



MAKE Southwest

Safeguarding Policy and Procedures

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1. Safeguarding Policy

1.1 Introduction

Safeguarding is the responsibility that an organisation has to prevent harm to its beneficiaries and to promote their welfare. As part of its safeguarding responsibilities MAKE Southwest seeks to ensure that their workforce members, trustees, volunteers, Maker Members, partners and any activities they provide do no harm to children, or adults with whom we have contact and that any safeguarding concerns or allegations are addressed and reported to the appropriate authorities.

Child and adult protection is a central part of but not separate to safeguarding. It is the process of protecting individual children and adults identified as either suffering or at risk of suffering significant harm. It includes measures and structures designed to prevent and respond to abuse. Over recent years, there has been increasing recognition of the way in which children and adults can be harmed by those who are in positions of trust and power over them. Consequently, there has been a significant increase in the efforts made by organisations to ensure that no harm results from the contact their staff and others working on their behalf. MAKE Southwest recognises it has an obligation to put in place proportionate safeguarding measures to ensure, as far as possible, the safety and protection of children and adults at risk who may engage with our activities, including those who use our facilities to showcase and sell their work.

1.2 What MAKE does

MAKE Southwest is a registered charity with employees, Maker-Members and volunteers. It also has an established board of trustees. It provides a craft centre with galleries, shop and education spaces as well as providing services online and in other locations. In part, its purpose is to enable local craftspeople (its Maker Members) to showcase and sell their work. However, it also offers members of the public, including both adults and children, the opportunity to visit the Centre in order to enjoy the facilities and, if they wish, to take part in organised activities within the education space, facilitated by the Charity's own employees or by its Maker Members. Maker Members are paid by MAKE on a freelance basis. They are drawn from the craftspeople who constitute MAKE Southwest's own Maker Membership and have been approved by MAKE Southwest to work with children and/or adults. MAKE Southwest also delivers an outreach programme to schools across Devon which, again, involves employees and Maker Members artists running workshops and activities in partner schools.

1.3 Purpose

The purpose of this policy and associated procedures is to provide clarity to all MAKE Southwest workforce, including employees, volunteers, trustees and Maker Members, on how they should engage with children and adults at risk when working for, on behalf of, or in partnership with MAKE Southwest. It is also to help us make sure that our workforce is protected. It is intended to help us to have a common understanding of safeguarding issues, develop good practice across the diverse and complex areas in which we operate and thereby increase accountability. This policy constitutes MAKE Southwest's policy and is underpinned by law and guidance (see **Appendix 1**).

1.4 Application

This policy is mandatory for all MAKE Southwest workforce members. For the purposes of this policy, 'MAKE Southwest workforce' is anyone who works for or on behalf of MAKE Southwest, either in a paid or unpaid capacity. This therefore includes directly employed employees, volunteers, trustees, associates and contractors. (Where there is a difference to this because of employment status the policy will make this clear.)

Any breach of this policy may be treated as a disciplinary matter (including, but not limited to, immediate suspension and/or dismissal) or reported on to the police/social care if it concerns an allegation of abuse committed by MAKE Southwest workforce members.

This policy demonstrates how MAKE Southwest will meet its legal obligations and reassure MAKE Southwest workforce members, partners, beneficiaries, and members of the public on:

- what they can expect MAKE Southwest to do to protect and safeguard;
- the fact that they can safely raise concerns through an established procedure;
- the fact that there is an efficient recording and monitoring system;
- the fact that MAKE Southwest workforce members receive appropriate induction and training about safeguarding;
- the fact that robust safer recruitment processes are in place.

1.5 Definitions

To assist working through and understanding this policy, the following definitions apply:

Adult is legally anyone aged 18 or over.

Adult at Risk is a person aged 18 or over who:

- Has needs for care and support (whether the local authority is meeting any of those needs); *and*
- Is experiencing, or is at risk of, abuse or neglect; *and*
- As a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of, abuse or neglect.

Adult in need of care and support is determined by a range of factors including personal characteristics, factors associated with their situation or environment and social factors. A person's disability or frailty does not mean that they will inevitably experience harm or abuse. In the context of safeguarding adults, the likelihood of an adult in need of care and support experiencing harm or abuse should be determined by considering a range of social, environmental and clinical factors, not merely because they may be defined by one or more of the above descriptors.

Adult Abuse is a violation of an individual's human and civil rights by another person or persons.

Safeguarding Adults means protecting people's rights to live in safety, free from abuse and neglect; people and organisations working together to prevent the risk of abuse or neglect, and to stop it from happening; and, making sure people's wellbeing is promoted, taking their views, wishes, feelings and beliefs into account

Child: means anyone up to the age of 18 years and this includes children who work for us in retail and food and beverage or who do work experience or volunteer for us. Legally, a child includes babies, children, and young people from pre-birth up to 18 years. The fact that a person has reached the age of 16, is living independently or is in further education, is a member of the armed forces, is in hospital or in custody does not change his/her entitlement to protection.

Child Abuse: a form 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 others. Abuse can take place wholly online, or technology may be used to facilitate offline abuse.

They may be abused by an adult or adults, or another child or children.

Safeguarding and promoting the welfare of children means protecting children from maltreatment; preventing harm to children's health or development; ensuring children grow up with the provision of safe and effective care; taking action to enable children to have the best outcomes; and educating those around children to recognise the signs and dangers of abuse and neglect¹.

Child protection: this is part of safeguarding and promoting welfare. It refers to the activity that is undertaken to protect specific children who are suffering, or at risk of suffering, significant harm. Different types of abuse (e.g. physical, emotional, sexual or neglect) may constitute significant harm.

Contextual safeguarding (risks outside the home): Children may be vulnerable to abuse or exploitation from outside their families, particularly as they get older. These threats might arise at school, from within peer groups, or more widely from within the wider community or online. These threats can take a variety of different forms and children can be vulnerable to multiple threats, including exploitation by criminal gangs and organised crime groups such as county lines; trafficking; online abuse; teenage relationship abuse; sexual exploitation and the influences of extremism leading to radicalisation.

Safeguarding allegation: this is where a person has:

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

1.6 Policy Statement

MAKE Southwest has zero tolerance against abuse and exploitation of children and adults. MAKE Southwest recognises that it has an obligation to put in place measures to ensure, as far as possible, the safety and wellbeing of children and adults with whom it has contact.

1.7 Key principles

MAKE Southwest works to the following key principles to protect children and adults:

- Everyone has an equal right to protection from abuse and exploitation regardless of age, race, sex, sexual orientation, marriage and civil partnership, pregnancy or having a child, gender reassignment, language, religion, political or other opinion, national, ethnic, or social origin, property, disability, birth or other status;
- The best interests of children and adults at risk are paramount and shall be treated as such in our decision making;
- MAKE Southwest recognises that an element of risk exists in what we do, and while we may never be able to totally remove this, we take proportionate steps to manage the risk;
- MAKE Southwest endorses the United Nations Convention on the Rights of the Child general principle, that all the rights guaranteed by it must be available to all children

¹ Department for Education (DfE), 2018; DfE, 2020; Department of Health, 2017; Wales Safeguarding Procedures Project Board, 2019; Welsh Government, 2020

without discrimination; and Article 19 which accords equal rights to protection for children from abuse. Every child matters everywhere in the world. Culture must never be used as an excuse to abuse or neglect children or adults.

1.8 Commitment to safeguarding

MAKE Southwest demonstrates its commitment to safeguarding by having the following measures:

- We benchmark ourselves against safeguarding standards;
- We ensure that all MAKE Southwest colleagues understand our safeguarding policy, code of conduct and safeguarding standards from the outset of their engagement with us;
- Where required, we provide safeguarding induction and training for MAKE Southwest colleagues;
- Our colleagues receive appropriate support and supervision;
- In working with partners (these are normally schools), we ensure that their safeguarding procedures are consistent and in line with the principles and approaches set out in this policy;
- We recruit employees and volunteers using safer recruitment and vetting processes.
- We have a clear policy on the use of social media;
- We will seek expert advice and support as necessary for example in respect of data systems, safeguarding or legal advice;
- We monitor the implementation of this Safeguarding Policy. This policy will be reviewed every two years or sooner if there is a change in legislation or the nature of our activities;
- We ensure that MAKE Southwest has a format for risk assessments and risk management at all levels of the organisation.

1.9 Information sharing and confidentiality

MAKE Southwest respects confidentiality and works to the principles of data protection legislation. However, if we identify safeguarding concerns in the course of our work in any other situation then we are obliged to act on these. Equally if a safeguarding allegation is made against any MAKE Southwest workforce member or those with whom we may work in partnership, then we are obliged to act. This may mean sharing information with or without consent with one or more of the following agencies: police, local authority social care or the NSPCC Helpline. Information will only be shared and handled on a need-to-know basis. Only individuals who have a legitimate reason to access information are permitted to receive it.

1.10 Induction and training

Advice, support and training on safeguarding will be provided to relevant MAKE Southwest employees:

- a) what they should do in the event of a disclosure;
- b) what to do if they have concerns about the welfare of a child or adult;
- c) how to recognize signs of abuse;
- d) what to do if they have concerns about a MAKE Southwest workforce member including a volunteer or employee;
- e) where to go for advice and support within the organisation.

1.11 Social Media

MAKE Southwest has a policy regarding the media and the use of actual names,

images, including photographs and recordings (the 'Social Media Policy'). This should be applied in all situations relating to protection of children and adults at risk. Specifically, we will:

- a) only use names and images of children or adults which are respectful and not expose them to further vulnerability (not degrading or showing sexual images of children naked or partially clothed);
- b) reproduce images and use names of children and adults only where we have their written permission or that of their parents/guardians, whichever is appropriate;
- c) explain to children and adults that agreement to providing information or images is not a condition of involvement in MAKE Southwest activities;
- d) inform MAKE Southwest workforce members about our policy in relation to the use of technology and ensure that they understand that they must not use this technology for accessing, producing or distributing any information or violent or sexual images including child sexual exploitation or adult pornography.

1.12 Safeguarding Standards

MAKE Southwest uses the [NSPCC Safeguarding Standards for the Voluntary and Community Sector](#) as a benchmark for itself and also for others that we may work with in future either in partnership or acting on our behalf. We will ensure that there is discussion about how they meet these standards prior to any work commencing, whether they should follow our policies and code of conduct or their own depending on the nature of what they have in place and what work they are doing either with or for us.

1.13 Roles and Responsibilities

All members of MAKE Southwest workforce are obliged to follow this policy and our code of conduct in order to maintain an environment that prevents exploitation and abuse, and which encourages reporting of breaches of this policy using the appropriate procedures.

Some of our workforce have additional responsibilities for safeguarding:

Board of Trustees

The Trustees are ultimately responsible for ensuring that MAKE Southwest workforce members are aware of the policy and are supported to implement and work in accordance with it, as well as creating a management culture that encourages a focus on safeguarding. The MAKE Southwest Trustee Board holds ultimate accountability for this policy. They will:

- Ensure safeguarding policies and procedures are in place and being followed;
- Ensure there are checks to confirm employees are suitable to carry out their roles;
- Ensure there is ongoing monitoring and review processes in place to check safeguards are being implemented in practice and that the controls in place are effective
- Actively promote a culture and environment whereby all employees are enabled to raise concerns and understand their safeguarding responsibilities;
- Appoint a Safeguarding Trustee on the Board whose role is one of scrutiny, keeping up to date with the Charity Commission requirements for safeguarding and to support the Designated Safety Officer in assessing and managing safeguarding risks.
- Ensure that serious incidents are reported to the Charity Commission for England and Wales.
- Support the CEO in managing any safeguarding allegations against members of the workforce.
- Ensure that MAKE allocates sufficient resources, including trained staff and trustees, for the arrangements to safeguard and protect children and adults.

The Safeguarding Trustee is: Andrew North.

1.14 Designated Safeguarding Officer (DSO)

The DSO is responsible for:

- monitoring and recording safeguarding concerns or allegations;
- ensuring referrals to the relevant authorities happen without delay;
- ensuring this policy is reviewed every year or earlier if necessary.
- implementing this policy throughout the organisation;
- ensuring MAKE Southwest workforce members receive and complete safeguarding training;
- ensuring recording procedures are implemented;
- alerting the safeguarding trustee as necessary if there is a safeguarding concern or allegation;
- reporting serious safeguarding incidents to the trustees.
- providing an annual report for the trustees on MAKE Southwest safeguarding activity, issues, risks and developments required.

The DSO is: Laura Wasley, laura@makesouthwest.org.uk

In the absence of the DSO, the deputy to the DSO is Ian Wilkins:
ian@makesouthwest.org.uk

1.15 Relevant MAKE Southwest policies

This Policy needs to be read in conjunction with the following policies and procedures of the Charity:

- Health & Safety Policy;
- Code of Conduct (Colleagues and Volunteers);
- GDPR Policy;
- Confidentiality Policy;
- Equality, Diversity and Inclusion Diversity Policy;
- Complaints Policy;
- Maker-Members' Handbook;
- Employees' and Volunteers' Handbook.

1.16 Policy review

The policy will be reviewed every two years or sooner if there are any legal changes or if there is learning from an incident or the nature of what MAKE does changes. The DSO is responsible for initiating the policy review.

1.17 Version control

Policy owner	Date of policy approval	Next review due	Notes on changes
Andrew North, Chair of Trustees	06/06/23	06/06/25	

2. Safeguarding Procedures for concerns about a child or adult at risk

2.1 Introduction

Due to the direct contact that MAKE Southwest has with children and, potentially, adults at risk, via its outreach and education programmes, it is possible that MAKE Southwest workforce may encounter situations where they become concerned that a child or adult may be at risk of abuse or neglect. Hence the need to clarify what should happen if any member of the MAKE Southwest workforce or those working on our behalf identify possible child or adult protection concerns. It is not the role of MAKE Southwest to investigate any concerns or to know if actual harm has occurred. Rather it is our responsibility to share any concerns with the DSO who will then determine if the concern requires reporting to the statutory authorities.

The Four R's These procedure follows four R's as follows:

- **Recognise** that a child or adult is being harmed or is at risk of harm
- **Respond** appropriately to someone who is telling you what is happening to them
- **Refer** the concerns to the DSO
- **Record** the concerns and all other follow up actions

2.2 Recognise Safeguarding Concerns

There are different types of abuse for both children and adults. It should be noted that more than one type of harm can be present at the same time.

All children can be vulnerable to abuse by the very nature of their age but some children face an increased risk of being abused because of their vulnerabilities. By this we mean they have characteristics that might set them apart or be living in circumstances without adults there to protect them. Such vulnerability should include children or adults who are disabled or have special educational needs, care experienced; those living away from home; children caring for others; unaccompanied asylum seeking young people; children who have been abused or exploited previously; those living with adverse childhood experiences such as families where there is domestic abuse, substance misuse, mental illness and/or domestic abuse.

See **Appendices 2-4** for further information about how to recognise child and adult abuse, the different types of abuse and vulnerabilities.

2.3 Respond: what to do if you have a safeguarding concern about a child or adult

See **Appendix 10** for flowchart

Step 1 Contact the DSO to discuss your concern. This should be done on the same day you identify the concern.

Step 2 A record of what was seen, said and done to give you cause for concern needs to be made on the Safeguarding Report Form – see **Appendix 7**. If you have this form to hand then complete it otherwise the DSO will complete it when you speak with them. If you have completed the form then email it to the DSO.

Step 3 Seek support from the DSO if you feel you need support to do with the concern.

Step 4 The DSO will then determine what action is necessary to protect the child or adult at risk. The options are:

- no action is required as it does not constitute a safeguarding concern

- seek advice from one or more of the following: the Safeguarding Trustee, children's social care, adult social care, police, NSPCC Helpline, Professionals Online Safety Helpline, Ann Craft Trust (contact details are in **Appendix 6**)
- make a formal report (known as 'a referral') to children's social care or adult social care and, in addition, the police should be notified if it is thought a crime has been committed
- consider whether any additional support is required for the child or adult at risk and signpost them to sources of help

Step 5 The DSO must make a record of their decision and the reasons for it, even if no further action is to be taken. A decision to take no further action or monitor a situation is as serious as a decision to make a referral out to the authorities.

Step 6 The DSO must consider if consent is required to share information with the local authority and/or police.

Step 7 If the DSO decides to make a report to children's social care or adult social care or the police then they must make a phone call and then put the notification in writing within 48 hours by using the relevant process in the local authority area which will be found on their website

Step 8 The DSO must keep a record of all the actions taken (including phone calls and referrals out), any crime reference number, decisions made and any outcomes in accordance with good practice on recording, information storage and retention. Use the Safeguarding Action Log (**Appendix 8**).

Step 9 Seek feedback after three working days of having made the referral to check it's been received and action taken.

2.4 Responding to a direct disclosure of abuse or neglect

Sometimes a child or adult at risk will tell somebody about their experience of abuse or the way they are or have been treated. Respond in the following ways and then follow the steps outlined in **2.3**.

Do

- ✓ If possible, find an appropriate space to talk.
- ✓ Be compassionate, be understanding and reassure them their feelings are important. Phrases such as 'you've shown such courage today' help.
- ✓ Take your time, slow down: respect pauses and don't interrupt the child or adult – let them go at their own pace. Recognise and respond to their body language.
- ✓ Reflect back what they've said to check your understanding.
- ✓ Reassure them that they've done the right thing in telling you.
- ✓ Explain what will happen next in terms of the process at MAKE
- ✓ Make notes of your conversation

Do not:

- × React strongly – for instance saying, 'that's terrible.'
- × Jump to conclusions especially about the alleged abuser.
- × Tell them you can keep this a secret.
- × Ask leading questions.
- × Make promises you cannot keep.
- × Stop them from speaking freely.
- × Tell them to stop talking so that you can get the DSO.

2.5 Responding to a child or adult protection emergency

In some circumstances a child or adult may be in obvious need of immediate medical attention or there may be immediate concerns about their safety arising from the information disclosed to you either face to face or online, for example:

- A child or adult has taken steps to or expressed their intention to seriously self-harm or commit suicide;
- Information that a child or adult at risk could be subject of further abuse if they return home;
- Information that a child or adult at risk has current contact with a sex offender;
- Information that a child or adult at risk is being groomed into terrorism, sexual exploitation or criminal exploitation;
- A serious crime has been committed on the child or adult at risk.

In such circumstances, you should:

- Ring 999 and ask for the emergency service required - police and/or ambulance.
- Inform the DSO afterwards.
- The procedures in 2.3 must then be followed by the DSO

2.6 Response from children's social care or adult social care

Children's or adult social care will evaluate the concerns and risks involved to determine whether:

- the child or adult at risk needs immediate protection and urgent action is necessary; *or*
- the child or adult at risk is suffering, or at risk of suffering, significant harm and enquiries need to be made; *and whether*
- the child or adult at risk needs support services to promote their welfare/wellbeing

2.7 Children or adults under supervision of a school/college/another organisation

If a safeguarding concern is identified in these circumstances, for example if MAKE Southwest is working in a school, then the procedure is as follows:

Step 1 You should notify the person in charge of the class about the concern and ask that it be passed onto their Designated Safeguarding Lead/Officer (DSL/DSO). If it not possible or appropriate to notify the person in charge of the class, then go directly to the DSL/DSO for the organisation.

Step 2 You should make notes about the concern, and your actions, and contact MAKE's DSO on the same working day. Ideally make notes on the Safeguarding Report Form (**Appendix 7**) if you have access to it otherwise on a plain piece of paper/word documents.

Step 3 The DSO should follow up with the school's designated safeguarding lead or the organisation's own designated safeguarding officer to check they have received the concern and are taken appropriate action to address it. A record of the outcome should be made on the Safeguarding Report Form.

Note: If you are concerned about inappropriate behaviour of an employee in another organisation then do not share this with them. Rather notify a DSO who will refer to the procedures in **Section 3** for managing allegations against adults.

3. Respond and manage an allegation of abuse made against MAKE Southwest workforce members or others working on its behalf

See **Appendix 11** for flowchart.

3.1 Application

The procedure applies to all staff and contractors where MAKE Southwest is the primary employer, contractor or volunteering provider.

If MAKE Southwest is not the primary employer (e.g. in the case of agency employees or sub-contractors) the DSO will notify the primary employer about the allegation who will then be responsible for the case management of the allegation. The DSO will also need to reconsider the relationship with the contractor.

3.2 Criteria for a safeguarding allegation

The safeguarding allegations management procedure will be used in cases where it is alleged that any member of MAKE Southwest workforce or sub-contractor has:

- behaved in a way that has harmed a child/adult, or may have harmed a child/adult; or
- possibly committed a criminal offence against or related to a child/adult; or
- behaved towards a child/adult in a way that indicates that they would pose a risk of harm to other children and/or adults; or
- behaved or may have behaved in a way that indicates they may not be suitable to work with children/adults.

Allegations may arise in several ways, for example: a report from a child or adult; or a complaint or concern raised by another child or adult. An allegation may concern someone's behaviour or actions within their job or a voluntary activity, or within their family or private life. The concerns may be about any type of abuse or neglect. This will include concerns about inappropriate relationships between adults and children. For example;

- aggression or physical assault
- a sexual relationship between a child aged 16 or 17 years with an adult in a position of trust with them, even if the relationship may appear to be consensual
- grooming behaviour (see **Appendix 5**) with the intent to sexually exploit someone
- non-recent or historical allegation of abuse
- other behaviour that gives rise to concerns, such as possession of abusive images of children or inappropriate contact through texts or social media, gift giving or socialising with children or adults outside of work-related activity
- concern about a colleague's posts on their personal social networks or apps
- serious or repeated breaches of safeguarding aspects of MAKE's Code of Conduct

If MAKE Southwest are notified about an allegation or concern about MAKE Southwest workforce members outside of the work environment, then this may present a risk to children or adults and therefore the general principles outlined in these procedures apply.

3.3 Initial action by the person first noticing concerns or receiving an allegation

You should:

- Treat the matter seriously and keep an open mind.
- Do not make assumptions or offer alternative explanations.
- Do not investigate or ask leading questions if seeking clarification.
- Do not promise confidentiality
- Make a written record of the information on the Safeguarding Report Form (**Appendix 7**). Where possible, record the exact words of the person making the allegation. Record the time, date and place and names of people present when the allegation was made or concerning behaviour was observed.
- Immediately report the matter to the DSO in the same working day. In their absence, or if a DSO is the subject of the allegation, concerns must be reported to the Safeguarding Trustee and a senior manager.
- If the allegation requires immediate attention but is received out of office hours, contact the local authority Emergency Duty Team or the police and then inform the Local Authority Designated Officer LADO (or equivalent) or adult social care as soon as possible.

The DSO should notify the Safeguarding Trustee unless the matter is definitely not a safeguarding allegation and has another explanation. A record of all decision making must be kept on the Action Log (**Appendix 8**).

The DSO will then manage the allegations process in conjunction with the Safeguarding Trustee.

Arrangements for managing an allegation will vary in the following circumstances if the allegation is made against:

- **DSO** - the Safeguarding Trustee and a senior manager will manage the process;
- **Safeguarding Trustee** - the DSO and the Board Chair will manage the allegation;
- **CEO** – a board member and the Safeguarding Trustee.

3.4 Initial response to a safeguarding allegation:

The DSO should:

- Obtain details of the concern or allegation by the person reporting it. Record any decisions made and the rationale. Complete the Safeguarding Report Form (see **Appendix 7**) if it has not already been done.
- Contact the police if it is thought someone is in immediate danger or a crime may have been committed.
- Decide if any further clarifying information is needed or advice from a relevant authority (see **Appendix 6** for contacts) but do not do an investigation.
- Decide if access to MAKE Southwest social media channels must be suspended
- Contact:
 - the Local Authority designated officer (LADO)² immediately to report the allegation if it meets one or more of the criteria as described in 3.2 or to consult with them if uncertain as to how to proceed; or,

² The Local Authority Designated Officer is involved in the overall management and oversight of individual cases in respect of children in England only. They will provide advice and guidance to MAKE Southwest, liaise with the police and other agencies and monitor the progress of cases to ensure that they are dealt with as quickly as possible, consistent with a thorough and fair process. If the victim of the alleged abuse is aged 18 years or over then the LADO is not involved, rather adult social care services should be informed and they will advise.

- adult social care if the alleged victim is aged 18 years and above (as adult social care do not have the LADO role) to report the allegation if it meets one or more of the criteria regarding an adult as described in 3.2 or to consult with them if uncertain as to how to proceed.
- If a potentially criminal offence has been committed, discuss this with the LADO (or adult social care) and agree who will contact the police.
- If there are any concerns of immediate or ongoing injury/abuse, then the workforce member must be suspended pending investigation (in the case of a volunteer or Maker Member their services should be put on hold).
- Decide whether the criteria are met for a serious incident report to be made to the Charity Commission (see **Appendix 9** for guidance).
- Refer allegations against any former MAKE Southwest employees, volunteers or contractors to the LADO (or adult social care) and discuss with them who will notify the police if it is agreed that a crime may have been committed.
- If the allegation does not meet the criteria described in 3.2 then consider if the matter is one of poor practice and needs to be addressed through other employment/volunteering processes such as disciplinary or volunteer resolution.
- Disciplinary procedures should wait until after the outcome of any police investigation.

3.5 Child victim of the allegation

If the allegation is not demonstrably false and there is cause to suspect that a child is suffering or likely to suffer significant harm, the LADO will refer the case to children's social care and ask them to convene a strategy meeting to share information and determine an action plan.

If an investigation by children's social care or the police is deemed as not necessary after they have made further enquiries, then the DSO will discuss if any actions are required internally. The options will depend on the nature of the allegation and the evidence available. This will range from taking no further action, training, disciplinary procedure or a decision not to use the person's services in the future.

If the initial evaluation leads to no further action against the employee, volunteer or contractor concerned, the decision and justification should be recorded. Agreement should be reached on what information should be put in writing to the individual who was subject to the allegation and what action should follow, including informing the person who made the allegation originally (but maintaining confidentiality about the full case details).

3.6 Adult victim of the allegation

The same process applies as a child victim except it will not be initiated by a LADO rather it will be the responsibility of the adult social care safeguarding team.

3.7 Persons to be notified

- After consultation with the LADO or adult social care, the DSO should, as soon as possible, inform the person against whom the allegation or concern has been made/expressed. The exact nature of what is said to the person should be agreed with the LADO;
- However, if a strategy discussion is needed, or the police or children's social care need to be involved, the DSO should not inform the person who is the subject of the concern until those agencies have been consulted and have agreed what information can be disclosed to the individual;
- In principle, the DSO should, in the case of a child, inform the child's parents/carers (if known) about the allegation. The LADO should be consulted first to ensure that this will not impede any investigation or disciplinary process. In some cases, the parents/carers may need to be informed right away, e.g. if a child is injured and needs medical

- attention;
- The parents/carers and the child, if sufficiently mature (usually around secondary school age, however there is a need to take into account any additional needs or disabilities that a child may have when judging whether they have sufficient maturity to be able to benefit from this information), should be helped to understand the process and kept informed about the progress of the case and the outcome if no criminal prosecution will take place. Similarly, the adult at risk should be helped to understand the process too and their carers too if this is relevant.

3.8 Confidentiality

Every effort should be made to maintain confidentiality and guard against publicity while an allegation is being investigated. Information sharing should be restricted to those who need to know in order to protect the child or adults concerned, carry out the enquiries and manage the disciplinary process, if applicable.

The DSO and Head of Comms (or whoever has this function) should consider how best to manage speculation and press interest, if it arises.

3.9 Support

The DSO together with children's social care/adult social care and the police, if they are involved, will consider the impact on the child or adult at risk concerned and provide support as appropriate. In some cases, there may be no known victim e.g. if the concern is about the distribution of obscene images of children.

The DSO will appoint a named representative from MAKE Southwest to keep the workforce member updated on the progress of the investigation; this will continue during any investigation or disciplinary process.

3.10 Managing risk during the investigation

Based on an assessment of risk, the DSO and Trustee will determine what action to take with regards to the employment/engagement of the person – whether it is appropriate to suspend them, cease to use their services or redeploy them into another role without child/adult at risk contact. Another option in some situations might be to provide another person to be present when the individual has contact with children or adults, whilst the investigation is carried out. Suspension should not be the default position: an individual should be suspended only if there is no reasonable alternative.

If immediate suspension or ceasing of services is considered necessary, the rationale and justification for such a course of action should be agreed and recorded. This should also include what alternatives to suspension have been considered and why they were rejected.

Possible risks to the child or adult involved and any children in the person's home, work or community life will be evaluated and managed by the LADO or adult social care and the police.

3.11 Timescales

Cases will be resolved as quickly as possible, consistent with a thorough and fair investigation.

- It is expected that the investigations by the authorities in most cases should be resolved within one month and all but exceptional cases should be resolved within 12 months.

- However, the timing will depend on the nature, seriousness and complexity of the case and the right outcome is far more important than meeting timescales.
- Disciplinary action should normally not be taken until the outcome of any external investigation has been completed. The decision to take such action lies with MAKE Southwest.

3.12 Resignations and compromise agreements

Every effort will be made to reach a conclusion to the case should the workforce member refuse to cooperate, having been given a full opportunity to answer the allegation (or respond to the concern) and make representation. Although it would not be possible to apply disciplinary sanctions if the period of notice expires before the conclusion of the investigation, the outcome of any disciplinary process will be recorded.

MAKE Southwest will not use 'compromise/settlement agreements' where there has been a safeguarding allegation, for example where an employee agrees to resign provided that disciplinary action is not taken and that a future reference is agreed.

3.13 Outcomes of an investigation

The following categories should be used in recording the outcome:

- **Substantiated** – there is sufficient evidence to prove the allegation
- **Malicious** – there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive
- **False** – there is sufficient evidence to disprove the allegation
- **Unsubstantiated** – there is insufficient evidence to either prove or disprove the allegation. The term, therefore, does not imply guilt or innocence.
- **Unfounded** - there is no evidence or proper basis which supports the allegation being made

3.14 Malicious or unsubstantiated allegations

If an allegation made by a child or their family is determined to be unsubstantiated or malicious, the LADO should refer the matter to children's social care services to determine whether the child needs services, or may have been abused by someone else. Similarly, adult social care will consider this in terms of the adult who made such an allegation.

3.15 Disciplinary or suitability process and investigations

The DSO and relevant senior manager will discuss whether disciplinary action or formal resolution is appropriate in cases where:

- it is clear at the outset, or decided by a strategy discussion, that a police investigation or social care enquiry is not necessary: or
- the police or the Crown Prosecution Service informs that the criminal investigation and subsequent trial is complete, or that an investigation is to be closed without charge, or prosecution is discontinued.

The discussion will consider any potential misconduct or gross misconduct by the person if they are an employee, and concerning conduct or behaviour if they are a volunteer or Maker Member; this will take into account:

- the information provided by the police and children's or adult social care;
- the result of any investigation or trial;
- the different standards of proof in civil and criminal proceedings; and
- any other relevant information.

In the case of sub-contractors, the LADO/adult social care and DSO will work with the providing agency where applicable in deciding whether to continue using the person's services.

3.16 Record keeping

The DSO will keep a clear and comprehensive summary of the case record and provide a copy to the workforce member. The record will include details of how the allegation or concern was managed and resolved and the decisions reached.

Details of allegations that are found to be malicious, false or unsubstantiated should be removed from personnel records but kept in the safeguarding record with a cross reference from the HR record to the safeguarding record. However, for all other allegations or concerns, it is important that a clear and comprehensive summary of the allegation or concern, details of how it was followed up and resolved, and a note of any action taken and decisions reached, is kept on the confidential personnel file of the person concerned, and a copy provided to that person.

3.17 References

If the allegation was proven to be malicious, false, or unsubstantiated, it will not be included in any employer or volunteer reference. A history of repeated concerns or allegations which have all been found to be malicious, false, or unsubstantiated will also not be included in any references.

3.18 Action following the conclusion of the investigative process

The options depend on the circumstances of the case and the result of any police investigation or trial, any investigations in respect of the child/adult victim as well as the different standard of proof required in civil and criminal proceedings. Options include:

- reintegration of the employee
- reinstate the services of the volunteer or sub-contractor
- instigate the disciplinary process in respect of employees or resolution process in respect of volunteers
- alert other known employers of the individual concerned (which is a responsibility of the LADO/adult social care to do if necessary)
- alert the Charity Commission of the outcome as per the serious incident reporting requirements (see **Appendix 9**) if applicable.
- make a referral to the Disclosure and Barring Service (DBS) for consideration to bar the person from working with children or adults. The legal duty to refer only applies if MAKE Southwest removes an individual from working in 'regulated activity' with children or adults and they pose a risk to children/adults due to:
 - relevant conduct
 - risk of harm
 - receiving a criminal caution or conviction for a relevant offence
 - the person has resigned or left that post in circumstances where they may have been removed
 - reconsidering relationships with any supplier or donor where safeguarding issues have been raised

3.19 Learning lessons

At the conclusion of a case in which an allegation is substantiated, the DSO and safeguarding trustee, in conjunction with the LADO or adult social care should review the circumstances of the case to determine whether any improvements could be made to MAKE Southwest's safeguarding procedures or practice to help prevent similar incidents in future.

4. Safeguarding in the Online Environment

Children can be subject to abuse online as well as offline. Abusive images of children or young people may be distributed via the internet. Such images should not be referred to as 'child pornography' rather, they are permanent records of children being sexually exploited and as such should be referred to as 'child sexual abuse images'.

4.1 Workforce member

If a member of MAKE Southwest's workforce is inadvertently exposed to child sexual abuse images of children whilst using the internet:

- The URLs (webpage addresses) which contain the suspect images should be reported to the Internet Watch Foundation via www.iwf.org.uk. You should refer to the DSO who will carry out the report. MAKE Southwest must not send copies of the images to the Internet Watch Foundation.
- Any copies that exist of the image, for example in emails, should be deleted.

4.2 What to do if a member of the workforce is found in possession of, or sharing, child sexual abuse images:

- You must inform the DSO within the same working day
- DSO to contact the police regarding the images. If there is a doubt about whether the images are criminal, then a discussion will take place with the police regarding the best way for them to receive copies to determine whether they are criminal or not.
- DSO to agree with the police what to do about the device that the images are on.
- Quarantine the device in question and discuss with the police about checking for any other images on that device or any others.
- Instigate the management of allegations (**Section 3**) procedures

4.3 If a child/adult discloses that they are being groomed/abused/seriously bullied online:

Follow the procedures as outlined in **Section 2** and this includes contacting the police. Advice can be sought and a report be made to CEOP (Child Exploitation and Online Protection Command) which is a specialist police command dealing with inappropriate online behaviour. There is also an advice line for professionals (POSH) dealing with online concerns. (see **Appendix 6** for contact details)

If the adult committing grooming is a member of staff or contractor then the DSO should also follow the safeguarding allegations procedures too (see **Section 3**).

4.4 Sexting and Indecent Image Sharing³

Making, possessing, and distributing any images (photos/film) of someone under 18 which is indecent is illegal. This includes imagery made by anyone under 18 years. Adults sending messages to a child of a sexual nature and/or grooming are also illegal. A safeguarding concern could therefore arise in respect of sexting and/or indecent image sharing. However, sexting and indecent image sharing can be a part of normal sexual development between a consenting couple and it's only in some circumstances the matters would need a safeguarding response.

³ Sexting is defined as the sending, receiving, or forwarding sexually explicit messages, photographs or videos, primarily between mobile phones, of one's self to others or posting of nude or semi-nude images, videos or live streams online by young people under the age of 18. This could be via social media, gaming platforms, chat apps or forums. It could also involve sharing between devices via services like Apple's AirDrop which works offline. Children tend to regard sexting as sending messages that have sexual content and they refer to 'sending nudes or semi nudes' as being about image sharing only. There are separate offences relating to sending sexual messages and sending sexual imagery.

If an incident of sexting or indecent images sharing between children or between an adult and child comes to your attention then report it to a DSO within one working day and:

- Never view, copy, print, share, store or save the imagery yourself, or ask a child to share or download – this is illegal;
- A screen shot of text messages could be taken for evidence but this must not include any images;
- If you have already viewed the imagery by accident (e.g. if a child has showed it to you before you could ask them not to), report this to the DSO;
- Explain to the child that you need to report it and reassure them that they will receive support and help from the DSO and this does not necessarily mean the police will get involved;
- Don't ask the child who are involved in the incident to disclose information regarding the imagery. This is the responsibility of the DSO.
- Don't say or do anything to blame or shame any child involved.

If the sexting incident has involved a staff member or contractor then the DSO should also follow the management of allegation procedure in **Section 3**.

5. Information sharing, consent and confidentiality

In general terms, people have a right to expect that their personal information is not shared with other organisations and that their consent is obtained before sharing.

5.1 Information Sharing

MAKE Southwest has a duty to share information with other agencies to safeguard children and adults at risk in certain circumstances when it is in the public interest, i.e. when there is a concern about actual or possible abuse/neglect or if we believe a crime has been committed.

5.2 Consent

Whilst consent to share information should be sought where it is safe and appropriate to do so, information may be shared without consent if there is good reason to do so as it is lawful to share such information without consent for the purpose of safeguarding a child or adult.

Any information that is shared will only be shared on a need-to-know basis and these decisions will be made by a DSO.

5.3 Government Advice

Government advice⁴ about when and how information in respect of children can be shared is laid out in 'seven golden rules':

- i. the General Data Protection Regulation 2016 (GDPR), Data Protection Act 2018 and human rights law are not barriers to justified information sharing but provide a framework to ensure that personal information about individuals is shared appropriately;
- ii. be open and honest with the individual (and/or their family) from the start about why, what, how and with whom information may be shared, and seek their agreement, unless it is unsafe or inappropriate to do so;
- iii. seek advice from others including external agencies, if there is any doubt about sharing the information without disclosing the identity of the individual;
- iv. where possible, share information with consent, and where possible, respect the wishes of those who do not consent to having their information shared. You may share information without consent if you consider on the facts presented that there is a lawful basis such as where safety may be at risk;
- v. consider safety and well-being: base information sharing decisions on the safety and well-being of the individual and others who may be affected by their actions;
- vi. necessary, proportionate, relevant, adequate, accurate, timely and secure: ensure that the information you share is necessary for the purpose for which you are sharing it, is shared only with those individuals who need to have it, is accurate and up-to-date, is shared in a timely fashion, and is shared securely;
- vii. keep a record of your decision and the reasons for it – whether it is to share information or not. If you decide to share, then record what you have shared, with whom and for what purpose.

Consent to share information is different for adults as they have a far greater say in what information can be shared about them and they are given more involvement, choice and control in such matters. Their ability to consent is dependent on whether they have the mental capacity to understand the risks of harm. MAKE Southwest workforce members are not expected to assess the issue of mental capacity but it is important that an adult is

⁴ HM Government (2018) *Information sharing: Advice for practitioners providing safeguarding services to children, young people, parents and carers*

involved as far as possible in making decisions about their own safety and wellbeing.

Recording, record keeping, retention and destruction

5.3 Purpose

Record keeping is an essential part of good safeguarding practice. Records should be factual, accurate, relevant, up to date and auditable. Where opinions are included, this must be made clear. Where people are referred to, they should be identified clearly by their name and role where relevant.

5.4 Checklist for a good safeguarding record:

- Clear, concise and precise;
- Writer's meaning clearly conveyed and writer's name is included;
- Includes all relevant information;
- Free from jargon and abbreviations;
- Separates fact from opinion and hearsay;
- Professional judgment supported by evidence;
- Decisions reached are clearly recorded;
- Dated and timed.

5.5 Records retention and destruction schedule

MAKE Southwest will keep child and adult safeguarding records for seven years after the last contact that MAKE Southwest has with the child or adult and then they will destroy them securely.

In the case of safeguarding allegations, a summary will be placed in the employee's personnel file, or the records relating to volunteers or sub-contractors kept until the person reaches retirement age or for a period of 10 years from the date of the allegation, if that is longer.

6. Escalation

Where MAKE Southwest has made a referral out to either the police or children or adult social care and has followed it up, if MAKE Southwest remains concerned that risks remain then this can be escalated. Options include:

- a formal letter to the local authority outlining the concerns, or
- in each local authority area, there is a Local Children's Safeguarding Partnership (formerly called Local Safeguarding Children Boards) who is responsible for writing interagency child protection procedures and the equivalent for adults is called the Adult Safeguarding Board. These procedures will explain how a matter can be escalated at Board level.

If any member of MAKE Southwest workforce considers that the DSO has not taken appropriate action to address a concern or allegation raised, they should raise the matter with the Safeguarding Trustee. If still dissatisfied there is the option of using the MAKE Southwest whistleblowing process.

The NSPCC offers a whistleblowing helpline to give advice when processes to whistle blow internally have not brought a satisfactory resolution or alternatively advice can be sought from the Protect Advice Line (see **Appendix 6** for contact details).

Appendix 1: Underpinning law and statutory guidance for MAKE Southwest's safeguarding policy

UN Convention on the Rights of the Child 1991	Protection of Freedoms Act 2012
Data Protection Act 2018 and the GDPR 2018	HM Government (2018) Working Together to Safeguard Children
Children Act 1989 and 2004	Counter Terrorism and Security Act 2015
Communications Act 2003	Female Genital Mutilation Act 2003
Protection of Children Act 1978	Charity Commission Safeguarding Guidance
Sexual Offences Act 2003	Serious Crime Act 2015
Modern Slavery 2015	Safeguarding Vulnerable Groups Act 2006
Voyeurism (Offences Act) Act 2019	Police Act 1997
The Care Act 2014	Domestic Violence, Crime and Victims (Amendment) Act 2012
The Equality Act 2010	Mental Capacity Act 2005
The Human Rights Act 1998	The Data Protection Act 1998

Appendix 2: Defining child abuse and neglect

There are four categories of harm⁵ although often children may suffer more than one type of harm.

1. Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces illness in a child.

2. Emotional abuse is the persistent emotional maltreatment 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 and unloved, inadequate, or valued only in-so-far as they meet the needs of another person. It may include:

- not giving the child opportunities to express their views;
- deliberately silencing them, 'making fun' of what they say or how they communicate;
- age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond the child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction;
- seeing or hearing the ill-treatment of another;
- serious bullying (including cyber bullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children.

Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.

3. Sexual abuse and exploitation involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve:

- physical contact, including assault by penetration (for example rape or oral sex) or non-penetrative acts, such as masturbation, kissing, rubbing and touching outside of clothing;
- non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet).

Sexual abuse can take place online, and technology can be used to facilitate offline abuse. Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.

Child sexual exploitation is a form of child sexual abuse. It occurs when an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 years into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur using technology.

4. Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy because of maternal substance abuse. Once a child is born neglect may involve a parent or carer failing to:

- provide adequate food, clothing, and shelter (including exclusion from home or abandonment);
- protect a child from physical harm or danger;
- ensure adequate supervision (including the use of inadequate care-givers);
- ensure access to appropriate medical care or treatment.

Neglect can also include neglect of, or unresponsiveness to, a child's basic emotional needs.

⁵ HM Government (2018) *Working together to safeguard children*

Appendix 3: Indicators of child abuse and neglect

<p>Physical abuse</p> <p>Possible indicators are children who have:</p> <ul style="list-style-type: none"> • frequent injuries • unexplained or unusual fractures or broken bones unexplained: bruises, cuts, burns, scalds, bite marks. • bruising in pre-mobile babies 	<p>Sexual Abuse and Exploitation</p> <p>Possible indicators of sexual abuse are children who:</p> <ul style="list-style-type: none"> • display knowledge or interest in sexual acts inappropriate to their age • use sexual language or have sexual knowledge beyond their years ask others to behave sexually or play sexual games • self-harming behaviours • problems with physical sexual health problems, including soreness in the genital and anal areas, sexually transmitted infections or underage pregnancy. <p>Possible indicators of child sexual exploitation are children who:</p> <ul style="list-style-type: none"> • appear with unexplained gifts or new possessions • associate with other young people involved in exploitation • have older boyfriends or girlfriends • suffer from sexually transmitted infections or become pregnant • suffer from changes in emotional well-being • misuse drugs and alcohol • go missing for periods of time or regularly come home late • regularly miss school or education
<p>Emotional abuse</p> <p>Possible indicators are:</p> <ul style="list-style-type: none"> • Children who are excessively withdrawn, fearful, or anxious about doing something wrong • Parents or carers who withdraw their attention from their child, giving the child the ‘cold shoulder’ • Parents or carers always blaming their problems on their child • Parents or carers who humiliate their child, for example, by name-calling or making negative comparisons. 	<p>Neglect</p> <p>Possible indicators are:</p> <ul style="list-style-type: none"> • Children who are living in a home that is persistently dirty or unsafe • Children who are frequently left hungry or dirty • Children who are left without adequate clothing for the weather conditions • Children who are living in dangerous conditions, i.e. around drugs, alcohol or violence • Children who are often angry, aggressive or self-harm • Children who fail to receive basic health care such as dental treatment, medication when poorly, dressings for burns or cuts etc • Parents who fail to seek medical treatment when their children are ill or are injured • Children who are left alone when they are young or left in the care of unsuitable adults or dangerous adults.

Appendix 4: Types and indicators of adult abuse and neglect

The Care Act 2014 recognises ten categories of abuse that may be experienced by adults:

<p>Physical abuse</p> <ul style="list-style-type: none"> • Hitting • Slapping • Pushing • misuse of medication • restraint • inappropriate sanctions 	<p>Domestic abuse</p> <ul style="list-style-type: none"> • psychological • physical • sexual • financial • emotional abuse • so-called 'honour' based violence • coercive and controlling behaviour
<p>Sexual abuse</p> <ul style="list-style-type: none"> • rape • indecent exposure • sexual harassment • inappropriate looking or touching • sexual teasing or innuendo • sexual photography • subjection to pornography or witnessing sexual acts • indecent exposure • sexual assault • sexual acts to which the adult has not consented or was pressurised into consenting 	<p>Emotional or Psychological abuse</p> <ul style="list-style-type: none"> • emotional abuse • threats of harm or abandonment or deprivation of contact • humiliation • blaming • controlling • intimidation • coercion • harassment • verbal abuse • cyber bullying • isolation • withdrawal of services/support
<p>Financial or material abuse</p> <ul style="list-style-type: none"> • theft • fraud • internet scamming • coercion in relation to an adult's financial affairs or arrangements, e.g. regarding wills, property, inheritance or financial transactions • the misuse or misappropriation of property, possessions, or benefits 	<p>Modern slavery</p> <ul style="list-style-type: none"> • slavery • human trafficking • forced labour and domestic servitude whereby traffickers and slave masters use whatever means they have to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment e.g. passports withheld, imprisonment, withholding wages and/or food, threats of harm to person/family
<p>Discriminatory abuse</p> <ul style="list-style-type: none"> • harassment • slurs or similar treatment because of a person's race, gender and gender identity, age, disability, sexual orientation, religion 	<p>Organisational abuse</p> <p>This includes neglect and poor care practice within an institution or specific care setting such as a hospital or care home or the care provided in one's own home. It involves one off incidents to on-going ill-treatment. It can be through neglect or poor professional practice</p>
<p>Neglect</p> <ul style="list-style-type: none"> • ignoring medical, emotional or physical care needs • failure to provide access to appropriate health, care and support or educational services • withholding of the necessities of life, such as medication, adequate nutrition and heating. 	<p>Self-neglect</p> <ul style="list-style-type: none"> • neglecting to care for one's personal hygiene, health or surroundings and includes behaviour such as hoarding. Incidents of abuse may be one-off or multiple. Repeated instances of poor care may be an indication of more serious problems including organisational abuse

Additional types of harm that are relevant to safeguarding adults but not included in the Care Act 2014:

<p>Cyber bullying This is where someone repeatedly bullies</p>	<p>Mate crime When vulnerable people are befriended by members</p>
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<p>someone else through emails or texts or online forums.</p>	<p>of the community who go on to exploit and take advantage of them. This can result in serious harm or even murder by people who purported to be their friend.</p>
<p>Forced marriage Where one or both partners are married without their consent or against their will. Forced marriage is a criminal offence</p>	<p>Radicalisation The aim of radicalisation is to inspire new recruits, embed extreme views and persuade vulnerable people to the legitimacy of a cause. It may seek to involve them in committing violent offences.</p>

Appendix 5: Grooming Behaviour

'Grooming' is the process through which a person attempts to befriend a child with the intention of later developing a sexual relationship with them. It involves making the child feel comfortable through a variety of methods thus developing trust, before initiating physical contact and abusing that trust. Some argue that the term *entrapment* or *control* better describes this process.

An offender is likely to look to groom the adults as well as the child to gain their trust. This process can happen within a family or within an institution or organisation. Those who sexually abuse children are often experts at gaining confidence and can look for situations where they can have unsupervised access to children. Signs that an individual may be grooming a child or young person include:

- Being dressed inappropriately around the child or young person;
- Spends most of his/her spare time with children and has little interest in spending time with someone of his/her own age;
- Giving special attention to a child or young person;
- Isolating a child or young person from other people;
- Hugging, touching, kissing, tickling, wrestling with or holding a child or young person;
- Giving gifts (including cigarettes/alcohol/drugs) or money for no apparent reason;
- Treating a child as an equal/peer or like a spouse;
- Finding ways to be alone with a child or young person when other adults are not likely to interrupt, e.g. taking the child for a car ride, arranging a special trip, etc.;
- Not respecting the privacy of a child or young person;
- Discussing their own sex life or asking a child or young person to discuss sexual experiences or feelings;
- Viewing abusive images of children;
- Abusing alcohol or drugs or encourages children or young people to use them. The use of such substances reduces inhibitions;
- Allowing children or young people to consistently 'get away' with inappropriate behaviour's
- Encouraging silence or secrets;
- Makes fun of a child's body parts – uses sexualised names for the child or young person;
- Not adhering to the rules, authority or code of conduct in the setting, organisation or within an activity.

Appendix 6: Safeguarding Contacts

Name and job title	Safeguarding Role	Contact details
Laura Wasley, CEO	DSO	Laura@makesouthwest.org.uk
Ian Wilkins, Learning Officer	Deputy DSO	ian@makesouthwest.org.uk
Andrew North	Safeguarding Trustee	Chair@makesouthwest.org.uk
NSPCC Helpline	24-hour helpline for advice on child protection matters for professionals and adults	0808 800 5000
Childline	24-hour helpline for children and young people aged up to 19 years	0800 1111
Professionals Online safety helpline (POSH)	Advice for professionals about online safeguarding concerns	0344 381 4772 helpline@saferinternet.org.uk
Ann Craft Trust (ACT)	For advice and training in respect of safeguarding adults	0115 951 5400 ann-craft-trust@nottingham.ac.uk
The Mix	Helpline for young people under 25 years	0808 808 4994
Whistle blowing advice line (external)	Advice can be sought from NSPCC if using the EI whistleblowing procedure has not resolved a concern satisfactorily	0800 028 0285
Protect	Provides advice for whistle-blowers who are raising concerns about wrong-doing or serious risk in their organisation	0207 3117 2520
The UK Safer Internet Centre	Provides advice for professionals and responds to reports about sexual abuse images of children online	0844 381 4772
Child Exploitation and Online Protection Centre (CEOP)	Investigates inappropriate online behaviour such as grooming online or sexual exploitation	0870 000 3344
Internet Watch Foundation	Remove images of child sexual abuse content and criminally obscene content online	01223 203030
Disclosure and Barring Service (DBS)	Advice line for criminal records checks and barring people from working with children or adults at risk	03000 200 190
Local authority Children's Social Care (England)	Use the following website to find out the details: https://www.gov.uk/report-child-abuse-to-local-council	
NAPAC (National Association for People Abused in Childhood)	Support for adult survivors of child abuse, their friends and family	0808 801 0331 support@napac.org.uk
National Domestic Abuse Helpline	24-hour advice line	Tel 0808 2000 247

Appendix 7: Safeguarding Report Form

- Enter as much detail as possible.
- Don't delay making a referral if there is information missing.

Part 1 Details of the child or young person		
Name of child or adult		
Gender:	Age:	Date of Birth:
Religion	Ethnicity	Any additional needs (e.g. disability)
Parent/Carer name(s) if known:		
Home address of child or adult		
Place/time/date where the concern was identified		
Part 2 Details of a safeguarding allegation against employees/volunteers/ third parties		
Name and role of person who is the subject of the allegation		
Age and/or Date of Birth		
Home address		
Place/time/date where the concern was identified		
Part 3 Your Details:		
Your Name:	Your Position:	Your contact details
Part 4 Report:		
Are you reporting your own concerns or responding to concerns raised by someone else?		
<input type="checkbox"/> Responding to my own concerns <input type="checkbox"/> Responding to concerns raised by someone else	If responding to concerns raised by someone else, please provide their name, role and contact details (if known):	
Please provide details of the safeguarding concern or allegation including times, dates, any visual observations of injury or the mental state and other relevant information. Make it clear whether you are giving a fact, expressing your opinion or expressing the opinion of someone else.		
The child or adult's account of what happened (e.g. of any incident, injury, disclosure, behaviour) if known		
Please provide details of the person alleged to have caused the incident/injury if known (e.g. names(s))		

/address/ incident address /relationship to child or adult

Please provide details (name, role contact details if known) of any witnesses to the incident/concerns:

Part 5: Actions Taken	
State any risk of immediate harm	
Identify any action taken already	
Is the child or adult or accused person aware that a report has been made to the DSO	
If a referral is being made externally are the parents/carers aware of this?	
Any known previous records of safeguarding concerns or allegations	
Any further information or comments or actions to be taken	

Date and time of report being submitted and to whom.....

Part 6: Immediate action and decisions by DSO

Appendix 8: Safeguarding Action Log

Date & time	Name	Notes	Action	By Whom

Appendix 9: Serious Incident Reporting⁶ to the Charity Commission – guidance for the DSO and trustees

MAKE Southwest must comply with the serious incident reporting procedures as required by the Charity Commission for England and Wales. They expect a report if a serious safeguarding risk materialises. This will usually be if any of the following occur⁷:

- incidents of abuse or mistreatment (alleged or actual) of beneficiaries of the charity (adults or children) which have resulted in, or risk, significant harm to them and:
 - this happened while they were under the care of the charity
 - someone connected with the charity, for example a trustee, staff member or volunteer, was responsible for the abuse or mistreatment (alleged or actual)
- other incidents of abuse or mistreatment (alleged or actual) of people who come into contact with the charity through its work, which have resulted in or risk significant harm to them and are connected to the charity's activities
- breaches of procedures or policies at the charity which have put people who come into contact with it through its work at significant risk of harm, including failure to carry out relevant vetting checks which would have identified that a person is disqualified in law from holding their position within the charity. This might be, for example, because they are disqualified under safeguarding legislation from working with children and or adults.

The above may include incidents in the workplace that have resulted in or risk significant harm to trustees, employees or volunteers. This does not mean that the Charity Commission expects charities to report every internal staffing incident - charities need to make a judgement call about which incidents either individually, or as a collection, are serious in the context of the charity.

However, a report should always be made where the level of harm to the victims and/or the likely damage to the reputation of, or public trust in, the charity is particularly high (for example, sexual misconduct by the charity's Chief Executive or another person in a senior position or position of specific responsibility, such as the Safeguarding Trustee). The Commission would also expect to receive a report if the number and nature of staffing incidents indicate there are widespread or systematic issues connected to sexual harassment, abuse and/or other misconduct in a charity. This is because abuse can thrive in such conditions or people may be fearful of sharing concerns because of the consequence treatment they may receive from colleagues.

MAKE Southwest may be alerted to alleged abuse of a beneficiary, employee, volunteer or someone else who it encounters through its work, which has occurred outside of the charity (e.g. in the family home or community) and:

- The abuse was not connected to its activities in any way
- The person responsible for the abuse was not a trustee, staff member or volunteer.

In such incidents, MAKE Southwest is **not** expected to report to the Commission unless it's found (or alleged) that the incident wasn't handled appropriately by us and this resulted in harm to the person or persons concerned. In such circumstances, a report should also be made to the police and local authority.

The guidance (How to report a serious incident in your charity, June 2019) provides examples of the types of incidents that should be reported⁸.

⁶ In Scotland, this is referred to as 'Notifiable Events'

⁷ <https://www.gov.uk/guidance/how-to-report-a-serious-incident-in-your-charity> Accessed online on 5/1/21

⁸ Examples table - deciding what to report:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/752170/RSI_guidance_what_to_do_if_something_goes_

A serious incident report should be submitted to the Charity Commission via their online form.

The Charity Commission's role in relation to safeguarding incidents

The Commission's role is to ensure that trustees are handling the incident appropriately and, where necessary, putting in place improved governance and internal controls, to prevent further harm.

The Commission is not responsible for dealing with incidents of actual abuse or mistreatment and it does not administer safeguarding legislation. It cannot prosecute or bring criminal proceedings although it may refer concerns on to 'lead agencies', such as police, local authorities and the Disclosure and Barring Service, as well as to specialist bodies responsible for designated areas, such as education or health and social care.

What to report to the Charity Commission

The Commission's Serious Incident Reporting Guidance notes that it is important to provide enough detail in the report to give the Commission a clear picture of what happened and when, the extent of any loss or harm, how the charity is dealing with it and the planned/possible next steps. It is important to balance the fact-finding exercise with the need to report incidents promptly.

The SIR Guidance says that if, having submitted a report to the Commission, the charity becomes aware of any material changes to the facts reported or significant developments, the charity must inform the Commission as soon as it becomes aware of them.

Information to be included in the report to the Commission:

Contact details

- the individual submitting the report and their connection to MAKE Southwest;
- the charity name and its registration number
- reference number and contact details if it's been reported to other organisations such as the police or children's social care
- who within the MAKE Southwest Trustee Board is aware of the incident

Incident details

- date of the incident;
- what happened;
- date the charity found out about the incident;
- how the charity found out about the incident;
- what impact the incident has had on the charity's beneficiaries, employees, operations or reputation;
- whether trustees are aware of the incident.

How the incident is being handled

- which of the charity's policies or procedures relate to the incident and whether they were followed?
- what steps the charity has taken to deal with the incident?
- what steps the charity has taken to prevent similar incidents?
- where applicable, the charity's media handling or press lines, including a link to press release if available;
- it is not necessary to provide the names or any other personal details of any individuals involved in the incident in the initial report – the Commission will request this information if they need it.

Confidentiality and data protection

All serious incident reports should be marked as confidential (unless the information is already wholly available in the public domain, which is highly unlikely). In addition:

- any personal data should be removed to the greatest extent possible and, if appropriate, the risk of identification of individuals (though unnamed) should be highlighted;
- any particularly sensitive information in the report should be identified;
- any specific exemptions from disclosure (such as an exemption under the Freedom of Information Act) should be specifically referred to and relied upon; and
- the report should contain a request that it is not disclosed to third parties and that the Commission notifies the charity if it receives a request to disclose information to third parties (e.g. the media or individuals).

What happens next?

The Commission will acknowledge receipt of the report. It will assess the risk and look at how MAKE Southwest is dealing with the incident, and may take steps to verify the details, for example and where relevant, by contacting the police. The Commission may also follow up if it:

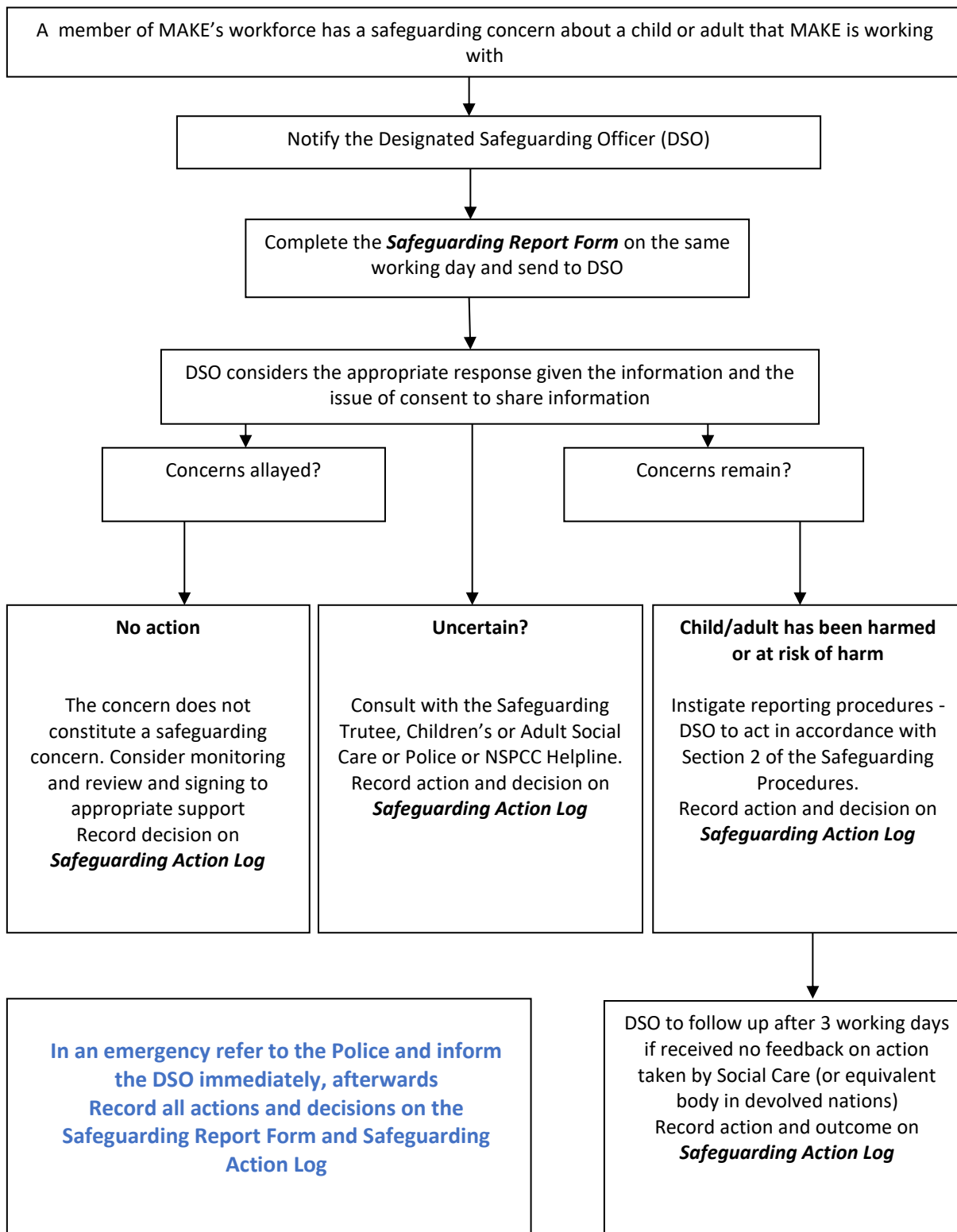
- needs more information about the incident;
- thinks MAKE Southwest
- would benefit from regulatory advice and guidance;
- has to use its legal powers to protect the charity and/or the people who come into contact with the charity through its work;
- decides to request updates on future development;
- needs to monitor the charity's progress in dealing with it;
- in very serious cases the Commission may take steps to exercise its enforcement powers, for example, issuing a warning or opening a statutory inquiry into the charity, though it is rare that it would do so without some form of preliminary communication or dialogue.

Learning from serious incidents

It is important that MAKE Southwest appropriately manages and responds to a serious incident. This includes learning from the incident and taking steps to minimise further harm in consequence of the incident and to prevent similar incidents from occurring in the future.

The DSO and Safeguarding trustee should consider whether MAKE Southwest has taken appropriate steps to respond to a serious incident and ensure that sufficient controls and procedures are put in place to mitigate and manage any future risks to the Charity and its beneficiaries.

Appendix 10: Flowchart: Responding to a safeguarding concern about a child or adult



Appendix 11: Flowchart: Responding to a safeguarding allegation

