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# Birchanger Wood Trust 2018

## Safeguarding children and adults at risk of harm procedures

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### Safeguarding Procedures (All Trustees)

#### 1. RESPONSIBILITIES

The responsibilities for dealing with safeguarding lie with the following:

Safeguarding is everyone's responsibility. Trustees are required to report any suspected abuse and be aware of the appropriate reporting and support procedure for safeguarding.

The Safeguarding Officer(s) will discharge their safeguarding functions in a way that ensures that children are safeguarded from harm, and promotes their welfare. They are responsible for following up any suspected reports of abuse and for informing the Police or other appropriate external bodies.

#### 2. REPORTING OF SAFEGUARDING CONCERNS

If you are worried about a child or adult at risk, talk to the Birchanger Wood Trust 2018 Safeguarding Lead to discuss your concerns at the earliest opportunity, as long as it will not delay any potential referral or place someone at harm.

##### Safeguarding Officers

Lead Officer

Deputy Officer

##### Making referrals

Trustees must make it clear to anyone who shares information with them that will have to pass it on and follow this procedure in order to ensure that no one else is at risk, to prevent a crime or to protect them if they cannot protect themselves from harm.

If the concern is about an adult we will refer to the [SET Safeguarding Adults Framework](#) to establish the safeguarding threshold. If the concern is about a child, we will refer to the [SET Safeguarding and Child Protection Procedures](#).

If we have a concern and need to make a safeguarding referral we use the [Essex County Council Portal](#)

If we cannot use the portal we will make the referral to the consultation line on 0345 603 7627.

We will call 999 and inform the emergency services in an emergency situation.

##### Allegations of abuse or malpractice against a Trustee or volunteer

It is essential that any allegation of abuse made against a person who works with children and young people including those who work in a voluntary capacity are dealt with fairly, quickly, and consistently, in a way that provides effective protection for the child, and at the same time supports the person who is the subject of the allegation.

This procedure applies to a wider range of allegations than those in which there is reasonable cause to suspect a child is suffering, or likely to suffer, significant harm. **It also includes allegations that might indicate that the alleged perpetrator is unsuitable to continue to work with children in their present position, or in any capacity. This may be due to concerns about the persons conduct in their personal or professional life that might indicate their unsuitability to work with children.**

It must be used in respect of all allegations that are consistent with the guidance in Working Together i.e. cases in which it is alleged that a person who works with children has:

- behaved in a way that has harmed, or may have harmed, a child
- possibly committed a criminal offence against, or related to, a child; or
- behaved in a way that indicates s/he is unsuitable to work with children.

**If the allegation is against a Birchanger Wood Trust 2018 Trustee or volunteer the allegation must be reported immediately, at least within one working day, to the Birchanger Wood Trust 2018 Safeguarding Lead.**

If the allegation is against the Safeguarding Lead then the allegation must be reported to the Birchanger Wood Trust 2018 Deputy Safeguarding Lead. The Birchanger Wood Trust 2018 Safeguarding Lead/or Deputy must then report the allegation to the Local Area Designated Officer (LADO) on the same day.

**Contact details for LADO:** 03330 139 797

**Email:** lado@essex.gov.uk

**See flowchart below.**

# FLOWCHART FOR REFERRAL FOR ACTUAL OR SUSPECTED ABUSE (2022)

## See it. Recognise it. Report it.

If the matter is urgent because a child or adult at risk of harm is in immediate danger phone 999 for the Police.

### See it.

Are they safe? If you are concerned about a child or Adult at Risk of Harm you could help stop abuse if you follow the safeguarding policy and procedure (use this flowchart)

It is not your responsibility to decide if abuse has happened. It IS your responsibility to report it to the Safeguarding Lead and/ or appropriate authority

### Recognise it.

- Share your concerns/ information with the Safeguarding Lead/ Deputy Safeguarding Lead.
- For concerns about an Adult at Risk of Harm: Use the [SET Safeguarding Adults Framework](#) to guide your discussions on thresholds for safeguarding referrals
- For concerns about a child (under 18 years of age): Use the [SET Safeguarding and Child Protection Procedures](#) to guide your discussions on thresholds for safeguarding referrals
- If you need to discuss whether or not a referral is required, call the MASH Professional Consultation Line on 0345 6061499 to speak with a MASH social worker - or use their webchat
- If there is immediate danger to the child or Adult at Risk call 999 for the Police.

### Report it

If you have a concern about a child or an Adult at Risk and need to make a safeguarding referral use the relevant portal

### Contact information

Safeguarding referral: [children](#) or [adults](#); tel 0345 603 7627

**Police: 999 if it is an emergency**

Safeguarding Lead: tel. email:

Safeguarding Deputy: tel. email:

Safeguarding Trustee: tel. email:

#### Notes: reporting for CYP

- Parents/ carers should be advised that you are making a referral unless this might put the child at risk or cause any delay in referring
- **Local Authority Designated Officer (LADO) Referrals**  
If you have concerns about an adult working with a child under the age of 18 that you would like to report, contact the Essex duty LADO (Local Authority Designated Officer)  
Telephone: 03330 139 797

#### Notes: reporting for Adults at Risk

It is essential that wherever possible it is the adult at risk who will decide on the chosen course of action, taking into account the impact of the adult at risk's mental capacity where relevant.

However, the people and organisations caring for, or assisting them, must do everything they can to identify and prevent abuse happening wherever possible and evidence their efforts

Remember ALL notes will be disclosable should a formal or criminal investigation occur. *Ensure that your notes are signed, dated, professional, separate opinion from fact, are recorded verbatim using the same words as were used during the disclosure.*

## Note on safeguarding adults at risk

**We will refer to the Safeguarding Adults Framework to help decide if the threshold for safeguarding has been met.**

This document is to support decision-making to establish whether or not incidents/events need to be addressed using safeguarding practices and to support practitioners through their safeguarding work.

There will be occasions where a concern raised does not need to go to safeguarding but could be resolved by; advice, information, assessment/review or the complaints process (this list is not exhaustive). Consider the most proportionate response to each situation prior to taking action, as per the Care Act.

The Care Act does not stipulate a 'process' as such as each piece of work must follow the ethos of 'Making Safeguarding Personal'. However, the decision as to whether we should support a person using safeguarding practice is guided within the Act. The adult at risk;

- a) has needs for care and support (whether or not the authority is meeting any of those needs),
- b) is experiencing, or is at risk of, abuse or neglect, and
- c) as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it.

### **Making Safeguarding Personal**

Wherever possible the adult at risk should be consulted about the intention to report the concern (to whichever agency) or enabled to report the concern themselves. They should be informed that a concern is to be reported about risks to them unless it is not safe to do so.

- Public interest and the responsibility to protect all adults at risk may override the individual's rights and preferences.
- People have a right to be informed of, and involved in, Safeguarding Enquiries into risks of abuse or neglect that they may face.
- People have the right to, wherever possible, determine their own outcomes and how they might be achieved.
- We have a duty to, wherever possible, work to achieve those outcomes.
- People have rights in deciding how they live their lives and how to manage any risks that they face.
- Exceptions to these rights can be where people do not have the capacity to understand the risks involved, or where their involvement might put them or others at risk
- Adults at risk has a right to an advocate under these circumstances, Trustees can contact [Essex Safeguarding Adults Board](#)

### **Balancing individuals rights and agencies duties and responsibilities**

Individuals have the right to take risks and to live their life as they choose.

These rights, including the right to privacy, will be weighed when considering duties and responsibilities towards them. They will not be overridden other than where it is clear that the consequence would be seriously detrimental to their, or another person's health and well-being and where it is lawful to do so.

Any concern, disclosure or witnessed abuse must be reported immediately in accordance with local multiagency policies and procedures.

### 3. RECOGNISING CHILD AND ADULT ABUSE

Abuse can take many forms and the examples in the definitions in Appendix D are not exhaustive. There may be other situations not covered in the examples below that give you concern for a child's safety and wellbeing. **If you have a concern follow the reporting flowchart on page 8.**

#### 3.1 Information sharing procedures relating to safeguarding

Through the safe and effective sharing of information it aims to ensure that adults at risk of abuse and or children get the support they require from external services and that the people it works with are protected from harm, abuse or neglect. It also seeks to prevent them from offending.

In many reviews into deaths of children and or adults at risk of abuse the lack of information sharing between agencies and organisations is often highlighted as a contributory, if not causal, factor in the death. **It is imperative that Birchanger Wood Trust 2018 Trustees understand the requirement to share safeguarding information in order to protect children from harm.**

Confidentiality and information sharing must be integrated across all aspects of Birchanger Wood Trust 2018 services and management as its users have the right to privacy and confidentiality and to understand when "secrets" cannot be protected for their best interests.

#### information sharing Definitions

**Confidentiality:** Not all information is confidential. Confidential information is information of some sensitivity, which is not already lawfully in the public domain or readily available from another public source, and which has been shared in a relationship where the person giving the information understood that it would not be shared with others.

Birchanger Wood Trust 2018 understands confidentiality to mean that no information regarding a service user shall be given directly or indirectly to any third party which is external to the Trustees, without that service user's prior expressed consent to disclose such information.

**Breach of confidentiality:** Confidence is only breached where the sharing of **confidential** information is not authorised by the person who provided it or to whom it relates. If the information was provided on the understanding that it would be shared with a limited range of people or for limited purposes, then sharing in accordance with that understanding will not be a breach of confidence. Similarly, there will not be a breach of confidence where there is explicit consent to the sharing.

**Even where sharing of confidential information is not authorised, Birchanger Wood Trust 2018 may lawfully share it if this can be justified in the public interest.**

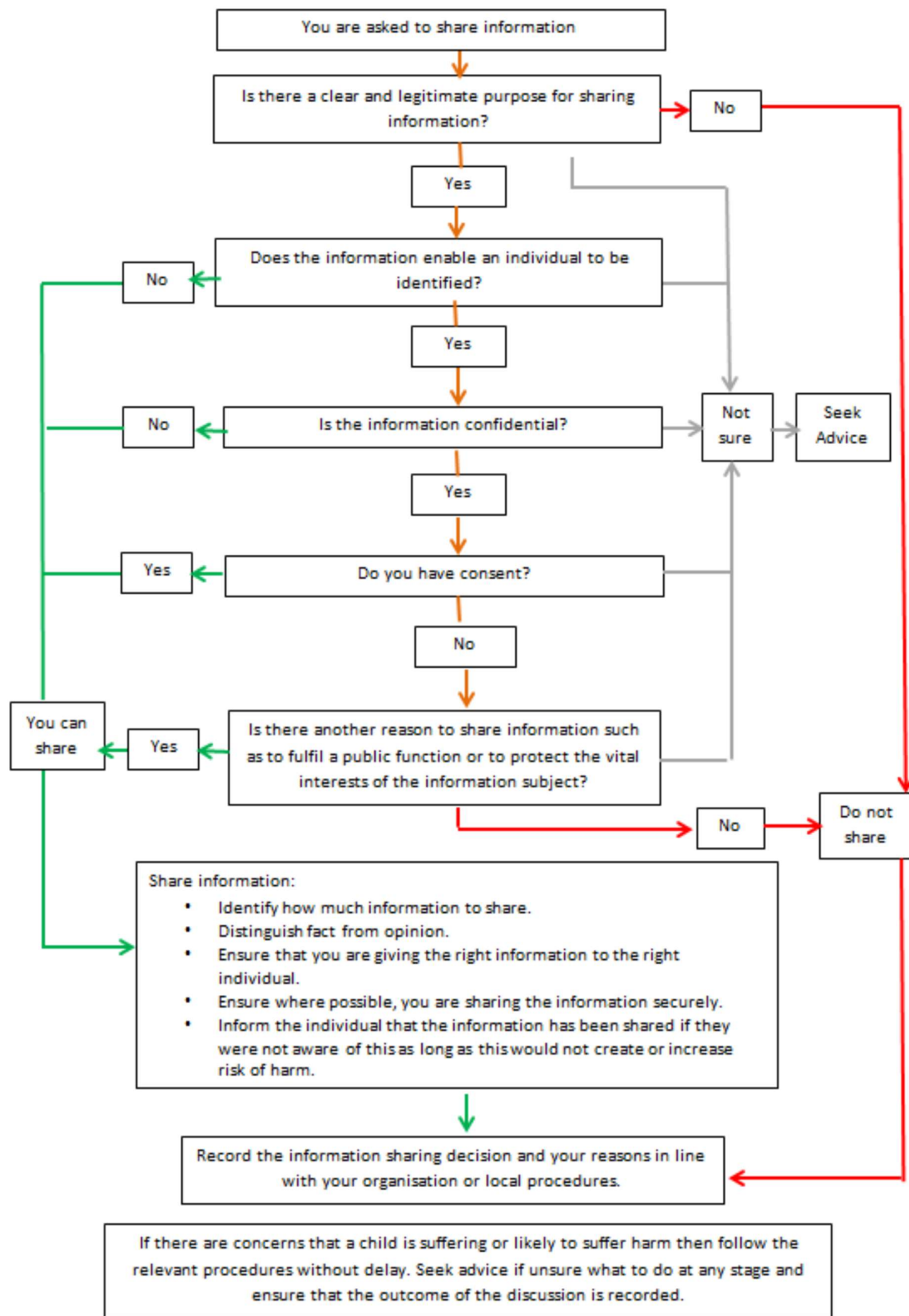
Seeking consent should be the first option, if appropriate. Where consent cannot be obtained to the sharing of the information or is refused, or where seeking it is likely to undermine the prevention, detection or prosecution of a crime, the question of whether there is a sufficient public interest must be judged by the Manager with the CE on the facts of each case.

Therefore, where you have a concern about a child or young person, you should not regard refusal of consent as necessarily precluding the sharing of confidential information

**Public interest:** A public interest can arise in a wide range of circumstances, for example, to protect children or other people from harm, to promote the welfare of children or to prevent crime and disorder. There are also public interests, which in some circumstances may weigh against sharing, including the public interest in maintaining public confidence in the confidentiality of certain services. The key factor in deciding whether or not to share confidential information is proportionality, i.e. whether the proposed sharing is a proportionate response to the need to protect the public interest in question.

**Serious crime:** This means any crime which causes or is likely to cause significant harm to a child or young person or serious harm to an adult.

#### 3.3 Information sharing flowchart



## **Safeguarding Code of Conduct for all Trustees and Volunteers**

This Safeguarding Code of Conduct sets out the expectations of Birchanger Wood Trust 2018 for all Trustees or volunteers who work for or represent Birchanger Wood Trust 2018 in their contact with children, young people and adults at risk. Failure to comply with this Safeguarding Code of Conduct may be considered Gross Misconduct and Trustees or volunteers suspected of breaching the Code may be asked to leave Trust-owned property and be dealt with according to the relevant procedures.

### **Do**

- Approach any child, young person or adults at risk apparently in distress and ask if you can help and seek assistance from colleagues or supervisors in order to minimise the amount of time you are alone with the person.
- Be aware of the possible risks and question situations that you find suspicious.
- Communicate the details of any lost children to the Designated Officer
- Keep any lost children in a public area where they can be clearly seen and take them to the Designated area as quickly as possible.
- Actively contribute to an organisational culture where inappropriate behaviour is not tolerated.
- Ensure that whenever possible there is more than one adult present during activities with children, young people and adults at risk, or at least that you are within sight or hearing of others. The adult present may be a teacher or parent.
- If a child or adults at risk wishes to talk to you in confidence then try to find a quiet space in a public area where this is possible.
- Act professionally in all matters.
- Be aware of appearances and avoid any situations which might appear compromising.
  - Report any allegation (even if this is just a suspicion) of abuse or inappropriate conduct immediately to your line manager and / or the Designated Officer.
- Always do your utmost to accommodate if the child / adults at risk expresses a wish to talk to a male or female member of Trustees.
- Be sensitive in your communication with people so that you avoid over familiarity

### **Do Not**

- Engage in any "rough and tumble" or other horseplay.
- Make sexually suggestive comments to any visitor/service user.
- Use foul or abusive language to any visitor/service user.
- Allow or engage in inappropriate touching of any kind.
- Give out personal information, or share email, social network site details (eg, Facebook), and mobile phone numbers with any child, young person or adult at risk of abuse.
- Do things of a personal nature for children or adults at risk that they can do for themselves or that a parent / leader can do for them