



Safeguarding and Child Protection Policy

The Ernest Cook Trust

June 2020

1 Introduction

Protecting people and safeguarding responsibilities is a priority for The Ernest Cook Trust (the Trust/ECT).

The Trust supports and works with a wide range of people in many locations and recognises that some people the Trust come into contact with may be at risk of harm.

The Trust supports the rights of people to live in safety, free from abuse and neglect. We aim to provide a safe and trusted environment that safeguards everyone, including beneficiaries, employees and volunteers.

The aim of this policy is to set out how the Trust promotes an organisational culture that prioritises safeguarding and manages reported incidents or concerns, sensitively and properly. It demonstrates how safeguarding concerns and incidents are prevented, identified and handled. It explains the responsibilities of the Board of Trustees to ensure that risks are managed appropriately, with clear routes of escalation.

Trustees have accountability to ensure the safeguarding of children and vulnerable adults and to protect from harm anyone that comes into contact with the Trust.

The policy has been written with the, Charity Commission guidelines 2018, the Children Act 1989, the Children Act 2004, Human Rights Act 1998, Care Standards Act 2000, Mental Capacity Act 2005, the Safeguarding Vulnerable Groups Act 2006 and the Care Act 2014.

2 Definitions

‘Safeguarding’ is a term which is broader than ‘child protection’ or ‘adult protection’ as it also includes prevention. Safeguarding has been defined as:

- i All organisations working with children, young people and their families, or vulnerable adults, taking all reasonable measures to ensure that the risks of harm to children’s welfare are minimised; and
- ii Where there are concerns about children or vulnerable adults’ welfare, all organisations taking appropriate actions to address those concerns.

The definition of a ‘child’ is anyone who has not yet reached their 18th birthday. The fact, for example, that a child may have become 16 years of age, be living independently, in further education, in the armed forces, in hospital, or in a Young Offender’s Institution does not change their status, their entitlement to services, or their protection under the Children Act 1989.

The definition of an ‘adult at risk’ is any person aged 18 years and over who is or may be in need of community care services by reason of mental health issues, learning or physical disability, sensory impairment, age or illness and who is, or may be, unable to take care of him/herself or unable to protect him/herself against significant harm or serious exploitation.

The Trust has a wider definition of whom we consider to be adults at risk. This includes people encountering domestic abuse, sexual exploitation and/or human trafficking, people who are experiencing homelessness, people suffering from alcohol and substance misuse, and people who are refugees or asylum seekers.

The Trust is aware that it has a duty to protect children and vulnerable adults from abuse. 'Abuse' is defined as any behaviour which knowingly or unwittingly causes harm, endangers life or violates rights. It is possible that the Trust will become aware of actual or potential abuse when carrying out its work, and this Policy sets out the Trust's commitments to protecting these groups from harm.

The main forms of abuse are divided into the following categories:

- i Physical abuse – including hitting, slapping, pushing, kicking, misuse of medication, restraint, inappropriate sanctions.
- ii Sexual abuse – including rape, sexual assault, sexual acts to which a person has not consented, could not consent or was pressurised into consenting.
- iii Psychological abuse – including emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation, withdrawal from services or supportive networks.
- iv Financial or material abuse – including theft, fraud, exploitation, pressure in connection with wills, property or inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.
- v Neglect and acts of omission – including ignoring medical or physical care needs, failure to provide access to appropriate health, social care or educational services, the withholding of the necessities of life such as medication, adequate nutrition, and heating.
- vi Discriminatory abuse – including racist, or sexist slurs or similar treatment and those based on a person's disability or other forms of harassment.
- vii Institutional abuse, neglect and poor professional practice. This may take the form of isolated incidents of poor or unsatisfactory professional practice at one end of the spectrum, through to pervasive ill treatment or gross misconduct at the other.
- viii Online abuse, including cyberbullying - including sending threatening or abusive text messages, creating and sharing embarrassing images or videos, 'trolling' (sending menacing or upsetting messages on social networks, chat rooms or online games), exclusion from online games, activities or friendship groups, setting up hate sites or groups about a particular person, encouraging self-harm, voting for or against someone in an abusive poll, creating fake accounts, hijacking or stealing online identities to embarrass a person or cause trouble using their name.

3 Principles and Responsibilities

Protecting people and safeguarding responsibilities is a priority for the Trust. This includes recognising that safeguarding and protecting people from harm goes beyond simply implementing policies and processes. As a fundamental responsibility for Trustees, safeguarding and protecting people must go to the heart of the organisation's culture.

The Trust aims to provide a safe, trusted environment for all employees, volunteers and beneficiaries and to respond promptly and appropriately to reports of anyone who is actually or potentially at risk. This is done by:

- i Safeguarding the welfare of all beneficiaries, employees and volunteers by embedding the necessary principles in all activities carried out by the Trust.

- ii Having suitable recruitment, selection and training procedures for employees and volunteers.
- iii Requiring all external agencies who work with the Trust to comply with the safeguarding requirements of the Trust.
- iv Providing training to all employees and volunteers to ensure they understand and follow the requirements of this policy.
- v Having procedures to ensure that concerns of abuse or neglect are dealt with appropriately and that action is taken promptly.
- vi Providing all employees with access to a designated lead who will have the details of the appropriate local agencies to whom they can report concerns.
- vii Ensuring fundraising activities are carried out in accordance with the Trust's values and ethical standards.
- viii Conducting a programme of Disclosure and Barring Service Checks (DBS) on employees in line with our Recruitment and Selection Policy.

The key responsibilities of the Trust and the Management Team are to:

- i Ensure all activities involving young people and adults at risk are carried out in ways that will foster security, confidence and independence.
- ii Ensure suitable levels of supervision are present whenever young people or adults at risk are present.
- iii Provide an environment in which people feel safe, secure, valued, respected, feel confident and know how to approach staff if they are in difficulty with the belief that they will be listened to.
- iv Raise and maintain staff awareness of the need to safeguard young people and adults at risk and their responsibilities in identifying and reporting issues.
- v Emphasise the need for good levels of communication between all members of staff.
- vi To develop structured procedures within the Trust that should be followed by all members of staff.
- vii Ensure that all staff working within the organisation are appropriately checked as to their suitability, including verification of their identity, qualifications and a satisfactory Enhanced Disclosure and Barring Service (DBS) check and that a central record is maintained.

4 Safeguarding within the Trust

We will ensure that:

- i Everyone associated with the organisation is aware that safeguarding is everybody's responsibility and we must always consider what is in the child's best interest.
- ii All staff understand and fulfil their responsibilities, and undergo annual refresher

training. Safeguarding is also supported by our staff handbook, which includes our Code of Conduct, and policies on protection for whistle blowers, and our disciplinary procedure, which would apply in cases where safeguarding requirements have not be fulfilled.

- iii The Designated Person for Safeguarding (DSL), Deputy Designated Person for Safeguarding (DDSL), Senior Safeguarding Lead (SSL) and Chief Executive, and all staff within the Trust working with children and vulnerable adults, have undertaken relevant training that will be updated every year.
- iv New members of staff and volunteers are provided with child protection awareness information at induction and will be made aware of those members of staff that they should contact to discuss concerns. All new staff will have a DBS check carried out prior to starting work with children, young people or adults at risk.
- v All safeguarding concerns or allegations against staff or adults working for the Trust are referred to the relevant body at the Local Authority for advice. Such incidents may also be reported to funders, as required.
- vi ECT follows safer recruitment guidelines; all posts are subject to an enhanced DBS check, which is renewed every three years, and for new recruitment, one member of each interview panel will have undertaken Safer Recruitment training. ECT also has a policy on recruitment of ex-offenders to ensure equal opportunities and safety.
- vii Members of staff or volunteers found to be unsuitable to work with young people or adults at risk will be notified to the Disclosure and Barring Service (DBS) for consideration for barring following resignation, dismissal, or when the Trust ceases to use their service as a result of substantiated allegation.
- viii If a young person or vulnerable adult is in immediate danger, staff will refer the matter immediately to the Local Authority or the Police.

5 Safeguarding and Trustees

One of the key requirements of Trustees is that they can readily explain their charity's approach to assessing Safeguarding. Trustees also need to ensure that any Safeguarding risks and mitigation are documented and managed.

To this end, the Trust will ensure that:

- i Training is available to enable Trustees to fully understand and implement Safeguarding.
- ii Safeguarding risks and mitigation will be added to the ECT risk register and updated as necessary.
- iii Support and guidance will be given to Trustees when undertaking site visits to tenants on their estates and to other charities, to ensure that Safeguarding is investigated as part of due diligence checks.

6 Safeguarding and Staff

Trust staff will adhere to the Lone Worker Policy when attending site visits or working on their

estates, ensuring that their whereabouts are known to at least one other member of the team. The Health and Wellbeing of staff is addressed through the Trust's Staff Handbook.

Internal Safeguarding issues raised by staff should be raised with the Designated Safeguarding Lead and Senior Safeguarding Lead.

7 Designated Safeguarding Lead (DSL)

The DSL is responsible for:

- i Being aware of all planned activities involving young people.
- ii Referring a young person or adult at risk if there are concerns about possible abuse to the relevant authority and acting as a focal point for staff to discuss concerns. Referrals will be made in writing, within 24 hours of a telephone call, using the Multi Agency Referral Form (MARF).
- iii Keeping records of concerns about a young person or adult at risk, even if there is no need to make an immediate referral.
- iv Liaising with other agencies and professionals.
- v Informing the Senior Safeguarding Lead and Chief Executive immediately with details of any incidents and cases that have occurred.
- vi Providing Trustees with an annual report detailing any changes to legislation, policies and procedures, and details of any incidents and cases that have occurred. Serious concerns will be reported to Trustees at any meeting as a standard agenda item.
- vii The Deputy Designated Safeguarding Lead (DDSL) is able to carry out all of the duties above if the DSL is not available, and staff should contact the DDSL with any safeguarding concerns if they are not able to reach the DSL.

8 Safeguarding and Partnership Working/Collaboration

The Trust has developed successful partnerships with external organisations to help deliver its strategic aims.

Trustees and staff should confirm that an approach to Safeguarding is in place in organisations where they are seeking to develop external partnerships or collaboration opportunities.

Where the Trust is working in collaboration with an organisation, an agreed approach to Safeguarding must be in place, through either the adoption of the Safeguarding Policy of the partner organisation, or in the case of longer term partnerships, the development of a joint approach to Safeguarding.

9 Safeguarding and Grant Applicants and Recipients

The Trust must be aware of Safeguarding in relation to the way in which it carries out the assessment, award and monitoring of grants.

Grant Giving:

The Trust's grant giving guidelines and application process includes questions to ensure that all of the charities/organisations funded by the Trust can demonstrate a good understanding of Safeguarding and have appropriate policies in place. This includes confirmation that applicants

have a Safeguarding Policy that is reviewed annually (a copy of the policy may be requested through the application process). The charity/organisation should be able to provide details of:

- i A named lead person to whom staff report Safeguarding issues that arise;
- ii A process for reporting incidents; and
- iii Affirmation that all staff and volunteers who may have contact with children, young people and/or vulnerable adults have undergone successful Disclosure and Barring Service (DBS) checks.

If there are any concerns about an organisation's Safeguarding Policy, approach, process or implementation, a grant will not be awarded until such concerns have been addressed. If during an application assessment Trust staff have serious concerns, they should contact the Designated Safeguarding Lead (DSL) who, if appropriate, will contact the Charity Commission, the Safeguarding Team of the relevant local authority and/or police if necessary.

Complaints: If the Trust is alerted to a safeguarding concern in a funded organisation by a complainant, the Trust will refer the complainant to the organisation in question so that its own procedures can be followed. If the Safeguarding issue or the organisation's approach to addressing the issue raises further concerns, then Trustees and Trust staff should bring the issue to the attention of the DSL. The DSL will decide on the severity of the incident and, if appropriate, will contact the Charity Commission, the Safeguarding Team of the relevant local authority and/or police if necessary.

Visits: The Trust will also ensure that during visits by Trust Staff or Trustees to charities/organisations (whether currently funded or potential applicants), that appropriate Safeguarding practises in line with The Ernest Cook Trust (ECT) Safeguarding Policy are implemented. Any concerns will be brought to the attention of the organisation/charities DSL and details will be reported to ECT's DSL, who if appropriate will contact the Charity Commission, the Safeguarding Team of the relevant local authority and/or police if necessary.

10 Confidentiality

The Trust acknowledges that all matters relating to child protection are confidential. The DSL will disclose any information about a child to other members of staff on a need to know basis only.

All staff have a professional responsibility to share information with other agencies in order to safeguard young people and adults at risk. Staff recognise that they cannot promise they will keep secrets that compromise safety or wellbeing.

11 Supporting Staff

The Trust recognises that staff working in the organisation who are involved with young people or adults at risk who have suffered harm or appear to be likely to suffer harm may find the situation stressful and upsetting.

Staff should take care not to place themselves in a vulnerable position, and ensure that they are never alone with a young person or adult at risk.

Staff are also aware that children with Special Educational Needs and Disabilities (SEND)

differences/perceived differences are more susceptible to being bullied/victims of child abuse.

12 Prevention

The Trust provides a significant part in the prevention of harm to children by providing them with good lines of communication with trusted adults, supportive friends and an ethos of protection. We will therefore:

- i Work to establish and maintain an ethos where children feel secure.
- ii Ensure that children are adequately supervised at all times, predominantly by visiting teaching staff but assisted by Trust staff.
- iii Make sure that children are encouraged to talk and are always listened to and that they know there is an adult whom they can approach if they are worried or in difficulty.
- iv Ensure that all staff are aware of the organisation guidance in regard to mobile, online and video conferencing technology and have discussed Safeguarding issues around the use of these technologies and platforms, and their associated risks. This issues are covered in our policies on Electronic Information and Communications systems, and Social Media.

13 Planning Activities Involving Young People and Adults at Risk

All events and activities that are carried out on the Trust's premises will be planned to ensure all necessary risks relating to safeguarding and the activity itself are duly considered. Activities will be planned by the Learning Staff (other others, in consultation with the Learning team) who will consider welfare as part of all assessments carried out for educational activities. This will confirm that all necessary measures to supervise and monitor activities are in place and all necessary risks assessed.

Risk assessments will also be discussed with school and visiting organisations' leaders to ensure they are also aware of the requirements. School are also supplied with detailed guidance on safe supervision ratios, minimum adult numbers and other safety measures through our Booking Agreement. Permission forms are required when ECT plans to take photos or videos of visiting groups.

Where online activities are planned, the guidance outlined in our Safeguarding in Online Engagement document must be followed.

In the event that a late change is required, for instance due to illness, arrangements will be made to ensure adequate levels of supervision can be met. In some cases, this may mean adjusting the activity, changing group sizes, arranging for additional staff to attend or even cancelling certain activities.

14 Responsibilities of all staff

All staff must endeavour to be alert and responsive to the needs of any young person or adult at risk who seems in need of additional support and follow up with a discussion with the DSL.

- i Report immediately any allegation or suspicion of abuse to the organisation's DSL or one of the Safeguarding team.
- ii Never promise confidentiality.

15 Monitoring and Evaluation

This policy will be monitored and evaluated on a regular basis to ensure it remains up to date and effective.

16 Contact details

Designated Safeguarding Lead

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Deputy Designated Safeguarding Lead

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We are committed to reviewing our policy and good practice annually.

This policy was last reviewed on: 4 June 2020

Signed:

Jenefer Greenwood OBE, Senior Safeguarding Lead

Date:

This policy will next be reviewed in June 2021