

Safeguarding Policy for adults at risk and children

Safeguarding is the process of making sure that children and adults at risk are protected from harm. It means the range of measures we have in place to protect anyone who comes into contact with the charity from abuse and maltreatment of any kind. This includes beneficiaries, staff and volunteers.

This policy applies to all staff and volunteers including senior Managers and the Board of Trustees, paid staff, casual workers, agency staff, students or anyone working on behalf of Tenovus Cancer Care.

The purpose of this policy is:

- To ensure the safety of adults at risk and children who are in contact with the charity
- Make sure that we adequately support people who work with adults at risk and children on our behalf, such as contractors and commissioned services
- To make sure all staff and volunteers have an appropriate understanding of their role in safeguarding adults at risk and children
- To enable everyone associated with the charity to share allegations, concerns or disclosures

In our work with children and adults who may be at risk Tenovus Cancer Care will always endeavour to provide services and activities that minimise risk and are as safe as we can make them.

We aim to protect our service users from harm or maltreatment, prevent the impairment of health or development, and ensure the provision of safe and effective care. We will work in partnership with other local and national agencies to put in place appropriate procedures for reporting, making referrals, accessing training and specialist support, as and when required.

Context

The Social Services and Well-Being (Wales) Act 2014 is the driver and legislation for safeguarding in Wales under Part 7 Safeguarding of “the Act”. All information on the Act can be found at <https://socialcare.wales/hub/sswbact> including the accompanying safeguarding guidance Working Together to Safeguard People <https://gov.wales/safeguarding-guidance>. This guidance informs the practice guidance for all practitioners working with children or adults at risk in Wales and the Wales Safeguarding Procedures – which can be accessed by app to a phone, tablet or laptop from www.safeguarding.wales All frontline staff and volunteers and anyone with particular safeguarding responsibilities are encouraged to access the app and use it for reference and guidance.

For the purposes of this policy a child is anyone who has not yet reached their 18th birthday and therefore “children” means children and young people throughout.

An adult at risk is a person over 18 years of age who:

- is experiencing or is at risk of abuse or neglect;
- has needs for care and support; and
- as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it.

This may be a person who:

- has learning disabilities
- has mental health problems including dementia
- is an older person with support/care needs
- is physically frail or has chronic illness
- has a physical or sensory disability
- misuses drugs or alcohol
- has an autistic spectrum disorder

We should think about safeguarding in everything that we do including our policies, procedures and working practices, safer recruitment, ethical fundraising, how we manage concerns and complaints and enacting safeguarding risk assessments for all our activities.

Definition of abuse

Abuse is any behaviour towards a person that deliberately or unknowingly causes them harm, endangers life or violates their rights. It may consist of a single act or repeated acts. It includes not only physical, emotional and psychological ill treatment but also neglect (including self-neglect), financial (includes theft, fraud, pressure about money, misuse of money) or sexual abuse, and the impairment of physical, intellectual, emotional, social or behavioural development. It concerns the misuse of power, control and /or authority and can be perpetrated by an individual, a group or an organisation.

Abuse can occur in any relationship or take place in any setting and it may result in significant harm to, or exploitation of, the person subjected to it.

How do we effectively safeguard adults and children?

- We value, listen to and respect them
- We have staff with designated responsibility for safeguarding
- We have child protection and adult safeguarding procedures which reflect best practice
- We share concerns and information with other agencies when there is reasonable cause to suspect abuse, harm or neglect of any individual
- We share relevant information when there are significant concerns about an adult's suitability to work with children
- We process information lawfully and securely, in line with the General Data Protection Regulations / Data Protection Act 2018
- We share information about child protection and adult safeguarding best practice with staff and volunteers and our partner agencies
- We recruit volunteers safely, in line with the recruitment policy
- We use our procedures to manage allegations against staff and volunteers
- We make sure volunteers follow the [Standard for Volunteers](#)
- We use [complaints](#) and [whistleblowing](#) policies and procedures
- We always have health and safety measures in place - in line with the law and regulatory guidance - to provide a safe physical environment

What do we expect of you?

- To comply with this policy and safeguarding procedures

- To report all concerns, allegations and disclosures to the relevant person/s within the charity in the first instance
- To accurately provide all relevant information to enable a formal report to statutory agencies and work with them to act when there's a response to an allegation, concern or disclosure
- To be vigilant - so that you are alert to the possibility if something is wrong
- To act as soon as there's a problem. Report it verbally at once, and in writing within 24 hours. Don't delay if it is an emergency or there's an immediate risk of harm
- To be inclusive when thinking about safeguarding issues – anyone could be at risk of harm *or* be an abuser
- To be accountable - don't assume that someone else has responded to a concern
- To support the development of safeguarding knowledge
- To help beneficiaries and colleagues, and support them to develop and use their voice
- To complete safeguarding training relevant to your role

You should read this policy alongside our other organisational policies, guidance and procedures. Find these on our shared folders, SelectHR, Shop Handbook or the website.

- Safeguarding Procedure
- Recruitment and Selection policy and procedures (Staff and Volunteers)
- Equality and Diversity
- Whistleblowing
- Complaints
- Volunteer Complaints
- Health and Safety
- Risk Assessments
- Data Protection
- Lone Working
- Anti-harassment and Bullying
- Serious Incident Procedure
- Social media
- Recruitment of Young People
- Volunteer Agreement
- Privacy notice

Failure to follow these policies or procedures may result in formal disciplinary action being taken in line with our Disciplinary policy.

January 2023

Legislation and guidance for safeguarding children and adults (not exhaustive)

England and Wales - Children Act 1989, Children Act 2004, Safeguarding Vulnerable Groups 2006 Protection of Freedoms Act 2012, Public Interest Disclosure Act, Data Protection 2018 and GDPR

England - Children and Social Work Act 2017, Working together to Safeguard Children 2018, Care Act 2014

Wales

Social Services and Well-being (Wales) Act 2014, Working together to safeguard people statutory guidance volumes 1-6: <https://socialcare.wales/hub/statutory-guidance>

Wales Safeguarding Procedures www.safeguarding.wales

Safeguarding Procedure for adults at risk and children

We support and encourage all service users, volunteers and staff to speak up and contact the named Safeguarding Officer or deputy where there is:

- a concern (a worry, issue or doubt about practice or treatment of a service user or colleague, or their circumstances),
- a disclosure (information about a person at risk of or suffering from significant harm)
- an allegation (the possibility that a volunteer or staff member could cause harm to a person in their care)

Who are the Safeguarding team?

Our appointed Safeguarding Officer is the Director of People and Development, supported by the Head of Support Services as Deputy. They are available to all staff, volunteers and service users to speak to when they have any concerns, issues or complaints regarding the safety, wellbeing or conduct of service users, volunteers and staff.

Where there is risk of significant harm to our service users, volunteers or staff, the Safeguarding Officer and deputy are empowered to act accordingly:

- To log all conversations regarding the issue
- To sign and request signatures on reports and statements
- Confidentially seek advice from expert sources
- Share concerns (with consent where required and appropriate) internally with senior staff / Trustees
- Share concerns and make referrals to external agencies such as Social Services, the Police or NSPCC as appropriate to the circumstances
- Make a referral to the Disclosure and Barring Service regarding staff or volunteers in regulated activity whose conduct is harmful to service users and when they are removed from regulated activity

Safeguarding Officer

Julie Rees Julie.rees@tenovuscancercare.org.uk **07976 884841**

Deputy Safeguarding Officer

Helen Powell helen.powell@tenovuscancercare.org.uk **07458 042626**

Out of hours

Please contact the Safeguarding team as above. Alternatively contact another member of the Leadership team or the out of hours number on a weekend and bank holidays **02920 768858**. In the event of an emergency then call 999.

If someone has a need for immediate medical attention call an ambulance on 999. If you are concerned that someone is in immediate danger or a serious crime is being committed contact the police on 999 straight away. As soon as you can, let the Safeguarding team know. Consent is not required in either of these situations.

Reporting

We have a complaints procedure available to all staff and volunteers and anyone can raise a concern or make a complaint about something they have experienced or witnessed. You can do this verbally or in writing to the Safeguarding team. If you would prefer, please contact another member of staff or your Line Manager who will help you raise the issue to the Safeguarding team.

If the Safeguarding Officer or Deputy is implicated or you think there is a conflict of interest, then report to the Chief Executive.

We would prefer it if people used our internal processes whenever possible to make a report as above, but this does not prevent you from making a report or referral to statutory agencies such as Social Services or the Police, in your own right as a private individual. We also support our staff or volunteers to raise concerns or to disclose information, which they believe shows malpractice - whistleblowing (disclosure in the public interest) using our Whistleblowing policy, the route above or through <https://protect-advice.org.uk/>

Staff or volunteers can report things that aren't right, are illegal or if anyone at work is neglecting their duties, putting someone's health and safety in danger or covering up wrongdoing.

If you have any concern about a child or adult at risk, you should follow our process for reporting. It's the role of all staff and volunteers to recognise, respond, record and report internally. Although rare no complaints, allegations or suspicions should be ignored. You may become aware of possible abuse when you:

- Witness a form of abuse, neglect or harm
- Are told about abuse by a child or adult at risk
- Are told about abuse by a carer, relative or friend
- Observe online abuse
- Receive a complaint

Capacity and consent

If you have a concern about an adult at risk then you should engage them in a conversation about how best to respond to their situation in a way that enhances their involvement, choice and control, as well as improving their quality of life, well-being and safety. Always assume they have the capacity to be involved in making their own decisions and gain consent for you to share or disclose any information.

The adult's views, wishes, feelings and beliefs must be taken into account when decisions are made about how to support them to be safe. Working with the person will mean that actions taken help them to find the solution that is right for them. The rights of the individual should be paramount to the approach. Treating people with respect, enhancing their dignity and supporting their ability to make decisions also helps promote people's sense of self-worth and supports recovery from abuse.

If someone has difficulty making their views and wishes known, then they can be supported or represented by an advocate. This might be a safe family member or friend of their choice or a professional advocate.

There may be times when we need to make decisions on behalf of an individual in an emergency or if we do not believe they have the mental capacity to make their own decision. Decisions taken to safeguard an adult who cannot make the decision for themselves could include:

- Sharing information about safeguarding concerns with people that can help protect them.
- Preventing or managing contact with the person causing harm.

If you have a concern about a child at risk you should be prepared to make a safeguarding report of suspected abuse and neglect with or without the child's consent. However you should ALWAYS try to gain consent from the child. Where a child appears to have the capacity and understanding, they should be consulted, and their consent obtained to ensure their wishes and feelings are known.

There may be times that it may be appropriate to obtain parental consent before making a safeguarding report about a child. In this situation the overriding consideration is whether this places the child at (greater) risk of harm.

Try to obtain consent from the parent(s)/carer of the child unless it would increase the risk of harm to the child. Aim to work in partnership with the parent(s) to safeguard the child and protect them from harm.

Guidance on consent can be found in Appendix 2. If you are concerned, then please contact the Safeguarding team for help and guidance.

Responding to an allegation

Any suspicion, allegation or incident of abuse must be reported to the Safeguarding Officer, Deputy or a Senior Manager within 24 hours. This can be done on behalf of somebody else and may only involve a suspicion. There is a form in Appendix 1 that you can use to help you.

On receiving the report, the designated Safeguarding officers will confer and possibly seek informal advice from the appropriate safeguarding teams or authorities. When considering the internal report and deciding whether to refer the case to the local authority, if any doubt, we'll err on the side of caution and refer to the appropriate authority.

The nominated member of staff shall telephone and report the matter to the appropriate local authority. A written record of the date and time of the report shall be made and the report must include the name and position of the person to whom the matter is reported. The telephone report must be confirmed in writing to the relevant local authority social services department within 24 hours.

The designated Safeguarding Officer will make sure that we liaise with the individual (with a child in a manner that is age-appropriate, and with parents/carers only once confirmed appropriate by social services and deemed not to place the individual at any greater threat of harm) at risk and keep them informed of our actions and developments.

What should I do if someone raises an allegation of abuse?

In the event of an incident or disclosure you must:

- Listen carefully and trust that what is being said is correct
- Treat their account as truthful
- Offer immediate support and reassurance that they have done the right thing in telling you
- Stay calm and try not to show signs of anxiety or shock
- Make sure the individual is safe and assess whether emergency services are required, call them if needed
- Tell them that you cannot keep it a secret. Explain that you may need to pass the information on to keep them or others safe.
- Ideally, consent is preferred to share a safeguarding concern about a child, from the child (in terms that they understand), or their parent or guardian, who is NOT implicated in the concern, and where this conversation will not put the child at greater risk of harm.

- The adult's consent IS required to share a safeguarding concern about an adult – unless; they are facing a severe and immediate risk to life, another person is being placed at risk by the situation, another person is placing undue influence on them not to consent, or a crime is suspected.
- Reassure them that the matter will only be disclosed to those who need to know about it
- Allow them to continue at her/his own pace
- Ask questions for clarification only, and at all times avoid asking questions that suggest a particular answer (called “leading questions”)
- Explain that there is a duty to report the issues internally to the Safeguarding team and what may happen next
- Record in writing what was said, using their own words as soon as possible – note the date, time, any names mentioned, to whom the information was given. Sign, date and keep the record safe and secure
- Share the report with your Line Manager immediately
- Contact the Safeguarding Officer or Deputy to report the disclosure. Your Line Manager will support you
- You must refer and **must not** investigate
- Seek support for yourself. To keep confidentiality, you should not talk about the “case” but you can talk about how it makes you feel. If you are distressed, triggered or disturbed by anything you have witnessed, do talk to the Safeguarding Officer or your Line manager about it and we can look at support and counselling for you. You may also contact our Employee Assistance provider for support and advice.

Don't

- Dismiss or ignore the concern
- Panic or allow shock or distaste to show
- Promise confidentiality
- Ask leading or probing questions or repeatedly ask them to repeat the disclosure
- Confront the alleged abuser
- Be judgmental or voice your own opinion
- Discuss the disclosure with people who don't need to know
- Conduct an investigation of the case
- Ignore the allegation
- Delay in reporting the allegation, concern or disclosure to the Safeguarding team at Head Office

- Put yourself in any danger in relation to the situation. DO NOT approach anyone who might be an alleged perpetrator.

What to do if the allegation is about another member of staff, a volunteer or a trustee of Tenovus Cancer Care?

- Share in confidence with the Safeguarding Officer (unless it is about the SO, in which case report to the Chief Executive)
- Any individual who shares their concerns in good faith about another colleague will be fully supported by the charity
- Do not approach the individual
- SO or alternate will follow the Wales Safeguarding Procedures section 5 <https://www.safeguarding.wales/adu/index.a5.html> in contacting the Local Authority Designated Officer (LADO) and supporting the decision-making process. We will support the individual in a fair and consistent manner throughout the procedures. Tandem safeguarding of an individual at risk may also be undertaken, in consultation with the LADO.
- A person who has worked in regulated activity or is likely to work in regulated activity, will be referred to the Disclosure and Barring Service for barring consideration, where their conduct suggests that they are a possible harm to individuals in their care, at the point of dismissal, resignation, retirement, or simply choosing to remove themselves from the organisation.

It's important to remember that it is not the role of anyone within Tenovus Cancer Care to decide whether an individual has been harmed or abused. That is a task for the professional protection agencies. Your responsibility is to report your concerns in line with this procedure. Keep yourself safe.

The charity will keep all records about personnel and beneficiaries and where relevant these may constitute information and evidence used in formal proceedings.

What should I do if I'm worried that someone is being abused?

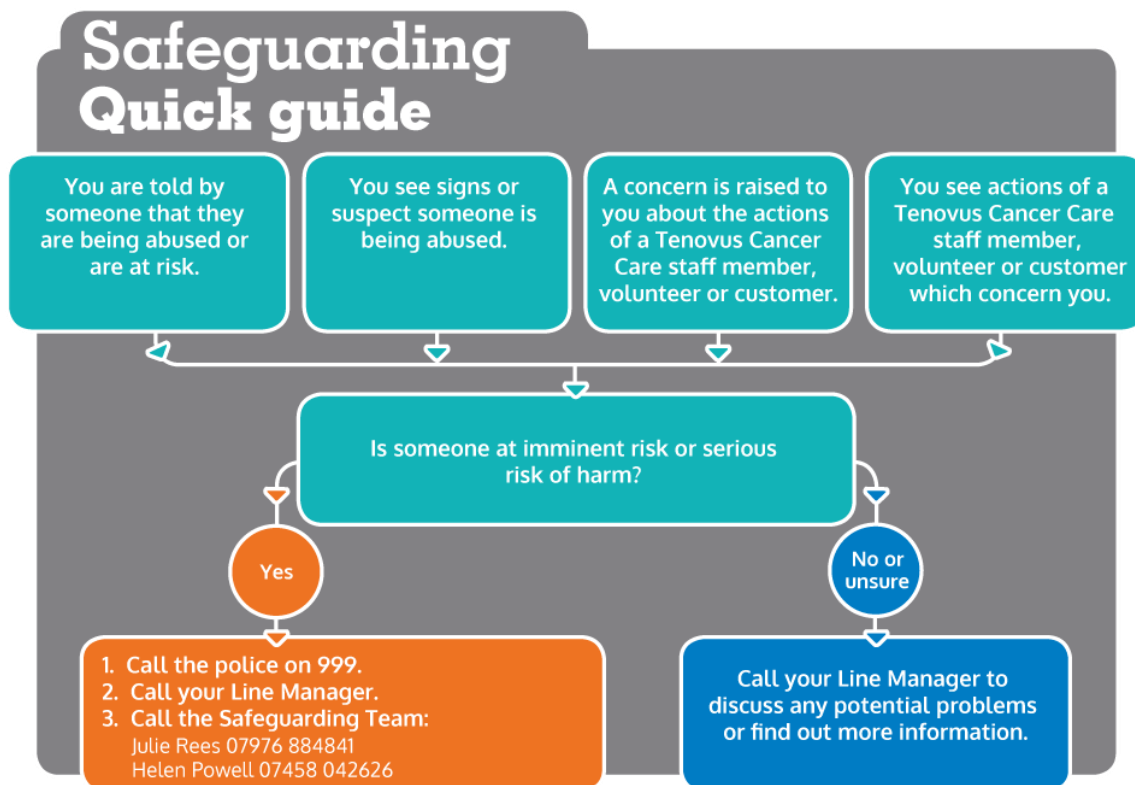
If you notice signs or behavioural indicators of abuse share them with your Line Manager or report your concerns to the Safeguarding team straight away using the Safeguarding Report Form (see **Appendix 1**).

- Ask or arrange for someone to speak with the individual concerned in private

- Give facts. State clearly your concerns. If you also share your personal opinion, make it very clear that it is your personal point of view
- Don't investigate. Don't try to find out more information before sharing your concerns. Don't question them or try to investigate in any way
- Share your concerns with your Line Manager

If you're not sure whether you should take a concern seriously, or whether you should report, report anyway.

Be mindful of the need to be confidential at all times. This information must only be shared with your Safeguarding Lead or Deputy and others that have a need to know – e.g. to keep the person safe whilst waiting for action to be taken.



If you are ever unsure please seek advice from your Manager or get in touch with the Safeguarding team or the People & Development Team.

This policy will be reviewed annually or in the following circumstances:

- changes in legislation and/ or government guidance
- as a result of any other significant change or event

January 2023

Appendix 1

Safeguarding Report Form

Section 1 – Details of child/adult (you have concerns about)	
Name of child/ adult at risk	
Address	
Date of Birth/ Age	
Contact number	
Emergency contact if known	
Consent to share information with emergency contact?	
Section 2 – Details of the person completing this form/ Your details	
Name	
Contact phone number(s)	
Email address	
Line manager or alternative contact	
Your Role in organisation	
Section 3 – Details of concern	
<p>Please explain why you are concerned. Please give details about what you have seen/been told/other that makes you believe the adult/child is at risk of harm or is being abused or neglected (include dates/times/evidence from records/photos etc.</p>	
Date/ Time	What happened

Section 5 – Details of the person thought to be causing harm (if known – don't speculate)	
Name	
Address	
Date of Birth/Age	
Relationship/connection to adult	
Role in organisation	
Do they have contact with other adults at risk in another capacity? E.g. in their work/family/as a volunteer	
<p>Section 6 - Consent If in doubt about consent speak to the Safeguarding team. Guidance can also be found here to help you.</p> <p>Have you discussed your concerns with the adult/child? What are their views, What have they stated about what they want to happen and what outcomes they want? Have they given their consent to the sharing of their relevant information in a safeguarding report?</p>	
<p>Section 6A – Reasons for not discussing with the adult/child</p>	
Discussion would put the adult, child or others at risk. Please explain:	
Adult appears to lack mental capacity. Please explain:	
Adult unable to communicate their views. Please explain:	
Section 7: Other agencies contacted	Who contacted/reference number/contact details/advice gained/action being taken

Police/Ambulance	
Other – please state who and why:	
Consultation with Safeguarding Officer (state who you contacted and how)	Dates and times
Completed Form copied to Safeguarding Officer; Date and time	
Signed:	
Date:	

Appendix 2

The role of consent in safeguarding

Consent – informed consent should be sought from any person about whom you are considering making a safeguarding report. The mental capacity to make this decision should be assumed unless the individual has been formally assessed to lack capacity. In which case, a “best interests” decision should be made.

NB Exceptions: consent is not required to report a crime or to call for emergency medical help – 999 Police or Ambulance

The duty to report, where applicable - which is not the case for many third sector organisations, in theory overrides any withheld consent, but the practitioner should still seek consent from the individual, and where this is withheld, should explain why they are duty-bound to make a report. This is due to having *reasonable cause to suspect* abuse, which is the trigger to make a safeguarding report.

Where there is no duty, it is the responsibility of all practitioners (workers or volunteers) and the expectation placed on all organisations that they should make a safeguarding report where a child or adult at risk is experiencing abuse. The practitioner should seek to keep the individual informed of the process which will follow. In some cases, this may mean a different contact person.

Child: be prepared to make a safeguarding report of suspected abuse and neglect - with or without the child's consent – but ALWAYS try to gain consent from the child.

Where a child appears to have the capacity and understanding, they should be consulted, and their consent obtained to ensure their wishes and feelings are known.

Parent about a child: When deciding whether to obtain parental consent before making a safeguarding report about a child, the overriding consideration is whether this places the child at (greater) risk of harm.

Try to obtain consent from the parent(s)/carer of the child unless it would increase the risk of harm to the child. Aim to work in partnership with the parent(s) to safeguard the child and protect them from harm.

Adult: an adult can choose to give or withhold consent to a safeguarding report being made about them. Always try to gain consent from the adult about whom you wish to make a safeguarding report.

A report can be made without their consent where:

- Other people may be placed at risk by the situation (e.g. known perpetrator having access to similarly at-risk individuals, or to a child)
- Undue influence of another person is suspected (coercion, threat or pressure applied)

Reports made without consent should state this and explain why consent was not obtained, or sought, if this is the case. This should not affect the process of enquiries made by the local authority social services.

Each individual has the right to withhold consent and therefore should be fully informed of any actions you may still take regarding their safeguarding.