

Safeguarding Policy

Policy title	Safeguarding Policy
Version	3.0
Approved by	Board of Trustees
Date approved	July 2021
Policy owner	Director of Finance and Governance
Policy manager	Head of Safeguarding, Compliance and Assurance
Date of last minor update	
Date for next full review	July 2022

Our vision

We can all live a happy, connected and purposeful later life

Our mission

To ensure that as we grow older, we all have the opportunity to live well with dignity, choice and purpose

Our values

Purpose-driven – Compassionate – Expert – Collaborative -Accountable - Inclusive

The organisation's:

Safeguarding Lead is -

Jodie Brooks

Head of Safeguarding, Compliance and Assurance

Deputy Safeguarding Lead is -

Jonny Grant

Safeguarding Manager

Trustee Safeguarding Lead is -

Karl Demian

Trustee

1. Purpose

Independent Age has a responsibility to prevent and report concerns about the abuse, neglect and ill treatment of those people who are at risk of being harmed (see definitions below). We have a duty of care, when they are accessing or engaging with us through our services and we will do everything we can to provide a safe and caring environment.

Anyone who is employed or volunteers for or, on behalf of Independent Age, regardless of the type or amount of contact they have with people who are at risk, has a role to play in safeguarding and protecting them. They must:

- share our commitment to safeguarding
- know how to recognise potential abuse
- know what to do when safeguarding concerns arise
- understand what the organisation expects of them in terms of their own behaviour and actions.

It is important to remember that those at risk can also abuse and that such incidents fall into the remit of this policy and its associated procedures.

This policy sets out our commitment, expectations and responsibilities in respect of safeguarding and applies to all staff and volunteers and anyone else who works with or on behalf of Independent Age. It applies to all of our activity, whether out in the community or online. Our safeguarding procedures set out how to recognise potential abuse and what to do if concerns arise and should be read in conjunction with this policy.

2. Definitions

Adult at risk

An adult at risk is a person over the age of 18 years (16 years in Scotland) and:

- Has care and support needs, and,
- Is experiencing, or is at risk of experiencing, abuse and 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.

An adult at risk of abuse can be anyone who accesses our services, staff or volunteers (including Trustees) and supporters of Independent Age. Whilst personal characteristics may make an individual more vulnerable i.e. disability and communication difficulties, it is the situation around an individual which may increase risk or place them at potential risk of harm. It is therefore, vital to be open to the possibility that any adult may be at risk and that this can be temporary or on-going depending on the support and protective factors around them.

Child/young person

A child/young person is anyone who has not yet reached their 18th birthday (16th birthday in Scotland). Young people with disabilities can be safeguarded beyond the age of 18 (up to 25 years, when they are considered an adult or an 'adult at risk' depending on their level of needs).

Whistleblowing

Whistleblowing is when someone raises a concern externally, about a person or practice within the organisation which will affect others in an illegal and/or harmful way.

2. Policy Statement

The welfare of all adults at risk and any children or young people connected with them, is paramount. Our approach to safeguarding those at risk is based on the following principles:

- All those at risk have a right to equal protection from all types of harm or abuse, regardless of age, ability, gender, racial heritage, religious beliefs, sexual orientation or personal characteristics which may indicate additional vulnerabilities.
- The best interests of the person are at the centre in all considerations about the safeguarding.
- Where concerns are identified, the key principles of working with those at risk will inform our approach to how we intervene at all times.
- Where a concern is identified, we must communicate very clearly what we have done and will be doing to safeguard the person at risk, unless to do so would in any way increase risk to them. Capacity will be assumed unless there is reason to believe that the person cannot understand.
- Where we are working together with adults at risk, their carers', family members and other agencies, it is important to recognise that, in some limited circumstances, it will not be appropriate to engage with carers or family members to protect the adult at risk.
- Concerns or allegations that staff or volunteers have abused or neglected any person at risk will be taken very seriously and managed sensitively and fairly in line with this policy, relevant legislation and local procedures.

We aim, at all times, to follow best safeguarding practice throughout all our activities with adults, their carers and/or families. We will implement this policy by:

- Maintaining a clear and transparent commitment to safeguarding those at risk of abuse or neglect
- Providing effective leadership and management for staff and volunteers through induction, supervision/one-to-one learning and mentoring, support (including out of hours support) and training
- Ensuring effective and robust safeguarding and protection practices by having clear policies, procedures, practice standards and guidance in

place so that we are clear about everyone's responsibility and accountability.

- Empowering staff to exercise professional judgement based upon acting in the best interests of, and outcomes for those at risk
- Using safe recruitment and employment practices to ensure that robust recruitment, selection, induction and supervision/one-to-one processes are in place for all those who work for and with Independent Age.
- Setting clear minimum requirements around safeguarding for all organisations supported through our grant giving activity.
- Maintaining safeguarding as paramount within our responsible investment policy and decision-making.
- Referring to the relevant statutory bodies (such as the police and Local Authority Social Care Services/equivalent) and the relevant Regulatory Bodies (such as the Charity Commission in England and Wales, and the Office of the Scottish Charity Regulator, OSCR)

We endeavour to provide a safe and caring environment and we will achieve this by adhering to this policy, guidance and risk assessments. Our organisation holds current Public Liability Insurance which covers all our activities.

4. Roles and Responsibilities

Safeguarding is everyone's responsibility and it is important that everyone who works or volunteers for or works with and on behalf of Independent Age is alert to possible signs of abuse or neglect and acts on their concerns. Within our safeguarding arrangements, the following roles or groups of roles have the following additional responsibilities:

The **Safeguarding Lead** at Independent Age is the Head of Safeguarding, Compliance and Assurance. The role of the Safeguarding Lead is to:

- Develop and promote positive safeguarding policies, procedures, practices and training across Independent Age.
- Ensure that all staff are trained in safeguarding procedures and are confident in taking appropriate action when concerns or suspicions are raised.
- Ensure that all volunteers are trained in safeguarding procedures to enable them to understand reporting procedures and take appropriate action when they have concerns or suspicions of potential safeguarding issues.
- Regularly audit safeguarding concerns raised to identify and analyse any trends to improve policies, procedures and practice.
- Coordinate and submit external reports to relevant regulators, in an accurate and timely manner.
- Act as a source of support, advice and expertise within the organisation.

This role is supported by the **Deputy Safeguarding Lead** who is the Safeguarding Manager.

The **Trustee Safeguarding Lead** champions safeguarding at Board level, offering advice, oversight and support to the trustees, CEO and designated Safeguarding Lead in areas of safeguarding policy and practice. They also endorse the annual safeguarding plan (which will include areas such as monitoring, reporting, training and improvement projects) prior to Board approval.

All staff and volunteers, irrespective of their role, have a part to play in safeguarding those we support who are at risk. All staff and volunteers will undertake the relevant training for their role and adhere to this safeguarding policy and its associated procedures. All staff and volunteers are responsible for being alert to safeguarding concerns and reporting to them to their manager and the Safeguarding Lead.

Heads of Department and Managers are responsible for ensuring that they, and the staff, volunteers and third-party contractors they manage, are aware of, and confident in implementing Independent Age's Safeguarding Policy and Procedures and complete relevant training. They should ensure that safeguarding and risk assessment is discussed at team meetings and as part of the supervision/one-to-one process. They may be required to make decisions relating to complex or serious safeguarding concerns and must seek advice from the Safeguarding Lead/Deputy, where required.

The Senior Leadership Team have a responsibility for ensuring that issues relating to working with adults at risk are included, where appropriate in strategic plans, risk assessments, communications and quality assurance for their Directorates. In some cases, they will be required to make decisions in relation to serious safeguarding concerns in consultation with the Safeguarding Lead. The CEO will ensure that Trustees are kept informed of safeguarding matters and, together with the Safeguarding Lead, support the Trustees in fulfilling their governance responsibilities in relation to safeguarding.

Trustees have responsibility for the general governance of the organisation and have a duty of care which includes taking the necessary steps to safeguard those at risk of abuse and neglect. This includes people who benefit from our work, staff, volunteers and anyone who engages with organisation through our work. Trustees are responsible for promoting a fair, open and positive culture and ensure all involved feel able to report concerns, confident that they will be heard and responded to.

Third-parties and subcontractors working on behalf of or involved in the delivery of services for Independent Age must comply with this safeguarding policy, legislation and all relevant regulatory codes of conduct including the Institute of Fundraising's code of practice when dealing with donors and prospective donors. We may, where relevant and appropriate, review and monitor safeguarding arrangements of those we contract with, as part of our procurement procedures.

Staff and volunteers outside of their working or volunteering role

When staff or volunteers are outside of their working or volunteering role for Independent Age, they may identify safeguarding concerns in their own family or networks, community, neighbourhood or through activities in which they participate. Independent Age expects all its staff and volunteers to act appropriately on any safeguarding concerns they encounter about a person at risk. Staff and volunteers can share any safeguarding concerns with the Safeguarding Lead/Deputy or directly with the local authority social care service (or equivalent), or the police if they suspect a crime has been committed. It should never be an option to do nothing where you have concerns about an individual who may be at risk of harm.

5. Safeguarding Practice

Data Protection

We will treat any personal information, by which an individual can be identified (i.e. name, address, email etc) in accordance with the provisions of the Data Protection Act 2018 (DPA 2018), and the UK General Data Protection Regulation (UK GDPR) and will not share information with any third party, except where required by law.

Information Recording, Sharing and Confidentiality

Timely and accurate written records play an essential role in safeguarding individuals, who may have experienced, are experiencing or at significant risk of experiencing harm. It is important that records are shared at the appropriate time when necessary. The decision to share written information and with whom, will be undertaken by the Safeguarding Lead.

This policy is in line with government guidance about confidentiality. We fully endorse the principal that the welfare of those at risk overrides any obligations of confidentiality we may hold to others. No one working or involved with Independent Age can promise absolute confidentiality. Individual cases will only be shared or discussed on "need to know" basis.

Allegations made against staff, volunteers and third-party contractors

Where a complaint or allegation has been made regarding any inappropriate behaviour or poor practice, the Safeguarding Lead or Deputy will, in all cases, discuss the situation with the People and OD Team and social care services and / or the police (as appropriate) before making an open decision about the best way forward.

In the case where the Lead is implicated, the Deputy should be informed. In the exceptional circumstances that both are involved, the person concerned will inform the Director of Finance and Governance. If there is a belief that the

concern has not been taken seriously or acted upon then any one can “Whistleblow” (see section below)

With regards to disciplinary and grievance procedures, we will take no steps until we have fully discussed and agreed a strategy with social care services and / or the police, as appropriate. Any investigation will override the need to implement any such procedures. We have a duty to make referrals to the relevant criminal records service and/or Regulatory Authority.

Whistleblowing

We promote the sharing of any concerns regarding the welfare and safeguarding of those at risk, as soon as possible, with the Safeguarding Lead. If those reporting their concerns do not feel they have been acted upon, then we support their right to report these concerns to Social Care Services, the Police, and/or the relevant Regulatory Authority. For more information about whistleblowing, please see our [Whistleblowing Policy and Procedure](#).

Safer Recruitment

We are committed to safer recruitment practices as a vital step in our safeguarding arrangements towards keeping those at risk who have contact with our staff and volunteers safe.

We will:

- advertise vacancies with a clear commitment to safeguarding and the level of criminal records check required, included within the advert
- assign all roles with a detailed role description and person specification (where relevant), including relevant safeguarding responsibilities
- obtain full personal details within the recruitment and onboarding process, including right to work and previous work with adults
- ask applicants to complete a self-disclosure (criminal declaration) form, as set out by the Rehabilitation of Offenders Act 1974, prior to interview
- seek up to two written references, with one from the most recent employer (for paid roles)
- undertake all interviews face-to-face (including virtually), based on the role description and person specification (where relevant)
- ensure that at least two people are on the interview panel and that one person on the interview panel will have undertaken Safer Recruitment training, in line with safer recruitment guidelines
- maintain clear procedures and robust recording for interviewing, to ensure we are satisfied and can evidence that the applicant is appropriate and suitable for the role.

Any offers made to appoint are subject to satisfactory completion of all the vetting process we need to undertake, including:

- a satisfactory criminal record check (Disclosure and Barring Service check in England and Wales and Protecting Vulnerable Groups check in Scotland) at the appropriate level.
- verification of two written references by telephone, if required.
- a check of essential qualifications, where required.
- suitability and ability to work with those at risk (mainly adults).

Induction and Training

All new staff, volunteers and trustees will receive induction training, as soon as possible within three months of starting their role. A requirement of their induction will be to acknowledge they have received and understood this policy and its associated procedures and understood the organisation's commitment to safeguarding. Those who participate in the Out of Hours Support Service will receive relevant induction training prior to commencing their role.

staff, volunteers and trustees will receive further safeguarding training where required, at the appropriate level and relevant to their role. Training will be refreshed every two years.

Capacity and consent

We recognise the importance of those at risk being as involved as possible within the safeguarding process. This includes control over their day to day life and recognising the person is best placed to understand their own well-being requirements. A person aged 18 years or older (16 years or older in Scotland) is presumed in law to have capacity to consent, unless there is evidence to the contrary.

We will:

- obtain consent before we undertake any activity (including fundraising) or safeguarding response, including sharing information with others
- take all reasonable steps to support them to make their own decisions, providing clear and simple information
- always consider a person's capacity to understand the consequences of giving or withholding their consent. We will take all practicable steps to help them make a decision and actively seek to explain the issues using their preferred mode of communication and language.

Actively seeking consent can mean respecting an adult's choice, even when this puts them at risk of harm. We recognise that adults may not give their consent to the sharing of safeguarding information for many reasons. Where this is the case, we will provide reassurance and appropriate support to help inform their view on whether it is best to share information. If, after this, the adult refuses intervention to support them with a safeguarding concern, or requests that information about them is not shared with other safeguarding partners, in general, we will respect their wishes and maintain a clear and detailed record of the decision-making process.

However, there are some circumstances where we can reasonably override such a decision around consent and seek further advice from a statutory partner, including:

- where we have concerns around their mental capacity to make that decision – this will be properly explored and recorded in line with the Mental Capacity Act 2005;
- emergency or life-threatening situations which warrant the sharing of relevant information with the emergency services without consent;
- other people are, or may be, at risk, including children;
- sharing information could prevent a serious crime;
- a serious crime has been committed;
- the risk is unreasonably high and duty of care must be considered;
- staff are implicated;
- there is a court order or other legal authority for taking action without consent.

Where a decision is to take action without the person's consent, then unless it is unsafe to do so, we will be transparent and explain the reasons why.

Where our concern involves a child or young person under the age of 18 (16 in Scotland), we will obtain consent from a parent or guardian, unless it is not appropriate to do so because it would place the person (the individual, family member or third-party) at increased risk of significant harm. Where this is the case, we may need to override consent and seek advice from the Local Authority Social Care Services/equivalent, following our Safeguarding Procedures.

Lone and One to One Working

We recognise that some of our activity requires an element of lone and one to one working. Where this is the case, a risk assessment will always be undertaken, in line with our Lone Working Policy, to ensure:

- the activity is suitable for one to one working
- the lone worker has been recruited, trained and is supervised to undertake this role
- Health and Safety issues have been identified and recommendations followed
- safeguards are in place to protect their rights to safe working practice
- safeguards are in place in relation to strategies for emerging situations.

Any safeguarding concerns raised, and any untoward incidences must be followed up, recorded and managed in line with this policy and its associated procedures.

Code of Conduct

We aim to provide a safe environment free from discrimination, promoting equity, diversity and inclusion. We undertake to:

- treat those at risk with dignity and respect

- ensure that their welfare and safety is paramount at all times
- maintain professional boundaries, both face to face and when using technology
- always listen to individuals and take account of their wishes and feelings
- always act in a professional way
- listen to and act upon any disclosures, allegations or concerns of abuse
- participate in approved safeguarding training at appropriate levels
- follow this safeguarding policy at all times.

Responding to concerns

We ensure and emphasise that everyone in our organisation understands and knows how to share any concerns as outlined in our safeguarding procedures. Everyone, including the Safeguarding Lead and Deputy will follow these procedures.

Record keeping

At all times when required and especially where there is a safeguarding concern, we are committed to keeping records which are:

- captured in sufficient detail to identify the person at risk and any significant others
- accurate and factual, including information relating to:
 - what has been monitored/observed/disclosed
 - what has been said and by whom
 - what has given cause for the concern
 - what action has and/or will be taken, including the reason for those actions
 - the reason stated for no action being taken and by whom.
- non-judgmental
- timely, and whenever possible, within 24 hours
- shared as appropriate with the Safeguarding Lead/Deputy
- stored safely and securely.

Bullying and Harassment

Bullying and harassment, physical and/or emotional abuse directed at our staff, volunteers and people we support, including from or towards those at risk, will not be tolerated. All such behaviour will be treated as a safeguarding concern when it is directed at those who are deemed at risk. Further information can be found in our Bullying and Harassment Policy.

Safeguarding, responsible investment and working with others

We have a duty to get the best return on our investments to benefit older people, however we acknowledge that in doing so, we must make sure our choice of investment does not cause harm to those we seek to support and that

our choice of investment is not connected in any way to activities which are criminal or unethical.

We will:

- work with our investment partners to ensure that due diligence checks are carried out with all organisations we intend to do business with before making investments or setting up partnerships;
- have a schedule for renewing checks on long term investments;
- regularly review our Responsible Investment Policy which considers the safeguarding and reputational risks that we will not accept.

We have a duty to make sure that our choice of partners does not cause harm to those we seek to support and that those organisations we work with are not connected in any way to activities which prevent older people living well with dignity, choice and purpose.

Safeguarding in grant making

As a grant maker, we are committed to making sure that the organisations we support are doing all they can to keep people safe, regardless of the size of grant. We also acknowledge that as a grant maker, we have an opportunity to contribute towards better safeguarding practice across the sector to further protect those at risk from abuse or neglect.

We will:

- carry out due diligence checks on organisations who apply for our grants to make sure they are suitable;
- check that they have appropriate safeguarding procedures in place;
- make sure there are clear lines of accountability, responsibility and reporting between all bodies involved;
- set out our expectations about safeguarding in our standard grant agreement.

Safeguarding in Fundraising

We are committed to our fundraising being:

Legal – all fundraising must meet the requirements of the law.

Open – Fundraisers must be open with the public about their processes and must be willing to explain, where appropriate, if they are asked for more information.

Honest – Fundraisers must act with integrity and must not mislead the public about the cause they are fundraising for, or the way a donation will be used.

Respectful – Fundraisers must demonstrate respect, whenever they have contact with any member of the public. This includes recognising individuals' situations and responding to their needs in the best way to make sure they are safe.

Staff and volunteers raising funds on behalf of Independent Age are required to follow this commitment and the standards set out in our fundraising policies and procedures.

8. References

This policy should be read in conjunction with:

Adult Safeguarding Procedures (include No Trace procedures)
Acceptable Use of IT
Children and Young People Safeguarding Procedures
Data Protection and Confidentiality Policy and associated procedures
Disciplinary Policy and procedures
Responsible Investment Policy and associated procedures
Ethical Fundraising Policy and associated procedures
Equality, Diversity and Inclusion Policy
Safer Recruitment Policy and associated procedures
Volunteer Problem Solving and Complaints Policy
Whistleblowing Policy and associated procedures

9. Legislative Context

Independent Age works across the four nations and, therefore adheres to the framework of relevant legislation and statutory guidance in the countries in which it operates. The relevant law and guidance is as follows:

- **The Care Act 2014** - the primary legislation in England for the support and protection of adults.
- **The Social Services and Well-being (Wales) Act 2014** was enacted by the National Assembly for Wales to reform social services law.
- **Adult Support and Protection (Scotland) Act 2007** affords greater protection to adults at risk of harm or neglect.
- **The Northern Ireland government's framework for adult protection** mirrors that in the other home countries and take the following Northern Ireland guidance and orders into consideration:
 - Adult Safeguarding: Prevention and Protection in Partnership (July 2015)
 - Adult Safeguarding Operational Procedures (Sept 2016)
 - Family Homes and Domestic Violence (NI) Order 1998
 - The Safeguarding Vulnerable Groups (NI) Order 2007
 - Justice Act (Northern Ireland) 2015

In addition, the **Human Rights Act (1998)** gives everyone the right to live free from abuse, violence and degrading treatment.

10. Monitoring Compliance

This policy and its procedures will be subject to annual review, in line with regulatory requirements and insurance conditions. Compliance with this policy

and its procedures will be subject to audit as part of the wider assurance plan, overseen by the Safeguarding Lead/Deputy.

11. Commitment to Equity, Diversity and Inclusion

We are committed to encouraging equality, diversity and inclusion (EDI) in our workplace, and in the products, goods, services and facilities we provide. We are also committed to eliminating unlawful discrimination related to employees, volunteers, the people who use our services, and the public. This policy and its associated procedures will be reviewed from time to time to ensure they remain aligned to our EDI commitments. Specifically, that this policy remains compliant with the Equality Act 2010 protected characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including colour, nationality, and ethnic or national origin), religion or belief, sex and sexual orientation. Comments and actions that contribute to discrimination, harassment or victimisation are not acceptable and will be challenged. Such incidents will be recorded and shared with relevant agencies, when necessary and appropriate.

12. Feedback

If you have any feedback or have identified an issue or inaccuracy with this policy, please contact the Safeguarding, Compliance & Assurance Team at: Assurance@independentage.org