

FOUNDATION SCOTLAND'S APPROACH TO SAFEGUARDING POLICIES

What is a safeguarding policy and who needs one?

A safeguarding policy is a statement of intent demonstrating a commitment to safeguard children and vulnerable adults involved with a charity from harm.

If an organisation regularly works with children, vulnerable adults, their carers, parents, or families then they need to comply with safeguarding legislation and best practice recommendations.

What should the policy include?

1. Purpose and aim of the policy

Identify the organisation, its purpose and function. Set out the organisation's commitment to keeping children and vulnerable adults safe and how, in broad terms, the organisation will meet this commitment.

1. Links to relevant law and guidance

Briefly state the main law and guidance that supports the policy. Some key legislation includes The Protection of Vulnerable Groups (Scotland) Act 2007 (commonly known as PVG); Children and Young People (Scotland) Act 2014; Data Protection Act 1998 and General Data Protection Regulations; Human Rights Act 1998, and various United Nations Conventions. A useful summary of legislation in relation to child protection is given here - <https://www.gov.scot/publications/national-guidance-child-protection-scotland/pages/6/>. The National Society for the Prevention of Cruelty to Children (NSPCC) also provides useful guidance on safeguarding children and child protection – see <https://learning.nspcc.org.uk/safeguarding-child-protection>

Explain how this policy links to other relevant organisational policies and procedures such as those relating to data protection, taking/ storing/ using photographs and videos, internet use, and recruitment.

1. Equality statement

The organisation should make sure that all children, young people, and vulnerable adults have the same protection regardless of age, disability, gender, racial heritage, religious belief, sexual orientation, or identity. The policy needs to state their commitment to anti-discriminatory practice and should explicitly recognise the additional needs of those from minority ethnic groups and disabled people and the barriers they may face, especially around communication.

1. Scope of the policy

Be clear about who the policy applies to. Should it just be staff and volunteers who work directly with the client group? What about those who have occasional contact with clients such as a caretaker?

1. Dates

Provide the date the policy comes into force and any review dates. Has the policy been reviewed and updated? Do you feel the policy is being implemented and is a 'living document,' or is it simply copied from somewhere else to 'tick a box' and not really adhered to?

Procedures and Systems

Procedures and systems provide clear step-by-step guidance on what to do in different circumstances and they clarify roles and responsibilities. Systems for recording information and dealing with complaints are also needed to ensure implementation and compliance.

The procedures and systems should include:

- A named person (and deputy) with a clearly defined role and responsibilities in relation to safeguarding, appropriate to the level at which s/he operates
- A description of what abuse is, and the procedures for how to respond to it where there are concerns about a person's safety or welfare or concerns about the actions of a trustee, staff member or volunteer; relevant contact details for support agencies – e.g. for children's services, police, health, the Local Authority Designated Officer (LADO), Child Exploitation Online Protection Centre (CEOP) for eSafety concerns and NSPCC helplines should be available.
- A process for recording incidents, concerns and referrals and storing these securely in compliance with relevant legislation and kept for a time specified by your insurance company.
- Guidance on confidentiality and information sharing, legislation compliant, and which clearly states that the protection of the child is the most important consideration.
- A code of behaviour for trustees, staff, and volunteers; the consequences of breaching the code are clear and linked to disciplinary and grievance procedures.
- safe recruitment, selection and vetting procedures that include checks into the eligibility and the suitability of all trustees, staff and volunteers who have direct or indirect (e.g. helpline, email) contact with children or vulnerable person's; in the case of trustees, because of their position within the charity, the view is taken that whenever there is a legal entitlement to obtain a DBS/PVG check in respect of such a trustee, a check should be carried out - this goes beyond circumstances where the trustee comes into contact with children.

- A complaints procedure which is an open and well publicised way in which adults and children can voice concerns about unacceptable and/or abusive behaviour.
- Systems to ensure that all staff and volunteers working with vulnerable persons are monitored and supervised and that they have opportunities to learn about safeguarding in accordance with their roles and responsibilities; safeguarding induction training is now mandatory for all those who work directly with children, young people, vulnerable adults, their families and/or carers.
- Requirements for trustees, staff, and volunteers to learn about safeguarding in accordance with and as appropriate to their roles and responsibilities, including issues of eSafety, domestic violence, forced marriage, female genital mutilation, children who live away from home or go missing, child sexual exploitation, race and racism and extremism

It is important each charity's safeguarding policy and procedures are tailored to the type of contact the charity has with vulnerable persons, and it also needs to take into account any particular vulnerabilities of children with whom the charity has contact; for example, disabled children who are at increased risk of abuse; babies and toddlers who are vulnerable due to their age and dependence on adults.

Protecting Vulnerable Groups - disclosure checks in Scotland

All people engaged in activities that involve supervising or managing children as part of their normal and regular duties (called Regulated Work) should be Disclosure checked, it is an offence:

- For an organisation to engage a person in Regulated Work that is on the Barred List
- For a person on the Barred list to try to obtain Regulated Work

The only way to check if someone is not on the barred list is to ask them to do a Criminal Record Check.

Regulated Work usually includes:

- caring responsibilities
- teaching or supervising children and/or protected adults
- providing personal services to children and/or protected adults
- having unsupervised contact with children and/or protected adults

There are three levels of disclosure:

1. A basic disclosure is the most common and lowest level of disclosure available. It includes information on any 'unspent' convictions the person has.
1. A standard disclosure shows criminal history information, including:
 - unspent convictions
 - relevant spent convictions
 - unspent cautions
1. An enhanced disclosure includes:

- unspent convictions
- relevant spent convictions
- unspent cautions
- inclusion on children's or adult's lists (If it's relevant to the job)
- other relevant information held by the police

Checklist for Safeguarding Policies

When assessing an applicant make sure you ask for their safeguarding policy if they have not already submitted one alongside their application form. **Remember**, groups who work with children, young people or vulnerable adults are obliged to have a safeguarding policy, however it is good practice for all organisations to have a statement on this. Take a look at the following checklist which has been designed to help you during the assessment process.

Section	Why it is important?	What to look out for
Policy Statement	This is the introduction to the policy and a good policy will be tailored to the organisation's aims and activities.	It will include a definition of safeguarding and outline of the organisation's commitment to safeguard and protect the welfare of all who use its services. It should include the definitions for adults at risk and types of abuse experienced by children and adults at risk.
Recruitment and selection	It is good practice to include recruitment processes for staff and volunteers. However, some policies may not have a section on this and may have a separate policy for this.	Interviewing each person to assess their suitability Requesting a minimum of two references PVG checks (when these should be carried out and by whom).
Training and induction	To enable effective delivery of safeguarding staff, volunteers and trustees should receive induction training, which will give an overview of the organisation and ensure they know its purpose, values, services, and structure.	It will be good to see mention of relevant safeguarding training and support and whether it will be provided on an ongoing basis, such as refresher courses in safeguarding – usually one year refresher or every two years. If training volunteers - that a member of staff is qualified to deliver the training
Staff responsibilities	It is the duty of all staff, trustees, and volunteers to ensure that the beneficiaries are protected from any harm and the policy should be designed to help staff and volunteers recognise and respond to cases of abuse.	The policy should have a designated safeguarding person and their contact details should be provided. Some organisations have a Child Protection or Safeguarding Officer that may also be direct delivery officers such as welfare officers or family support officers. It is usually the designated person that has responsibility for recording all instances of alleged or reported abuse. Staff should

		approach the designated person with any concerns of abuse.
Reporting procedures	All staff, trustees and volunteers should know what steps to take if there are allegations made or if there is a suspicion of an issue. This section should be specific to the organisation and should provide clear directions on what to do.	<ul style="list-style-type: none"> • Could include what training staff and volunteers undertake to know how to spot signs of abuse and how to report it • This section should have directions on how to listen, react and record any allegations/concerns • Who to contact within the organisation and what steps to take to alert the appropriate authorities (if applicable) • What steps to take if the person is under immediate danger and who to contact (i.e., 999) • Could include steps to take to manage allegations made against a member of staff or volunteer and when it is suitable to contact a family member/carer
Useful contacts	There should be a nominated person within the organisation that is in charge of safeguarding and its reporting.	Contact details – this could be a designated post such as a Child Protection Officer or usually a senior member of staff Could also include local authority contacts, police, or local safeguarding board
Other points to note	The safeguarding policy should be a living document therefore we need to see that it is updated regularly.	<ul style="list-style-type: none"> • Should have a section of when the policy was adopted and when it will next be updated. • Could have a reporting template attached to the policy • Could also include a flow chart of the reporting process • Logo of the organisation • A list of related documents that the organisation has that should be read in conjunction with the Safeguarding Policy