



Safeguarding Adults and Children Policy and Procedure

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Policy Statement

UKHarvest is committed to safeguarding children and adults from abuse and/or significant harm. We believe that everyone has the right to be protected from all forms of harm, abuse, neglect, and exploitation and will not tolerate these harms by staff, volunteers, or others.

We recognise that we work with parts of our communities who are likely to be vulnerable or at risk of abuse and therefore this policy aims to provide clear, practical guidance to support all of our people in responding appropriately to challenges.

We will give equal priority to keeping everyone safe, regardless of their age, disability, gender reassignment, race, religion/belief, sex, or sexual orientation, and recognise that some adults and children may experience the impact of discrimination in these areas.

We also recognise that safeguarding is wider than just protecting adults and children at risk. It involves protecting all adults' and children's right to live in safety. It is about people working together to prevent abuse and neglect and to promote wellbeing and equity, taking the views, wishes and concerns of those at risk into account using a person-centred approach. We commit ourselves to this policy and to the development of sound procedures to ensure we implement our policy well.

We work in line with relevant legislation including:

- Human Rights Act 1998
- Equalities Act 2006 & 2010
- Safeguarding vulnerable groups Act 2006
- Care Act 2014
- Working Together to Safeguard Children 2023
- The Childrens Act 1989 and 2004 and as amended by the Children and Social Work Act 2017
- Children and Families Act 2014
- Equality Act 2010
- United Nations Convention on the Rights of the Child 1991 (UNCRC)
- Mental Health Act 1983 and 2007
- Health and Safety at Work Act 2014
- Serious Crime Act 2015
- Data Protection Act 2018
- General Data Protection Regulation (GDPR)

Guiding Principles

We are guided by the six key principles that underpin safeguarding and are contained within Care Act 2014 guidance.

- Empowerment. The empowerment of people at risk underpins all our safeguarding work and helps to prevent abuse. Wherever possible we should identify and endeavour to meet the desired outcome of the person at risk.
- Protection. We will provide policies, information, and training to enable all staff and volunteers to identify and respond appropriately to safeguarding issues. Any abuse disclosed, discovered, or suspected will be reported in accordance with our procedures.



- Prevention. Our safeguarding work aims to prevent abuse from taking place as it is better to act before harm occurs. We will provide an environment that is as safe as possible for children and adults and will use safe recruitment and working practices to promote their safety and wellbeing.
- Proportionality. All reports or suspicions of abuse will be treated seriously, while endeavouring to always take the least intrusive response appropriate to the risk presented.
- Partnership. We are stronger when we work together. Safeguarding children and adults at risk is everyone's business and responsibility at UK Harvest. We will also work in partnership with statutory, regulatory, and other relevant organisations to ensure that concerns are responded to appropriately.
- Accountability. Accountability and transparency are essential. All suspicions will be reported to a member of our Safeguarding team (appendix 2), whether or not the person is thought to be technically in the 'at risk' category. We will provide continuous learning and improvement opportunities to ensure that everyone understands their responsibilities.

The response to a safeguarding concern is to protect an individual, within a broad community approach. We all have different preferences, histories, circumstances and lifestyles, so it is important that the response to a safeguarding concern is personalised to the individual. This means it should be person-led and outcome-focused, engaging the person in the conversation about how best to respond to their safeguarding situation in a way that enhances involvement, choice and control as well as improving quality of life, wellbeing and safety.

Legal Framework

The relevant legislation is the Care Act 2014, Safeguarding Vulnerable Groups Act 2006 and the Children's Act 1989 and 2004. The Care Act 2014 defines 'an adult at risk' as someone who:

- has needs for care and support (whether or not the authority is meeting any of those needs); and
- is experiencing, or is 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' needs can be a mixture of practical, financial, and emotional support for adults who need extra help to manage their lives and to be independent. This may include older people, disabled people, people with mental health needs or learning difficulties and carers.

We also use guidance issued by the Government (<https://www.gov.uk/guidance/care-and-supportstatutory-guidance/safeguarding>).

The Safeguarding Vulnerable Groups Act (SVGA) 2006 was passed to help avoid harm, or risk of harm, by preventing people who are deemed unsuitable to work with children and vulnerable adults from gaining access to them through their work. The act clarifies how organisations with responsibility for providing services or personnel to vulnerable groups have a legal obligation to refer relevant information to the service.

The SVGA 2006 defines regulated activity for individuals on the barred list and specifies access to the Disclosure and Barring Service (DBS). We may specify certain roles within the organisation as requiring a DBS check, relevant to aspects of the role and reaching the specific defined threshold.



The Childrens Acts 1989 and 2004 define a child as: a person who has not reached their 18th birthday. This includes young people aged 16 and 17 who are living independently; their status and entitlement to services and protection under the Children Act 1989 is not altered by the fact that they are living independently. The Children Act 1989 introduced the concept of significant harm as the threshold that justifies compulsory intervention in family life in the best interests of children and young people. It gives local authorities 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.

UKHarvest recognises that:

- The welfare of the child is paramount as enshrined in the Children Act 1989 and amended 2004.
- All children regardless of gender, age, disability (including physical, sensory, specific learning disabilities, mental health issues and long term medical conditions), race (including colour, nationality, and ethnic or national origins), religion or belief, sex, sexual orientation, cultural background, HIV status have a right to equal protection from all types of harm and abuse.
- Some children are additionally vulnerable because of the impact of experiences, their level of dependency, communication needs or other barriers.
- Working in partnership with children, young people, their parents, carers and other agencies is essential in promoting young people's welfare and we have a responsibility under the guidance in 'Working Together to Safeguard Children' 2023.

Additional Policies

This policy should be read in conjunction with UKHarvest's policies and procedures on:

- Whistleblowing
- Health and Safety
- Volunteering
- Data Protection
- Equity, Diversity and Inclusion
- Recruitment

Scope and responsibilities

Safeguarding is everyone's responsibility and all staff, volunteers, trustees, contractors and others working alongside us have a responsibility for keeping adults and children safe. We also have designated key roles and responsibilities.

This policy applies to all staff, trustees, and others working alongside UKHarvest.

All staff and volunteers

All staff and volunteers, whatever their role or place of work are expected to:

- Familiarise themselves with this and other relevant policies and procedures
- Engage with appropriate safeguarding training and ongoing learning opportunities
- Report any concerns about themselves or others to their manager or our Designated Safeguarding Lead



- Volunteers should report concerns to any staff member leading a session.

Trustees

UKHarvest Trustees approve the Safeguarding Policy and have a duty of care to the organisation, which includes taking the necessary steps to safeguard those at risk from abuse, managing risk and protecting the reputation of the charity. Safeguarding is an agenda item at board meetings. The trustees will be provided with a report providing a summary of safeguarding numbers, type, level and any trends quarterly, additional to exceptional board reporting on incidents or issues.

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Managers

Senior leadership team (SLT) members have a responsibility to ensure that safeguarding is included, where appropriate, in the strategic plans, risk assessments, recruitment processes, communications and quality assurance processes for their areas of work.

In some cases, the SLT and managers will be required to make decisions in relation to complex or serious safeguarding concerns, in consultation with the DSL. Safeguarding is a rolling agenda item in regular SLT meetings and team meetings. Heads of Department and Managers are responsible for ensuring that they, and the staff and volunteers (including work experience participants) that they supervise, are aware of our safeguarding policy and procedures and access relevant training. They promote the discussion of safeguarding at team meetings as a rolling agenda item and ensure that feedback is captured as part of supervision or one-to-one meetings.

Safer Recruitment

We are committed to safe and inclusive recruitment practices guided by relevant legislation. There are specific policies for staff, volunteer and employability participants. Please see our EDI Policy.

When advertising a role which involves working with vulnerable adults, children or young people we will make it clear that any appointment is subject to a DBS check and encourage applicants to provide details of their criminal record at an early stage in the process, reiterating that we will not discriminate based on criminal record. We will only ask about convictions in line with the Rehabilitation of Offenders Act 1997. A copy of the DBS Code of Practice will be made available on request.

UKHarvest uses a specialized external agency to support applications to the Disclosing and Barring Service (DBS). All information resulting from a DBS check will be dealt with in line with UKHarvest recruitment policy.

All staff will be required to complete a basic DBS check as part of their recruitment and onboarding. This will be repeated three-yearly, although we expect staff to disclose any convictions as they occur, which may trigger a re-check. Where staff are undertaking regulated work, we will complete an enhanced DBS check.

Volunteers in high risk roles, or roles where they undertake regulated work, they will complete an appropriate DBS check.

It is UK Harvest policy to pay for all DBS checks.



Training

Everyone (paid or voluntary) at UKHarvest must be familiar with these procedures. All staff, trustees and volunteers who work with people at risk, should attend safeguarding training before working without supervision, to ensure that they have the knowledge and confidence needed to deal with safeguarding issues as they arise. Staff with line management duties or work with certain volunteers and participants who may have an offending history will be offered suitable training when appropriate.

The Safeguarding Policy must be read and signed off by all staff and volunteers as part of their induction. This is recorded in the training log and supported by our online HR system, all staff will renew their safeguarding training every three years as recommended. If a staff or volunteer role requires a Basic or Enhanced DBS check then they cannot work without supervision until the DBS check is completed. If relevant, a written risk assessment on starting the role before the check is through can be created and signed off by a line manager alongside the DSL as a temporary measure.

A copy of the safeguarding policy is on our website, available through our HR information system and is displayed on our sites.

Working Practices

Children and Young People

UKHarvest only involve people under the age of 18 as irregular volunteers by exception that needs the approval of the DSL. Anyone under the age of 18 volunteering with UKHarvest should be supervised by one staff member directly, with another in the close vicinity during their shift, especially in an isolated or closed environment; this could include a parent, support worker or guardian (please see further guidance below). There may be exceptional circumstances (such as an emergency) which mean this is not possible, and thought must be given to how to ensure the safety of a young person in all such cases.

- The following requirements would need to be satisfied:
 - Only to occur during core working hours (Monday-Friday 9-5pm)
 - Minimum of two staff members on site
 - The level of supervision required will be decided dependent on the task, location and risk assessment. This will be completed by a manager and confirmed with the DSL and any relevant Head of service.
 - Any parent or guardian would need to be part of standard application and/or recruitment processes. If the individual accompanying a young person is a professional (e.g. support worker), this may not be required.
- Anyone under the age of 18 is not allowed on site unless they can fulfil these requirements.

Staff and volunteers may meet with people under the age of 18 while on deliveries and in our services and must always comply with the safeguarding policy.

Guidance around supervision of children and young people is taken from the NSPCC.
<https://learning.nspcc.org.uk/research-resources/briefings/recommended-adult-child-ratiosworking-with-children>

Adults at risk

Staff and Volunteers



We may identify that an adult is at risk of abuse due to additional care and support needs at any point during the recruitment, induction or in their work with us. At the point this is identified, a risk assessment and adjustment planning process must take place before further engagement. This should be an inclusive process that is undertaken with the adult, and/or an appropriate carer, so that we can offer them the best possible experience. This will usually be a conversation between the volunteer and the relevant volunteer coordinator or manager, and may require a short conversation to mitigate immediate risks if identified during a volunteer's induction.

- If a vulnerable adult requires constant supervision, a full risk assessment to be made and the decision to offer the role, or an alternative role, should be made with the DSL and any other relevant members of the Senior Leadership Team.
- If, in discussion with a vulnerable adult, you reasonably believe that the person does not require this level of supervision then you must record your reasons for this and discuss with a manager or DSL. Support needed should always be documented on a care plan or adjustment form.
- Employability staff, Volunteering staff, Warehouse Managers and Senior Leadership Team can make a risk assessment, however the expectation is that this sits with the team the individual is directly part of.

Consideration and planning must be made around the capacity of staff to support the individual and the suitability of location or shift options before a final decision is made.

Risk assessment and adjustment plans must be shared appropriately with relevant staff and the individual themselves is to be aware of this.

People we engage with

Staff and volunteers may meet with adults at risk of abuse while on deliveries and in our services and must always comply with the safeguarding policy. We anticipate that the majority of the people we work with may be vulnerable to abuse in some way, and therefore it is of paramount importance that staff and volunteers are aware of this policy and how to respond to concerns or disclosures.

Please see our Data Protection and Social Media policies for guidance on photography, videography or case studies where individuals may be recognisable

Policy Review

The safeguarding policy and procedure will be reviewed annually or sooner when there are significant changes required. Minor updates, such as role changes, will be made as required.

Safeguarding Procedure

These responsibilities must be addressed on the same day as the concern is identified. They set out what to do if an abusive act is witnessed, disclosed, suspected, or evidenced. If you are unsure if an issue is a safeguarding concern, contact your line manager on the same day for advice. Volunteers are not expected to determine if something is a safeguarding concern, but to report anything which feels concerning. Remember the following: Respond, Report, Record, Refer. Information should only be shared with the point of escalation and not with other people, including staff or volunteers.



Respond

Is the person in immediate danger? You should take immediate action to safeguard anyone at risk of immediate harm.

1. Remain calm, listen to the individual, do not interrupt them.
2. Call the police and/or medical assistance in an emergency. Make sure you note the log number/reference.
3. Where the person is under eighteen, they are the legal responsibility of the parent/guardian who must be involved as soon as practical unless this puts the child at immediate risk of harm.
4. Tell someone else what is happening – contact the DSL or in their absence a member of Senior Leadership Team as soon as it is safe to do so.
5. Preserve evidence - get brief factual details about what happened and what the person would like done about it, but do not probe, offer confidentiality, or conduct a mini-investigation. The following should be recorded:
 - a. dates and times of their observations/discussion,
 - b. any injuries,
 - c. any words used by the vulnerable adult or child,
 - d. questions asked by the responder,
 - e. what action was taken.
6. This should be signed and dated by the author and sent to the DSL.

In all other circumstances you need to follow the procedures for referral as set out below.

Report

If the person is not in immediate danger, the staff member or volunteer should speak to the DSL immediately. If this is not possible contact any member of the SLT. If there are concerns about the conduct of a staff member, volunteer, or trustee please refer to section re. allegations below.

1. Unless it is not safe to do so, speak to the vulnerable adult or child concerned to get their views on the concerns or incident and what they would like to happen next.
2. Seek consent to act and to report the concern.
3. Consider whether the person has the capacity to make decisions about their own and other people's safety and wellbeing.
4. If you think it is necessary to act against their wishes or without their consent (due to concerns about the individual's capacity to make decisions), you must seek the authority of the DSL or their deputy before acting. Any such decision must be recorded including the reasons for the acting without consent.
5. If a criminal offence against a vulnerable adult or child has occurred or is likely to occur, seek informed consent from the client to report to police using a non-emergency number.

There are some instances where we may be required by law to make a referral or report without the consent of the vulnerable adult or child. To report to the police in emergency – 999 or non-emergency via 101.

In other circumstance, the DSL or appropriate SLT member will support you to report this to the relevant safeguarding partnership. For most of our work this will be either West Sussex or London Borough of Hammersmith and Fulham.



Record

By this point, the matter should have been referred to the DSL and thus all actions should be taken by a staff member. Volunteers are expected to report concerns, but not to record anything as this will be undertaken by the relevant staff member to ensure compliance with our policies and procedures.

1. Record as soon as possible on the same working day what has happened in line with GDPR policy, saving the information in a password protected document on the server. The password must be shared separately with the DSL. It will then be moved into the safeguarding folder.
2. Complete a risk assessment where there is a clear risk of abuse.
3. Consider if any other staff members need to be aware of the situation, discuss this decision with the DSL and inform these individuals with the relevant information.
4. The DSL, a deputy or manager will complete the incident form, safeguarding log and assign the incident as Level 1, 2 or 3. (See guide in appendix)
 - a. Level 1; low risk of harm or a near miss.
 - b. Level 2; medium risk of harm, referral for additional support or internal actions required.
 - c. Level 3; high risk of harm, police or safeguarding referral required.

Refer

The risk assessment should be shared with the DSL so that they may decide whether to refer to social services. In deciding whether to refer to social services, the DSL should consider:

1. The person's wishes and preferred outcome.
2. Whether the adult has mental capacity to make an informed decision about their own and other's safety.
3. The safety or wellbeing of children or other adults with care and support needs.
4. Whether there is a person in a position of trust involved.
5. Whether a crime may have been committed.
6. Consider if this incident is also a Health & Safety concern, see the Health & Safety Policy.

As we work across a significant number of local authorities, it is impractical to provide contact details for all of them. The DSL will maintain a log of the relevant contact details for the LADO and relevant MASH and Safeguarding Teams to ensure currency.

Allegations against staff or volunteers

Staff or volunteers may be subject to allegations of abusing adults or children at risk. Allegations of abuse may be reported by an adult or child.

Where there is the possibility of immediate, serious harm to any person or significant risk to property, staff should contact the emergency services on 999. Following this, all reports of concerns must be immediately reported to the DSL, if there are concerns about either of these staff members this should be reported to the Chair.

The facts of the situation must be checked to be clear about what has led to the suspicions, being mindful not to ask leading questions and to record the person's own words. Follow guidance in 'respond' section above. The DSL will assess the information and decide what further actions need to



be taken. If there is a decision to raise a concern the DSL will consider informing any relevant individuals or agencies in a timely manner appropriate to the level of urgency and risk.

Concerns about staff, trustees and volunteers must be referred to the LADO (Local Authority Designated Officer) or PIPOT (Person in Position of Trust) if incident is applicable. Liaise with the DSL about taking this action.

Staff should recognize the potential power imbalance that exists between paid staff, volunteers or participants and ensure that power and authority are never misused

Confidentiality and information sharing

UKHarvest expects all staff, volunteers, and trustees to always maintain confidentiality. In line with Data Protection law, We do not share information if not required. All information collected on any person at risk will be kept locked and secure, with access limited to the appropriate staff and relevant agencies.

When working with adults, it should however be noted that information should be shared with authorities when an adult is deemed to be at risk of immediate harm. Sharing the right information, at the right time, with the right people can make all the difference to preventing harm.

When working with children, the law does not allow anyone to keep concerns relating to abuse of children to themselves. Therefore, confidentiality must not be maintained if the withholding of information will prejudice the welfare of a child or young person.

In the event of an investigation, it is essential that no information on child protection concerns relating to a child or young person is disclosed inappropriately. Any such leaks could have serious consequences for both the child or young person concerned and any investigation. Whilst parents/carers have the right to see any records kept on their child, this might not always be appropriate and should not put the child/young person or a staff member at risk.



Appendix 1: Definitions of Abuse

Abuse is a violation of an individual's human and civil rights by any other person or people. It involves a risk of significant harm to a person. Abuse may consist of a single act or repeated acts. Abuse may be:

- Something that is done to a person.
- Something that is not done when it should have been.
- It may be intentional or unintentional.
- Exploitation may be a common theme in the experience of abuse.

Abuse can take place anywhere, and UKHarvest will work to prevent abuse of adults and children at risk both within and outside its own services and premises. It is important to look beyond single incidents to identify patterns of harm. Repeated incidents of poor care may indicate institutional abuse.

Categories of Abuse for adults:

- Physical abuse: this includes assault, hitting, smacking, pushing, force feeding, biting, inappropriate restraint, poor manual handling, deprivation of liberty, misuse of medication.
- Emotional / psychological abuse: this includes verbal abuse, threats to harm or abandonment, rejection, humiliation, intimidation, coercion, mental cruelty, isolation, denial of human rights, denial of appropriate services and support, cyber bullying.
- Sexual abuse: this includes inappropriate touching, rape, sexual assault, sexual activities where there is no consent, subjection to pornography, sexual abuse through social media (sexting, inappropriate images), sexual harassment, sexual teasing. This also includes all sexual activity involving under 16s.
- Sexual exploitation: this includes exploitative situations, contexts, and relationships where the child or adult receives affection, inclusion or some sort of reward (often food, drugs, alcohol, gifts, or money) as a result of performing sexual activities.
- Financial or material abuse: this includes theft, fraud, telephone and internet scamming, misuse of other's benefits, coercion in relation to financial affairs, property, wills, or possessions.
- Neglect and acts of omission: this includes ignoring medical, emotional, or physical care needs, failure to provide access to health service, lack of physical or emotional care, lack of personal care, access to hygiene, withdrawal of food, heating, or medication.
- Self-neglect: this includes neglect of personal hygiene, nutrition, hydration, medicine, squalor and hoarding and ignoring health needs thus endangering safety and well-being.
- Organisational abuse: this includes neglect and poor care practice in an organisation, policies and procedures that deny human rights e.g., lack of privacy, dignity, hygiene facilities, misuse of medication, denial of medical care.
- Domestic abuse: this was defined by the Home Office in 2013 as 'an incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse, by someone who is, or has been an intimate partner or family member - regardless of gender or sexuality'. This includes so called 'honour based violence' and forced marriage.
- Female Genital Mutilation (FGM) is a form of domestic abuse and whilst there is a mandatory requirement to report any girl at risk of, or who has had, FGM as a child



protection referral- there is no requirement for an automatic referral of an adult – however, this may be an indicator that children in the family may be at risk of possible FGM.

- Modern slavery: this includes slavery, trafficking, forced and compulsory labour and domestic servitude. There is a national framework to assist in the identification of victims and referral to services known as the National Referral Mechanism (NRM)
- Discriminatory abuse: this occurs when values, beliefs, or culture result in a misuse of power that denies opportunity to some groups or individuals. It can feature in an abuse of an adult at risk where the abuse is motivated by the perpetrator's prejudice towards that adult's gender, ethnicity, disability, gender identity, age, sexuality, religion, culture, class etc.
- Forced marriage: this is a term used to describe a marriage in which one or both of the parties is married without their consent or against their will.
- Hate crime: This is a form of discriminatory abuse although it often also includes other abuse such as physical or psychological. It is a criminal offence committed against a person or their property that is motivated by hostility to their protected characteristics. Hate crime includes lack of respect, exclusion from services, swearing and name-calling, treating someone less favourably due to their ethnicity or other characteristics.
- Mate crime: There is an increasing awareness that people at risk may be targeted by people who they consider to be friends. This may be a particular issue if someone is disabled and has difficulty in understanding the nature of the relationship or recognising abuse, or if there are cultural differences and misunderstandings.

Child Abuse

Child Protection is the process of protecting individual children identified as either suffering, or likely to suffer, significant harm as a result of abuse or neglect.

Children who are defined as being "in need" under s.17 Children Act 1989, are those whose vulnerability is such that they are unlikely to reach or maintain a satisfactory level of health or development, or their health or development will be significantly impaired, without the provision of services (s.17 (10) Children Act 1989), plus those who are disabled. Local authorities have a duty to safeguard and promote the welfare of children in need.

The Children's Act recognises four categories of abuse:

- Physical Abuse
- Sexual Abuse
- Emotional Abuse
- Neglect

Risk Levels

We log the level of an incident, please see further explanation below.

- An incident may include one or all of the aspects mentioned below.
- If you are unsure about which level the incident is, please contact the DSL or a member of SLT

Level 1

- A near miss or low level of harm



- Low level of harm: likelihood of occurrence or reoccurrence is low or perceived negative impact is low

Level 2

- Incident has occurred, on or off site.
- Medium risk of harm: likelihood of occurrence or reoccurrence is probable, and impact would cause a significant impact
- Appears there is a need for actions at UKHarvest or external referral for specialised support

Level 3

- Incident has occurred, on or off site.
- High risk of harm: likelihood of occurrence of recurrence is high or definite, and the impact would be severe level of harm or death.
- Need for report to be made to the police, adult or child safeguarding referral to be made and possibly referrals for support.

Appendix 2: Safeguarding Staff Details

The Interim COO is the Designated Safeguarding Lead for the organisation, with the SLT undertaking Deputy Safeguarding Lead activities within their areas of work. Our Volunteer Coordinators are also designated safeguarding contacts should volunteers have any concerns.

If the DSL or appropriate deputies cannot be reached, the Safeguarding Trustee, namely the Chair of Trustees, Susannah Day, should be contacted at susannah.day@ukharvest.org.uk

DSL Name: Lauren Stoner

DSL Contact Email: lauren.stoner@ukharvest.org.uk

DSL Contact telephone number: 01243 973170

The SLT who can be contacted are:

- Head of Operations (South)
- Head of Operations (London)
- Head of Partnerships and Development