Bovey Tracey Town Council

# **Safeguarding Policy**

# **Children and Vulnerable Adults**

## 1.0 Introduction

Bovey Tracey Town Council (BTTC) has a responsibility to ensure that all children and vulnerable adults are protected and kept safe from harm whilst engaged in services organised and provided by the Council.

This policy seeks to ensure that BTTC undertakes its responsibilities with regards to the protection of children and adults at risk and responds to concerns appropriately. This policy applies to all situations within BTTC’s operations, which could potentially involve children and vulnerable adults. This policy affects every BTTC staff member, councillor, volunteer and anyone working on behalf of and/or representing the Council.

This policy is in place to protect all vulnerable persons regardless of gender, ethnicity, disability, sexuality, religion or faith. The welfare of children or adults at risk of abuse or neglect is paramount and is the responsibility of everyone. All children and adults at risk of abuse or neglect, have the right to protection from abuse, whether physical, sexual, verbal, bullying, exclusion, or neglect. Bullying, shouting, physical violence, sexism and racism towards children or adults at risk of abuse or neglect will not be permitted or tolerated.

## 2.0 Definitions of Safeguarding

Child and adult protection require that those who detect safeguarding concerns know how to respond swiftly to concerns as soon as they are identified and know how to respond safely to concerns as soon as they are identified.

A child is a person under 18 years of age. Child abuse is when a child is intentionally harmed or where basic essential needs are neglected by an adult who may be a parent, relative or any other adult. It can be over a period of time but can also be a one- off action.

A vulnerable adult is someone aged 18 or over who is or may need community care services by reason of mental or other disability, age or illness, and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation. For example, a person who

* is elderly and frail
* is suffering from mental illness or dementia
* has a learning disability
* is suffering from a debilitating physical illness
* has drug/alcohol problems (substance misuse)
* has sensory loss e.g. hearing/sight impairment

## 3.0 Types of Child Abuse include:

 Physical abuse

 Emotional or psychological abuse

 Domestic abuse

 Sexual abuse

 Grooming

 Child Sexual Exploitation

 Child Trafficking

 Neglect and acts of omission

 Female Genital Mutilation

 Bullying

 Online Abuse

 Radicalisation

**4.0 Types of Adult Abuse include**:

 Physical abuse

 Domestic abuse

 Emotional abuse

 Sexual abuse

 Neglect and acts of omission

 Financial or material abuse

 Discriminatory abuse

 Radicalisation

 Self-neglect

 Modern Slavery

 Organisational abuse

**Physical abuse -** this may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm, as well as withholding food or drink, force feeding, wrongly administering medicine, unnecessary restraint, failing to provide physical care and aids to living. Physical abuse, as well as being a result of a deliberate act, can also be caused through omission or the failure to act to protect.

**Emotional or Psychological** – this may involve name calling, embarrassing or ignoring someone, persistent emotional ill treatment or rejection, including verbal abuse, shouting swearing, threatening abandonment or harm, isolating, taking away privacy or other rights, bullying/intimidation, blaming, belittling, silencing, controlling or humiliating.

**Sexual -** This may involve sexual assault, rape, inappropriate touching/molesting, forcing or enticing someone into sexual acts they don’t understand or feel powerless to refuse and grooming a child or young person in preparation for abuse. Sexual abuse may also include non-contact activities, such as being made to look at or watch something or being encouraged to behave in sexually inappropriate ways.

**Financial and Material -** This may involve illegal or improper use of a person’s property, money or other assets without their informed consent or where the consent is obtained by fraud. It can include exploiting someone’s financial position e.g. abuse of the responsibility to look after someone else’s money such as an unexplained withdrawal from a person’s bank account, intentionally mismanaging finances, withholding money or possessions, borrowing money and not repaying, theft of money or property.

**Neglect -** Neglect is a failure to meet a person’s basic physical and psychological needs. It may involve:

* the failure to provide adequate food, drink, shelter, heating, clothing
* failing to provide access to health, social and educational services
* ignoring physical care needs
* failure to get appropriate medical care or treatment
* exposing a person to unacceptable risk
* failing to ensure adequate supervision or the neglect of, or unresponsiveness to, the basic emotional needs of a child.

**Discriminatory -** This may involve abuse motivated by oppressive and discriminate attitudes and behaviour due to age, ethnicity, disability, marital status, race, religion, sexual orientation or gender.

**Institutional -** This is the mistreatment of people brought about by poor or inadequate care or support, or systematic poor practice that affects the whole care setting. It occurs when the individual's wishes and needs are sacrificed for the smooth running of a group, service or organisation.

## 5.0 Responding to concerns and allegations

A safeguarding concern arises if abuse is suspected or disclosed. Abuse can happen anywhere – at home, in a residential or nursing home, a hospital, in the workplace, at a day centre or educational establishment or in the street.

Where a disclosure is made by a child or vulnerable adult it is important that you do not promise to keep the information secret but tell them that you will only disclose it to someone who can help them.

We all have a responsibility to report any safeguarding concerns over the welfare of children and vulnerable adults. This extends to the identification of signs of abuse; poor practice by staff, councillors and others acting for or on behalf of the Council, and allegations brought to our attention by a member of the public. Reporting safeguarding concerns can prevent serious abuse or harm from happening, or from escalating.

Staff, councillors and volunteers must not attempt to investigate abuse themselves; neither must they confront anyone who is allegedly responsible for abuse nor tell them that allegations have been made about them. However, staff, elected members and volunteers do have a duty of care to the child or vulnerable adult to report any suspicions they may have.

All suspicions child or allegations of abuse will be taken seriously. The officer responsible for receipt of concerns and forwarding them on is the Town Clerk as the designated Safeguarding lead (DSL) and the Chair of the Personnel Committee. If neither of these officers are available do not wait for him/her to return to work.

## 6.0 Allegations against a councillor, member of staff or volunteer

If someone witnesses behaviour by a councillor, member of staff, volunteer, contractor or partner, or an allegation is made about them that indicates that they have, or may have:

* harmed a child or vulnerable adult, or put them at risk
* possibly committed a criminal offence against or related to a child or vulnerable adult or
* behaved in a way that indicates they may pose a risk of harm to children or a vulnerable adult

A councillor or member of staff must report any allegation made against them to the Town Clerk (DSL) or Chairperson of the Personnel Committee. They must report it as a safeguarding concern at the earliest possible opportunity.

Safeguarding concerns and allegations relating to staff will be dealt with in accordance with the Council’s Disciplinary Procedure. However, investigations by the responsible authorities will take precedence over internal council procedures relating to conduct. The DSL or Chairperson of the Personnel Committee will liaise with the responsible authorities to agree the appropriate course of action.

The DSL or Chairperson of the Personnel Committee will seek advice from the Police and/or Devon County Council, Child and Adult Services prior to informing a member of staff of an allegation against them. The DSL or Chairperson of the Personnel Committee. The Clerk or Chair of the Personnel Committee will offer appropriate welfare support to the member of staff and ensure that they are kept appropriately informed during any investigation process.

Safeguarding concerns and allegations relating to Councillors will also be referred to the Monitoring Officer and dealt with in accordance with the Code of Conduct of Members of the Council.

**7.0 Responsibilities**

All staff and councillors are required to be familiar with this policy. All councillors and staff are expected to promote good practice and contribute to the discussions about safeguarding. The DSL has responsibility for recording and reporting concerns that arise as a matter of urgency.

**8.0 Safer recruitment**

BTTC ensures safe recruitment through the following process:

Ensuring that employed staff are made aware of the Safeguarding of Children and Adults Policy Councillors and where staff, volunteers and councillors are expected to have unsupervised contact of children or adults at risk the appropriate DBS and barred lists checks will be undertaken.

In accordance with the law, the Council will report, to the Disclosure and Barring Service (DBS), any Councillor, member of staff or volunteer

* who was dismissed because they harmed a child or vulnerable adult;
* who was dismissed or removed from working in a regulated activity because they might have harmed a child or vulnerable adults.

Criminal records checks will be made where appropriate. Roles that involve “regulated activities,” such as caring for, supervising or being in sole charge of children or vulnerable adults, require an Enhanced Disclosure and Barring service (DBS) check. This may include checking whether someone is included in the two DBS ‘barred lists’ of individuals who are unsuitable for working with children and adults. who would have been dismissed for either reason, but they resigned first; or who works with children or vulnerable adults in regulated activity and has been cautioned or convicted for a relevant offence.

DBS checks must be obtained for staff and volunteers undertaking these roles and they will not be permitted to commence unaccompanied work until they have been received. It is against the law for employers to employ someone or allow them to volunteer for this kind of work if they know they are on one of the barred lists.

BTTC provides the necessary resources for induction of staff and Councillors. Induction will include discussion of the Safeguarding Policy and Procedure with signed confirmation of its understanding and their personal commitment to reporting any concerns identified.

The Town Clerk as DSL and the Chair of the Personnel Committee will undertake Safeguarding training.

## 9.0 External organisations licenced by, or working with, for or on behalf of the Council

The Council works with and through a number of external organisations such as charities, contractors and other public sector bodies etc.

Where these external organisations are likely to have significant contact with children, or vulnerable adults as a direct result of their work for, on behalf of, or in partnership with the Council, they are required to have safeguarding procedures, such as safe recruitment and selection processes, in place. They must be aware of this policy and must provide the Council with a copy of their safeguarding procedure.

**10.0 General Points**

BTTC does not supervise children or adults at risk of neglect or abuse as part of their function, therefore DBS checks are not required by them unless they are to have unsupervised access to children or adults at risk of abuse or neglect. Should DBS checks become necessary they will be undertaken in compliance with current government guidance.

When the Town Council organise events to include children – it is always stated that children must be accompanied by parents, and guardians (including responsible adults from a school, youth, or sports club).

Consent should be obtained for photography from those authorised to give consent, in the case of children this will be a person with Parental Responsibility in law (generally a parent) and if an adult at risk or an adult who is unable to give consent due to their capacity a person authorised to act on their behalf (usually their carer).

**11.0 Monitoring Policy and Procedure**

* BTTC will monitor the following Safeguarding Standards
* Safe recruitment practices
* References applied for new staff
* Training as identified
* Monitoring if concerns raised have been actioned
* Checking the policies and procedures are up to date
* DSL is in place and trained
* Designated councillor for safeguarding is in place and trained
* The guidance on DBS and barred list is being followed
* The name of the designated Councillor will be reviewed each year

**12.0 Communicating and reviewing the Policy and Procedure**

* BTTC will make residents aware of the Safeguarding Policy through the Council’s website
* This policy will be reviewed annually or when changes occur in National Legislation or Procedures.
* Existing and new councillors and newly appointed staff will be provided with an understanding of their responsibilities in line with this policy

BTTC recognises its duty to report concerns or allegations against its staff or Councillors within the organisation or by a professional from another organisation, or any concerns raised by residents, staff, or Councillors.

BTTC recognises its legal duty to report any concerns about unsafe practice by any if its staff or Councillors to the Local Authority and/or police.

 Concerns should be raised with the Town Clerk as DSL. If the concern is about the Town Clerk then the concern should be reported to the Chair of the Personnel Committee who has a responsibility for recording and reporting and concerns that arise to the appropriate authority.

**13.0 Reporting safeguarding allegations or concerns.**

The following agencies should be contacted to report safeguarding allegations or concerns.

**Care Direct** – if you suspect a vulnerable adult is being abused

0845 155 1007

**Devon and Cornwall Constabulary**

Central Switchboard 101

Police Emergency 999

**Multi Agency Safeguarding Hub (MASH)** - if you are concerned about a child

Enquiry 01392 388362

To make a referral 0345 155 1071

**Adva Partnership** – if you are suffering from domestic abuse or worried someone else is

Domestic Abuse and Violence Helpline 0345 155 1074

Safeguarding allegations or concerns should be reported at the earliest opportunity and at least within 24 hours.

**Dial 999** if a child or vulnerable adult may be in imminent danger or a criminal offence may have been committed.

The Police or relevant agency will need as much factual information as possible. For example

* The child or vulnerable adult’s name and address (and parent/carer’s address if different)
* The reason for concern – a note of significant events or conversations should be made as promptly as possible to assist with any referral and subsequent investigation
* Any other known factors, which may be contributing to the problem.
* Additional information such as age (or date of birth), ethnicity, religion, language and disabilities/specific needs.
* However, the safeguarding concern should only be reported whether or not the information is complete.

## 14.0 Confidentiality and Managing Information

Every effort should be made to ensure confidentiality is maintained for all concerned. Information should be handled and disseminated on a need to know basis only.

It is important that allegations or concerns are not discussed, as any breach of confidentiality could be damaging to the child or vulnerable adult, their family and any child protection investigation that may follow.

Information will be gathered, recorded and stored in accordance with the Data Protection Policy and the Data Protection Act (2018).

All staff and Councillors must be aware that they have a professional duty to share information with other agencies in order to safeguard children and adults at risk.

The public interest in safeguarding children and adults at risk may override confidentiality interests. However, information will be shared on a need-to-know basis only.

## 15.0 References:

## NHS England (2022). *Safeguarding children, young people at adults at risk in the NHS.* Safeguarding accountability and assurance framework (SAFF). Accessed online england.nhs.uk 28th August 2023.

## NSPCC (2023). *Definitions and signs of child abuse.* learning.nspcc.org,uk Accessed on line 28th August 2023.

## Social Care Institute for excellence (2015: reviewed 2020) *Safeguarding adults.* <https://www.scie.org.uk/safeguarding/adults/introduction/types-and-indicators-of-abuse> Accessed on line 28th August 2023.