

# LANCASHIRE WOMEN

*Keeping Safe*

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## I. Introduction

The services delivered by Lancashire Women aim to address the impact of the social, environmental, economic and psychological influences upon women’s wellbeing using a whole system’s approach. We're working towards a Lancashire where all women are valued and treated as equals and are empowered to be able to transform their lives.

Our aim is to engage with women who are currently outside mainstream activities and provision, delivering support to overcome barriers to participation in normal daily life, developing confidence and unlocking potential. Lancashire Women aims to reduce harm and increase safety for those accessing our services, as well as their families and the wider community. Where possible we will contribute to and coordinate our priorities for safeguarding alongside those of Lancashire Safeguarding Children's Board's and Lancashire Safeguarding Adults Board's.

We recognise that in order to provide a safe and supportive environment for staff, volunteers and service users safeguarding must be part of our culture, values and actions. We are committed to working together with both statutory and voluntary partners to ensure safeguarding remains a priority in the delivery of our services.

These Policy and Procedures seek to ensure that Lancashire Women undertakes its responsibilities with regard to protection of vulnerable adults and / or children and will respond to concerns appropriately. The policy establishes a framework to support paid and unpaid staff in their practices and clarifies the organisation’s expectations. They will be made available to all staff and volunteers in the organisation.

## 2. Basic Principles - Safeguarding Children Young people and adult at risk

Safeguarding is about protecting children, young people and vulnerable adults from significant and serious harm and keeping them safe. It involves identifying children and vulnerable adults who may be at risk of abuse or neglect and working with them and other agencies to protect them from avoidable harms.

Lancashire Women recognises that safeguarding children and vulnerable adults is a shared responsibility with the need for effective joint working between agencies and professionals that have different roles and skills.

Lancashire Women’s Centres recognise that effective safeguarding is underpinned with:

- Up to date safeguarding policies and procedures
- Robust Risk Assessment processes
- Clear reporting and communication systems and clear lines of accountability
- An effective recruitment and vetting process and safer working practices
- Clear guidance for staff and expected behaviours and standards
- Staff training appropriate to role and continuous professional development in safeguarding
- Appropriate supervision and support for staff and volunteers
- Review and monitoring processes
- Effective interagency information sharing

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## Definitions - What is Safeguarding? Safeguarding Children (under 18yrs)

Safeguarding Children is the process of protecting children and young people (under 18years) from abuse or neglect, preventing impairment of their health and development, and ensuring they are growing up in

circumstances consistent with the provision of safe and effective care that enables children to have optimum life chances and enter adulthood successfully.

A child is anyone who has not yet reached their 18<sup>th</sup> birthday.

In 'Working Together to Safeguard Children 2018' safeguarding and promoting the welfare of children is defined as:

- protecting children from maltreatment
- preventing impairment of children's health or development
- ensuring that children grow up in circumstances consistent with the provision of safe and effective care
- taking actions to enable all children to have the best outcomes

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/779401/Working\\_Together\\_to\\_Safeguard-Children.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/779401/Working_Together_to_Safeguard-Children.pdf)

### Significant Harm

Significant harm is the level of harm that justifies compulsory intervention in family life in the best interests of children, and gives Local Authority's a duty to make enquiries to decide whether they should take action to safeguard or promote the welfare of a child who is suffering or likely to suffer significant harm. There are no absolute criteria upon which to rely when judging what constitutes significant harm; sometimes a single traumatic event may constitute significant harm. More often, however, significant harm is a compilation of significant events, both acute and long- standing, which interrupt, change or damage a child's physical and psychological development.

### Children's Act Guidance and Definitions

Within the Children's Act 1989, the following guidance is offered:

Significance is not defined with the Children Act although it is to be 'measured' in terms of:

- a child's health and development; and that which could reasonably be expected of a similar child.
- **'Harm'** means ill treatment or the impairment of health or development
- **'Development'** means physical, intellectual, social, emotional or behavioural development
- **'Health'** means physical or mental health
- **'Ill treatment'** includes sexual abuse and forms of treatment that are not physical, including for example, impairment suffered from seeing or hearing the ill treatment of another.

To begin with, in order to understand and establish significant harm, it is necessary to consider:

- The child's development within the context of their family and wider social environment
- Any special needs and how they impact at all levels (child and family)
- The nature of any harm and its likely impact upon the child's health and development

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- The adequacy of parental care.

More specifically, how does the following contextual information shape your professional judgement about this situation?

- Age of child (developmental stage/needs, vulnerability, abilities)?
- The ‘act(s)’ described or referred to – what is being described? Possible criminal act or investigation required? (10 is the age of criminal responsibility – e.g. if the concern relates to the actions of one child against another)
- Severity of ill-treatment?
- Degree and extent of physical harm?
- Duration and frequency?
- Extent and degree of premeditation?
- Degree of threat or coercion?
- Immediate risk?
- Nature of risk and evidence of risk – when and how is the child at risk?
- Impact upon the child’s health and development?
- What am I being asked to do and what am I required to do in response to this information?

### **Safeguarding Adults at Risk (18yrs and over)**

The term ‘vulnerable adult’ which originated from previous adult protection guidance ‘No Secrets DoH 2000’ has been replaced by the term ‘Adults at Risk of abuse or neglect’ in the Care Act 2014. Both terms are interchangeable and mean the same. These two terms are now used by a host of different agencies.

“Adult safeguarding” is the process of protecting adults with ‘care and support needs’ from abuse or neglect. It is an important part of what many public services do, and a key responsibility of local authorities (Care Act 2014).

The aims of adult safeguarding are to:

- stop abuse or neglect wherever possible
- prevent harm and reduce the risk of abuse or neglect to adults with care and support needs
- safeguard adults in a way that supports them in making choices and having control about how they want to live
- promote an approach that concentrates on improving life for the adults concerned
- raise public awareness so that communities as a whole, alongside professionals, play their part in preventing, identifying and responding to abuse and neglect
- provide information and support in accessible ways to help people understand the different types of abuse, how to stay safe and what to do to raise a concern about the safety or well-being of an adult
- address what has caused the abuse or neglect

### **Duty to Safeguarding Adults at Risk**

Safeguarding is mainly aimed at people with care and support needs who may be in vulnerable

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circumstances and at risk of abuse or neglect by others. In these cases, local services must work together to spot those at risk and take steps to protect them.

The safeguarding duties apply to an adult who:

- has care and support needs (whether or not the local authority is meeting any of those needs) and
- is experiencing, or at risk of, abuse or neglect; and
- as a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect.

### Care and Support Need

The threshold for eligible care and support needs is based on identifying how a person's needs affect their ability to achieve relevant outcomes, and how this impacts on their wellbeing.

If an adult has a physical or mental impairment or illness and they are unable to achieve at least two of the below wellbeing outcomes, and as a consequence of being unable to achieve one of the outcomes there is, or is likely to be a significant impact on the adult's wellbeing then they are eligible for care and support by the local authority. (See Section 3 of these Procedures for more information).

### Wellbeing areas:

- personal dignity (including treatment of the individual with respect)
- physical and mental health and emotional wellbeing
- protection from abuse and neglect
- control by the individual over day-today life (including over care and support provided and the way it is provided)
- participation in work, education, training or recreation
- social and economic wellbeing
- domestic, family and personal relationships
- suitability of living accommodation
- the individual's contribution to society

Lancashire Women's staff and volunteers will always promote the adult's wellbeing in their safeguarding arrangements.

## 3. Scope of the Policy

This policy applies to Lancashire Women Registered Charity no. 1100976. The policy applies to all Trustees, Executive Committee members, staff (including temporary staff), volunteers working for or delivering services on behalf of Lancashire Women to both adults and children. The policy covers all activity and service delivery by Lancashire Women's staff and volunteers:

- on Lancashire Women's Centres' premises
- other public or privately owned premises whether temporary or permanent
- during the transportation of any client in staff / volunteer owned vehicle

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## 4. Purpose of the Policy

These policy and procedures are there to safeguard and protect children, young people and vulnerable adults who are subject to, or at risk of abuse or neglect. Lancashire Women understands its responsibility for safeguarding children, young people and vulnerable adults and will promote effective and early identification of all safeguarding concerns. Lancashire Women's Trustees, staff and volunteers will promote a safe environment for children, young people and vulnerable adults to live full and happy lives within their communities. Its purpose is to ensure that that good governance and quality standards are maintained within Lancashire Women and to establish best practice, guidelines and outcomes in safeguarding and promoting the welfare (wellbeing) of both clients and their children.

## 5. Lancashire Women - Safeguarding Statement

*"Safeguarding is Everyone's business - Lancashire Women is committed to safeguarding and promoting the welfare and wellbeing of children, young people and vulnerable adults. It expects all staff and volunteers to share this commitment."*

## 6. Safeguarding Governance - Roles and Responsibilities (Flowchart)

Lancashire Women is committed to providing support to all those involved within the organisation in working (or volunteering/mentoring) with children and vulnerable adults (or those adults deemed at risk), and to provide a clear structure of Safeguarding accountability.

The Chief Executive Officer has overall responsibility for ensuring that individuals are aware of and understand the principles of this policy.

Lancashire Women will ensure that it has arrangements in place to fulfil its commitment to safeguard and promote the welfare of both children and vulnerable adults (or those adults deemed at risk) in the same way as statutory bodies and the public sector.

### Lancashire Women's Executive Board Members

Lancashire Women's Board of Trustees is ultimately responsible for:

- The approval of all safeguarding policies and procedures
- Ensuring adequate resources for effective safeguarding training
- Developing a culture within the organisation that promotes effective safeguarding practices.

The Trustees play a vital role in ensuring that they are legally compliant in order to manage their charity's resources effectively and provide a long-term vision and protect their charity's reputation and values. In order to fulfil these responsibilities the Board of Trustees may delegate some or all of these responsibilities to the Safeguarding Champion.

### Senior Leadership Team (SLT)

Lancashire Women's Senior Leadership Team will provide a robust commitment to safeguarding arrangements in the delivery of all services, contracts, and sub-contracts. They will also assist in the safer recruitment and selection of staff and volunteer / mentors by the implementation of robust vetting and recruitment processes.

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The SLT will also ensure that:

- The policy is accessible and implemented
- The policy is monitored and reviewed annually
- Sufficient resources are allocated to ensure that the policy can be effectively implemented through allocation of those resources i.e. training
- Clear and effective communication pathways in safeguarding to all staff and volunteers

### **Joint Management Team (JMT)**

Lancashire Women's Joint Management Team (consisting of members of SLT, Heads of Programmes and Centre Managers) is responsible for the monitoring, review and audit of all Safeguarding matters. It will promote full compliance and best practice in safeguarding in all its functions. The group will have ready access to the Safeguarding Champion in order to escalate safeguarding issues raised by staff. The management team will review all reported safeguarding concerns to ensure compliance with Lancashire Women's safeguarding policy, ensure appropriate action has been taken and identify any training needs. The JMT will work to a weekly rota to review reported safeguarding concerns and ensure timely and effective responses and conclusions.

They are also responsible for:

- Ensuring accurate completion of Lancashire Women's factual incident report by staff and volunteers
- Ensuring completion and closure of Lancashire Women's safeguarding tracking form by staff and volunteers
- Signing off the safeguarding tracking form for all safeguarding incidents
- Reporting all serious safeguarding incidents / concerns to Lancashire Women's Safeguarding Champion
- Liaising with statutory services in an emergency
- Provision of cover for their scheduled rota slot in his/her absence

### **Safeguarding Champion**

Lancashire Women's Director of Communities is the appointed Lancashire Women Safeguarding Champion and will provide support and guidance to the JMT on all safeguarding matters.

They are also responsible for:

- Monitoring all safeguarding concerns and ensuring timely and effective conclusions
- Overseeing the JMT's safeguarding rota and reviews
- Auditing and evaluation
- Ensuring all newly recruited staff and volunteers / mentors receive safeguarding training
- Ensuring all staff and volunteers / mentors receive bi-annual refresher training on safeguarding and Lancashire Women's safeguarding policy

### **Lancashire Women's Workforce – staff and volunteers / mentors**

Staff and volunteers / mentors have a shared responsibility to safeguard and promote the welfare of children and adults at risk and need to know how to respond when they have a safeguarding concern about a client.

All staff and volunteers / mentors are responsible for reporting any abuse or neglect or suspected

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abuse or neglect of any child or adult(s) at risk immediately to the duty member of the JMT or their line manager. In an emergency situation staff and volunteers / mentors will be expected to report urgent cases direct to statutory agencies.

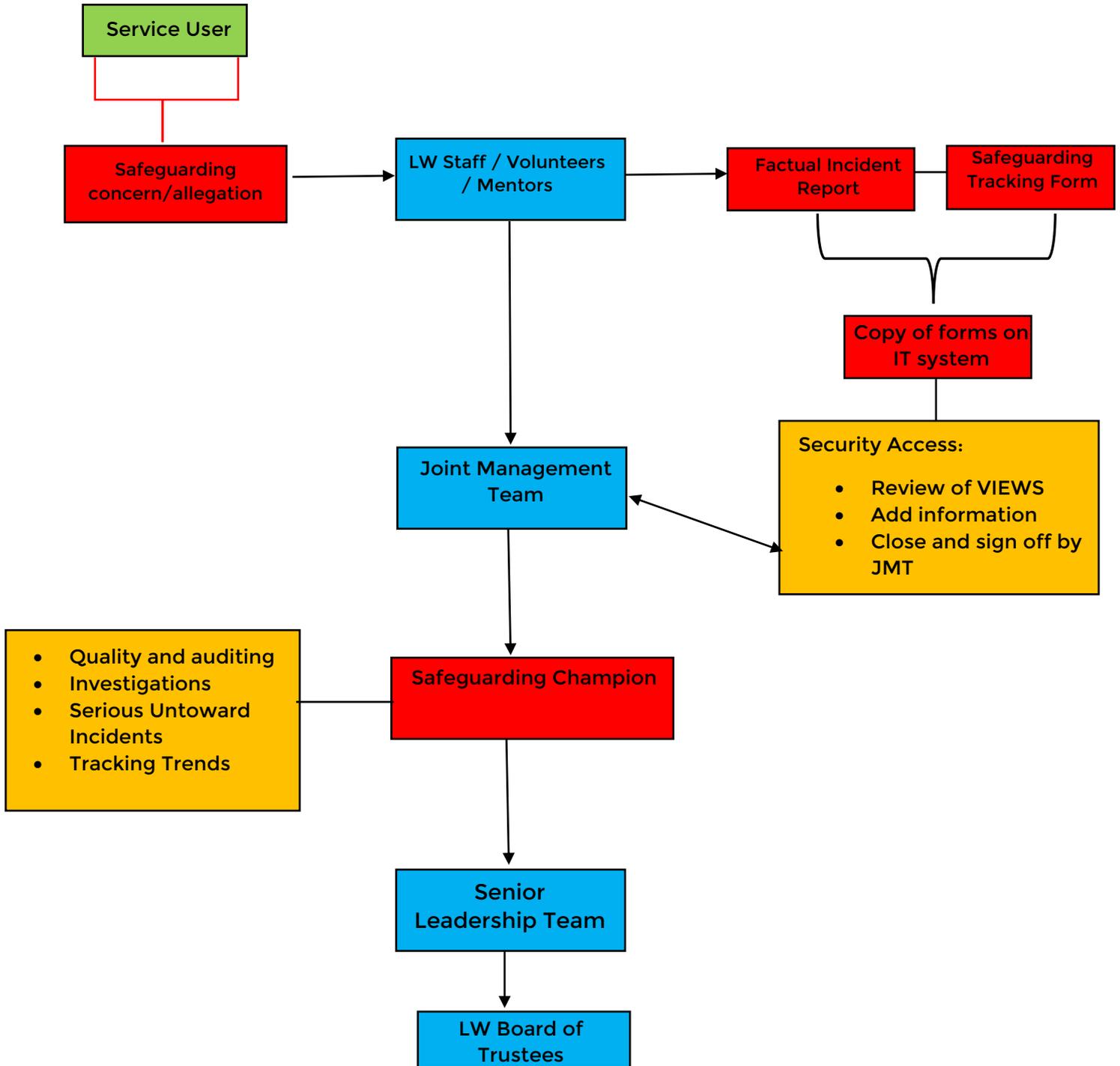
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## Lancashire Women’s Safeguarding Governance - Flowchart



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## 7. Consent and Capacity

It is a fundamental principle of English law that adults have the right to make decisions on their own behalf, and are assumed to have the capacity to do so. This is known as the 'presumption of capacity' and extends to decisions that may entail personal risks and that may not be in accordance with an objective view of their best interests.

Lancashire Women is open and honest with all clients from the start and seeks the consent of clients in a written 'Consent Agreement'. Where a written agreement is not possible Lancashire Women seeks verbal consent and it is the responsibility of staff / volunteers / mentors to read this in its entirety to the client. This acknowledges and recognises the times when staff and volunteers / mentors will need to act and contact a third party when safety is an overriding concern.

If consent is refused however information may still be shared when interventions are needed to protect either the client or other vulnerable groups. i.e. children and vulnerable adults.

### Adults Lacking Capacity

Adults lacking capacity to make decisions that would protect and promote their own interests are potentially extremely vulnerable. Although, in accordance with the principles of the Mental Capacity (Amendment) Act 2019, adults lacking capacity should be at liberty to participate as far as possible in decision making, and express their views, emphasis should shift to ensuring that decisions made on patient's behalf promote their overall best interests.

Lancashire Women will ensure that all staff and volunteers who are required to make a decision on behalf of a someone who lacks capacity will do so in that person's best interest, using the common checklist of factors in the Mental Capacity (Amendment) Act 2019 Code of Practice. **(See Appendix G of these Procedures)**

## 8. Sharing Information and Duty of Candour

Sharing of information between practitioners and organisations is essential for effective identification, assessment, risk management and service provision. Fears about sharing information cannot be allowed to stand in the way of the need to safeguard and promote the welfare of children, young people and vulnerable adults at risk of abuse or neglect.

Personal information held by Lancashire Women is subject to a legal duty of confidentiality and will not normally be disclosed without the consent of the individual. However, the right to confidentiality and respect for private and family life (Article 8, Human Rights Act, 1998) is not absolute.

Lancashire Women recognise that information sharing between key organisations is essential to safeguard children and vulnerable adults at risk of abuse, neglect and exploitation. A key factor in many serious case reviews has been a failure to record information, to share it, to understand the significance of the information shared, and to take appropriate action in relation to known or suspected abuse or neglect.

Lancashire Women will ensure that confidential information is only shared where it is lawful and ethical to do so. Lancashire Women will ensure that all staff are clear about situations when they can share information with appropriate agencies and professionals working together within local information sharing protocols, i.e. when they believe an adult at risk is likely to suffer serious harm.

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Lancashire Women staff and volunteers will give due regard to relevant legislation, guidance and local information sharing protocols when making decisions on sharing information including the following:

- The Data Protection Act 2018
- The Children Act 2004
- The Care Act 2014

Lancashire Women’s Centres will also refer to local LCSB/LASB multi agency sharing agreements and protocols for further guidance.

Pan-Lancashire Safeguarding Children Policy and Procedures

<https://panlancashirescb.proceduresonline.com/>

Pan Lancashire and Cumbria Safeguarding Adults Boards Policy and Procedures (Updated Jan 2020)

<http://www.lsab.org.uk/wp-content/uploads/Safeguarding-Adults-Policy-and-Procedures-Jan-2020.pdf>

### Duty of Candour

All staff working within Lancashire Women have responsibility to adhere to organisational policies and procedures around duty of candour, regardless of seniority or permanency.

When a notifiable safety incident has occurred, as soon as reasonably practicable after, the registered person must notify the relevant person that the incident has occurred or been identified, and an apology issued.

The NHS Standard Contract requires that the notification must be within, at most, 10 working days of the incident being reported to local systems and sooner where possible, including a formal follow up letter. As a provider under this contract Lancashire Women adheres to this notification policy.

## 9. Recruitment, Selection and Training

Lancashire Women will ensure that all staff and volunteers are safe and trustworthy to work with children, young people and vulnerable adults by enforcing robust recruitment procedures. We pride our self on being a positive ‘recruit with conviction’ employer and where possible we will promote a non-judgemental and professional environment to ensure a safe and effective and sustainable employment for people with criminal convictions.

The Safeguarding Vulnerable Groups Act 2006 requires the organisation to carry out specific vetting (enhanced DBS) and checks on ‘references’ on staff or volunteers if they are to perform ‘regulated activity’. i.e. work closely with children or vulnerable adults.

The advertisement, recruitment and training of all Lancashire Women employees and volunteers / mentors will comply with current Safeguarding guidance. This means that all new ‘regulated activity’ positions will make clear in advertisements and application forms of the need for to undergo and clear an enhanced DBS disclosure check.

In order to deter unsuitable individuals and inappropriate behaviour Lancashire Women will include their Safeguarding statement (below) in the following recruitment and selection process and documents:

- Publicity materials
- Job / Role Advertisements

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- Recruitment websites
- Candidate information packs
- Person specifications
- Job descriptions
- Competency frameworks
- Induction training

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In addition Lancashire Women will provide:

1. Job or role descriptions for all roles involving contact with vulnerable adults and/ or children will contain reference to safeguarding responsibilities.
2. Person specifications for relevant roles which contain a statement on core competency with regard to child and or vulnerable adult safeguarding
3. Short listing is based on formal application processes/forms and not on provision of CVs
4. Interviews are conducted according to equal opportunity principles and where relevant include questions about safeguarding
5. DBS checks for specific roles for all staff (paid or unpaid) working with vulnerable adults and children. Portable/ carry over DBS checks from another employer will not be deemed to be sufficient. It is a criminal offence for individuals barred by the ISA to work or apply to work with children or vulnerable adults in a wide range of posts.
6. No formal job offers are made until after checks for suitability are completed

**(See also Appendix Z of these Procedures)**

### **Training**

Lancashire Women identifies that training and raising awareness of safeguarding issues, policies and procedures is fundamental to the development and maintenance of a safe environment and safer organisation.

Lancashire Women will also ensure that all current staff and volunteers are trained to the appropriate standards in safeguarding to maintain and promote safer staff, safer culture and a safer organisation.

All members of staff and volunteers will receive training in safeguarding to a level which is commensurate to the level of responsibility of the role that is being performed.

Safeguarding training will not be regarded as a 'once only' activity, but as on-going development of skills and knowledge of safeguarding. Safeguarding refresher training events will be provided at least every two years and in response to staff turnover.

## **10. Safeguarding Allegations against staff**

Lancashire Women recognises its duty to report concerns or allegations against its staff (paid or unpaid) within the organisation or by a professional from another partner organisation. Staff and volunteers must comply with Lancashire Women's Code of Conduct when performing their role in order to promote safer working practices for safeguarding.

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Lancashire Women will deal appropriately and promptly with such allegations or concerns and refer all safeguarding concerns or allegations about its employees who are working in 'regulated activity' immediately to the appropriate local authority social services safeguarding team (adults or children).

It is a matter of policy that any employee who performs 'regulated activity' and about whom a safeguarding allegation is made will be suspended without prejudice immediately, pending investigation. This will be the case even if the allegation is not linked to their role or activity with Lancashire Women. Such instances will be rare occasions and any decision to suspend will not be taken lightly. The decision will be taken after full discussions with the Safeguarding Champion, the HR & Estates Director and the employee's line manager.

During any investigation of an allegation against an employee suspended from the workplace Lancashire Women recognises that it has a continuing duty of care. It will ensure a link person is nominated (not connected to the investigation) to provide support and guidance and be able to signpost those suspended to other external support networks. e.g. local trade union reps, Occupational Health, G.P., Samaritans etc.

### **DBS requirement and duty to report**

The legal duty to make referrals to the ISA began on 12 October 2009 and remains in force. The duty to make referrals continues to apply now the ISA and CRB have merged to form the Disclosure and Barring Service (DBS). Lancashire Women recognises its legal duty to report any concerns about unsafe practice by any of its paid or unpaid staff to the Disclosure and Barring Service (DBS). If at any time Lancashire Women removes an individual from 'regulated activity' due to relevant conduct, risk of harm or receiving a caution or conviction for a relevant offence (or the person has resigned or left that post in circumstances where they may have been removed), then they will refer the matter to the Disclosure and Barring Service.

## **II. Support for staff**

Lancashire Women recognise that staff and volunteers/mentors who work directly with children and vulnerable adults are sometimes faced with complex and challenging decisions on some of the most vulnerable members of the community. Involvement in situations where there is risk or actual harm can be stressful for staff concerned.

Lancashire Women will provide safe and confidential environments for staff to discuss their work and their personal and professional responses to their work.

The mechanisms in place to support staff include:

- Debriefing support for paid and unpaid staff so that they can reflect on the issues they have dealt with
- Seeking further support as appropriate e.g. access to counselling.
- Clinical supervision (routine)

## **I2. Complaints**

All complaints that are received about the conduct or behaviour of the Lancashire Women staff or volunteers will be dealt with in accordance to its Complaints Procedure.

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If a complaint is identified as a potential safeguarding concern then the Lancashire Women will ensure that it is directed through to Lancashire Women’s Safeguarding Procedures

### 13. Whistle-blowing

The Public Interest Disclosure Act 1998 introduced protection for workers from reprisals for disclosing information in the public interest. It emphasises the importance that the role ‘whistle-blowing’ can play in deterring and detecting malpractice and abuse of children and Vulnerable Adults.

Lancashire Women will promote practical arrangements for whistle-blowing to enable its staff and volunteer helpers to voice their concerns, made in good faith, without fear of repercussion. Any member of staff or volunteer who uses the ‘whistle blowing’ procedure will be made aware that their employment rights are protected.

Staff members and volunteers will be supported in this individual responsibility to bring matters of concern to the attention of senior management and/or relevant external agencies. This is particularly important where the welfare of children, young people and vulnerable adults may be at risk.

Lancashire Women will:

- Ensure it has appropriate whistle-blowing policies in place
- Ensure that it has clear procedures for dealing with allegations against staff.
- Encourage and support staff and volunteers to report any behaviour by colleagues that raises concern regardless of source.

### 14. Prevent Duty

In order for Lancashire Women to fulfil the Prevent duty, it is essential that staff are able to identify individuals who may be vulnerable to radicalisation, and know what to do when they are identified. Protecting children, young people and adults from the risk of radicalisation should be seen as part of our wider safeguarding duties, and is similar in nature to protection from other harms (e.g. drugs, gangs, neglect, sexual exploitation), whether these come from within the family or are the product of outside influences.

As yet, there has been no clear link or exact cause identified for someone becoming radicalised. This creates the sense that ‘it could happen to anyone’ which, in turn, increases the fear of radicalisation. The lack of an exact cause doesn’t mean we know nothing and it’s important to focus on what we do know and staying informed of current guidance. Radicalisation is, after all, constantly shifting and changing.

If any member of staff has a concern about radicalisation from an individual then a referral to the appropriate CHANNEL panel will be initiated following support from the Safeguarding Co-ordinator.

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## 15. Quality and Review

Lancashire Women is committed to striving for excellence in the provision of all its services. We do this by actively engaging our Impact Team in the safeguarding systems. We will use an electronic recording and manual checking system to capture all relevant data in order to evidence and monitor compliance in safeguarding. This quality assurance mechanism is a crucial and integral part of the governance structure and workings of the Lancashire Women.

In order to continuously monitor, develop and deliver excellence within our business the will work with Lancashire Women's partners and participate in reviews set out in National and local guidance. i.e. Serious Case Reviews (SCR's) (children), Safeguarding Adult Reviews (SAR's), Child Death Overview Processes (CDOP), Multi-Agency Risk Assessment Conferences (MARAC) Multi Agency Public Protection Arrangements (MAPPA), Multi Agency Safeguarding Hubs (MASH) and Channel reviews.

## 16. Equality and Diversity

Lancashire Women is an equal opportunity employer. We are committed to ensuring within the framework of the law that our workplaces are free from unlawful or unfair discrimination because of Protected Characteristics as defined by the Equality Act 2010. We have adopted this policy as a means of helping to achieve these aims.

The Protected Characteristics are:

- Age
- Disability
- Gender Reassignment
- Race
- Religion or Belief
- Sex
- Sexual Orientation
- Marriage and Civil Partnership
- Pregnancy and Maternity

We aim to ensure our employees achieve their full potential and that all employment decisions are taken without reference to irrelevant or discriminatory criteria.

## 17. Local Safeguarding Boards

Lancashire Women will work together with the LSCB's / LSAB's in order to promote the welfare and safeguard

children and vulnerable adults they work with. LW will also ensure that its own Safeguarding Policies and procedures are based upon and reflect the local multi agency safeguarding policies and procedures.

### Local Safeguarding Children's board (LSCB)

Safeguarding and promoting the welfare of children requires effective co-ordination in every local area. The Children Act 2004 required each local authority to establish a local safeguarding children's board. The LSCB is the key statutory mechanism for agreeing how the relevant

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organisations will cooperate to safeguard and promote the welfare of children in that locality, and for ensuring the effectiveness of what they do.

They are responsible for developing multi-agency policies for Safeguarding children in their area and together with Children’s Trust Board ensure that there are clear local arrangements for delivering services to children in need e.g. Common Assessment Framework (CAF) process.

Other responsibilities include training standards for all professionals/volunteers working with children and a monitoring and an evaluation function especially in respect of undertaking reviews into all child deaths.

<http://www.lancashiresafeguarding.org.uk/>

### Local Safeguarding Adults Boards (LSAB)

The overarching purpose of a Safeguarding Adult Board (SAB) is to help and safeguard adults with care and support needs. It does this by:

- assuring itself that local safeguarding arrangements are in place as defined by the Care Act 2014 and statutory guidance
- assuring itself that safeguarding practice is person-centred and outcome-focused
- working collaboratively to prevent abuse and neglect where possible
- ensuring agencies and individuals give timely and proportionate responses when abuse or neglect have occurred
- assuring itself that safeguarding practice is continuously improving and enhancing the quality of life of adults in its area.

The SAB must lead adult safeguarding arrangements across its locality and oversee and coordinate the effectiveness of the safeguarding work of its member and partner agencies. This will require the SAB to develop and actively promote a culture with its members, partners and the local community that recognises the values and principles contained in ‘Making Safeguarding Personal’. It should also concern itself with a range of issues which can contribute to the wellbeing of its community and the prevention of abuse and neglect, such as:

- the safety of people who use services in local health settings, including mental health
- the safety of adults with care and support needs living in social housing
- effective interventions with adults who self-neglect, for whatever reason
- the quality of local care and support services
- the effectiveness of prisons in safeguarding offenders
- making connections between adult safeguarding and domestic abuse.

<http://www.lancashiresafeguarding.org.uk/lancashire-safeguarding-adults.aspx>

## 18. Underpinning Legislation and Guidance

- **The Children Act 1989** places a legal duty on the local authority to make enquiries if they have reasonable cause to suspect a child is suffering or likely to suffer significant harm to enable them to

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- decide whether to take any action in order to safeguard or promote the child’s welfare.  
[http://www.opsi.gov.uk/acts/acts1989/ukpga\\_19890041\\_en\\_1](http://www.opsi.gov.uk/acts/acts1989/ukpga_19890041_en_1)
- **The Children Act 2004** Section 11 of the Children Act 2004 placed duties on a range of organisations and individuals to ensure their functions, and any services that they contract out to others, are discharged having regard to the need to safeguard and promote the welfare of children. e.g. Police, NHS, Local Authorities, Probation, Prisons and Offending services. <http://www.legislation.gov.uk/ukpga/2004/31/contents>
- **Working Together to Safeguard Children – HM Government 2018:** A Guide to interagency working to safeguard and promote the welfare of children. These documents define the categories of child abuse and provide a useful list of signs and symptoms. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/779401/Working\\_Together\\_to\\_Safeguard-Children.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/779401/Working_Together_to_Safeguard-Children.pdf)
- **The United Nations Convention on the Rights of the Child - Families and Babies** believe that every child has the right to be loved and cared for and to be safe and well, to be offered a good standard of education, to be protected from exploitation and to have opportunities for rest and play (1991). Similarly, all children have the same rights and the same value, regardless of age, race, culture, gender, disability, or social/economic background.  
<http://www.unicef.org/crc/>
- **What to do if you’re worried a child is being abused (DOH 2015)** - The guidance is accompanied with flowcharts following the procedure from referral, initial assessment, emergency action that might need to be taken, through to what happens after a strategy discussion and child protection review conference  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/419604/What\\_to\\_do\\_if\\_you\\_re\\_worried\\_a\\_child\\_is\\_being\\_abused.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/419604/What_to_do_if_you_re_worried_a_child_is_being_abused.pdf)
- **Safeguarding Vulnerable Groups Act 2006** – (as amended by the Protection of Freedoms Act 2012) Created the Independent Safeguarding Authority along with Vetting and Barring Scheme to help prevent unsuitable people from working (paid or otherwise) with children and Adult at Risks. In 2012 The Criminal Records Bureau (CRB) and the Independent Safeguarding Authority (ISA) merged into the Disclosure and Barring Service (DBS). CRB checks are now called DBS checks.  
<http://www.legislation.gov.uk/ukpga/2006/47/contents>  
<http://www.legislation.gov.uk/ukpga/2012/9/contents/enacted>
- **Care Act 2014 – HM Government**  
This act replaces ‘No Secrets’ DOH 2000 guidance in respect of safeguarding adults at risk. The term adult at risk and Adult at Risk are interchangeable and mean the same. This act puts the creation of Safeguarding Adult Protection Boards, vetting and training as mandatory for the first time. The Act came into force April 2015.

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<http://www.legislation.gov.uk/ukpga/2014/23/contents/enacted/data.htm>

- Care and Support - Statutory Guidance on Implementation of the Care Act 2014**  
 The Government issued statutory guidance in Oct 2014 which explains how the new Care Act Regulations which come into effect from April 2015 will work in practice. They have made changes that include clarifying the guidance on adult safeguarding and revising the eligibility criteria to focus on outcomes and better address social isolation.  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/315993/CareAct-Guidance.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/315993/CareAct-Guidance.pdf)
- Mental Capacity (Amendment) Act 2019** - provides a statutory framework to empower and protect vulnerable people who are not able to make their own decisions. It makes it clear who can take decisions, in which situations, and how they should go about this.  
<http://www.legislation.gov.uk/ukpga/2019/18/enacted>
- Deprivation of Liberty Safeguards (DoLS) and Liberty Protection Safeguards (LPS)**  
 The Mental Capacity Act 2005 allows restraint and restrictions to be used – but only if they are in a person's best interests. The safeguards cover patients in hospitals, and people in care homes registered under the Care Standards Act 2000, whether placed under public or private arrangements. Extra safeguards are needed if the restrictions and restraint used will deprive a person of their liberty. These are called the Deprivation of Liberty Safeguards.

In March 2014, the Supreme Court provided long-awaited clarification of the definition of a deprivation of liberty making a very important judgement, which is known as Cheshire West and has affected the way DoLS is currently interpreted.

*Please note: As per the Mental Capacity (Amendment) Act 2019 DoLS are due to be repealed and replaced by Liberty Protection Safeguards (LPS) from 1 October 2020, subject to ongoing work around implementation planning and developing regulations on how the system will work. The government has confirmed that for up to a year the DoLS system will run alongside the LPS to enable those subject to DoLS to be transferred to LPS in a managed way. Whereas the DoLS only apply to hospitals and care homes, the LPS can be used in other settings, for instance supported living, shared lives and private and domestic settings. Whereas the DoLS apply to those aged 18 and over, the LPS apply to people aged 16 and over.*

**Age UK Factsheet on current DoLS position**

The information on DoLS reflects the current guidance from Supreme Court Judgement 2015 and is correct for the period March 2020 – February 2021 after which new legislation is expected.

[https://www.ageuk.org.uk/globalassets/age-uk/documents/factsheets/fs62\\_deprivation\\_of\\_liberty\\_safeguards\\_fcs.pdf](https://www.ageuk.org.uk/globalassets/age-uk/documents/factsheets/fs62_deprivation_of_liberty_safeguards_fcs.pdf)

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- Safer Recruitment Consortium (2019)** – this practice guidance provides clear advice on appropriate and safe behaviours for all adults working with children in paid or unpaid capacities, in all settings and in all contexts.  
<https://www.saferrecruitmentconsortium.org/GSWP%20Sept%202019.pdf>
- Recruiting Safely – CWDC 2009** – this provides an overview for individuals and organisations seeking to understand the task of safer recruitment within the wider safeguarding agenda. It provides a list of key issues that need to be considered when undertaking safe recruitment.  
<http://webarchive.nationalarchives.gov.uk/20130401151715/https://www.education.gov.uk/publications/eOrderingDownload/summary%20guidance%20on%20safer%20recruitment%20nov%202009.pdf>

This document needs to be read in conjunction with information on the below website for making safer recruitment decisions.  
<https://www.gov.uk/government/policies/helping-employers-make-safer-recruiting-decisions>
- The Equality Act 2010** - this puts a responsibility on public authorities to have due regard to the need to eliminate discrimination and promote equality of opportunity. This applies to the process of identification of need and risk faced by the individual child and the process of assessment. No child or group of children must be treated any less favourably than others in being able to access effective services which meet their particular needs.
- Data Protection Act 2018**  
 The Data Protection Act 2018 gives effect throughout the United Kingdom the General Data Protection Regulation (GDPR). It requires compliance when processing personal data with the GDPR principles.

The GDPR sets out seven key principles:

- Lawfulness, fairness and transparency.
- Purpose limitation.
- Data minimisation.
- Accuracy.
- Storage limitation.
- Integrity and confidentiality (security)
- Accountability.

The changes in the law do not change our practice with regard to safeguarding adults because the GDPR, like the previous legislation, allows us to share information without consent in certain circumstances. Where you have concerns that the actions of some may place children at risk of significant harm or adults at risk of serious harm, it may be possible to justify sharing information with or without consent for the purposes of identifying people for whom preventative interventions are appropriate.

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<http://www.legislation.gov.uk/ukpga/2018/12/contents/enacted>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/711097/guide-to-the-general-data-protection-regulation-gdpr-1-0.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/711097/guide-to-the-general-data-protection-regulation-gdpr-1-0.pdf)

- **Sharing Information DCSF 2015**

This HM Government advice is non-statutory, and has been produced to support practitioners in the decisions they take when sharing information to reduce the risk of harm to children and young people. This advice is for all frontline practitioners and senior managers working with children, young people, parents and carers who have to make decisions about sharing personal information on a case by case basis. It might also be helpful for practitioners working with adults who are responsible for children who may be in need.

- [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/419628/Information\\_sharing\\_advice\\_safeguarding\\_practitioners.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/419628/Information_sharing_advice_safeguarding_practitioners.pdf)

- **Counter-Terrorism and Security Act 2015** - Section 26 of the Act places a duty on partners of Local authorities and certain bodies, in the exercise of their functions, to have “due regard to the need to prevent people from being drawn into terrorism”.

## 19. Publicity

Lancashire Women encourages opportunities to gain positive press attention to increase funding and raise awareness of the charity. The responsibility of publicising a local event would fall to the organisers but must have prior approval from the Business Development Director. If any of the organisation’s staff or volunteers are asked to make comment or give information in respect of a sensitive issue (e.g. regarding a subject currently under investigation within the organisation or by the Police), they must not engage with the query independently. Sensitive press queries must be referred to the Business Development Director or the Chief Executive Officer for consideration and response.

Where a specific incident has taken place Lancashire Women’s approach to communication should be as honest and open as possible. Where possible this should be jointly agreed with relevant partners, usually the commissioning authority and/or statutory authorities.

## 20. Glossary

Term	Definition
Adult at risk of abuse or neglect	<p>The Care Act 2014 introduced this term to replace ‘Adults at Risk’ terminology in ‘No Secrets’ 2000. The safeguarding duties apply to an adult who:</p> <ul style="list-style-type: none"> <li>• has needs for care and support (whether or not the local authority is meeting any of those needs) and;</li> <li>• is experiencing, or at risk of, abuse or neglect; and</li> </ul>

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	<ul style="list-style-type: none"> <li>as a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect.</li> </ul>
Common Assessment Framework (CAF)	<p>The CAF is a standardised approach to assessing a child's need for services. It has been designed for practitioners in all agencies to help them communicate and work together more effectively with the aim of identifying and addressing problems before they become serious.</p> <p><a href="https://www.lancashire.gov.uk/practitioners/supporting-children-and-families/common-assessment-framework/">https://www.lancashire.gov.uk/practitioners/supporting-children-and-families/common-assessment-framework/</a></p>
Care Act 2014 Care and Support Statutory Guidance 2014	Introduced a new mandatory duty for local councils to promote people's wellbeing and safeguard those who need additional services and who live either in care or their own home. Safeguarding duty - went live April 2015
Child Protection	Process of protecting individual children identified as either suffering or at risk of suffering significant harm as a result of abuse or neglect
Child(ren) Disclosure and Barring Service (DBS)	<p>A child is someone who has not yet reached their 18<sup>th</sup> birthday</p> <p>The DBS carry out the functions previously undertaken by the Criminal Records Bureau and the Independent Safeguarding Authority. The primary role of DBS is to help employers in England and Wales make safer recruitment decisions and prevent unsuitable people from working with vulnerable groups including children.</p>
Disclosure of Abuse	When a young person informs another person that they have been / are being abused or that someone else has been abused
Deprivation of Liberty Safeguards (DoLs)	The Mental Health Act 2007 amended the Mental Health Act 1983 and introduced the Deprivation of Liberty Safeguards into the Mental Capacity Act 2005. It covers the safe treatment of Adult at Risks without capacity in Hospitals and Care home settings. <i>As per the Mental Capacity (Amendment) Act 2019 DoLs are due to be repealed and replaced by Liberty Protection Safeguards (LPS) from 1 October 2020.</i>
Domestic Abuse (Violence)	Domestic abuse is perpetrated by adults on their current or recent partner or family member. It includes threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults who are or have been intimate partners or family members, regardless of gender or sexuality. (Association of Chief Police Officers- 2004.) Evidence exists that children can suffer long term damage from living in a household where domestic violence takes place. Domestic violence is now included in the definition of harm. In March 2013 the definition of domestic abuse extended to recognise and include victims aged 16 and 17 yrs.

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Duty of Care	Common Law - General duty on all those working with children to share some degree of responsibility for promoting their welfare and acting to protect them
Duty to Safeguard and Promote Welfare	Section 11 of The Children Act 2004 sets out the duty of named agencies to safeguard and promote the welfare of children and young people
Every Child Matters	Government Guidance which sets out the national framework for local change programmes to build services around the needs of children and young people to maximise opportunity and minimise risk <a href="https://www.gov.uk/government/publications/every-child-matters">https://www.gov.uk/government/publications/every-child-matters</a>
Independent Safeguarding Authority (ISA)	The Independent Safeguarding Authority (ISA) was created as part of the Government's Vetting and Barring Scheme (VBS) to help prevent unsuitable people from working with children and Adults at Risk.
Information Sharing	The sharing of information between agencies and professionals in the best interests of the child. Effective local arrangements should be in place to ensure all agencies understand their responsibilities and the limits of confidentiality.
Local Authority Designated Officer (LADO)	In line with Working Together to Safeguard Children (2018), your Local Safeguarding Children Board (LSCB) and Local Authority will have appointed a Local Authority Designated officer (LADO). The LADO's role extends across allegations against children only and within all agencies and organisations and includes: <ul style="list-style-type: none"> <li>• The management and oversight of individual cases.</li> <li>• Providing advice and guidance to employers and voluntary organisations.</li> <li>• Liaising with the Police and other agencies.</li> </ul> Monitoring the progress of cases to ensure that they are dealt with as quickly as possible, consistent with a thorough and fair process
Local Safeguarding Adult's Boards (LSAB'S)	A statutory requirement for all local authorities to create LSAB's comes from the Care act 2014. A multi-agency partnership to lead 'Safeguarding Adults' work, and for each partnership to include senior representation from all the appropriate statutory agencies.
Local Safeguarding Children's Boards (LSCB's)	A statutory agency created by Children Act 2004 and operational from 01.04.06. The LSCB is the key statutory mechanism for agreeing how the relevant organisations in each local area will co-operate to safeguard and promote the welfare of children in that locality, and for ensuring the effectiveness of what they do.

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Looked after children	Children who are cared for by the Local Authority, either through a legal order or voluntary agreement with parents
Mental Capacity Act 2005 (MCA)	The Mental Capacity Act 2005 provides a statutory framework to empower and protect vulnerable people who are not able to make their own decisions. It makes it clear who can take decisions, in which situations, and how they should go about this. It enables people to plan ahead for a time when they may lose capacity.
Multi Agency Risk Assessment Conference (MARAC)	In a MARAC local agencies will meet to discuss the highest risk victims of domestic abuse in their area. Information about the risks faced by those victims, the actions needed to ensure safety, and the provisions available locally is shared and used to create a risk management plan involving all agencies.
Multi Agency Public Protection Arrangements (MAPPA)	Local panels which bring together police, probation, social services and other agencies to monitor violent and sex offenders in the community once they are released from prison <a href="https://www.gov.uk/government/publications/multi-agency-public-protection-arrangements-mappa--2">https://www.gov.uk/government/publications/multi-agency-public-protection-arrangements-mappa--2</a>
No Secrets DOH 2000	This document was the first National guidance for safeguarding Adults at Risks. It has now been replaced by the Care Act 2014. It gave local agencies a responsibility to investigate and take action when an Adult at Risk was believed to be suffering abuse. It offered a structure and content for the development of local inter-agency policies, procedures and joint protocols which will draw on good practice nationally and locally
Parents and carers	Includes anyone with parental responsibility or who undertakes day-to-day care for a child. It may include step-parents, grandparents or other members of the family (including siblings), foster carers, residential staff
Partner agencies	In the context of the Children Act 2004 this refers to all the agencies engaged in a partnership with the local authority to ensure children are safeguarded and their welfare promoted
Recruitment and vetting	Seeking staff and volunteers and having clear procedures for checking that they are safe to employ in an organisation
Risk assessment	The process of assessing whether or not a person or situation may present a risk to the welfare of the child or young person
Safeguarding and Promoting the Welfare of Children	'The process of protecting children from abuse or neglect, preventing impairment of their health and development, and ensuring they are growing up in circumstances consistent with the provision of safe and effective care which is undertaken so as to enable children to have optimum life chances and enter adulthood successfully - Working Together to Safeguard Children HM Government 2018

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Safeguarding Adults guidance	National Framework of Standards and good practice for the protection of Adults 2005 (ADSS)
Safeguarding Vulnerable Groups Act 2006	An act to make provision for the introduction of the Independent Safeguarding Authority and the Vetting and Barring Scheme. Now amended by the Protection of Freedoms Act 2012 to establish the DBS.
Safer Recruitment	Safer Recruitment Guidance for adults who works with children and young people. 'Keeping Children Safe in Education' - 2014 <a href="https://www.gov.uk/government/publications/keeping-children-safe-in-education">https://www.gov.uk/government/publications/keeping-children-safe-in-education</a>
Safer Working Practices	It is important that all adults working with children understand that the nature of their work and the responsibilities related to it, place them in a position of trust. DCFS practice guidance provides clear advice on appropriate and safe behaviours for all adults working with children in paid or unpaid capacities, in all settings and in all contexts.
Serious Case Review	LSCBs and LSAB's are both mandated to hold reviews of practice in cases when a child/adult at risk dies, and abuse or neglect are known or suspected to be a factor in the death. They must also consider reviews where a child/adult at risk or sustains a potentially life threatening injury or serious and permanent impairment of health and development or has been subjected to particularly serious sexual abuse; and the case gives rise to concerns about inter-agency working.
Staff, volunteers, workers	Anyone in paid or unpaid work who provides services / activities on behalf of the organisation. This may include mentors, coaches, course instructors and leaders
Vetting and barring scheme	The scheme began on October 12th 2009 and is managed by the Independent Safeguarding Authority. It aims to prevent unsuitable people working with children or Adult at Risks.
Vulnerable Adult definition	No Secrets' DOH 2000 'An adult who is vulnerable because of mental disorder, learning difficulties, physical and/or sensory impairment, other impairment, or older age and who is unable to take care of him or herself or is unable to protect him or herself against significant harm or exploitation'. This has now been updated and replaced by the term 'Adult at Risk of Abuse or Neglect'. - Care Act 2014
Whistle blowing	Each employer should have a clear and accessible whistle blowing policy that meets the terms of the Public Interest Disclosure Act 1998
'Working Together to Safeguard Children'	Statutory guidance on how organisations and individuals should interact in order to safeguard and promote the welfare of children. Latest edition 2018

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Youth Offending Teams	Multi-agency teams responsible for the supervision of children and young people who have committed offences or are likely to offend
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