



**Nadder Community Land Trust Ltd.**

## **Safeguarding Policy**

**EDITION 1**

**1<sup>st</sup> December, 2021**

# Safeguarding Policy

<b>1</b>	<b>POLICY STATEMENT</b>	<b>3</b>
<b>2</b>	<b>UNDERPINNING DEFINITIONS, LEGISLATION AND PRINCIPLES</b>	<b>4</b>
	Definitions	4
	Legislation	5
	Principles	5
<b>3</b>	<b>TYPES OF ABUSE</b>	<b>5</b>
<b>4</b>	<b>RESPONSIBILITIES</b>	<b>6</b>
<b>5</b>	<b>CODE OF CONDUCT</b>	<b>7</b>
<b>6</b>	<b>RECRUITMENT AND TRAINING OF STAFF AND VOLUNTEERS</b>	<b>7</b>
<b>7</b>	<b>PHOTOGRAPHS AND PICTURES</b>	<b>7</b>
<b>8</b>	<b>WRITTEN AND DIGITAL COMMUNICATIONS</b>	<b>8</b>
<b>9</b>	<b>MANAGEMENT OF EVENTS</b>	<b>8</b>
<b>10</b>	<b>DEALING WITH A SAFEGUARDING CONCERN</b>	<b>9</b>
	Raising a Concern	9
	Investigating and Reporting a Concern	9
<b>11</b>	<b>CONCERNS ABOUT NCLT STAFF OR VOLUNTEERS</b>	<b>10</b>
<b>12</b>	<b>CONFIDENTIALITY</b>	<b>10</b>
<b>13</b>	<b>IMPORTANT CONTACT NUMBERS</b>	<b>10</b>
	NCLT	10
	Other sources of advice	10
<b>14</b>	<b>REVIEW</b>	<b>10</b>

## 1 Policy statement

- 1.1 Nadder Community Land Trust (“NCLT”) is committed to the well-being and safety of every child and adult at risk it works with, and this policy outlines the principles and procedures it works to.
- 1.2 As the a charitable community land trust, whose purpose is to provide affordable homes for the Nadder Valley community, NCLT’s mission does not involve working directly with children or adults at risk. As a result its work does not involve roles which fall within the scope of the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended) or regulations made under the Police Act 1997.
- 1.3 However, NCLT’s mission does involve it working with other voluntary groups, public institutions, families and the local community, where children, young people, and vulnerable adults may participate at NCLT events, and in education or community settings.
- 1.4 In the majority of these cases the organisations, institutions and families NCLT works with are themselves responsible for the young people and adults at risk in their care. NCLT seeks solely to work through existing networks and does not establish new groups of children, young people and vulnerable adults outside existing structures.
- 1.5 NCLT employees and volunteers will in the majority of cases have no direct contact with children and adults at risk, but with the conveners of groups or organisations.
- 1.6 Nevertheless, NCLT recognises that the safety of all children and adults at risk is a priority whatever the setting and this Policy sets out principles and best practice guidelines covering NCLT staff or volunteers who come into direct contact with children or adults at risk, however incidental.
- 1.7 NCLT has a responsibility, along with other individuals, organisations and statutory bodies, to prevent all forms of abuse, neglect or bullying of children or adults at risk. In particular, NCLT will:
  - a) exercise due diligence in the appointment and selection of those who work closely with children or adults at risk.
  - b) follow such statutory guidelines and regulations as may be in force.
- 1.8 All NCLT staff and volunteers who have a safeguarding concern about a child or adult at risk, have a duty to act, following the principles and procedures set out in this Policy so that the appropriate agencies can investigate and take any necessary action to protect those suffering abuse.

## 2 Underpinning Definitions, Legislation and Principles

### Definitions

- 2.1 “Child” refers to anyone under the age of 18, as defined by the Children Act 1989.
- 2.2 “Adult at Risk”, as set out in the Care Act 2014, refers to someone 18 years old or over, where there is reasonable cause to suspect that they:
- have needs for care and support (whether or not the local authority is meeting any of those needs); and
  - are experiencing, or at risk of, abuse or neglect, and
  - as a result of those care and support needs are unable to protect themselves from either the risk of, or the experience of abuse or neglect.
- 2.3 The definition of an Adult At Risk depends on the context and circumstances in which abuse or neglect is suspected to be taking place. An adult who might not have a "need for care and support" in some situations might have those characteristics in others, depending on the circumstances.
- 2.4 “Regulated Activity” is work with Children or Vulnerable Adults which meets criteria set out specifically in the Safeguarding Vulnerable Groups Act 2006 which has been amended by the Protection of Freedoms Act 2012.
- 2.5 Activities regarded as Regulated Activity with Children are defined in the document [Regulated Activity with Children in England](#) issued by the Disclosure and Barrings Service (DBS) and include:
- teaching, training, instructing, caring for or supervising children\*;
  - providing any form of advice or guidance on well-being\*;
  - moderating a public electronic interactive communication service (e.g. an online forum) which is likely to be used wholly or mainly by children;
  - driving a vehicle only for children;
  - work for a limited range of establishments (‘specified places’) with opportunity for contact with children: for example, schools, children’s homes, childcare premises where this is not supervised;
  - relevant personal care, for example washing or dressing; or health care by or supervised by a professional, even if done once;
  - registered child minding; and foster-carers.
- 2.6 Work marked with an asterisk (\*) above is Regulated Activity only if done regularly, meaning that it is carried out by the same person once a week or more or on three or more days in a 30-day period. Otherwise, work will constitute a Regulated Activity even if only performed once.
- 2.7 Activities regarded as Regulated Activity with adults are defined in the document [Regulated Activity \(Adults\)](#) issued by the Department of Health and include:
- work by or supervised by a regulated health care professional;
  - personal care: assistance with washing and dressing, eating, drinking and toileting or teaching or prompting someone to do one of these tasks;
  - social work;
  - assistance with a person’s cash, bills or shopping because of their age, illness or disability;

- e) assistance with the conduct of an adult's affairs, eg lasting or enduring powers of attorney, or deputies appointed under the Mental Health Act; and
  - f) conveying adults for reasons of age, illness or disability to, from or between places where they receive healthcare, personal care or social work .
- 2.8 Someone is not performing a Regulated Activity if they are being properly supervised at all times by someone who is permitted to perform that Activity (the supervisor is regarded as engaged in Regulated Activity and not the person being supervised).
- 2.9 By law, Regulated Activity may not be done by people who appear on Disclosure and Barring Service ("DBS") barred lists, as revealed by a DBS Enhanced Disclosure.

### Legislation

- 2.10 This Policy is been designed to implement principles and procedures which are compliant with those established by law, and in particular the following laws and regulations (as they may be amended ore re-enacted):
- a) the Children Act 2004 and the Protection of Children Act 1999;
  - b) the Child Safeguarding Practice Review and Relevant Agency (England) Regulation 2018;
  - c) the Care Act 2015;
  - d) the Revised Code of Practice for Disclosure and Barring Service Registered Persons 2015;
  - e) the New Guidance on the Rehabilitation of Offenders Act 1974;
  - f) the Data Protection Act 2018;
  - g) the General Data Protection Regulations (EU) 2016/679.

### Principles

- 2.11 In all its work with Children and Adults at Risk NCLT adheres to the following principles:
- a) the well-being and safety of each Child and Adult at Risk is its primary concern;
  - b) interaction between NCLT staff and volunteers with Children and Adults at Risk is based on mutual trust and respect;
  - c) the wishes and concerns of any Child, Adult at Risk or their parent or carer are respected;
  - d) all NCLT staff and volunteers have a responsibility to prevent the physical, sexual or emotional abuse of any Child or Vulnerable adult with whom they come into contact, to take any suspicions or concerns of abuse seriously and to respond swiftly and appropriately;
  - e) all NCLT staff and volunteers are aware of their responsibilities under this Policy;
  - f) NCLT staff and volunteers receive Safeguarding training which is regularly refreshed where required by law;
  - g) NCLT has safe recruitment processes, which include Dislosure and Barring Service checks prior to commencement of work where required by law.

## 3 Types of Abuse

- 3.1 There are five types of child abuse as defined in the UK Government guidance Working Together to Safeguard Children (2006) as follows:
- a) Physical abuse

- b) Emotional abuse
  - c) Sexual abuse
  - d) Neglect
  - e) Bullying
- 3.2 Indicators of child abuse that NCLT staff and volunteers should be made aware of include unexplained physical injuries; injuries consistent with abuse (bruises on upper arm, cigarette burns, scalds); a child mentioning being left alone or unsupervised; a child acting in a sexually explicit way towards adults; outbursts of sudden aggression; fear of making mistakes; complaining of being tired all the time; being anxious and withdrawn and fear of being left with a specific person or group of people.
- 3.3 For vulnerable adults, the [Care and support statutory guidance](#) identifies ten types of abuse, these are:
- a) Financial or material abuse
  - b) Physical abuse
  - c) Psychological abuse
  - d) Sexual abuse
  - e) Discriminatory abuse
  - f) Modern slavery
  - g) Organisational or institutional abuse
  - h) Domestic violence or abuse
  - i) Neglect or acts of omission
  - j) Self-neglect.
- 3.4 Indicators that NCLT staff should be aware of include: signs of physical injuries; low self esteem; the uncharacteristic use of sexually-explicit language; fear of being left alone with a person, appearing malnourished, unkempt or withdrawn; uncooperative and aggressive behaviour and expressions of anger, frustration, fear or anxiety.

## 4 Responsibilities

- 4.1 The Board has overall responsibility for safeguarding matters including:
- a) this Policy and its enforcement;
  - b) approval of any Safeguarding or Risk Assessments required by this Policy.
- 4.2 NCLT's Designated Safeguarding Lead ("DSL"), is the Secretary (or another Board Member if so appointed by the Board), and will perform the following role:
- a) advise and support the Board in developing and establishing NCLT's approach to safeguarding;
  - b) play the lead role in maintaining and reviewing this Policy;
  - c) coordinate the distribution of policies, procedures and safeguarding resources throughout NCLT's organisation;
  - d) advise on training and development needs;
  - e) ensure NCLT staff and volunteers have access to appropriate safeguarding advice;
  - f) manage safeguarding concerns, allegations or incidents reported to NCLT;
  - g) manage referrals to key safeguarding agencies (eg social services or police) of any incidents or allegations of abuse and harm;
  - h) ensure the Board are kept informed on the management of safeguarding issues.

- 4.3 The Designated Safeguarding Officers for an NCLT event involving Children or Adults at Risk are responsible for preparing and implementing its Safeguarding Plan and for managing any safeguarding matters which arise at the event.
- 4.4 All NCLT staff and volunteers share responsibility for maintaining NCLT's Code of Conduct and taking action to ensure that NCLT's work does not place Children and Adults at Risk, as set out in this Policy.

## **5 Code of Conduct**

- 5.1 NCLT staff and volunteers will:
- a) treat all those they with whom they come into contact with respect;
  - b) give constructive feedback rather than negative criticism;
  - c) respect everyone's right to personal privacy;
  - d) encourage those they come into contact with to feel comfortable about point out attitudes or behaviour they do not like;
  - e) avoid physical contact with others other than when essential and then only with consent (other than where greater harm would otherwise occur);
  - f) challenge unacceptable behaviour and report all allegations/suspensions of abuse;
  - g) avoid suggestive or derogatory remarks or gestures;
  - h) be alert to potential indicators of abuse or neglect;
  - i) in case of doubt, always err on the side of raising and reporting concerns.

## **6 Recruitment and Training of Staff and Volunteers**

- 6.1 Job adverts, role descriptions and job information packs will refer to NCLT's safeguarding policies and indicate that an application for a DBS certificate will be submitted where required by law in the event of the individual being offered a position which involves Regulated Activity with Children or Adults at Risk.
- 6.2 As part of the induction process, all new NCLT employees and volunteers will be asked to familiarise themselves with this Policy.
- 6.3 Where the role of an NCLT employee or volunteer involves work which falls within the category of a Regulated Activity, Disclosure and Barring Service checks will be performed where required by law before work commences.

## **7 Photographs and Pictures**

- 7.1 Photographs or recordings of Children and Adults at Risk:
- a) will only be taken with the consent of the subject's parent, guardian or carer, obtained in writing through a consent form; and
  - b) will only be used for the purposes set out in the consent form.

## 8 Written and digital communications

- 8.1 NCLT staff and volunteers will take appropriate steps to ensure they are aware of situations where communications they send will be read by Children and Adults at Risk.
- 8.2 NCLT staff and volunteers will only make contact Children and Adults at Risk outside the setting of an organised NCLT event:
- for the purposes of routinely administering their NCLT membership;
  - when sending member or supporter communications where the same communication is being sent to a larger group of NCLT members or supporters;
  - when responding to enquiries through a shared mailbox or messaging system in which all outbound communications can be seen by at least two other NCLT staff or volunteers; and
  - in other circumstances only where a Safeguarding or Risk Assessment has been completed and approved by the Board.

## 9 Management of events

- 9.1 Those planning any event (whether taking place via electronic communications or in person) organised by NCLT will assess the likelihood that:
- it will involve contact by NCLT staff and volunteers with Children or Adults at Risk (other than contact which is trivial, incidental and unavoidable) and;
  - there is a reasonable prospect that the event will be attended by Children or Adults at Risk who are not accompanied throughout by a parent, guardian or carer.
- 9.2 Where an event meets the criteria set out in paragraph 9.1 above:
- two Designated Safeguarding Officers (one male, one female) will be appointed who will:
    - co-ordinate safeguarding arrangements for the event; and
    - manage any safeguarding matters at the event;
  - the Designated Safeguarding Officers will be responsible for preparing and implementing a Safeguarding Plan for the event (**including transport arrangements to and from the event**) to ensure:
    - that any Child or Adult at Risk attending the event is informed in advance of the names and contact details of the Safeguarding Officers and what to do if they suspect any inappropriate activity;
    - that the names of any Children and Adults at Risk attending, together with the contact details for their parent, guardian or carer is maintained in an Attendance Register;
    - that a Safeguarding Notice is prominently displayed stating in simple language the action which anyone should take where they suspect an inappropriate event has taken place;
    - that as far as possible at least two adults (one of each gender) are present at all times where Children or Adults at Risk are present.
  - where an event involves a Regulated Activity, the Designated Safeguarding Officers will also ensure:
    - that all those performing a Regulated Activity have been subject to a DBS Enhanced Disclosure with barring check and do not appear on the barred list;



- that a Consent Form setting the respective responsibilities the event organisers and the parent/guardian/carer in respect of the event, (including travel to/from the venue) is signed in advance by the relevant parent, guardian or carer.
- 9.3 Where an NCLT event involves working with an established group composed (in all or part) of Children or Adults at Risk, the Designated Safeguarding Officers will in advance of the event satisfy themselves:
- a) that the group has appropriate safeguarding policies to protect Children and Adults at Risk; and
  - b) that the group has performed an appropriate assessment of the planned event and has obtained necessary consents.
- 9.4 If a Child or Adult at Risk arrives at an NCLT event with an obvious physical injury, a note of the injury will be made in the Attendance Register at the time of arrival and should be countersigned, if possible by the person who has the duty of care for the individual concerned.

## 10 Dealing with a Safeguarding Concern

### Raising a Concern

- 10.1 Anyone who is concerned that there is evidence pointing to possible abuse of a Child or Adult at Risk should refer their concern as soon as possible:
- a) to one of the Designated Safeguarding Officers if the concern relates to conduct at an NCLT event; or
  - b) to the Designated Safeguarding Lead by calling 07956-327675 or emailing [info@NadderCommunityLandTrust.org](mailto:info@NadderCommunityLandTrust.org);
  - c) to any NCLT Board member; or
  - d) if there appears to be a risk of imminent harm direct to the Police.

### Investigating and Reporting a Concern

- 10.2 An NCLT Officer to whom a concern is referred will:
- a) if appropriate, seek advice (for example from a teacher, carer, the NSPCC or the parent, guardian or carer of the Child or Adult at Risk affected);
  - b) if appropriate, refer the safeguarding concern formally to the organisation or person who has legal responsibility for investigating and managing the Safeguarding concern, who may be:
    - the safeguarding officer of a school or other organisation to which the Child or Adult at Risk belongs;
    - NCLT's Designated Safeguarding Lead or Board; or
    - the police or local authority or other statutory agency;
  - c) report details of the safeguarding concern and action taken, sending this to the Designated Safeguarding Lead and NCLT Board by emailing [info@NadderCommunityLandTrust.org](mailto:info@NadderCommunityLandTrust.org) with the subject header "SAFEGUARDING REPORT" within 48 hours.

## 11 Concerns about NCLT staff or volunteers

- 11.1 Where a safeguarding concern relates to abuse of a Child or Adult at Risk conducted by an NCLT staff member or volunteer, further action will be determined by the Board, and may include:
- a) changes to working arrangements which remove the NCLT staff member or volunteer concerned from will working with Children or Adults at Risk;
  - b) suspension of employment or temporary withdrawal from volunteering while an investigation is performed;
  - c) referral to the Police, local authority or other statutory body with a duty of care; or
  - d) management of the issue in accordance with the Disciplinary Policy.
- 11.2 Any board decision will be based upon the available information and on the best interests of the Child or Adult at Risk.

## 12 Confidentiality

- 12.1 Confidentiality is vital for the effective handling of a safeguarding concern and everyone involved in the operation of this Policy is responsible for observing the high level of confidentiality that is required. Details of the concern, any investigation and its subsequent reporting must be kept confidential to the extent permitted by law, with knowledge restricted to those referred to in this Policy.
- 12.2 A breach of confidentiality will be treated as a case of gross misconduct which, in the case of NCLT volunteers and employees, will be dealt with under the terms of the Disciplinary Procedure.

## 13 Important Contact Numbers

### NCLT

NCLT Designated Safeguarding Lead – 07956-327675

### Other sources of advice

NSPCC Helpline 0808 800 5000  
ChildLine 24-hour helpline 0800 1111  
Kidscape (anti-bullying) 0207 730 3300

## 14 Review

- 14.1 This policy is effective from 1<sup>st</sup> December 2021 and will be reviewed every three years.