



## Safeguarding Policy

### 1. Definitions

In this policy, the following definitions apply:

**Child** - a person who is under 18 years of age

**DBS** - Disclosure Barring Service

**Regulated Activity** - this is defined separately for children and for vulnerable adults.

*Children* - broadly speaking, Regulated Activity relating to children is paid and unpaid work that involves certain close interaction with children or, in specified places, the opportunity for contact with children. For further information about what amounts to a Regulated Activity relating to children, please see Schedule 2 of this policy.

*Vulnerable adults* - Regulated Activity relating to vulnerable adults includes: the provision of health care by specified persons, the provision of personal care and the provision of social work by specified persons. For further information about what amounts to Regulated Activity relating to vulnerable adults, please see Schedule 2 of this policy.

**Regulated Activity Provider (RAP)** - someone who is responsible for the management or control of Regulated Activity, which they make arrangements for others to engage in.

**SVGA 2006** - The Safeguarding Vulnerable Groups Act 2006.

**Vulnerable adult** - a person who is 18 years old or over AND the subject of Regulated Activity.

### 2. Introduction

This policy sets out the company's approach to the safeguarding of children and/or vulnerable adults where our employees, workers or volunteers come into contact with children and/or vulnerable adults as a result of carrying out Regulated Activity.

This policy is compliant with the SVGA 2006.

Mandi Evans, Human Resources, has overall responsibility for this policy and safeguarding in the company.

This policy is non-contractual and does not form part of any employee's terms and conditions of employment.

### **3. The Children's and Adults' barred lists**

Individuals who are included on the children's or adults' barred lists are prohibited from undertaking Regulated Activity relating to children or vulnerable adults, as the case may be. Organisations that supply people to undertake such work need to ensure that barred individuals are not supplied by them.

It is envisaged that there may be occasions when, we as a company, supply people to undertake work that is covered by the definition of Regulated Activity. In these circumstances, we will carry out a check to see whether you are barred. This can be done as part of an enhanced criminal record (DBS) check or through the DBS online Update Service, if you have subscribed to this.

### **4. Code of Conduct**

As well as carrying out checks on you, when carrying out Regulated Activity, you must ensure that you comply with the Code of Conduct attached to this policy at Schedule 1.

### **5. Duty to refer and provide information to the DBS**

RAPs have a duty to refer and provide information to the DBS in certain circumstances, for example if you commit an offence which will result in you being included in either the children's or adults' barred lists, if you engage in 'relevant conduct' (for example conduct that endangers a children or vulnerable adult or is likely to do so) or if you satisfy the 'harm test' (for example, if you harm a child or vulnerable adult or attempt or put them at risk of harm). Harm can be financial, physical, psychological, sexual or neglect.

Where we are required to provide information to the DBS, this includes all information that we hold about you, which can include personal details such as your name, date of birth, national insurance number, a description of the Regulated Activity you were engaged in, copies of any documents relating to your employment, details of your conduct and details of any investigation or disciplinary proceedings in relation to your conduct.

If the DBS is at any point considering whether to include or remove a person from a barred list, it may also request information from us if we have made arrangements for you to engage in Regulated Activity (whether or not those arrangements are still in place). In these circumstances, we must supply the requested information to the DBS.

### **6. Criminal offences under the SVGA 2006**

The SVGA 2006 creates a number of offences that are designed to prevent barred people from working in regulated activities. These offences cannot only be committed by individual workers, but by employers who give barred individuals access to regulated activities. Sanctions include imprisonment or fines.

If we fail to refer or provide the information to the DBS as set out at 5 above, this can also result in a fine to the company.

## **7. Whistleblowing policy**

If you are concerned that a child or vulnerable adult may be at risk of harm or may have been harmed, please refer to the company's whistleblowing policy, contained in our staff handbook. All safeguarding allegations should be referred initially to Mandi Evans.

## **8. Training**

Staff to whom this policy applies will be given regular training to include the following:

- Being aware of the importance, and your responsibility in appropriately sharing your concerns, where you are worried that a child, young person or vulnerable adult may be suffering, or at risk of, abuse;
- Being aware of how to report any concerns about the behaviour of a colleague/member of staff;
- Understanding and being able to implement safe working practices for individual workers; and
- Knowing who in the organisation has safeguarding legal responsibility (Mandi Evans).

We will maintain a training register. Managers involved in the delivery of Regulated Activity will also be made aware of the MARU Service and the Multi Agency Advice Team and we will keep a register evidencing this.

## **9. Compliance with this policy**

This policy must be complied with at all times in the event that you come into contact with children and/or vulnerable adults as a result of carrying out regulated activities.

Non-compliance with this policy may result in a referral to the DBS and/or other relevant safeguarding bodies and may also result in disciplinary action being taken against you which may result in the summary termination of your employment for gross misconduct.

## **10. Further information**

If you have any concerns or queries regarding this policy, please contact Mandi Evans on 07583 003691 or [mandi@whbond.co.uk](mailto:mandi@whbond.co.uk).

A copy of Cornwall Council's 'a guide to the public on protecting adults at risk of neglect and abuse' can also be found at the Accounts Office.

## 11. Declaration

Please sign and date the below to confirm that you have read, understood and agree to comply with this policy (including the schedules).

Name (printed): .....

Signed: .....

Dated: .....

### Schedule 1 - Code of Conduct

You must comply with this Code of Conduct at all times when working on a Regulated Activity site. You must also sign in and out each day in the notebook/work log provided.

It is the responsibility of all adults to safeguard and promote the welfare of children and vulnerable adults. You must comply with the following:

- Work safely and take responsibility for your own actions and behaviour. Avoid any contact which would lead any reasonable person to question your motivation and intentions
- Avoid contact with children/vulnerable adults, NEVER give your personal contact details to children or young people, including your mobile phone number. Contact via social network sites is also unacceptable
- Work, and be seen to work, in an open and transparent way
- Never be in contact with children without supervision unless you have the appropriate checks in place
- Keep staff informed of where you are and what you are doing
- Do not use profane or inappropriate language
- Dress appropriately, i.e. dress in a way that:
  - Is unlikely to be viewed as offensive, revealing or sexually provocative
  - Does not distract, cause embarrassment or give rise to misunderstanding
  - Is absent of any political or contentious slogans
  - Is not considered to be discriminatory and is culturally sensitive

**REMEMBER:** Your actions, however well intended, could be misinterpreted. Be mindful of the need to avoid placing yourself in vulnerable situations.

### Identification

You will also be required to provide a suitable means of identification to the site administrator in advance of any works taking place.

## Schedule 2 - Definition of Regulated Activity

Regulated Activity excludes any family arrangements and personal, non-commercial arrangements.

Children
<p><b>Regulated Activity relating to children comprises in summary:</b></p> <p>Unsupervised activities: teach, train, instruct, care for or supervise children, or provide advice/guidance on well-being, or drive a vehicle only for children</p> <p>Work for a limited range of establishments ('specified places') with opportunity for contact, e.g. schools, children's homes, childcare premises. Not work by supervised volunteers.</p> <p>Work under the above is Regulated Activity only if done:</p> <p>By the same person</p> <p>Frequently (once a week or more often); or on 4 or more days in a 30-day period; or overnight)</p> <p>Relevant personal care, e.g. washing or dressing or health care by or supervised by a professional</p> <p>Registered childminding and foster-carers</p>

Adults
<p><b>Regulated Activity relating to adults - the focus is on the activities required by the adult, not on the setting, frequency, personal characteristics or circumstances of the adult requiring the activities:</b></p> <p>The following people (or anyone providing day to day management or supervision of those people) fall within the new definition:</p> <p>Any health care professional (or anyone under supervision of a health care professional) providing health care to an adult.</p> <p>Anyone providing personal care because of an adult's age, illness or disability, relating to eating, drinking, going to the toilet, washing, bathing, getting dressed, care for mouth, skin, hair or nails.</p> <p>A social care worker providing social work in connection with any health care or social services to an adult.</p> <p>Anyone providing assistance with cash, bills, and/or shopping to an adult because of their age, illness or disability.</p> <p>Anyone providing assistance in the conduct of a person's own affairs.</p> <p>Anyone conveying or who transports an adult because of their age, illness, disability to receive health, personal or social care. This will not include family and friends or taxi drivers.</p>