the applicant as a paid member of staff or volunteer. In making this decision the panel will take into account:

- The nature and seriousness of the offence(s)
- The age at which the offence(s) was committed
- The time elapsed since the offence(s) was committed
- Any further offence(s)
- Circumstances at the time of the offence(s)
- The potential risk to children/young people/vulnerable adults
- Legal advice
- Whether the applicant declared any offences on the Confidential Declaration Form, job application form and/or at interview
- The Risk Assessment Panel will decide whether any further action is required for example contacting the police or safeguarding authorities.
- The Risk Assessment will be kept securely, in a password restricted document file.

18. SECURE HANDLING

18.1 As an organisation using the DBS service to help assess the suitability of applicants for positions of trust, The ClementJames Centre complies fully with the DBS Code of Practice regarding the correct handling, use, storage, retention and disposal of Disclosures and Disclosure information. It also complies fully with its obligations under the Data Protection Act 1998 and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of Disclosure information.

18.2 Disclosure information should be kept securely, in a password restricted document file or secure cabinet, with access strictly controlled and limited to persons authorised to see it as part of their duties

18.3 Handling in accordance with section 124 of the Police Act 1997, Disclosure information is only passed to those who are authorised to receive it in the course of their duties. It is a criminal offence to pass disclosure information to anyone who is not entitled to receive it.

18.4 Disclosure information is only used for the specific purpose for which it was requested and for which the applicant's full consent has been given.

18.5 Once a recruitment (or other relevant) decision has been made, we do not keep a Disclosure form for any longer than is necessary. If, in very exceptional circumstances, it is considered necessary to keep a Disclosure form for longer than six months, we will consult the DBS about this and will give full consideration to the data protection and human rights of the individual before doing so. Throughout this time, the usual conditions regarding the safe storage and strictly controlled access will prevail.

18.6 Once the retention period has elapsed, we will ensure that any Disclosure information is immediately destroyed by secure means, i.e. by shredding. We will not keep any photocopy or other image of the Disclosure or any copy or representation of the contents of a Disclosure. However, notwithstanding the above, we will keep a record of the date of issue of a Disclosure, the name of the subject, the type of Disclosure requested, the position for which the Disclosure was requested, the unique reference number of the Disclosure and the details of the recruitment decision taken. Any subsequent risk assessments will also be kept securely on file.

