

## **BI-HAS-003 SAFEGUARDING POLICY**

### **Document reference**

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#### **Define the approval authorities for the document**

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| This policy should be assigned to the following groups;<br>Please tick one box for each group. |                                     |                          |                          |
| Group Name                                                                                     | Mandatory                           | Group Name               | Mandatory                |
| All Users                                                                                      | <input checked="" type="checkbox"/> | Heads of Department      | <input type="checkbox"/> |
| Trustees                                                                                       | <input checked="" type="checkbox"/> | BCE Staff                | <input type="checkbox"/> |
| Researcher (Wet)                                                                               | <input type="checkbox"/>            | Nursery                  | <input type="checkbox"/> |
| Researcher (Dry)                                                                               | <input type="checkbox"/>            | Visitors                 | <input type="checkbox"/> |
| BSU Staff                                                                                      | <input type="checkbox"/>            | Credit Card Users        | <input type="checkbox"/> |
| BSU Users                                                                                      | <input type="checkbox"/>            | Ionising Radiation Users | <input type="checkbox"/> |

| Associated policies, procedures and guidance                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| This policy should be read in conjunction with:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <p>BI-HAS-002 Health &amp; Safety Policy for Under 18s</p> <p>EXT-NUR-001 Nursery Safeguarding &amp; Child Protection Policy (A Cambridgeshire County Council Early Years Policy) *</p> <p>BI-NUR-010 Nursery Complaints Policy*</p> <p>BI-COR-001 Trustee Code of Conduct - Section 15 (Reporting breaches in charity governance).</p> <p>BI-BICS-001 IT Security &amp; Usage Policy</p> <p>BI-COM-002 Use of Social Media &amp; Related Online Platforms Policy</p> <p>BI-COR-010 Whistleblowing Policy</p> <p>BI-IM-002 Data Protection Policy</p> <p>BI-IM-003 Information Classification &amp; Security Policy</p> <p>BI-SEC-002 Security Screening Policy</p> <p>BI-HR-005 Disciplinary Policy</p> <p>BI-RES-007 Human Research Policy</p> <p>Safeguarding Rules and Guidance (available on the Health and Safety [H&amp;S] pages of The Hub)</p> <p>*Please note that Nursery policies are available on the Nursery's website.</p> |

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# 1. Definitions

## **“Activity” or “Activities”**

In the context of this document, activity or activities are defined as any event(s) involving children, young people or Adult at Risk (AaR) at the Babraham Institute or organised by the Institute that is not defined as a regulated activity (see Section 8.2.3). This can include, e.g., school visits, work experience, work shadowing social events, apprenticeships, teaching, supervision or management, other (community) engagement activities, seminars, workshops or online activities.

## **“Adult at Risk (AaR)”**

An AaR of abuse or neglect is defined as someone who has needs for care and support, who is experiencing, or at risk of, abuse or neglect and, as a result of their care needs, is unable to protect themselves. Adults aged 18 and over have the potential to fit into this category (either temporarily or permanently) for a variety of reasons and in different situations. An adult may be at risk if they:

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

It is recognised that people who meet one or more of the criteria above may not be at risk at all, or all of the time. However, until you have direct contact with people on an individual basis, it may be impossible to identify whether vulnerability exists in relation to an activity. Therefore, in order to support you in identifying and managing potential risks of harm to people effectively, an AaR 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.

## **“Child Protection”**

Relates to children and young people under the age of 18. Child Protection has a narrower definition than ‘safeguarding’, and is just one aspect of safeguarding. It is used to refer to the process of protecting individual children who are identified as suffering or likely to suffer significant harm.

## **“Images”**

Include photographs/pictures, videos and films relating to children and young people under the age of 18.

## **“LADO”**

The Local Authority Designated Officer (LADO) has a countywide responsibility for managing allegations against adults who work or volunteer with children across all agencies and settings.

## **“Livestream”**

Livestreaming can be used to broadcast activities online in real time, from anywhere and at any time. Those attending livestream

activities may be able to participate in the stream or choose to watch. Some livestreams can also be saved and kept on social media platforms to view later.

|                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|-----------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>“MASH”</b>               | The Multi Agency Safeguarding Hub (MASH) brings key professionals together to facilitate early, better quality information sharing, analysis and decision making, to safeguard vulnerable children and young people more effectively. MASH staff include experts from health, social care, the police, education and probation. The MASH provides timely access to a range of partner agency information, which builds a picture and enables them to understand the level of risk. Information from different agencies is collated within the MASH and used to decide what action to take. As a result, the agencies are able to act quickly in a coordinated and consistent way, ensuring that children, young people and AaR are kept safe. |
| <b>“Online”</b>             | Connected to, served by, or available through a system and particularly a computer or telecommunications system (such as the Internet).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>“Regulated Activity”</b> | Institute activities that involve working directly with children, young people and AaR for extended periods, fall into the category of ‘regulated activity’. Those carrying out regulated activity are required by law to have an enhanced Disclosure Barring Service (DBS) check.                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>“Respondent”</b>         | A person against whom a safeguarding allegation is made.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>“Safeguarding”</b>       | Safeguarding is the process of protecting children, young people and AaR from harm, whether this is caused by accidents, deliberate abuse, neglect (deliberate or not), or factors like bullying, prejudiced attitudes or a failure to enable them to participate in activities that are open to most children, young people and AaR.                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>“Whistleblowing”</b>     | In the context of safeguarding, ‘whistleblowing’ is when someone raises a concern about the wellbeing of a child, young person or an AaR. Whistleblowing concerns relating to safeguarding should be raised under this policy rather than the Institute’s Whistleblowing Policy (BI-COR-010).                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>“Child”</b>              | Anyone who has not yet reached the official age at which they may leave school, i.e., just before or just after their 16th birthday (this is often referred to as the minimum School Leaving Age (SLA)).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>“Young people”</b>       | Anyone under 18 years old and over the SLA.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>“Employee”</b>           | Babraham Institute employees on Institute or Babraham Institute Enterprise Ltd (BIE) terms and conditions, Institute employees on BBSRC or other terms and conditions, and Research Fellows on Institute terms and conditions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>“Staff”</b>              | Employees and Babraham Institute registered PhD students.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>“Worker”</b>             | Staff, Research Fellows (honorary), Honorary Members of Faculty, visiting students, visiting researchers and workers (including                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

consultants and secondees), workers provided by a third party / contractors, and Trustees.

**“Others”**

Non-worker visitors and those affected by the undertakings of the Institute.

## 2. Commitment statement

- 2.1. At the Babraham Institute our mission is to be an international leader in research focusing on basic cell and molecular biology with an emphasis on healthy ageing through the human lifecycle.
- 2.2. The Institute is fully committed to meeting the requirements of safeguarding in relation to children, young people and Adults at Risk (AaR), in order to ensure that they are protected, whilst enjoying opportunities to develop their full potential. The Institute fully recognises the responsibility to have arrangements in place to safeguard and promote the welfare of children, young people and AaR, bearing in mind its activities (including those online), duty of care and other legal obligations.

## 3. Purpose

- 3.1. The Institute has a duty, both in law and as a responsible organisation, to take reasonable care of children, young people and AaR coming onto its premises or at Institute-organised activities (including those online). The Institute aims to adopt the highest possible standards and take all reasonable steps in relation to the safety and welfare of children, young people and AaR. The Institute encounters children, young people and AaR in a variety of settings (both face-to-face and online), including through its teaching and research activities, as well as through its outreach programmes.
- 3.2. This policy supports the Institute to meet the safeguarding legislative framework:
  - Safeguarding in relation to children and young people is defined by the Children Act 1989 and Joint Chief Inspectors Report on Arrangements to Safeguard Children (2002). These require "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 that "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".
  - Safeguarding for AaR is also defined by the Care Act 2014; this states that, "Safeguarding means protecting an adult's right to live in safety, free from abuse and neglect. It is about people and organisations working together to prevent and stop both the risks and experience of abuse or neglect, while at the same time making sure that the adult's wellbeing is promoted including, where appropriate, having regard to their views, wishes, feelings and beliefs in deciding on any action. This must recognise that adults sometimes have complex interpersonal relationships and may be ambivalent, unclear or unrealistic about their personal circumstances".

See Appendix 3 for further information about relevant legislation.

3.3. This policy aims to help and protect Institute workers, others involved in Institute-organised activities, children, young people and AaR by:

- Promoting and prioritising the safety and wellbeing of children, young people and AaR.
- Providing assurance to parents, guardians, carers and other parties that the Institute takes reasonable steps to manage risks, and keep children, young people and AaR safe.
- Ensuring that everyone understands their roles and responsibilities with respect to safeguarding and is provided with the necessary information, training and support on safeguarding matters.
- Preventing the employment of individuals to work with children, young people and / or AaR where they have been barred by the Disclosure Barring Service (DBS) or are deemed by the Institute to pose an unacceptable risk to vulnerable groups.
- Ensure that appropriate action is taken in the event of any concerns and /or suspicions regarding harm to children, young people or AaR arising from contact with Institute workers whether the harm has taken place on Institute premises or not.
- Ensure the safety and wellbeing of children, young people and AaR is paramount when they are involved in Institute activities involving the internet, social media or mobile devices and especially those where images may be captured / recorded.

3.4. As outlined in this policy, the Institute also seeks to effectively manage the risks associated with activities involving children, young people and AaR by:

- Requiring completion of a risk assessment process, which involves identifying risks and means of reducing or eliminating these.
- Implementing the required actions identified by the risk assessment process (before the start of the proposed event) and reviewing the effectiveness of these on a regular basis (i.e., before another event using the same risk assessment).
- Ensuring that the appropriate DBS checks are conducted, depending on eligibility, for any workers:
  - starting or moving into work that involves working with children, young people or AaR.
  - who work as part of a team hosting Institute activities with children, young people or AaR.
- Requiring new workers and individuals involved in working with children, young people or AaR to familiarise themselves with the content of this policy and the associated Institute Safeguarding Rules and Guidance (Safeguarding RaG; available on the Health and Safety [H&S] pages of The Hub).
- Providing workers with the overarching principles that guide our approach to online safety (in the Safeguarding RaG).
- Ensuring that the Institute operates in line with our values as an Institute and within the law in terms of how we use online devices.
- Ensuring that we operate in line with our values as an Institute and within the law when creating, using and sharing images of children, young people and AaR.
- Ensuring we get written consent from a child / young person / AaR and / or their parent / guardian / carer, as appropriate, before taking and using an image.
- Ensuring we explain what the image(s) will be used for, how they will be stored and what potential risks are associated with sharing images of children, young people or AaR.



- Ensuring that we make it clear that if a child, young person, AaR or their family, as appropriate, withdraws consent for an image to be shared, it may not be possible to delete images that have already been shared or published.
- Changing the names of children, young people and AaR whose images are being used in our published material whenever possible (and only using first names if we do need to identify them).

3.5. If a safeguarding concern arises, this policy seeks to:

- Prevent the situation from getting worse.
- Ensure that safeguarding of children, young people and AaR is paramount.
- Reduce any potential risks to others.

3.6. This policy should be read alongside other relevant Institute policies and procedures (particularly the Health & Safety Policy for Under 18s [BI-HAS-002]), as mentioned throughout this policy.

## 4. Scope

4.1. This policy and associated Institute Safeguarding RaG applies to all those who work with children, young people or AaR (in person or online), including those in the following groups:

- Institute employees on Institute or Babraham Institute Enterprise Ltd (BIE) terms and conditions
- Institute employees on BBSRC or other terms and conditions
- Research Fellows on Institute terms and conditions
- Research Fellows (honorary)
- Honorary Members of Faculty
- Babraham Institute registered PhD students
- Visiting students
- Visiting researchers and workers, including consultants and secondees
- Workers provided by a third party / contractors
- Visitors
- Trustees

4.2. This policy must be considered and applied in ALL areas of the Institute when:

- Recruiting to a new or existing post that involves working directly with children, young people and / or AaR.
- Commencing new activities (including those online) involving or potentially involving children, young people and / or AaR.
- Changing existing activities involving or potentially involving children, young people and / or AaR.

4.3. The public may also raise safeguarding concerns under this policy (see Sections 5 and 9)

4.4. This policy is public facing on the Institute website.

## **5. How to raise a safeguarding concern**

### **5.1. Types of abuse & responsibility to act**

5.1.1. Each person has a responsibility to act if they have any suspicions or concerns about someone's behaviour towards a child, young person or AaR. It is important that the recipient of any complaint or accusation that a child, young person or AaR has been or is being abused listens carefully without making or implying any judgment as to the veracity of the complaint or accusation.

5.1.2. There are many types of abuse and concerns for the safety and wellbeing of children, young people and AaR (see Appendix 1). For example:

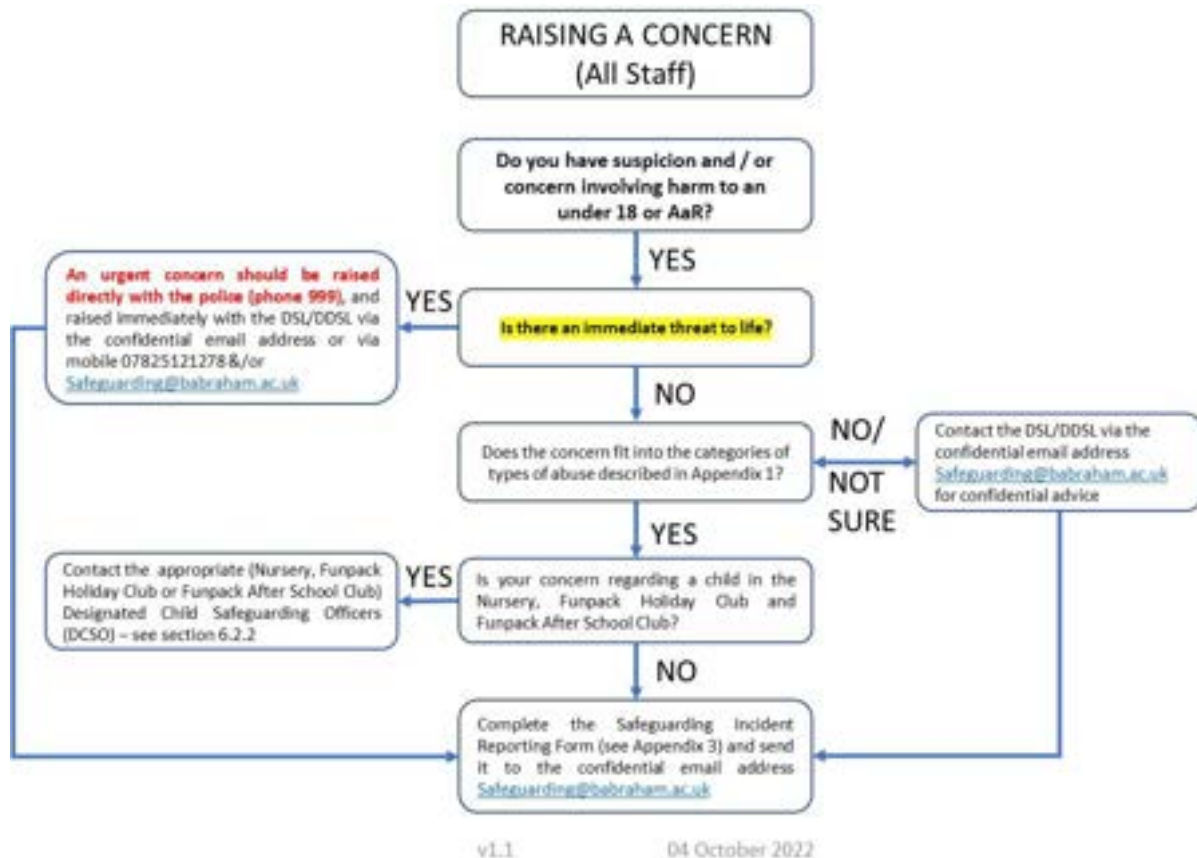
- A child / young person / AaR may report or show signs of abuse.
- Someone may hint that a child / young person / AaR is vulnerable or that a colleague is an abuser.
- Someone may witness abuse.

It is not always easy to recognise a situation where abuse may occur, is happening or has taken place.

5.1.3. If an individual is unsure whether a suspected incident falls within the definition of abuse (see Appendix 1), they can contact the Designated or Deputy Safeguarding Lead (or if the incident is within the Nursery or Funpack, the Nursery Designated Child Protection / Safeguarding Staff) see section 6 for contact details.

### **5.2. Raising a concern**

5.2.1. This policy requires that any suspicions and / or concerns involving harm to children, young people and AaR are raised immediately. Guidance on how to raise a concern can be found in the diagram, 'Raising a concern (all staff)'.



- 5.2.2. The appropriate Designated or Deputy Safeguarding Lead or Officer (see Section 6) will then 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.
- 5.2.3. Regular anonymised updates of safeguarding concerns raised within the Institute Nursery (including Funpack After School Club and Funpack Holiday Club) and lessons learnt will be regularly reported back to the DSL / DDSL and TSL by the Nursery manager as required by the Charity Commission (see sections 7.11.5 & 9.6.2).
- 5.2.4. The procedure for managing suspicions and / or concerns aims to strike a balance between the need to protect children, young people and AaR from abuse and the need to protect staff, students, workers and volunteers from false or unfounded accusations.
- 5.2.5. Advice can be sought from a Designated Safeguarding Lead or Officer at any time (see Section 6 for contact details.)
- 5.2.6. Please refer to Section 9 for details on how concerns are managed.

### 5.3. Protecting those who make an allegation

- 5.3.1. In the context of safeguarding, 'whistleblowing' is when someone raises a concern about the wellbeing of a child, young person or AaR.

- 5.3.2. The Institute's Whistleblowing Policy (BI-COR-010) and the Nursery, FHC and FASC Whistleblowing Policies (to follow) set out the principles for whistleblowing. This encourages and enables individuals to speak out when they encounter or suspect 'malpractice' (i.e., in this case raising a safeguarding concern) and outlines the protection that is afforded to them under the Public Interest Disclosure Act 1998. This protection also applies to anyone who raises a genuine safeguarding concern in good faith through the routes described in this policy.
- 5.3.3. Please be aware that if a worker is found to have raised a concern maliciously or vexatiously, they will lose the protection of the Whistleblowing Policy and may be subject to disciplinary action under the Institute's Disciplinary Policy (BI-HR-005) or their employer's policy.
- 5.3.4. The Babraham Nursery, FHC and FASC have adopted the Cambridgeshire County Council Whistleblowing Policy to reflect the specific requirements for establishments with 'regulated activities' and / or an early year's settings, which are regularly inspected by Ofsted, but similar protection is outlined in these policies.

## 6. Organisation and emergency contacts

### 6.1. Designated Safeguarding Leads

- 6.1.1. The following staff have been appointed to manage safeguarding for children, young people and AaR (including online activities) within the whole of the Institute (with the exception of registered child users of the Institute Nursery, FHC and FASC; see section 6.2).

|                                                                                                                                                                                                                     |                                                                                                          |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|
| To raise a concern, contact <a href="mailto:Safeguarding@babraham.ac.uk">Safeguarding@babraham.ac.uk</a> (which is accessible by all three individuals below) or contact one of the three individuals listed below. |                                                                                                          |
| Institute Trustee Safeguarding Lead (TSL)                                                                                                                                                                           | <a href="#">Geoff Braham</a> (Institute Board of Trustees)                                               |
| Institute Designated Safeguarding Lead (DSL)                                                                                                                                                                        | <a href="#">Trevor Smith</a> * (Institute Health and Safety Manager)<br>01223 496560; Mobile 07825121278 |
| Institute Deputy Designated Safeguarding Lead (DDSL)                                                                                                                                                                | <a href="#">Priya Schoenfelder</a> * (Institute Health and Safety team member)<br>01223 496441           |

\* These members of staff have undergone Safer Recruitment training.

### 6.2. Designated Child Protection / Safeguarding Staff in the Nursery, Fun Pack Holiday Club (FHC) & Fun Pack After School Club (FASC)

- 6.2.1. Although the fundamentals set out in this policy are also applicable in The Babraham Nursery, Funpack Holiday Club (FHC) and Funpack After School Club (FASC), these settings have adopted the Cambridgeshire County Council Safeguarding and Child Protection Policy and Cambridgeshire and Peterborough Safeguarding Children Board (CPSCB) procedures. This reflects the specific requirements for establishments with 'regulated activities' and / or early years settings, which are regulated by the Office for Standards in Education, Children's Services and Skills (Ofsted). Please refer to the [Nursery \(includes the Funpack Holiday Club &](#)

[After School Club\) Safeguarding & Child Protection Policy](#) for details of how safeguarding is carried out in these areas.

- 6.2.2. The following staff have been appointed to manage child protection / safeguarding within the Institute Nursery, FHC and FASC.

|                                                                                                                                  |                                                                               |                                                                                                            |
|----------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------|
| Babraham Nursery<br>Designated Child<br>Safeguarding Officers (DCSO)<br>01223 496200<br>(Nursery Reception)                      | <a href="#">Alison Bishop</a> * (Head of Nursery and Funpack)<br>01223 496200 | Nursery Safeguarding & Child Protection Policy (to follow)<br>Nursery Adult Supervision Policy (to follow) |
|                                                                                                                                  | <a href="#">Dee Franklin</a> (Nursery Senior)                                 |                                                                                                            |
|                                                                                                                                  | <a href="#">Philippa Beeby</a> * (Deputy Nursery Manager/Funpack Manager)     |                                                                                                            |
| Funpack Holiday club (FHC)<br>Designated Child<br>Safeguarding Officers (DCSO)<br>01223 496200<br>(Nursery Reception)            | <a href="#">Philippa Beeby</a> * (Funpack Manager & Deputy Nursery Manager)   | FASC and FHC Safeguarding & Child Protection Policy (to follow)                                            |
|                                                                                                                                  | <a href="#">Alison Bishop</a> * (Head of Nursery and Funpack)                 |                                                                                                            |
|                                                                                                                                  | <a href="#">Dee Franklin</a> (Senior Nursery Nurse)                           |                                                                                                            |
|                                                                                                                                  |                                                                               |                                                                                                            |
| Funpack After School Club (FASC)<br>Designated Child<br>Safeguarding Officers (DCSO)<br>01223 839650<br>(general contact number) | <a href="#">Lizzie Allars</a> (Nursery Nurse/Funpack Deputy)                  |                                                                                                            |
|                                                                                                                                  | Rachel Tomlinson (Play Worker)                                                |                                                                                                            |
|                                                                                                                                  |                                                                               |                                                                                                            |

\* These members of staff have undergone Safer Recruitment training.

## 7. Roles & responsibilities

### 7.1. Trustees

- 7.1.1. As a charitable business the Institute Trustees have legal duties regarding [safeguarding](#) under the [Charities Act 2011](#).
- 7.1.2. As part of fulfilling these legal duties, Trustees should ensure that an Institute culture that prioritises safeguarding is in place, so that it is safe for those affected to come forward and report incidents and concerns with the assurance these will be handled sensitively and properly.
- 7.1.3. Trustees are responsible for safeguarding even if certain aspects of the work are delegated to staff.
- 7.1.4. Trustees should ensure that their clear commitment to safeguarding is made public by publishing the Institute's relevant policies and stating that failure to follow these will be dealt with as a very serious matter.

7.1.5. Any failure by Trustees to manage safeguarding/protection risks adequately could be considered as misconduct and/or mismanagement in the administration of the charity and a breach of Trustee duty.

7.1.6. For Trustee training requirements see section 8.3.1.

## **7.2. Trustee Safeguarding Lead (TSL)**

7.2.1. With support from the Institute, the TSL is required to:

- Provide oversight for Institute Safeguarding.
- Regularly review Institute Safeguarding with the DSL / DDSL.
- Provide regular updates to the Audit Committee and Institute Board of Trustees.

## **7.3. Designated Safeguarding Lead (DSL)**

7.3.1. The DSL is required to raise awareness of safeguarding within the Institute by:

- Ensuring that this Safeguarding Policy and the Safeguarding RaG are implemented, and publicised.
- Collating and providing regular reports to senior management and the Trustees.

7.3.2. The DSL is required to manage risk in activities involving children, young people and AaR by:

- Providing oversight for Safeguarding concerns within the Institute.
- Ensuring regular review of all Institute safeguarding policies and procedures.
- Assisting those managing activities involving children, young people and AaR to undertake a risk assessment, which considers how risks can be minimised.
- Assisting those managing the activity to identify whether there is a requirement for pre-employment or pre-eligibility checks.
- Ensuring those managing the activity make the completed risk assessments available to all Institute workers involved in the activity.
- Monitoring that those working with children, young people and AaR are appropriately trained and supervised.
- Monitoring and recording appropriate safeguarding training.

7.3.3. The DSL is required to manage referrals (i.e., concerns raised) within all areas of the Institute (with the exception of child referrals within the Institute Nursery, FHC and FASC) by:

- Acting as a point of contact for those who have safeguarding concerns, receiving information and recording / logging those concerns (see appendices 2 &3).
- Advising and taking appropriate action to ensure that concerns of abuse are made in the contexts set out in the referral procedure.
- Informing, involving and updating HR, the Director, COO and Trustees as appropriate – including lessons learnt (see section 9.6).
- Contacting and liaising with external agencies where appropriate (such as the [Cambridgeshire & Peterborough Local Safeguarding Children's Board](http://www.safeguardingcambspeterborough.org.uk/children-board/)<sup>1</sup> and

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<sup>1</sup> <http://www.safeguardingcambspeterborough.org.uk/children-board/>

[Cambridgeshire & Peterborough Safeguarding Adults Board<sup>2</sup>](http://www.safeguardingcambspeterborough.org.uk/adults-board/)), who manage and investigate concerns as appropriate.

- Ensuring that those involved in any case are appropriately supported.
- Providing support to the Nursery, FHC and FASC for child referrals.
- Supporting any disciplinary procedures relating to safeguarding (see section 9.6).

7.3.4. The DSL is required to promote appropriate training by:

- Ensuring that appropriate information and training are available to Institute workers who will come into contact with children, young people and AaR.
- Undertaking relevant training in safeguarding procedures and ensuring their knowledge is kept up to date.

7.3.5. The DSL and DDSL must complete regular training / refreshers (see section 8.3).

## **7.4. Deputy Designated Safeguarding Lead (DDSL)**

7.4.1. The DDSL is required to provide support to the DSL in all the duties outlined in 7.3 and provide cover (for the responsibilities described in Section 7.3) when the DSL is unavailable.

## **7.5. Line managers & Workers**

7.5.1. All line managers and workers must have read and be familiar with this Safeguarding Policy and the associated Rules and Guidance, must complete safeguarding training and regular refreshers (see section 8.3.3).

7.5.2. Line managers and workers must not use the Institute IT systems to:

- Access inappropriate websites (e.g., those involving the abuse of children, young people or AaR).
- View and / or store inappropriate material (e.g., images of children, young people or AaR where there is no consent in place; pornographic images of children, young people or AaR; etc.).

7.5.3. Anyone doing so will be subject to immediate disciplinary procedures and / or criminal investigation.

7.5.4. Non-work-related visits (defined below in Section 8.5) by children, young people or AaRs related to line managers / workers must follow the arrangements outlined in section 8.5.

7.5.5. When involved in Institute activities including children, young people and AaR, line managers and workers must not interact with them, except:

- As a parent / guardian / carer.
- Where there is permission from the parent / guardian / carer.
- Within Institute-approved activities where all the required safeguarding risk assessments, processes and procedures are in place and being followed.

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<sup>2</sup> <http://www.safeguardingcambspeterborough.org.uk/adults-board/>



- 7.4.4 Line managers and workers must give due consideration to safeguarding arrangements for any external events that they take part in as members of the Institute. If they are not satisfied that sufficient safeguarding measures are in place, then they should not participate.
- 7.5.6. Line managers and workers must ensure that any Institute (or Institute-affiliated) activities involving children, young people or AaR that they arrange (or are part of) comply with all legal and Institute safeguarding requirements. This will include a risk assessment, parental / guardian / carer permission, the provision of guidance and information, and the completion of safeguarding training, in advance of the activity.
- 7.5.7. When arranging various activities involving children, young people or AaR, line managers and workers must ensure that appropriate processes are followed. This includes:
- For solo activities carried out as an Institute representative (e.g., when a member of staff is personally invited by a school to give a talk based on their work), you must ensure that the Public Engagement (PE) team ([PE@babraham.ac.uk](mailto:PE@babraham.ac.uk)) and the DSL/DDSL ([Safeguarding@babraham.ac.uk](mailto:Safeguarding@babraham.ac.uk)) are informed at the earliest opportunity and at least two weeks before the activity will take place.
  - For outreach events, see Section 8.4.2.
  - For work experience / work shadowing, see Section 8.4.3.
  - For apprentices, see Section 8.4.4.
  - For non-work-related visits, e.g., emergency childcare, see Section 8.5.
- 7.5.8. Further guidance can also be found in the Institute Safeguarding RaG.

## **7.6. Public Engagement (PE) team**

- 7.6.1. For all outreach activities carried out by Institute workers involving children, young people or AaR, the PE team is, in advance of the event, required to:
- Follow the appropriate process flow diagram for online PE events for Children, young people and adults at Risk (U18AaR – see Institute Safeguarding RaG).
  - Complete and submit for approval an Under 18s & adults at Risk (U18AaR) Risk Assessment form (available on the H&S pages of The Hub) at the earliest opportunity and at least two weeks before the activity is due to take place (see Section 8.1).
  - Ensure that an Institute recommended platform is used when managing / supervising / broadcasting an online activity involving children, young people and / or AaR (see Safeguarding RaG, Form D: Institute online event safeguarding guidelines).
  - Ensure that suitable and secure online platforms are used when involved with online activities (involving children, young people and / or AaR) that they do not directly organise / manage.
- 7.6.2. The PE team must also:
- Scrutinise and record all Institute non-PE outreach activities involving children, young adults or AaR.
  - Ensure that PE arranged / organised work experience placements within the Institute follow the requirements set out in Section 8.4.3.



- Ensure that they pass on any safeguarding concerns to the DSL / DDSL ([Safeguarding@babraham.ac.uk](mailto:Safeguarding@babraham.ac.uk)) as soon as possible. An urgent concern (e.g., an immediate threat to life) should be raised directly with the appropriate authority, e.g., the police, LADO, MASH, etc., as described in Section 5 and 9, before notifying the DSL / DDSL.

## **7.7. Human Resources (HR) team**

7.7.1. The HR team is required to:

- Follow the 'Work / lab experience and work shadowing involving children, young people & adults at risk' process and procedures outlined in Section 8.4.3 for all placements organised by the PE team.
- Ensure that safer recruitment processes and procedures (which are proportional to the role) are followed.
- Inform the DSL / DDSL at least two weeks in advance of new members of staff who are under 18 workers and / or apprentices starting at the Institute (see Section 8.4.4) in order to avoid any delay to the start date.

## **7.8. Communications team**

7.8.1. The Communications team must ensure that:

- All Institute communications with the wider community involving children, young people or AaR are carried out by, or scrutinised by, the Communications team in collaboration with the DSL / DDSL.
- In collaboration with the DSL / DDSL, ensure all Institute communications with the wider community involving children, young people or AaR meet all legal and Institute safeguarding requirements.
- Assist with the swift removal of inappropriate or abusive comments on Institute social media platforms and that abusive individuals are blocked / reported to the social media platform(s) concerned. See the Use of Social Media & Related Online Platforms (BI-COM-002) for further information on the standards of behaviour expected online.

## **7.9. Information & Business Systems team**

7.9.1. The Information & Business Systems team must collaborate with the DSL / DDSL, PE team and Communications team to help identify the appropriate online platforms for Institute work-related activities with children, young people and AaR.

## **7.10. Babraham Institute Computing Service**

7.10.1. Babraham Institute Computing Service (BICS) is responsible for maintaining security of the Institute IT system. For safeguarding this will include putting in place processes to prevent and / or monitor for the following (on Institute systems connected to the Institute network):

- Accessing inappropriate websites (e.g., those involving the abuse of children, young people or AaR).

- Downloading of inappropriate material (e.g., images of children, young people or AaR where there is no consent in place; pornographic images of children, young people or AaR; etc.)

7.10.2. For further information and guidance, see the IT Security & Usage Policy (BI-BICS-001).

7.10.3. Computing management should keep the information confidential and immediately raise a concern with the DSL / DDSL if there is any evidence of access, downloading or storage of such material on Institute IT systems.

## **7.11. Nursery, FHC & FASC Designated Child Safeguarding Officers (DCSOs)**

7.11.1. The Nursery, FSC and FASC DCSOs are required to raise awareness by:

- Ensuring that this Safeguarding Policy, [Nursery \(includes the Funpack Holiday Club & After School Club\) Safeguarding & Child Protection Policy](#) and associated procedures are implemented and publicised.
- Collating and providing regular updates of safeguarding concerns raised within the Institute Nursery (including Funpack after school club) will be regularly reported back to the DSL/DDSL and TSL by the Nursery manager as required by the Charity Commission.

7.11.2. The Nursery, FHC and FASC DCSOs are required to manage risk in activities involving children, young people and AaR at risk by:

- Managing safeguarding issues.
- Working with the DSL / DDSL to ensure regular review of local safeguarding policies and procedures.
- Undertaking a risk assessment, which considers how risks can be minimised.
- Identifying whether there is a requirement for pre-employment or pre-activity checks.
- Ensuring completed risk assessments are available to all Institute workers involved in the activity.
- Ensuring that those working with children, young people at risk are appropriately trained and supervised.
- Providing and recording training.

7.11.3. The Nursery, FHC and FASC DCSOs are required to ensure processes are in place to manage safeguarding concerns by:

- Producing and safely storing investigations and reports of concerns raised.
- Ensuring that all those involved are advised on how to report concerns as part of their induction to the activity.
- Acting as the key contact within the risk assessment to whom any concerns should be addressed.

7.11.4. The Nursery, FHC and FASC DCSOs are required to manage referrals (i.e., concerns raised) by:

- Acting as a point of contact for those who have safeguarding concerns, receiving information and recording those concerns.
- Advising and taking appropriate action in the case that concerns of abuse are made in the contexts set out in the referral procedure.
- Informing and updating the DSL / DDSL (see 7.11.1).
- Contacting and liaising with external agencies where appropriate (such as the [Cambridgeshire & Peterborough Local Safeguarding Children's Board](#)<sup>3</sup>, [Multi-Agency Safeguarding Hub \(MASH\)](#)<sup>4</sup>, and the Cambridgeshire [Local Authority Designated Officer \(LADO\)](#)<sup>5</sup>), which will manage and investigate the concern as appropriate.
- Ensuring that those involved in any case are appropriately supported.

7.11.5. The Nursery, FHC and FASC DCSOs are required to provide regular anonymised updates of safeguarding concerns raised within the Institute Nursery (including Funpack After School Club and Funpack Holiday Club) and any lessons learnt (see section 9.6.2) to the DSL / DDSL and TSL (as required by the Charity Commission).

7.11.6. The Nursery, FHC and FASC DCSOs are required to promote appropriate training by:

- Ensuring that appropriate information and training are available to all Institute workers, relevant inspectors and visitors (including, e.g., parents of children in the nursery) as appropriate.
- Undertaking relevant training in safeguarding procedures, including safer recruitment, and ensuring their knowledge is kept up to date.

## 8. Arrangements

### 8.1. Risk assessment

#### 8.1.1. Initiating the risk assessment process

8.1.1.1. The children, young people and AaR risk assessment process will be initiated by the following circumstances (although other situations may trigger this procedure if deemed appropriate by the person responsible for the relevant recruitment campaign or activity [the "activity manager"] in consultation with the DSL / DDSL or a Nursery, FHC or FASC DCSO):

- The commencement of new activities involving or potentially involving children, young people and / or AaR.
- Changes being made to existing activities involving or potentially involving children, young people and / or AaR.

8.1.1.2. A separate risk assessment is not required for recruitment to a new or existing post. Instead, recruitment to a new or existing post that involves working with children, young people and / or AaR follows the Safer Recruitment process and, in addition, in the Nursery, FHC and FASC, follows the Nursery recruitment process.

<sup>3</sup> <http://www.safeguardingcambspeterborough.org.uk/children-board/>

<sup>4</sup> <https://www.cambridgeshire.gov.uk/residents/children-and-families/parenting-and-family-support/providing-children-and-family-services-how-we-work/>

<sup>5</sup> <https://www.cambridgeshire.gov.uk/residents/children-and-families/parenting-and-family-support/providing-children-and-family-services-how-we-work/report-allegations-about-a-practitioner-or-volunteer/>

8.1.1.3. Once it has been identified that the risk assessment process should be initiated, it is vital that the activity manager includes and ensures completion of this within their planning process.

### 8.1.2. **Completing the risk assessment process**

8.1.2.1. An Under 18s & adults at Risk (U18AaR) Risk Assessment form must be completed in advance of the relevant recruitment or activity by the activity manager to ensure timely pre-activity:

- Scrutiny and approval by the DSL / DDSL.
- Liaison with the DSL / DDSL to check if there is a requirement for pre-employment or pre-activity checks for workers involved in the activity.
- Arrangement of risk mitigations identified by the risk assessment.
- Completion of all extra processes and procedures that are required, e.g. if the event is to take place online (see Safeguarding RaG).
- Completion, signature and return of activity-specific forms (where required) by parents / guardians / carers, and children, young people or AaR (managed by either the HR and / or PE teams).
- Appropriate training for those involved in the activity.
- Provision of a completed and approved risk assessment for the activity to all Institute workers involved in the activity and to participants (and/or to their parents/guardians/carers) where appropriate.

8.1.2.2. Risk assessments must be completed by an activity manager who understands the job / activity and is aware of the hazards, in consultation with the DSL / DDSL. It is important to note that the Institute's insurance may be invalid if a claim is made and a risk assessment is not in place.

8.1.2.3. The purpose of the risk assessment is to enable the activity manager to identify, mitigate and remove any potential risks relating to contact with children, young people / AaR. This can also be a prompt to consider alternative working practices, such as minimising occasions where an individual is alone with a child, young person or AaR, and considering whether the activity could be supervised or observed by others.

8.1.2.4. Any actions identified as a result of completing the risk assessment must be completed within the timescales specified on the form and before the activity commences where applicable.

8.1.2.5. The risk assessment should:

- Identify the nature, length and frequency of the contact (including those activities that take place online) and whether it will be supervised or unsupervised.
- Consider if there will be children, young people and adults who are particularly at risk.
- Consider whether any children, young people or AaR have allergies, are on medication, have any disabilities (physical or mental), or any behavioural difficulties.
- Identify any potential areas for harm.
- Evaluate the risks.
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- 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.

8.1.2.6. All workers involved in events or work with U18AaR during must ensure that they have completed safeguarding awareness eLearning (or refresher), read all required associated documentation (see section 8.3.3) and signed off the risk assessment to state that they have done this. The risk assessment for the work or event then has to be scrutinised (plus completion of training checked) and approved by the DSL/DDSL before any work or events involving U18AaRs commences.

8.1.2.7. Approved risk assessments should be retained by the relevant activity manager whilst an activity is ongoing and for five years after it has ceased (or the risk assessment has been superseded). A copy is also held centrally by the DSL / DDSL. Where an activity is ongoing but unchanged, activity managers should review the risk assessment on a regular basis (at least annually) to ensure that the measures put in place are still relevant and appropriate. Any changes or updates to a risk assessment require re-approval by the DSL / DDSL before the activity takes place again.

8.1.2.8. It is important for activity managers to remember to complete a risk assessment prior to any work experience placement being provided. The DSL / DDSL and HR team can provide advice and support for line managers on the arrangement of work experience involving children, young people or AaR, to ensure that appropriate arrangements are in place and that there is compliance with relevant legislation.

## **8.2. Identifying required screening checks**

### **8.2.1. Principles**

8.2.1.1. The overarching policy for security screening is the Security Screening Policy (BI-SEC-002). This Safeguarding Policy supplements the Security Screening Policy for activities involving children, young people and AaR.

8.2.1.2. Once the key duties and responsibilities of each activity have been determined, one of the required actions must be to identify which checks, if any, are required prior to workers interacting with children, young people or AaR via work or other Institute activities. In addition, the activity manager (in consultation with the DSL / DDSL or a Nursery / FSC / FASC DCSO with safer recruitment training) must consider if any required checks should be treated as essential before employment (that is, that the new employee recruited to the role should not be able to start work until the check is completed).

### **8.2.2. Disclosure and Barring Service (DBS) checks**

8.2.2.1. Employers can check the criminal record of someone applying for a role. This is known as getting a DBS check. These posts represent the professions, offices, employments, work and occupations that are known as the exceptions to the Rehabilitation of Offenders Act 1974. The government webpage [DBS eligibility guidance](https://www.gov.uk/government/collections/dbs-eligibility-guidance)<sup>6</sup> provides information on DBS checks. In

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<sup>6</sup> <https://www.gov.uk/government/collections/dbs-eligibility-guidance>

addition, their [Find out which DBS check is right for your employee](https://www.gov.uk/find-out-dbs-check)<sup>7</sup> tool provides an easy way to discover what type of DBS check you can get for an employee.

### 8.2.3. Regulated activity & DBS checks

8.2.3.1. Several activities in the Institute that involve working directly with children, young people and AaR for extended periods, fall into the category of 'regulated activity' and so are eligible by law for an enhanced DBS check with an appropriate barred list check. The most common regulated activities that take place in the Institute are teaching, training, instructing and supervising children and young people, at least once a week or more, or on four days or more in a thirty-day period.

8.2.3.2. 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 a regulated activity and a DBS check does not need to be requested. *However, a DBS check may only be required for work experience students under 16 on the rare occasion when the same person is teaching, training, instructing, caring for or supervising them whilst unsupervised on a frequent / intensive basis.*

8.2.3.3. There are three types of check available from the DBS:

- Basic – is for any purpose, including employment. The certificate will contain details of convictions and conditional cautions that are considered to be unspent under the terms of the Rehabilitation of Offenders Act (ROA) 1974. An individual can apply for a basic check directly to the DBS through their online application route, or an employer can apply for a basic check on an individual's behalf, through a Responsible Organisation, if they have consent. This is the check used for those occasionally working with children, young people and AaR at the Institute.
- Standard – contains details of all spent and unspent convictions, cautions, reprimands and warnings held on the Police National Computer (PNC) that are not 'protected'. Protected convictions and cautions are normally old and minor; they are filtered by the DBS so they are not disclosed and they must not be considered by employers. The filtering rules and the list of offences that will never be filtered are now available for you to view on the DBS's webpages.
- Enhanced – contains the same information as the standard check but also any relevant and proportionate information held by the local police forces. In addition, where the role is eligible, registered bodies can request a check on whether a person is barred from working with children, young people or adults in regulated activity (particular types of work with children, young people and adults). This would normally be the check used for those working daily / weekly with children, young people (or who are involved in their management) within the Nursery, FHC and FASC settings.

8.2.3.4. The activity manager (with assistance from the DSL / DDSL or a Nursery / FHC / FASC DCSO with safer recruitment training) should review this eligibility criteria at the start of the recruitment process, or as soon as the duties of a role change, to identify whether a DBS check is required and, if it is, which type.

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<sup>7</sup> <https://www.gov.uk/find-out-dbs-check>

8.2.3.5. They must also determine whether the check must be completed before an individual can start work or if there are activities that the individual could reasonably and safely carry out before the check result has been received.

8.2.3.6. Guidance on whether a check can be treated as 'essential before start' or not should be sought from the DSL / DDSL or a Nursery / FHC / FASC DCSO with safer recruitment training.

8.2.3.7. Appropriate control measures must be set out in the risk assessment and implemented in order to minimise any risk arising from the DBS check not having been completed when the individual begins work. Examples of control measures include not allowing the individual to commence any work relating to the DBS check until it has been completed or ensuring that they are supervised at all times.

#### **8.2.4. Portability of DBS checks**

8.2.4.1. Where an individual has previously undergone a DBS check required for their post with another organisation in the course of their employment, this check is not portable to the Institute. It will not be accepted as meeting the Institute's requirement for a post-holder to undergo a particular type of DBS check.

8.2.4.2. Exceptions to this are as follows:

- Where an individual has subscribed to the DBS Update Services – this means that their DBS check will be kept up to date and they can take this with them from role to role, where the same level and type of check is needed. With an individual's permission, the Institute will be able to go online to do a free, instant check (known as a status check) to confirm that their DBS Certificate is still up to date. Note that the Institute may still require a post-holder to undergo a DBS check
- Where a DBS check has been carried out within the last 12 months by the Institute (or an organisation acting on behalf of the Institute) for a post with comparable duties - individual cases will need to be discussed with the HR team and their agreement provided that another check is not required.

#### **8.2.5. DBS update service**

8.2.5.1. For activities where Institute workers regularly work with children, young people (such as in the Nursery, FHC or FASC) and AaR, or are involved in safeguarding management (e.g., the DSL, DDSL, TSL, Chair of the Board of Trustees and Chair of the Audit Committee), an annual check is preferable (see the Security Screening Policy; BI-SEC-002) and this can be provided by subscribing to the online [Disclosure and Barring Service \(DBS\) Update Service](https://www.gov.uk/dbs-update-service)<sup>8</sup>. This allows:

- Applicants to keep their DBS certificates up to date.
- Employers to check a DBS certificate.

#### **8.2.6. Disclosure of a criminal record**

8.2.6.1. Where a criminal conviction is disclosed by an applicant or through a DBS check, the DSL / DDSL and Head of HR (or nominated deputy) will work with the recruiting or activity

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<sup>8</sup> <https://www.gov.uk/dbs-update-service>



manager (where appropriate) to complete a report containing details of the check result, the individual's explanation and an assessment of the level of risk.

8.2.6.2. The DSL / DDSL and Head of HR will consider this assessment objectively and, where the assessment indicates that the level of risk is too high to allow the individual to start / continue working in a particular role / activity, the consequences of this for the individual will depend upon:

- The check concerned.
- The reason for the check (that is, check for a new employee, a re-check for an existing employee in their current post or a check for an existing employee in a new post).
- Relevant legislation.
- The post concerned.
- Whether the individual is suitable for other employment opportunities available within the Institute.

8.2.6.3. Where appropriate, the activity / recruiting manager will be involved in the decision process. Possible outcomes include amended duties, redeployment, and withdrawal of an offer of employment or, where the individual started work before the relevant screening check was completed, dismissal. See the Disciplinary Policy (BI-HR-005).

### **8.2.7. Recruitment of ex-offenders**

8.2.7.1. The Institute welcomes applications from a wide range of candidates, including those with criminal records. Having a criminal record will not necessarily bar an individual from working at the Institute. This will depend on the nature of the position and the circumstances and background of the offence.

8.2.7.2. The Institute complies fully with the government's [DBS Code of Practice](#)<sup>9</sup> and undertakes to treat all applicants for positions fairly. It undertakes not to discriminate unfairly against any subject of a disclosure because of a conviction or other information revealed.

## **8.3. Training**

8.3.1. The Chair of the Trustees, AC trustees and members of senior management are required to undergo awareness training using the Institute's (Enterprise Access group – previously Safety Media Ltd.) eLearning system course on 'Safeguarding children, young people and AaR', which can be arranged by contacting the DSL / DDSL. This course must be repeated every three years or as required.

8.3.2. All Institute Designated Safeguarding Leads (see Section 6) will attend relevant training (including refresher courses) with an appropriate Safeguarding agency, e.g., training with Cambridge and Peterborough Safeguarding Adults and Children Boards.

8.3.3. All workers and line managers must complete safeguarding awareness and read associated documents assigned using the Institute's (Access Group) e-Learning platform, which can be arranged by contacting the DSL / DDSL and is assigned to all new starters. This course must be repeated every three years.

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<sup>9</sup> <https://www.gov.uk/government/publications/dbs-code-of-practice>



8.3.4. All those in sections 8.3.1 to 8.3.3 will be made aware of this policy, the Institute Safeguarding RaG, the H&S Hub page 'Safeguarding Children and Adults at Risk & Health and Safety for Under 18s' and related policies (see Associated Policies and Guidance in Document Control at the start of this policy). They will be required to read this policy and sign off in the first instance, and then read and refresh (with sign off) at least every three years.

## **8.4. Work-related activities involving children, young people and AaR**

### **8.4.1. All activities**

8.4.1.1. All those involved in work related activities involving children, young people or AaR must:

- Fulfil their appropriate roles and responsibilities as outlined in Section 7.
- Follow the arrangements outlined in Section 8.
- Follow the appropriate activity-specific arrangements outlined in Sections 8.4.1 to 8.5.
- Use the appropriate forms for the particular activity, which can be found in the Institute's Safeguarding RaG.

8.4.1.2. All work-related activities involving children, young people or AaR (in person or online) must be organised well in advance so that the risk assessment and mitigations are approved by the DSL / DDSL (see Section 8.1). This also allows the timely completion of forms (e.g., parental / guardian / carer permissions), DBS checks and staff training where necessary (see Sections 8.1 to 8.3).

8.4.1.3. When images of children, young people and / or AaR are used, written consent must be obtained (from parents / guardians / carers) before these images are taken in order to comply with the Data Protection Act 2018.

8.4.1.4. Online activities must take in to account the following:

- Facebook instant chat and other similar functions should not be used to interact with children, young people or AaR.
- Wherever possible, communication should only take place via public pages and avoid colloquial language / abbreviations, which may be misinterpreted (e.g., LOL).
- Must use an Institute-approved online platform (see Institute Safeguarding RaG).

### **8.4.2. Outreach activities (in person or online)**

8.4.2.1. All outreach activities must be registered with (and sanctioned by) the PE team ([PE@babraham.ac.uk](mailto:PE@babraham.ac.uk)) and the DSL / DDSL ([Safeguarding@babraham.ac.uk](mailto:Safeguarding@babraham.ac.uk)), even if they are not organised by (or do not involve) members of the PE team. This helps ensure that all necessary processes and procedures are followed for all outreach activities.

8.4.2.2. Form E: 'Institute online event safeguarding guidelines' (see The Babraham Institute Safeguarding RaG), or a copy of an equivalent form for events not organised by the Institute, must be sent to parents/guardians/carers prior to events and followed by those organising online activities.

### 8.4.3. Work experience / work shadowing

8.4.3.1. All work experience and work shadowing involving children, young people or AaR (in person or online) must:

- Have relevant group leader support / approval.
- Follow the 'Health, Safety & Safeguarding Process: 1. For work / lab experience and work shadowing involving children, young people & adults at risk. This can be found on the H&S Hub page 'Safeguarding Children and Adults at Risk & Health and Safety for Under 18s'.

### 8.4.4. Young people or AaR workers or apprentices

8.4.4.1. When the Institute directly employs a young person or AaR as an apprentice or worker, the arrangements outlined in Section 8.4.4 apply.

8.4.4.2. When the Institute is host to young people or AaR apprentices or workers, the safeguarding arrangements must be scrutinised and approved by the DSL / DDSL.

8.4.4.3. The Health & Safety Policy for under 18s (BI-HAS-002) should be read, in conjunction with this Safeguarding Policy, and the appropriate procedures followed for this group.

## 8.5. Non-work-related visits

8.5.1. Non-work-related visits by children, young people and AaR to the Institute arise when:

- There are temporary and short-term care difficulties for parents / guardians / carers who work at the Institute.
- Parents / guardians / carers bring children, young people or AaR for brief visits to their parents / guardians / carers working at the Institute.

8.5.2. As the first course of action, the parent / guardian / carer must contact HR and ask if can take dependant-related leave instead of bringing a child, young person or AaR in to the Institute.

8.5.3. If a crucial piece of work can only be finished by the parent / guardian / carer (i.e., they cannot return home immediately), then as a last resort, children, young people or AaR can be brought onto Institute premises with permission from their line manager.

8.5.4. Criteria for the granting or otherwise of permission:

- A dynamic risk assessment<sup>10</sup> must be carried out in conjunction with an H&S adviser and agreed with the relevant line manager that considers:
  - The safety of the area where the child(ren) / young person / AaR will stay, e.g., access to stairs and potentially hazardous areas, electrical items, etc.
  - Who will be staying with or looking after the child(ren) / young person / AaR.
  - The effect of having a child(ren) / young person / AaR present in a work place.
  - The particular circumstances of the case, e.g., ages and number children / young people / AaR, duration and frequency.

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<sup>10</sup> A dynamic (unwritten) risk assessment can be defined as "The continuous process of identifying hazards, assessing risk, taking action to eliminate or reduce risk, monitoring and reviewing."

- The child(ren) / young person / AaR must not:
  - Enter 'High Risk' areas (i.e., laboratories, animal units, workshops, catering style kitchens, etc.).
  - Be left without adult supervision.
  - Be unaccompanied on corridors or stairs.
  - Run around in work buildings.
  - Be disruptive.

8.5.5. Parents / guardians / carers may be asked to remove children, young people or AaR from the Institute if they do not respect these rules

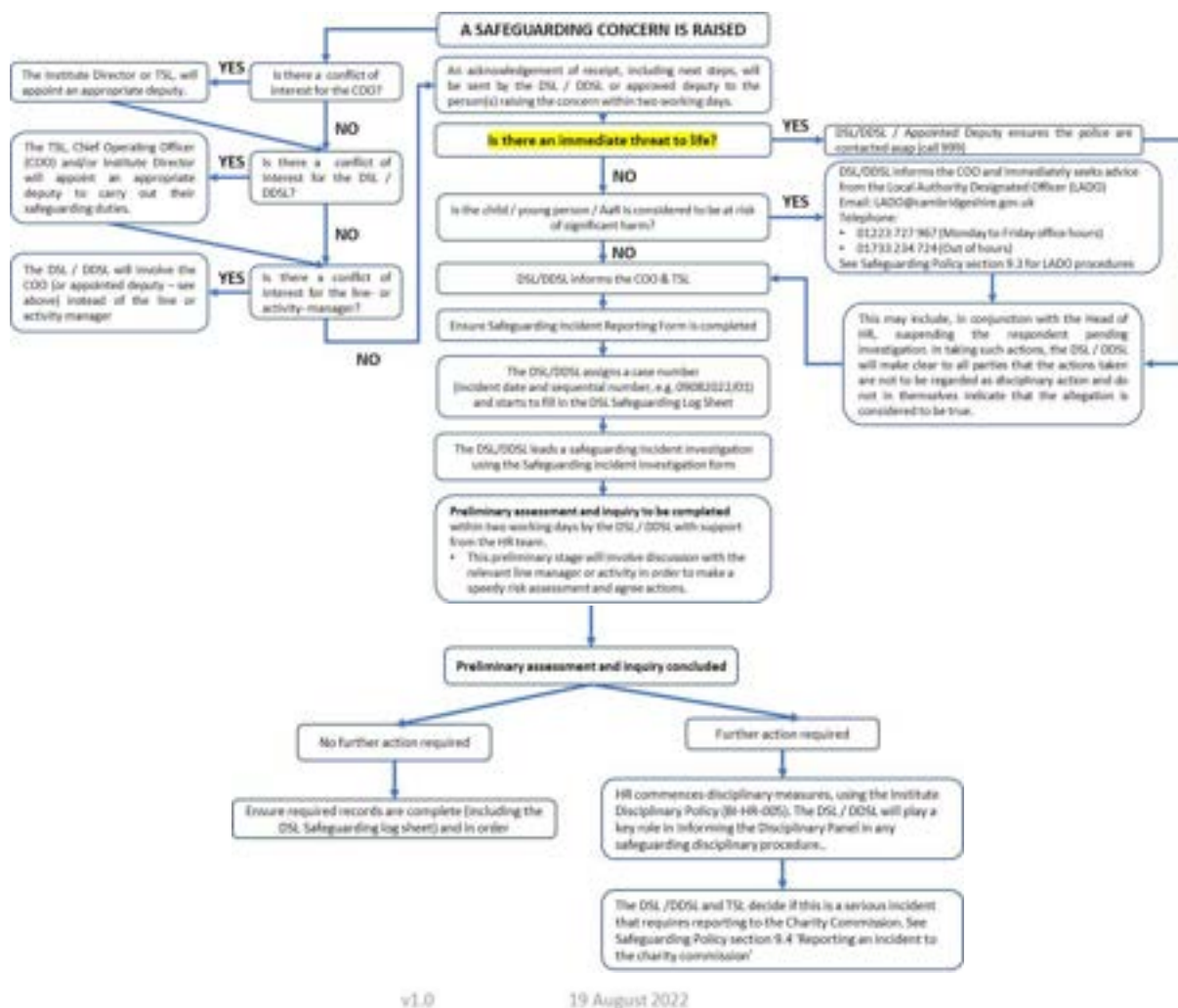
8.5.6. This guidance can also be found on the H&S Hub page 'Safeguarding Children and Adults at Risk & Health and Safety for Under 18s'.

## **9. Inquiries & investigations into allegations of abuse**

9.1.1. The DSL will assign a case number to each individual case and record external reporting, actions, outcome and lessons learnt for each case on the DSL safeguarding log sheet (see section 9.7).

9.1.2. The following stages apply to concerns raised outside of the Nursery, FHC and FASC. Please see the Nursery Safeguarding & Child Protection Policy (to follow) and the Funpack Holiday Club & After School Club Safeguarding & Child Protection Policy (to follow) for details of how concerns are managed in these settings.

## 9.2. Preliminary assessment & inquiry procedure



## 9.3. Where a child / young person / AaR is considered to be at risk

9.3.1. If they deem it necessary, the LADO will lead further investigation, following procedures as stated within the Government guidance Working Together to Safeguard Children 2018 and Chapter 2.5 of the Cambridgeshire Local Safeguarding Board Procedures, which are used to manage allegations against adults who work or volunteer with children, young people or AaR. They may also involve the Cambridgeshire and Peterborough Multi-agency Safeguarding Hub (MASH) whose contact details are below:

- Children's Services: 0345 045 5203
- Adult Services: 0345 045 5202
- Emergency Duty Team (Out of Hours): 01733 234724

9.3.2. The MASH is a multi-agency environment with full time involvement from Children's Social Care, Police, Health, Education, Early Help, Domestic Abuse Services and a number of virtual partners such as Youth Offending, Probation, Fire Service and Housing. All core partners have signed the Information Sharing Agreement, which enables detailed information sharing as necessary.

- 9.3.3. The MASH receives any contact that does not immediately meet threshold for a statutory service (e.g., social service, police, etc.), but requires multi-agency information sharing to ensure that there are no safeguarding issues that have not been identified or addressed. A MASH enquiry is completed with parental consent to share information being obtained.
- 9.3.4. MASH contacts are prioritised using a BRAG (Blue, Red, Amber, Green) rating and the enquiry is completed within a time period of 24 – 72 hours. Feedback will be provided throughout to the Institute.
- 9.3.5. The Institute Disciplinary Policy (BI-HR-005) will be activated as appropriate following the advice of LADO and / or MASH.

## **9.4. Reporting an incident to the Charity Commission**

- 9.4.1. The Charity Commission requires trustees to report serious incidents (see BI-COR-001 Trustee Code of Conduct and Safeguarding RaG sections 6.3 & 6.4).
- 9.4.2. it is the responsibility of the charity trustees to decide whether an incident is significant and should be reported. Guidance can be found in the Safeguarding RaG sections 6.3 & 6.4. This decision will be made in collaboration with the DSL/DDSL.
- 9.4.3. If a reportable safeguarding incident occurs, it is important that there is prompt, full and frank disclosure to the Commission following the procedure in the safeguarding RaG section 6.4. The report must include an account of what happened and how the Institute are dealing with it, even if it has also been reported to the police or another regulator.
- 9.4.4. The Trustees may delegate responsibility for deciding which incidents should be reported to others within the charity, such as employees. However, decisions made by others in the charity should be reported back to Trustees (particularly where incidents were ‘borderline’ and making a report was considered but it was decided not to make one).
- 9.4.5. The Charity Commission is not responsible for dealing with incidents of actual abuse and does not administer safeguarding legislation. They cannot prosecute or bring criminal proceedings, although they do (when necessary) refer concerns to the police, local authorities and the Disclosure and Barring Service (‘DBS’) as required.

## **9.5. Records of concerns**

- 9.5.1. The Nursery, FHC or FASC have a separate but similar recording process that conforms to Ofsted / local authority requirements; see nursery, FHC and FASC documentation for details.
- 9.5.2. To ensure that all of the details of any concern are captured for any future investigation, a detailed record should always be made at the time of the matter being raised. The Safeguarding Incident Report Form (see Appendix 2) is provided for this purpose.
- 9.5.3. The DSL / DDSL must assign a case number to each individual case and record their investigations (see safeguarding RaG section 6.2) plus external reporting, actions, outcome and lessons learnt for each case on the DSL safeguarding log sheet (see safeguarding RaG section 6.1).

## **9.6. Lessons learnt**

- 9.6.1. To ensure future cases benefit from any ‘lessons learnt’ during current cases, the DSL safeguarding case log sheet (see Safeguarding Rules and Guidance section 6.1) contains a

section for these to be recorded. Actions arising (together with actionees and expected completion dates) will be recorded on the investigation report form and the safeguarding case log sheet. Updates will be included in regular reports to the Trustee Audit Committee, Director, COO and others as appropriate.

- 9.6.2. Lessons learnt within the nursery, FHC and FASC are shared with the DSL / DDSL and TSL (see sections 5.2.3 & 7.11.5).

## **9.7. Confidentiality & information sharing**

- 9.7.1. The way that the Institute collects, stores, processes, generates or shares information conforms to the Information Classification & Security Policy (BI-IM-003). However, it is impossible to promise complete confidentiality when a concern is raised or an accusation made. This is because the Institute owes a duty of care to its workers and members of the public present at their events that cannot be fulfilled unless the Institute acts 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. We handle all concerns sensitively and confidentially as far as possible and at all stages, relevant information is only shared with appropriate parties, whether internal or external to the Institute.

## **9.8. Data protection**

- 9.8.1. The Institute complies with the principles of the Data Protection Act 2018 a (see Data Protection Policy; BI-IM-002) in the way it collects, holds and disposes of personal information
- 9.8.2. Records are retained in line with the Institute's Records Management Policy (to follow), in particular:
- Completed risk assessments relating to activities involving children, young people and / or AaR must be retained by activity managers (and a copy retained by the DSL / DDSL) whilst an activity is ongoing and for a minimum of five years after it has ceased (or the risk assessment has been superseded).
  - Details of relevant training (such as on safeguarding or working with children, young people or AaR) must be retained by the DSL / DDSL for a minimum of five years after the training is completed.
  - Personnel files and training records (including safer recruitment training, disciplinary records and working time records) must be retained for six years after employment ceases. However, the records should be retained for a longer period if any of the following apply:
    - There were concerns about the behaviour of an adult where they behaved in a way that has harmed, or may have harmed, children, young people or AaR.
    - The adult possibly committed a criminal offence against, or related to, children, young people or AaR.
    - The adult behaved towards children, young people or AaR in a way that indicates they are unsuitable to work with children.

In such circumstances, records should be retained at least until the adult reaches normal retirement age, or for 10 years if that is longer.

- For child protection in the Nursery, FHC and FASC, refer to the Nursery Safeguarding & Child Protection Policy (to follow) and the Funpack Holiday Club & After School Club Safeguarding & Child Protection Policy (to follow).
- 9.8.3. In addition, activity managers should, wherever practicable, record lists of the workers involved in activities with children, young people and / or AaR, and retain them securely for a minimum of five years after the activity.
- 9.8.4. Information about any concerns or suspicions of abuse must be shared on a need-to-know basis only. Documentation related to concerns or suspicions of abuse must be stored in a secure place, which is only accessible to those with appropriate knowledge of the suspicions / concerns.
- 9.8.5. Where it is necessary for workers to record images of children, young people and / or AaR, written consent must be obtained (from parents, guardians or carers in the case of children and young people, or responsible adult in the case of some AaR) before these images (including videos / films) are taken in order to comply with the Data Protection Act 2018. The consent forms should be retained for a minimum of five years.

## 9.9. Monitoring & evaluation

- 9.9.1. The Institute Director and TSL will be made aware of any concerns raised by:
- Provision of verbal updates by the DSL / DDSL to the TSL / Institute Director on a regular basis (two times per year).
  - Provision of regular AC and BEC reports which includes anonymised general statistics from all areas of the Institute).
  - Provision of an annual review report using the Annual Safeguarding Report Template in the Institute Safeguarding RaG (the DSL / DDSL will include anonymised general statistics from all areas of the Institute).
  - *Ad hoc* escalation of management information relating to active cases from the DSL / DDSL as required.

## 10. Further information

- 10.1. Further guidance and forms are contained in the Institute Safeguarding RaG.
- 10.2. There is a range of additional guidance for this policy, both internal and external to the Institute, including:
- The Security Screening Policy (BI-SEC-001), which sets out the Institute's approach to screening checks, including DBS checks for those working with children, young people and AaR.
  - The University of Cambridge's [Senior Tutors' webpages](https://www.seniortutors.admin.cam.ac.uk/)<sup>11</sup> provide a range of relevant guidance, including information on supporting students with mental health problems.
  - The Institute's Disciplinary Policy (BI-HR-005) may be relevant in cases of suspected or alleged abuse.

<sup>11</sup> <https://www.seniortutors.admin.cam.ac.uk/>



- From organisations such as the [National Society for the Prevention of Cruelty to Children \(NSPCC\)](#)<sup>12</sup>, [Cambridgeshire & Peterborough Local Safeguarding Children's Board](#)<sup>13</sup> and the [Cambridgeshire & Peterborough Safeguarding Adults Board](#)<sup>14</sup>.
  - [The UK Government Strategy for dealing with safeguarding issues in charities](#)<sup>15</sup>.
- 10.3. [Adult Safeguarding in Social Care – Health and Safety Executive \(HSE\) Role](#)<sup>16</sup>. Useful contacts include:
- [Police Child Exploitation and Online Protection command \(CEOP\)](#)<sup>17</sup>.
  - **POLICE** - If you suspect someone is in immediate danger, call 999. If you have a hearing or speech impairment, use our textphone service 18000 or text on 999 if you've pre-registered with the emergency SMS service.
  - [Multi-Agency Safeguarding Hub \(MASH\)](#)<sup>18</sup>.
  - The Cambridgeshire & Peterborough [Local Authority Designated Officer \(LADO\)](#)<sup>19</sup>. Monday to Friday during office opening hours telephone: 01223 727968; 01223 727969; 01223 727967. For out of hours queries, the Emergency Duty Team can be contacted on 01733 234724.
- 10.4. This policy will be reviewed regularly to incorporate any changes, legislative or otherwise. The next review date is specified on the cover sheet.
- 10.5. Associated policies, procedures and guidance are listed on the cover sheet. The Policy Owner named on the cover sheet can be contacted with any queries on the operation of this policy.
- 10.6. This policy may be varied, withdrawn or replaced at any time by the Institute at its absolute discretion.

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<sup>12</sup> <https://learning.nspcc.org.uk/>

<sup>13</sup> <http://www.safeguardingcambspeterborough.org.uk/children-board/>

<sup>14</sup> <http://www.safeguardingcambspeterborough.org.uk/adults-board/>

<sup>15</sup> <https://www.gov.uk/government/publications/strategy-for-dealing-with-safeguarding-issues-in-charities>

<sup>16</sup> [https://www.hse.gov.uk/foi/internalops/sims/pub\\_serv/071101.htm](https://www.hse.gov.uk/foi/internalops/sims/pub_serv/071101.htm)

<sup>17</sup> <http://www.ceop.police.uk/>

<sup>18</sup> <https://www.cambridgeshire.gov.uk/residents/children-and-families/parenting-and-family-support/providing-children-and-family-services-how-we-work/>

<sup>19</sup> <https://www.cambridgeshire.gov.uk/residents/children-and-families/parenting-and-family-support/providing-children-and-family-services-how-we-work/report-allegations-about-a-practitioner-or-volunteer/>



## Appendix 1 – Identification of types of abuse

“Abuse is a violation of an individual’s human and civil rights by any other person or persons” and may result in significant harm to, or exploitation of, the person subjected to the abuse.

The following list are examples of the types of abuse or harm children, young people or adults at risk (AaR) may encounter whether in a domestic setting or otherwise. This is not an exhaustive list:

- **Physical abuse or violence**, including hitting, shaking, throwing, slapping, pushing, kicking, poisoning or the giving or supply of illegal drugs, misuse of medication, burning, scalding, drowning, suffocating, restraint or otherwise causing physical harm, or inappropriate sanctions.
- **Sexual abuse**, including grooming, rape and sexual assault or sexual acts to which they cannot consent, or could not consent or was pressured into consenting; the activities may be physical or non-physical, e.g., involving looking at, or in the production of, sexual images.
- **Psychological abuse**, including emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or supportive networks.
- **Financial abuse**, including theft, fraud, exploitation, or the misuse or misappropriation of property, possessions or benefits.
- **Physical or emotional neglect and acts of omission**, including ignoring medical or physical care needs, failure to protect a child, young person or AaR from physical or emotional danger or to ensure adequate supervision, failure to provide access to social care health, or educational services, the withholding of necessities such as medication, adequate nutrition and heating; and benefits.
- **Discriminatory abuse**, including racist, sexist and ageist abuse and abuse based on a person’s disability, and other forms of harassment, slurs or similar treatment.
- **Negative or harmful experiences as research subjects**, (see Human Research Policy (to follow)).
- **Internet / electronic abuse**, the use of modern communication technologies (e.g., Internet, text or video messaging, e-mail, chatrooms, social media networking sites) to embarrass, humiliate, threaten, intimidate or bully an individual in an attempt to gain power and control over them.

It is important to note that abuse can:

- Consist of a single act or repeated acts.
- Be intentional or unintentional or result from a lack of knowledge.
- Be an act of neglect, an omission or a failure to act.
- Cause harm temporarily or over a period of time.
- Occur in any relationship.
- Be perpetrated by anyone, individually or as part of a group or organisation.

- Often constitute a crime, i.e., physical / sexual abuse, e.g., downloading or using pornographic images of children, young person or AaR and / or storing them on Institute computers or equipment.

The following may indicate that abuse is taking place (this list is not exhaustive):

- Unexplained or suspicious injuries, particularly if such an injury is unlikely to have occurred accidentally.
- An injury for which the child's, young person's or AaR's explanation appears inconsistent.
- The child, young person or AaR describes an abusive act or situation.
- Unexplained changes in behaviour.
- The display of inappropriate behaviour (sexual or otherwise).
- Apparent mistrust of others.
- The child, young person or AaR appears increasingly unkempt.

## Appendix 2 – Safeguarding Incident Reporting Form

Please email this information to [Safeguarding@babraham.ac.uk](mailto:Safeguarding@babraham.ac.uk) as a matter of urgency.

See Section 5 for reporting, including immediate referral to relevant authorities (e.g., in the case of an immediate threat to life).

# CONFIDENTIAL

|                                                                                                                                                          |  |       |  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------|--|-------|--|
| DESIGNATED SAFEGUARDING LEAD REF. NUMBER<br>(Assigned by DSL/DDSL when form is received)                                                                 |  |       |  |
| NAME OF CHILD / YOUNG PERSON / ADULT AT RISK:                                                                                                            |  |       |  |
| DATE OF BIRTH OF CHILD /YOUNG PERSON / ADULT AT RISK:                                                                                                    |  |       |  |
| GENDER OF CHILD / YOUNG PERSON / ADULT AT RISK:                                                                                                          |  |       |  |
| THE CHILD / YOUNG PERSON / ADULT AT RISK'S ACCOUNT:                                                                                                      |  |       |  |
|                                                                                                                                                          |  |       |  |
| TIME, LOCATION, DATE &/OR OTHER RELEVANT INFORMATION ABOUT THE INCIDENT:                                                                                 |  |       |  |
|                                                                                                                                                          |  |       |  |
| DESCRIPTION OF THE SAFEGUARDING ISSUE<br>(including any visible signs or other injuries, please see Safeguarding Policy Appendix 1 for more information) |  |       |  |
|                                                                                                                                                          |  |       |  |
| OTHER PRESENT OR POTENTIAL WITNESS/ES                                                                                                                    |  |       |  |
| NAME                                                                                                                                                     |  |       |  |
| INSTITUTE/HOME ADDRESS                                                                                                                                   |  |       |  |
| PHONE NUMBER                                                                                                                                             |  | EMAIL |  |
| ANY OTHER OBSERVATIONS / INFORMATION:                                                                                                                    |  |       |  |
|                                                                                                                                                          |  |       |  |
| REPORT ANY ACTION(S) TAKEN AND BY WHOM:                                                                                                                  |  |       |  |

| (Include name and contact details for each)                        |  |
|--------------------------------------------------------------------|--|
|                                                                    |  |
| <b>PERSON REPORTING CONCERN TO THE DSL/DDSL:</b>                   |  |
| <b>NAME(PRINT):</b>                                                |  |
| <b>SIGNED:</b>                                                     |  |
| <b>DATE:</b>                                                       |  |
| <b>COMPANY/JOB<br/>TITLE</b>                                       |  |
| <b>HOME<br/>ADDRESS</b><br><small>(if not Institute staff)</small> |  |
| <b>Email address</b>                                               |  |
| <b>Phone number</b>                                                |  |

Please continue on another page(s) where necessary, ensuring it is appended to this form.

## Appendix 3 – Safeguarding legislative framework

Responsibilities for safeguarding are enshrined in legislation. Some duties apply only to children, some apply only to adults, and some apply to both. This section deals with each in turn.

There are fundamental differences between the legislative framework for safeguarding for children, and for adults, which stem from who can make decisions.

Adults have a legal right to make their own decisions, even if they are unwise, as long as they have capacity to make that decision and are free from coercion or undue influence. However, decision-making power relating to children lies with those who have parental responsibility for the child. As a child grows in maturity and understanding, the law gives the child a greater say in decisions. Once a child understands fully the choice to be made and its consequences, the child's view prevails, at least as regards consent, though on occasions the courts have been prepared to override a capable child's refusal of life-saving treatment.

The Mental Capacity Act covers and empowers children aged 16 and 17. Once 18, the young person is an adult. When issues about a child's upbringing, or their money or property, are considered by a court, statute makes it clear that "the child's welfare shall be the court's paramount consideration". Known widely as the "paramountcy principle", this has a far-reaching effect on children's social care practice, emphasising to all what a court would need to see in order to approve arrangements.

### Children & young people

The legislation and guidance relevant to safeguarding and promoting the welfare of children includes the following:

- [Children Act 1989](#)<sup>20</sup> and [2004](#)<sup>21</sup>
- [Early years foundation stage statutory framework \(EYFS\)](#)<sup>22</sup>
- "Guidance for Safer Working Practice for those working with children and young people in education settings" (May 2019)
- "Information sharing: Advice for practitioners providing safeguarding services to children, young people, parents and carers" (July 2018)
- ["Keeping children safe in education 2022: Statutory guidance for schools and colleges" \(for guidance only, this guidance does not come into force until 1 September 2022\)](#)<sup>23</sup>
- [Promoting the Health and Well-being of Looked After Children 2015](#)<sup>24</sup>
- A full exposition of statutory provisions relating to children's safeguarding can be found in appendix B of the statutory guidance document Working Together to Safeguard Children
- [Protection of Freedoms Act 2012](#)<sup>25</sup>
- [Safeguarding Vulnerable Groups Act 2006](#)<sup>26</sup>
- "The Prevent Duty, Departmental advice for schools and childcare providers (June 2015)
- "Revised Prevent Duty Guidance: for England and Wales" (July 2015)
- "What to do if you're worried a child is being abused: Advice for practitioners" (March, 2015)

<sup>20</sup> <http://www.legislation.gov.uk/ukpga/1989/41/contents>

<sup>21</sup> <http://www.legislation.gov.uk/ukpga/2004/31/contents>

<sup>22</sup> <https://www.gov.uk/government/publications/early-years-foundation-stage-framework--2>

<sup>23</sup> <https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>

<sup>24</sup> <https://www.gov.uk/government/publications/promoting-the-health-and-wellbeing-of-looked-after-children>

<sup>25</sup> <http://www.legislation.gov.uk/ukpga/2012/9/contents/enacted>

<sup>26</sup> <https://www.legislation.gov.uk/ukpga/2006/47/contents>

- The Safeguarding Vulnerable Groups Act (SVGA) 2006 was passed to help avoid harm, or risk of harm, by preventing people who are deemed unsuitable to work with children and AaR from gaining access to them through their work. The Protection of Freedoms Act 2012 amends the SGVA 2006, retaining the national barring function whilst abolishing registration and monitoring requirements.
- “What to do if you’re worried a child is being abused: Advice for practitioners” (March, 2015)
- [“Working Together to Safeguard Children: A guide to inter-agency working to safeguard and promote the welfare of children” \(July 2018\)](#)<sup>27</sup>
- “Sexting in schools and colleges: Responding to incidents and safeguarding young people” published by the UK Council for Child Internet Safety (UKCCIS) – (September 2016)
- “Sexual violence and sexual harassment between children in schools and colleges” (May 2018)

There are some broad, fundamental safeguarding duties (extracts from the Children’s Act 1989 (2004)), namely:

- There is a duty on local authorities to “safeguard and promote the welfare of children within their area who are in need”. The concept of “need” is defined very broadly, covering any child whose health or development will be impaired without support, or who is potentially disadvantaged.
- Local authorities also have a further duty to “take reasonable steps...to prevent children within their area suffering ill-treatment or neglect”.
- All public sector agencies providing services to children, including local authorities and all NHS bodies, “must make arrangements for ensuring that their functions are discharged having regard to the need to safeguard and promote the welfare of children”.
- A child-centred approach is required. As far as reasonably possible, local authorities must ascertain the child’s wishes and feelings, and devise their support in consideration of those wishes and feelings. Local authorities do not have to provide the support themselves.
- A local authority must enquire whether it needs to take safeguarding action if it has reasonable cause to suspect a child in its area is suffering, or is at risk of, significant harm. This duty also covers any child in police protection, or under an emergency protection order.

## AaR of harm or abuse

The legislation and guidance relevant to safeguarding AaR of harm or abuse includes:

- [Care Act 2014](#)<sup>28</sup>
- [Safeguarding Vulnerable Groups Act 2006](#)<sup>29</sup>
- [Protection of Freedoms Act 2012](#)<sup>30</sup> (see also the section on ‘Children and young people’ above)

<sup>27</sup> <https://www.gov.uk/government/publications/working-together-to-safeguard-children>

<sup>28</sup> <http://www.legislation.gov.uk/ukpga/2014/23/contents/enacted>

<sup>29</sup> <https://www.legislation.gov.uk/ukpga/2006/47/contents>

<sup>30</sup> <http://www.legislation.gov.uk/ukpga/2012/9/contents/enacted>

There are some broad and fundamental safeguarding duties (extracts from the Care Act 2014), namely:

- Local authorities must promote the adult's "well-being". Within this broad concept, the authority must "have regard to the need to protect people from abuse and neglect".
- If a local authority has reasonable cause to suspect an adult in its area is suffering or is at risk of abuse and neglect, and has needs which leave him or her unable to protect himself or herself, then it must ensure enquiries are made in order to decide what action (if any) should be taken, and by whom (the "duty to enquire"). Enquiries should be made by the most appropriate professional, and in some circumstances that will be a health professional.

The government has issued a policy statement on adult safeguarding, which sets out six principles for safeguarding adults. Whilst not legal duties, these do represent best practice and provide a foundation for achieving good outcomes:

- Empowerment – presumption of person-led decisions and consent.
- Protection - support and representation for those in greatest need.
- Prevention of harm or abuse.
- Proportionality and least intrusive response appropriate to the risk presented.
- Partnerships – local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse.
- Accountability and transparency in delivering safeguarding.

## **Legal requirements applying to safeguarding of both children & adults regarding the sharing of personal information**

Good information sharing practice, is at the heart of good safeguarding practice. The area is covered by legislation, principally the [Data Protection Act 2018](#)<sup>31</sup>, and by court decisions on issues of confidentiality and privacy. At its heart is the principle that information should be shared if that helps to protect children or adults, or to prevent a crime. In addition, there are some specific statutory provisions (e.g., relating to the statutory scheme for vetting and barring) that require information sharing.

The following legislation is also applicable to this policy, either because it has influenced its introduction and / or its content:

- [Health and Safety at Work Act 1974](#)<sup>32</sup>
- [Rehabilitation of Offenders Act 1974](#)<sup>33</sup>
- [Rehabilitation of Offenders Act 1974 \(Exceptions\) Order 1975](#)<sup>34</sup>
- [The Police Act 1997](#)<sup>35</sup>
- [Protection of Children Act 1999](#)<sup>36</sup>

<sup>31</sup> <http://www.legislation.gov.uk/ukpga/2018/12/contents/enacted>

<sup>32</sup> <https://www.legislation.gov.uk/ukpga/1974/37>

<sup>33</sup> <https://www.legislation.gov.uk/ukpga/1974/53>

<sup>34</sup> <http://www.legislation.gov.uk/uksi/1975/1023/contents/made>

<sup>35</sup> <http://www.legislation.gov.uk/ukpga/1997/50/contents>

<sup>36</sup> <http://www.legislation.gov.uk/ukpga/1999/14/contents>



- [Management of Health and Safety at Work Regulations 1999](#)<sup>37</sup>
- [The Human Rights Act 1998](#)<sup>38</sup>
- [Sexual Offences Act 2003](#)<sup>39</sup>
- [Equality Act 2010](#)<sup>40</sup>
- Charities Act 2011 - see:
  - [Safeguarding and protecting people for charities and trustees - GOV.UK \(www.gov.uk\)](#)
  - [Strategy for dealing with safeguarding issues in charities - GOV.UK \(www.gov.uk\)](#)
  - [How to report a serious incident in your charity - GOV.UK \(www.gov.uk\)](#)

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<sup>37</sup> <http://www.legislation.gov.uk/uksi/1999/3242/contents/made>

<sup>38</sup> <https://www.legislation.gov.uk/ukpga/1998/42/contents>

<sup>39</sup> <https://www.legislation.gov.uk/ukpga/2003/42/contents>

<sup>40</sup> <https://www.legislation.gov.uk/ukpga/2010/15/contents>