SAFEGUARDING POLICY AND PROCEDURES

Safeguarding means protecting people’s health, wellbeing and human rights, and enabling them to live free from harm, abuse and neglect (Care Quality Commission, 2014).

Newport Live recognises that safeguarding is everyone’s business and everyone’s responsibility, therefore, regardless of an employee’s job they should be fully aware of what actions they need to follow should they identify a concern for a child, adult or family whom they may come into contact with during their working day.

**Relevant Legislation**

This policy is in accordance with: The Sexual Offences Act 2003, Children Act 2004

The Children Act 1989; “Safeguarding Children: Working together under the Children Act 2004, All Wales Child Protection Procedures 2008, Safeguarding Vulnerable Groups Act 2006, Social Services and Well-being (Wales) Act 2014, Care Act 2014, Well-being of Future Generations (Wales) Act 2015, The Mental Capacity Act 2005, Welsh Government “Working together to safeguard people guidance”, Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015

From 1st April 2013, the region merged to create one South East Wales Safeguarding Children Board (SEWSCB). The purpose of the Board is to co-ordinate multi agency safeguarding children work and to ensure the effectiveness of that work in improving outcomes for children and young people.

As of the 6th April 2016, the Gwent-wide Adult Safeguarding Board (GwASB) is a Statutory Board as set out in the Social Services and Well-Being (Wales) Act 2014. This was followed by the creation of the South East Wales Violence Against Women, Domestic Abuse and Sexual Violence Partnership Board.

**Key Principles**

The investigation of suspected or actual abuse of a child or adult at risk remains the lead responsibility of Social Services and the Police, but it is everyone’s business and everyone’s responsibility to identify and report abuse.

Staff are not expected to be specialists in this area and are not expected to be trained to deal with protection, or to investigate concerns themselves however, staff do need to be aware of the following key aspects:

* Abuse does happen.
* Staff have a responsibility to be alert and aware of possible concerns.
* Staff should talk to their Line Manager if they have concerns for a child or adult and report these so that appropriate action can be made.
* Newport Live has a Lead Safeguarding Officer, who is able to provide advice and support where necessary. They can be contacted on 01633 233685.
* To report a concern staff should contact Newport City Councils, Social Services, Duty and Assessment Team on 01633 656656 for advice or to make a referral. If out of hours (8.30am- 5pm) contact the Emergency Out of Hours Service on 0800 328 4432.
* In an **emergency** situation, contact the Police directly on 101 / 999.
* You do not need a parent’s / families consent to make a referral to the Duty and Assessment Team.

It may be tempting not to want to get involved or to be afraid of the consequences but remember that by doing nothing, a child may continue to be abused. If you have concerns it is your responsibility to share those concerns but it is not your responsibility to investigate those concerns for yourself.

Newport Live has adopted the All Wales Child Protection Procedures (2008) and Wales Interim Policy and Procedures for the Protection of Vulnerable Adults from Abuse (2nd version) 2013, these documents detail the agreed processes which should be followed in order to safeguard and protect children and adults at risk. There should be a copy of the All Wales Child Protection Procedures (2008) in each main workplace across the organisation.

Staff do not need to know the high level of detail within the procedures, however, you must be aware of your duties and responsibilities to respond to concerns identified for a child/adult at risk and that there is a clear process which should be followed to report your concerns.

**Who is defined as a child?**

A child is defined as any child/ young person who has not reached their 18th birthday. The concept of safeguarding and promoting the welfare of children is defined as:

* Protecting children from abuse and neglect;
* Preventing impairment of their health or development; and
* Ensuring that they receive safe and effective care to enable them to have optimum life

**Who is defined as an “Adult at Risk”?**

An Adult at Risk is: *‘a person over 18 years of age who is, or may be in need of community care services, by reason of mental or other disability, age, or illness and who is or may be unable to take care of himself or herself, or unable to protect himself or herself against significant harm or serious exploitation’.*

This definition may include a person who: has learning disabilities; has mental health problems, including dementia; is an older person with support/care needs; is physically frail or has a chronic illness; has a physical or sensory disability; misuses drugs or alcohol; has an autistic spectrum disorder

Significant harm refers to: Ill-treatment (including sexual abuse and forms of ill treatment that are not physical), Impairment of, or an avoidable deterioration in, physical or mental health, Impairment of physical, emotional, social or behavioural development.

**Mental Capacity**

The Mental Capacity Act 2005 (the Act) provides the legal framework for acting and making decisions on behalf of individuals who lack the mental capacity to make particular decisions for themselves.

The Act’s starting point is to confirm in legislation that it should be assumed that an adult (aged 16 or over) has full legal capacity to make decisions for themselves (the right to autonomy) unless it can be shown that they lack capacity to make a decision for themselves at the time the decision needs to be made. This is known as the presumption of capacity.

**Consent**

Most adults are deemed, in law, capable of giving or withholding consent. In adult protection it is vital to consider if an adult at risk is capable of giving consent and, if so, their consent must be sought. However, even where an adult declines action under the Adult Protection Policy and Procedures, staff have an **overriding duty** to report abuse if that adult, or others, are at risk.

If the adult at risk seems able to make an informed decision and does not want action or intervention, their wishes should be respected, unless:

* statutory duty to intervene (a crime may have been committed / may well be);
* public interest e.g. another person or people are put at risk;
* it is suspected the adult may be under the undue influence of someone else.

**What is abuse?**

All Wales Child Protection Procedures (2008) and the Social Services and Well-Being (Wales) Act 2014 recognises the following categories of abuse:

* **Physical abuse**
* **Emotional/psychological abuse**
* **Sexual abuse**
* **Neglect**
* **Financial abuse**

Abuse always falls into one of the five categories identified however important work has been undertaken into particular forms and contexts of abuse that you should also be aware of, these are: Self neglect, Institutional abuse, Discrimination and hate crime, Disability hate crime, Abuse by a stranger, Domestic abuse, Forced marriage, Modern slavery

**Safeguarding All Customers**

Newport Live work with organisations to safeguard their customers. Organisations such as the Police, Probation and Prison Services work together with other agencies to manage the risk posed by violent and sexual offenders living in the community in order to protect the public.

**Staff Roles and Responsibilities**

If any employee has knowledge, concerns or suspicions that a child or adult is suffering, has suffered or is likely to be at risk of harm, it is his or her responsibility to ensure that they share their concerns with their line manager/ safeguarding officer in a timely manner.

The actions to follow including what employees need to know, sources of advice and expertise, who to contact for such advice, can be found on the Safeguarding / Child Protection – Your Responsibilities procedures. These are located in staff areas across all of the Newport Live venues.

If a child, individual, parent, caregiver, relative or member of the public expresses concerns about an individuals welfare to an employee, that employee must ensure that they receive the information from the person and report this to their Line Manager. If an incident or concern is raised at a Newport Live site then the Leisure Operations Officer / Duty Manager / Lead Manager should be informed and if appropriate will investigate the concern. The Lead Officer will discuss this with the Safeguarding Officer and if appropriate will make a referral to the Duty and Assessment Team.

The conduct expected of all employees is defined in the [**Employee Code of Conduct**](http://stellentcons/stellent/groups/public/documents/web_text/cont709701.pdf).

**Designated Person for Safeguarding**

Within Newport Live there is a designated Safeguarding Officer. This person is responsible for ensuring that the safeguarding policy, procedures are in place and communicated to staff. The Lead Officer for Safeguarding can be contacted on 01633 233685 for advice and support where required.

**Recognising and responding to suspected abuse and neglect**

It is your responsibility to ensure that the concerns in respect of the alleged/ reported/ suspected abuse are shared with the appropriate statutory agencies in a timely and appropriate manner and that in emergency situations that you contact Social Services and/ or the Police immediately.

In addition to Statutory Services it may also be necessary to inform other agencies of investigations. Particularly true in the case of incidents occurring within sporting clubs, where it would be necessary to inform the National Governing Body. It may also be necessary to inform the Disclosure and Barring Service of a coaches behaviour.

Research suggests that children with disabilities have increased levels of vulnerabilities and are therefore at a higher risk of abuse or neglect for a number of reasons (eg a lack of communication skills therefore making it more difficult for the child to disclose that abuse is occurring).

Suspicions or concerns regarding the potential or suspected abuse of a child or young person may arise from a number of circumstances including;

* Injuries to a child
* Direct disclosures to you from the child, or an adult
* A change in the child’s physical appearance or demeanour
* Observed behaviours of an adult towards the child (e.g. Low warmth and high criticism towards the child; unrealistic expectations of the child; physical/ verbal aggression towards the child)
* Displays sexualised behaviour which is not appropriate to the child’s age/ development
* Remarks made to you by the child or by a child’s friend or other person

**Responding to a disclosure that a child or young person is being abused**

If someone tells a member of staff that they or another child or adult is being abused:

* Stay Calm- show that you have heard what they have said and that you take their allegation seriously.
* Support the child/adult to talk but do not prompt or ask leading questions, don’t interrupt the child and do not ask them to repeat their story to other people.
* Do not promise to keep a secret- you have a responsibility to report any concerns but explain that only the people who need to know will be told.
* Explain what actions you must take in an age appropriate manner and in a way that the child will understand.
* Write down what you have been told trying to use the exact words that were used wherever possible, also note the time and date and if any other persons were present.
* Do NOT confront the alleged abuser.
* Report your concerns as soon as possible (certainly within 24 hours) to your Line manager and if on site the Leisure Operations Officer, Duty Manager or designated person for Safeguarding, this person will be responsible for completing a referral to the Children’s Duty and Assessment Team.

When the concern has been reported, the role of the designated safeguarding person is to:  Receive and record information, Assess the information properly and carefully, Consult with the Safeguarding Officer / Duty and Assessment Team to discuss concerns,  Be responsible for submitting a referral to the Duty and Assessment Team and where necessary, the Police.

**Responding to allegations of abuse against a staff member or other professional**

Where concerns are identified in respect of any member of staff, that those concerns are acknowledged and responded to appropriately, including informing partner agencies such as NGBs. It is essential that suspicions/ allegations regarding the staff member are investigated in strict confidence thus enabling information to be shared freely and fully. It is also necessary to consider what action should be taken in respect of any contact the suspected person has with any other adult at risk or child, including their own children and family. Concerns are to be reported to your line manager.

If you have worries or feel that the concerns in respect of the alleged suspected person have not been managed or investigated appropriately then you can also refer your concerns to the following organisations;

Children: South East Wales Safeguarding Childrens Board

Adults at Risk: Gwent-wide Adult Safeguarding Board