



**FJSS GROUP**



# **SAFEGUARDING POLICY**

## PURPOSE

This policy outlines the FJSS Group's (the organization) commitment to safeguarding, its responsibilities, an assessment of potential risks, steps taken to reduce those risks and the steps that should be taken in the event of the organization becoming aware of a safeguarding issue.

## POLICY STATEMENT

The FJSS Group is committed to pro-actively safeguarding children, young people, and vulnerable adults with whom the staff, or anyone acting on our behalf, come into contact, during fundraising, benevolence, or outreach activities. Examples of organization activities in which staff may encounter children and or vulnerable adults include work experience students under 18; school visits; community sports projects; national and regional participation events.

Whilst the organization is not routinely engaged in face-to-face activities with its beneficiaries and generally operates in a removed capacity - at arm's length - from them through third parties the partnering organisations that deliver welfare on our behalf, the organization must ensure that appropriate due diligence is carried out on these third-party organisations, ensuring that they have appropriate systems of control in place, including adequate safeguarding policies and procedures.

The welfare and safety of the person at risk is paramount. All vulnerable people, regardless of age, disability, gender, racial heritage, religious belief, sexual orientation, or identity, have a right to equal protection from all types of harm or abuse. Some of our beneficiaries and supporters are additionally at risk because of the impact of previous experiences, their level of dependency, communication needs or other issues.

The organization takes all reasonable care to protect its beneficiaries and supporters and complies with the Institute of fundraising guidance on treating donors fairly. The organization will never exploit vulnerability and will do everything it can to ensure that potential donors are able to make an informed decision about the support they choose to give.

The organization is committed to the promotion of equality of opportunity. The organization's own Equal Opportunities Policy aims to eliminate all forms of unlawful and unfair discrimination, both direct and indirect, from its employment practices.

## LEGAL OBLIGATION

Safeguarding is a complicated business and exists within a framework of both criminal as well as civil law. Legislation is supported by a body of statutory guidance. The organization, as a voluntary organisation, must comply with Section 11 of the Children Act 2004, specifically the legal framework in statutory guidance "Working Together to Safeguard Children 2015", and the Care Act 2014. It is also under a duty to ensure that anyone that provides a service on the organization's behalf also complies with Section 11.

We will seek to fulfil our legal obligation and commitment to proactively safeguard and promote the welfare of the FJSS Group's beneficiaries and fundraisers through:

- a. the production of a policy and procedures with a clear line of accountability, to which all will comply
- b. a senior board level lead – the designated manager - to take leadership responsibility for the Organization's safeguarding arrangements; to act as the organisational interface with the Local Authority whenever a situation arises

- c. a culture of listening to children and vulnerable adults and taking account of their wishes and feelings, both in individual decisions and the development of any events/services
- d. clear whistleblowing procedures which are suitably referenced in staff training and codes of conduct
- e. arrangements which set out clearly the processes for sharing information with other professionals and with the Local Safeguarding Children Board (LSCB) such as NSPCC and equivalent Local Safeguarding Adults Board (LASB)
- f. the safer recruitment for individuals whom the Organization will permit to work regularly with children or vulnerable adults, carrying out the appropriate level of Disclosure and Barring Service (DBS) (and Devolved administration equivalents) checks, depending on their access to children and or vulnerable adults
- g. appropriate supervision and support for staff, including undertaking safeguarding training
- h. ensuring that staff are competent to carry out their responsibilities for safeguarding
- i. clear policies in line with those from the LSCB /LASB for dealing with any allegations; responding without delay to concerns and complaints regarding actual or potential abuse, harm, or maltreatment.

This policy applies to all employees, Trustees, volunteers, and anyone working on behalf of The FJSS Group. It is as relevant to our fundraising and regional staff as it is to our grants and welfare staff.

## RESPONSIBILITY AND ACCOUNTABILITY

- » Trustees are overall responsible for safeguarding, even if certain aspects of the work are delegated to the Chief Executive and staff. They should proactively safeguard and promote the well-being and welfare of the organization's beneficiaries, staff and volunteers and others who come into contact with, the organization. This is a key governance priority.
- » The issue of safeguarding is subject to regular reviews at Board level and is reported on by exception at Board of Trustees' meetings. In addition, 'Safeguarding' will be reported upon in the Annual Report and Accounts. Given the nature of the organization's activities, there is no requirement for a lead Safeguarding Trustee to be appointed.
- » The organization's nominated lead for safeguarding policy and management is the Chief Executive Officer supported by the Volunteer Services Coordinator. The Safeguarding Lead will report directly to the Trustees.

## RISK ASSESSMENTS

Our Trustees have a duty to manage risk and to protect the reputation and assets of the organization. It is therefore vital that Trustees assess the risks that arise from the organization's activities and operations involving children and vulnerable people and develop and put in place appropriate safeguarding policies and procedures to protect them. They must also undertake on-going monitoring to ensure that these safeguards are being effectively implemented in practice. This is critically important because on occasion charities may be targeted by people who abuse their position and privileges to gain access to vulnerable people, or their records, for inappropriate or illegal purposes.

### Key safeguarding risks for the organization are:

Potential abuse of children, young people or vulnerable adults occurring during Organization fundraising activities, through failure to safeguard them

- » Potential abuse of children, young people or vulnerable adults occurring during third-party organised activities, supported by funding from The FJSS Group
- » Ensuring that those who run activities that include vulnerable beneficiaries have the expertise, knowledge, and skills to do so properly
- » Failure to deal with any incident responsibly, appropriately and in a timely manner
- » Failure to ensure that Trustees are clear about their responsibilities for safeguarding
- » Failure to ensure that staff, Trustees, and volunteers coming into frequent contact with children, young people or vulnerable adults are appropriately vetted
- » The reputational risk of damaging public trust and confidence in the organization through the occurrence of any alleged or actual incident

**The organization seeks to manage effectively the risks associated with activities and events through departments/teams:**

- » Completing a risk assessment process which involves identifying risks and means of reducing or eliminating them, for any new activities or events involving or potentially involving children and or vulnerable adults, and if changes are being made to activities or events involving or potentially involving children and or vulnerable adults
- » Implementing the required actions identified by the risk assessment process and reviewing the effectiveness of these on a regular basis
- » Ensuring that the appropriate Basic/Standard Disclosure checks are conducted, depending on eligibility, for any individuals working with children or vulnerable adults
- » Requiring that new employees and individuals working with children or vulnerable adults familiarise themselves with the content of this policy and the Code of Safer Working Practice.

## **CODE OF SAFER WORKING PRACTICE**

The Code is provided for all those across the organization to follow, in working and volunteering with children, young people and vulnerable adults. The Code represents the behaviours which constitute safe practice. As such it will assist those working with children and vulnerable adults to do so safely and responsibly, enabling each to monitor their own standards of integrity and good practice.

The Code sets clear expectations of behaviour and codes of practice which serve to reduce the possibilities of positions of trust being abused or misused, or false accusations being made

## **PARTNERING ORGANISATIONS**

We must exercise due diligence with our partnering organisations that deliver welfare services on our behalf and conduct face-to-face, in-person visits to our beneficiaries.

## **INCIDENT REPORTING**

Staff, volunteers, and Trustees need to be aware of their responsibilities for reporting concerns in relation to safeguarding matters and the circumstances in which they should make a referral.

Safeguarding concerns about children, young people, and vulnerable adults and others who come into contact with the organization will be diligently and promptly responded to, recognising the sensitivity it may hold for those involved.

Where there is a concern, this should be reported to the appropriate person (Chief of Staff or Chief Executive) immediately where possible, but at least within 24 hours, 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 and/or the Local Safeguarding Children Board (LSCB) or Local Safeguarding Adults Board (LSAB) as required. Not all concerns justify a notification to the LA but must still be recorded.

The Trustees acknowledge their duties to make a Serious Incident report to the management committee of the organization and a report of a Notifiable Event made to the Office of Scottish Organization Regulator (OSCR) and other relevant bodies if:

- » There has been an incident where someone has been abused or mistreated (alleged or actual) and this relates to the activities of the organization
- » Beneficiaries of the organization have been, or are alleged to have been, abused or mistreated while under the care of the organization, or by someone connected with the organization, for example a Trustee, staff member or volunteer; or
- » There has been a breach of procedures or policies at the organization which has put beneficiaries at risk, including a failure to carry out checks which would have identified that person is disqualified under safeguarding legislation, from working with children or adults.
- » The organization's policy for Serious Incident Reporting is via our contact us form

## **SAFER RECRUITMENT**

- » Although most of the organization's activities do not involve regular contact with children or working in 'regulated activity' with adults at risk, the organization has a responsibility to ensure the suitability of those Trustees, employees and volunteers who may work with, or encounter children and adults at risk.
- » The organization's recruitment process as well as the quality of our employment contracts are critical to our approach to safeguarding; they must be sufficiently rigorous, robust, and appropriately reviewed
- » Although, as previously stated, the organization does not generally engage in 'regulated' activity with vulnerable people and children, the organization's management recommends that Trustees always obtain a Disclosure checks when they can as it an important tool in ensuring that the person is suitable to act
- » Any requirement for a DBS check is spelt out in the job advert. Given the nature of the organization's activities, there is currently no requirement for Enhanced Disclosure

- » In Scotland, the Protection of Vulnerable Groups (PVG) scheme applies instead of DBS Checks, with PVG checks carried out through Disclosure Scotland.
- » Training will be provided for conducting risk assessments in relation to working with children and vulnerable adults. The Safeguarding Training Policy for specific groups of staff is being developed.
- » All new members of staff must be made aware of this policy and given the opportunity to read it during their induction period, together with sight of the all relevant literature on what to do if you're worried that a child or vulnerable adult is being abused
- » Critical to training outcomes is that staff should always know to whom to report concerns.

## RELATED POLICIES

This policy should be read in conjunction with the following Organization policies and procedures:

- » Data Protection Policy
- » Disciplinary policy, grievance, and appeals procedure
- » Equal Opportunities Policy
- » Health and Safety Policy
- » Recruitment Policy
- » Whistleblowing Policy
- » Safeguarding Training Policy (to be developed)
- Serious Incident Reporting Policy

## POLICY REVIEW

This policy will be reviewed by the designated lead annually and the refreshed version presented to the Board for review and does not form part of any employee's contract of employment and the Organization may amend it at any time.

## LEGAL FRAMEWORK

The FJSS Group Safeguarding has been drawn up based on law and guidance that seeks to protect children and vulnerable people

- » Children Act 1989
- » United Nations Convention on the Rights of the Child 1991
- » Data Protection Act 1998
- » Sexual Offences Act 2003
- » Children Act 2004
- » Charities Act 2011
- » Safeguarding Vulnerable Groups Act 2006
- » Equality Act 2010
- » Protection of Freedoms Act 2012
- » Care Act 2014 Statutory Guidance "Working Together to Safeguard Children 2015"
- Organization Commission guidance: 'how to protect vulnerable people' and 'Strategy for dealing with Safeguarding issues in Charities'
- » Relevant government information on safeguarding vulnerable people
- » Institute of Fundraising - Treating Donors Fairly
- » The Code of Fundraising Practice – The Fundraising Regulator The primary legislation covering safeguarding for adults is the Care Act 2014. "Working Together to Safeguard Children 2015" mandates safeguarding arrangements for organisations such as The FJSS Group, promoting the welfare of children. This inter-agency guidance is due to be re-issued in 2018.



## CODE OF SAFER WORKING PRACTICE

Members of staff, volunteers and Trustees should:

- » Consider the wellbeing and safety of event participants in advance through proper planning and development of safe methods of working/activities
- » Treat all children, young people and vulnerable adults with respect and dignity, keeping your own language, attitude, and body language respectful
- » Actively communicate with children, young people, and vulnerable adults and where possible involve them in planning and running of activities
- » Develop a culture where staff, children and vulnerable adults feel comfortable to point out inappropriate attitudes and behaviour in each other
- » Make it plain to whom someone can speak about a personal concern, and be proactive in addressing concerns and allegations
- » Keep physical contact specific to the needs of the activity and always seek permission from the person first
- » Never use rough play, sexually provocative words and games or any forms of physical punishment
- » Never scapegoat, ridicule or reject a child or vulnerable adult, or allow others to do so
- » Avoid one-to-one access with children and young people; make sure that others can clearly observe you
- » Avoid personal relationships with a child or vulnerable adult
- » Obtain consent for any photographs/videos to be taken, shown, or displayed
- » Remember that inappropriate behaviour can also occur over the telephone, email, social media, or internet – communication through social media should only be on public pages and avoid colloquial language/abbreviations which may be misinterpreted e.g. LOL
- » Report incidents of alleged abuse.