



## POLICY

### SAFEGUARDING OF VULNERABLE GROUPS

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#### 1. PURPOSE & SCOPE

- 1.1** This policy sets out RBLI's responsibilities and commitments with regard to the Safeguarding of Children and Vulnerable Adults. National legislation mandating this includes:
- Mental Health Capacity Act (2005),
  - Safeguarding Vulnerable Groups Act (2006),
  - Health & Social Care Act (2008),
  - The Care Act (2014),
  - Children Act (2006),
  - Children and Young Persons Act (2008),
  - Children and Families Act (2014),
  - Sexual Offences Act (2003),
  - The Equality Act (2010),
  - Public Interest Disclosure Act (1998).
- 1.2** This policy adheres to (referring to, when appropriate) the Department of Health publication *No Secrets 2000: Guidance on Developing and implementing multi-agency policies and procedures to protect vulnerable adults from abuse* and the UK Government's publication *Working Together to Safeguard Children (2015)*, including any local government documents deriving from this. Parts of RBLI's business activities are also responsible for adhering to contractual guidance and guidance from national bodies including:
- Care Quality Commission (CQC)
  - Ofsted
  - British Psychological Society
- 1.3** All employees, volunteers and trustees must follow this policy in all their dealings with children and vulnerable adults, whether these persons are fellow employees or volunteers, residents in our range of specialist accommodation, tenants, clients, customers or visitors.
- 1.4** This policy applies to conduct on and off of RBLI's premises and/or during all RBLI related activity.
- 1.5** This document is regularly reviewed, approved by the Senior Management Team (SMT) and endorsed by the Chief Executive and the Board of Trustees.



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#### 2. PRINCIPLES

- 2.1 "It is every adult's right to live free from abuse in accordance with the principles of respect, dignity, autonomy, privacy and equality".
- 2.2 RBLI Policy acknowledges that "the principles of intervention are based on the concept of empowerment and participation of the vulnerable adults" *No Secrets 2000*.
- 2.3 Vulnerable children and adults have a right to feel safe from abuse when they work at, visit or live at RBLI. RBLI has a legal and moral duty to take all reasonable measures to protect vulnerable groups from abuse.
- 2.4 RBLI's first priority in the protection of vulnerable groups is always the safety and protection of these persons.

#### 3. DEFINITIONS

##### 3.1 A **child** is:

'Anyone who has not yet reached their 18th birthday. The fact that a child has reached 16 years of age, is living independently or is in further education, is a member of the armed forces, is in hospital or in custody in the secure estate, does not change his/her status or entitlements to services or protection.' (Working Together to Safeguard Children, 2015)

##### 3.2 A **vulnerable adult** is:

'A person aged 18 & over who is or may be in need of community care services by reason of mental or other disability, age or illness, and who is or maybe unable to take care of himself/herself, or unable to protect himself or herself against significant harm or exploitation' *No Secrets (reviewed 2015)*. It should be noted that the definition of a vulnerable adult means that this can be a transient category for some individuals.

##### 3.3 **Safeguarding:**

The process of protecting vulnerable people, whether from crime or other forms of abuse.

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### 3.4 Child Protection:

This refers to the activity that is undertaken to protect specific children who are suffering, or are at risk of suffering, significant harm. Safeguarding and promoting the welfare of children is defined 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.

### 3.5 Abuse:

- 'is a violation of an individual's human and civil rights by any other person or persons'
- may take place as the result of deliberate intent, negligence or ignorance'.  
*No Secrets 2000.*

### 3.6 Types of abuse can include:

- **Physical abuse** – causing deliberate physical harm. This may involve hitting, shaking, throwing, poisoning, burning, drowning, suffocating or otherwise causing physical harm, including by fabricating the symptoms of, or deliberately causing ill health. This can also include giving alcohol to children, giving medication without permission, and intensity of training beyond the capacity of the individual.
- **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 involving children in looking at pornographic material or watching sexual activities, or encouraging children to behave in sexually inappropriate ways. For vulnerable adults sexual abuse may include rape and sexual assault or sexual acts to which the vulnerable adult has not consented, could not consent or was pressured into consenting.

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- **Financial abuse** - is the illegal or unauthorised theft or use of a person's property, money or other valuables. Crimes associated with this type of abuse include theft, undue influence and forgery.
- **Psychological abuse** - is the persistent emotional ill treatment such as to cause severe and persistent adverse effects on development. It may involve conveying that they are worthless or unloved, inadequate or valued only as far as they meet the needs of another person. It may involve causing individuals to frequently feel frightened or in danger (shouting, threatening or taunting, constant criticism, bullying, or unrealistic pressure to perform), or exploitation or corruption.
- **Neglect and Acts of Omission** - is the persistent failure to meet basic physical and psychological needs and is likely to result in the serious impairment of health or development. This may involve factors such as providing inappropriate clothing, food, inappropriate attention, lack of supervision, lack of safety or exposure to undue cold or unnecessary risk of injury. It may also include neglect of basic emotional needs.
- **Discriminatory abuse** - is treating a person less favourably, and therefore denying their human and/or civil rights, based solely on class or category, i.e. gender, disability, ethnicity, religion, preferred language, etc. Discriminatory behaviours take many forms, but they all involve some form of exclusion or rejection.
- **Institutional abuse, neglect and poor practice** - occurs when an individual's wishes and needs are sacrificed to a smooth running of a group, service or organisation. It involves the mistreatment of people brought about by poor or inadequate care or support and is characterised by systematic poor practice including inappropriate use of rules, rituals, routines and/or restrictive practices. These may all damage a person's right to independence, respect, dignity or choice.

**3.7** There may also be cases where there are multiple forms of abuse occurring where more than one person may be involved. Any or all of these types of abuse may be perpetrated as the result of deliberate intent and targeting of vulnerable children or adults, negligence or ignorance.

## 4. OTHER RELEVANT POLICIES

**4.1** Employees and volunteers who are alleged to have broken this Policy and/or the laws that support it will be subject to the Disciplinary & Appeal procedure as



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detailed in RBLI's Company Policy, in addition to any safeguarding procedures followed by each division. For Example:

- Dignity at Work Policy
- Whistleblowers Policy
- Equal Opportunities Policy
- Lone working Policy
- Health and Safety Policy
- Recruitment Policy
- DBS & Handling of DBS Certificate Information
- Code of Ethics & Professional Conduct
- Disciplinary and Appeal Procedure Policy

This list is not exhaustive.

## 5. RESPONSIBILITIES

### 5.1 General Responsibilities:

- 5.1.1** RBLI, its employees and volunteers will comply with all legislation relating to the Safeguarding of Vulnerable Groups from the moment such legislation comes into effect, whether or not it is laid out in this Policy.
- 5.1.2** The relevant local safeguarding agencies are responsible for making the decision as to whether or not to involve the Police when any incident is reported. This exempts cases when the abuse is uncovered as an immediate crisis that the employees / volunteers present are unable to stop (such as physical attack against a vulnerable adult by a person who cannot be removed from the room by others) when the Police should be called immediately.
- 5.1.3** RBLI is responsible for providing adequate training to employees and volunteers about the protection and safeguarding of children and vulnerable adults and the latest relevant legislation.
- 5.1.4** RBLI will hold to account any employees who are found to have breached company safeguarding policy and procedures.

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### **5.2 RBLI Safeguarding Officer**

**5.2.1** The Head of HR is the RBLI Safeguarding Officer and has responsibility for ensuring that safeguarding processes are open, transparent and accessible to all. The Safeguarding Officer has the ability to escalate any safeguarding issues above RBLI's Senior Management Team to The Board of Trustees, if this is required.

### **5.3 Directors of Divisions:**

**5.3.1** The Directors of Divisions are responsible for advising HR of any safeguarding related incidents and investigating all reports of abuse against children and vulnerable adults in conjunction with HR.

**5.3.2** They are responsible for knowing where the Safeguarding Vulnerable Groups Policy links with other RBLI policies, and follow all relevant policies accordingly.

**5.3.3** It is the responsibility of the Directors of Division to ensure that all RBLI employees and volunteers are fully aware of the requirements of this policy and procedures for reporting safeguarding incidents. Each division is responsible for keeping a record of all safeguarding related incidents using information gathered from an Incident Report Form, which should also be stored centrally within the organisation. Each record should be updated with the result of the investigation, regardless of the outcome.

**5.3.4** Within each of the RBLI divisions the Directors will be supported by a Safeguarding Lead and a Deputy Safeguarding Lead. It is the responsibility of the Director for each division to ensure that a Safeguarding Lead and a Deputy is appointed and trained for each designated area and that all Line Managers cover safeguarding policies and procedures as part of all staff inductions.

### **5.4 Divisional Safeguarding Leads & Deputies:**

**5.4.1** The Divisional Safeguarding Lead and their deputies will assist in the management of all safeguarding incidents within their designated area, provide the main reference for advising and co-ordinating safeguarding cases, including gathering information, protecting sources of information and ensuring the immediate safety of the child or vulnerable adult. Directors of Divisions or HR, will deputise as Safeguarding Advisors in the absence of the Safeguarding Lead.

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**5.5 Human Resources (HR):**

**5.5.1** HR is responsible for ensuring that an up to date, legally compliant safeguarding policy is in place and for communicating this policy to Directors of Division who will cascade to their teams. The Head of HR is responsible for checking that divisional processes are in place and escalating any areas of concern to the Chief Executive.

**5.5.2** HR also has the responsibility for carrying out all legal checks on permanent employees, bank employees, self-workers and volunteers who will be working with children and vulnerable adults. In the event that an individual is barred from working with vulnerable groups at Disclosure and Barring Service check stage, or if post DBS a conviction is incurred, the Head of HR is responsible for informing the DBS.

**5.5.3** In conjunction with the relevant Director of Division, HR has a responsibility to take seriously and undertake investigations of a safeguarding nature in line with RBLI company policies.

**5.5.4** The Head of HR has a duty to refer to the DBS the name of anyone who:

1. is removed (or removes themselves) from contact with children and vulnerable adults because:
2. they think the person has or is likely to cause or incite harm to vulnerable adults, or they have received a caution or conviction for a relevant offence.

**5.5.5** When conditions 1 or 2 as listed above are met, and an investigation has collected supporting evidence, the person should be referred to the DBS - *UK Government Guidance – Making Barring Referrals to the DBS (2017)*.



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#### **5.6 All employees and volunteers:**

- 5.6.1** All employees, volunteers, funders and regulatory bodies should be aware of this Policy and of definitions of a vulnerable adult, vulnerable child and of abuse, and where it is particularly relevant to their work.
- 5.6.2** All employees and volunteers are responsible for taking the measures detailed in this Policy to stop and prevent abuse whenever they become aware of it, and should seek guidance from their Line Manager or Director of Division on any safeguarding concerns raised.
- 5.6.3** All employees are responsible for reporting, recording and referring all incidents of abuse they witness, suspect or hear about to their line manager or director who will then inform any relevant parties, eg: care manager, next of kin.
- 5.6.4** Employees and volunteers have a responsibility to ensure their own safety and wellbeing and should not put themselves in any danger in an attempt to safeguard others.

#### **6. REPORTING SAFEGUARDING CONCERNS**

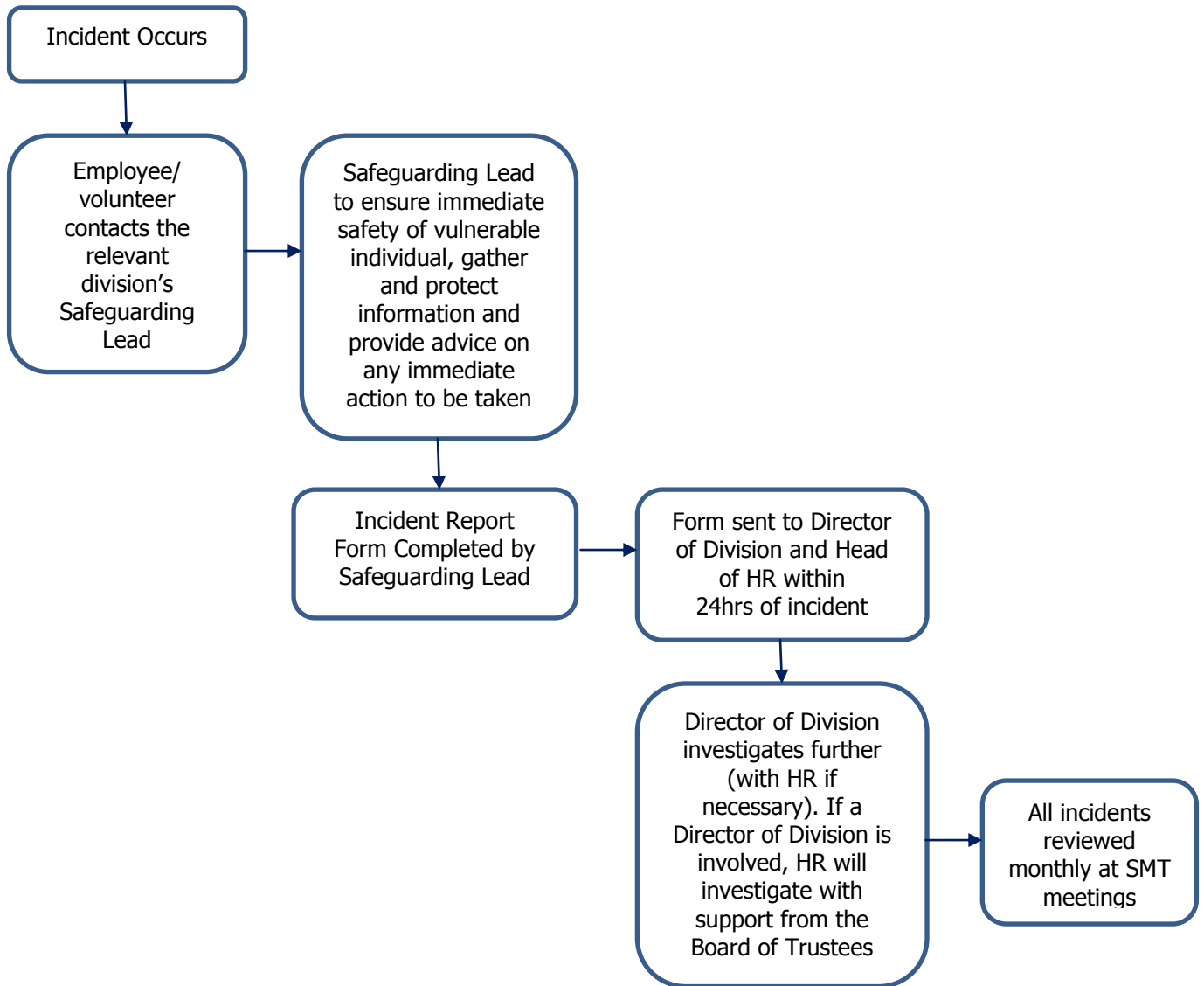
- 6.1** If an employee or volunteer is concerned about the safety of a child or vulnerable adult including if they see or suspect abuse; an allegation of abuse is made; or a child or vulnerable adult reports abuse they must report these concerns as soon as possible, preferably the same working day.
- 6.2** The employee or volunteer should discuss their concerns with their Line Manager. If this is the person who is suspected of abuse, or if their manager is not contactable, contact your division's Safeguarding Lead or HR whilst ensuring the immediate safety of the child or vulnerable adult.
- 6.3** Employees and volunteers should make a record of all events (with dates and times) and include what the child or vulnerable adult has said (where this applies). Employees and volunteers should reassure the vulnerable individual but be aware not to promise confidentiality or take any action that may harm a subsequent investigation. All of this information should be given to the employee or volunteer's Line Manager or your division's Safeguarding Lead and HR Department.



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**6.4** In an emergency and where there is immediate risk to a child or vulnerable adult and the appropriate Line Manager or your division’s Safeguarding Lead cannot be contacted then appropriate professional action should be made, such as contacting the police.

**7. REPORTING PROCESS**





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**NOTE: In an emergency and where there is immediate risk to a child or vulnerable adult, employees/ volunteers are expected to use their judgement and act appropriately.**

It is essential to avoid delay as inaction may place the individual at further risk.

Inform your Safeguarding Lead or Director of Division as soon as possible.

**If contact cannot be made, appropriate action should be undertaken e.g. contact police.**

#### 8. RESPONDING TO SAFEGUARDING CONCERNS

As well as establishing initial facts, employees and volunteers should ensure that both the victim and alleged abuser are kept apart.

##### **8.1 Action to be taken for allegations made against a participant by another young person, where both are participants or beneficiaries of RBLI**

**8.1.1** Where both the alleged perpetrator and victim are involved with RBLI, the organisation will not automatically cease working with either but will consider the most appropriate way of managing future involvement and support of each individual. This may include referring either party or both on to other organisations.

##### **8.2 Action to be taken where consensual sex has taken place where one or both young people are under age**

**8.2.1** Where both clients are below the age of legal consent it is important to try to ensure there has been no exploitation or coercion involved. Where the relationship is clearly mutual and consensual with both individuals it may be appropriate to encourage the young people to inform their parents/guardian or referral agency.

**8.2.2** Where one young person is under 16 or where one person could be deemed vulnerable or where there is any concern or doubt about the relationship or where the relationship is abusive the concern should be reported immediately. Each situation will be considered individually, however it may be necessary to refer the case externally.

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### 8.3 Allegations involving RBLI employees and volunteers

- 8.3.1** Concerns about employees and volunteers must be treated with the same rigour as other safeguarding concerns. If a concern or allegation of abuse or inappropriate conduct is made against an employee or a person in a position of trust, or there is suspicion regarding an employee or volunteer's conduct with regard to children or vulnerable adults contact your line manager immediately
- 8.3.2** If the allegation or suspicion concerns your line manager then contact the Divisional Safeguarding Lead.
- 8.3.3** Where suspicions concern the Divisional Safeguarding Lead and or their designated deputy, another member of the Safeguarding Team, HR or the relevant Director should be contacted.
- 8.3.4** Where the allegations are particularly serious or there is no doubt that an offence has been committed the police and/or social care agencies will be informed. A strategy for further action will then be agreed by SMT and HR before a decision is taken as to notifying the employee/volunteer.
- 8.3.5** If the complaint or allegation is such that it is clear that investigations by police and/or enquiries by social care agencies are not necessary (or these bodies advise that this is the case) a decision will need to be made as to whether further action is still necessary, in particular whether action is required in line with RBLI's Disciplinary Procedure. The Divisional Safeguarding Lead and HR will advise on next steps to take. If this is the case:
- 8.3.5.1** The Divisional Safeguarding Lead will liaise with the Director of Division. Together, they will coordinate decisions and any actions to be taken, including any referral to social care services/police and any subsequent actions by RBLI.
  - 8.3.5.2** The employee /volunteer will be informed of the allegation and given an opportunity to respond.
  - 8.3.5.3** The employee /volunteer may be removed from duties that have direct contact with children or vulnerable adults or required to take special leave without prejudice.

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**8.3.5.4** If the person is a member of a union or professional association s/he should be advised to seek support from that organisation at the outset.

**8.3.5.5** External support for the employee/volunteer will be considered, to include accessing counselling services, where appropriate and should they require it.

**8.3.6** Where there are clear grounds to believe that the allegations are malicious, an internal investigation will be held within three days and referred back to the Divisional Safeguarding Lead and Director of Division for any further action. If the allegation was made by a child or vulnerable adult, social care agencies may be notified to assess whether the individual is in need of services and/or have been abused by someone else. In serious cases (e.g. where it is believed the allegations were deliberately invented), the police may need to be notified.

**8.3.7** The Divisional Safeguarding Lead for your area will provide acknowledgement of the concern raised, and where appropriate keep you abreast of updates that are happening. Please be advised that in some cases certain information will be highly confidential and cannot be shared.

### **8.4 Working with Partner Organisations**

**8.4.1** RBLI is committed to working in partnership with Local Authorities and other agencies. When this involves an agreement for another organisation to provide services on its behalf, RBLI will ensure that the partner organisation has appropriate safeguarding policies in place which will include safeguarding policies and procedures, sound recruitment and selection practices, formal complaints procedures for users and defined escalation procedures which include RBLI where relevant.

**8.4.2** If an employee or volunteer becomes aware of allegations of abuse relating to a partner organisation, this should be discussed in the first instance with the Divisional Safeguarding Lead.

### **8.5 Following an allegation**

**8.5.1** After an allegation or suspicion about a safeguarding concern during and whilst it is being investigated, there are likely to be strong feelings among employees, volunteers, clients, and parents and possibly among the wider community, which will need to be addressed. The Line Manager, in conjunction with the Divisional



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Safeguarding Lead, Director of Division and HR, will give careful thought to the provision of appropriate support to employees and volunteers who might be affected.

- 8.5.2** If an allegation is substantiated and an employee or volunteer is dismissed (or otherwise barred from working for and with RBLI), the Safeguarding Officer will consult with the Local Authority Designated Officer and decide whether a referral to the Disclosure and Baring Services is required. If a referral is appropriate the report will be made within one month by the Head of HR. For serious incidents it may also be necessary to notify the Charity Commission

#### **8.6 Protection of those making allegations:**

- 8.6.1** RBLI will not tolerate victimisation or harassment of anyone making an allegation of abuse of a child or vulnerable adult. Any allegation will be taken seriously and treated sensitively.
- 8.6.2** Immediate action will be taken to ensure the abuse does not occur again.
- 8.6.3** Wherever possible, all comments will be confidential. Where it is necessary to share personal information in order to protect the alleged and /or others from harm, it will be shared on a strictly need-to-know basis. Those involved in safeguarding allegations are to be informed of this.

#### **9. DIVISIONAL PROCESS TO IMPLEMENT THIS POLICY**

- 9.1** Each Division is responsible for ensuring they have a bespoke process relating to their specific area of the business for implementation of this policy. A copy of the relevant divisional process will be available from the nominated Divisional Safeguarding Lead.

#### **10. ESCALATION PROCESS**

- 10.1** If you are unsatisfied about how the concern raised has been handled or feel that the outcome of an investigation is insufficient or been handled incorrectly then there is a clear escalation process to raise further concerns. If you have a concern over how your Divisional Safeguarding Lead has handled the situation then you should report these concerns directly to the Director of Division. If the concerns



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involve a Director or the Chief Executive then you should report your concerns directly to the Head of HR who will then decide on the best course of action.

#### 11. E-SAFETY

- 11.1** RBLI has a number of safeguards in place to ensure that employees, volunteers and clients are protected and safe online whilst undertaking activities on behalf of RBLI or on RBLI premises.
- 11.2** This includes firewall software that enables monitoring and filtering of all web traffic through RBLI networks, whether this is a wired connection or Wi-Fi enables certain categories of web site to be blocked and a notification page displayed on the user's screen. The intention is to prevent inadvertent viewing of potentially distressing material without blocking users from accessing material related to their jobs.
- 11.3** Employees and volunteers who require access to sites that are blocked must submit a request to Business Systems and exceptional access may be granted if access is deemed necessary.

#### 12. TRAINING AND DISSEMINATION

- 12.1** This policy will be disseminated to all staff. It will also be drawn to the attention of volunteers and contractors where they are likely to come into contact with vulnerable groups, in connection with RBLI related activities, whether on or away from RBLI premises. In addition, RBLI will implement training and issue guidance materials as appropriate; in order to support staff and volunteers specifically engaged in activities with vulnerable groups.

**Signed:**

**Name:**

**Steve Sherry**

**Position in Company:**

**Chief Executive**