



Safeguarding Policy

Document Owner:	Steve Dubbins
Version:	Version 2.0
Approved Date:	
Review Date:	22 nd April 2024

Introduction

Dementia Carers Count (DCC) is committed to Safeguarding vulnerable people in line with national legislation and guidance. We are committed to best safeguarding practice across our operations, and this extends to recognising and reporting harm experienced within the workplace, online, in people's homes or through our community engagement, partnerships, or wider business activities. DCC is committed to creating a culture of zero-tolerance of harm to everyone who works for, or comes into contact with, the charity.

Policy Statement

- DCC believes everyone has the right to live free from abuse or neglect regardless of age, ability or disability, sex, race, religion, ethnic origin, sexual orientation, socio-economic, marital or gender status.
- DCC is committed to creating and maintaining a safe and positive environment and an open, listening culture where people feel able to share concerns without fear of retribution.
- DCC acknowledges that safeguarding is everybody's responsibility and is committed to prevent abuse, including neglect through safeguarding the welfare of everyone working with, or connected to, the charity.
- DCC recognises that health, well-being, ability, disability and need for care and support can affect a person's resilience. We recognise that some people experience barriers, for example, to communication in raising concerns or seeking help. We recognise that these factors can vary at different points in people's lives.
- DCC recognises that there is a legal framework within which we need to work to safeguard adults who have needs for care and support and for protecting those who are unable to take action to protect themselves. We will always act in accordance with the relevant safeguarding legislation and follow local statutory safeguarding procedures.
- Actions taken by DCC will be consistent with the principles of safeguarding ensuring that any action taken is prompt, proportionate and that it includes and respects the voice of the individual/s concerned.

Purpose

The purpose of this policy is to demonstrate the commitment of DCC to safeguarding and to ensure that everyone involved is aware of:

- The legislation, policy, and procedures.
- Their role and responsibility.
- What to do or who to speak to if they have a concern relating to the welfare or wellbeing of an individual within or served by the organisation.

Scope

The policy applies to all those connected with the activities of the charity and those who come into contact with DCC including staff, Trustees, Associate Practitioners, Ambassadors, and volunteers. It also applies to all concerns about the safety and welfare of individuals whilst taking part in our organisation, its activities and in the wider community, including working with partner organisations.

Children and Young People

DCC recognises that safeguarding concerns about children and young people might arise in the course of our work with adult carers. DCC recognises its duties to safeguard and protect children and young people in all of its work, as well as adults.

Commitments

- Everyone involved with the charity is aware of the safeguarding procedures to follow and knows what to do and who to contact if they have a concern relating to the welfare or wellbeing of an individual connected to DCC
- Any concern that an individual is not safe is taken seriously, responded to promptly, and followed up in line with DCCs Safeguarding Policy
- The well-being of those at risk of harm will be put first and the individual actively supported to communicate their views and the outcomes they want to achieve
- Any actions taken will respect the rights and dignity of all those involved and be proportionate to the risk of harm
- Confidential, detailed, and accurate records of all safeguarding concerns are maintained and securely stored in line with our Data Protection Policy and Procedures
- DCC will cooperate with the Police and the relevant Local Authorities in taking action to safeguard an individual
- DCC will also proactively share with the appropriate bodies (e.g., Disclosure and Barring Services, Police or Social Care) information about anyone considered to be a risk to others
- All staff, Trustees, Associate Practitioners, Ambassadors and volunteers understand their role and responsibility for safeguarding individuals and receive training and learning opportunities appropriate for their role.
- DCC uses safe recruitment practices and will regularly review and improve these to ensure we have the most robust systems in place

- This policy and the associated procedures will be reviewed annually and whenever there are changes in organisational practice or relevant legislation and/or government guidance

Remember

It is always better to err on the side of caution and get it wrong than do nothing and then something happens to that child/adult.

Implementation

Successful implementation of the Safeguarding Policy will, as a minimum, require the following:

- A clear line of accountability within the organisation for the safety and welfare of all individuals.
- Access to relevant legal and professional advice.
- Quarterly safeguarding reports are produced for the Senior Leadership Team and the Board of Trustees.
- Safeguarding procedures that deal effectively with any concerns of abuse or neglect, including those caused through poor practice.
- A Designated Safeguarding Lead for Staff and for Trustees.
- Risk assessments that specifically include safeguarding.
- Policies and procedures that address the following areas and which are consistent with the Safeguarding approach:
 - Bullying and harassment
 - Social Media
 - Discipline and Grievance
 - Concerns, Complaints and Compliments
 - Whistleblowing
 - Information policy, data protection and information sharing
 - Equality, Diversity and Inclusion

Appendices to this policy are key to implementation, as are the following standalone DCC policies: ICT, IT Acceptable Use Policy, Confidentiality Policy, Health and Safety, Bullying and Harassment, Whistleblowing etc.

Roles and Responsibilities

Safeguarding is the shared responsibility of all individuals involved in DCC including staff, Trustees, Associate Practitioners, Ambassadors, and volunteers.

A Designated Safeguarding Lead (DSL) Deputy DSL (DDSL) and Trustee with Responsibility for Safeguarding will undertake additional responsibilities relating to the overall governance of DCCs Safeguarding Policy. Descriptors for these roles can be at Appendix 2 and 3.

Safeguarding Role	Responsible Person
Designated Safeguarding Lead	Steve Dubbins
Deputy Designated Safeguarding Lead	Katy Evans
Trustee with Responsibility for Safeguarding	Julie Flower

Reporting and Monitoring

- Staff and associates must be alerted to safeguarding issues, and any concerns should be shared with the DSL (or deputy) to determine any further action, by following the flowchart set out below
- It is the duty of staff to inform only and not to investigate. Responsibility for investigations resides with the lead organisation, which is the relevant Local Authority.
- Issues that relate to the protection of adults at risk/children must be prioritised over all other work.
- Guidance on managing a Safeguarding concern can be obtained from the DSL for Staff. The Safeguarding Policy sits within the DCC Documents folder on Bright HR.
- The DSL will keep all safeguarding concern forms securely, with access only available to the DSL and deputy DSL.
- Within a month of any concerns / incidents the DSL will report to SLT and the nominated trustee for safeguarding. The report will highlight the incident(s), recommending any policy and procedural changes and improvements and will also address any staff welfare, safeguarding awareness, and training issues. The report will also be raised at the next board meeting.
- In addition, regardless of whether concerns or incidents take place, the DSL for staff will report to SLT and the Board on a quarterly basis. This is to ensure the safeguarding arrangements within DCC are kept under regular review.
- If a referral is required to a Local Authority, this will be undertaken in consultation with the DSL, or deputy in their absence. A record of this referral and confirmation of its safe receipt will be recorded and filed confidentially.

Safeguarding concerns in relation to DCC staff, including Trustees, Associate Practitioners, Ambassadors, and volunteers.

- Concerns should be reported to the DSL, or deputy in their absence.
- In dealing with allegations made against a member of staff, the DSL will discuss this further, in confidence, with a senior HR representative and inform the Chief Executive Officer (CEO).

- In the case of the allegation being against the DSL it should be reported to the CEO and in the case of the allegation being against the CEO it should be reported to the Safeguarding Trustee.
- Advice will be taken from the appropriate statutory services, alongside legal advice, as to what action should be taken

Safeguarding Concern Flowchart

Staff member has a safeguarding concern about a child/adult, or a child or adult makes a disclosure of possible abuse. (In case of an emergency contact the relevant emergency service)



Inform the Designated Safeguarding Lead, in their absence the Deputy Designated Safeguarding Lead. In the case of a disclosure, if it concerns a child or adult at risk, make it clear you cannot keep the information confidential. If the concern is about either of these individuals inform the CEO



If necessary the Designated Safeguarding Lead makes contact with local children's social care, or local Adults Safeguarding Board for advice or the Local Authority Designated Officer (LADO) for advice and guidance, if the concern is in respect of the staff member's behaviour with a child.

Escalation of Concerns

All staff must be aware that as individuals they are responsible for ensuring any safeguarding concerns are addressed to their satisfaction. If, having spoken to the DSL, an individual feels that their concerns have not been addressed satisfactorily, this should be taken up with the trustee with responsibility for safeguarding.

If the member of staff feels that concerns have still not been addressed then local escalation procedures should be followed. These can be found on the local Safeguarding Children Partnership and Safeguarding Adults Board websites.

Appendix 1: Legislation and Statutory Guidance:

Key Points

- There is a **legal duty on Local Authorities** to provide support to ‘adults at risk’ and to protect children, i.e. anyone under the age of 18, at risk of significant harm.
- **Adults at risk** are defined in legislation and the criteria applied differs between each home nation (see definitions for each home nation on page 8).
- The safeguarding legislation applies **to all forms of abuse** that harm a person’s well-being.
- The law provides a framework for good practice in safeguarding that makes the overall **well-being** of the adult at risk/child a priority of any intervention.
- The law in all four home nations emphasises the importance of **person-centred safeguarding**
- The law provides a framework for making decisions on behalf of those over the age of 16 who cannot make decisions for themselves (**Mental Capacity**).
- The law provides a framework for protecting children
- The law provides a framework for all organisations to **share information and cooperate** to protect adults at risk.

Legislative Framework for Protecting Adults

The practices and procedures within this policy are based on the relevant legislation and government guidance.

- England - The Care Act 2014
Care and Support Statutory Guidance (especially chapter 14) 2014
- Wales - Social Services and Well Being Act 2014
Wales Safeguarding Procedures 2019
- Scotland - Adult Support and Protection Act 2007
Adult Support and Protection (Scotland) Act 2007 Code of Practice 2014
- Northern Ireland - Adult Safeguarding Prevention and Protection in Partnership 2015

Each home nation also has legislation about the circumstances in which decisions can be made on behalf of an adult who is unable to make decisions for themselves:

- England and Wales - Mental Capacity Act 2005
- Scotland - Adults with Incapacity Act 2000
- Mental Capacity (Northern Ireland) 2016
- There are specific offences applying to the mistreatment of and sexual offences against adults who do not have Mental Capacity and specific offences where

mistreatment is carried out by a person who is employed as a carer: e.g., wilful neglect and wilful mistreatment.

The Safeguarding Adults legislation creates specific responsibilities on Local Authorities, Health, and the Police to provide additional protection from abuse and neglect to Adults at Risk.

When a Local Authority has reason to believe there is an adult at risk, they have a responsibility to find out more about the situation and decide what actions need to be taken to support the adult. In Scotland and Wales, the Local Authority can gain access to an adult to find out if they are at risk of harm for example, if that access is being blocked by another person.

The actions that need to be taken might be by the Local Authority (usually social care) and/or by other agencies, for example the Police and Health. The Local Authority role includes having multi-agency procedures which coordinate the actions taken by different organisations.

Legal Definitions of an Adult at Risk

<ul style="list-style-type: none"> • <i>England (Care Act 2014)</i> 	<ul style="list-style-type: none"> • <i>Northern Ireland (Adult Safeguarding Prevention and Protection in Partnership 2015)</i>
<p>An adult at risk is an individual aged 18 years and over who:</p> <ul style="list-style-type: none"> (a) has needs for care and support (whether the local authority is meeting any of those needs) and; (b) is experiencing, or at risk of, abuse or neglect, and; (c) because of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect. 	<p>An adult at risk of harm is a person aged 18 or over, whose exposure to harm through abuse, exploitation or neglect <u>may</u> be increased by their a) personal characteristics and/or b) life circumstances.</p> <ul style="list-style-type: none"> a) Personal characteristics may include, but are not limited to age, disability, special educational needs, illness, mental or physical frailty or impairment of, or disturbance in, the functioning of the mind. or brain. b) Life circumstances may include, but are not limited to, isolation, socio-economic factors, and environmental living conditions.
<ul style="list-style-type: none"> • <i>Scotland (Adult Support and Protection Act 2007)</i> 	
<p>An adult at risk is an individual aged 16 years and over who:</p> <ul style="list-style-type: none"> a) is unable to safeguard their own well-being, property, rights, or other interests, and; b) is at risk of harm, and; c) because they are affected by disability, mental disorder, illness or physical or mental infirmity, is more vulnerable to being harmed than adults who are not so affected. 	<p>An adult in need of protection is a person aged 18 or over, whose exposure to harm through abuse, exploitation or neglect <u>may</u> be increased by their personal characteristics and/or Life circumstances and;</p> <ul style="list-style-type: none"> c) who is unable to protect their own well-being, property, assets, rights, or other interests; and; d) where the action or inaction of another person or persons is causing, or is likely to cause, him/her to be harmed.

Wales (Social Services and Well Being Act 2014)	To meet the definition of an 'adult in need of protection' either (a) or (b) must be present, in addition to both (c), and (d)
An adult at risk is an individual aged 18 years and over who: a) is experiencing or is at risk of abuse or neglect, and; b) has needs for care and support (whether the authority is meeting any of those needs), and; c) because of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it.	

In relation to children and young people DCC will follow local multi-agency procedures to protect children and young people, which are published on the Local Safeguarding Children Partnership website for each Council

Appendix 2: Role Descriptor for DSL and Deputy DSL

The DSL and deputy have responsibility for co-creating and managing procedures, commissioning training, reviewing and improving policy, and regularly reporting to the Senior Leadership Team and Board.

Specific duties and responsibilities include:

- Working with others within the organisation to create a positive, safe and inclusive environment.
- Play a lead role in developing and establishing the organisation's approach to safeguarding individuals and in maintaining and reviewing the organisation's implementation plan for safeguarding in line with current legislation and best practice.
- Coordinate the dissemination of the safeguarding policy, procedures and resources throughout the organisation.
- Contribute to ensuring other policies and procedures are consistent with the organisation's commitment to safeguarding adults.
- Advise on the organisation's training needs and the development of its training strategy.
- Produce quarterly safeguarding reports for the Senior Leadership Team and the Board of Trustees.
- Manage liaison with, and referrals to, external agencies, including social care services and the police.
- Be the central point of contact for internal and external individuals and agencies, in relation to safeguarding.
- Represent the organisation at external meetings related to safeguarding

Appendix 3: Role Descriptor for Trustee with Responsibility for Safeguarding

DCC recognises that all trustees are responsible for safeguarding but has chosen to nominate a specific safeguarding trustee.

The safeguarding trustee will ensure safeguarding is properly reflected in strategy, policy and practice and that DCC creates a safe and supportive culture.

Specific duties and responsibilities include:

- Ensuring DCCs strategic plans reflect safeguarding legislation and the expectations of the Charity Commission.
- Working with the CEO, DSL and deputy to review progress and identify improvements to policy and practice.
- Making sure safeguarding has space on the Board agenda and trustees understand and challenge reports.
- Ensuring Safeguarding Annual Reviews are undertaken, and reports are produced for Board.
- Overseeing safeguarding allegations against staff and volunteers with CEO and DSL.
- Being a point of contact for staff or volunteers if someone wishes to raise a concern about a lack of action in relation to safeguarding concerns.
- Support trustees in developing their individual and collective understanding of safeguarding.
- Attend relevant meetings with staff and volunteers to understand safeguarding in practice at DCC.