



Swindon Advocacy Movement

Children and Adult Safeguarding Policy

“Safeguarding is everybody’s responsibility”

Introduction

This document gives guidance on the procedures in place at Swindon Advocacy on how we will safeguard children, young people and adults. This policy applies to all staff and volunteers and Trustees of Swindon Advocacy Movement.

SAM staff, volunteers and trustees have an obligation and responsibility to protect, safeguard and promote the welfare of the children, young people and adults with whom we work.

SAM staff have a responsibility to raise issues or concerns in relation to SAM’s services and services provided by other organisations. All potential alerts should be escalated in line with policy.

This policy refers to all clients regardless of ethnic origin, religion, language, age, sexuality, gender, or disability, have equal opportunity to access services and information designed to protect them from harm and to promote their wellbeing.

Definitions

Safeguarding means protecting people's health, wellbeing and human rights, and enabling them to live free from harm, abuse and neglect.

Child or young person, anyone who has not yet reached their 18th birthday.

Adult at risk, anyone aged 18 or over who is unable to look after their own well-being, property, rights, or other interests and is at risk of harm (either from another person’s behavior or their own behavior) due to disability, illness, physical or mental infirmity.

Children and adults may be vulnerable to neglect and abuse or exploitation from within their family and from individuals they come across in their daily lives.

Abuse can take a variety of different forms, including:
sexual, physical, emotional abuse, and neglect (including self-neglect)
exploitation by criminal gangs and organised crime groups
trafficking and modern slavery
online abuse
sexual exploitation

influences of extremism leading to radicalization
domestic abuse
financial abuse
female genital mutilation (FGM)
discriminatory abuse
organisational abuse.

Any or all of these types of abuse may be carried out with deliberate intent, negligence or ignorance.

Single or multiple incidents of abuse may affect one person or more but professionals and others should look beyond single incidents or individuals to identify patterns of harm.

Repeated and/or serious instances of poor care may be an indication of systemic problems or organisational abuse.

Children

Article 19 of the UN Convention on the Rights of the Child states that, 'every child should be protected from abuse'. Everyone at Swindon Advocacy Movement has a responsibility to make sure that children are safeguarded and protected from abuse and neglect.

This policy has been scoped to ensure compliance with government legislation, including *Working together to Safeguard Children* and *The Children Act 2004*.

Safeguarding children and promoting their welfare includes:

- protecting children from abuse and maltreatment
- preventing harm to children's health or development
- ensuring children grow up with the provision of safe and effective care
- taking action to enable all children and young people to have the best outcomes.

Adults

The Care Act 2014 sets out a clear legal framework for how local authorities and other stakeholders should protect adults at risk of abuse or neglect. These safeguarding duties include the requirement for a multi-agency, local adult safeguarding system that seeks to prevent abuse and neglect and stop it quickly when it happens.

Safeguarding adults includes:

- Protecting their rights to live in safety, free from abuse and neglect.
- People and organisations working together to prevent the risk of abuse or neglect, and to stop them from happening.

- Making sure people's wellbeing is promoted, taking their views, wishes, feelings and beliefs into account.

Collaborative Working and Data Sharing

Swindon Advocacy Movement works in partnership on safeguarding matters. The Safeguarding Lead and her deputy sit on the Swindon Safeguarding Partnership Board <https://safeguardingpartnership.swindon.gov.uk/site/index.php>

While everyone who works with children and adults at risk has a responsibility for keeping them safe, no one person or organisation alone can have a full picture of an individual's needs and circumstances. All partners have a role to play in identifying concerns, sharing information, and taking prompt action.

Swindon Advocacy Movement collates data for all safeguarding cases that we are involved with, this allows us to monitor outcomes for our clients and to escalate as per agreed procedure. We use this data collection to carry out analysis looking for trends and themes of concern, these are then be raised with the appropriate body.

Managing your Own Feelings

Hearing accounts of abuse can be distressing and difficult to deal with. SAM provides support for staff and volunteers; this may be from a line manager or via external supervision for emotional support.

Training

Reading and assimilating all SAM policies and procedures, including this Safeguarding policy is part of the induction process for all staff, volunteers, and trustees along with a high standard of training (see induction process).

The CEO and Team managers receive enhanced Safeguarding training to enable them to provide leadership and advice to staff including Safer Recruitment training.

The Strategic Lead for Safeguarding within SAM is Colette O'Sullivan, the deputy is Rachel Grabowski.

Safer Recruitment

To ensure the safety of service users and adults and children at risk, SAM follows our safer recruitment procedures for all prospective paid staff and volunteers.

Safeguarding Protocol

If an employee believes a child or adult to be at immediate risk of harm or abuse, and/or a

criminal offence is taking place, they must take immediate steps to protect that person by calling 999.

Employees must then contact their line manager to let them know what has happened and to take advice on next steps.

If there is no immediate risk of harm employees must follow the steps below and consult with a line manager as soon as possible on the same working day of the safeguarding concern:

Always place the child or adult's welfare and interests as the paramount consideration.

Making safeguarding personal

Swindon Advocacy Movement uses a person-led and outcomes-focused approach. Employees must talk with the child, young person, or adult at risk about how best to respond to their safeguarding situation in a way that enhances their involvement, control, and choice throughout the safeguarding process.

Listen carefully and actively to the person – at this stage, there is no necessity to ask questions. Let the person guide the pace and remember their ability to recount a disclosure will depend on age, culture, language and communication skills, and disability.

Take notes: name and address of the person disclosing or at risk, description of the incident using the individual's own words where possible, date and time of incident / disclosure, name and contact details of any witness to the incident or disclosure, details of the abuser (where available).

Do not show shock at what is being said. This may discourage the child or adult from talking, as they may feel you are unable to cope with what they're saying, or perhaps that you're thinking badly of them.

Do not investigate. If anything needs to be clarified in order to understand the safeguarding risk, ask clear, open questions: 'what, when, who, how, where' questions to ask 'do you want to tell me anything else?'

Do not ask any 'why' questions as these can suggest guilt or responsibility.

Remain calm and reassure the person that they have done the right thing by talking to a responsible adult.

Never promise to keep a secret or confidentiality. Swindon Advocacy Movement works within statutory systems and must collaborate in order to effectively support and care for children, young people, and adults at risk.

Ensure the child or adult at risk understands what will happen next with their information

If the person disclosing is a child, employees have a duty to ensure that the information is passed on in order to keep the child safe. If a child requests confidentiality, employees must explain that this cannot be done and why eg 'I'm really concerned about what you have told me and I have a responsibility to ensure that you are safe'.

Employees must make referrals to the local authority children's social care services, following local procedures. Where possible and safe for the child employees must discuss their concerns with the child's parent, and an agreement should be sought for a referral to the local authority children's social care. Employees must only do this if it does not increase risk to the child (through either delay, or the parent's possible actions or reactions). If employees decide not to seek parental permission before making a referral to children's social care, they must record and date this decision in their case files.

For guidance on making referrals for children and young people please see https://safeguardingpartnership.swindon.gov.uk/info/15/for_professionals/34/referral_guidelines_and_mash_contact_information

If the person disclosing is an adult, employees have a duty to pass on information if someone is at immediate risk of harm, and to encourage and support the adult to share information and seek support. Employees must ask for the adult's consent to take up their concerns. If the adult does not agree, or if employees do not believe that the adult has capacity to make a decision about consent, they must consult with Safeguarding Lead or deputy or, if they're not available, another member of the management team.

If the adult consents to safeguarding procedures and a referral, employees must follow the Swindon Safeguarding Partnership procedures. Employees must take action on the same working day that the concerns were noted and consent obtained. If the adult does not consent to contacting other agencies, and has the mental capacity to make that decision, employees must provide information and advice to the adult. This must include a summary of the concerns and advice of other services that the adult may choose to access.

For more guidance [Threshold E-guidance | Swindon Borough Council](#)

An employee can seek guidance for any safeguarding concern in case supervision or if urgent in an adhoc meeting. Employees and managers must consider the safeguarding concerns and the adult's individual circumstances of:

Empowerment – what does the person want? What rights need to be respected? Is there a duty to act, are others at risk of harm?

Protection – is this person an adult at risk? What support do they need? Is capacity an issue? Should others (such as a carer) be involved?

Proportionality – have risks been weighed up? Does the nature of the concern require referral through multi-agency procedures?

Partnership – what is the view of others involved? How do multi-agency procedures apply?

Accountability – is there a clear rationale on which to base a decision?

Managing Allegations

Where there are concerns or allegations about an adult employee or volunteer who is working with children or adults at risk (often called someone in a “position of trust”) employees must follow SAM’s Managing Allegations and Whistleblowing Policies.

Advocacy and Safeguarding

“Safeguarding means protecting an adult’s right to live in safety, free from abuse and neglect. It is about people and organisations working together to prevent and stop both the risks and experience of abuse or neglect, while at the same time making sure that the adult’s wellbeing is promoted including, where appropriate, having regard to their views, wishes, feelings and beliefs in deciding on any action.

This must recognise that adults sometimes have complex interpersonal relationships and may be ambivalent, unclear, or unrealistic about their personal circumstances. SAM should always promote the adult’s wellbeing in their safeguarding arrangements. People have complex lives and being safe is only one of the things they want for themselves.

All staff at SAM should work with the adult to establish what being safe means to them and how that can be best achieved. Professionals and other staff should not be advocating “safety” measures that do not take account of individual well-being, as defined in Section 1 of the Care Act.” Department of Health Care Act Guidance October 2014.

Making a referral to the local authority

Any sensitive information sent outside of SAM must be sent using a secure email.

Referrals must be made on the same day where harm or risk of harm has been identified. https://safeguardingpartnership.swindon.gov.uk/info/18/for_professionals/65/report_a_concern

If concerns arise out of office hours, referrals must be made to the local authority out of hours service.

Mental capacity

Whenever the term ‘a person who lacks capacity’ is used, it means a person who lacks capacity to make a **specific** decision or take a particular action for themselves at the time the decision or action needs to be taken. To establish a lack of capacity for a specific decision an assessment of capacity should have been completed in line with the Mental Capacity Act.

For further details see <https://www.gov.uk/government/collections/mental-capacity-act-making-decisions>

Confidentiality

You should always discuss breaking confidentiality with the person and encourage them to seek help and support. See the Social Care Institute for Excellence's advice <https://www.scie.org.uk/safeguarding/adults/practice/sharing-information#does-not-want-you-to-share> on if a person does not want you to share their information.

If you need to break confidentiality and inform someone such as a medical professional, safeguarding adults' team or the person's emergency contact about your concerns without their consent, do this with the support of the safeguarding lead, deputy or other manager. Keep case notes on this decision and any follow up. If the disclosure puts the adult or others at risk then the worker must report it.

If confidentiality is to be breached, then the worker must follow guidelines in the SAM Confidentiality Policy and the Non-instructed advocacy policy.

Response

Children

Children's social care services are required to provide referrers with a response within 24 hours of receiving a referral and acknowledge receipt to the referrer. Responses may include:

- referral progressing to a social work assessment
- no further action
- signposting to another service
- a recommendation that the referring agency or another agency undertake an early help assessment (or that the referral remains within early help services).

If no response has been received within 72 hours, SAM employee or their service manager must contact the local authority children's social care again and, if necessary, ask to speak to a line manager to establish progress.

If the local authority's response is inadequate, or doesn't sufficiently address the risk of abuse, employees must discuss this with their service manager on the same day. The service manager must then review the details and make a decision to take action regarding any escalation required (refer to SAM Escalation policy).

Adult

Swindon Adult social care must give their response in line with https://safeguardingpartnership.swindon.gov.uk/downloads/file/976/adult_safeguarding_policy_and_procedures

Responses may include:

no further action

an enquiry under Section 42 of the Care Act

Where the criteria are not met and the duty does not continue to s42 (2) or 'other' enquiry, issues may still need to be addressed and risks mitigated under other processes and powers. Other investigative processes, early intervention and preventative measures, advice, information and signposting, alternative pathways such as Care Act assessment or carer's assessment may be used to reduce and manage the risk to the person's wellbeing

If no response has been received within **72 hours** the employee or service manager must contact the local authority adult's social care again and, if necessary, ask to speak to a line manager to establish progress.

If the local authority's response is inadequate, or it doesn't sufficiently address the risk of abuse, employees must discuss this with their service manager on the same day. The service manager must then review the details of the situation and decide to take action regarding any escalation required (refer to Escalation policy).

Whistleblowing

A staff member concerned about safeguarding issues should always report to their line manager. If they do not feel that the manager is following correct procedures, or if they feel there are safeguarding concerns within the organisation, then they must refer to the SAM's Whistleblowing policy.

Escalation Procedure

If an immediate Line Manager is unavailable, any concern should be escalated by the member of staff in possession of the information up through the escalation procedure to the CEO.

For external escalation follow the Safeguarding Escalation Policy.

Related Policies:

Safeguarding Escalation Policy

Whistleblowing policy

Confidentiality Policy

Data Protection Policy

Recruitment Policy
Training and Induction Policy
Lone Working Policy and Procedure and Guidelines
Non-instructed Advocacy Policy
Independent Advocacy Policy

To be used in conjunction with the NHS Pocket Principles of Protection

<https://www.england.nhs.uk/south/wp-content/uploads/sites/6/2016/04/1085-nhs-leaflet-accessible-copy.pdf>