

Catholics for AIDS Prevention & Support Policy on Safeguarding Children and Vulnerable Adults

Purpose: To inform CAPS Trustees, volunteers, and service users of CAPS commitment to good practice and responsibilities when working with children and vulnerable adults.

Approved by: Trustees: Sept 16th 2010

Responsibility for Update: Chairperson & Secretary to Trustees

Applies to: CAPS/Positive Catholics Trustees, members, service users, including volunteers, who work with children and vulnerable adults.

Background

1. In recent years there has been increasing concern about the safety and welfare of both children, young and vulnerable adults. There are a number of statutory and other provisions relating to child safeguarding that could be applied and which CAPS would be expected to take into account. These include:

- The Education Act (2002) Section 175
 - The Children Act (1989 and amendments)
 - The Children Act 2004
 - Working Together to Safeguard children 2006
 - Safeguarding of the Vulnerable Adult guidance 2006
 - Safeguarding of Vulnerable Adult Schemes
- The Children Act 1989 states the legal definition of a child is "a person under the age of 18".
- Section 115(4) of the Police Act 1997 states that a person can be considered to be vulnerable if they are "substantially dependent upon others in performing basic physical functions, or his ability to communicate with those providing services, or to communicate with others, is severely impaired, and, as a result, he would be incapable of protecting himself from assault or other physical abuse, or there is a potential danger that his will or moral well-being may be subverted or overpowered".

2. As a consequence CAPS has taken the view that in the interests of good practice there should be a clear policy and associated practices to guide work with under-18s and vulnerable adults.

3. Principles:

CAPS believes that children/young people and those considered vulnerable have rights as individuals and should be treated with dignity and respect. CAPS will strive to provide a safe environment for any person participating in CAPS/Positive Catholic activities. CAPS affirms and endorses the principles, procedures, and good practice proposed by the National Catholic Safeguarding Commission for the Bishops Conference of England

& Wales - www.catholicsafeguarding.org.uk and similar policies developed by the Catholic Bishops' Conferences in Scotland and Ireland.

4. This policy and procedures are based on the following principles:

- The welfare of young people and vulnerable adults is of primary concern
- All young people and vulnerable adults, whatever their age, culture, disability, gender, language, racial origin, socio-economic status, religious belief and/or sexual identify have the right to safeguarding from abuse
- It is everyone's responsibility to report any concerns about abuse to the Chairperson/ Secretary to the Trustees, and the responsibility of the Social Services Department and the Police to conduct, where appropriate a joint investigation
- All incidents of alleged poor practice, misconduct and abuse will be taken seriously and responded to swiftly.
- All personal data will be processed in accordance with the requirements of the Data Protection Act 1998.

5. Definition of Abuse:

Abuse is any behaviour towards a person that deliberately or unknowingly causes him/her harm, endangers life or violates their rights.

Abuse may be:

- Physical
- Sexual
- Psychological – repeatedly being made to feel unhappy, humiliated, afraid or devalued by others
- Financial or material – stealing or denying access to money or possessions
- Neglect
- Discriminatory – abuse motivated by discriminatory attitudes towards race, religion, gender, disability or cultural background

6. Responsibility

All CAPS Trustees and volunteers are required to take shared responsibility for the safeguarding and safety of any young people and vulnerable adults. They must be aware of and abide by CAPS Policy.

All CAPS Trustees and volunteers are in a position of trust, for those who take part in CAPS/Positive Catholics activities, in particular those who directly interact with children, young people and vulnerable adults.

7. The managerial responsibility for any programme or activity rests with the individual who is directing or organising the activity and always accountable to CAPS Trustees for such activity. This person is expected to:

- Ensure that the activity is planned, organised and delivered in accordance with the Safeguarding Children and Vulnerable Adults Policy
- Arrange checking, training, induction and guidance for all staff and volunteers

- Inform CAPS Designated Safeguarding Officer and complete the appropriate documentation.
- Complete a health and safety risk assessment as appropriate.

8 The Chairperson of CAPS Trustees has responsibility for the oversight of CAPS Safeguarding Children and Vulnerable Adults Policy with delegated responsibility to relevant Trustees/Designated Officers of the Charity.

9. CAPS expects all parents who bring children to CAPS/Positive Catholics' activities to abide by CAPS Policy.

CAPS is committed to ensuring that all Trustees/Volunteers having regular or continuing involvement with children, young people and vulnerable adults have satisfactory Criminal Records Bureau (CRB) enhanced checks.

10. CAPS will additionally ensure that all helpers, etc who are in regular or significant occasional contact with under-18s or vulnerable adults must have had a satisfactory enhanced CRB check undertaken before allowing them to work with children or vulnerable adults on any on-going basis.

11. A 'satisfactory' check is defined as having no criminal convictions (including cautions, reprimands and final warnings) relevant to the activities they undertake on behalf of CAPS. Anyone looking after children or engaged with vulnerable adults on behalf of CAPS must report any subsequent relevant criminal convictions to the Chair of Trustees.

12. Establishing a Caring Environment

All CAPS Trustees and volunteers are responsible for making related activities a safe and caring environment for all including young people and vulnerable adults.

13. A Caring Environment is one:

- in which the health, safety and welfare of young people has been assessed and catered for.
- in which Trustees/volunteers are alive to the possibility of abuse and take measures to prevent that possibility.
- where there is a sound and known reporting system for any incident
- where Trustees/volunteers take reasonable and practical precautions to avoid any suspicions of abuse being brought against them.

14. Child Safeguarding Procedures

Where under-18s are concerned there are statutory responsibilities for any organisation to follow regarding the safety of young people.

15. CAPS has Designated Safeguarding Officers to be the lead persons with regard to child safeguarding issues: The Chair of Trustees & Secretary to the Trustees.

16. All Trustees/volunteers must contact the Designated Safeguarding Officer(s) if they have any cause to believe a child, young person or vulnerable adult involved in any CAPS/Positive Catholics activity, covered by this policy, is in any way at risk. The Designated Safeguarding Officer will follow the relevant procedures.

17. Records will be kept of all such incidents and their outcomes and held by the Designated Safeguarding Officer(s) in accordance with the Data Protection Act.

18. All should be aware that in accordance with statutory requirements where child safeguarding issues are involved, it is not possible to offer confidentiality to a person under 18 as any disclosures must be reported.

19. Vulnerable Adults

There are not the same statutory provisions which can be easily adopted with regard to vulnerable adults. However, the same principles apply, as above.

20. Where possible CAPS, taking into account CAPS Confidentiality Policy, will identify particularly vulnerable adults and ensure that there are appropriate support measures in place. This is most likely to be when a person presents to, or is referred to CAPS/Positive Catholics, and clearly has mental health difficulties or a disability that puts them into the legal definition of 'vulnerable'.

21. Any Trustee/volunteer with concerns regarding an adult service-user whom they believe or know to be vulnerable must contact the Designated Safeguarding Officer(s).

22. Role of the Child and Vulnerable Adult Safeguarding Officer:

The role of the Designated Safeguarding Officer(s) is:

- To receive information about events that are planned that may involve young people or vulnerable adults, and plans that indicate how safeguarding will be covered.
- To receive information from any Trustees, volunteers, children, parents or carers who have child safeguarding concerns and record it.
- Assess the information promptly and carefully, clarifying and obtaining more information about the matter as appropriate.
- Consult initially with a statutory child safeguarding agency to test out any doubts or uncertainty
- Make a formal referral to a statutory child safeguarding agency or the police

23. Reporting and Monitoring Procedures

All those working closely with children have to be alert to possibilities of abuse and any concerns about the behaviour of any adult with respect to that child should be reported to the Designated Safeguarding Officer(s) who will decide what further action to take.

24. It is the duty of Trustees/volunteers to inform only not to investigate –this is the role of the Police and Social Services.

25. If anyone, in the course of their CAPS/Positive Catholics activity, has a child safeguarding issue brought to their notice, this must be treated as a priority.

26. Guidance with regard to a specific incident may be obtained from the Designated Safeguarding Officer(s).

27. An oral, and then written report should be provided to the Designated Safeguarding Officer(s) who will keep a confidential record of any such incidents.

28. Allegations of abuse or inappropriate behaviour involving Trustees/volunteers: Allegations involving Trustees/volunteers and a person under-18 or a vulnerable adult should be reported to the Chair of Trustees, Secretary to the Trustees, or the Designated Safeguarding Officer.

29. Consideration will be given as to whether the situation falls within the definition of abuse (see paragraph 7).

30. Training

In accordance with good practice CAPS will ensure that the Designated Safeguarding Officer(s), officers deputed to act on their behalf and others likely to be in regular contact with under-18s and vulnerable adults receive appropriate training.

The following topics must be covered:

- a. Health and safety issues
- b. Handling a disclosure
- c. Reporting an allegation
- d. Confidentiality
- e. Code of Practice and Code of Behaviour

31. CAPS will also provide information to raise awareness to ensure that all Trustees/volunteers understand what to do if a person covered by this policy discloses abuse or any other safeguarding issue.

32. Relationships with young people aged 16-18

It should be noted that whilst a young person can consent to sexual activity once they reach the age of 16, the Sexual Offences (Amendment) Act 2000 makes it a criminal offence for a person to engage in any kind of sexual activity with a person under 18 where the adult is in a position of trust.

33. Media Relations

For any CAPS activity involving young people, parents or guardians must be given the opportunity to refuse permission for photographs, videos or other images to be made of their children and for the children to be interviewed by press, broadcasters or other media.

34. Health and Safety

All users of CAPS services must be made aware of Health and Safety requirements, as appropriate, and be prepared to abide by them.

35. All Trustees/volunteers must be familiar with CAPS Policies on Safeguarding, Confidentiality, and Data Protection.

36. Parents/carers of children participating in CAPS/Positive Catholics activities must be made aware of the existence of these policies.

37. Data Safeguarding

It should be noted that although technically a "child", consent is still required from young people in the same way as for an adult with regard to matters of data protection.

38. Review

This policy and procedures will be regularly monitored and reviewed:

- In accordance with changes in legislation and guidance on the safeguarding of children and vulnerable adults.
- Following any issues or concerns raised about the safeguarding of

children or vulnerable adults within CAPS
••In all other circumstances, at least annually.

SAFEGUARDING CHILDREN AND VULNERABLE ADULTS POLICY Appendix A *CODE OF GOOD PRACTICE FOR TRUSTEES & VOLUNTEERS*

The following guidelines are intended to be a common sense approach that both reduce opportunities for the abuse of young people and vulnerable adults and help to protect Trustees, volunteers and service-users from any false allegation.

You SHOULD:

- Treat all young people and vulnerable adults with respect and respect their right to personal privacy
- Ensure that, whenever possible, there is more than one adult present during activities or that you are within sight or hearing of others
- Exercise caution when discussing sensitive issues with children or vulnerable adults
- Exercise caution in initiating any physical contact with a young person or vulnerable adults
- Operate within the guidance offered by CAPS policies
- Challenge all unacceptable behaviour and report all allegations or suspicions of abuse
- Keep parents fully informed of all anticipated activities

You should avoid whenever possible

- Excessive time alone with young people or vulnerable adults away from others
- Taking young people or vulnerable adults alone in a car journey, however short
- Taking young people or vulnerable adults to your home
- Engaging in physical or sexually provocative games
- Allowing or engaging in inappropriate touching of any form
- Making over-familiar or sexually suggestive comments or approaches to a young person or vulnerable adult even as a 'joke'
- Doing things of a personal nature that young people or vulnerable adults can do for themselves.
- Taking photographs, videos or other images of a young person without the express permission of their parents