



SAFEGUARDING ADULTS AND CHILDREN POLICY

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1. Statement on capacity and agency

1.1 We believe that the best way to prevent the harm of abuse is to support beneficiaries (adults and young people) to safeguard their own lives, taking full advantage of the support of those who can support them personally and professionally, whilst ensuring we act to protect children at all times. We recognise that some adults may not be able to exercise their rights because of mental incapacity and will support the work of partner agencies in these rare instances to act in the best interest of beneficiaries. We also work with young people for them to better understand risk and harm and increase their agency and control in cases of abuse and exploitation. We also understand that in circumstances where crime is, or may be, committed and harm is possible, that we will need to report concerns that the beneficiary may not want to report. After making the report and when it is appropriate we will explain to the beneficiary why we needed to make a report without their agreement.

2.0 Key roles

For the avoidance of doubt, safeguarding is a responsibility of all staff members and volunteers.

- Safeguarding lead Trustee – Megan Jones
- Accountable Safeguarding senior staff – Moya Woolven (CEO)

- Safeguarding lead – Rebekah Vickers (also SDM)

Should any staff member need to contact the Safeguarding lead and they are not available, then contact either Jackie Blackburn (SDM), Amber Wilson (BDMM) or Moya Woolven (CEO) who will provide advice and guidance.

3.0 Introduction

3.1 Safeguarding enables people to live free from abuse and neglect. Basis Yorkshire works together with the Leeds and West Yorkshire partnerships (adults and children) to empower people to safeguard themselves and to protect them from any form of abuse.

3.2 This policy forms part of our resources on safeguarding for beneficiaries, staff, visitors and volunteers (including Trustees) and is written to apply to both adults and children. Other Basis Yorkshire policies relating to safeguarding include:

- Whistleblowing Policy
- Recruitment and Selection Policy (Safer Recruitment)
- Professional Boundaries and Code of Conduct Policy
- Information Governance Policy
- Domestic Abuse Policy
- Serious Untoward Incidents Policy

3.3 This policy refers to and works in conjunction with, the Children’s Act 2004 and the Human Rights Act 2008’ and also in line with Charities commission requirements

3.4 Basis Yorkshire will provide information relating to Safeguarding to beneficiaries, so that they are enabled to identify risk to themselves and others. This is a central principal of the organisation’s work on harm reduction, risk and safety.

3.5 Given the fact that work undertaken by Basis Yorkshire is focussed on the risk of abuse and exploitation faced by the people we work with, this means that safeguarding concerns and issues come into play continuously. However, depending on the group or method by which this is identified by Basis, these issues may need to be considered in different ways and certainly will require different actions. Whilst each and every safeguarding concern needs to be considered independently and managed appropriately depending on its unique situation, these risks can be categorised to ensure an appropriate response

4.0 Governance

4.1 Basis Yorkshire is committed to safeguarding and the Board of Trustees will adhere to legislation and safeguarding as a governance priority.



4.2 The Safeguarding Lead Manager will maintain a record of all referrals and concerns, which will be scrutinized through the Health, Safety and Safeguarding Group who report regularly to Basis Board and to the Local Safeguarding Partnerships.

4.3 All recorded safeguarding incidents must be monitored and reported to the Board via the Health, Safety and Safeguarding Group.

4.4 An annual Safeguarding report should be made to the full Board by the Safeguarding Lead with the support of the lead Trustee, including the S11 audit.

4.5 In line with Charity Commission requirements, safeguarding referrals involving Basis staff members as alleged perpetrators should also be notified to the Commission by the Safeguarding Lead immediately this happens on RSI@charitycommission.TSI.gov.uk.

4.6 It is an offence under section 11 of the Charities Act 1993 to provide false or misleading information to the Charity Commission. Serious incidents must therefore be reported by trustees as part of the Annual Return to the Commission or a signed declaration that there have been no serious incidents or other material events, must be made.

5.0 General principles

5.1 Preventing abuse:

Our support to beneficiaries builds on strengths and identifies strategies to keep people safe. Safeguarding is central to needs and risk assessment and support planning.

5.2 Responding to abuse

At Basis Yorkshire we believe Safeguarding is everyone's responsibility, therefore all Basis Yorkshire staff, trustees and volunteers are responsible for reporting any suspected or actual abuse. If this abuse involves a colleague or manager, our Whistleblowing policy provides protection for those who report it. If you suspect abuse, report your concerns to our Safeguarding Lead as soon as you can (not forgetting to dial 999 first if the person is in imminent danger or in need of medical attention). Our Safeguarding Lead will decide whether to make a safeguarding adults referral. Consult our safeguarding procedure for further guidance.

5.3 Stop abuse from happening again

Abuse can be a single or a recurring act, and we will act to stop further harm promptly. Reported incidents will be reviewed for successful conclusions by team managers and the Safeguarding Lead. All major incidents will be reported to Basis Yorkshire's Board of Trustees with details of resolutions and key learning included.

5.4 Demonstrating commitment and raising awareness

Basis Yorkshire will ensure that all members of the organisation are aware of their responsibilities and act accordingly. Safeguarding is prioritised throughout the organisation and has senior leadership at Board level through the Safeguarding lead Trustee.

5.5 Challenging practice and advocacy

The role of voluntary sector in promoting good practice in responding to child sexual exploitation is clear. From 'Risky Business' in Rotherham to the 'Jack' Serious Case Review, it is apparent that the third sector play an critical part in safeguarding children and young people experiencing CSE:

"While statutory children's social care has been constrained by procedures, priorities and a resource crisis, the role of the voluntary sector has been of great significance in many of the areas delivering an effective child sexual exploitation strategy"

(The Alexi Project, Jago et al., 2011).

Crucially, it is imperative that where concerns arise around either individual cases where there is conflict around the management or risk or systemic issues are identified, that Basis actively share those concerns with statutory partners.

The Jack SCR highlighted that:

Professionals did not understand escalation procedures or that it would be possible to step Jack up and consider a child protection plan. When questioned as to why no one escalated these concerns, there was again a lack of understanding of process.

(Jack Serious Case Review)

Appendix A sets out the escalation process for Basis in line with local Professional Resolution processes and internal governance and oversight of risk.

6.0 Categories of Safeguarding Incident:

6.1 Potential abuse by staff of a beneficiary

6.1.1 Basis must adhere to the Charity Commission Guidance regarding governance on 'internal' safeguarding procedures and management of perceived or reported risk of a breach by a member of staff, as well as local processes for advising of abuse of beneficiaries by staff, volunteers (including Trustees), other beneficiaries or visitors/contractors.

6.1.2 Basis Yorkshire has clear policies and procedures concerning staff's behaviour in place, in the form of a Code of Conduct & Professional Boundaries Policy. There is also a Whistleblowing Policy for staff who believe proper procedures are not being followed by Managers in investigating concerns.

6.1.3 All allegations against staff will be treated seriously and responded to immediately. The beneficiary's well-being is paramount.

6.1.4 If an allegation is made about a member of staff, this should be immediately reported to the CEO who will liaise with the Trustee Safeguarding Lead about what action is being taken and when (in the case of allegations against the CEO, the Safeguarding lead Trustee should be advised). The member of staff alleged to be committing abuse should not be approached about any allegations before a decision by the Safeguarding lead Trustee (and CEO) about further action. It is important to ensure that action taken:

- Protects the rights and wishes of the person 'at risk'.
- Protects the rights of the member of staff concerned.
- Enables managers to take appropriate action, either on behalf of the vulnerable adult, or against the staff member, where appropriate: and
- Does not compromise any criminal investigation.

6.1.5 The relevant Local Authority Designated Officer (LADO) MUST be informed of any potential allegations of abuse about a staff member, volunteer (including Trustee), visitor or contractor of Basis Yorkshire by either the CEO or the Safeguarding Lead where the CEO is unavailable.

6.1.6 The CEO will contact the Charities Commission about safeguarding issues, or serious safeguarding incidents, complaints or allegations which have not previously been disclosed to the charity regulator. Failures by trustees to manage safeguarding risks would be of serious regulatory concern to the Commission who may consider this to be misconduct and/or mismanagement in the administration of the charity and potentially a breach of trustee duty.

6.1.7 The needs of any criminal investigation will take precedence over any internal procedures of Basis Yorkshire's, whilst the safeguarding procedures are on-going. Liaison with the authorities will be managed by the CEO and Safeguarding Lead.

6.1.8 The investigation process is set out in the relevant safeguarding Board policy and procedure for each area. Basis Yorkshire will comply fully with all investigations and support staff to engage in those investigations where appropriate.

6.1.9 Affected staff will be given appropriate support and access to counselling during these procedures.

Managing safeguarding concerns raised or reported to Basis (i.e. not involving a member of staff). This can be further categorised into:

6.2 Children and Young People

6.2.1 'As defined in the Working Together to Safeguard Children' 2018, professionals from all disciplines need to be aware of:

6.2.2 Safeguarding children - the action we take to promote the welfare of children and protect them from harm - is everyone's responsibility. Everyone who comes into contact with children and families has a role to play.

6.2.3 Safeguarding and promoting the welfare of children is defined for the purposes of this policy as:

- protecting children from maltreatment;
- preventing impairment of children's health or development;
- ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and
- taking action to enable all children to have the best outcomes.

6.2.4 'Abuse and neglect are forms of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting, by those known to them or more rarely, by a stranger. They may be abused by an adult or adults or another child or children'.

6.2.5 This section refers to children where safeguarding concerns has been raised, but are not known to Basis' caseload (i.e. not part of CSE/A services). This could be, for example, because a beneficiary of Basis Sex Work has flagged a risk to a child, or a beneficiary of Basis Young People have flagged to Basis a risk to a friend or peer. In instances of minimal information being available, which is insufficient to be able to make a formal safeguarding referral, the Partnership Intelligence portal (WY Police) must be updated with all intelligence relating to exploitation and/or criminal activity. It

is best practice to follow this up with either the Sex Work Liaison Officer (Leeds) or Police Safeguarding Unit (Bradford and Humberside), or in conversation with a follow up email to the Officer concerned. This information MUST be passed to the Safeguarding Lead or a line manager for inclusion on Basis' central Safeguarding register and recorded on the case management system by staff raising them under 'risk' headings'

6.5.6 In addition to Child Protection arrangements the organisation will encourage staff to work within the Early Help approach in order to most effectively support 'children in need'. Should a worker feel that the family need further support the Safeguarding Board website contains information on how to deal with concerns about the wellbeing of children.

6.2.7 In the case of beneficiaries who are carers or parents who disclose concerns, best practice is to support the beneficiaries to refer their concerns to local safeguarding teams themselves (unless by doing so the child may be placed in greater danger). From the outset, staff must make the parent aware of their duty to report child protection issues where harm or illegal activity is involved and where an individual referral is required. Line managers (or CEO in their absence are available to talk through staff concerns relating to this).

6.2.8 Allegations received via third parties must be recorded and risk assessed by the case manager concerned. In the case of another organisation raising concerns, staff should speak with the professional to ensure that concerns are being dealt with in the host organisation in order to safeguard children. If not, advice should be sought from line managers.

6.2.9 Our safeguarding procedures adhere to the multi-agency processes set out for how to report Child Protection concerns to the relevant Safeguarding Boards in the areas we operate in (Leeds, Bradford and Hull), as well as the statutory guidance, 'Working Together to Safeguard Children' (DfE, 2018). This sets out the expectation for all services to promote the welfare of children and young people.

6.3 Child Sexual Exploitation/Abuse (CSE/A)

6.3.1 The majority of Basis' caseload of children and young people at risk of or experiencing CSE/A are by definition at risk of significant harm and should be known to Social Care in line with local joint working arrangements. In these cases, Basis' responsibilities regarding safeguarding relate to timely, appropriate and comprehensive information sharing between social care and Basis – with this linked to Basis' day-to-day work, values and good practice. Further responsibilities lie in advocacy for children and young people and escalating concerns/identifying patterns of practice, i.e. where it is felt that partners are not managing risk appropriately, which links to local Professional Resolution processes.

6.3.2 Basis Yorkshire is commissioned to work with children and young people at risk of or experiencing CSE/A. Government guidance requires agencies to work together to:

- Develop local prevention strategies;
- Identify those at risk of sexual exploitation;

- Take action to safeguard and promote the welfare of particular children and young people who may be sexually exploited; and
- Take action against those intent on abusing and exploiting children and young people in this way.

6.3.4 In doing so, the key principles should be:

- ✓ A child centred approach. Action should be focused on the child's needs and the fact that children do not always acknowledge that they may be in an exploitative or abusive situation must be considered.
- ✓ A proactive commitment. This should be focused on prevention, early identification and intervention; as well as disrupting activity and prosecuting perpetrators.
- ✓ Parenting, family life and services. Taking account of family circumstances in deciding how best to safeguard and promote the welfare of children and young people.

6.3.5 Basis' CSE/A provision is a core part of our service delivery and as such the quality and effectiveness in safeguarding children and young people is monitored both by Basis' Board and commissioning bodies.

6.4 Adult safeguarding.

6.4.1 Basis Yorkshire work with adult women with an aim to empower and enable those women to make positive life choices. An adult 'at risk' may be so due to a number of inter-related and complex issues and so Basis staff and volunteers work to a harm reduction model, enabling beneficiaries to be safer in all aspects of their life.

6.4.2 Where Basis' staff have concerns about the abuse of an adult who may be 'at risk' they will: identify, report and act

6.4.3 Staff must:

- Ensure the immediate safety of the beneficiary.
- Seek medical attention if required.
- Preserve any evidence.
- Contact the police if required (when you believe a person is in imminent danger or that a serious crime has been or is being committed).
- Record the details of incidents and concerns.
- Make a referral to relevant local authority contact as detailed on relevant the Safeguarding Board website
- Ensure the Safety of the Victim/other person 'at risk'
- Dial 999, if the person is in imminent danger or in need of immediate medical attention, to ask for the police or ambulance as appropriate.

6.4.4 Consent - In line with our values of capacity and empowerment and as good practice, the staff member concerned will speak to the adult 'at risk' before contacting Adult Social Care. Consideration should be given to their communication needs and their capacity to understand the information they are being provided with, as well as their ability to make decisions ('mental capacity'). Specifically:

- Speak to them in a private and safe place to inform them of the concerns
- Obtain their views on what has happened and what they want done about it
- Provide information about the safeguarding adults process and how it could help to make them safer
- Reiterate the parameters of confidentiality
- Explain how they will be kept informed, particularly if they have communication needs or are in an abusive relationship
- Consider how the abusive experience might impact on the ongoing delivery of services, particularly personal care arrangements and access arrangements
- Explore their immediate protection needs

6.4.5 Basis Yorkshire should not initiate an investigation – that is the responsibility of the safeguarding professionals in Adult Social Care and the police. An organisation may need to conduct a disciplinary investigation, coordinated via the strategy meeting.

6.4.6 In the event that the adult at risk does not have capacity to make decisions for themselves, any action taken or decisions made on their behalf must be made in their 'best interests'. (SCIE, 2014). wherever possible making the individual concerned aware beforehand (if safe to do so)

- Call the police on 101 if you believe a serious crime has been committed, but the person is not in imminent danger:
- Call Adult Social Care Duty Team and tell them you wish to make a Safeguarding Adults Referral. The relevant form should be completed and retained until Adult Social Care contact the Referrer and ask for it.
- If it is outside normal office hours and there is no imminent danger to the individual, you should make the referral the following day. If it is outside normal office hours and there is a need for immediate social care support/involvement, contact the Emergency Duty Service and tell them you wish to make a Safeguarding Adults Referral.
- Alert your Manager as to the current situation
- Record all details and conversations.

6.4.7 For information on procedures across West Yorkshire, refer to:

<https://westyorkscb.proceduresonline.com/index.htm>

6.4.8 If there is any uncertainty, Basis Yorkshire staff, after agreement with the Safeguarding Lead may contact the Safeguarding Adults Partnership. All urgent queries should be referred through Customer Services or the Emergency Duty Team, as above.

6.4.9 The Police are also available for advice and consultation at an early stage, as well as taking a lead in any criminal investigation. The Safeguarding Adults Unit within the Police can also be contacted for specialist advice on 101 or 999 in case of emergencies.

7.0 Safeguarding during Covid Pandemic

7.1 See Covid Risk Assessment for full details of how Basis Yorkshire has continued to offer support to Children, Young People and Adults, through a range of ways including doorstep visits, meeting in outdoor spaces, Covid secure environments and using platforms such as Zoom, Microsoft Teams, WhatsApp to maintain contact with recipients of the services we offer. Additional support has been put in place for staff to raise Safeguarding concerns and ensure that they are mindful of the difficulties of spotting signs of abuse or causes of concern when face to face contact is severely limited. In addition, we have increased our level of contact with our partners in the Police and other Statutory and Third sector agencies to share information and enhance our partnership approach to Safeguarding, attending weekly tasking meetings, as well as CiN and VRMP meetings virtually.

8.0 Review and Learning

8.1 This policy will be reviewed bi-annually with all our Safeguarding policies and procedures and in line with legislation or Multi Agency Policy and Procedure changes.

8.2 The Health, Safety and Safeguarding Working Group will be accountable to Board and have oversight of any safeguarding referrals, actions taken and lessons learned.

8.3 Incidents are reported through agreed Governance processes as above and in line with Basis' continuous learning processes, are reviewed to learn from them in order to promote improved practice internally and externally.

9.0 Training and Development

9.1 All staff and volunteers will be trained according to local LSCB arrangements with a minimum of 3 yearly training. All inductions will include Safeguarding Adults and Children's training, including those of Trustees. Practice will be monitored through supervision between practitioners and their line manager and any development needs identified through that process to be met using the Appraisal Policy as a framework for practice development

9.2 Relevant recruiting managers will also attend Safer Recruitment training to ensure that Basis Yorkshire are adopting good practice in the selection and appointment of staff who may be working with children and adults 'at risk'.

9.3 Training on our policies and procedure will be offered to all relevant staff, volunteers and Board members annually or at policy refresh, as part of the in-house training programme for both Adult and Children and Young People's Safeguarding, or as identified by managers.

9.4 All staff to be trained in recognising Modern Day Slavery and how to refer into NRM, when appropriate to do so.

10.0 ADDITIONAL INFORMATION

Types of Adult Abuse:

1. Discriminatory

Embodied in legislation, discriminatory abuse links into all other forms of abuse. Discriminatory abuse exists when values, beliefs or culture result in a misuse of power that denies opportunities open to the majority to some groups or individuals.

It is the exploitation of a person's vulnerability, resulting in repeated or pervasive treatment of an individual, which excludes them from opportunities in society, for example, education, health, justice, civic status and protection. It includes discrimination on the basis of race, gender, age, sexuality, disability (including mental ill-health), and religion. Examples of behaviour: unequal treatment, verbal abuse, inappropriate use of language, slurs, harassment, deliberate exclusion.

2. Physical

Examples of behaviour may include: hitting, pushing, slapping, scalding, shaking, pushing, kicking, pinching, hair pulling, the inappropriate application of techniques or treatments, involuntary isolation or confinements, misuse of medication.

(Accidental physical abuse may also arise as a result of poor practice, e.g. poor manual handling techniques).

3. Sexual

This may include direct or indirect involvement in sexual activity without valid consent. Consent to a particular activity may not be given because a person has capacity and does not want to give consent or a person lacks capacity and is therefore unable to give consent or a person feels coerced into activity because the other person is in a position of trust, power or authority.

Examples of behaviour:

Non-contact – inappropriate looking, photography or use of internet, indecent exposure, harassment, serious teasing or innuendo, pornography.

Contact – touch, e.g. of breast, genitals, anus, mouth, masturbation of either or both persons, penetration or attempted penetration of the vagina, anus, mouth, with or by penis, fingers, other objects. (Brown and Turk, 1992, 1994).

4. Psychological

This could include the use of threats, humiliation, bullying, swearing and other verbal conduct, or any other form of mental cruelty that results in mental or physical distress. It includes the denial of basic human and civil rights, such as choice, self-expression, privacy and dignity.

Examples of behaviour: treating a person in a way which is inappropriate to their age and/or cultural background, blaming, swearing, intimidation, insulting, harassing, 'cold-shouldering', deprivation of contact.

5. Financial

Examples of behaviour: misappropriating money, valuables or property, forcing changes to a will and testament, preventing access to money such as a Direct Payment, property, possessions or inheritance, stealing and misuse of powers of attorney, accepting gifts (see Code of Conduct). Those who financially abuse may be in positions of trust, power, and have authority or have the confidence of the vulnerable adult.

6. Neglect and Acts of Omission (including self-neglect)

This could be the reported deprivation of assistance that the vulnerable adult needs for important activities of daily living, including a failure to intervene in behaviour which is dangerous to the vulnerable adult or to others, poor manual handling techniques and so on.

Examples of behaviour: failure to provide food, shelter, clothing, heating, medical care, hygiene, personal care, inappropriate use of medication or over-medication, activities and/or social contact.

7. Institutional

Institutional abuse arises from an unsatisfactory system of care. It occurs when the routines, systems and norms of an institution override the needs of those it is there to support. Such regimes compel individuals to sacrifice their own preferred lifestyle and cultural diversity in favour of the interests of those there to support them, and others. Institutional abuse can include any or all of the other categories of abuse described above.

8. Exploitation

This could include the coercion of vulnerable adults into sex (including with third parties), unable to consent to sexual relations or whose capacity to consent is compromised for a variety of reasons, such as mental health problems or learning disability.

This form of exploitation may not just be in exchange for money, it could include an exchange for other commodities such as alcohol, shelter, drugs or protection.

Safeguarding Children – definitions

I.A Child - “means every human being below the age of eighteen years unless, under the law applicable to the child, majority is attained earlier.”¹

Types of Child Abuse:

1. Neglect

The persistent failure to meet a child’s basic physical or psychological need, likely to result in the serious impairment of the child’s health or development. It may involve a parent, carer, or any person failing to provide adequate food, shelter and clothing; failure to protect from physical harm or danger, or the failure to ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child’s basic emotional needs.

¹Article 1 of the UN Convention on the Rights of the Child, 1989

2. Sexual Abuse

Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative or non-penetrative acts. They may include non-contact activities, such as children looking at or being involved in the production of pornographic materials or watching sexual activities, or encouraging children to behave in sexually inappropriate ways.

3. Emotional Abuse

Emotional abuse is the persistent emotional ill treatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children that they are worthless or unloved, inadequate or valued only in so far that they meet the needs of another person. It may involve causing children frequently to feel frightened or in danger.

4. Physical Abuse

Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child.

Appendix A – Escalation processes

The escalation processes are designed to be used **in tandem** with local 'Professional Resolution processes'

Issue	Action	Person responsible	Escalation required	Comment
Individual concern CSE/A	Record on case files	Case Manager	None	
Professional 'conflict' with partners with the potential for individual young person to continue to experience significant harm	Record on case files and refer to line manager	Case Manager	Line manager to follow professional resolution process If unresolved, CEO to report as potential SCR	CEO to be made aware at outset
Multiple issues of partner practice that the potential for multiple young people to be at risk of significant harm – 'systemic issues'	Record on individual case files Summarise issues with support of line manager Line manager to escalate to CSWS manager – if unresolved to raise with HoS	Line manager	Line manager to provide CEO with report CEO to report to Board CEO to intervene if lack of appropriate response from HoS CEO to report to Board as exception	

ENDS -

M Woolven – CEO
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To be Reviewed by Sep 2024
