



# Nottingham & Nottinghamshire Refugee Forum

*Safeguarding Children and Adults at Risk Policy*

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## 1. Introduction

This document sets out arrangements for safeguarding children and adults at risk. Safeguarding means protecting an adult or child's health, wellbeing and human rights; enabling them to live free from harm, abuse and neglect. It is an integral part of providing high-quality care and support. Safeguarding children, young people and adults is a collective responsibility.

### **Those most in need of protection include:**

- Children and young people
- Adults at risk,
- people with physical, sensory and mental impairments, and those with learning disabilities.

***Although all NNRF service users may be considered to be “vulnerable” in respect of their immigration status and other personal circumstances, this policy is designed to inform the work of staff and volunteers specifically with children or adults at risk (as defined by the child care legislation and guidance and the Care Act 2014) since adults are deemed to have responsibility for their own welfare.***

(Please see Section 9 below for further information).

- 1.1 The Nottingham and Nottinghamshire Refugee Forum (NNRF) supports refugees and asylum seekers of all ages and from all parts of the world and respects their rights and dignity.
- 1.2 It is our responsibility as an organisation to ensure that we create and maintain a safe environment for children and adults and actively promote their well-being in our service delivery. We will take all reasonable steps to promote safe practice and encourage a culture of vigilance to protect them from harm, abuse and exploitation.
- 1.3 We fully recognise that some aspects of those arrangements are specific and relevant to either children or to adults at risk. However, we believe that our safeguarding procedures will be most effective if they are kept together in one single document.
- 1.4 Our overarching commitment to vigilance and to our shared responsibility for safeguarding applies fully to both children and adults at risk. Our procedures for reporting, referring and recording any safeguarding concerns are identical for both children and adults at risk. Where specific and distinct aspects apply to one group or the other, this is indicated clearly within this policy.
- 1.5 For the purposes of this policy, children are all those aged up to 18 and adults are those aged 18 and above.
- 1.6 We are committed to care for, safeguard and nurture ***all*** children and young persons under the age of eighteen, who use our Centre or the services of NNRF. We respect the dignity of children and young people and their rights as set out in the UN Convention on the Rights of the Child and work within UK legislation on Child Protection.

## 2. Aims

- 2.1 This policy covers all NNRF staff, Trustees, volunteers, service users, members and everyone who uses the NNRF Centre and is involved in NNRF activities.

- 2.2 This policy is intended to support staff and volunteers working within NNRF to understand their role and responsibilities in safeguarding children and adults at risk. All staff and volunteers are expected to follow this policy.
- 2.3 This policy supports our commitment to ensuring that all NNRF staff and volunteers are trained in safeguarding procedures and respect our Code of Conduct.
- 2.4 NNRF will ensure that its safeguarding procedures are continually monitored, developed, and maintained and are clearly communicated to staff, Trustees, volunteers and service users.
- 2.5 NNRF will also ensure that safe and effective working practices are in place.
- 2.6 CHILDREN. Child protection is included within our policy on safeguarding children.
- 2.7 ADULTS: NNRF will ensure that decisions made will empower adults to make their own choices and include them in any decision making.

### 3. Legislation and related policies

CHILDREN: This policy should be read in conjunction with the **Nottinghamshire and Nottingham City Interagency Safeguarding Children Procedures**. These procedures reflect child care legislation and 'Working Together' (Dec 2023) which is the most recent statutory guidance on multi-agency working to help, protect and promote the welfare of children and is available [view here](#). You can access the full contents list by [clicking this link](#). (See [here](#) for a summary of the changes that have been made in Working Together to Safeguard Children 2023.)

- 3.1 The government has also published guidance on [Improving practice with children, young people and families](#) which is designed to help everyone to implement the changes in Working Together to Safeguard Children and the [Children's Social Care National Framework](#) statutory guidance, which sets out the national expectation for social care practice with children, young people and families. Click the link for further info <https://nottinghamshirescb.proceduresonline.com/>
- 3.2 ADULTS: This policy has been written with reference to **Safeguarding Vulnerable Groups Act 2006, Health and Social Care Act 2012, Mental Capacity Act 2005 and The Care Act 2014**. Under *The Care Act 2014*, safeguarding of adults relates to an adult who:
- Has care and support needs (arising from physical or mental impairment or illness and having a significant impact on their wellbeing because of the inability to manage personal care and activities)
  - Is experiencing or at risk of abuse and neglect **and**;
  - Is unable to protect themselves from the risk or experience of abuse and neglect because of those care needs.
- 3.3 ADULTS: Under the *Mental Capacity Act 2005*, an adult at risk will have been assessed as having an impairment that currently affects their capacity to make decisions independently. Individuals in these groups may be more open to abuse, neglect and possible exploitation by other individuals and should have a Care Plan in place. NNRF recognises this and will ensure that the people it supports are informed and protected. Safeguarding adults at risk means protecting their right to live in safety and free from abuse and neglect.

3.4 NNRF maintains a range of related policies, procedures and guidance documents that aim to ensure wellbeing and safety that include, but are not limited to the following:

- Recruitment Policy - careful selection, induction and supervision of staff and volunteers with Disclosure and Barring Service (DBS) clearance checks where appropriate.
- Learning and Development Policy – regular essential and update training
- Information Security Policy
- Staff and Volunteer Disciplinary Processes
- Complaints Policy and procedures including the management of allegations.
- Whistleblowing Policy
- Code of Conduct
- Serious Incident Reporting Policy
- Guidance on Maintaining positive boundaries as a staff member or volunteer

## 4. Promotion of Good Practice

NNRF is committed to zero tolerance of abuse within the organisation. It is fundamental to this safeguarding policy that the welfare of the client is always regarded as paramount.

- 4.1 All clients have a right to be safeguarded from abuse in line with the Equality Act 2010, irrespective of their age, disability, race, religion/belief, sex, sexual orientation, or if they have had gender reassignment, are pregnant or are married/in a civil partnership.
- 4.2 All concerns and allegations of abuse will be taken seriously and responded to swiftly, appropriately and professionally. All members of NNRF, irrespective of their role, have a responsibility to report all concerns to their line manager, or the Duty Manager in the line manager's absence, or the Designated Safeguarding Lead (**see Appendix 2 Procedures**).
- 4.3 **ADULTS:** NNRF is a member of the local Vulnerable Adults Providers Network where best practice and issues are shared. Please see here for more information:  
<https://www.nottinghamcvs.co.uk/voice-and-partnerships/networks/VAPN>
- 4.4 The abuse of a child or an adult at risk can occur in a number of ways and could be perpetrated by any individual or service provider who is able to have regular contact with them. It is important therefore that all NNRF staff and volunteers are alert to the vulnerability of clients (**see Appendix 1 Categories of Abuse**).
- 4.5 Abuse can occur within many situations, including the home, care homes or other institutions. NNRF staff are in a good position to make assessments as to the standard of care people experience and the potential for adults at risk of being abused.
- 4.6 All staff and volunteers should be mindful to set an excellent role model for clients. Professional boundaries must be always maintained (see also NNRF Code of Conduct).
- 4.7 Working together to safeguard children and adults at risk is not the sole responsibility of any one agency or service. The law does not prevent the sharing of information between agencies where this best serves the public interest.
- 4.8 Safeguarding is to remain a standard agenda item for consideration at Trustees' monthly Board meetings, managers' meetings, staff meetings and supervision meetings.

## 5. Recruitment and training

- 5.1** All prospective staff and volunteers complete an application form; for staff this includes a self-disclosure about any criminal record. In addition, some staff posts are subject to an enhanced Disclosure and Barring Service (DBS) check at the appropriate level. Some relevant volunteer roles will also be subject to an enhanced DBS check.
- 5.2** In line with the safer recruitment policy, direct safeguarding questions are included in all reference requests. No member of staff or volunteer should be permitted to provide support to clients until the application form has been completed in full and the initial induction is complete. New staff and volunteers must sign to acknowledge receipt of and adherence to this policy document.
- 5.3** All front-line staff and volunteers will have safeguarding training as part of their induction programme and, where appropriate, receive mandatory refresher training.

## 6. Roles and responsibilities

### 6.1 Designated Safeguarding Lead (DSL): Frank Forman

*Tel: 0115 9601234, mob: 07485 355438, email: [frank.forman@nottsrefugeeforum.org.uk](mailto:frank.forman@nottsrefugeeforum.org.uk)*

- Ensure that the safeguarding policies and procedures adopted by NNRF are followed by all staff and volunteers
- Ensure that a single central database of all staff and volunteers, and their safeguarding training dates is maintained and that this list confirms that all staff and those volunteers who meet the specified criteria have had a relevant DBS check
- Ensure that all staff and volunteers feel able to raise their concerns about poor and unsafe practice and such concerns are addressed in a timely manner in accordance with agreed policies
- Ensure that all allegations, including those concerning individuals who are not employed by NNRF, will be dealt with appropriately, informing the relevant parties and providing support where required
- Undergo safeguarding training which is updated regularly, in line with advice from the Nottingham City and Nottinghamshire Safeguarding Partners
- Liaise with relevant agencies in accordance with the Nottingham City and Nottinghamshire Safeguarding Partners procedures
- Where there are concerns about a member of staff's suitability to work with children or adults at risk, contact the Designated Officer (LADO)
- Where appropriate, send a serious incident report to the Charity Commission
- Ensure all staff, and volunteers are informed of the names and contact details of the safeguarding managers and of NNRF's procedures for safeguarding children and adults at risk
- Support staff who attend strategy meetings, looked after reviews and/or case conferences
- Support staff and volunteers who may find safeguarding issues upsetting or stressful by enabling them to talk through their anxieties and to seek further support from the leadership group or others as appropriate
- Support staff to reflect on the information they hold about children and adults at risk and provide an alternative perspective on issues in order to promote a better understanding of what may or may not be concerning
- Maintain secure written records of all safeguarding concerns, even if there is no immediate need for referral.

## **6.2 Safeguarding Team: Debbie Royle, Sonia Bilkhu, Fiona Broome, Barbara S Dhliwayo, Beth Potter, Nicole Shametiova, Adel Hamad, Frank Forman, Meisha Green.**

- Ensure that safeguarding children and adults is embedded into all aspects of NNRF's work;
- Provide strategic oversight for all aspects of safeguarding work across the organisation and ensure our policies and procedures are up to date and effective in protecting people who use services from potential or actual harm;
- Advise the Board and NNRF staff on safeguarding matters;
- Provide assurance that the agreed policies, procedures and standards for NNRF's work on safeguarding are being adhered to by all staff;
- Initiate improvements in NNRF working practices, systems and procedures to support effective safeguarding practice;
- Identify, respond and escalate, as appropriate, organisational risk within NNRF related to safeguarding;
- Raise the profile of children and adults' safeguarding in all NNRF's work and promote proactive communications and raise awareness both internally and externally;
- Monitor and evaluate performance, including scrutiny of records and data, understanding and making recommendations to improve performance;
- Ensure implementation of the NNRF safeguarding procedures, monitor the effectiveness and impact of the procedures both internally and externally and recommend and implement improvements where needed;
- Use the NNRF governance structures to ensure that safeguarding issues are considered and addressed at the appropriate level;
- Ensure that appropriate records and data are collected about safeguarding children and adults' activity in a way that supports NNRF's responsibilities;
- Ensure that training programmes are in place to enable NNRF staff to understand and fulfil their duties and responsibilities in relation to safeguarding;
- Ensure that NNRF responds appropriately to changes in relevant legislation;
- Provide input into the Annual Report;
- Ensure that constructive links are maintained with relevant stakeholders and external agencies, including social care, police, Safeguarding Boards etc.

## **6.3 Trustee with Lead Responsibility for Safeguarding:**

*email: [safeguarding@nottsrefugeeforum.org.uk](mailto:safeguarding@nottsrefugeeforum.org.uk)*

- Meet regularly with the Safeguarding Team, receiving reports and discussing activity.
- Act as an independent resource who can offer advice, on request, to management that are dealing with and reporting safeguarding incidents
- Challenge the organisation to ensure that NNRF is doing all it can to safeguard those it comes into contact with
- Ensure appropriate time is devoted to safeguarding at board meetings
- Be a key resource for the whole board, as someone with specialised training and knowledge
- Operate as a person independent from management to whom safeguarding issues can be directly referred, if it is felt that management is not dealing with an issue appropriately or if it involves management.

## **6.4 Staff and Volunteers:**

- Read and understand this policy
- Comply with NNRF code of conduct and maintaining professional boundaries guidance in their work or volunteering

- Be aware that to safeguard children and adults at risk, there is a duty to share information with your line manager, or Duty Manager in absence of your line manager, in the first instance
- If you cannot get hold of your manager in an urgent situation, or after discussion you still think the issue requires a referral, you can make your own referral to Children's and Adults' Social Care
- Be alert to signs and indicators of harm and abuse
- Know how to respond to their duty when they have concerns or when a child or adult discloses to them and to act
- Know how to record concerns and what additional information may be required
- Undergo safeguarding training which is updated regularly
- Recognise that abuse and neglect can happen in any setting and maintain an attitude of 'it could happen here'

## **7. Cultural considerations**

**7.1** All children and adults at risk have a right to be safeguarded from abuse in line with the Equality Act 2010, irrespective of their age, disability, race, religion/belief, sex, sexual orientation, or if they have had gender reassignment, are pregnant or are married/in a civil partnership.

**7.2** It should be acknowledged that there may be culturally different practices and attitudes towards children and adults at risk amongst NNRF service users. This needs to be addressed with sensitivity and understanding but does not alter the need to safeguard and follow procedures.

**7.3** We are aware that practices which may be accepted in some cultures and countries are forbidden by British law. For example:

- Female Genital Mutilation (FGM) by infibulation or excision is forbidden by the Prohibition of Female Circumcision Act 1985
- Sexual intercourse and marriage are illegal under the age of 16
- Forced Marriage (in law since June 2014)
- Types of physical chastisement that would constitute physical abuse
- Honour based violence
- Modern day slavery
- Hate crime
- Marriage under the age of 18

**7.4** It is possible that cases of abuse may be a result of lack of knowledge/different cultural expectations on the part of the alleged perpetrator. This does not affect the need to take appropriate action or address the abuse.

## **8. Children and young people's activities**

**8.1** Children and young people aged up to 13 years are welcome on NNRF premises; we hope they will make use of our facilities and join in activities but, whilst there, they must be supervised by their parents or by another adult approved by their parents/carers/guardians. Responsibility for safeguarding accompanied children on NNRF premises remains with their parents/ carers/ guardians at all times.

- 8.2** Children/young people aged 13 and above can attend NNRF independently to access on- or off-site organised activities as well as advice from the drop-in General Advice service. In this case, the General Advice supervisor should be made aware by triage or Reception volunteers that there is a young person in the building and they should be given priority to be seen in General Advice. Where possible, the young person will be directed to see one of the General Advice volunteers who has attended the Youth Project training. After being seen in General Advice the case should then be referred to the Youth Project Worker, in case follow-up work is needed.
- 8.3** For off-site activities, specific risk assessments and preparations need to be in place to ensure the safety of all children and ensure that no member of staff or volunteer is compromised (**see Appendix 3 for details**).

## **9. Safeguarding all adults**

- 9.1** As well as children this policy also focusses on adults at risk, as defined in legislation, and for whom we have specific statutory responsibilities. These are adults who cannot protect themselves because they have care and support needs related to physical or mental impairment or illness and who cannot manage their own day-to-day personal care needs.
- 9.2** However, the NNRF fully acknowledges our safeguarding duty to **all** adults (including our volunteers and staff) The NNRF recognises that refugees and asylum seekers face particular risks to their safety and wellbeing which are associated with their status and situation in society.
- 9.3** Our responsibility to act on, to report and to record safeguarding concerns applies to **all** adults and the procedures for doing so are identical as those for reporting safeguarding concerns about adults or children at risk.

## **10. Responding to concerns or disclosures**

- 10.1** All concerns, disclosures or allegations about a child, adult or adult at risk, whatever their origin, must be taken seriously, never ignored and always reported to your line manager or the Duty Manager in the absence of your line manager. If you personally have a concern about a child or an adult, it is expected that you will share this in the same way. This must be done as soon as possible and always on the same day. Remember it is not NNRF's responsibility to investigate safeguarding concerns, nor to determine whether abuse has taken place, but it is their responsibility to respond in accordance with the NNRF Reporting a Safeguarding Concern Procedure.
- 10.2** All recording of any safeguarding concern is done using the Safeguarding Concern Form (**Appendix 2**).
- 10.3** All members of staff and volunteers have a responsibility to make their line manager, or the Duty Manager in the absence of their line manager, aware of any concerns, even if they are unsure whether it is a safeguarding matter or not.
- 10.4** Confidentiality is to be respected and the sharing of such information should always be strictly limited to a "need to know" basis. A child or an adult may need reassurance that



they will be protected by the information being passed to the person who is trained and has responsibility to safeguard (**see Appendix 2 for Procedures**)

- 10.5** When sharing information with statutory agencies and other relevant organisations NNRF will follow best practice and remember that Data Protection Act 2018 and human rights laws are not barriers to justified information sharing but provide a framework to ensure that personal information about individuals is shared appropriately. A record will be kept securely of what has been shared, with whom and for what purpose.
- 10.6** ADULTS: If there is concern for an adult at risk but where safeguarding is not an issue, advice can be sought at: <http://www.nottinghamcity.gov.uk/health-and-social-care/adult-social-care/getting-support/>
- 10.7** ADULTS: If referring to adult social care or to the police, seek consent from the adult at risk (NB. A referral can be made without consent if it is in the overriding public interest, a possible crime has been committed or there is a risk to the health and safety of others).
- 10.8** Consideration must always be given to what, if any, additional action is required to keep the child or the adult safe.
- 10.9** The line manager will always feed back to the person who has passed on the original concern what actions have been taken.
- 10.10** If a member of staff or volunteer is not satisfied that the concern has been fully addressed, they have a responsibility to escalate the matter themselves directly to Social Care.
- 10.11 Management of allegations about a staff member, trustee or volunteer.**  
NNRF takes any allegation or concern that a staff member, trustee or volunteer has behaved in a way that has harmed, or may have harmed, a child/adult/adult at risk must be taken seriously and dealt with sensitively and promptly, regardless of where the alleged incident took place. NNRF will always comply with the local procedures for managing such incidents. See **Appendix 4** for the managing allegations procedures.
- 10.12** Depending on the situation, an appropriate response may involve:
- the police investigating a possible criminal offence.
  - Reporting to the LADO (Local Authority Designated Officer) in cases of suspected harm to a child/children or if about harm to a vulnerable adult, then the police and adult social care.
  - your local child protection services making enquiries and/or assessing whether a child needs support.
  - following the relevant disciplinary procedures with individuals concerned.
- 10.13** All concerns or allegations of abuse made against a member of staff or volunteer must be reported immediately to the Designated Safeguarding Lead or deputy in their absence. (If the concern or allegation relates to the Designated Safeguarding Lead it must be reported to the Chair of the Board of Trustees). NNRF has a whistle blowing policy for any person who feels they need to report a concern anonymously or externally to the organisation.

## 11. Operating safely online and with social media

11.1 Operating online carries specific safeguarding risks connected to protecting people from abuse and protecting sensitive information. NNRF is committed to ensuring that associated risks are managed and reflected in policies and practices. NNRF is currently working towards ensuring it has agreed policies to ensure that it has adequate control over the Content, Contact and Conduct on its website and through social media. This will ensure that NNRF identifies and manages any risks.

There are further resources charities can use for support when working online, such as [Internet Matters](#), [Get Safe Online](#) and [NSPCC](#).

## 12. Terrorism and the Prevent Duty

12.1 All charities have a responsibility to prevent abuse for extremist purposes (**see Appendix 5, Useful Contact Details & Links**):  
<https://www.gov.uk/guidance/safeguarding-duties-for-charity-trustees#terrorism-and-the-prevent-duty>

12.2 Prevent is now part of national safeguarding policy for all agencies working with vulnerable adults and children who may be at risk of abuse and exploitation including grooming and radicalisation. Managers and other key NNRF staff receive training and updates and the NNRF is aware of its duty to take appropriate steps where concerns of this nature are raised or identified.  
<https://www.gov.uk/government/publications/prevent-duty-guidance/prevent-duty-guidance-for-england-and-wales-accessible>

12.3 As this is a safeguarding concern, please follow the appropriate steps to report this, as listed in this policy.

## 13. Monitoring

13.1 The Designated Safeguarding Lead, safeguarding team, and the Board Trustee with responsibility for Safeguarding will have monthly contact to review and monitor any safeguarding referrals or issues arising and report to the Trustee Board meetings.

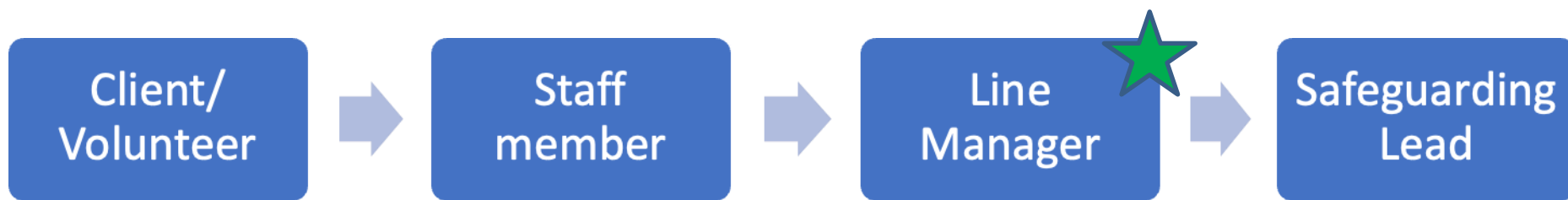
13.2 The policy will be scrutinised annually for any amendments or updates by the safeguarding group with the support of the designated safeguarding trustee. The policy will be formally reviewed at Board level every two years and after any serious safeguarding incident or significant change in legislation or guidance.

**Reviewed and approved by NNRF Trustees: September 2024**

**Next formal review date: September 2026**

**Related Policy and Procedures:** Code of Conduct, Whistleblowing, Photography and Filming, Online safety and communication

## APPENDIX 1: Safeguarding procedure flowchart (updated May 2024)



### Recognition or information about a safeguarding concern

Client or volunteer to discuss their concern with a member of staff.

Staff member to inform client/volunteer that their concern will be discussed with the staff member's line manager.

### *Actions for the staff member:*

1. **Discuss the concern** with their line manager (or if not available, the Duty Manager).
2. Complete the **Safeguarding Concern Form** with agreed actions and email to the relevant manager to sign off.
3. Create a new case on Advice Pro under **Safeguarding (Matter Type)** selecting the correct sub-matter and attach the concern form. Record the concerns and actions taken on Advice Pro and add social issue on client's profile.
4. The case remains with **the staff member** and they are responsible for keeping both their line manager and Advice Pro up to date, unless re-allocated.

### *Actions for the line manager:*

1. **Discuss the concern** with the staff member and, if relevant, available safeguarding managers.
2. **Review and ensure updated actions are recorded** on Advice Pro.
3. Line manager should ensure the safeguarding concern is uploaded to the safeguarding folder **on Sharepoint**.
4. The line manager is responsible for allocating the safeguarding case to the relevant staff member/team.
5. The line manager should inform the Designated Safeguarding Lead. The Duty Manager will complete the above actions if the line manager is not available. The Duty Manager will inform the line manager and hand over once they are available.

### *Actions for the Designated Safeguarding Lead:*

Keep an overview of all concerns to ensure the appropriate actions are taken.

This information and data will be used for monitoring and training purposes.

Designated Safeguarding Lead: Frank

Line Managers: Barbara, Debbie, Sonia, Adel and Frank  
Coordinators: Matt, Aiza, Nicole, Zanele, Beth and Sophie, Meisha

## APPENDIX 2: Safeguarding Concern Form



**STRICTLY CONFIDENTIAL**

### SAFEGUARDING CONCERN FORM – page 1

To be completed by member of staff reporting the concern  
(to be passed immediately to a Line Manager and saved on Advice Pro)

Date: ..... Time: .....

Record made by: ..... Role:  
.....

Concern raised by (if not self):

..... Person at Risk:  
.....

Advice Pro: .....

**Reasons for concern:** (Should be factual – not opinion or hearsay - include details of allegations, dates, physical evidence if appropriate, name of alleged perpetrator(s), witnesses, source of information)

Signed by reporting member of staff..... Date: .....



**STRICTLY CONFIDENTIAL**

**SAFEGUARDING CONCERN FORM – page 2**

**List of actions to be taken (with names and timescale)**

<b>ACTIONS - TICK WHEN COMPLETED</b>	
Create safeguarding case on Advice Pro	
Uploaded this form to Advice Pro	
Added name and Advice Pro number to Safeguarding File on Sharepoint	
Fed back to reporting member of staff/volunteer	
Added to agenda for next Safeguarding Team meeting	
Inform Frank Forman, Designated Safeguarding Lead via email	

Signed by Line Manager/Duty Manager/DSL: ..... Date: .....

## **APPENDIX 3: Staff and volunteers organising off site activities involving children and young people**

### **Safeguarding Considerations**

Specific risk assessments and preparations need to be in place to ensure the safety of all children and ensure that no member of staff or volunteer is compromised.

- Ensure that any additional NNRF activities involving children are agreed and approved by a line manager in advance.
- Ensure a safe environment, carrying out appropriate risk assessments.
- Include gender-appropriate staffing
- Consider the age range and ability of children and young people who will be mixing together and age- appropriateness of activities
- For off-site activities, give young people guidance about safety rules and procedures.
- For residential events, a parental/carer/guardian consent form must be obtained.
- Transport or escorts must be provided for children under the age of 13 and parent/carer/guardian consent obtained for any children aged 13-18 who can be responsible for making their own way to/from external activities/events.
- NNRF staff/volunteers should, if possible, avoid working in an isolated location or travelling in a 1:1 situation with a child or young person, and, if it is unavoidable, should make sure that the parent/carer/guardian is aware of the situation and that the situation has been appropriately risk assessed.
- Do not behave in a way, physically or verbally, that could be offensive, being mindful of cultural differences.

## Appendix 4: Managing allegations against staff, volunteers and trustees

### 1. What to do if there is a safeguarding allegation against a member of staff, volunteer or trustee

#### 1.1 Definition of a safeguarding allegation. This is where a person is alleged to have:

- a) Behaved in a way that has harmed a child or adults at risk, may have harmed a child or adults at risk or might lead to a child or adults at risk being harmed;
- b) Possibly committed or is planning to commit a criminal offence against a child or adults at risk or related to a child or adults or.
- c) Behaved towards a child or adults at risk in a way that indicates s/he is or would be unsuitable to work with children or adults at risk.
- d) behaved or may have behaved in a way that indicates they may not be suitable to work with children or adults at risk

The last bullet point above includes behaviour that may have happened outside NNRF that might make an individual unsuitable to work with children/adults at risk, this is known as transferable risk.

1.2 An allegation can relate to an adult's behaviour outside work, and their relationships with others, if they:

- Have behaved in a way in their personal life that raises safeguarding concerns. These concerns do not have to directly relate to a child but could, for example, include an arrest for the possession of a weapon.
- Have, as a parent or carer, become subject to child protection procedures.
- Are closely associated with someone in their personal lives (e.g. partner, member of the family or other household member) who may present a risk of harm to child/ren for whom the adult is responsible in their employment/volunteering

1.3 The allegation may:

- Involve a child/ren, or adults(s) or both
- Not directly have a 'known child' victim as such. For example, if someone is looking at abusive images of children online or using the internet to groom children with the intent to harm in future.
- Be about any type of abuse.
- Concern a breach of the NNRF safeguarding code of conduct.
- Relate to a person who no longer works or volunteers for NNRF
- Concern the child of a staff member or volunteer

1.4 A safeguarding allegation may arise when:

- A child, adults at risk, or parent/carer makes an allegation against member of staff, or volunteer
- Harmful behaviour is observed
- The Director or a senior manager receives a safeguarding allegation from any individual during another internal procedure, for example in respect of a disciplinary or complaint
- The Director is informed by the police or local authority or an individual that they are the subject of a child/adult protection and/or criminal investigation
- New information is contained in a Disclosure and Barring List (DBS) renewal check.

### **1.5 Consideration**

There may be up to four strands in the consideration of any safeguarding allegation:

- Enquiries and assessment by social care about whether a child or adult needs protection and/or services
- A police investigation if a criminal offence may have been committed
- Consideration by NNRF of disciplinary action in respect of the individual
- Referral for 'consideration to bar' a person from working with children (i.e. referral to the Disclosure and Barring Service) and/or referral to a professional registration body for professional misconduct.

### **1.6 Confidentiality**

If a member of staff or volunteer is concerned about the behaviour of another member of staff or volunteer, then they should not worry about the confidentiality of this information. Even if it turns out to be mistaken, it is better to discuss it and enable a proper investigation and assessment to happen than not report it at all. Do not:

- Ignore concerns
- Confront the person
- Discuss the matter with anyone else apart from those identified in this procedure.

## **2 What to do when there is a safeguarding allegation**

**Step 1** The person with the concern should speak to their line manager in the first instance unless the concern is about them in which case go to the DSL. This should be done within the same working day of the allegation coming to light.

**Step 2** If the line manager thinks this incident does constitute a safeguarding allegation, then they should inform the DSL and together complete the Safeguarding Concern Form within the same working day.

**Step 3** If it is considered that a child or adult is subject to life threatening concerns or risk of immediate harm, or needs emergency medical attention, then the emergency services must be contacted straightaway and the parents/carers of the child or adult at risk told that immediate steps are being taken to get help. The procedures in Appendix 1 should also be followed.



**Step 4** The DSL will oversee the management of any safeguarding allegation and can draw on support and advice from the HR consultant, Deputy DSL and/or the trustee with lead responsibility for safeguarding.

**Step 5** The DSL must inform the trustee with lead responsibility for safeguarding that a safeguarding allegation has arisen.

**Step 6** The DSL is responsible for producing an initial plan of how to proceed with managing the allegation. The safeguarding allegation may be in respect of the person's employment or behaviour towards any other children or adults at risk including their own.

**Step 7** If, after the initial consideration, the DSL and HR consultant do not consider the matter constitutes a safeguarding allegation then they must decide if an internal investigation is required to determine if the behaviour/incident was related to poor practice or misconduct and then follow the appropriate procedure to address this. All decisions and the reasons for them, including there being no need to take safeguarding action, must be recorded and kept separate from the individual's file but with a cross reference to it.

**Step 8** If confirmed as a safeguarding allegation, the DSL should make an initial plan within one working day. They may take advice from an HR consultant and/or the trustee with lead responsibility for safeguarding. The matters to include are:

- the immediate safety of any relevant child/ren or adult at risk involved, for example those that are the subject of the safeguarding allegation or other children that the individual has contact with through work or family
- what information to share with the individual who is the subject of the safeguarding allegation and with any other known employer of the individual, and when to do so
- whether any immediate decision must be taken about suspension of the individual subject to allegation, pending further enquiries and/or investigation. Suspension is a neutral act and should not be automatic. It should be considered in cases where: there is cause to suspect a child or adult is at risk of harm or has been significantly harmed; the allegation warrants investigation by the police; the allegation is so serious it might be grounds for dismissal.
- if any records need to be secured or 'locked down', or any equipment removed from the individual who is the subject of the concern
- whether the criteria are met for referral to the local authority and/or the police.
- whether the criteria are met for a serious incident report being made to the Charity Commission
- if further information is required for clarification
- identifying who else is aware of the safeguarding allegation and who has been spoken to
- whether any advice should be sought from the local authority or police

- any arrangements to support the person who is the subject of the safeguarding allegation, the person who raised the allegation and the alleged victim(s) if known.

In addition, there may need to be a plan around the management of information including:

- who needs to know and what information can be shared within NNRF
- how to manage speculation, leaks and gossip
- how to manage press interest if, and when, it might arise.

If a safeguarding allegation is made against:

- DSL - the NNRF deputy director and trustee with lead responsibility for safeguarding will manage the allegation process
- A trustee – will be managed by the Chair of the trustees, DSL and trustee with lead responsibility for safeguarding

**Step 9** If it is agreed that the safeguarding allegation meets one or more of the criteria in section 1.1 then the DSL must make a referral to:

- the Designated Officer for the Local Authority (often referred to as the LADO<sup>1</sup>) where the child resides
- the LADO (or equivalent) where the staff member or volunteer, resides if the allegation is about adult behaviour but with no identifiable victim.

The LADO will:

- discuss the allegation and obtain further details of the allegation and the circumstances in which it was made.
- discuss whether there is evidence/information that establishes the allegation is false or unfounded.

**Step 10** If the allegation is referred to the local authority, then any child or adult protection investigation and/or police investigation must take priority over any internal employment/volunteering processes.

**Step 11** The DSL in conjunction with the deputy DSL will need to determine if the allegation warrants NNRF to suspend the member of staff who is the subject of the allegation or cease to use the services of a volunteer. The act of suspension does not indicate a person's guilt. An individual must not be suspended automatically when there has been an allegation or without careful thought. Suspension should be considered in any case where:

- there is cause to suspect a child or adult is at risk of significant harm
- or, the allegation warrants investigation by the police

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<sup>1</sup> The role of the LADO only exists in relation to allegations that involve a child being harmed. If the allegation concerns an adult at risk being harmed then a call should be made to adult social care.

- or, is so serious that it might be grounds for dismissal
- or, there are concerns that the person about whom the allegations are made may put pressure on or interfere with potential witnesses.

The power to suspend the accused member of staff or dispense with the services of the volunteer is vested in the employer alone. However, in making these decisions the DSL will need to take into consideration the views of the police and the local authority.

If the allegation was made against a member of the board of trustees, then the Chair has the power to suspend a trustee from the Board.

### 3 Action following the conclusion of the investigative process

3.1 At the conclusion of any external investigations, the DSL in conjunction with Deputy DSL and the LADO will formally review the outcome and determine if any further action is required. The range of options open will depend on the circumstances of the case and will need to consider the outcome of any police investigation or trial, any investigations in respect of the child and adults at risk, as well as the different standard of proof required in disciplinary and criminal proceedings. Options include:

- reintegration of the member of staff
- using the services again of the volunteer/trustee
- invoking the disciplinary process in respect of staff or the volunteer resolution process in respect of volunteers
- alerting other known employers of the individual concerned (which is a responsibility of the LADO to do if necessary)
- making a referral to the Disclosure and Barring Service (DBS) for consideration to bar the person from working with children and/or adults at risk if they were working in regulated activity
- alerting the Charity Commission of the outcome as per their serious incident reporting policy

3.2 The following definitions should be used when recording the outcome of allegation:

- **Substantiated:** there is sufficient evidence to prove the allegation
- **False:** there is sufficient evidence to disprove the allegation.
- **Malicious:** there is sufficient evidence to disprove the allegation and that there has been a deliberate act to deceive
- **Unsubstantiated:** there is insufficient evidence to either prove or disprove the allegation.
- **Unfounded** - there is no evidence or proper basis which supports the allegation being made

Every effort should be made to reach a conclusion in all cases even if:

- the individual refuses to cooperate, although they should be given a full opportunity to answer the allegation and make representations
- it is difficult to reach a conclusion

- the member of staff has resigned or the or volunteer withdraws their services
  - the person is deceased.
- 3.3 NNRF never agrees to the use of a settlement agreement or non-disclosure agreement with a member of staff in relation to safeguarding issues. This is where the member of staff subject to the allegation agrees to resign, the employer agrees not to pursue disciplinary action, and both parties agree a form of words to be used in future references. Nor can it be used to override NNRF's duty to make a referral to the DBS where they meet the criteria for consideration to bar them from working with children or adults at risk.
- 3.4 The DSL and Deputy DSL must determine who needs feedback following the conclusion of any investigations and the nature of that feedback in accordance with the principles of data protection and confidentiality.
- 3.5 If an allegation is determined to be false or malicious, the DSL and Deputy DSL must consider if any further action is required which includes:
- if the safeguarding allegation was deliberately invented or malicious then this should be discussed with the police and advice sought
  - whether disciplinary action is required (in respect of staff) or volunteer issue resolution (in respect of volunteers)
  - the support needs of the person that was the subject of the safeguarding allegation or the individual that was harmed.
- 3.6 At the end of the process of managing an allegation and its conclusions, the DSL, Deputy DSL and HR consultant are responsible for the identification of any lessons learned. This learning may need to feed into policy and procedural revisions and/or safeguarding training.
- 3.7 The DSL must provide in writing feedback to the person who has been subject to the investigation, clarifying the outcome and any implications for their employment. This must be provided within five working days of the conclusion of the investigation.

## **4 Poor Practice**

- 4.1 There may be circumstances where allegations are about poor practice rather than abuse, for example the member of staff or volunteer has not adhered to an aspect of the code of conduct. Where there is any doubt, the manager should consult with the DSL. If enquiries indicate that the allegation is about poor practice, then the DSL will determine how best to remedy this e.g. using misconduct procedures and/or training.

## **5 Support**

- 5.1 NNRF will fully support and protect any member of staff or volunteer who, in good faith, reports his or her concern that a colleague is, or may be abusing a child or adults at risk. If an allegation is made that is found to be malicious or fraudulent NNRF retains the right to take appropriate action against the individual responsible for making the claim.

5.2 NNRF has a duty of care to its staff and volunteers and will therefore act to manage and minimise the stress inherent in the allegations process. In managing any allegation there is a need for the DSL and HR to consider the support needs of individuals involved. The support they require depends on the circumstances of the case and will have to be negotiated and agreed on a case-by-case basis. Support may include responding to the impacts of shock, anger or being a risk to self, for example. It may include support for the:

- person who raised the concern at the outset
- person who is the subject of the allegation

5.3 The DSL and HR consultant are responsible for ensuring that the staff and all those named in this document who is subject of the allegation is:

- informed of the allegation against them (once agreed by the local authority/police), notified of the processes that will follow and signposted to independent support should they require it
- kept up to date about any progress in relation to their case
- advised to contact their union or professional association at the outset if applicable
- kept up to date about what is happening in the workplace in cases where the person is suspended or NNRF cease to use his/her services. This is to enable their reintegration should they return to work/volunteering
- sent correspondence confirming all of the above including the arrangements for support.

## **6 Referral to the Disclosure and Barring Service (DBS) and/or Professional Regulatory Body**

6.1 Once the outcome of the allegation management process is concluded, the following actions must be considered by the DSL in conjunction with HR consultant, LADO/adult social care and the trustee with lead responsibility for safeguarding:

- Where a member of staff/volunteer is engaged in providing 'regulated activity' then the issue of whether they can continue in this role must be considered depending on the outcome of the enquires. If it is concluded that the person should no longer be engaged in regulated activity, then it is a legal requirement for NNRF to refer the person to the DBS for consideration to bar the person from working with children and/or adults at risk. The referral process is outlined on the DBS website, and they can be contacted for advice. The DSL and trustee with lead responsibility for safeguarding responsible for making such a referral.
- Where a member of staff or volunteer or trustee is registered with a professional body the issue of making a report to them must be considered.

6.1 The actions outlined in the preceding paragraph must be considered even if the person has resigned or the volunteering activity has ceased, or the person is deceased.

## **7 References**

- 7.1 Cases in which an allegation was proven to be false, unsubstantiated or malicious should not be included in any employer references.

## **8. Recording**

- 8.1 A record of all decisions and actions in managing any allegation must be recorded and retained by NNRF.

## **9 Resources**

- 9.1 The Nottingham Interagency Child Safeguarding Procedures include a chapter on managing allegations. See: [Allegations Against Staff or Volunteers \(trixonline.co.uk\)](http://trixonline.co.uk)

## APPENDIX 5: Useful contact details and links

### **CHILDREN**

Nottingham City Children's Social Care Tel: 0115 876 4800

Monday to Friday from 8:30 am to 4:50 pm. (Outside of these hours, the telephone number should be used for emergency safeguarding enquiries only).

**[candfdirect@nottinghamcity.gov.uk](mailto:candfdirect@nottinghamcity.gov.uk)**

Nottingham City Safeguarding Children Referral Form

**[Children & Families Direct \(nottinghamchildrenspartnership.co.uk\)](http://nottinghamchildrenspartnership.co.uk)**

Nottinghamshire Children's Social Care

**[Safeguarding children - Multi-Agency Safeguarding Hub \(MASH\) | Nottinghamshire County Council](#)**

Tel: 0300 500 80 90

**[mash.safeguarding@nottsccl.gov.uk](mailto:mash.safeguarding@nottsccl.gov.uk)**

Nottingham Safeguarding Children Partnership

**[Nottinghamshire Safeguarding Children Partnership](#)**

**<https://nottinghamshirescb.proceduresonline.com/>**

Nottinghamshire Safeguarding Children Referral Form

**[Report a new concern about a child | Nottinghamshire County Council](#)**

Working Together to Safeguard Children <https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>

Family Support Pathway

**<https://committee.nottinghamcity.gov.uk/documents/s81771/Nottingham%20City%20Family%20Support%20Pathway%202018-2020.pdf>**

Child Sexual Exploitation

[https://assets.publishing.service.gov.uk/media/5a7f8e3640f0b62305b87dbc/CSE\\_Guidance\\_Core\\_Document\\_13.02.2017.pdf](https://assets.publishing.service.gov.uk/media/5a7f8e3640f0b62305b87dbc/CSE_Guidance_Core_Document_13.02.2017.pdf)

Female Genital Mutilation (FGM)

<https://www.gov.uk/government/publications/multi-agency-statutory-guidance-on-female-genital-mutilation>

Children who may have been trafficked

**[Safeguarding children who may have been trafficked - GOV.UK \(www.gov.uk\)](#)**

Criminal Exploitation

**[Criminal exploitation of children and vulnerable adults: county lines - GOV.UK \(www.gov.uk\)](#)**

### **ADULTS**

Nottingham City Adult Social Care Tel: 0300 300 3333

Opening hours are 8.30am to 5pm, Monday to Friday

All enquiries outside of these hours, use the Emergency Duty Team 0115 876 1000 0808 800 0340  
(Domestic Violence 24hr Helpline)

Safeguarding Adults Information

<https://www.nottinghamcity.gov.uk/information-for-residents/health-and-social-care/adult-social-care/adult-safeguarding/are-you-worried-about-an-adult/>

Nottinghamshire County Adult Social Care

The Multi-Agency Safeguarding Hub (MASH) is the single point of contact for all professionals to report safeguarding concerns.

**Tel: 0300 500 80 90F**

**email: [mash.safeguarding@nottscc.gcsx.gov.uk](mailto:mash.safeguarding@nottscc.gcsx.gov.uk)**

Monday to Thursday: 8.30am to 5pm Friday: 8.30am to 4.30pm

In an emergency outside of these hours, contact the Emergency Duty Team on 0300 456 4546

Referral Pathway Document

<http://www.nottinghamshire.gov.uk/media/115370/safeguardingadultsreferralpathway.pdf>

Referral Form

<http://www.nottinghamshire.gov.uk/care/childrens-social-care/nottinghamshire-childrens-trust/pathway-to-provision/multi-agency-safeguarding-hub-mash>

Equation- current advice/forms/pathways for domestic abuse situations and includes the DASH-RIC

<https://equation.org.uk/best-practice-library/>

Prevent [http://nottinghamshirescb.proceduresonline.com/p\\_sg\\_rad\\_vio\\_ext.html](http://nottinghamshirescb.proceduresonline.com/p_sg_rad_vio_ext.html) E-learning course

<https://www.elearning.prevent.homeoffice.gov.uk>

Advice and concerns, contact: [prevent@nottinghamshire.pnn.police.uk](mailto:prevent@nottinghamshire.pnn.police.uk)