Middlewich & District Foodbank - Safeguarding Policy

Introduction

Middlewich & District Foodbank (MDFB) is committed to safeguarding best practice and to upholding the rights of all people to live a life free from harm from abuse, exploitation and neglect. Safeguarding means protecting people's right to live safely, free from abuse and neglect. It is about people and organisations working together to prevent and stop both the risks and experience of abuse or neglect, while at the same time making sure that the adult's or child's wellbeing is promoted including, wherever possible, having regard to the views, wishes, feelings and beliefs in deciding on any action.

This requires an organisational culture that fosters openness, transparency and accountability for safeguarding best practice at all levels of the organisation and extends to recognising and reporting harm experienced anywhere, including within our activities, within other organised community or voluntary activities, in the Foodbank Network, local communities, and in the person's own home.

Equalities Statement

MDFB is committed to practices that protect from harm regardless of a person's age, sex, disability, racial heritage, religious belief, gender, sexual orientation, or any other characteristic as covered by the Equality Act 2010.

Aims of the Policy

This policy, taken together with the relevant local statutory multi agency safeguarding arrangements, represents commitment in working together to safeguard adults and children from abuse, exploitation and neglect.

It clarifies the roles and responsibilities of staff members, trustees and volunteers in relation to developing their own awareness and skills as well as the policies and procedures that must be followed.

The policy outlines:

- The practice and procedure for all representatives within MDFB to contribute to the prevention of the abuse and neglect, and;
- A clear framework for action including information sharing when abuse is suspected.

Scope of the Policy

Legislation establishes that safeguarding is everybody's responsibility. MDFB recognises that we all play a key role in preventing, detecting, reporting and responding to abuse, neglect or exploitation. The responsibility for safeguarding sits with all those associated with MDFB's activity collectively and is not limited to one person. All MDFB's employees, trustees and volunteers will ensure that the principle of "safeguarding is everybody's business" underpins everything we do.

The Charity Commission's guidance is clear within "Safeguarding and protecting people for charities and trustees" (https:// www.gov.uk/guidance/safeguarding duties for charity- trustees/), that safeguarding and protection from harm applies to all who come into contact with the charity. This includes children (and young people), adults at risk of harm, and includes the protection of staff and volunteers.

The policy applies to activities delivered by MDFB. The following is a brief description of our organisation and the type of work / activities we undertake including with children and adults who have additional care and support needs:

- We work alongside people with lived experience of poverty and food insecurity to advocate for systemic change to end the need for food banks in the UK.
- We work alongside food banks in Trussell Network who provide support and emergency food to people in crisis.

- Develop and deliver other services and programmes designed to alleviate poverty, directly and via a UK wide network food banks, partner organisations, referral agencies and volunteers.

The policy applies in respect of this organisation's responsibility towards the following groups of people:

- An 'adult at risk of abuse or neglect with care and support needs' however for the purpose of this policy we will use the term adults at risk to refer to this group.
- A child is defined as up to the age of 18. For the purposes of this policy all references to children (including young people) refer to those under the age of 18.
- Staff members, trustees and volunteers who come into contact with children or adults at risk during the course of their work or volunteering responsibilities.
- Contractors when carrying out work on behalf of the organisation.

We expect our partner organisations, including for example, food banks within Trussell Network, suppliers and corporate sponsors to adopt and demonstrate their commitment to the principles and practice as set out in this Safeguarding Policy and associated procedures.

Implementation

MDFB is committed to developing and maintaining its capability to implement this policy and procedures. To do so the following will be in place:

- A clear line of accountability within the organisation for the safety and welfare of all children and adults.
- Access to relevant legal and professional advice.
- Regular and appropriate training for staff, trustees and volunteers
- Regular management reports to the Trustees detailing how safeguarding risks to are being addressed and how any disclosures or concerns have been addressed.
- Safeguarding procedures that deal effectively with any concerns of abuse or neglect, including those caused through poor practice.
- A Code of Conduct for all staff, trustees and volunteers setting out responsibilities and acceptable behaviour
- A named person appointed as Designated Safeguarding Lead (DSL)
- A named person appointed as Designated Safeguarding Trustee (DST)
- Arrangements to work effectively with other relevant organisations to safeguard and promote the welfare of children and adults, including arrangements for sharing information.
- Risk assessments that specifically include safeguarding considerations.
- Policies and procedures that address the following areas and which are consistent with this Safeguarding policy.

Related policies and procedures include:

- Bullying and harassment
- Equality, diversity and inclusion
- Site and activity risk assessments

- Discipline and grievance
- Complaints procedure
- Whistleblowing Policy
- Safe recruitment and selection (staff and volunteers)
- GDPR
- Code of Conduct.

Positions of Trust

MDFB recognises that all adults working with children, young people and adults at risk are operating in a position of trust. Any individual associated with MDFB operating in a position of trust must understand the potential power they may hold over these groups through a work and/or volunteering dynamic. It is essential that all those operating in a position of trust do not, knowingly or unknowingly, use this position inappropriately. Professional boundaries should always be maintained and all behaviour that could be misinterpreted should be avoided.

Reporting Procedure

- Under no circumstances should a worker carry out their own investigation into an allegation or suspicion of abuse.
- The following are our reporting procedures: Safeguarding Concern Reporting Form will be completed by the staff member/volunteer or by the DSL using information relayed by the person reporting the concern. Information recorded on the form must:
  - Be accurate
  - Wherever possible include the actual words said by the adult or child at risk rather than an interpretation of what was said.
  - Specific facts relating to the named people dates, places etc. should be recorded accurately along with any details of the injuries or consequences i.e. where they are and what they looked like.
- The person in receipt of allegations or suspicions of abuse should report concerns as soon as possible to:
  - the Designated Safeguarding Lead, Nicky Colclough 07712279949 or 07786263293
  - the Designated Safeguarding Trustee, Debbie Brain 07771553308
- If the suspicions in any way involve the Safeguarding personnel, then the report should be made to the Chair of Trustees,
- If the suspicions implicate both the Safeguarding personnel and the Chair of Trustees contact local Social Services or the police.
- Where there are any child protection concerns, the DSL should contact the relevant Adult or Children's Social Services.
- Where there is an allegation made or a concern involving an employee or volunteer working with a child the DSL should contact the appropriate statutory body whose function it is to handle all allegations against adults who work with children and young people whether in a paid or voluntary capacity.
- The DSL may need to inform others depending on the circumstances and/or nature of the concern.
- Suspicions must not be discussed with anyone other than those named roles as set out in this policy.

- A written record of the concerns should be made in accordance with these procedures and kept in a secure place.

- In the case of severe concerns where delay in contacting the DSL could result in further harm the person at risk, the staff member, volunteer or contractor should contact the relevant statutory authorities immediately and inform the DSL as soon as possible afterwards.

If the individual reporting a concern feels that the Safeguarding personnel have not responded appropriately, or where they have a disagreement with the individuals as to the appropriateness of a referral, they are free to contact an outside agency directly. We hope that by making this statement the trustees demonstrate their commitment to effective safeguarding and the protection of all those who are vulnerable and at risk of harm

Information Sharing and Consent

MDFB is committed to complying with UK General Data Protection Regulations and the Data Protection Act. Sharing the right information, at the right time, with the right people, is fundamental to good practice in safeguarding.

Wherever possible we will always seek the informed consent of the person(s) concerned before sharing their personal information. Consent should be freely given - It must be obvious that the individual has consented, and what they have consented to.

UK Law assumes that all people over the age of 16 have the ability to make their own decisions (referred to as 'mental capacity'), unless it has been proved that they can't. It gives a person the right to make their own decisions, and gives a person the right to make decisions, even where others consider a decision to be unwise.

The Law says that to make a decision a person must:

- Understand information
- Remember it for long enough
- Think about the information
- Communicate their decision.

Obtaining informed consent to share information is best practice and is often key to ensuring any further support or action is successfully maintained, based on trust and transparency. GDPR emphasises the importance of asking for consent before sharing personal information.

There are exceptions where seeking consent is not required. Exceptions - when seeking consent is not appropriate:

- Where gaining consent would put the person at risk, or the organisation's volunteers or staff at further risk of significant harm.

- If a child can understand and make an informed choice, you should give them the opportunity to decide whether they agree to their confidential information being shared. If a child doesn't have the capacity to make their own decisions and understand the consequences of those decision, you should ask their parent or carer (unless this would put the child at risk).

- If you have a child protection concern, you must share information with the relevant statutory agencies, even if you haven't been given consent. GDPR does not affect this principle.

When making the decision whether to share information without consent, consideration will be given to the seriousness and pervasiveness of the abuse; the ability of the individual to make decisions; the effect of the abuse on the individual in question and on others; whether a criminal offence has occurred; and whether there is a need for others to know (e.g., child protection concerns, or to protect others who may not be involved in the immediate situation).

If the decision is made not to share information because consent has been withheld and the exceptions given above do not apply, then the person making the disclosure will be advised of any actions they can take or other support they can access. They will also be made aware of the fact that they can change their mind at any point.

If you have a child protection concern, you must share information with the relevant statutory agencies.

The decision to share safeguarding information with other agencies should be made in consultation with the DSL.

MDFB will share safeguarding information with the right people at the right time to:

- Prevent death or serious harm
- Coordinate effective and efficient responses
- Enable early interventions to prevent the escalation of risk
- Help families, children and adults at risk access the right kind of support to reduce risk and promote wellbeing
- Maintain and improve good practice in safeguarding
- Reveal patterns of abuse that were previously undetected and that could identify others at risk of abuse
- Identify low-level concerns that may reveal children or adults at risk of abuse
- Help identify people who may pose a risk to others and, where possible, work to reduce offending behaviour
- Reduce organisational risk and protect reputation.

Recording Keeping and Confidentiality

Every effort should be made to ensure that confidentiality is maintained for all parties concerned both when an allegation is made and whilst it is being investigated.

Confidentiality can only be broken and a concern shared when it is in the best interest of the person at risk, or in the public interest to do so – the circumstances for this are outlined in section “Information sharing and consent” above.

All records will be written, stored and destroyed with due regard for confidentiality and in line the Data Protection legislation. Staff, trustees and volunteers will be trained and supported to maintain and store accurate records.

Where necessary the DSL will report the concern to statutory Social Care services, providing a copy of the Safeguarding Concern Form, and where appropriate a chronology of events.

The appropriate local authority Social Care services may then take the lead on any investigation and inform other agencies, where appropriate.

If a criminal offence has been committed the DSL will call the police as deemed necessary.

The DSL will provide any further information to statutory Services as required.

Completed safeguarding concern reporting forms are strictly confidential with access on a ‘need know’ basis. Records will also be kept centrally by the DSL, stored with restricted access, away from other personal files. Where completed safeguarding concern reporting forms are stored electronically, they will be kept on a dedicated SharePoint site with access restricted to the DSL and the DST in line with this policy and the Data Protection Policy.

Monitoring and Evaluation

The role of the DSL and the DST is to collate and clarify the precise details of the allegation or suspicion and pass this information on to statutory agencies, who have a legal duty to investigate. The DSL and DST are also responsible for ensuring the organisation keeps appropriate records of any concerns, disclosures and

investigations as part of ensuring the policy and procedure is fit for purpose and kept under continual review. The trustees and Senior Leadership Group will support the DSL in their role and accept that any information they may have in their possession will be shared in a strictly limited way on a need-to-know basis.

Information about safeguarding cases and how they were dealt will be reviewed and reported on regularly to the Senior Leadership Group. Areas of focus will include:

- How quickly a disclosure was reported to the DSL
- Whether a disclosure was referred to statutory agencies
- Where relevant, following a disclosure, how quickly the referral was made to statutory services.
- The quality of the input into the safeguarding process (feedback from police/ Adults Services)
- Outcomes of the safeguarding process
- Whether incidents highlight any concerning trend or patterns, any training needs or failure in procedures that require review
- Whether the incident should be notified to the charity regulator under Serious Incident Reporting procedures.

Reports to the Trustees focus on the issues and the organisation's response to an incident, not the specific details of an individual case. Safeguarding incidents and investigations and will be captured in a Safeguarding Incident Register maintained by the DSL. This is to enable the organisation to reflect on and improve its practice in developing an effective safeguarding culture.

Safer Recruitment of Staff and Volunteers

Safe recruitment means taking steps to ensure only individuals who are suitable for working with children or adults at risk, whilst keeping them safe from harm and risks, are appointed. Safe recruitment procedures will be consistently applied when appointing a staff member, volunteer, or contractor. Under the Protection of Children Act 1999, all individuals working on behalf of, or otherwise representing, an organisation are treated as employees whether working in a paid or voluntary capacity.

Where a role is deemed to be exempt from the Rehabilitation of Offenders Act 1974, staff members, volunteers or contractors will be required undergo a criminal records check (Information on eligibility guidelines for undertaking criminal records check can be found at https://www.gov.uk/find out dbs check/).

All staff, trustees and volunteers have a duty to disclose any unspent convictions at the point of a conditional offer and at any point during their role duties with the organisation. Failing to do so may be regarded as gross misconduct, a breach of contract or, of the volunteering agreement. This self-declaration process is a standardised part of the MDFB application process.

- Staff, trustees and volunteers without a criminal records check will not be permitted unsupervised access to adults at risk or children.
- All MDFB roles are appropriately advertised with a written job description/person specification provided.
- All references will be taken up before the start of volunteering or employment and should be provided in writing or transcribed where received verbally.
- MDFB will make all reasonable efforts to ensure that references are bona-fide and will seek alternatives where in doubt.
- Qualifications where relevant have will be verified
- A suitable induction programme is provided for the successful applicant
- All successful applicants will be required to complete a probationary period

- Mandatory safeguarding training must be completed before probation can be signed off
- Successful applicants will be given a copy of the organisation's safeguarding policy, confirm they understand their personal responsibilities for safeguarding, and know how to report any concerns.

Working with Ex-offenders

We actively promote equality of opportunity for all with the right mix of talent, skills and potential and welcome applications form a wide range of candidates, including those with criminal records. Having a criminal record will not necessarily bar a person from working or volunteering with us. This will depend on the nature of the position and the circumstances and background of any offences.

Where it becomes known that a person working with organisation is a potential risk to others, we will take all reasonable measures to ensure appropriate supervision of the individual concerned. Any failure on the part of any individual staff member, contractor, trustee, or volunteer to declare unspent convictions may be regarded as gross misconduct, a breach contract or, of the volunteering agreement.

Training

All staff, trustees and volunteers will familiarise themselves with all this policy and procedure, as part of their induction.

All staff, trustees and volunteers will complete basic safeguarding training and other relevant safeguarding training as relevant to their role as part of their induction.

Basic training will ensure all trustees, volunteers and staff are made aware of:

- The possibilities of abuse and neglect of children and adults at risk
- Internal procedures for reporting a concern
- Safeguarding code of conduct
- Awareness of safeguarding procedures of the relevant local authority, national professionals and organisations where advice and information can be sought.

Safeguarding training will be developed by the DST and the DSL

The DSL and DST are required to complete appropriate, role specific training at least every 2 years, or where legislation / best practice guidance dictates further additional training is necessary.