



Operations

Safeguarding Policy

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Nugent's vision and objectives for safeguarding

The vision for safeguarding throughout Nugent is to maintain safe and effective services and to strengthen arrangements by working collaboratively with partner agencies. Nugent recognises its duty towards safeguarding and promoting the welfare of children, young people, adults, staff members and volunteers. Our services will prevent and respond to abuse and neglect ensuring that the ethos and atmosphere is conducive to a safe environment. All beneficiaries will feel and be supported to report safeguarding concerns to any member of staff. Staff members and volunteers will feel and be supported by colleagues, including senior, executive leaders and the board of Trustees. Staff and volunteers are able to report and seek advice and guidance on any safeguarding concerns, including those regarding colleagues or themselves. We will protect children, young people and adults who are at risk of abuse and/or neglect by having procedures in place that reflect the current legislation, guidance and best practice.

The objectives for safeguarding are linked to the following strategic plan objectives for 2020-2025;

- Objective 11 – Outstanding regulatory ratings
- Objective 13 – Outstanding beneficiary outcomes

Safeguarding Risks Include:

- sexual harassment, abuse and exploitation
- bullying and cyber bullying
- child sexual exploitation
- child trafficking
- criminal exploitation and gangs
- domestic abuse

- emotional abuse
- female genital mutilation
- grooming
- neglect and acts of omission
- non-recent abuse
- online abuse
- physical abuse
- psychological or emotional abuse
- financial or material abuse
- sexual abuse
- sexual harmful behaviour
- peer on peer abuse
- modern day slavery
- negligent treatment
- organisational abuse
- self-neglect
- commercial exploitation
- extremism and radicalisation
- forced marriage
- human trafficking
- discrimination on any of the grounds in the Equality Act 2010
- poor culture of behaviour and poor accountability

We will achieve our vision and objectives by;

- Ensuring all services take appropriate action, in a timely manner to safeguard and promote the welfare of all beneficiaries.
- Ensuring responsibilities and procedures are fully understood and that everyone can recognise the signs and indicators of abuse or neglect and respond to them appropriately.
- Ensuring all relevant safeguarding policies and procedures are regularly reviewed and remain fit for purpose, meeting local and national guidance with all statutory requirements in place.

- Sourcing and providing up to date relevant and specialist training to identified cohorts of staff as identified by the organisations regularly updated training needs analysis.
- Participating in, and disseminating learning from, Serious Case Reviews and Safeguarding Reviews to all services as appropriate.
- Hearing the voice of individuals and making safeguarding personal for adults and children through all safeguarding investigations and enquiries.
- Maintaining current, and forging new, collaborative relationships with relevant partner agencies within the local authority safeguarding partnerships, NHS Trusts or other stakeholders relevant to the service.
- Actively participating in internal and multi-agency audits to inform best practice
- Ensuring involvement of all relevant personnel in Section 47 enquiries and individual management reviews
- To maintain active partnerships working with relevant prevent boards and channel panels to support people who are at risk of radicalisation
- Identifying safeguarding themes and trends within services, geographic areas or service user groups to target learning and development within those services identified within the analysis.
- Maintaining and developing our knowledge and expertise within the safeguarding arena including the authorship, involvement and dissemination of lessons learnt within local safeguarding enquires, serious case reviews and safeguarding adult at risk reviews.
- Disseminating learning and development recommendations from all key enquiries.
- Undertaking audits relevant to the safeguarding agenda
- Monitoring lessons learnt and service developments to be assured learnings have become embedded in practice.

- Utilising cross agency systems to ensure a multi-agency/multi-disciplinary approach to safeguarding.

We will know we have achieved our vision and objectives when;

- Everyone who works for Nugent knows what signs and indicators of abuse to look out for and who to contact for advice and support, demonstrated through our Safeguarding audits and regulatory inspections.
- Nugent reports and responds in a timely and effective way to concerns about abuse.
- Individuals have access to the support and services that they need from Nugent.
- People have their voices heard within safeguarding procedures and services. We maximise their rights to choice and control, within the confines of their mental capacity and competence.
- Children and adults are protected when necessary and have improved quality of life as a result.
- Nugent recognises that safeguarding children and adults is a shared responsibility and will ensure appropriate arrangements are in place to co-operate with the local authority in the operation of the safeguarding partnerships.

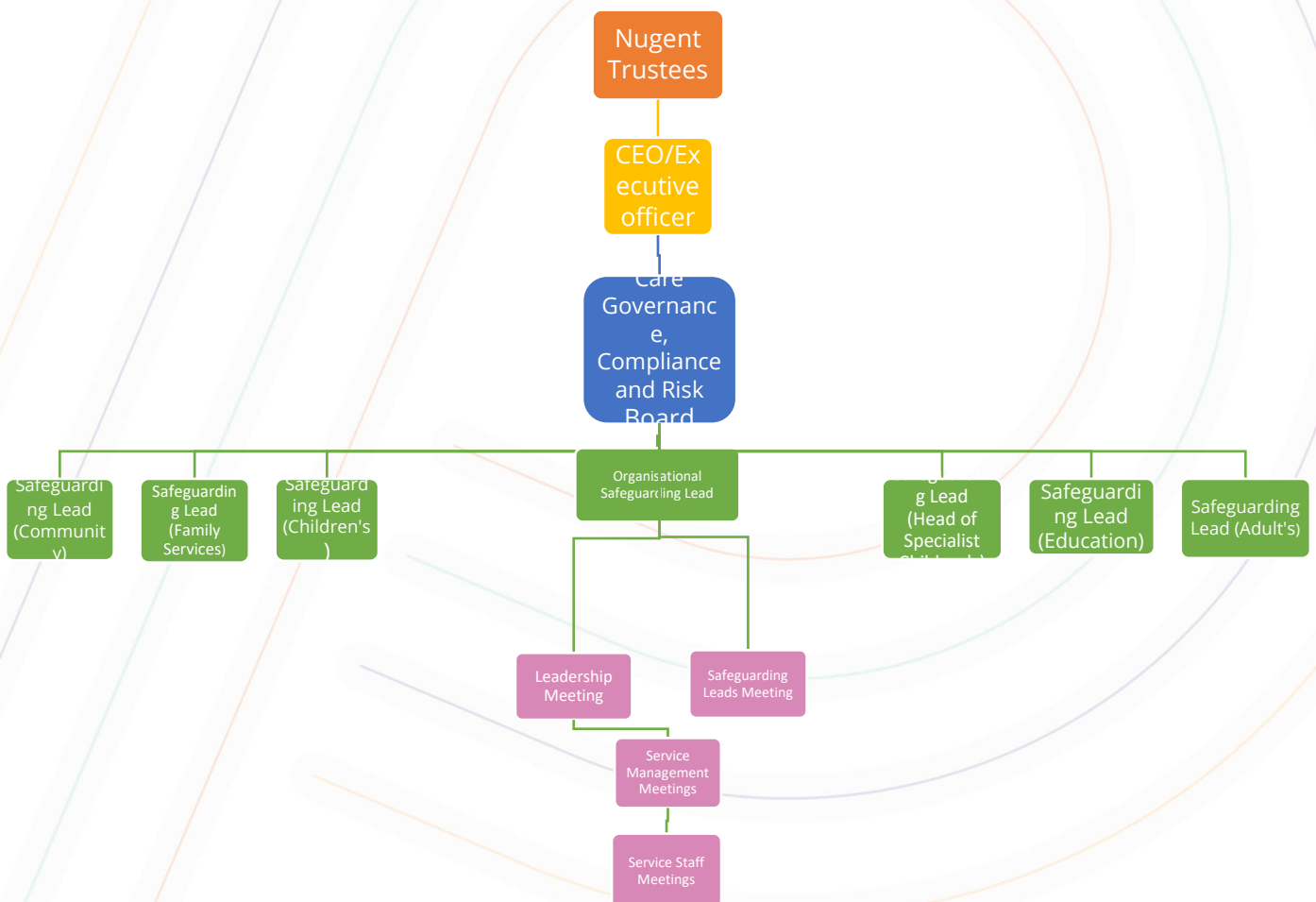
Governance of Safeguarding

Nugent safeguarding will be monitored and governed by the CEO through the Care, Compliance and Risk Governance board, Nugent Safeguarding Leads, Responsible and Nominated Individuals, Registered Managers and Designated Safeguarding Leads.

Continuous improvement and compliance in quality and safety outcomes will be achieved through the use of data collection for the population of a safeguarding dashboard as well as audit and monitoring of compliance with policies and procedures.

Safeguarding is included in Nugent’s audit schedule as part of the Governance Framework. All services are audited 2 times per year.

In addition, each area has a dedicated safeguarding lead who ensures effective measures, procedures and processes are in place and adhered to, as shown in the organogram below:



Safeguarding Children and Young People

This safeguarding policy, relating to children and young people is based on legislation, policy and guidance that seeks to protect children in England. The Children Act (1989) provides the legislative framework for child protection in England; it states that the child's welfare is paramount and that every child has a right to protection from abuse, neglect and exploitation. Statutory guidance on making arrangements to safeguard and promote the welfare of children is identified and strengthened in the Children Act (2004) and specifies what is required of organisations.

This policy ensures safeguarding children and young people is part of Nugent's overall safeguarding strategy to respect the rights of people supported by Nugent; it sets out the legislation and principles which underpin Nugent's responsibilities to keep children and young people safe in our care. It is supported by procedures that refer to the actions to be taken in specific circumstances and/or cases of safeguarding concerns. Nugent recognises that we must work in partnership with the relevant Local Authority and partner agencies in order to protect children and young people, at risk of, or experiencing abuse or neglect.

The process for recording safeguarding incidents, concerns and referrals are undertaken in line with relevant legislation and statutory guidance, these are primarily led by Working Together to Safeguard Children Statutory Guidance and Keeping Children Safe in Education (2023). Further guidance and definitions can be found in appendices 1 and 2.

Safeguarding children and young people is far more than a set of guidance or procedures; it needs to be embedded in all we do in all our work to prevent abuse and promote the well-being of children and young people.

This policy applies to every person working or volunteering in any Nugent operational or support service, including the Nugent Trustees.

Principles

We believe that:

- The child's needs and welfare are paramount. All children have a right to be protected from abuse and neglect and have their welfare safeguarded.
- Keeping Children Safe in Education (DfE 2023) reminds us that all staff should maintain an attitude of "***it could happen here***" where safeguarding is concerned.
- We have a responsibility to promote the welfare of all children and young people, to keep them safe and to practise in a way that protects them.
- Children will be listened to and their views and wishes should inform any assessment and provision for them. Staff should always act in the interests of the child, in order to protect them.
- All children and young people without exception, have the right to be protected from harm and to be provided with safe environments in which to grow with confidence.
- It is the responsibility of everyone to ensure that the rights of children and young people are upheld and that children are kept safe.
- ***'All staff should be aware of the process for making referrals to children's social care and for statutory assessments under the Children Act 1989, especially section 17 (children in need) and section 47 (a child suffering, or likely to suffer, significant harm) that may follow a referral, along with the role they might be expected to play in such assessments.'*** (KCSIE 2023)

- All staff have responsibility to report their concerns about a child **without delay** to the Designated Safeguarding Lead. Whilst the Designated Safeguarding Lead will normally make referrals to Children's Services, **anyone** can refer their concerns to children's social care directly in emergencies or if they feel they need to do so.

In striving to fulfil our responsibilities we recognise that:

- The welfare of the child is paramount.
- All children, regardless of age, disability, gender, gender reassignment, race, religion or belief, sex, or sexual orientation have a right to equal protection from all types of harm or abuse.
- Some children are additionally vulnerable because of the impact of previous experiences, their level of dependency, communication needs or other issues.
- Working in partnership with children, young people, their parents, carers and other agencies is essential in promoting young people's welfare.

The purpose of all interventions should be to achieve the best possible outcomes for each child recognising each is unique.

The Legal Framework - Children's Services

The Children Act (1989)

The Children Act (1989) [The Children Act 1989](#) provides the legislative framework for child protection in England. It states that the child's welfare is paramount and that every child has a right to protection from abuse, neglect and exploitation. Statutory guidance on making arrangements to safeguard and promote the welfare of children is identified and strengthened in the Children Act (2004, [2004 amendment](#)), and specifies what is required of organisations. This includes:

- Senior management commitment to the importance of safeguarding and promoting children's welfare.
- Clear lines of accountability for work on safeguarding and promoting well-being.
- Using the views of children and young people to help shape services.
- Safer recruitment procedures for those coming into contact with children and young people.
- Appropriate training for staff.
- A duty to promote inter-agency cooperation.
- Effective working relations within the Charity and with other agencies to safeguard and promote well-being and to share information effectively.

Both the 1989 and 2004 Acts are amended by the Children and Social Work Act 2017 which amongst its key provisions, includes the replacement of Local Safeguarding Children's Boards (LSCBs) by local safeguarding partners who will publish reports on local safeguarding practice reviews.

Working Together to Safeguard Children

[Working Together to Safeguard Children](#)'s statutory guidance focuses on the core legal requirements, making it clear what individuals, organisations and agencies must and should do to keep children safe. In doing so, it seeks to emphasise that effective safeguarding is achieved by putting children at the centre of the system and by every individual and agency playing their full part.

This child centred approach is fundamental to safeguarding and promoting the welfare of every child. A child centred approach means keeping the child in focus when making decisions about their lives and working in partnership with them and their families.

Keeping Children Safe in Education (2023)

Keeping children safe in education (KCSIE) guidance [Keeping Children Safe in Education \(2023\)](#), the key statutory document which guides best practice in all educational settings. The KCSIE statutory guidance is applicable to all schools and colleges. It is the responsibility of governing bodies of maintained schools and colleges, proprietors of independent schools and non-maintained special schools, as well as management committees of pupil referral units (PRUs) to ensure that ALL staff read at least annex A of the guidance. At Nugent this is completed, as a minimum, on an annual basis.

We comply with KCSIE guidance, and the arrangements agreed and published by our three local safeguarding partners (the Local Authority, the Clinical Commissioning Group (CCG) and the Police). Further guidance and definitions can be found in Appendices 1 and 2.

Safeguarding Adults

The Care Act (2014) places safeguarding adults on a statutory footing with specific duties and responsibilities; this policy reflects the commitment of Nugent to work together to safeguard adults with care and support needs in line with the Care Act (2014). The procedures aim to ensure that all relevant services promote the wellbeing of adults with care and support needs; the interests of adults with care and support needs are always respected and upheld; the human rights of adults with care and support needs are respected and upheld; a proportionate, timely, professional and ethical response is made to any adult with care and support needs who may be experiencing abuse; all decisions and actions are taken in line with the Mental Capacity Act (MCA) 2005.

Safeguarding adults at risk is far more than a set of guidance or procedures; it needs to be embedded in all of our work to prevent abuse and neglect, and to promote the wellbeing of people with care and support needs. It includes the work of our community services, the support of the people who live in our care homes, and the actions of every individual who looks out for the welfare of adults at risk.

In setting out the principles of the Care Act (2014), this policy also gives context to safeguarding procedures that have been developed across all adult sector services and should therefore be read in conjunction with Local Authority Adult Safeguarding Policies and procedures specific to the location of the service. Further guidance and definitions can be found in appendices 1 and 2.

Nugent recognises it must work in partnership with the relevant Local Authority and partner agencies in order to protect adults at risk of or experiencing abuse or neglect.

Principles

The Nugent Safeguarding Adults at Risk Policy is based on the principles that underpin the Care Act (2014); those of promoting wellbeing and putting service users at the centre of all adult safeguarding processes by making safeguarding personal to every individual.

There are six key principles which apply to all sectors and settings, as defined in the Department of Health and Social Care (2023) Statutory Guidance Issued under the Care Act (2014):

- **Empowerment** – People being supported and encouraged to make their own decisions and provide informed consent; “I am asked what I want as the outcomes from the safeguarding process and these directly inform what happens.”
- **Prevention** – It is better to take action before harm occurs; “I receive clear and simple information about what abuse is, how to recognise the signs and what I can do to seek help.”
- **Proportionality** – The least intrusive response appropriate to the risk presented; “I am sure that the professionals will work for my best interests, as I see them and they will only get involved as much as needed.”
- **Protection** – Support and representation for those in greatest need; “I get help and support to report abuse and neglect. I get help so that I am able to take part in the safeguarding process to the extent to which I want.”

- **Partnership** – Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse; “I know that staff treat any personal and sensitive information in confidence, only sharing what is helpful and necessary. I am confident that professionals will work together and with me to get the best result for me.”
- **Accountability** – Accountability and transparency in delivering safeguarding. “I understand the role of everyone involved in my life and so do they.”

Additional Adult Safeguarding Guidance

Each authority will have slightly different policies and procedures to follow. Local Authorities’ procedures will supersede Nugent policies and procedures.

This policy takes account of the ADASS cross boundary protocol. This agreement states that where more than one local authority is involved, “those authorities should consider how best to cooperate on and share the provision of support”.

Details of the policy and procedures that relate to the relevant Local Authorities in which each of our services are located. These can be found through the Local Authorities Safeguarding Adults pages online, or speak to your manager for guidance.

Further national guidance and definitions can be found in Appendices 1 and 2.

The Legal Framework - Adults

The Care Act (2014)

The Care Act (2014) sets out a clear legal framework for how local authorities and other statutory agencies should protect adults with care and support needs at risk of abuse or neglect. New duties include the Local Authority's duty to make enquiries or cause them to be made, and to establish a Safeguarding Adults Board; statutory members are the local authority, Clinical Commissioning Groups and the Police. Safeguarding Adults Boards must arrange Safeguarding Adult Reviews (SARs) as per defined criteria, and publish an annual report and strategic plan. All these initiatives are designed to ensure greater multi-agency collaboration as a means of transforming adult social care.

The Mental Health Act (1983)

The Mental Health Act (1983) is the main piece of legislation covering the rights, assessment and treatment of those with a mental health disorder. Under the Mental Health Act, a person can be detained without their agreement, for urgent treatment of a mental health disorder where they are at risk of harm to themselves or others.

The Mental Capacity Act (2005) (Including Deprivation of Liberty Safeguards)

The Mental Capacity Act (2005), covering England and Wales, provides a statutory framework for people who lack capacity to make decisions for themselves, or who have capacity and want to make preparations for a time when they may lack capacity in the future. These can be small decisions – such as what clothes to wear – or major decisions, such as where to live and what happens if abuse has occurred.

The Act sets out who can take decisions, in which situations, and how they should go about this. In addition, in some cases, people lack the capacity to consent to particular treatment or care that is recognised by others as being in their best interests, or which

will protect them from harm. Where this care might involve depriving people of their liberty in either a hospital or a care home, extra safeguards have been introduced in law (the Deprivation of Liberty Safeguards), to protect their rights and ensure that the care or treatment they receive is in their best interests.

The Human Rights Act (1998)

The Human Rights Act (1998) covers everyone in the United Kingdom, regardless of citizenship or immigration status. Anyone who is in the UK for any reason is protected by the provisions of the Human Rights Act (1998). The Act applies to all public authorities (such as central government departments, local authorities and NHS Trusts) and other bodies performing public functions (such as charities and private companies). These organisations must comply with the Act, and an individual's human rights, when providing a service or making decisions that have a decisive impact upon an individual's rights.

The Care Act (2014) extends the scope of the Human Rights Act (1998). This incorporates registered care providers (residential and non-residential) providing care and support to an adult, or support to a carer, where the care and support is arranged or funded by the Local Authority, including Direct Payment situations (Local Government Association, 2014).

It does not incorporate entirely private arrangements concerning care and support, however although the Act does not apply to private individuals or companies (except where they are performing public functions), public authorities have a positive duty to promote the human rights of individuals and this entails a duty to stop people or companies abusing an individual's human rights.

The Modern Slavery Act (2015)

The Modern Slavery Act (2015) is a UK act of Parliament designed to tackle slavery and human trafficking through the consolidation of previous legislation and the introduction of new measures. Specifically, it introduces new requirements for organisations in regards to their business and supply chains.

A charity or commercial organisation is required to publish an annual statement if all the criteria below apply:

- It is a 'body corporate' or a partnership, wherever incorporated or formed
- It carries on a business, or part of a business, in the UK
- It supplies goods or services
- It has an annual turnover of £36 million or more

As an organisation, Nugent does not currently meet the threshold that requires organisations to be compliant with the Modern Slavery Act (2015), however as a growing charity with a strong value base we will work to the requirements of the Act.

The Wellbeing Principle

The Care Act (2014) introduced a duty to promote wellbeing when carrying out any care and support functions in respect of an individual. This is sometimes referred to as 'the wellbeing principle' because it is a guiding principle that puts wellbeing at the heart of care and support. The wellbeing principle applies in all cases, whether carrying out any care and support function, or making a decision, or safeguarding. It applies equally to adults with care and support needs and their carers.

Wellbeing is a broad concept, and it is described as relating to the following areas in particular:

- personal dignity (including treating the individual with respect);
- physical and mental health and emotional wellbeing;
- protection from abuse and neglect;
- control by the individual over day-to-day life (including over care and support provided and the way it is provided);
- participation in work, education, training or recreation;
- social and economic wellbeing;
- domestic, family and personal relationships;
- suitability of living accommodation;
- the individual's contribution to society.

Making Safeguarding Personal (MSP)

MSP is a shift in culture and practice in response to what we now know about what makes safeguarding more or less effective from the perspective of the person being safeguarded. It is about having conversations with people about how we might respond in safeguarding situations in a way that enhances involvement, choice and control as well as improving quality of life, wellbeing and safety. It is about seeing people as experts in their own lives and working alongside them. MSP aims to facilitate a shift in emphasis in safeguarding from undertaking a process to a commitment to improving outcomes alongside people experiencing abuse or neglect. The key focus is on developing a real understanding of what people wish to achieve, agreeing, negotiating and recording their desired outcomes, working out with them (and their representatives or advocates if they lack capacity) how best those outcomes might be realised and then seeing, at the end, the extent to which desired outcomes have been realised.

Sexual Offences Act (2003)

In the past there have been difficulties in bringing prosecutions against individuals who committed sexual offences against people with mental disorders. The Sexual Offences Act (2003) modernised the law by prohibiting any sexual activity between a care worker and a person with a mental disorder while the relationship of care continues. A 'relationship of care' exists where one person has a mental disorder and another person provides care. It applies to people working both on a paid and an unpaid basis and includes:

- doctors
- nurses
- care workers in homes
- workers providing services in clinics or hospitals
- volunteers

The offences in the Act relating to care workers apply whether or not the victim appears to consent, and whether or not they have the legal capacity to consent. This does not prevent care workers from providing intimate personal care so long as the behaviour is not intended to be sexual. The Act is not intended to interfere with the right of people with a mental disorder who have the capacity to consent to engage in sexual activity with anyone who is not in a caring relationship with them. The SOA also attempts to make the prosecution of rape easier by clarifying the meaning of consent. Section 74 of the Act provides that someone consents to a sexual act if, and only if, he or she agrees by choice and has the freedom and capacity to make that choice.

Ill Treatment or Wilful Neglect

It is an offence under the Criminal Justice and Courts Act 2015 for an individual who has the care of another individual by virtue of being a care worker to ill-treat or wilfully to neglect that individual.

Under S44 of the Mental Capacity Act, ill-treatment and wilful neglect is a criminal offence for anyone, including those with powers of attorney and court appointed deputies, who has care of a person who lacks capacity

Ill treatment and wilful neglect are different. Ill treatment must be deliberate, is an offence irrespective of whether it causes harm, and involves an appreciation by the perpetrator that they were inexcusably ill-treating the person. Ill treatment includes acts such as hitting, administering sedatives to keep people quiet, pulling hair, rough treatment, verbal abuse or humiliation.

Wilful neglect is a failure to act rather than a deliberate act to commit harm. Managers with responsibility for ensuring good care can be held accountable but currently there is no offence of corporate neglect.

Roles and Responsibilities

Board of Trustees

The Board of Trustees have responsibility for the oversight of safeguarding matters.

They do this primarily through the Chief Executive Officer with supporting information and evidence.

- Trustees approve all new policies within the charity, including the Safeguarding Policy.
- There is a Whistleblowing policy and procedure in place.
- Trustees receive safeguarding reports as part of their quarterly performance dashboards and ad hoc briefing papers as appropriate.
- Trustees receive all reports as published by both the Care Quality Commission and Ofsted.
- Trustees are notified of reports made to the Charity Commission.
- Safeguarding issues are regularly discussed and challenged by Trustees.

- Trustees regularly attend the Care Governance Compliance and Risk Board.
- There is a named Trustee with Safeguarding responsibilities. [Nugent Care 2019 Ltd \(Trustees\) - Nugent \(wearenugent.org\)](#)
- Nugent has a Code of Conduct and Trustees model the behaviours it sets out for others.

Chief Executive Officer

The Chief Executive has delegated authority from the Trustees for ensuring compliance with national and local standards that are reflected in the organisations policies. The Chief Executive monitors and audits safeguarding through the Governance Framework: A Culture of Excellence, and associated forums such as the Care Governance, Compliance and Risk Board and Designated Safeguarding Leads.

- The CEO and Executive receive all minutes from the Care Governance Compliance and Risk Board
- The CEO and Executive receive monthly dashboard reports on safeguarding issues as escalated throughout the organisation.

Care Governance, Compliance and Risk Board

The Care Governance, Compliance and Risk Board will provide assurance to the CEO and Executive Office (EO) and Trustees that safeguarding policies and procedures are up to date and that safeguarding data is analysed to detect any trends and to ensure investigations are carried out as required with any learning shared charity wide. Any concerns relating to the way Safeguarding is being managed throughout the charity will be reported to the Care Governance, Compliance and Risk Board and to Executive Leadership Team.

Designated Safeguarding Leads

The **Designated** Safeguarding Leads in each setting are the first port of call for safeguarding issues or concerns, they also ensure that the importance of safeguarding is publicised in each setting and can advise staff on matters pertaining to safeguarding.

All operational staff

All operational staff are required to be familiar with the specific Local Authority procedures that pertain to their service location. Every team and service should have a copy of their relevant Local Authority procedure which is referred to within Nugent safeguarding procedures.

All Nugent staff

All Nugent staff are recruited according to safer recruitment procedures and are required to undergo and maintain regular safeguarding training. All staff, whatever the setting, have a key role in preventing harm or abuse occurring and in taking action when concerns arise. Safeguards against poor practice, abuse, neglect and exploitation need to be an integral part in the delivery of care and any child or young person at risk of abuse, neglect or exploitation should be able to know how to tell us and to know that they will get a consistent response and for appropriate interventions to take place.

Safer Recruitment

This section should be read alongside the Recruitment and Selection section of the People, Learning and Development Policy.

Employees

As part of our commitment to ensuring that children, young people and adults are kept safe from harm, Nugent will apply robust selection and appointment processes to

anybody who is applying to work in a role which gives them direct access to children or adults.

The safer recruitment section of the People, Learning and Development policy provide more detail on how this is carried out.

Agency and third party staff

We will obtain written notification from any agency or third-party organisation that it has carried out the necessary safer recruitment checks that we would otherwise perform. We will also check that the person presenting themselves for work is the same person on whom the checks have been made.

Contractors

We will ensure that any contractor (this includes therapists), or any employee of the contractor, who is to work at on Nugent premises have had the appropriate level of DBS check (this includes contractors who are provided through a PFI or similar contract). This will be;

- An enhanced DBS check with barred list information for contractors engaging in regulated activity.
- An enhanced DBS check, not including barred list information, for all other contractors who are not in regulated activity but whose work provides them with an opportunity for regular contact with children, where they would not be escorted by a Nugent staff member.

We will obtain the DBS check for self-employed contractors; we will not keep copies of such checks for longer than 6 months. Contractors who have not had any checks will not be allowed to work unsupervised or engage in regulated activity under any

circumstances. We will check the identity of all contractors and their staff on arrival at the school.

For self-employed contractors such as therapists, consultants, music teachers or sports coaches, we will ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006 (children) or the Safeguarding of Vulnerable Groups 2006 (Adults Barring List). Where we decide that an individual falls outside of the scope of these regulations and we do not carry out such checks, we will retain a record of our assessment. This will include our evaluation of any risks and control measures put in place, and any advice sought.

Trainees or Students

Where applicants for training, such as initial teacher training or undergraduate social work placements, we will ensure that all necessary checks are carried out.

Where trainees are fee-funded (from an education provider), we will obtain written confirmation from the training provider that necessary checks have been carried out and that the trainee has been judged by the provider to be suitable to work with adults and or children. This will also include obtaining a copy of the placement risk assessment agreed by both the training provider and Nugent.

In all cases, this includes checks to ensure that individuals are not disqualified from working or having unsupervised contact with children, young people and/or vulnerable adults.

Volunteers

We will;

- Never leave an unchecked volunteer unsupervised or allow them to work in regulated activity.
- Obtain an enhanced DBS check with barred list information for all volunteers who are new to working in regulated activity.
- Carry out a risk assessment when deciding whether to seek an enhanced DBS check without barred list information for any volunteers not engaging in regulated activity. We will retain a record of this risk assessment.
- Ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006 (children) or the Safeguarding of Vulnerable Groups 2006 (Adults Barring List)

Where we decide that an individual falls outside of the scope of these regulations and we do not carry out such checks, we will retain a record of our assessment. This will include our evaluation of any risks and control measures put in place, and any advice sought

Trustees and School Governors

All Trustees and School Governors will have an enhanced DBS check without barred list information. They will have an enhanced DBS check with barred list information if working in regulated activity.

The Chair of the Governing Body for the school will have their DBS check countersigned by the Secretary of State. All proprietors, trustees, local governors, and members will also have the following checks;

- A Section 128 check (to check prohibition on participation in management under [section 128 of the Education and Skills Act 2008](#)). Section 128 checks are only required for local governors if they have retained or been delegated any management responsibilities.
- Identity
- Right to work in the UK
- Other checks deemed necessary if they have lived or worked outside the UK

Training

Safeguarding training is mandatory. All new employees must not be placed on shift until all mandatory Safeguarding training has been completed. This training is provided within the first 2 weeks of employment as part of the induction. Safeguarding training must be updated at least every 12 months; a failure to maintain up to date safeguarding training will lead to suspension without pay until the training is completed, as detailed in the People Policy.

Training provision will be continually reviewed to ensure it provides the most up to date and relevant information that meets Nugent requirements. Safeguarding training is delivered both formally and informally through online and face-to-face sessions, articles, bulletins, briefings and research updates.

Training for Designated Safeguarding Leads must take place every two years, in addition to their annual safeguarding update training.

Dealing with allegations, disclosures and evidence of harm

The Designated Safeguarding Lead (DSL)

All services will have a Designated Safeguarding Lead (DSL). The DSL's take lead responsibility for child or adult protection and wider safeguarding within services.

The DSL's will be given the time, funding, training, resources, and support to:

- Provide advice and support to other staff on adult safeguarding, child welfare and child protection matters
- Take part in strategy discussions and inter-agency meetings and/or support other staff to do so
- Contribute to the assessment of adults or children
- Refer suspected cases, as appropriate, to the relevant body (local authority adult/ children's social care, Disclosure and Barring Service, and/or police), and support staff who make such referrals directly
- Update the relevant Senior or Executive Leader with data and outcomes of safeguarding within their service

All staff

All staff will be aware of:

- Nugent's systems which support safeguarding, including this child protection and safeguarding policy, the role and identity of the designated safeguarding lead (DSL) and deputies, the behavior policy, and the safeguarding response to adults or children who go missing from home or education.

- The early help process and their role in it, including identifying emerging problems, liaising with the DSL, and sharing information with other professionals to support early identification and assessment.
- The process for making referrals to local authority adult or children's social care and for statutory assessments that may follow a referral, including the role they might be expected to play.
- What to do if they identify a safeguarding issue or an adult or a child tells them they are being abused or neglected, including specific issues such as FGM and radicalisation, and how to maintain an appropriate level of confidentiality while liaising with relevant professionals.
- The signs of different types of abuse and neglect, as well as specific safeguarding issues and their relevant response requirements.

Confidentiality

Nugent Care has policies for confidentiality and GDPR, however, all should note that:

- Timely information sharing is essential to effective safeguarding
- Fears about sharing information must not be allowed to stand in the way of the need to promote the welfare, and protect the safety, of children or adults
- The Data Protection Act (DPA) 2018 and GDPR do not prevent, or limit, the sharing of information for the purposes of keeping individual people or groups safe
- If staff need to share 'special category personal data', the DPA 2018 contains 'safeguarding of children and individuals at risk' as a processing condition that allows practitioners to share information without consent if it is not possible to gain consent, it cannot be reasonably expected that a practitioner gains consent, or if to gain consent would place a child at risk
- Staff should never promise a child or adult that they will not tell anyone about a report of abuse, as this may not be in the child's or adults best interests
- The government's information sharing advice for safeguarding practitioners includes 7 '[golden rules](#)' for sharing information (see below), and will support staff who have to make decisions about sharing information
- If staff are in any doubt about sharing information, they should speak to the designated safeguarding lead
- Confidentiality is also addressed in this policy with respect to record-keeping and allegations of abuse against staff.

7 golden rules to sharing information ([HM Government, 2018](#))

1. 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 living individuals is shared appropriately.
2. Be open and honest with the individual, unless it is unsafe or inappropriate to do so
3. Seek advice from other practitioners, or your information governance lead, without disclosing the identity of the individual where possible
4. Where possible, share information with consent, and respect the wishes of those who do not consent to having their information shared. Where you are unable to have consent (where there is a lawful basis to do so), be mindful that an individual might not expect information to be shared
5. Consider safety and well-being
6. 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
7. Keep a record of your decision and the reasons for it. If you decide to share, then record what you have shared, with whom and for what purpose.

Procedure - Recognising Abuse and Taking Action

Everyone must follow the procedures set out below in the event of a safeguarding issue, where it is not associated with a member of staff, volunteer, trustee, governor or external professional. The four R's of safeguarding must be adhered to: **Recognise, Respond, Report and Record.**

Safeguarding concern arises from:

1. Behaviour that has (or may have) harmed a beneficiary of Nugent services or;
2. Exposure to criminal activity which could or have caused harm

Direct disclosure

1. Explain that you will need to pass the information on, but only to those who need to know (name people where appropriate).
2. Listen carefully
3. Do not ask leading questions
4. Do not make promises
5. Record everything that has been said
6. Do not confront the alleged perpetrator

Indirect disclosure

1. Discuss your concerns with the Designated Safeguarding Lead if there is an immediate risk and/or
2. Document the evidence which has led to this conclusion using the systems in your service (i.e. Care recording system/MyConcern)

Designated Safeguarding Lead proceeds with the matter, liaising with relevant people and bodies where applicable. The immediate safety of the individual(s) concerned is paramount.

If an allegation or concern is associated with a member of staff, agency worker, volunteer, trustee, governor or external professional the following procedure should be followed, in accordance with our whistleblowing policy:

A member of staff, agency worker, volunteer, trustee, governor or external professional has:
Behaved in a way that has harmed, or may have harmed a child ; or
Possibly committed a criminal offence against or related to a child; or
Behaved towards a child or children in a way that indicates they may pose a risk of harm to children; or
Behaved or may have behaved in a way that indicates they may not be suitable to work with children.



Head of Service/EO/Trustees/Charity Commission informed*, who then has a duty to inform the Local Authority Designated Officer (LADO) and Nugent's People Function/EO/Charity Commission** (dependent on the subject of the allegation)



Head of Service completes suspension checklist and (if appropriate) acts as Commissioning Manager in liaison with People Function and/or relevant external agencies



Local Authority Designated Officer (LADO) procedures triggered (see example flowchart below)



Where applicable notification to Ofsted/CQC in line with the Children's Home Regulations and The Care Act (2014)

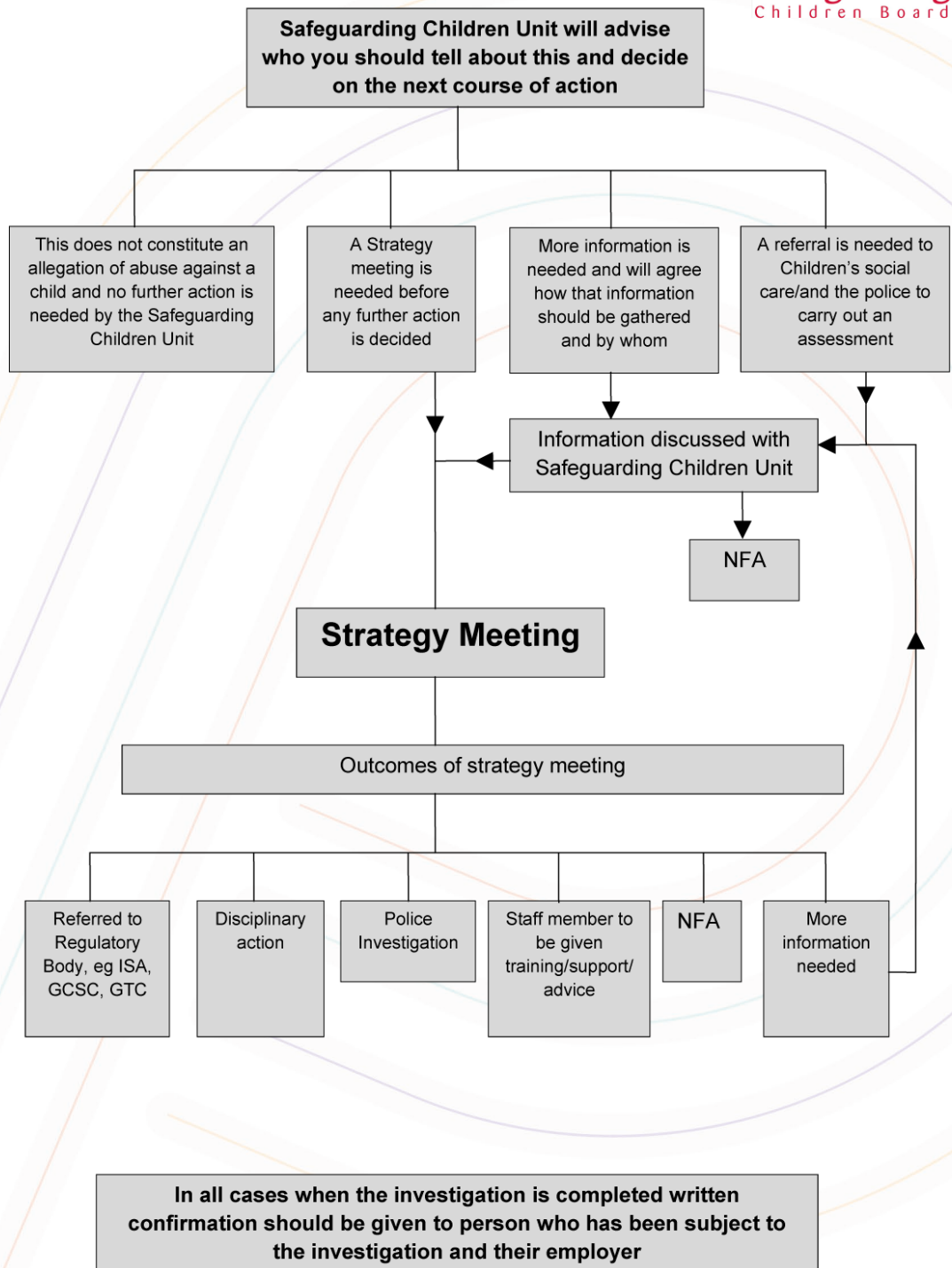
****Dependant on the subject of the allegation***

<i>Subject</i>	<i>Person/Department Notified at initial stage</i>
<i>Operational staff, volunteers and external professionals including Managers</i>	<i>Head of Service/Registered Manager</i>
<i>Head of Service/Registered Manager</i>	<i>Executive office</i>
<i>EO (Not including CEO) and School Governors</i>	<i>CEO</i>
<i>CEO</i>	<i>Trustees</i>
<i>Trustees</i>	<i>Charity Commission by CEO</i>

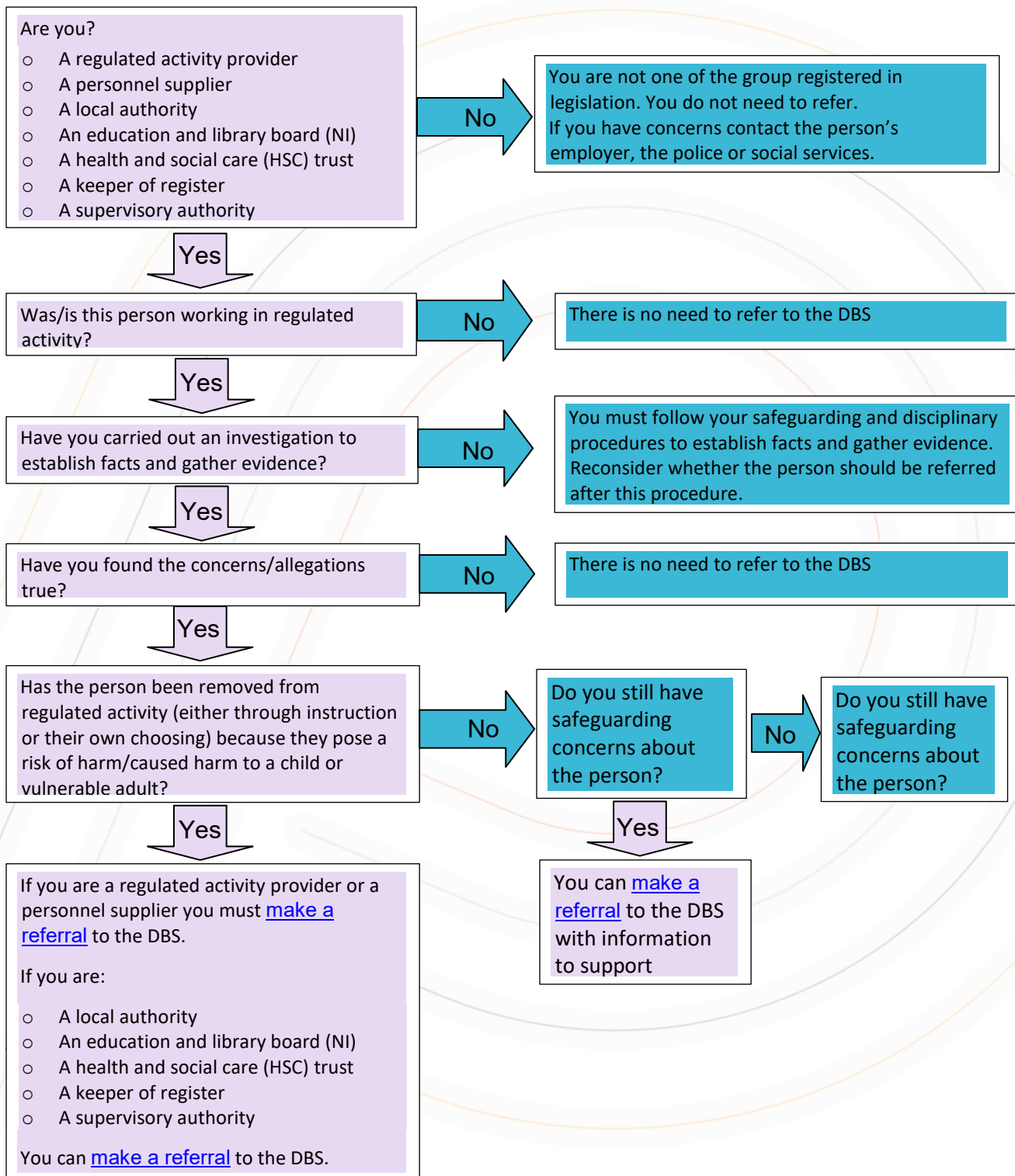
****Dependant on the subject of the allegation**

<i>Subject</i>	<i>Internal Department Notified in addition to LADO</i>
<i>Operational staff, volunteers and external professionals including Managers</i>	<i>People Function</i>
<i>Head of Service/Registered Manager</i>	<i>People Function, Governance</i>
<i>EO (Not including CEO) and School Governors</i>	<i>People function and CEO</i>
<i>CEO</i>	<i>People Function and Trustees</i>
<i>Trustees</i>	<i>Charity Commission by CEO and People Function</i>

LADO Process and procedure for St Helen's Local Safeguarding Children's Partnership *(noted here as an example, you must review the procedure and process for the local authority where the service resides within)*



Flowchart for referral to DBS



Notifications to Regulators

Charity Commission

[How to report a serious incident in your charity - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/how-to-report-a-serious-incident-in-your-charity)

The Charity Commission requires charities to report serious incidents. If a serious incident takes place within your charity, it is important that there is prompt, full and frank disclosure to the Commission. You need to report what happened and, importantly, let the Commission know how you are dealing with it, even if you have also reported it to the police, donors or another regulator.

This guidance helps charity trustees identify serious incidents. It also explains how to report them and what to report.

What is a serious incident?

A serious incident is an adverse event, whether actual or alleged, which results in or risks significant:

- harm to your charity's beneficiaries, staff, volunteers or others who come into contact with your charity through its work (who are collectively referred to throughout this guidance as people who come into contact with your charity through its work)
- loss of your charity's money or assets
- damage to your charity's property
- harm to your charity's work or reputation

For the purposes of this guidance, "significant" means significant in the context of your charity, taking account of its staff, operations, finances and/or reputation.

Who should report?

The responsibility for reporting serious incidents to the Charity Commission rests with the charity's trustees.

This has been delegated to Nugent's CEO. Nugent's Governance team use the systems and processes outlined within the Governance Framework to recommend events that meet the reporting threshold to the CEO for approval to report.

Why must we tell the Commission?

In summary

Given the challenging nature of the work undertaken and the difficult context faced by many charities, the Commission understands that serious incidents will happen. When something serious happens, it is the Commission's role to ensure that trustees comply with their legal duties and that the charity manages the incident responsibly. This means the Commission will be looking for assurance that the charity has taken steps to limit the immediate impact of the incident and, where possible, prevent it from happening again.

Most problems can be resolved by trustees themselves, in some cases with timely advice from professional advisers. Sometimes the Commission needs to use its powers to protect a charity. Taking action quickly will help protect your charity from further harm. Reporting also means the Commission can identify whether other charities might be affected, and can give better advice to all charities to help them protect themselves.

Ofsted (Social Care) Children

[Tell Ofsted about a serious incident in a children's home or secure children's home](#)

[Guidance for children's homes providers: notifying Ofsted of a serious event](#)

[Statutory Guidance on Adoption \(2013\)](#)

[Reporting a serious incident in a voluntary adoption agency \(2023\)](#)

- the death of a child
- the referral of someone working in the home to your Local Area Designated Officer (LADO)
- if you know or suspect that a child has been involved in or subject to sexual exploitation (you should be able to provide evidence)
- a serious incident with a child that required police involvement
- an abuse allegation against the home or someone working there
- a child protection enquiry has started or concluded
- If a child makes or receives unauthorised contact with someone that their plan states they should not be in contact with (secure children's homes only)
- If you have reported someone under the Safeguarding Vulnerable Groups Act (2006)
- If a child have a serious accident or injury (secure children's homes only)
- If a child has absconded (secure children's homes only)
- Any other incident relating to a child which the registered person considers serious

[Reporting a serious incident in a voluntary adoption agency \(2023\)](#) guidance states incidents which should be reported include:

- the death of a child placed for adoption by the agency
- referral to the Secretary of State of an individual working for the agency under the Protection of Children Act (1999)
- a child placed for adoption has a serious illness or accident
- any serious complaint about a prospective adopter approved by the agency
- a child protection enquiry involving a child placed for adoption has started or finished

All notifications are to be reported on line at: [What type of children's social care service do you want to tell us about? - Report a serious incident at your children's social care service - GOV.UK \(ofsted.gov.uk\)](#)

Guidance states that the death of a child must be reported immediately. All other incident reports should be made without delay and, where possible, within 24 hours. In situations where further information must be gathered, Ofsted recognise this may take more than 24 hours.

To report an incident, you'll need to have:

- Your unique reference number (URN). This is on your Ofsted Certificate of Registration
- the relevant full postal address
- details of the incident and those involved

CQC (Social Care) Adults

[Allegations of abuse \(safeguarding\) – notification form | Care Quality Commission \(cqc.org.uk\)](#)

- **You are required to notify CQC of certain incidents, events or changes to your service.**
- This guidance tells you what you must notify CQC about, the forms you must use, how to submit the information to us, and what we do with the information.

Link:

<https://www.cqc.org.uk/guidance-providers/notifications/notification-finder?page=2>

Which regulations say what must be notified to CQC?

Regulations 12, 14, 15, 16, 17, 18, 20, 21 and 22 of the Care Quality Commission (Registration) Regulations 2009 make requirements that the details of certain incidents, events and changes that affect a service, or the people using it, are notified to CQC. You can read the up-to-date regulations and fundamental standards on our website.

<https://www.cqc.org.uk/>

It is an offence not to notify CQC when a relevant incident, event or change has occurred.

How do I submit a notification?

- Registered persons must use the forms supplied by CQC to submit notifications.
- You must download, fill in and submit the notification forms in Microsoft Word document format, which you can find on our website.
- A reference number is required for each notification. You will be able to see a history of the notifications you have submitted.
- There are separate arrangements for notifications about deaths and unauthorised absences of people who are detained, or liable to be detained, under the Mental Health Act.
- To submit a Word form, you attach it to an email and send to:
HSCA_notifications@cqc.org.uk

Responses to specific safeguarding concerns

Whilst most safeguarding concerns follow a standardised set of guidelines on how to effectively deal with and report suspected abuse or neglect, some areas also require specific actions.

Concerns such as modern slavery, radicalisation, female genital mutilation, criminal exploitation and child sexual exploitation require specific statutory responses, which are detailed in Appendix 2 (Statutory Guidance).

Appropriate Adults

If held under the Police and Criminal Evidence Act (PACE) Codes of practice for the Detention Treatment and Questioning of Persons by Police Officers or being interviewed by any statutory organisation, young people, aged 17 or less, or an adult aged over 18, who may be mentally disordered or mentally vulnerable, will be accompanied by an independent adult known as an Appropriate Adult.

What is the role of an Appropriate Adult?

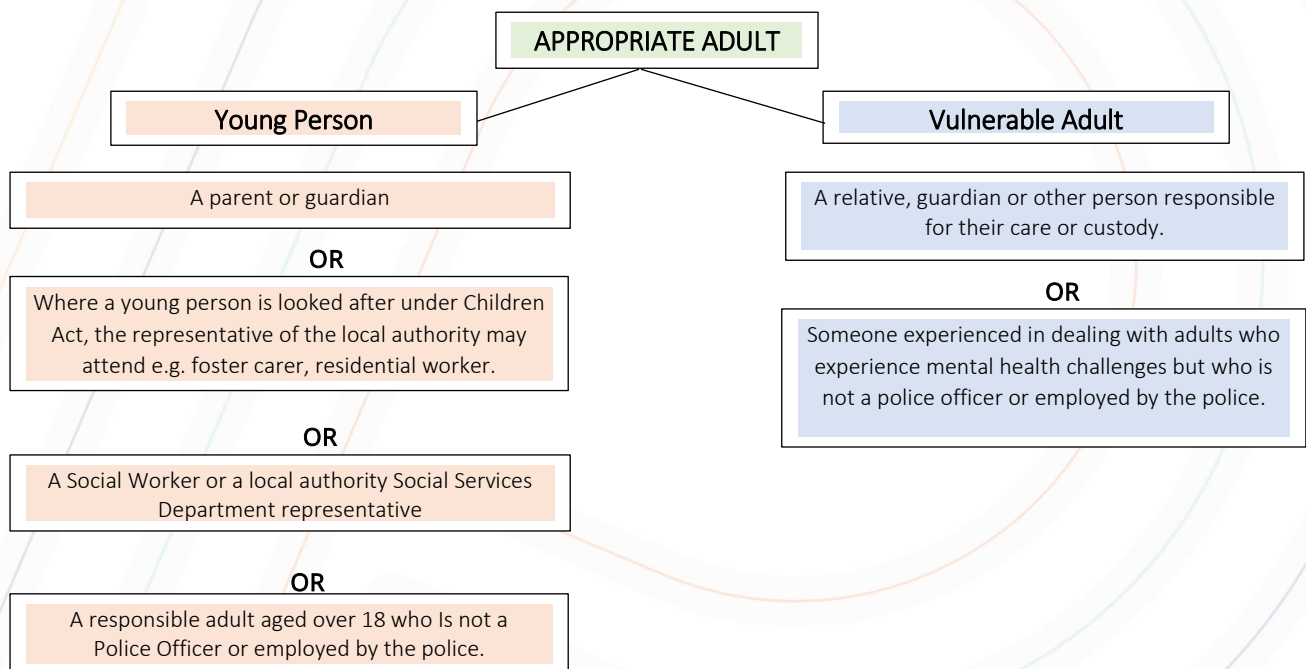
The role of the Appropriate Adult is to safeguard the rights, entitlements and welfare of juveniles and vulnerable persons to whom the provisions of this and any other Code of Practice apply. For this reason, the Appropriate Adult is expected, amongst other things, to:

- Support, advise and assist them when, in accordance with this Code or any other Code of Practice, they are given or asked to provide information or participate in any procedure.
- Observe whether the police are acting properly and fairly to respect their rights and entitlements and inform an officer of the rank of Inspector or above if they consider that they are not.

- assist them to communicate with the police whilst respecting their right to say nothing unless they want to as set out in the terms of the caution
- help them to understand their rights and ensure that those rights are protected and respected

See Appendix 2 (Statutory Guidance) for the Home Office information guidance for Appropriate Adults.

Who can be an Appropriate Adult?



Persons who cannot act as an Appropriate Adult

A person, including a parent or guardian, should not be an Appropriate Adult if they are:

- Suspected of involvement in the offence
- The victim
- A witness
- Involved in the investigation

- A solicitor acting for the detainee
- A person who has received information about the alleged offence prior to attending to act as the Appropriate Adult.

Nugent employees who can act as an Appropriate Adult

An Appropriate Adult, who is employed by Nugent and has received current training/updates in line with Police and Criminal Evidence (PACE) Act 1984, will be expected to respond to any requests to assist a young person/vulnerable adult. This in the first instance should preferably be someone who is known to the detainee.

Process for the provision of an Appropriate Adult

An incident resulting in a young person (17 or under) or vulnerable adult becoming a detainee.

Manager or deputy and the member of staff (or senior on duty) reporting the incident agree who is best placed to attend the police station (this will be the on-call manager out of hours).

Staffing levels reviewed if necessary to ensure safe staffing levels remain at site.

The person attending the police station will make contemporaneous notes and keep either their manager, during daytime hours, or the on-call manager out of hours fully apprised on the situation.

Consideration will need to be given, dependent upon the circumstances that resulted in the service user being detained, as to whether this is a notifiable event under the Regulations in children's services (Ofsted).
In adult services, involving the police always require notification to CQC.

Reporting will be required to Local Authority Social Services and the legal parent or guardian of the service user.

Nugent's internal reporting procedures must be followed including the completion of an 'Event' via the online system and for services using the electronic care management system, recording onto our care recording system. In School, this information will be added to MyConcern.

A debrief for both the individual (if returned home) and staff member acting as Appropriate Adult should be carried out.

Appendix 1 – Definitions

Term	Definition
Abuse	Abuse covers every form of 'abuse', including sexual, emotional, psychological, material, financial, physical, discriminatory, organisational abuse and any acts of omission.
ACPO	ACPO stands for the Association of Chief Police Officers. The ACPO develops and establishes the police policy in England, Wales and Northern Ireland.
ADASS	ADASS is short for the Association of Directors of Adult Social Services. ADASS is the national association for directors of adult social care services in local authorities.
Adult at risk	Someone who has a need for care or support; 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.
Advocacy	Advocacy is being supportive of people and representing their interests. Advocates help people to secure their rights, say what they want and maintain their rights. Any individual who is the subject of a safeguarding enquiry or review has the right for an independent advocate, which must be arranged by the local authority, Under the Care Act. The advocate then helps the person express their views, wishes, or feelings
Alert	An alert is raised by an Alerter. An alert is a concern that an individual is or may be a victim of exploitation, neglect or abuse. Alerts are also raised for people who're also at risk.
Alerter	An alerter is the person who highlights a concern that an adult is at, is being, and has been at risk of neglect or abuse.
Best interests decision	A best interests decision is a decision that has been made in the best interests of an individual. If they have been assessed and it has been determined that they lack the mental capacity to make a specific decision, it is defined by an act. The past and present wishes of a person, lasting power of attorney and advance directive must be taken into consideration when making the best interest decision. A family member, friend, advocate or GP who knows the individual should also be consulted.
Care Act 2014	The Care Act 2014 is a reformed law that related to the support and care for carers and adults. This act came into force in April 2015. Clauses 42-45 of this Act gives the statutory framework for protecting adults from abuse and neglect.

Term	Definition
CCG	CCG stands for Clinical Commissioning Group. The CCG was established on 1 April 2013 and replaced the Primary Care Trusts. The planning and commissioning of local health services for the public are now the CCG's responsibility.
Central Referral Unit	The Central Referral Unit is where all referrals to the police are received. Every referral is then risk assessed, graded and allocated to the partner agency or police team who have the resource to deal with it.
Child criminal exploitation	As set out in the Serious Violence Strategy , published by the Home Office, where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child or young person under the age of 18 into any criminal activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial or other advantage of the perpetrator or facilitator and/or (c) through violence or the threat of violence. The victim may have been criminally exploited even if the activity appears consensual. Child criminal exploitation does not always involve physical contact; it can also occur through the use of technology.
Child death review partners	A child death review partner in relation to a local authority area in England is defined under the Children Act 2004 as (a) the local authority, and (b) any clinical commissioning group for an area any part of which falls within the local authority area. The two partners must make arrangements for the review of each death of a child normally resident in the area and may also, if they consider it appropriate, make arrangements for the review of a death in their area of a child not normally resident there. They must also make arrangements for the analysis of information about deaths reviewed under this section. The purposes of a review or analysis are (a) to identify any matters relating to the death or deaths that are relevant to the welfare of children in the area or to public health and safety, and (b) to consider whether it would be appropriate for anyone to take action in relation to any matters identified.
Child Sexual Exploitation	Child sexual exploitation is a form of child sexual abuse. It occurs where 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 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the 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 through the use of technology.

Term	Definition
Children missing from education	All staff should be aware that children going missing, particularly repeatedly, can act as a vital warning sign of a range of safeguarding possibilities. This may include abuse and neglect, which may include sexual abuse or exploitation and child criminal exploitation. It may indicate mental health problems, risk of substance abuse, risk of travelling to conflict zones, risk of female genital mutilation or risk of forced marriage. Early intervention is necessary to identify the existence of any underlying safeguarding risk and to help prevent the risks of a child going missing in future. Staff should be aware of their school's or college's unauthorised absence and children missing from education procedures.
Clinical Governance	Clinical Governance refers to the framework that the NHS utilises in order to ensure high standards of care and improve the quality of services.
Community safety	Community safety refers to the services and initiatives available that aim to improve safety in the community. This includes but is not limited to: anti-social behaviour, safer neighbourhoods, hate crime, domestic abuse and slavery.
Community Safety Partnership	The Community Safety Partnership is a tactical forum that brings agencies and communities together so that they can tackle crime within their communities. This partnership is comprised of local authorities such as Police and Fire and Rescue.
Consent	Consent refers to the individual's voluntary and continuing permission for an intervention. The individual must have adequate knowledge of the reason nature, likely consequences and risks of that intervention.
Contemporaneous notes	Contemporaneous notes can be used when giving evidence in legal proceedings. These notes are taken during the time of meetings with individuals. This includes telephone calls, visits to premises during the course of an investigation.
County Lines	As set out in the Serious Violence Strategy , published by the Home Office, a term used to describe gangs and organised criminal networks involved in exporting illegal drugs into one or more importing areas within the UK, using dedicated mobile phone lines or other form of 'deal line'. They are likely to exploit children and vulnerable adults to move and store the drugs and money, and they will often use coercion, intimidation, violence (including sexual violence) and weapons.
CPA	CPA stands for the Care Programme Approach. This approach was introduced in England in the joint Health and Social Services Circular HC(90)23/LASSL (90)11. This is for individuals with a mental illness who're referred to specialist psychiatric services, published by the Department of Health in 1990. Specific arrangements must be made by

Term	Definition
	health authorities who work in collaboration with social services departments.
CPS	CPS is short for Crown Prosecution Service. This is a government department that's responsible for prosecuting criminal cases that are investigated by the police in England and Wales.
CQC	CQC stands for Care Quality Commission. The CQC is the body responsible for the regulation and registration of health and social care in the UK.
Cuckooing	A specific type of mate crime in which drug dealers take over the home of a vulnerable person in order to use it as a base for drug use and/or drug trafficking. The crime is named for the cuckoo's practice of taking over other birds' nests for its young
DASH	DASH is short for Domestic Abuse, Stalking and Harassment and 'Honour' Based Abuse.
DBS	DBS is the acronym used for the Disclosure and Barring Service. The DBS is a governmental body that was established in 2012 through the Protection of Freedoms Act. It was the merger of two former organisations, the CRB and the ISA.
Defensible decision making	Defensible decision making is when a clear rationale that's based on legislation, policy and models of practice is used to make an informed decision
Designated Adult Safeguarding Manager	The Designated Adult Safeguarding Manager refers to the individual within an organisation who's responsible with management and oversight of unique complex cases and coordination where allegations are made or concerns raised about a person.
Designated Safeguarding Lead	Act as the main source of support, advice and expertise for safeguarding in your organisation. This includes making referrals, training and raising awareness of all matters related to safeguarding. This person should have the status and authority to carry out the duties of the post including committing resources and, where appropriate, supporting and directing other staff.
DOLS	DOLS stands for Deprivation of Liberty Safeguards and puts measures in place to protect those who lack the mental capacity to make certain decisions for themselves. DOLS came into place in April 2009 and is part of the Mental Capacity Act 2005.

Term	Definition
Domestic abuse	Domestic abuse refers to any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over. This also includes those who are or have been intimate partners or family members.
Domestic Homicide Reviews	Domestic Homicide Reviews are statutory reviews that are commissioned as a result of deaths that are a consequence of domestic violence. They are subject to the guidance issued by the Home Office in 2006 under the Domestic Violence Crime and Victims Act 2004.
Duty of Candour	The Duty of Candour is a requirement on all health and adult social care providers registered with the CQC to be open with people when things go wrong.
Education, Health and Care Plan (EHCP)	A single plan, which covers the education, health and social care needs of a child or young person with special educational needs and/or a disability (SEND). See the Special Educational Needs and Disability Code of Practice 0-25 (2014).
Enhanced DBS Check	An enhanced DBS check is a form of Disclosure and Barring Service check. Find out about what is covered in an Enhanced DBS check here .
Exploitation	This may be either opportunistically or premeditated and includes unfairly manipulating someone for profit or personal gain.
Extremism	Extremism goes beyond terrorism and includes people who target the vulnerable – including the young – by seeking to sow division between communities on the basis of race, faith or denomination; justify discrimination towards women and girls; persuade others that minorities are inferior; or argue against the primacy of democracy and the rule of law in our society. Extremism is defined in the Counter Extremism Strategy 2015 as the vocal or active opposition to our fundamental values, including the rule of law, individual liberty and the mutual respect and tolerance of different faiths and beliefs. Calls for the death of members of the armed forces are also recognised as extremist.
Family Group Conference	A Family Group Conference is a tactic that's used to try and empower families and people to work out solutions to their own problems. This is done through a trained FGC coordinator who supports the person at risk, and helps their family or wider support network to reach an agreement, alongside the action that needs to be taken and the preventative measures that must be put in place.

Term	Definition
Forced marriage	Forcing a person into a marriage is a crime in England and Wales. A forced marriage is one entered into without the full and free consent of one or both parties and where violence, threats or any other form of coercion is used to cause a person to enter into a marriage. Threats can be physical or emotional and psychological. A lack of full and free consent can be where a person does not consent or where they cannot consent (if they have learning disabilities, for example). Nevertheless, some communities use religion and culture as a way to coerce a person into marriage.
GDPR	GDPR stands for the General Data Protection Regulation. This is an EU regulation and law on data protection and privacy for all individuals within the EU and EEA.
Harm	Harm refers to any ill-treatment including sexual abuse and ill-treatment that isn't physical, the avoidable deterioration and or impairment in physical or mental health. of physical, intellectual, emotional, social or behavioural development.
Harmful Sexual Behaviour (HSB)	One or more children engaging in sexual discussions or acts that are inappropriate for their age or stage of development. These can range from using sexually explicit words and phrases to full penetrative sex with other children or adults.
Hate crime	A hate crime is any crime that is thought to be a crime that's been committed against someone for racist, homophobic, transphobic reasons. This may also be due to a person's religion, belief, gender identity or disability.
Health and Wellbeing Board	The Health and Wellbeing Board is a statutory, multi-organisation committee of NHS and local authority commissioners. The board gives tactical leadership across local authority areas for the commissioning of health and social care services.
HealthWatch	HealthWatch is an independent consumer champion that was created in order to gather and represent the views of the public. There are two different forms of HealthWatch – local Healthwatch and Healthwatch England.
Human trafficking	Human trafficking refers to the recruitment, transportation, transfer, and harbouring of someone with the intention of threatening them or using force and or other forms of coercion, and abusing the power or of a position of vulnerability, and achieving coerced consent of a person having control over someone else by giving and receiving of payments or benefits, for the purpose of exploitation”.

Term	Definition
IMCA	IMCA stands for Independent mental capacity advocate and was established by the Mental Capacity Act 2005. IMCAs act as a legal safeguard for people who lack the capacity to make specific important decisions, including decisions about where they live and serious medical treatment options. I
Initiation/Hazing	Hazing is a form of initiation ceremony which is used to induct newcomers into an organisation such as a private school, sports team etc. There are a number of different forms, from relatively mild rituals to severe and sometimes violent ceremonies. The ceremony welcomes newcomers by subjecting them to a series of trials which promote a bond between them. After the hazing is over, the newcomers also have something in common with older members of the organisation because they all experienced it as part of a rite of passage. Many rituals involve humiliation, embarrassment, abuse, and harassment.
Local Authority Designated Officer (LADO)	County level and unitary local authorities should ensure that allegations against people who work with children are not dealt with in isolation. Any action necessary to address corresponding welfare concerns in relation to the child or children involved should be taken without delay and in a coordinated manner. Local authorities should, in addition, have designated a particular officer, or team of officers (either as part of multi-agency arrangements or otherwise), to be involved in the management and oversight of allegations against people who work with children. Any such officer, or team of officers, should be sufficiently qualified and experienced to be able to fulfil this role effectively, for example qualified social workers. Any new appointments to such a role, other than current or former designated officers moving between local authorities, should be qualified social workers. Arrangements should be put in place to ensure that any allegations about those who work with children are passed to the designated officer, or team of officers, without delay.
LSAB	LSAB stands for the Local Safeguarding Adults Board, which is a statutory, multi-organisation partnership committee. This committee gives strategic leadership for adult safeguarding and is coordinated by the local authority.
MAPPA	MAPPA is the acronym for Multi-Agency Public Protection Arrangements. MAPPA is the statutory arrangement for managing sexual and violent offenders.
MARAC	MARAC is short for Multi-Agency Risk Assessment Conference and is a multi-agency forum of organisations. These organisations manage high-risk cases of honour-based violence, stalking and domestic abuse.

Term	Definition
MASH	MASH stands for Multi-Agency Safeguarding Hub. This service is made up of Police, Adult Services, NHS and other organisations. MASH helps agencies to act quickly in a coordinated and consistent way. This means that the person at risk is kept safe.
Mate Crime	Mate crime a form of exploitation where a person is harmed or taken advantage of by person they believed was their friend.
Mental Capacity	Mental capacity is used to describe whether someone has the mental capacity to make a decision or not. The code of practice in The Mental Capacity Act 2005 outlines how someone who lacks the capacity should be supported when they make a decision.
Missing from home	Missing from home/care is used to describe when a child has left their home (within placement) without permission, with staff members not knowing their whereabouts. Concerns regarding episodes of missing from home should be risk assessed, with management strategies in place.
MSP	MSP is short for Making Safeguarding Personal. This approach to safeguarding work has the intention of moving away from any safeguarding that is process driven, and aims, to place the person at risk at the centre of the process. This, in turn, means that they can work with them to achieve the outcomes they want.
Parent carer	A person aged 18 or over who provides or intends to provide care for a disabled child for whom the person has parental responsibility.
Peer on peer abuse	Children can abuse other children. This is generally referred to as peer on peer abuse and can take many forms. This can include (but is not limited to): bullying (including cyberbullying); sexual violence and sexual harassment; physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm; sexting and initiation/hazing type violence and rituals.
Prejudiced behaviour	The term prejudice-related bullying refers to a range of hurtful behaviours, physical or emotional or both, which causes someone to feel powerless, worthless, excluded or marginalised, and which is connected with prejudices around belonging, identity and equality in wider society for example, disabilities and special educational needs, ethnic, cultural and religious backgrounds, gender, home life, (for example in relation to issues of care, parental occupation, poverty and social class) and sexual identity.
PREVENT	PREVENT is a Government strategy that was launched in 2007. This strategy aims to stop people from becoming terrorists or supporting terrorism and is part of the government's counter-terrorism strategy

Term	Definition
Prevention	Prevention is the term used that describes how the care and support system actively promotes the wellbeing and independence of people. They take prevention rather than cure approach.
Public interest	Public Interest refers to decisions about what is deemed to be in the public interest when it comes to the rights of an individual's privacy and the rights of others.
Radicalisation	A process by which an individual or group comes to adopt increasingly extreme political, social, or religious ideals and aspirations that reject or undermine the status quo or reject and/or undermine contemporary ideas and expressions of freedom of choice.
Safeguarding	Safeguarding is the term used to describe any activity that protects a person's right to live in safety, free from abuse and neglect.
Safeguarding partners	A safeguarding partner in relation to a local authority area in England is defined under the Children Act 2004 as: (a) the local authority, (b) a clinical commissioning group for an area any part of which falls within the local authority area, and (c) the chief officer of police for an area any part of which falls within the local authority area. The three safeguarding partners should agree on ways to co-ordinate their safeguarding services; act as a strategic leadership group in supporting and engaging others; and implement local and national learning including from serious child safeguarding incidents. To fulfil this role, the three safeguarding partners must set out how they will work together and with any relevant agencies as well as arrangements for conducting local reviews.
Self-neglect	Self-neglect is the intentional or unintentional inability to maintain a socially and culturally accepted standard of self-care, which results in serious consequences to the health and well-being of the individual.
Sexting	The term 'sexting' relates to the sending of indecent images, videos and/or written messages with sexually explicit content; these are created and sent electronically. They are often 'shared' via social networking sites and instant messaging services.
Sexual harassment	When referring to sexual harassment we mean 'unwanted conduct of a sexual nature' that can occur online and offline. Sexual harassment is likely to: violate an individual's dignity, and/or make them feel intimidated, degraded or humiliated and/or create a hostile, offensive or sexualised environment.
Sexual violence	It is important that school and college staff are aware of sexual violence and the fact children can, and sometimes do, abuse their peers in this way. When referring to sexual violence we are referring to sexual violence offences under the Sexual Offences Act 2003 [109]

Term	Definition
Significant Harm	Significant harm refers to any ill-treatment (including sexual abuse and forms of ill-treatment which are not physical), that has resulted in the impairment of physical, intellectual, emotional, social or behavioural development.
SIRI	SIRI stands for Serious Incident Requiring Investigation. This is the process used by the NHS when they investigate serious incidents that have resulted in serious harm or an unexpected or avoidable death of one or more patients, staff, visitors or the public.
Teenage relationship abuse	Teenage relationship abuse is a pattern of actual or threatened acts of physical, sexual, and/or emotional abuse, perpetrated by an adolescent (between the ages of 13 and 18) against a current or former partner. Abuse may include insults, coercion, social sabotage, sexual harassment, threats and/or acts of physical or sexual abuse. The abusive teen uses this pattern of violent and coercive behaviour, in a heterosexual or same gender relationship, in order to gain power and maintain control over the partner. This abuse may be child sexual exploitation.
Upskirting	This typically involves taking a picture under a person's clothing without them knowing, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress or alarm.
Vital interests	Vital interest permits sharing of information where it is crucial to prevent harm or distress or in life-threatening situations and is used under the Data Protection Act 1998.
Wilful neglect or ill-treatment	Wilful neglect or ill-treatment refers to the intentional, deliberate or reckless omission or failure of a person who fails to carry out an act of care for a person who doesn't have the capacity to care for themselves.
Young carer	A young carer is a person under 18 who provides or intends to provide care for another person (of any age, except generally where that care is provided for payment, pursuant to a contract or as voluntary work).

Appendix 2 – Statutory Guidance

Children, Young People, Schools and Families

Department for Education guidance

- [‘7 Golden Rules of Information Sharing for Safeguarding Practitioners’](#)

- [Care of unaccompanied migrant children and child victims of modern slavery](#)
- [Child sexual exploitation: definition and guide for practitioners](#)
- [Children Act 1989: care planning, placement and case review](#)
- [Children Act 1989: court orders](#)
- [Children Act 1989: private fostering](#)
- [Information sharing: advice for practitioners providing safeguarding services](#)
- [Keeping children safe in education: for schools and colleges](#)
- [Knowledge and skills statements for child and family social work](#)
- [Listening to and involving children and young people: statutory guidance from the department for education](#) Department for Education and Home Office
- [Mandatory reporting of female genital mutilation: procedural information](#) Department for Education and Home Office
- [Multi-agency statutory guidance on female genital mutilation](#) Department for Education, Department of Health and Social Care, and Home Office
- [National action plan to tackle child abuse linked to faith or belief](#)
- [National minimum standards for private fostering](#)
- [Non-Maintained Special Schools Regulations 2015](#)
- [Pathways to harm, pathways to protection: a triennial analysis of serious case reviews, 2011 to 2014](#)
- [Preventing and tackling bullying](#)
- [Safeguarding Children in whom illness is fabricated or induced](#) Department for Education, Department of Health and Social Care and Home Office
- [Safeguarding children who may have been trafficked](#) Department for Education and Home Office
- [Safeguarding strategy - unaccompanied asylum seeking and refugee children](#)
- [Sexual violence and sexual harassment between children in schools and colleges](#)
- [Statutory framework for the early years \[under 5s\] foundation stage \(EYFS\)](#)

- [Statutory guidance on children who run away or go missing from home or care](#)
- [Statutory visits to children with special educational needs and disabilities or health conditions in long-term residential settings](#) Department for Education and Department of Health and Social Care.
- [The Child Safeguarding Practice Review and Relevant Agency \(England\) Regulations 2018](#)
- [The prevent duty: for schools and childcare providers](#)
- [United Nations Convention on the rights of the child](#)
- [Use of reasonable force in schools](#)
- [Visiting children in residential special schools and colleges](#) Department for Education and Department of Health and Social Care
- [What to do if you're worried a child is being abused: advice for practitioners](#)

Guidance issued by other government departments and agencies

- [Achieving Best Evidence in Criminal Proceedings: Guidance on interviewing victims and witnesses, and guidance on using special measures](#) Ministry of Justice
- [Advice to parents and carers on gangs](#) Home Office
- [Advice to schools and colleges on gangs and youth violence](#) Home Office
- [Apply for a forced marriage protection order](#) Foreign & Commonwealth Office
- [Arrangements to Safeguard and Promote Children's Welfare](#) (original title "Every Child Matters") UK Visas and Immigration
- [Asset Plus: assessment and planning in the youth justice system](#) Youth Justice Board
- [Channel Duty guidance - Protecting vulnerable people from being drawn into terrorism](#) Home Office
- [Criminal exploitation of children and vulnerable adults: county lines](#) Home Office
- [Criminal Justice and Courts Act \(2015\)](#) Legislation.gov
- [Cyber Aware](#) National Cyber Security Centre

- [DBS barring referral guidance](#) Disclosure and Barring Service
- [Developing local substance misuse safeguarding protocols](#) Public Health England
- [Disclosure and Barring Services](#) Disclosure and Barring Service
- [Female Genital Mutilation Protection Orders: factsheet](#) Home Office
- [Forced marriage](#) Foreign & Commonwealth Office and Home Office
- [Forced Marriage Protection Orders](#) HM Courts & Tribunals Service
- [Guidance for Appropriate Adults](#) .gov
- [Guidance for health professionals on domestic violence](#) Department of Health and Social Care
- [Handling cases of forced marriage: multi-agency practice guidelines](#) Foreign & Commonwealth Office
- [Information Sharing \(2018\)](#) Advice for practitioners providing safeguarding services to children, young people and carers .Gov
- [Mental Health Act \(1983\)](#) Legislation.Gov
- [Mental Health Act 1983 Code of Practice: Guidance on the visiting of psychiatric patients by children](#) Department of Health
- [Mental Health Act 1983 Code of Practice: Guidance on the visiting of psychiatric patients by children](#) Department of Health
- [Missing Children and Adults - A Cross Government Strategy](#) Home Office
- [Modern slavery Act statutory collection](#) Home Office
- [Multi-agency public protection arrangements \(MAPPA\)](#) Ministry of Justice, National Offender Management Service, and HM Prison Service
- [National service framework: children, young people and maternity services](#) Department of Health and Social Care
- [Prison, probation and rehabilitation: Public protection manual](#) National Offender Management Service and HM Prison Service
- [Probation service serious further offence procedures policy framework guidance](#) .Gov

- [Radicalisation - Prevent strategy](#) Home Office
- [NHS England Operating Framework](https://www.england.nhs.uk/publication/operating-framework/) NHS England
- [Serious and Organised Crime Toolkit: An Interactive Toolkit for practitioners working with young people](#) Home Office
- [Sexual Offences Act \(2003\)](#) Legislation.Gov
- [Thinkuknow \[Supporting children to stay safe online\]](#) National Crime Agency
- [Understanding the female genital mutilation enhanced dataset: updated guidance and clarification to support implementation](#) Department of Health and Social Care
- [Violence against women and girls](#) Home Office

Guidance issued by non-government national organisations

- [Child maltreatment: when to suspect maltreatment in under 18s](#) NICE
- [Child protection and the Dental Team](#) British Dental Association
- [Children's Commissioner](#)
- [Children with family members in prison.](#) NICCO provides information designed to support professionals working with offenders and their children, to help mitigate negative consequences for those children.
- [Children's rights and the law](#) - Children's Rights Alliance for England
- [Cyberbullying: Understand, Prevent, Respond – Guidance for Schools](#) Childnet International
- [How we protect children's rights](#) – Unicef
- [Inter parental relationships](#) Early Intervention Foundation
- [NICE guideline on child abuse and neglect](#) NICE
- [NICE guideline on Harmful sexual behaviour among children and young people](#) NICE
- [Prison and Probation Ombudsman's fatal incidents investigation](#)
- [Private fostering](#) Coram BAAF
- [Protecting children and young people: doctors' responsibilities](#) General Medical Council

- [Reporting Concerns to the Charity Commission](#)
- [Safeguarding Children Toolkit](#) Royal College of General Practitioners
- [Standards for safeguarding and protecting children in sport](#) NSPCC
- [Sudden unexpected death in infancy and childhood: multi-agency guidelines for care and investigation](#) Royal College of Pathologists
- [Whistleblowing advice line](#) NSPCC
- [Working Together with Parents Network update of the DoH/DfES Good practice guidance on working with parents with a learning disability \(2007\)](#) University of Bristol

Vulnerable Adults and Adults at Risk

- [ADASS protocol for inter-authority investigation of vulnerable adult abuse](#)
- [Assessment - Financial abuse in vulnerable adults](#)
- [Disclosure and Barring Service \(DBS\)](#)
- [HM Government information sharing guidance](#)
- [Safeguarding strategy 2019 to 2025: Office of the Public Guardian](#)
- [LGA and ADASS Adult safeguarding and domestic abuse: a guide to support practitioners and managers](#)
- [National service framework: older people](#)
- [Safeguarding Adults: Advice and Guidance to Directors of Adult Social Services](#)
- [Safeguarding adults at risk of harm: A legal guide for practitioners](#)
- [Safeguarding older people from abuse](#)
- [Scope Hate Crime](#)

Document Equality Impact Assessment –Part A

Document Title:		Safeguarding Policy	
Name of Person Completing Equality Impact Assessment:		Natalie Willetts	
Date Equality Impact Assessment completed:		2 nd October 2020	
Characteristics	Impact		Equality Impact Assessment form completed?
	Yes	No	
Age		X	If No comment: This policy is aimed at protecting and promoting the safety and well-being of Nugent beneficiaries. There are no negative impacts on any groups considered to have a protected characteristic.
Disability		X	
Ethnicity		X	
Gender		X	
Religion or belief		X	
Sex orientation		X	
Socio-economic		X	
Gender Reassignment		X	
Maternity/Pregnancy		X	
Marriage/Civil Partnership		X	

Equality Target Group	a) Positive Impact		b) Negative Impact		Reason/Comment
	High	Low	High	Low	
Children and young people (under the age of 18)	X				This policy safeguards those under the age of 18
Vulnerable adults	X				This policy safeguards those classed as vulnerable adults

Document Equality Impact Assessment – Part B

What is the main purpose or aims of the policy

This policy aims to safeguard children and young people we support in residential provision, adoption services and schools and adults we support in residential and outreach services

Who will be the beneficiaries of this policy?

All service users supported by Nugent

Has the policy been explained to those it might affect directly or indirectly?

Information on safeguarding is available in all locations.

Have you consulted on this policy?

Not required – this is a review and rewrite of an existing policy.

What are the expected outcomes of this policy?

Consistent safeguarding practices in line with current legislation.

Name of Person Completing Equality Impact Assessment:

Natalie Willetts

Document Change Log

The Document Change Log acts as a register of all authorised changes made to this document. Changes will not be made unless authorised by the document owner.

Description of Change	Change requested by	Change made by	Authorised by	Date document republished
Review		DoPs		March 2014 (v3)
Review		AD children's		April 16 (v4)
Review		DoOps		Aug 16 (v5)
Review		DoOps		Feb 18 (v6)
Review		COO		Oct 18 (v7)
Full review, rewrite and transfer into new template	CEO	COO		July 20 (v8)
Review	CEO	Safeguarding Leads		October 20 (v9)
Review	Organisational Safeguarding Lead	Safeguarding Leads		