



SAFEGUARDING CHILDREN AND ADULTS AT RISK POLICY AND PROCEDURES

1. INTRODUCTION

The Cornwall Community Foundation (CCF) is committed to creating and maintaining a safe and positive environment, and accepts responsibility for safeguarding the welfare of children and adults in accordance with the Care Act 2014.

The CCF 'Safeguarding children and adults at risk policy and procedures' applies to all individuals involved in the CCF.

The CCF will encourage and support partner organisations and grant applicants to adopt and demonstrate its commitment to the principles and practice of equality as set out in this 'Safeguarding children and adults at risk policy and procedures'.

The CCF's work is mainly awarding grants to other organisations. Employees and volunteers of the CCF are not likely to be in regular contact with children or adults at risk. Contact may be made with children or adults at risk during monitoring visits to organisations and specific procedures for all employees and volunteers are attached as Appendix 1.

2. PRINCIPLES

2.1. The guidance given in the policy and procedures is based on the following principles:

The six key principles of safeguarding:

The Care Act sets out the following principles that should underpin safeguarding of adults

Empowerment - presumption of person-led decisions and informed consent

Prevention - it is better to take action before harm occurs

Proportionality - proportionate and least intrusive response appropriate to the risk presented

Protection - support and representation for those in greatest need

Partnerships - local solutions through services working with their communities

Accountability - accountability and transparency in delivering safeguarding.

- 2.2 All adults and children, regardless of age, ability or disability, gender, race, religion, ethnic origin, sexual orientation, marital or gender status have the right to be protected from abuse and poor practice and to participate in an enjoyable and safe environment.
- 2.3 The rights, dignity and worth of all children and adults will always be respected.
- 2.4 We recognise that ability and disability can change over time, such that some adults may be additionally vulnerable to abuse, for example those who have a dependency on others or have different communication needs.

- 2.5** We all have a shared responsibility to ensure the safety and well-being of all children and adults and will act appropriately and report concerns whether these concerns arise within the CCF for example inappropriate behaviour, or in the wider community.
- 2.6** All allegations will be taken seriously and responded to quickly in line with the CCF 'Safeguarding children and adults at risk policy and procedures'.
- 2.7** The CCF recognises the role and responsibilities of the statutory agencies in safeguarding adults and is committed to complying with the procedures of the Local Safeguarding Adults Boards.

3. GUIDANCE AND LEGISLATION

The practices and procedures within this policy are based on the principles contained within the UK and legislation and Government Guidance and have been developed to complement the Safeguarding Adults Boards policy and procedures, and take the following into consideration:

- The Serious Crime Act 2015
- Working together to safeguard children 2015
- The Care Act 2014
- The Protection of Freedoms Act 2012
- Domestic Violence, Crime and Victims (Amendment) Act 2012
- The Equality Act 2010
- The Safeguarding Vulnerable Groups Act 2006
- The Mental Capacity Act 2005
- Children Act 2004
- Sexual Offences Act 2003
- The Human Rights Act 1998
- Children Act 1989

More information on legislation can be found in Appendix 2.

4. DEFINITIONS

To assist working through and understanding this policy a number of key definitions need to be explained:

- 4.1 A Child or Young Person** means someone who is under 18 years of age, that is, has not reached their 18th birthday.
- 4.2 Adult at Risk** is a person aged 18 or over who is in need of care and support regardless of whether they are receiving them, and because of those needs are unable to protect themselves against abuse or neglect.
In recent years there has been a marked shift away from using the term 'vulnerable' to describe adults potentially at risk from harm or abuse.
- 4.3 Abuse** is a violation of an individual's human and civil rights by another person or persons.
- 4.4 Capacity:** A person is said to lack 'mental capacity' if she/he is unable to make a decision in relation to a particular matter 'because of an impairment of, or a disturbance in the functioning of, the mind or brain' and 'time specific' for lacking capacity (MCA 2005). Could also include a lack of capacity is because the person can't understand, retain weigh up and express relevant information to their decision due to the impairment.
- 4.5 Safeguarding** is protecting a person's right to live in safety, free from abuse and neglect.

5. RECOGNISE: WHAT CONSTITUTES ABUSE

Abuse is a violation of an individual's human and civil rights by any other person or persons. Abuse can occur in any relationship and may result in significant harm to, or exploitation of the person subjected to it.

5.1. CATEGORIES OF ABUSE (Children & Young People)

This is not intended to be an exhaustive list but an illustrative guide as to the sort of behaviour or issue which could give rise to a safeguarding concern.

- 5.1.1 **Physical:** A form of abuse which may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.
- 5.1.2 **Sexual:** Involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet). Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.
- 5.1.3 **Emotional:** The persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to a child that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond a child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyber bullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children.
- 5.1.4 **Neglect:** The persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy as a result of maternal substance abuse.
- 5.1.5 **Online abuse:** Online abuse is any type of abuse that happens on the web, whether through social networks, playing online games or using mobile phones. Children and young people may experience cyberbullying, grooming, sexual abuse, sexual exploitation or emotional abuse.
- 5.1.6 **Domestic violence:** Domestic violence, also called domestic abuse, includes physical, emotional and sexual abuse in couple relationships or between family members. Domestic violence can happen against women and against men, and anybody can be an abuser.
- 5.1.7 **Bullying:** Bullying is the use of force, threat, or coercion to abuse, intimidate or aggressively dominate others. The behaviour is often repeated and habitual. One essential prerequisite is the perception, by the bully or by others, of an imbalance of social or physical power, which distinguishes bullying from conflict.
- 5.1.8 **Female genital mutilation:** Female genital mutilation is a procedure where the female genitals are deliberately cut, injured or changed, but where there is no medical reason for this to be done. It is

very painful and can seriously harm the health of women and girls. It can also cause long-term problems with sex, childbirth and mental health.

5.1.9 Child Sexual Exploitation: Child sexual exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology.

5.2. CATEGORIES OF ABUSE (Adults at Risk)

5.2.1 Physical abuse: Including hitting, slapping, pushing kicking misuse of medication, restraint, inappropriate sanctions.

5.2.2 Domestic abuse: Including psychological, physical, sexual, financial and emotional abuse. It also includes so called 'honour' based violence.

5.2.3 Sexual abuse: Including rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography or witnessing sexual acts, indecent exposure and sexual assault or sexual acts to which the adult has not consented or was pressured into consenting.

5.2.4 Psychological abuse: Including emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, and intimidation, coercion, harassment, verbal abuse, and isolation, withdrawal from services or supportive networks.

5.2.5 Financial or material abuse: Including theft, fraud, exploitation, pressure in connection with a Will, property of inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.

5.2.6 Modern slavery: Encompasses slavery, human trafficking, forced labour and domestic servitude. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment.

5.2.7 Discriminatory abuse: Discrimination is abuse which centres on a difference or perceived difference particularly with respect to race, gender or disability or any of the protected characteristics of the Equality Act.

5.2.8 Organisational abuse: Including neglect and poor care practice within an institution or specific care setting such as a hospital or care home, for example, or in relation to care provided in one's own home. This may range from one off incidents to on-going ill-treatment. It can be through neglect or poor professional practice as a result of the structure, policies, processes and practices within an organisation.

5.2.9 Neglect and acts of omission: Including ignoring medical or physical care needs, failure to provide access to appropriate health, social care or educational services, the withholding of the necessities of life such as medication, adequate nutrition and heating.

5.2.10 Self-neglect: This covers a wide range of behaviour: neglecting to care for one's personal hygiene, health or surroundings and includes behaviour such as hoarding, that causes a risk of harm.

5.3. Not included in the Care Act 2014 but also relevant:

5.3.1 Cyber Bullying: Cyber bullying occurs when someone repeatedly makes fun of another person online or repeatedly picks on another person through emails or text messages, or uses online forums with the intention of harming, damaging, humiliating or isolating another person. It can be used to carry out many different types of bullying (such as racist bullying, homophobic bullying, or bullying related to special educational needs and disabilities) but instead of the perpetrator carrying out the bullying face-to-face, they use technology as a means to do it.

5.3.2 Forced Marriage: Forced marriage is a term used to describe a marriage in which one or both of the parties are married without their consent or against their will. A forced marriage differs from an arranged marriage, in which both parties consent to the assistance of a third party in identifying a spouse. The Anti-social Behaviour, Crime and Policing Act 2014 make it a criminal offence to force someone to marry.

5.3.3 Mate Crime: A 'mate crime' as defined by the Safety Net Project is 'when vulnerable people are befriended by members of the community who go on to exploit and take advantage of them. It may not be an illegal act but still has a negative effect on the individual.' Mate Crime is carried out by someone the adult knows and often happens in private. In recent years there have been a number of Serious Case Reviews relating to people with a learning disability who were murdered or seriously harmed by people who purported to be their friend.

5.3.4 Radicalisation: The aim of radicalisation is to attract people to their reasoning, inspire new recruits and embed their extreme views and persuade vulnerable individuals of the legitimacy of their cause. This may be direct through a relationship, or through social media.

This may take the form of isolated incidents of poor or unsatisfactory professional practice at one end of the spectrum, through to pervasive ill treatment or gross misconduct at the other. Any of these types of abuse may be perpetrated as the result of deliberate intent, negligence or ignorance.

6. RESPOND

You may suspect neglect or abuse because:

- You have general concerns about someone's well-being.
- You see or hear about something which could be neglect or abuse.
- Someone tells you that something has happened or is happening to them, which could be neglect or abuse.

You must:

- Call the police and / or an ambulance if the person is in immediate danger.
- Listen carefully to what you are being told and reassure the person that you are taking what they say seriously.
- Tell your manager what has happened.

You must not:

- Touch or clear away any evidence.
- Agree to keep it a secret – you cannot do this. Explain to them that you will have to pass the information on. If possible, name the person you will pass the information to.
- Interrupt the person or ask "leading questions."

7. RECORD

If you witness neglect or abuse or someone tells you about it;

You must:

- Write an account of what you have seen or heard as soon as possible. Make sure you include the time and date.
- Make sure the information is factual and accurate.
- Note down what the person said, using their own words.
- Describe the circumstances and identify anyone else who was there at the time.
- Use a body map to record any injuries.
- Sign and date your report, noting the time and the location.

8. REPORT

You must never assume that somebody else will recognise and report what you have seen or heard. It can be difficult if the allegation is about a colleague or it is difficult to believe what you have heard – but you must still report any alleged neglect or abuse, or concerns that you have.

You should normally report your concerns to Tamas Haydu, CEO, Safeguarding lead on 01566 779333 or 07739 868099 as soon as possible and he will discuss possible responses with you, including making a safeguarding referral if appropriate. The Children’s, Young People and Adult Safeguarding teams are situated within the local authority and they will want to hear directly from the person who has the concern. The Safeguarding teams are also available for advice, so if you are not sure whether a referral needs to be made you can contact them on the numbers below to talk through your concerns with them.

CONTACT NUMBERS

The Adult Safeguarding Service can be contacted on 0300 1234131 for advice or 01872 326433 (Adult Safeguarding Triage Team).

Email adultsafeguardingconcerns@cornwall.gov Adult Safeguarding Team, East Wing, 1st Floor, New County Hall, Truro TR1 3AY

Children safeguarding concerns should be raised with the Multi-Agency Referral Unit (MARU) who will decide on the appropriate response to each concern.

Cornwall Council, Multi-Agency Referral Unit (MARU)

General 0300 1231116

Emergency duty service 01208 251300

Email ciosscp@cornwall.gov.uk

Multi Agency Referral Unit, 3 North, County Hall, Truro TR1 3AY

Safeguarding Adults Board website <https://ciossafeguarding.org.uk>

If you cannot contact the Safeguarding lead, or another appropriate person in the organisation, or you think your manager may be involved, or doesn’t take your concerns seriously, you must contact the relevant Safeguarding Team directly.

Devon and Cornwall Police

For emergencies 999

Non emergencies 101

You can find more information about Safeguarding Adults at: www.cornwall.gov.uk/safeguardingadults

You can find more information about Safeguarding Children at: <https://www.cornwall.gov.uk/health-and-social-care/childrens-services/cornwall-and-isles-of-scilly-safeguarding-children-partnership/>

9. RECRUITMENT AND APPOINTMENT OF WORKERS AND VOLUNTEERS

In recruiting and appointing workers the CCF will be responsible for the following:

- All applicants should apply in writing and their application will cover their personal details, previous and current work/volunteering experience.
- We will always send a copy of this Safeguarding Children and Adults at Risk Policy with application packs.
- We will have at least two people from our organisation on the interview panel.

10. SAFEGUARDING TRAINING

The CCF is committed to ensuring that everyone who works for us understands their safeguarding responsibilities and keeps their knowledge up to date.

All new employees will be trained on the CCF's 'Safeguarding children and adults at risk policy and procedures'

All staff must accept and recognise their responsibilities in relation to good practice and the reporting of suspected poor practice and allegations or concerns about abuse or neglect. Staff will be trained at Level 1 in terms of safeguarding practice.

11. RELEVANT POLICIES

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

- Whistleblowing Policy
- Equality & Diversity Policy
- Social Media Policy
- Grievance Policy
- Disciplinary Policy

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Appendix 1

VISITOR'S GUIDANCE ON SAFEGUARDING AWARENESS AT VISITS

This guidance should be read in conjunction with the Cornwall Community Foundation's 'Safeguarding children and adults at risk policy and procedures' and as part of your induction process at the Cornwall Community Foundation.

When carrying out a monitoring visit to an organisation, you will be meeting various people of which can include children, and adults at risk. These individuals may form part of the visit to share their stories and experiences or you may be observing an activity or event.

In all circumstances, do not be left alone with a child or an adult at risk in a room together. It is the visited organisation's responsibility to ensure that children and adults at risk are protected from any harm, however please be mindful that you must not request to be left alone with an individual to ask for their personal account of the support they received with the visited organisation.

LEGISLATION AND GOVERNMENT INITIATIVES

Sexual Offences Act 2003

<http://www.legislation.gov.uk/ukpga/2003/42/contents>

The Sexual Offences Act introduced a number of new offences concerning vulnerable adults and children. www.opsi.gov.uk

Mental Capacity Act 2005

<http://www.legislation.gov.uk/ukpga/2005/9/introduction>

Its general principle is that everybody has capacity unless it is proved otherwise, that they should be supported to make their own decisions, that anything done for or on behalf of people without capacity must be in their best interests and there should be least restrictive intervention. www.dca.gov.uk

Safeguarding Vulnerable Groups Act 2006

<http://www.legislation.gov.uk/ukpga/2006/47/contents>

Introduced the new Vetting and Barring Scheme and the role of the Independent Safeguarding Authority. The Act places a statutory duty on all those working with vulnerable groups to register and undergo an advanced vetting process with criminal sanctions for non-compliance. www.opsi.gov.uk

Deprivation of Liberty Safeguards

<https://www.gov.uk/government/collections/dh-mental-capacity-act-2005-deprivation-of-liberty-safeguards>

Introduced into the Mental Capacity Act 2005 and came into force in April 2009. Designed to provide appropriate safeguards for vulnerable people who have a mental disorder and lack the capacity to consent to the arrangements made for their care or treatment, and who may be deprived of their liberty in their best interests in order to protect them from harm.

Disclosure & Barring Service 2013

<https://www.gov.uk/government/organisations/disclosure-and-barring-service/about>

Criminal record checks: guidance for employers - How employers or organisations can request criminal records checks on potential employees from the Disclosure and Barring Service (DBS). www.gov.uk/db-update-service

The Care Act 2014 – statutory guidance

<http://www.legislation.gov.uk/ukpga/2014/23/introduction/enacted>

The Care Act introduces new responsibilities for local authorities. It also has major implications for adult care and support providers, people who use services, carers and advocates. It replaces No Secrets and puts adult safeguarding on a statutory footing.

Making Safeguarding Personal Guide 2014

<https://www.local.gov.uk/topics/social-care-health-and-integration/adult-social-care/making-safeguarding-personal>

This guide is intended to support councils and their partners to develop outcomes-focused, person-centred safeguarding practice.

Serious Crime Act 2015

The Serious Crimes Act expands the Local Authority's responsibility to act on concerns.

<https://www.gov.uk/government/collections/serious-crime-bill>