

# Safeguarding policy

## Introduction

The Safeguarding Policy sets out the Landmark Trust approach to preventing and reducing harm to children and vulnerable adults when they are in contact with staff, workers or volunteers. It is intended to apply to both Landmark Trust and Lundy Company employees.

### The policy aims to:

- Promote and prioritise the safety and wellbeing of children and vulnerable adults;
- Provide assurance to parents, carers and other parties that Landmark Trust takes reasonable steps to manage risks and keep children and vulnerable adults safe;
- Ensure that everyone understands their roles and responsibilities in respect of safeguarding and is provided with the necessary information and support on safeguarding matters;
- Prevent the employment of individuals in work with children and/or vulnerable adults where they have been barred by the DBS or are deemed by the Landmark Trust to pose an unacceptable risk to vulnerable groups;
- Ensure that appropriate action is taken in the event of any allegations or suspicions regarding harm to children or vulnerable adults arising from contact with our staff, workers or volunteers, whether the harm has taken place on Landmark Trust premises or not.

The Safeguarding Policy also seeks to manage effectively the risks associated with activities and events involving children and vulnerable adults and will ensure:

- Completing a risk assessment process which involves identifying risks and means of reducing or eliminating these where children and vulnerable adults may be involved;
- Ensuring that the appropriate recruitment process is in place and that DBS or basic disclosure checks are conducted, depending on eligibility, for any individuals starting or moving into work which involves working with children or vulnerable adults;
- Requiring new employees and individuals involved in working with children or vulnerable adults to familiarise themselves with the content of this policy and the associated policies.

This policy requires that any suspicions and allegations involving harm to children and vulnerable adults are referred to Human Resources or the Director to determine what action, if any, must be taken. This will enable each situation to be investigated thoroughly, whilst treating the parties involved fairly and with sensitivity. It will also ensure that suitable steps are taken as a result of any investigations, which may include contacting the police and/or fulfilling the legal duty to refer information to the DBS as required.

The procedure for managing suspicions and allegations aims to strike a balance between the need to protect children and vulnerable adults from abuse and the need to protect staff, workers and volunteers from false or unfounded accusations.

The Safeguarding Policy should be used as the basis of our approach to preventing and reducing harm to children and vulnerable adults.

### **1.0. Application and definitions of the policy**

The following activities and details of the following activities will apply within our Safeguarding policy.

#### **Risk assessment processes will be initiated during**

1. Recruitment to a new or existing post which involves working directly with children and/or vulnerable adults
2. The commencement of new activities or events involving or potentially involving children and or vulnerable adults; and –
3. Changes being made to activities or events involving or potentially involving children and or vulnerable adults.

#### **1.1. Screening check processes**

These will apply to those carrying out work for the Landmark Trust which involves direct contact with children and/or vulnerable adults and meets the eligibility criteria for a basic disclosure or Disclosure and Barring Service check.

#### **1.2. Procedure for dealing with reported suspicions and allegations**

This applies to all staff, workers, volunteers, made aware of, or involved in, an allegation or suspicion involving harm to children and/or vulnerable adults.

### **2.0. Definition**

A child is any person under the age of 18.

Adults aged 18 and over have the potential to be vulnerable (either temporarily or permanently) for a variety of reasons and in different situations. An adult may be vulnerable if he/she:

- Has a learning or physical disability;
- Has a physical or mental illness, chronic or otherwise, including an addiction to alcohol or drugs;
- Has a reduction in physical or mental capacity
- Is in the receipt of any form of healthcare;
- Is detained in custody; or
- Is receiving community services because of age, health or disability; or
- Is living in sheltered or residential care home; or
- Is unable, for any other reason, to protect himself/herself against significant harm or exploitation.

It is recognised that people who meet one or more of the criteria above may not be vulnerable at all, or all of the time. However, until there is direct contact with people on an individual basis, it may be impossible to identify whether vulnerability exists in relation to an activity or event involving adults that they are planning. Therefore, in

order to support in identifying and managing potential risks of harm to people effectively, and for the purposes of this policy only, a vulnerable adult should be identified (for the purposes of this policy only) as a person aged 18 or over who meets one or more of the criteria listed above.

### **3.0. Examples of activities involving children and vulnerable adults**

Staff, workers or volunteers may encounter children and vulnerable adults in a wide range of situations at Landmark Trust. These include, but are not limited to the following:

- Work experience students under 18;
- Widening participation in outreach activities with schools and colleges
- Photography of children for publication
- Open days
- Working with disabled students through engagement programmes
- Volunteer work

### **4.0. Completing the Risk Assessment process**

A risk assessment must be completed in advance of the relevant recruitment campaign, activity or event by a competent person (where there are not current, adequate and documented risk management procedures already in place). A Risk Assessment form is provided to assist with this process from Landmark's HR Manager. Risk assessments must be completed by a competent person; that is, is someone who understands the job, activity or event and is aware of the hazards.

The purpose of the risk assessment is to enable the responsible person to identify, mitigate and remove any potential risks relating to contact with children or vulnerable adults. This can also be a prompt to consider alternative working practices, such as minimising occasions where an individual is alone with a child or vulnerable adult and considering whether the activity could be supervised or observed by others. Any actions identified as a result of completing the risk assessment must be completed within the timescales specified on the form. The risk assessment should:

- Identify the nature, length and frequency of the contact and if it would be supervised or unsupervised;
- Consider if there will be children and adults who are particularly at risk;
- Consider whether any children or vulnerable adults have allergies, are on medication, have any disabilities (physical or mental), or any behavioural difficulties;
- Identify any potential areas for harm;
- Evaluate the risks;
- Determine actions to prevent harm occurring, which might include consideration of alternative working practices, and prompt individuals to ensure that they are implemented;
- Identify those situations that would require a DBS check or a basic disclosure check.

Completed risk assessments should be retained by departments whilst an activity/event is ongoing and for five years after it has ceased (or the risk assessment has been superseded). Where an activity is ongoing but unchanged, departments should review the risk assessment on a regular basis to ensure that the measures put in place are still relevant and appropriate. It is important for departments to

remember to complete a risk assessment prior to any work experience placement being provided. The Temporary Employment Service (TES) provides advice and support for departments on the arrangement of work experience, including for children, to ensure that appropriate arrangements are in place and that there is compliance with relevant legislation. Further details are available on the TES work experience web pages.

## **5.0. Screening/ recruitment process and DBS checks**

The Safeguarding Policy is reliant on following a specific recruitment process when recruiting for roles that work with children or vulnerable persons. The DBS checklist will be followed when deciding on whether there will be a DBS or Disclosure check required as part of the recruitment process. HR must be involved at all stages of the recruitment and checking process for roles that work with children or vulnerable adults.

It should be noted that teaching, training, instructing, caring for or supervising a 16 or 17 year-old's employment (which includes work experience) is not regulated activity and a DBS check may not be requested. A DBS check may only be required for work experience students under 16 in the rare event that the same person is teaching, training, instructing, caring for or supervising them whilst unsupervised on a frequent/intensive basis or a role that will work with children or vulnerable adults.

## **6.0. Procedure for dealing with reported suspicions and allegations**

It is impossible to promise complete confidentiality when a safeguarding concern is raised or an accusation made. This is because the Landmark Trust owes a duty of care to its staff, workers and volunteers that cannot be fulfilled unless we take action on the basis of information that may have been provided in confidence. The duty of confidentiality must be weighed against the duty of care, in case of potential or actual harm of an individual. However, at all stages, only those people who need to be made aware of an incident or concern, whether internal or external to the Landmark Trust, should be informed and involved.

Where an individual suspects or is informed that a child or vulnerable adult has been, is being or could be harmed as a result of taking part in a Landmark Trust activity/event or through contact with staff, workers or volunteers, it is not the responsibility of that person to decide whether abuse has taken place. Instead, the individual aware of these suspicions or allegations must contact the HR Department immediately for guidance and assistance on the action that must be taken. If circumstances make this impossible, Director or COO must be contacted. Staff who are worried about sharing concerns about abuse are encouraged to speak with an appropriate agency for further advice (for example, the NSPCC Child Protection Helpline on 0808 800 5000 or Childline on 0800 1111).

Where a complaint of abuse is reported, HR and/or Director will carefully consider the information available and decide on the appropriate course of action. This may include invoking the Landmark Trust's disciplinary procedures or grievance procedures. In emergency circumstances (for example, where there is certain immediate and significant danger to an individual or a criminal act has been witnessed), staff should make referrals to the police, social services or other appropriate authorities themselves prior to consulting with HR. Where this is necessary, HR should be informed immediately afterwards. In such cases, a criminal

investigation may follow. The Landmark Trust has a legal duty to refer an individual to the DBS if they have been removed from working in regulated activity with children and/or adults because they caused harm to children/adults or posed a risk of causing harm. The duty to refer is absolute and overrides any concerns about data protection. All cases for possible referral must be raised with HR in the first instance as soon as harm or a risk of harm is identified. HR and the relevant Line Manager should work together to complete the DBS referral form found on the DBS's web pages.

Any enquiries made by the media about possible allegations of abuse regarding children/vulnerable adults should be referred to Head of Marketing and Communications immediately.

Information about any allegations or suspicions of abuse must be shared on a need to-know basis only. Documentation related to allegations or suspicions of must be stored in a secure place within HR filing system which is only accessible to those with appropriate knowledge of the suspicions/allegations.

Where it is necessary for staff, students or volunteers to take photographs or video images of children or vulnerable adults, written consent must be obtained (from parents in the case of children) before these images are taken in order to comply with the Data Protection Act 1998.

## **7.0. Roles and responsibilities**

The Landmark Trust has a duty, both in law and as a responsible organisation to take reasonable care of children and vulnerable adults coming onto its premises.

The Landmark Trust aims to adopt the highest possible standards and take all reasonable steps in relation to the safety and welfare of children and vulnerable adults. The Trust has limited encounters with children and vulnerable adults in a variety of settings. Safeguarding in relation to children is defined by the Children Act 1989 and Joint Chief Inspectors Report on Arrangements to Safeguard Children (2002) as requiring: "Agencies [and organisations] working with children and young people to take all reasonable measures to ensure that the risks of harm to the individual's welfare are minimised; and "Where there are concerns about children and young people's welfare, all agencies [and organisations] take all appropriate actions to address those concerns, working to agreed local policies and procedures, working in partnership with other local agencies'. The Landmark Trust is fully committed to meeting the requirements of safeguarding, as defined above, both in relation to children and vulnerable adults, in order to ensure that they are safeguarded whilst enjoying opportunities to develop their full potential. The Landmark Trust believes that all children 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. This policy should be read in conjunction with the following policies and procedures:

- Recruitment and Probationary Guidance in the Handbook and on SharePoint
- Equal Opportunities Policy in the Handbook
- Health and Safety Policy
- Bullying and Harassment Policy in the Handbook
- Data Protection procedures
- Disciplinary grievances and appeals procedure in the Handbook

- Whistleblowing procedure in the Handbook

The HR Manager of the Landmark Trust is the organisations' designated safeguarding person. As such, he/she takes overall ownership of the policy and will promote the importance of safeguarding within the Landmark Trust. Due to the size of Landmark Trust, the day-to-day operation of the policy and its procedures will be the responsibility of other individuals, as outlined below.

Each Head of Department is accountable for the adoption and implementation of this policy. They are required to promote the importance of safeguarding within their department and ensure that appropriate systems in place for:

- All their staff to become familiar with the Safeguarding Policy during their induction;
- Relevant staff to review the department's activities and follow Safeguarding risk assessment process.

It is the responsibility of the member of staff leading the recruitment campaign, activity or event which involves working with Children and Vulnerable adults to:

- Identify whether a Safeguarding procedure is applicable to a particular role, activity or event;
- Ensure that staff, workers, volunteers working with children and vulnerable adults are familiar with the contents of the policy and its application before any new or changed activity/event;
- Complete/update the risk assessment;
- Ensure implementation and review of the actions identified by the risk assessment;
- Identify whether individuals recruited or involved in an activity or event require a DBS check or basic disclosure and, where applicable, ensure that this is carried out in accordance with HR procedures.

Every individual who becomes aware of any suspicions or allegations regarding harm to children or vulnerable adults whilst on our premises or during a Landmark Trust event is required to report this immediately to the HR Manager. HR Manager will be the initial point of contact where any allegations of abuse against children and vulnerable adults are raised. He/ she will hold responsibility for:

- Promoting the Safeguarding Policy.
- Dealing with any reported suspicions and allegations of abuse of children or vulnerable adults within the Landmark Trust.
- Providing appropriate information when making referrals to external agencies (such as Social Services or the Police) in all cases of suspected abuse of children or vulnerable adults.
- Ensuring that appropriate records are kept in relation to the reporting of suspected abuse.
- Working with the DBS counter signatory to determine whether a referral needs to be made to the DBS.