

## Draft Policy

## Belfast City Council

## Safeguarding All Ages Policy 2019

Draft version 8 final. (Post Public Consultation)

Approved Date	
Review date	Every three years or in response to changes in legislation or guidance.
Related legislation	Please see policy
Replaces	Policy and procedures for the protection of Children and Vulnerable adults 2009
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Version	Final draft

## Version Record

Date	Version	Revision description
26/10/2022	Final	Approved By CMT
20/10/2022	Final	Approved at full JNCC
11/10/2022	Final	No revision post public consultation
27/05/2021	V8	Small amendments in response to JNCC TU call.
10/03/2020	V7	Revision for typos
27/02/2020	V6	Revision following JNCC call by ARGS
10/01/2020	V5	Final revision from HR
18/12/2019	V4	Revision after feedback from HR and Legal.
20/10/2019	V3	Feedback from Safeguarding panel members

01/09/2019	V2	Used for Development of current policy. This document was never approved by council or seen outside of the Safeguarding panel for development.
01-09-2009	V1	Revisited due to need to update in line with changes in guidance and legislation

## Overview:

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## Chief Executives Foreword:

Everyone has a fundamental right to be safe. Whatever the cause, and wherever it occurs, harm caused to children and adults by abuse, exploitation or neglect is not acceptable. This policy emphasises that safeguarding is everyone's business and that as a Council, we will strive to prevent harm to children and adults from abuse, exploitation or neglect. This policy requires us to put all individuals who may be at risk at the centre of what we do, to listen to them and to work in partnership with them on an inter-agency basis to create an organisation which has a zero-tolerance of harm to the most vulnerable people living in Belfast.

This policy is Belfast City Council's contribution to the fulfilment of a Northern Ireland Executive Programme for Government commitment to deliver a package of measures to safeguard children and adults who are at risk of harm and to promote a culture where safeguarding is everyone's business.

The Council recognises that the Safeguarding Policy must be owned at all levels within the organisation. As Chief Executive of Council I have directed that this policy be developed and I, the elected members and the Corporate Leadership Team, will be responsible for its approval and ensuring it is fully implemented and reviewed. A key element of the safeguarding policy is the recruitment of a Safeguarding Compliance Manager who will ensure that this council embraces best practice in this area.

We will also strive to incorporate the ethos of trauma informed practise into all aspects of council life by incorporating the six key principles of Safety, Trustworthiness and Transparency, Peer support, Collaboration and mutuality, Empowerment, voice and choice, Cultural, Historical, and Gender Issues.

The Policy applies to all employees, elected members, casual/agency workers, volunteers, contractors, grant-aided organisations and those using our facilities irrespective of their function, remit or role. It provides a robust platform which sets out the Councils responsibilities and details where support can be obtained.

I particularly commend this Policy to all employees and would ask that you take the time to familiarise yourself with the contents.

**John Walsh**

Chief Executive

## Rationale

Safeguarding is everybody's responsibility, and safeguarding all ages is important to us.

The Council recognises everyone has a fundamental right to be safe. Whatever the cause, or wherever it occurs, harm caused to children, young people or adults by abuse, exploitation or neglect is not acceptable. In response to Keep Safe Children – Our duty to Care (2017) and Keep Adults safe – A shared responsibility (2015) published by Volunteer Now to reflect development in Safeguarding and changes in legislation and guidance, we reviewed the current policy and procedure and recommended some improvements; Following this in 2018 we introduced a Safeguarding Panel and began a piece of work to establish robust policies and procedures, demonstrating our commitment to safeguarding and to provide clear and practical support to elected members, staff, agency workers, casual workers, and volunteers.

We have designed this document to be user friendly and to incorporate the ethos that safeguarding of all ages is everyone's responsibility.

# Safeguarding Policy Children and Young People

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## 1.0 What is safeguarding?

Within this policy the term 'safeguarding' is used in its widest sense, that is, to encompass both activity which prevents harm from occurring in the first place (council safeguarding procedures) and activity which protects children and adults at risk where harm has occurred or is likely to occur (council reporting to statutory agencies procedures).

**Preventative safeguarding** includes a range of actions and measures. Council employees may come into contact with children and adults who may be at risk of harm and so must recognise the potential for, and to prevent, harm. In practice we support staff by providing safeguarding procedures which include:

- recruitment and selection – vetting procedures
- management, support, supervision, training and awareness
- reporting procedures for safeguarding children and adults at risk of harm

- assessing and managing risks
- comments and complaints procedures
- management of records, confidentiality and sharing of information
- workplace domestic violence policy and trusted colleagues
- safeguarding codes of behaviour
- booking procedures for council facilities including Safeguarding requirements.
- photographic guidance
- role of Safeguarding Compliance Manager

**Protective safeguarding** is targeted at children and adults who are in need of protection, that is, when harm from abuse, exploitation or neglect is suspected, has occurred, or is likely to occur. The Health and Social Care (HSC) Trusts and PSNI lead the protection service. In practice the Council has internal reporting protocols for concerns regarding children and adults which may lead to referrals to these statutory agencies.

**The duty to safeguard is a responsibility of all organisations, groups, services and agencies within society that come into contact with children and adults at risk of harm.**

## 1.1 Standards

We have designed the standards in this policy on Information taken from the following:

### *Legislation*

- UN Convention on the Rights of the Child 1989 (UNCRC International Treaty)
- Data Protection Act 2018 - GDPR (Replaces Data Protection Act 1998)
- The Disability Discrimination Act 1995
- Sexual Offences (NI) Order 2008
- The Sexual Offences Act 2003
- The Criminal Justice (NI) Order 2008
- Rehabilitation of Offenders Order (NI) 1978.
- Criminal Law Act (NI) 1967
- Safeguarding Vulnerable groups (NI) Order 2007
- Section 75 NI Act 1998
- The Safeguarding Board Act (NI) 2011

### *Guidance Documents*

- Volunteer Now – Safeguarding Children and Vulnerable Adults – Policy Standards 2012
- SBNI – Safeguarding Board for NI - Policy standards
- Co-operating to Safeguard Children (DHSSPS) Guidance
- Our Duty to Care: Standards and Guidance for Keeping Children and Young People Safe (2014), Volunteer Now.
- Co-Operating to Safeguard Children and Young People in Northern Ireland, March 2016

**For the purposes of this policy, the definition of a child is any person under 18 as per The Children Order (NI) 1995.**

## 1.2 Definition of Safeguarding and Child protection

Safeguarding is more than child protection.

Safeguarding begins with promotion and preventative activity which enables children and young people to grow up safely and securely in circumstances where their development and wellbeing is not adversely affected. It includes support to families and early intervention to meet the needs of children and continues through to child protection. Child protection refers specifically to the activity that is undertaken to protect individual children or young people who are suffering or are likely to suffer significant harm.

(Co-Operating to Safeguard Children and Young People in Northern Ireland, August 2017)

Children and young people have the right to live their lives to the fullest potential, to be protected, to be able to participate in and enjoy activities and to be treated with dignity and respect. There is a considerable body of legislation, government guidance and standards designed to ensure that these all children and young people are protected from harm.

Everybody has a responsibility for the safety of children and young people and in accordance with relevant legislation we, as an organisation which has significant contacts with children and young people across its services, have both a moral and legal obligation to ensure a duty of care.

The purpose of this policy and its associated procedures is to help protect the children and young people who use our services and to ensure that Belfast City Council employees, volunteers, and elected members are aware of issues that can cause children and young people harm and take effective action to protect them.

By complying fully with the policies and procedures, we seek to ensure that employees, volunteers, and elected members are also protected whilst carrying out their duties.

## 2.0 Policy Statement; aims and objectives

### *Policy Statement*

Every child and young person has a right to feel safe and protected and, as a provider of public facilities and services, we are committed to creating and maintaining the safest possible environment for the children and young people who use our facilities, access our services and come into contact with members of our workforce. We will take all reasonable steps to protect children and young people using our facilities and services from harm, discrimination, or degrading treatment whilst respecting their rights, wishes, and feelings.

### 2.1 Aims

We aim to do this by:

- Recognising that all children and young people have the right to freedom from abuse and protection from harm.

- Putting in place robust recruitment procedures to ensure that those individuals whose behaviour could be a threat to the safety and wellbeing of children and young people are not offered employment.
- Raising the awareness of the duty of care responsibilities throughout the council.
- Actively encouraging good practice amongst all employees, volunteers, and elected members throughout the council and promoting wider awareness wherever possible, with partnership organisations and user groups.
- Creating a safe and healthy environment within all our services, avoiding situations where abuse or allegations of abuse may occur.
- Respecting and promoting the rights, wishes, and feelings of children and young people and working closely with other agencies.
- Recruiting, training, supervising, and supporting employees and volunteers who work with children and young people to adopt best practice to safeguard and protect children and young people from abuse, and themselves against false allegations. Employees who work with children and young people will be subject to the appropriate level employment checks. All appropriate new staff will be inducted on these policy and procedures with sign-off from their line managers and Human Resources.
- Introducing a Code of Behaviour specific to Safeguarding.
- Responding to any allegations appropriately and implementing the appropriate council policies and procedures.
- Requiring employees, volunteers, and elected members to follow the council's safeguarding children and young people policy and procedures.
- Having appropriately trained Designated Safeguarding Officers in place to co-ordinate children and young people safeguarding issues and give advice. (Please note, certain council facilities / services operate outside of 9am – 5pm, therefore, this may result in a Duty Manager rather than a Designated Officer being onsite outside of these hours).
- Ensuring we maintain confidentiality where appropriate and we restrict access to confidential information to the appropriate authorities.
- Carrying out a regular audit and review of the effectiveness of our safeguarding children and young people policy and procedures.
- Helping to maintain professionalism and standards of service which are associated with best practice provision, including a Code of Behaviour.
- We are committed to reviewing our policies, procedures, practices and training in line with changes in legislation and best practice or at a minimum every three years.

## 2.2 Objectives

Our objectives to achieve these aims are:

- To provide appropriate training for all appropriate employees, volunteers and elected members.
- To aid employees, volunteers, and elected members to respond sensitively and seriously to anyone who discloses information about abuse and be confident and able to take appropriate action swiftly, regardless of whom the allegation is about.
- To promote the general welfare and well-being of children and young people within council facilities and services.
- To develop and implement effective procedures for recording and responding to complaints of alleged or suspected child or young person abuse.



### 3.0 Definitions

Throughout this document 'children or child' is used. Unless specifically mentioned this relates to 'children and young people'.

- The term children or young person is used to refer to anyone under the age of 18 years as defined in the Children (NI) Order 1995.
- The term parent is used as a generic term to represent parents, carers and guardians.
- The term employees, staff and elected members is used to refer to employees, agency workers, casual workers, volunteers and District Councillors' and anyone working on behalf of and/or representing the Council (contractors).
- A volunteer is anyone who without compensation or expectation of compensation (other than reimbursement of agreed expenses, for example mileage) performs a task at the direction of and on behalf of the council.

### 4.0 Recognising abuse

Recognising child abuse is not easy. It is **not** our responsibility to decide whether or not child abuse has taken place or if a child or young person is at significant risk of harm from someone. We do, however, have both a responsibility and duty, as set out in our children and young people safeguarding policy and procedures, to act in order that the appropriate agencies can investigate and take any necessary action to protect a child or young person.

Everyone who works with children or young people or comes into contact with children or young people through their work, should be able to recognise, and know how to act upon, indicators that a child's or young person's welfare or safety may be at risk.

Abuse can be perpetrated by:

- parents
- others with parental responsibility
- adults in a position of trust
- people within the wider family circle or neighbourhood
- complete strangers or
- other children

Abuse or harm occurs as much from omissions and lack of protection as from commission of the actual acts of abuse. Child protection/safeguarding processes should always consider the wider needs of the child and family; the council's elected members, staff, agency workers, casual workers and volunteers should always be alert to potential indicators of abuse or neglect.

#### ***Disabled children***

Disabled children are at increased risk of abuse because they can experience greater vulnerability. This is the result of negative societal values, attitudes, and assumptions and unequal access to services and resources. They may have problems seeking help because of barriers to communication such as no verbal communication, isolation or

inaccessible services. If staff or volunteers supporting people with disabilities have limited knowledge and skills with regard to a disability, this can increase the barriers to the recognition of abuse. The nature of a disability will be unique to each individual child or young person. They are likely to have additional needs relating to physical, sensory, cognitive, and/or communication impairments.

Reasons why disabled children and young people are more vulnerable:

- more risk of social isolation
- increased dependency for practical assistance which may increase risk of exposure to abusive behaviour
- impaired capacity to resist/avoid abuse
- speech and language communication needs can affect ability to report abuse
- lack of access to someone they trust
- vulnerable to bullying and intimidation
- looked after Children who are disabled are vulnerable due to being in care but also vulnerable due to the additional dependency of their disability

#### **4.1 Types of abuse**

A child or young person can suffer harm through acts of abuse perpetrated upon them by others. Abuse can happen in any family, but children may be more at risk if their parents have problems with drugs or alcohol, or mental health issues, or if they live in a home where domestic abuse happens. Abuse can also occur outside of the family environment. Evidence shows that babies and children with disabilities can be more vulnerable to suffering abuse (NSPCC Stats suggest children with disabilities are three times more likely to be abused).

Although the harm from the abuse might take a long time to be recognisable in the child or young person, professionals may be in a position to observe its indicators earlier, for example, in the way that a parent interacts with their child. The key is effective and ongoing information sharing between professionals.

Harm from abuse is not always straightforward to identify and a child or young person may experience more than one type of harm or significant harm.

Harm can be caused by:

- physical abuse
- sexual abuse
- emotional abuse
- neglect; and, or
- exploitation<sup>1</sup>.

#### **Physical abuse**

Is deliberately physically hurting a child or young person. It might take a variety of different forms, including hitting, biting, pinching, shaking, throwing, poisoning, burning or scalding, drowning or suffocating a child or young person.

## ***Sexual abuse***

Occurs when others use and exploit children sexually for their own gratification or gain or the gratification of others. Sexual abuse may involve physical contact, including assault by penetration (for example, rape, or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside clothing. It may include non-contact activities, such as involving children in the production of sexual images, forcing children to look at sexual images or watch sexual activities, encouraging children to behave in sexually inappropriate ways or grooming a child in preparation for abuse (including via e-technology). Sexual abuse is not solely perpetrated by adult males. Women can commit acts of sexual abuse, as can other children.

## ***Emotional abuse***

Is the persistent emotional maltreatment of a child. We sometimes call this psychological abuse and it can have severe and persistent adverse effects on a child's emotional development.

Emotional abuse may involve deliberately telling a child that they are worthless, or unloved and inadequate. It may include not giving an opportunity to express their views, deliberately silencing them, or 'making fun' of what they say or how they communicate. Emotional abuse may involve bullying, including online bullying through social networks, online games, or mobile phones by a child's peers.

## ***Neglect***

Is the failure to provide for a child's basic needs, whether it be adequate food, clothing, hygiene, supervision or shelter that is likely to result in the serious impairment of a child's health or development. Neglected children often also suffer from other types of abuse.

## ***Exploitation<sup>1</sup>***

Is the intentional ill-treatment, manipulation or abuse of power and control over a child or young person; to take selfish or unfair advantage of a child or young person or situation, for personal gain. It may manifest itself in many forms such as child labour, slavery, servitude, engagement in criminal activity, begging, benefit or other financial fraud, or child trafficking. It extends to the recruitment, transportation, transfer, harbouring, or receipt of children for the purpose of exploitation. Exploitation can be sexual in nature.

## ***Self-harm***

Although not categorised as abuse, it is important that we recognise and respond appropriately to children and young people who may have self-harmed or are suspected of self-harming. Self-harm is a term used when someone injures or harms himself or herself on purpose (also called self-injury or deliberate self-harm) rather than by accident.

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<sup>1</sup> Although 'exploitation' is not included in the categories of registration for the Child Protection Register, professionals should recognise that the abuse resulting from or caused by the exploitation of children and young people can be categorised within the existing CPR categories as children who have been exploited will have suffered from physical abuse, neglect, emotional abuse, sexual abuse or a combination of these forms of abuse.

Common examples include cutting, hitting, scratching or burning. Attempted suicide is the most serious form of self-harm.

**Course of action:** If a young person discloses that they self-harm to you or you suspect a young person could be self-harming then you should follow the safeguarding process/procedures.

## **5.0 Recruitment and selection of employees**

Council implements transparent and clearly defined recruitment and selection procedures in accordance with legislative and statutory requirements as set out in the Local Government Staff Commission Code of Procedures for Recruitment and Selection.

The procedures set out in this document are in place to screen out those who are not suitable to work with children and young people.

As part of the Councils commitment to safeguarding children and young people we undertake 'Safer Recruitment' when recruiting to posts which are considered 'regulated activity'.

### ***Regulated Activity (definition)***

Regulated activity is defined as a position which requires working closely, regularly and unsupervised with children and is defined in Schedule 2 of the Safeguarding Vulnerable Groups (NI) Order 2007, as amended by the Protection of Freedoms Act 2012.

Regulated positions include those whose normal duties require them to care for, train, advise, counsel or are in sole charge of children, or have unsupervised contact with children, as well as the supervisors/managers of individuals in regulated positions.

### ***Access NI***

Access NI provides criminal history information to organisations and individuals on three levels of 'Criminal Record Check', standard, enhanced, basic disclosures.

The level of checks required will be determined at the beginning of the recruitment process by the employing department. Corporate HR will also hold a list of Regulated posts, and the related procedures will be managed by the HR department.

An Access NI Enhanced Disclosure with Barred List Check is required for employees and volunteers in posts designated as regulated activity i.e. those posts which work with children and young people (as defined under the Safeguarding Vulnerable Groups (NI) Order 2007, as amended by the Protection of Freedoms Act 2012). Before commencing a selection process for a post, the line manager in consultation with Departmental HR, Corporate HR, Continuous Improvement and the Safeguarding Compliance Manager will determine if the post is considered to be a 'regulated post'.

During the selection process the preferred candidate must give consent for the relevant Access NI Disclosure Check. If the preferred candidate refuses to give consent for the check or if they are found to have withheld information this will be sufficient grounds for the Council to withdraw their conditional offer of employment.

Checks will be requested for any employee in a regulated position and those whose business or professional practice dictates. Checks will be repeated every three years for those in regulated activity and/or excepted posts, as appropriate. Checks will not normally be requested for existing employees (in non-regulated activity) however, a check will be requested if, an employee takes up new duties in a regulated position, where this has not previously been the case.

### ***Access NI Disclosures***

If a Criminal Records check reveals details of convictions which may render the applicant unsuitable for the applied for post Departmental HR/Corporate HR will discuss the situation with the applicant in accordance with the guidance set out in the Councils Guidelines for Dealing with Applicants with Convictions.

It is an offence for a barred person to work, apply to work or offer to work in Regulated Activity with a group they are barred from working with. Candidates on the Barred List will not be employed in Regulated Activity by the Council. If the checks reveal that a candidate is on the Barred List for Regulated Activity, the Council will make a referral to the Disclosure and Barring Service to notify them of the individuals attempt to apply for barred work.

### ***Identification***

The Council require all those applicants who have to complete the Access NI check to produce evidence of their identity e.g., a long birth certificate. This is important as Access NI can only make checks if the persons identify is confirmed.

### ***References***

The Council require two references from people who have employed you and who are not family members. Where a post involves work with children the Council may request references from any other previous employment, which involved working with children or young people.

If for legitimate reasons there is difficulty in sourcing suitable references, we reserve the right to seek alternatives as described in the referencing guidance document.

### ***Agency workers***

Council will ensure that agency workers in Regulated Activity are required to complete the relevant Access NI checks before they commence work.

## **Volunteers**

Where volunteers work in Council and they are carrying out work considered as Regulated Activity, the council will:

- require the Volunteer to complete a registration form
- confirm their identity (e.g. provide a long birth certificate)
- receive two written references
- organise a meeting with the volunteer to review the details on the application form, review the volunteering role, ensure they are aware of the Safeguarding Children and Young People Policy and Procedures and the induction paperwork
- give permission for council to apply to Access NI for an Enhanced Disclosure

## **Young Workers and Placements**

Should the Council engage for any purpose a young person under the age of 18 then a safeguarding and health and safety risk assessment must be completed at induction.

## **6.0 Training of employees, agency workers, volunteers and elected members**

Learning and development must not be seen as a one-off event, but a continuous process which requires the investment of time and resources within organisations to create a learning environment and a competent workforce. Each organisation must take responsibility to develop both knowledge and expertise in safeguarding and protecting children and young people and seek to identify the most appropriate and relevant opportunities to develop the confidence, abilities and competence of staff and volunteers.

Co-Operating to Safeguard Children and Young People in Northern Ireland, March 2016

Safeguarding children and young people training will be offered as per SBNI Child Safeguarding Learning and Development Strategy and Framework (currently 2020 -2023) on a regular basis facilitating employees, agency workers, volunteers and elected members to update their knowledge and skill as appropriate.

The Council will provide refresher training every three years. The training will be provided at three levels - according to job description and role.

### **Level 1- Awareness raising (online and in person)**

General awareness for all, employees, agency workers, volunteers and elected members. Attendees will gain basic knowledge of signs and indicators of child abuse and contributory factors; agency / staff policy and procedures; reporting procedures / processes and record keeping. Learning outcomes will include the ability to recognise and respond appropriately to child safeguarding issues and understand own role and the role of others within the organisation using the safeguarding policy and procedures. This will form part of the Council's induction programme.



## ***Level 2 – Facilitated training (online during COVID-19)***

Safeguarding children and young people training for relevant managers, employees, agency workers and volunteers who have substantial contact with children and young people. Attendees will gain more in-depth knowledge of values and principles of safeguarding children and young people; code of behaviour; recording skills; relevant legislation and referral process. Learning outcomes will include the ability to contribute to the assessment and management of risk; assist in safeguarding and promoting the welfare of children and young people and understand the importance of own behaviour and boundaries.

## ***Level 3 – Facilitated training (online due to COVID 19)***

Comprehensive training for Designated Safeguarding Officers', Relevant Managers and Duty Mangers. Attendees will gain knowledge of key tasks to safeguard children; national, regional and local policies, standards and guidance: 'the protocol for joint investigation by police officers and social workers of alleged and suspected cases of child abuse – Northern Ireland' (April 2013). Learning outcomes will include the ability to develop working relationships with other professionals; identify learning from case management reviews and contribute to interagency safeguarding plans.

## **7.0 Record keeping, confidentiality and information sharing**

### ***Confidentiality***

While it is important that we adopt a partnership approach to ensure the safety and welfare of adults at risk, it is of equally important that all concerned are confident that the information they provide will only be disclosed where it is in the best interests of the adult at risk to do so. We have carefully constructed the council's policy and procedures to ensure such confidentiality while protecting the interests of the adult at risk.

We have an Adult Safeguarding Champion, Safeguarding Compliance Manager and officers with designated responsibility due to the complex nature of operations.

Officers' who have been specially trained in the area of safeguarding and are committed to the principle of confidentiality.

Information obtained by organisations in the exercise of their safeguarding duties may be of a personal nature about a particular adult at risk, and therefore is governed by the common law duty of confidentiality, the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (the DPA).

The six principles state that personal data should be:

- processed lawfully, fairly and in a transparent manner
- collected for specified, explicit and legitimate purposes
- adequate, relevant and limited to what is necessary
- accurate and where necessary kept up to date

- kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which those data are processed, and
- processed in a manner that ensures appropriate security of the personal data

Accountability is central to GDPR. Data Controllers are responsible for compliance with the principles and must be able to demonstrate this to data subjects and the regulator.

## **8.0 Governance, monitoring and reporting**

In order to ensure compliance with the requirements of safeguarding legislation and expectation there are a number of procedures in place:

- The Safeguarding Panel:

The Safeguarding Panel is a cross-departmental assurance and compliance group set up by the Council to oversee the practical implementation of this Policy and to develop, monitor and review safeguarding procedures.

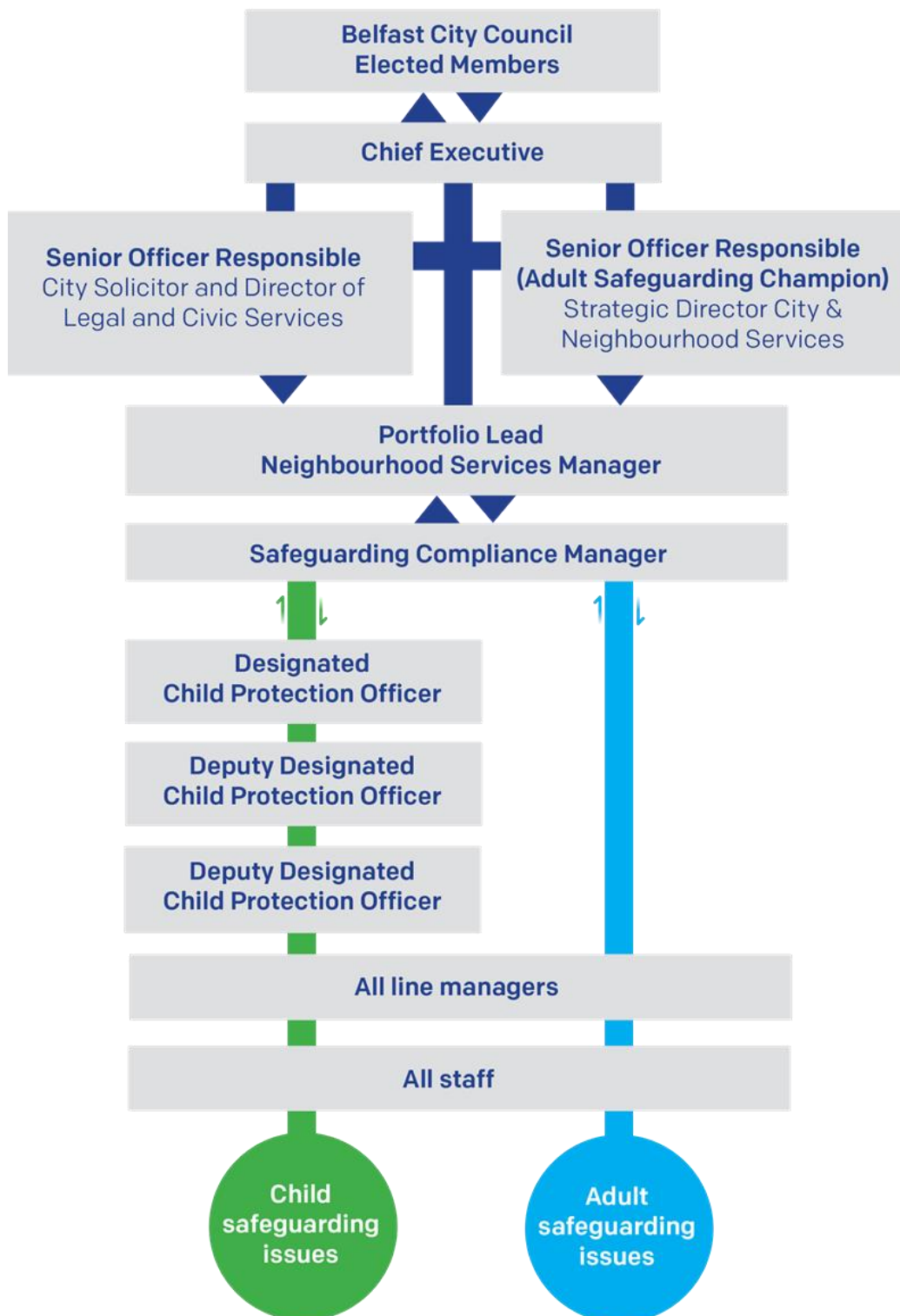
Its role includes:

- Identifying safeguarding training needs within services.
- Developing supplementary safeguarding procedures as they are required.
- Promoting good practice within council services – to include procurement of services.
- Discussing incidents and concerns raised in services to facilitate a council-wide response if necessary.
- Setting internal reporting requirements.
- Regularly review the internal reports, identify any actions needed and oversee implementation of these actions.
- Review risks and emergent issues that may require action for the council.



## 8.1 Safeguarding flow chart

# Safeguarding Structure



## 8.2 Third party contracts and interactions

Safeguarding is everybody's responsibility, and safeguarding all ages is important to us. The Council recognises everyone has a fundamental right to be safe. Whatever the cause, or wherever it occurs, harm caused to children, young people or adults by abuse, exploitation or neglect is not acceptable.

This expectation extends to all 3rd parties that work with or on behalf of the council, this includes 3rd party Contracts such as Greenwich Leisure Limited (our delivery partners for leisure services), organisations who receive grant funding, supply contracts, funded projects, events and anyone hiring our venues. In line with this policy, we expect our contactors/partners to:

- Have in place their own policy and procedures for safeguarding children, young people and adults at risk of harm consistent with current legislation and best practise.
- In absence of their own policy, agree to use ours until such time as they can write/implement their own.
- Ensure that all members of staff and volunteers who will be employed in the programme and fall into the regulated categories as per the Safeguarding of Vulnerable Groups (NI) Order 2007 (as amended by the Protection of Freedoms Act 2012) have had the appropriate level of Access NI check carried out.

## Footnotes

<sup>1</sup> Although 'exploitation' is not included in the categories of registration for the Child Protection Register, professionals should recognise that the abuse resulting from or caused by the exploitation of children and young people can be categorised within the existing CPR categories as children who have been exploited will have suffered from physical abuse, neglect, emotional abuse, sexual abuse or a combination of these forms of abuse.

# Safeguarding Policy for Adults

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### 1.0 Policy statement

We are dedicated to the comfort and safety of all our Elected Members, Staff, Volunteers and Service Users. We recognise our duty of care and want to make sure that we protect adults at risk while they visit our premises. The following safeguarding adults policy outlines the systems in place within the Council in order to achieve this aim. Its successful achievement requires co-operation and partnership between our staff/volunteers and our many users.

We are committed to creating and maintaining a safe and positive environment and accept our responsibility to safeguard the welfare of all adults involved in our activities in accordance with the Safeguarding Adults Operational Procedures (Sept 2016).<sup>1</sup>

The safeguarding adults policy and procedures apply to all individuals over the age of 18 at risk of harm. We are committed to the delivery of a quality service that also promotes good practice which protects adults at risk from harm.

It will also ensure procedures are in place to safeguard our staff and volunteers and the Council from potential or unfounded allegations.

These safeguarding adults policies and procedures are applicable to all Elected Members, Staff, Agency Workers, Casual Staff, and Volunteers indeed anyone associated with Belfast City Council who may have direct or indirect contact with adults at risk. It should also be noted that latest guidelines have moved from using the term 'Vulnerable Adults' in favour of the new terminology of 'Adult at Risk', the reason for this change is to standardise the language used in line with the new definitions and that we can all be vulnerable given the right life circumstances and/or personal characteristics.

We all have a responsibility to ensure that the council is a safe environment for all visitors who attend. Therefore, you should be vigilant and alert to possible safeguarding incidents at all times when the public are using the building. You must report all incidents in accordance with the procedures laid out in this document.



## 2.0 Legal background information

We accept the UN Universal Declaration of Human Rights and the International Covenant of Human Rights which states that everyone is entitled to

all rights and freedoms set forth therein, without distinction of any kind, such as age, disability, gender, race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

The practices and procedures within this policy are based on the principles contained within UK legislation and government guidance and have been developed to complement the Northern Ireland Adults Safeguarding Panel (NIASP) policy and procedures, which take into consideration the following:

### Legislation

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- The Protection of Freedoms Act 2012
  - Family Homes and Domestic Violence (NI) Order 1998
  - The Safeguarding Vulnerable Groups (NI) Order 2007
  - The Sexual Offences (Northern Ireland) Order 2008
  - The Human Rights Act 1998
  - The Data Protection Act 2018 Inc. GDPR (replaced 1998 DPA)
  - The Disability Discrimination Act 1995
  - Justice Act (Northern Ireland) 2015

### Guidance Documents

- Adult Safeguarding: Prevention and Protection in Partnership (July 2015)
- Adult Safeguarding Operational Procedures (Sept 2016)

### 3.0 Aims of the safeguarding adults policy and procedures

The aim of this document is to:

- Demonstrate our commitment to providing and maintaining an organisation that protects adults from harm, and protects staff, agency workers, volunteers and the organisation itself from potential allegations.
- Promote zero-tolerance of harm to all adults from abuse, exploitation, or neglect.
- Influence the way our organisation thinks about harm to adults resulting from abuse, exploitation or neglect by embedding a culture which recognises every adult's right to respect and dignity, honesty, humanity and compassion in every aspect of their life.
- Prevent and reduce the risk of harm to adults, while supporting people's right to maintain control over their lives and make informed choices free from coercion.
- Encourage our staff, agency workers and volunteers to work collaboratively across sectors and on an inter-agency and multi-disciplinary basis, to introduce a range of preventative measures to promote an individual's capacity to keep themselves safe and to prevent harm occurring.
- Establish clear guidance for reporting concerns that an adult is, or may be, at risk of being harmed or in need of protection and how these will be responded to; including a Code of behaviour.
- Promote access to justice for adults at risk who have been harmed as a result of abuse, exploitation or neglect.
- Promote a continuous learning approach to adult safeguarding.
- Make sure our staff are carefully selected, vetted and trained in issues of safeguarding adults.
- Provide guidance on appropriate and relevant supervision; including the appointment of officers with delegated safeguarding responsibility within each of our business units.
- Make sure staff are aware of the adults safeguarding policy and procedures within the council; their role within the policy and the consequence of not following these procedures.
- Make sure appropriate action is always taken in the event of an incident, in line with best practice.
- Provide clear procedures and guidance on how staff, agency workers, volunteers and contractors must deal with any safeguarding issues or concerns; (Code of Behaviour).
- Provide guidelines on appropriate safeguarding training for staff, agency workers and volunteers.
- Provide guidelines for staff, agency workers, volunteers when dealing with adults at risk; (Code of Behaviour).
- Provide a Safeguarding Adults Code of Behaviour for staff and volunteers.
- Provide a complaints procedure with guidance on how a complaint can be raised regarding a safeguarding issue.

We will ensure staff, agency workers, volunteers and contractors are aware of the safeguarding standards within the organisation, their role within the policy, and the consequences of not following our procedures.

We will make sure that appropriate training or awareness is given to staff, agency workers, and volunteers to ensure an understanding of their role in recognising abuse and to familiarise them with our safeguarding adults policies and procedures.

We are committed to reviewing our policies, procedures, practices and training in line with changes in legislation and best practice or at a minimum every three years.

## 4.0 Principles of safeguarding adults at risk

The guidance given in the policy and procedures is based on the following principles:

- **A rights-based approach:** To promote and respect an adult's right to be safe and secure; to freedom from harm and coercion; to equality of treatment; to the protection of the law; to privacy; to confidentiality; and freedom from discrimination.
- **An empowering approach:** To empower adults to make informed choices about their lives, to maximise their opportunities to participate in wider society, to keep themselves safe and free from harm and enabled to manage their own decisions in respect of exposure to risk.
- **Person-centred approach:** To promote and facilitate full participation of adults in all decisions affecting their lives taking full account of their views, wishes and feelings and, where appropriate, the views of others who have an interest in his or her safety and well-being.
- **A consent-driven approach:** To make a presumption that the adult has the ability to give or withhold consent; to make informed choices; to help inform choice through the provision of information, and the identification of options and alternatives; to have particular regard to the needs of individuals who require support with communication, advocacy or who lack the capacity to consent; and intervening in the life of an adult against his or her wishes only in particular circumstances, for very specific purposes and always in accordance with the law.
- **A collaborative approach:** To acknowledge that safeguarding adults will be most effective when it has the full support of the wider public and of safeguarding partners across the statutory, voluntary, community, independent and faith sectors. Working together in a way where roles, responsibilities and lines of accountability are clearly defined and understood. Working in partnership and a person-centred approach will work hand-in-hand.

All adults, regardless of age, ability or disability, gender, race, religion, ethnic origin, sexual orientation, marital or gender status have the right to be protected from abuse and poor



practice and to participate in an enjoyable and safe environment. We will seek to make sure that the organisation is inclusive and make reasonable adjustments for any ability, disability or impairment, we will also commit to continuous development, monitoring, and review.

We will always respect the rights, dignity and worth of all adults.

We recognise that ability and disability can change over time, such that some adults may be additionally vulnerable to abuse, for example those who have a dependency on others or have different communication needs.

We recognise that an adult with an impairment or a disability may or may not identify themselves/be identified as an adult 'at risk' or vulnerable.


### Working in partnership

The diversity of our functions and settings means there can be great variation in practice when it comes to safeguarding adults at risk. We will endeavour to work in partnership with a range of stakeholders to promote safeguarding.

Good communication is essential in promoting safeguarding, both to those we wish to protect, to everyone involved in working with adults at risk and to all those with whom we work in partnership. This safeguarding policy is just one means of promoting safeguarding.

### Equality

We are committed to ensuring that equality is incorporated across all aspects of our development.

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- We respect the rights, dignity and worth of every person and will treat everyone equally within the context of their activity while on council premises, regardless of age, ability, gender, race, ethnicity, religious belief, sexuality or social/economic status.
  - We are committed to everyone having the right to enjoy their activity in an environment free from threat of intimidation, harassment and abuse.
  - We have a responsibility to oppose discriminatory behaviour and promote equality of opportunity.
  - We will deal with any incidence of discriminatory behaviour seriously, according to the council's disciplinary procedures

## 5.0 Safeguarding definitions

In recent years there has been a marked shift away from using the term 'vulnerable' to describe adults potentially at risk from harm or abuse.

To help you work through and understand this policy, we have provided a number of key definitions:

- **Adult** is anyone aged 18 or over.

- **Adult at risk of harm:**

Is a person aged 18 or over, whose exposure to harm through abuse, exploitation or neglect may be increased by their:

a) Personal characteristics which may include, but are not limited to, age, disability, special educational needs, illness, mental or physical frailty or impairment of, or disturbance in, the functioning of the mind or brain.

and/or

b) Life circumstances which may include, but are not limited to, isolation, socio-economic factors and environmental living conditions.

- **Adult in need of protection:**

Is a person aged 18 or over, whose exposure to harm through abuse, exploitation or neglect may be increased by their:

a) Personal characteristics

and/or

b) Life circumstances

and

c) Who is unable to protect their own well-being, property, assets, rights or other interests

and

d) Where the action or inaction of another person or persons is causing, or is likely to cause, him or her to be harmed

## 6.0 Categories of abuse

### What is abuse?

Abuse is defined as:

Abuse is a single or repeated act, or lack of appropriate action, occurring within any relationship where there is an expectation of trust, which causes harm or distress to another individual or violates their human or civil rights. Abuse is the misuse of power and control that one person has over another. It can involve direct and indirect contact and can include online abuse.

(Adult Safeguarding Operational Procedures 2016)\*

Everyone who works with adults or comes into contact with adults through their work, should be able to recognise, and know how to act upon, indicators that an adult's welfare or safety may be at risk. It is essential that you understand the different types of abuse that adults may suffer. Abuse is not always straightforward to identify and a person may experience more than one type of harm or significant harm. Harm can be caused by:



- physical abuse
- sexual violence and abuse
- psychological or emotional abuse
- financial abuse
- institutional abuse
- neglect
- exploitation

## Physical abuse

Physical abuse is the use of physical force or mistreatment of one person by another which may or may not result in actual physical injury. This may include hitting, pushing, rough handling, exposure to heat or cold, force feeding, improper administration of medication, denial of treatment, misuse or illegal use of restraint and deprivation of liberty. Female genital mutilation (FGM) is considered a form of physical and sexual abuse.

## Sexual violence and abuse

Sexual abuse is 'any behaviour (physical, psychological, verbal, virtual/online) perceived to be of a sexual nature which is controlling, coercive, exploitative, harmful, or unwanted that is inflicted on anyone (irrespective of age, ethnicity, religion, gender, gender identity, sexual orientation or any form of disability)'. Sexual violence and abuse can take many forms and may include non-contact sexual activities, such as indecent exposure, stalking, grooming, being made to look at or be involved in the production of sexually abusive material, or being made to watch sexual activities. It may involve physical contact, including but not limited to non-consensual penetrative sexual activities or non-penetrative sexual activities, such as intentional touching (known as groping). Sexual violence can be found across all sections of society, irrelevant of gender, age, ability, religion, race, ethnicity, personal circumstances, financial background or sexual orientation.

## Psychological or emotional abuse

Psychological or emotional abuse is behaviour that is psychologically harmful or inflicts mental distress by threat, humiliation or other verbal or non-verbal conduct. This may include threats, humiliation or ridicule, provoking fear of violence, shouting, yelling and swearing, blaming, controlling, intimidation and coercion.

## Financial abuse

Financial abuse is actual or attempted theft, fraud or burglary. It is the misappropriation or misuse of money, property, benefits, material goods or other asset transactions which the person did not or could not consent to, or which were invalidated by intimidation, coercion or deception. This may include exploitation, embezzlement, withholding pension or benefits or pressure exerted around wills, property or inheritance.

## Institutional abuse

Institutional abuse is the mistreatment or neglect of an adult by a regime or individuals in settings which adults who may be at risk reside in or use. This can occur in any organisation, within and outside Health and Social Care (HSC) provision. Institutional

abuse may occur when the routines, systems and regimes result in poor standards of care, poor practice and behaviours, inflexible regimes and rigid routines which violate the dignity and human rights of the adults and place them at risk of harm.

Institutional abuse may occur within a culture that denies, restricts or curtails privacy, dignity, choice and independence. It involves the collective failure of a service provider or an organisation to provide safe and appropriate services and includes a failure to ensure that the necessary preventative and/or protective measures are in place.

## Neglect

Neglect occurs when a person deliberately withholds, or fails to provide, appropriate and adequate care and support which is required by another adult. It may be through a lack of knowledge or awareness, or through a failure to take reasonable action given the information and facts available to them at the time.

It may include physical neglect to the extent that health or well-being is impaired, administering too much or too little medication, failure to provide access to appropriate health or social care, withholding the necessities of life, such as adequate nutrition, heating or clothing, or failure to intervene in situations that are dangerous to the person concerned or to others, particularly when the person lacks the capacity to assess risk.

## Exploitation

Exploitation is the deliberate maltreatment, manipulation or abuse of power and control over another person; to take advantage of another person or situation usually, but not always, for personal gain from using them as a commodity. It may manifest itself in many forms including slavery, servitude, forced or compulsory labour, domestic violence and abuse, sexual violence and abuse, or human trafficking.

This list of types of harmful conduct is neither exhaustive nor listed here in any order of priority. There are other indicators that we should not ignore. It is also possible that if a person is being harmed in one way, he/ she may very well be experiencing harm in other ways.

Adult Safeguarding Operational Procedures 2016\*

## Related definitions

Victims of domestic violence and abuse, sexual violence and abuse, human trafficking and hate crime are regarded as adults in need of protection. There are specific strategies and mechanisms in place designed to meet the particular care and protection needs of these adults and to promote access to justice through the criminal justice system. It is essential that we refer such safeguarding concerns to the appropriate services as outlined below.

## Domestic violence and abuse

Domestic violence or abuse is 'threatening, controlling, coercive behaviour, violence or abuse (psychological, virtual, physical, verbal, sexual, financial or emotional) inflicted on anyone (irrespective of age, ethnicity, religion, gender, gender identity, sexual orientation

or any form of disability) by a current or former intimate partner or family member'. Domestic violence and abuse is essentially a pattern of behaviour which is characterised by the exercise of control and the misuse of power by one person over another. It is usually frequent and persistent. It can include violence by a son, daughter, mother, father, husband, wife, life partner or any other person who has a close relationship with the victim. It occurs right across society, regardless of age, gender, race, ethnic or religious group, sexual orientation, wealth, disability or geography.

The response to any adult facing this situation will usually require a referral to specialist services such as Women's Aid or the Men's Advisory Project. Specialist services will then decide if the case needs to be referred to a HSC Trust for action under the safeguarding procedures. If in doubt, anyone with a concern can ring the Domestic and Sexual Violence helpline (0808 802 1414) to receive advice and guidance about how best to proceed.

### Human Trafficking and Modern Slavery

Human trafficking and modern slavery involves the acquisition and movement of people by improper means, such as force, threat or deception, for the purposes of exploiting them. It can take many forms, such as domestic servitude, forced criminality, forced labour, sexual exploitation and organ harvesting. Victims of human trafficking/ modern slavery can come from all walks of life; they can be male or female, children or adults, and they may come from migrant or indigenous communities. The response to adults at risk experiencing human trafficking/modern slavery will always be to report the incident to the PSNI.

### Hate crime

Hate crime is any incident which constitutes a criminal offence perceived by the victim or any other person as being motivated by prejudice, discrimination or hate towards a person's actual or perceived race, religious belief, sexual orientation, disability, political opinion or gender identity. The response to adults at risk experiencing hate crime will usually be to report the incident to the PSNI.

Adult Safeguarding Operational Procedures 2016\*

### Self-neglect and Self harm

Is when a person seriously neglects their own care and welfare and putting themselves and/or others at serious risk. The seriousness of this issue lies in the recognition that self-neglect in vulnerable persons is often not just a personal preference or a behavioural idiosyncrasy, but a spectrum of behaviours associated with increased morbidity, mortality and impairments in activities of daily living.

Therefore, we should view self-neglect referrals as alerts to potentially serious underlying problems requiring evaluation and treatment (Naik et al, 2007).

Self-harm or self-neglect are not included within the definition of an 'adult in need of protection'. Each case will require a professional Health and Social Care (HSC) assessment to determine the appropriate response and consider if any underlying factors require a protection response. For example, self-harm may be the manifestation of harm which has been perpetrated by a third party and which the adult feels unable to disclose.

People wish to respect autonomy and may not wish to be intrusive. However, if concerned or aware of a significant negative change in behaviour, staff must consider making contact or alerting statutory services.

## Adult Safeguarding Operational Procedures 2016\*

### 7.0 Recognising and dealing with abuse

Being alert to potential abuse plays a major role in ensuring that adults are safeguarded and it is important that we take all concerns about possible abuse seriously and take appropriate action.

There are a variety of ways that someone could alert you that an adult is suffering harm:

- they may disclose to you
- someone else may tell you of their concerns or something that causes you concern
- they may show some signs of physical injury for which there does not appear to be a satisfactory or credible explanation
- their demeanour or behaviour may lead you to suspect abuse or neglect
- the behaviour of a person close to them makes you feel uncomfortable (this may include another staff member, volunteer, peer or family member); or through general good neighbourliness and social guardianship

[Adult Safeguarding Operational Procedures 2016](#) (link opens in new window)

Recognising adult abuse is not easy. It is not our responsibility to decide whether or not adult abuse has taken place or if an adult is at significant risk of harm from someone. We do, however, have both a responsibility and duty, as set out in our adults safeguarding policy and procedures, to act in order that the appropriate agencies can investigate and take any necessary action to protect an adult.

Abuse can occur from:

- parents / carers
- intimate partners
- friends
- adults in a position of trust
- people within the wider family circle or neighbourhood
- strangers

In general, there are four possible situations where you may need to respond to a concern or case of alleged or suspected abuse:

- a) responding to an adult disclosing abuse - an adult makes an allegation of abuse

- b) responding to allegations or concerns against staff, agency, workers, volunteers, regular contractors
- c) responding to allegations or concerns against any other person, for example parent, carer, other service user
- d) raising concerns over incidents, observations, interactions and suspicion that they themselves have recognised

Abuse or harm occurs as much from omissions and lack of protection as from commission of actual acts of abuse. You should report any concerns you have for the welfare of adult in the council to your line manager or Safeguarding Compliance Manager using the safeguarding incident form.

Health and Social Care Trust (HSC) adult safeguarding teams should always be informed when there are reasonable grounds for concern that an adult may have been abused, or is being abused, or is at risk of abuse.

### Dealing with disclosures

When dealing with a disclosure you should follow the procedures for reporting safeguarding concerns but there are some extra considerations for you to take:

- Ensure the immediate safety of the person. If urgent medical or police help is required, call the emergency services.
- Stay calm and listen attentively; avoid expressing your own views on the matter. A reaction of shock or disbelief could cause the person to 'shut down', retract or stop talking so try to stay calm.
- Express concern and acknowledge what is being said; they've told you because they want help and trust you'll be the person to believe them and help them.
- Tell them it's not their fault. Abuse is never the person's fault and they need to know this.
- Tell the person that they did the right thing in telling you; reassurance can make a big impact to the person who may have been keeping the abuse secret.

It can be very hard for adults at risk to reveal abuse. Often, they fear there may be consequences. Some delay telling someone about abuse for a long time, while others never tell anyone, even if they want to. Adults at risk value being believed and it is vital that you act on what you've been told.

### Do:

- Say you believe them. An adult at risk could keep abuse secret in fear no one will believe them. They've told you because they want help and trust you'll be the person to believe them and help them.

- Don't talk to the alleged abuser. Confronting the alleged abuser about what the adult at risk told you could make the situation a lot worse for the adult at risk.
- Explain what you'll do next. Explain to the adult at risk you'll need to report the abuse to someone who will be able to help.
- Let the person know that the information will be taken seriously and provide details about what will happen next, including the limits and boundaries of confidentiality.
- Explain to them that it is your duty to share your concern with your Adult Safeguarding Champion, the Safeguarding Compliance Manager or Designated Safeguarding Officer unless to do so could increase their risk – for example, the Designated Safeguarding Officer is the subject of the allegations. In this case contact the Safeguarding Compliance Manager.
- Reassure the person that they will be kept involved at every stage; explain that the Designated Safeguarding Officer will seek their consent before any referral is made to external agencies.
- If you think a crime has occurred be aware that medical and forensic evidence might be needed. Consider the need for a timely referral to the police service and make sure nothing you do will contaminate it.
- Complete a safeguarding incident form as soon as possible and report to the Safeguarding Compliance Manager immediately.

#### **Do not:**

- Stop someone disclosing to you.
- Promise to keep secrets.
- Criticise the alleged perpetrator.
- Make promises about the future.
- Use leading questions or put words in the person's mouth.
- Press the person for more details or make them repeat the story.
- Gossip about the disclosure or pass on the information to anyone who does not have a legitimate need to know.
- Contact the alleged person to have caused the harm.
- Attempt to investigate yourself.
- Leave details of your concerns on a voicemail or by email.
- Delay reporting the abuse. The sooner the abuse is reported after a disclosure the better.

Report immediately to the Safeguarding Compliance Manager. Complete a safeguarding incident form and pass to the Adult Safeguarding Champion or Safeguarding Compliance Manager as soon as possible. The Adult Safeguarding Champion or Designated Safeguarding Officer will take any immediate action required to make sure the adult at risk of harm is safe and make a decision as to when it is appropriate to speak with the adult at risk of harm about the concerns and any proposed actions.

#### **How to record a disclosure**

If someone discloses abuse to you, you must complete a safeguarding incident form and give it to your Designated Safeguarding Officer. If you have a literacy or language



difficulties, the Designated Safeguarding Officer may assist you to complete the form but you must acknowledge this on the incident form.

The safeguarding incident form will be retained securely and confidentially by the Safeguarding Manager. We will retain Safeguarding records with protected status as per GDPR guidelines.

When recording the disclosure you must:

- Make a note, as soon as practical, of what the adult has said, using their own words.
- Describe the circumstances in which the disclosure came about. Take care to distinguish between fact, observation, allegation and opinion. It is important that the information you have is accurate; and,
- be mindful of the need to be confidential at all times, this information must only be shared with your Designated Safeguarding Officer and others only on a need to know basis.

Depending on the individual circumstances, for example, the age of the adult or level of understanding, it may be necessary for an advocate to be present to enable the adult's voice to be heard more effectively. This might be the adult's group leader, carer or parent, unless she or he is the person of concern. If the supervising person is not available, you can ask another member of staff to assist in representing the voice of the adult if appropriate. If the adult at risk is part of an organised group the Designated Safeguarding Officer will inform the group's leader and will make every effort to agree an appropriate course of action.

**Responding to allegations of or concerns against a member of staff, agency worker, elected member or any other person.**

Any staff member who receives allegations should follow the process below:

- Take all allegations or concerns seriously.
- Record in writing on a safeguarding incident form all the details that you are aware of as soon as possible.
- Report to and inform the Safeguarding Manager or Designated Safeguarding Officer as soon as possible.
- The Safeguarding manager or Designated Safeguarding Officer will inform the relevant persons, i.e. HR, AGRS (Whistleblowing) or external agencies social services and / or the Police if appropriate.
- The Safeguarding manager or Designated Safeguarding Officer should inform the Head of HR as soon as possible.

**Possible outcome:**

- Depending on the allegation, the individual may be asked to stand aside from duties or be temporarily suspended pending an investigation.

**Safeguarding concerns or Allegations about a Designated Safeguarding Officer**

If the concern or allegation is about a Designated Safeguarding Officer, you should refer such concerns to Council's Safeguarding Manager and / or Head of Service who will follow the steps outlined above.

### Concerns about failures to adhere to safeguarding policy and procedures

If you have concerns about a colleague not fulfilling the requirements of Council's Safeguarding Policy and Procedures, these concerns should be taken to your line manager or any member of Council's Designated Safeguarding Team. The line manager or Designated Safeguarding Officer should contact the Safeguarding Manager for advice and support.

### Support for external service providers

If an external provider has any concerns regarding council staff, agency workers or volunteers, a visitor, or other contractor they should report their concerns immediately to one of our Designated Safeguarding Officers. There will always be a Designated Safeguarding Officer on duty in all areas, and they may be accessed via the Duty Manager.

If the concern is about a Designated Safeguarding Officer, external service providers should report their concerns to Safeguarding Manager.

### Consent and capacity

It is important to include the adult at risk throughout the process and seek consent for any referral to social services or the PSNI unless the adult in need of protection is in imminent danger of harm. Designated Safeguarding Officers are not in the position to determine capacity of adults; if you are unsure if an adult is able to consent you should contact the HSC Trust Adult Safeguarding Team for advice and guidance. If an adult at risk does not want a referral made to the HSC Trust or PSNI, the Designated Safeguarding Officer must contact the Adult Safeguarding Team for advice and guidance about whether or not to make a referral. These factors will influence whether or not you should make a referral without consent:

- Do they have capacity to make this decision?
- Have you given them full and accurate information in a way which they understand?
- Are they experiencing undue influence or coercion?
- Is the person causing harm a member of staff, a volunteer or someone who only has contact with the adult at risk because they both use the service?
- Is anyone else at risk from the person causing harm?
- Do you suspect a crime has been committed?

The HSC may determine that a referral without consent should be made and you should follow their instructions for making the referral.

If it is determined that the concern(s) do not meet the definition of an adult at risk or an adult in need of protection and a referral cannot be made without consent, the concerns raised must be recorded, including any action taken, and the reasons for not referring to HSC. In situations where the adult in need of protection is in imminent danger it may not be possible to discuss their wishes with them and obtaining a valid consent may not be



possible. Under these circumstances, you should take whatever action you feel is appropriate to protect the adult at risk, including seeking medical and/or PSNI intervention.

## 7.1 Record keeping, confidentiality and information sharing

While it is important that we adopt a partnership approach to ensure the safety and welfare of adults at risk, it is of equally important that all concerned are confident that the information they provide will only be disclosed where it is in the best interests of the adult at risk to do so. We have carefully constructed the council's policy and procedures to ensure such confidentiality while protecting the interests of the adult at risk.

We have an Adult safeguarding champion and officers with designated responsibility due to the complex nature of operations.

Officers' who have been specially trained in the area of safeguarding and are committed to the principle of confidentiality.

Information obtained by organisations in the exercise of their safeguarding duties may be of a personal nature about a particular adult at risk, and therefore is governed by the common law duty of confidentiality, the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (the DPA).

The six principles state that Personal data should be:

- processed lawfully, fairly and in a transparent manner
- collected for specified, explicit and legitimate purposes
- adequate, relevant and limited to what is necessary
- accurate and where necessary kept up to date
- kept in a form which permits identification of data subjects for no longer that is necessary for the purposes for which those data are processed, and
- processed in a manner that ensures appropriate security of the personal data
- accountability is central to GDPR

Data Controllers are responsible for compliance with the principles and must be able to demonstrate this to data subjects and the regulator.

## 8.0 Adult safeguarding champion (ASC)

The ASC provides strategic and operational leadership and oversight in relation to adult safeguarding for an organisation or group and is responsible for implementing its adult safeguarding policy statement. The ASC should ensure that, at a minimum, the organisation safeguards adults at risk by:

- recognising that adult harm is wrong and that it should not be tolerated
- being aware of the signs of harm from abuse, exploitation and neglect
- reducing opportunities for harm from abuse, exploitation and neglect to occur, and
- knowing how and when to report safeguarding concerns to HSC Trusts or the PSNI

The ASC role has both strategic and operational components.

Adult safeguarding: prevention and protection in partnership summarises the key responsibilities for the ASC as follows:

- to provide information and support for staff on adult safeguarding within the organisation
- to ensure that the organisation's adult safeguarding policy is disseminated and support implementation throughout the organisation
- to advise within the organisation regarding adult safeguarding training needs
- to provide advice to staff or volunteers who have concerns about the signs of harm, and ensure a report is made to HSC Trusts where there is a safeguarding concern
- to support staff to ensure that any actions take account of what the adult wishes to achieve – this should not prevent information about any risk of serious harm being passed to the relevant HSC Trust Adult Protection Gateway Service for assessment and decision making
- to establish contact with the HSC Trust Designated Adult Protection Officer (DAPO), PSNI and other agencies as appropriate
- to ensure accurate and up to date records are maintained detailing all decisions made, the reasons for those decisions and any actions taken
- to compile and analyse records of reported concerns to determine whether a number of low-level concerns are accumulating to become significant; and make records available for inspection

In larger or more complex organisations the ASC may delegate some of the operational tasks or activities as appropriate. For example, a provider with a number of Nursing Homes throughout Northern Ireland may choose to delegate some of the tasks of an ASC to a member of staff in each facility. They would then report to the ASC on adult safeguarding matters on a regular basis and assist in the compilation of reports, training needs analyses and data analysis.

For the purposes of this policy Belfast City Council's nominated person is the Safeguarding Compliance Manager.

## 9.0 Safer recruitment

**There are currently no roles in Belfast City Council that are categorised as regulated under the Adult safeguarding criteria.**

Safer recruitment and selection procedures help to ensure a safe work place by deterring and screening out unsuitable individuals. We will endeavour to promote the safety of

adults at all times and provide a safe environment, by following carefully the procedures for recruitment and selection of staff, agency workers and volunteers and by carrying out the appropriate vetting procedure for staff, agency workers and volunteers.

## Recruitment and selection of employees

We implement transparent and clearly defined recruitment and selection procedures in accordance with legislative and statutory requirements as set out in the Local Government Staff Commission Code of Procedures for Recruitment and Selection. These procedures are in place to screen out those who are not suitable to work with adults at risk.

As part of our commitment to safeguarding adults at risk we undertake “safer recruitment” when recruiting to posts which are considered ‘regulated activity’.

## Access NI

Access NI provides criminal history information to organisations and individuals on three levels of ‘Criminal Record Check’, basic, standard, enhanced disclosures.

We will determine the level of checks required at the beginning of the recruitment process and Corporate HR will manage the related procedures. An Access NI Enhanced Disclosure with Barred List Check is required for employees, agency workers and volunteers in posts designated as regulated activity that means, those posts which work with children and young people and Adults at risk (as defined under the Safeguarding Vulnerable Groups (NI) Order 2007, as amended by the Protection of Freedoms Act 2012). Before commencing a selection process for an established post the line manager in consultation with the Safeguarding Compliance Manager, Departmental HR Officer and Corporate HR Officer will determine if the post is a ‘regulated post’. If it is new post the line manager, in consultation with the Safeguarding Compliance Manager and the continuous improvement team, will ensure that this assessment is included as part of the job design process.

During the selection process the preferred candidate must give consent for the relevant Access NI Disclosure Check. If the preferred candidate refuses to give consent for the check or if we find they have withheld information this will be sufficient grounds for the council to withdraw their conditional offer of employment. We will repeat the checks every three years for regulated posts. If in the course of their employment with BCC, an employee moves from a non-regulated post to a regulated post then that employee will be subject to Access NI checks prior to deployment and may be subject to further relevant reference or line management recommendation checks.

## Identification

We require all applicants who have to complete the Access NI check to produce evidence of their identity for example, a long birth certificate. This is important as Access NI can only make checks if the person’s identity is confirmed.

## Access NI Disclosures

If a Criminal Records check reveals details of convictions which may render the applicant unsuitable for the applied for post Departmental HR/Corporate HR will discuss the situation with the applicant in accordance with the guidance set out in the Councils Guidelines for Dealing with Applicants with Convictions.

It is an offence for a barred person to work, apply to work or offer to work in regulated activity with a group they are barred from working with. We will not employ candidates on the barred list in regulated activity. If the checks reveal that a candidate is on the barred list for regulated activity, we will make a referral to the Disclosure and Barring Service to notify them of the individuals attempt to apply for barred work.

## References

The Council require two references from people who have employed you and who are not family members. Where a post involves work with children the Council may request references from any other previous employment, which involved working with children or young people.

If for legitimate reasons there is difficulty in sourcing suitable references, we reserve the right to seek alternatives as described in the referencing guidance document.

## Agency workers

We will ensure that agency workers in Regulated Activity are required to complete the relevant Access NI checks before they commence work.

## Volunteers

Where volunteers work in the council and they are carrying out work considered regulated activity, we will:

- require the volunteer to complete a registration form
- confirm their identify (e.g. provide a long birth certificate)
- receive two written references
- organise a meeting with the volunteer to review the details on the application form, review the volunteering role, ensure they are aware of the Safeguarding Children and Young People Policy and Procedures and the induction paperwork
- give permission for Council to apply to Access NI for an Enhanced Disclosure

## 10.0 Training

We must not see learning and development as a one off event, but a continuous process which requires the investment of time and resources to create a learning environment and a competent workforce. Each organisation must take responsibility to develop both knowledge and expertise in safeguarding and protecting adults, and seek to identify the most appropriate and relevant opportunities to develop the confidence, abilities and competence of staff and volunteers.

We are committed to providing all staff, agency workers and volunteers with appropriate safeguarding awareness sessions or the relevant level of training in accordance with the Northern Ireland Adult Safeguarding Partnership Training Strategy 2013.

At each level, the training or awareness raising will identify:

- required safeguarding knowledge and skills
- key learning outcomes
- target audience

## Safeguarding Adults at Risk Training Schedule

### **Level 0: Safeguarding awareness**

All staff, agency workers, and volunteers within the organisation. This will involve familiarising staff / agency workers / volunteers with the working environment, with Belfast City Council expectations and the requirements of the job. All staff / agency workers / volunteers will be provided with a corporate code of behaviour and a safeguarding code of behaviour, which they must read. The code of behaviour will draw particular attention to Belfast City Council's Safeguarding policy and procedure. This will be part of the induction process for all new employees and volunteers.

### **Level 1: Safeguarding adults training (Face to face facilitated Learning)**

All staff, agency workers and volunteers who have relevant contact with adults at risk, or with carers/parents of adults at risk and those who have regular contact with adults at risks, or adults known or suspected of posing a risk to adults at risk. This six-hour, face-to-face training session will enable managers, staff, agency workers and volunteers to understand their roles and responsibilities in relation to safeguarding adults at risk within the context of the organisation's policies and procedures.

### **Level 2: Managers' responsibilities and supervisory awareness training**

Available to all managers, staff, agency workers and volunteers who have supervisory responsibilities. This six-hour, face-to-face training session will enable managers, staff, agency workers and volunteers to understand their roles and responsibilities in relation to safeguarding adults at risk within the context of the organisation's policies and procedures.

### **Level 3: Adult safeguarding champion, or designated person training**

All officers with designated responsibility. (Delivered externally) This full-day, face-to-face training session will enable Adult safeguarding champion, or designated person to become familiar with the role and responsibilities of their role and to develop competence and confidence in carrying out this role. Completion of Level 0: Safeguarding awareness and attendance at all subsequent relevant training is a mandatory requirement and individual training records will be maintained by HR.

## 11.0 Governance, monitoring and reporting

In order to ensure compliance with the requirements of safeguarding legislation and expectation there are a number of procedures in place:

#### The Safeguarding Panel:

The Safeguarding Panel is a cross-departmental assurance and compliance group set up by the Council to oversee the practical implementation of this Policy and to develop, monitor and review safeguarding procedures.

Its role includes:

- identifying safeguarding training needs within services
- developing supplementary safeguarding procedures as they are required
- promoting good practice within council services – to include procurement of services
- discussing incidents and concerns raised in services to facilitate a council-wide response if necessary
- setting internal reporting requirements
- regularly review the internal reports, identify any actions needed and oversee implementation of these actions
- review risks and emergent issues that may require action for the council

## 12.0 Third party contracts and interactions

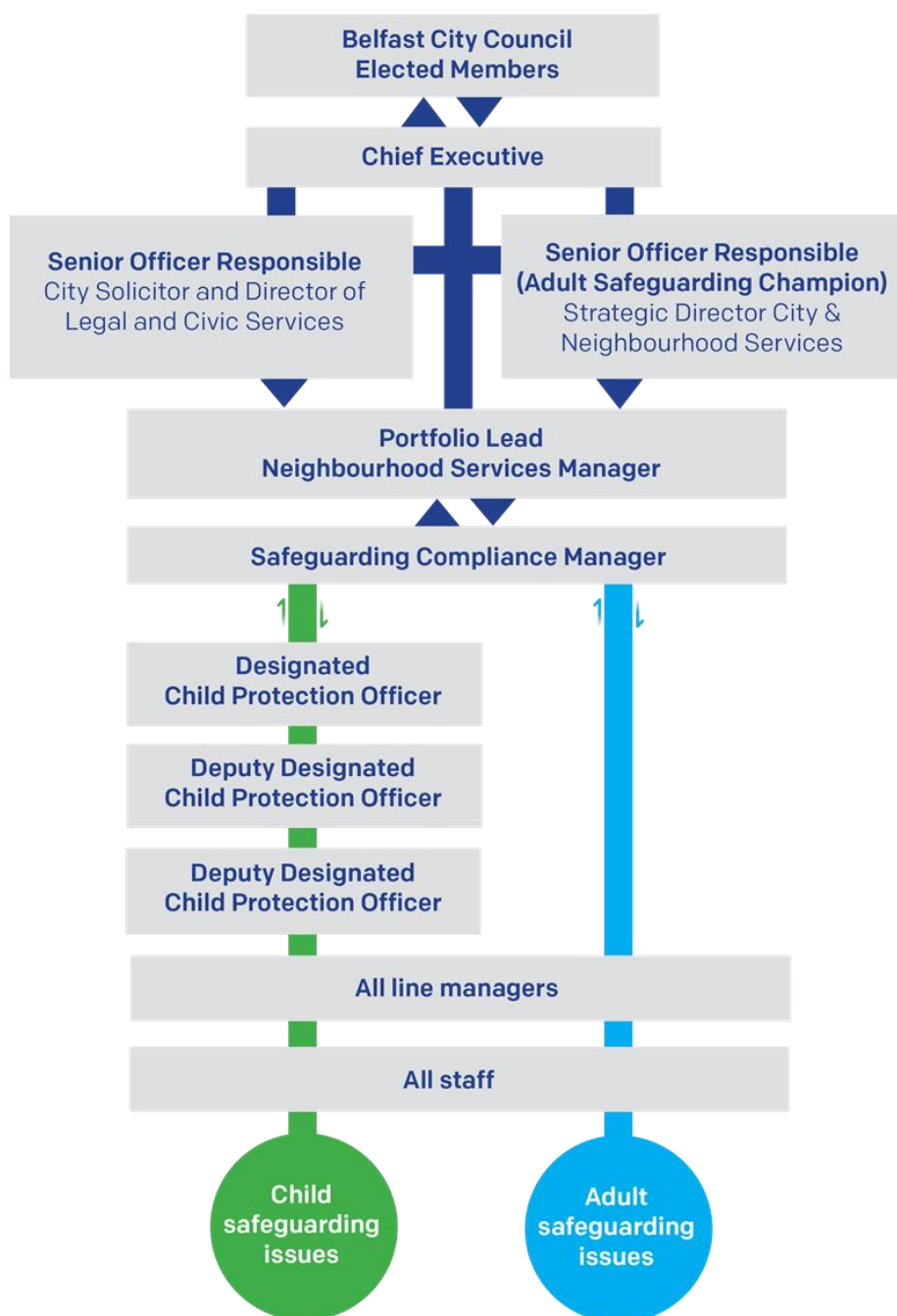
Safeguarding is everybody's responsibility, and safeguarding all ages is important to us. The Council recognises everyone has a fundamental right to be safe. Whatever the cause, or wherever it occurs, harm caused to children, young people or adults by abuse, exploitation or neglect is not acceptable.

This expectation extends to all 3rd parties that work with or on behalf of the council, this includes 3rd party Contracts such as Greenwich Leisure Limited (our delivery partners for leisure services), organisations who receive grant funding, supply contracts, funded projects, events and anyone hiring our venues. In line with this policy, we expect our contactors/partners to:

- Have in place their own policy and procedures for safeguarding children, young people and adults at risk of harm consistent with current legislation and best practise.
- In absence of their own policy, agree to use ours until such time as they can write/implement their own.
- Ensure that all members of staff and volunteers who will be employed in the programme and fall into the regulated categories as per the Safeguarding of Vulnerable Groups (NI) Order 2007 (as amended by the Protection of Freedoms Act 2012) have had the appropriate level of Access NI check carried out.



# Safeguarding Structure



## Footnotes

<sup>1</sup> <http://www.hscboard.hscni.net/download/PUBLICATIONS/safeguard-vulnerable-adults/niasp-publications/Adult-Safeguarding-Operational-Procedures.pdf> (link opens in new window)