

# Colwall Orchard Group Safeguarding Policy & Procedures – Children, Young People and Adults at Risk

If anyone involved with Colwall Orchard Group believes that a **child** is at serious risk, they have a responsibility to immediately contact **Herefordshire Council** on:

- **01432 260800 from Monday to Thursday 8.45am to 5.15pm, Friday 8:45am to 4:45pm.**
- **Outside of office hours contact the Emergency Duty team on 01905 768020**
- **Emergency Police 999.**

If anyone involved with Colwall Orchard Group believes that an **adult at risk** is at serious risk, they have a responsibility to immediately contact **Herefordshire Adult Safeguarding**

- **1432 260715 (weekdays 9am to 5pm)**
- **0330 123 9309 (after 6pm, weekends and public holidays)**
- **Emergency - Police 999**

Wherever possible, the matter should be discussed beforehand with the Designated Safeguarding Lead Phil King or Designated Deputy Lead Jenny Papettas but do not delay if you believe the situation to be urgent.

Written details of any incident must be passed to one of the safeguarding leads.

If you have concerns about possible abuse, which you do not believe to be urgent, you should contact one of the safeguarding leads to talk through the situation.

**If it is believed that there is an immediate risk of danger/threat to life or limb, the Police must be contacted immediately on 999**

## **SEE PROCEDURAL FLOW CHART AT APPENDIX A**

Year	Designated Safeguarding Lead	Designated Safeguarding Deputy	Designated Safeguarding Trustee
2024	Phil King	Jenny Papettas	Jenny Papettas
Review Date	Next Review	Ratification Date by Trustees	Distribution Date
12/6/24	12/6/27	12/6/24	1/12/24

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## Designated Persons

**Phil King - Designated Safeguarding Lead (DST)**

**Jenny Papettas - Designated Safeguarding Deputy Lead (DSDL)**

These persons are responsible for ensuring that Colwall Orchard Group deals with safeguarding issues in accordance with these procedures.

Tel – 07774 921597

E-mail – [safeguarding@colwallorchardgroup.org](mailto:safeguarding@colwallorchardgroup.org)

## Purpose

The purpose of this policy is to provide those acting within the framework of Colwall Orchard Group (COG) with guidance to make them aware of what action to take should they come across a safeguarding issue. This policy applies to volunteers and sessional workers, the board of trustees or anyone working or volunteering on behalf of COG. Where services or activities are provided separately by another body or individual, COG will seek assurance that they have appropriate policies and procedures in place to safeguard and protect children and adults at risk, and that there are arrangements to liaise with COG on these matters where appropriate.

## 1) Introduction

Colwall Orchard Trust Ltd, known as Colwall Orchard Group (COG), is a company limited by guarantee and a charity. Inspired by the Common Ground movement, COG was founded in 2007. Since that time we have grown as an organisation, and we now have a Board of Trustees and over two hundred members who act as volunteers working to put our ideas into practice. We are located in the village of Colwall, close to the Malvern Hills on the Herefordshire - Worcestershire border. COG exists to restore, promote and celebrate traditional orchards. We do this by practical management of new and veteran orchards; through regular social events, activities and education sessions; by processing and selling our orchard produce; by providing consultancy services to others; by researching our local orchard heritage.

COG believes protecting children and promoting their welfare, and protecting adults at risk from harm, is everybody's business. We are also committed to protecting volunteers from abuse or allegations of abuse.

***All those associated with COG are committed to working according to the principles of this policy.***

### **Definition and relevant legislation**

**(i) Children: Definition of Children and Young People in Child Protection guidance:** England, Wales, Northern Ireland and Scotland each have their own guidance for organisations to keep children safe. They all agree that a child is anyone who is under the age of 18. The law also gives extra protection to young people who are 16 to 17 years old, that is, over the age of consent for sexual activity.

It is important that anyone who comes into contact with children is able to recognise when a child may be at risk of significant harm.

Safeguarding is the action that is taken to promote the welfare of children and protect them from harm. Safeguarding means:

- protecting children from abuse and maltreatment
- preventing harm to children's health or development
- ensuring children grow up with the provision of safe and effective care

The legislation and guidance underpinning this policy includes the Children Act 1989, the Children Act 2004, and 'Working Together to Safeguard Children' 2023<sup>1</sup>.

COG also follows government safeguarding guidance for activities in out of school settings (OOSS) - <https://www.gov.uk/government/publications/keeping-children-safe-in-out-of-school-settings-code-of-practice>

and also, the Charity Commissions guidance:-

<https://www.gov.uk/guidance/safeguarding-duties-for-charity-trustees>

**(ii) Adults:** COG is committed to the safeguarding of adults at risk, as required by the Safeguarding Vulnerable Groups Act 2006<sup>2</sup>, Care Act 2014<sup>3</sup> and guided by 'Safeguarding Adults - A National Framework of Standards for good practice and outcomes in adult protection work'<sup>4</sup> and Making Safeguarding Personal Guide 2014.<sup>5</sup>

An adult at risk is defined as someone "Who is or may be in need of community care services by reason of disability, age or illness; and is or may be unable to take care of, or unable to protect him or herself, against significant harm or exploitation". It is the view of COG that this could include some people we work with.

"Adult safeguarding" is working with adults with care and support needs to keep them safe from abuse or neglect. It is an important part of what many public services do, and a key responsibility of local authorities. Safeguarding is aimed at people with care and support needs who may be in vulnerable circumstances and at risk of abuse or neglect. In these cases, local services must work together to identify those at risk and take steps to protect them.

Other legislation underpinning safeguarding policies includes the United Convention on the Rights of the Child 1991, Human Rights Act 1998, Data Protection Act 2018 (GDPR – General Data Protection Regulation), Sexual Offences Act 2003, Protection of Freedoms Act 2012, Equality Act 2010, Mental Capacity Act 2005, Safeguarding Vulnerable Groups Act 2006.

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<sup>1</sup> [https://assets.publishing.service.gov.uk/media/669e7501ab418ab055592a7b/Working\\_together\\_to\\_safeguard\\_children\\_2023.pdf](https://assets.publishing.service.gov.uk/media/669e7501ab418ab055592a7b/Working_together_to_safeguard_children_2023.pdf)

<sup>2</sup> [http://www.legislation.gov.uk/ukpga/2006/47/pdfs/ukpga\\_20060047\\_en.pdf](http://www.legislation.gov.uk/ukpga/2006/47/pdfs/ukpga_20060047_en.pdf)

<sup>3</sup> <https://www.legislation.gov.uk/ukpga/2014/23/part/1/crossheading/safeguarding-adults-at-risk-of-abuse-or-neglect/enacted>

<sup>4</sup> <http://www.scie-socialcareonline.org.uk/safeguarding-adults-a-national-framework-of-standards-for-good-practice-in-adult-protection-work/r/a11G00000017rbdIAA>

<sup>5</sup> <https://www.local.gov.uk/sites/default/files/documents/Making%20Safeguarding%20Personal%20-%20Guide%202014.pdf>

## 2) Training for Trustees, Lead Volunteers and the Safeguarding Lead

It is a statutory requirement that individual agencies/organisations are responsible for ensuring that all those in contact or working with children and young people and/or with adults at risk, in a paid or voluntary capacity have access to high quality training and support to ensure the safeguarding of children.

COG will provide a mandatory induction training which includes familiarisation with child protection and adult safeguarding responsibilities and procedures to be followed if anyone has any concerns about a child's or adult at risk's safety or welfare.

COG will provide specific relevant training to the designated safeguarding leads which is regularly updated as necessary.

The following website should also be consulted for West Midlands Safeguarding procedures: <http://westmidlands.procedures.org.uk/page/contents>

The training undertaken by all trustees and lead volunteers will provide guidance on thresholds to be met for Safeguarding procedures to be put in place. The guiding principle in relation to any safeguarding concern is that the safety and welfare of the child, young person or adult at risk is paramount.

If in doubt, contact one of the designated people listed to discuss your concerns – **contact details on page 4.**

**\*See also section 6 below Definitions and Signs of Child Abuse.**

To ascertain what level of support/intervention may be required related to the level of need, the following link may be accessed by the safeguarding lead when concerns are raised:

<https://westmidlands.procedures.org.uk/assets/clients/6/Herefordshire%20downloads/LEVELS%20OF%20NEED%20LEAFLET%20v5%20HFD3549.pdf>

## 3) Principles and Values

COG is committed to the following principles:

- All children, young people and adults at risk have a right to be protected at all times and the safety and wellbeing of these groups should never be compromised.
- Where there is an allegation of, or suspected, abuse, the safety of the child/children or adult at risk involved must always take precedence.
- When following procedures and processes, positive outcomes for children, young people and adults at risk should be kept in sight at all times.
- COG is committed to promoting equality and diversity in all its activities to promote inclusive processes, practices and culture. It will therefore respond sensitively to the particular needs of families, children and young people, and adults at risk, from black and other ethnic minority backgrounds, whatever their sexual orientation, whatever their gender/gender reassignment, whether or not they follow a religion, whatever religion they follow, and of disabled children and adults. We recognise that abuse of children, young people and adults at risk occurs in all religions, all social classes and all cultures.
- This policy will be available to all those acting within COG on the website.

## 4) CHILDREN AND YOUNG PEOPLE

### Definitions and Signs of Child Abuse

'Working Together to Safeguard Children' 2010 (updated in 2018) defines five categories of child abuse:

- **Neglect**
- **Physical Abuse**
- **Emotional Abuse**
- **Sexual Abuse and Child Sexual Exploitation**
- **Child trafficking and Modern slavery**

Somebody may abuse or neglect a child by inflicting harm or by failing to act to prevent harm. Children may be abused in a family or in an institution or community setting; by those known to them or, more rarely, by a stranger. They may be abused by an adult or adults or another child or children.

**Neglect** involves the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development.

Neglect may occur during pregnancy as a result of, for example, maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to provide adequate food and clothing, shelter including exclusion from home or abandonment, failing to protect a child from physical and emotional harm or danger, failure to ensure adequate supervision including the use of inadequate care-takers, or the failure to ensure access to appropriate medical care or treatment.

It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

**Physical abuse** may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child.

Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.

**Emotional abuse** involves the persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child's emotional development.

It may involve conveying to children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or "making fun" of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children.

These may include interactions that are beyond the child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyber bullying) causing children frequently to feel frightened or in danger, or the exploitation or corruption of children.

Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.

**Sexual abuse and Child Sexual Exploitation** involve forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening.

The activities may involve physical contact, including assault by penetration (for example rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing.

They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the Internet).

Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.

It is illegal to:

- take, show or distribute indecent photographs
- pay for or arrange sexual services
- for a person in a position of trust (for example, teachers, care workers) to engage in sexual activity with anyone under the age of 18.

**Sexual exploitation** of children and young people under 18 involves exploitative situations, contexts and relationships where young people (or a third person or persons) receive 'something' (e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of them performing, and/or another or others performing on them, sexual activities. Child sexual exploitation can occur through the use of technology without the child's immediate recognition; for example, being persuaded to post sexual images on the Internet/mobile phones without immediate payment or gain.

In all cases, those exploiting the child/young person have power over them by virtue of their age, gender, intellect, physical strength and/or economic or other resources.

Violence, coercion and intimidation are common in exploitative relationships being characterised in the main by the child or young person's limited availability of choice resulting from their social/economic and/or emotional vulnerability.

**Female Genital Mutilation (FGM)** includes procedures that intentionally alter or cause injury to the female genital organs for non-medical reasons.

Government guidance on mandatory reporting: The guidance<sup>6</sup> states that a professional, volunteer or community group member who has information or suspicions that a child is at risk of FGM should consult with the one of the people listed on page 4 and should make an immediate referral to Herefordshire County Council Children's Social Care.

**Child trafficking and Modern slavery** is child abuse. It is defined as recruiting, moving, receiving and harbouring children for the purpose of exploitation (HM Government, 2011; DHSSPS and Northern Ireland and Police Service of Northern Ireland, 2011; Scottish Government, 2013; All Wales Child Protection Review Group, 2011). Child trafficking is a form of modern slavery (HM Government, 2014).

Many children are trafficked into the UK from overseas, but children can also be trafficked from one part of the UK to another.

**Children are trafficked for:**

- child sexual exploitation
- criminal activity including drugs and theft
- forced marriage
- domestic servitude

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[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/512906/Multi\\_Agency\\_Statutory\\_Guidance\\_on\\_FGM\\_-\\_FINAL.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/512906/Multi_Agency_Statutory_Guidance_on_FGM_-_FINAL.pdf)

## 5) ADULTS AT RISK

### Adults with care and support needs – safeguarding duties

The adult safeguarding duties under the Care Act 2014 apply to an adult, aged 18 or over, who:

- has needs for care and support (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 are the mixture of practical, financial and emotional support for adults who need extra help to manage their lives and be independent - including older people, people with a disability or long-term illness, people with mental health problems, and carers. Care and support include assessment of people's needs, provision of services and the allocation of funds to enable a person to purchase their own care and support. It could include care home, home care, personal assistants, day services, or the provision of aids and adaptations.

#### **Different forms of abuse and neglect of adults**

- **Physical abuse**
- **Domestic violence**
- **Sexual abuse**
- **Psychological abuse**
- **Financial or material abuse**
- **Modern slavery**
- **Discriminatory abuse**
- **Institutional/organisational abuse**
- **Neglect**

## 6) Preventing Violent Extremism in children, young people and adults at risk

### **CONTEST:**

Extremists are known to target individuals for recruitment. Violent extremists can offer a very persuasive rationale and are often very charismatic to attract people to their cause. The Home Office leads on the Counter Terrorism Agenda and the national strategy is called CONTEST. The aim of CONTEST is to reduce the risk to the UK and its interests overseas from terrorism, so that people can go about their lives freely and with confidence

<sup>7 8</sup>.

- **PURSUE** - To stop terrorist attacks.
- **PROTECT** - To strengthen our protection against a terrorist attack.
- **PREPARE** - To mitigate the impact of a terrorist attack.

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<sup>7</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/97976/prevent-strategy-review.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/97976/prevent-strategy-review.pdf)

<sup>8</sup> <https://www.gov.uk/government/collections/counter-terrorism-and-security-bill>

- **PREVENT** - To stop people becoming terrorists or supporting terrorism.

**Channel** - Multi Agency safeguarding process, which provides support to those who may be vulnerable to being drawn into terrorism. The Prevent agenda links closely with that of safeguarding.

## **PREVENT**

Preventing individuals from being drawn into serious and organised crime. COG requires trustees and lead volunteers to undertake Prevent e-learning and guidance:

<https://www.elearning.prevent.homeoffice.gov.uk>.

<https://www.gov.uk/government/publications/individuals-at-risk-of-being-drawn-into-serious-and-organised-crime-a-prevent-guide>

As an example of those vulnerable to being drawn into inappropriate groups or criminal behaviour, the Home Office cites the need for a sense of belonging. "Membership of a subculture can provide a strong sense of belonging to individuals who have had a disruptive upbringing. Individuals may be drawn into serious and organised crime in order to provide a sense of belonging to their family, friends, or even community".

**Note:** There are a range of existing local and national programmes that partners can refer individuals to, including gangs programmes, Troubled Families programmes and the Channel programme (where the individual is also at risk of being drawn into terrorism).

## **7) Online Activity**

Any online activity carries potential safeguarding implications – please refer to our Social E- Activity and Media and Digital Communications Guidelines within COG Code of Conduct.

## **8) YOUR RESPONSIBILITIES AS A WORKER OR VOLUNTEER**

### **Roles and Responsibilities**

#### **(i) What to do if you're concerned a child may be experiencing abuse**

If anyone involved with Colwall Orchard Group believes that a child is at serious risk, they have a responsibility to immediately contact **Herefordshire Council on 01432 260800 from Monday to Thursday 8.45am to 5.15pm, Friday 8:45am to 4:45pm. If the situation is urgent outside of office hours contact the Emergency Duty team on 01905 768020 or the police on 999.**

Wherever possible, it is important that the matter should be discussed beforehand with the Designated Safeguarding Lead, Phil King, or Designated Deputy Lead, Jenny Papettas – but do not delay if you believe the situation to be urgent.

Written details of any incident must be passed to one of the safeguarding leads.

If you have concerns about possible abuse, which you do not believe to be urgent, you should contact one of the safeguarding leads to talk through the situation.

**If it is believed that there is an immediate risk of danger/threat to life or limb, the Police must be contacted immediately on 999**

The role of the Designated Safeguarding Lead / Deputy 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 safeguarding lead will make telephone contact with the statutory agencies and follow up with a written referral on a Multi-Agency Referral Form (MARF) <https://herefordshiresafeguardingboards.org.uk/herefordshire-safeguarding-children-board/for-professionals/multi-agency-referral-form-marf/>

The Designated Safeguarding Lead and Deputy are nominated by the Trustees to act on their behalf in dealing with an allegation or suspicion of neglect or abuse, including referring the matter on to the statutory authorities.

Whenever there is a safeguarding incident, the Designated Safeguarding Lead/Deputy should immediately inform the Chair/Deputy Chair of Trustees followed by a written anonymised report to the Trustee body. Suspicions must not be discussed with anyone other than those nominated above.

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

### **SEE PROCEDURAL FLOW CHART AT APPENDIX A**

**Further guidance can be found at:-**

<https://www.herefordshire.gov.uk/social-care-support/protect-someone>

**The responsibility for investigating potential abuse rests with the Local Authority & Police.**

Most guidance for services for children, like safeguarding and health care, emphasise how important it is to **listen to the wishes of the child**. However, **authorities have a duty to act in the best interests of the child, which may mean contradicting their wishes**. Legislation in England and Wales asks that due consideration is given to the wishes and feelings of a child as far as reasonable before making decisions on what services to provide or action to take.

**The guiding principle must be that the safety of the child or young person is paramount.** Any child or young person making a disclosure of abuse or potential abuse should be advised that the information has to be passed on to the appropriate authority.

**Some helpful guidance if dealing with a disclosure of abuse:-**

- beware **leading questions**
- Ensure the **physical environment** is welcoming, giving opportunity for the child to talk in private but making sure others are aware the conversation is taking place.
- **Active Listening** is especially important to allow time and space for the person to talk - above everything else listen without interrupting. Be attentive and look at them whilst they are speaking. Show acceptance of what they say (however unlikely the story may sound) by reflecting back words or short phrases they have used.
- Try to **remain calm**, even if on the inside you are feeling something different. It is natural to feel anxious but try to show that you are calm and a reliable person who can help them through what they are experiencing.
- If a child tells you they are **experiencing abuse**, it's important to reassure them that they've done the right thing in telling you. Make sure they know that abuse is never their fault. Never promise a child that you will keep the things they're telling you a secret. Explain that you need to share what they've told you with someone who will be able to help.

- **REMEMBER** – once someone has told you a disclosure, you **MUST** speak with a safeguarding lead as soon as possible so that the correct support can be given, and action can be taken. If the child decides not to tell you after all, accept their decision but let them know that you are always ready to listen.
- Use **language** that is age appropriate including for those with disabilities.

See also the government guidelines ‘What to do if you are worried a child is being abused’ for helpful information and guidance, including definitions and indicators of abuse.

[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)

### **The Child Protection Process**

If the receiving local authority agrees that the safeguarding referral warrants further investigation, a strategy meeting or discussion will be held to consider how best to carry this out. This is generally convened within 24 hours or sooner if there is immediate concern. Further information about the processes and meetings that occur as part of a formal investigation can also be found in “What to do if you’re worried a child is being abused – Summary” available on the internet (link noted above).

#### **ii) What to do if you’re concerned an Adult at Risk may be experiencing abuse**

If anyone involved with Colwall Orchard Group believes that an adult at risk, who is a person over 18 years of age, is being abused by relatives, family members, professional staff, paid care workers, volunteers, other service users, neighbours, friends, associates, or strangers, a telephone call should be made and if at serious risk, they have a responsibility to immediately contact **Herefordshire Adult Safeguarding on:**

- **1432 260715 (weekdays 9am to 5pm)**
- **0330 123 9309 (after 6pm, weekends and public holidays)**
- **Emergency - Police 999**

Wherever possible, it is important that the matter should be discussed beforehand with the Designated Safeguarding Lead, Phil King, or Designated Deputy Lead, Jenny Papettas – but do not delay if you believe the situation to be urgent.

Written details of any incident must be passed to one of the safeguarding leads.

If you have concerns about possible abuse, which you do not believe to be urgent, you should contact one of the safeguarding leads to talk through the situation.

**If it is believed that there is an immediate risk of danger/threat to life or limb, the Police must be contacted immediately on 999**

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

### **SEE PROCEDURE AT APPENDIX B**

**iii) Whistleblowing - what to do if you are concerned that another volunteer or trustee may be acting wrongfully (Refer also– Whistleblowing Policy)**

***COG will not tolerate inappropriate relationships between volunteers/trustees and the vulnerable people we serve.***

Whistleblowing is when someone raises a concern about a dangerous or illegal activity or any wrongdoing within their organisation. It is a vital process for identifying risks to people's safety. Sharing information or talking through a concern can be a first step to helping an organisation identify problems and improve their practice.

Concerns should be raised with either of the Designated Safeguarding Leads (contact details at the beginning of this document) who will investigate the concerns and feed back to the Trustees. (NSPCC.org provides further guidance on whistleblowing if required). If it is felt that the concerns relate to both Safeguarding Leads, or that they are not treating reported concerns seriously, then contact can be made with the Chair/Vice Chair of the Trustees.

Any of the above concerns should be reported by the Trustees to the relevant organisations as a sensitive issue. Advice should be sought regarding whether the adult or child seen to be at risk should give consent for this referral to be made.

The Designated Safeguarding Lead will be responsible for following up the referral with the Children's or Adult Services Team to check on progress / any action taken.

## **9) Allegations of Abuse against a Person who works with Children and/or Adults at Risk**

If an accusation is made against a worker (whether a volunteer or paid member of staff) whilst following the procedure outlined above (and at App C), the Designated Safeguarding Lead in accordance with Local Safeguarding Children Board (LSCB) procedures will need to liaise with Children's Services in regard to the suspension of the worker, also making a referral to a Safeguarding Adviser (SA) / Local Authority Designated Officer (LADO). In addition to this, whether or not there are such mechanisms in operation, the Safeguarding Lead or Deputy should consider whether a referral should be made to the Disclosure and Barring Service (DBS). This scheme lists those people deemed unsuitable for working with children or adults at risk. Where liaising with a SA/LADO, discussion should be had about the need to refer to the DBS.

<https://www.gov.uk/guidance/barring-referrals>

If it is felt that the concerns relate to either or both Safeguarding Leads, or that they are not treating reported concerns seriously, then contact can be made with the Chair/Vice Chair of the Trustees.

**SEE APP C FOR PROCEDURAL FLOW CHART AND GUIDANCE**

## **10) Safe Recruitment (refer to recruitment policy)**

COG takes all reasonable measures to ensure that trustees and lead volunteers who may be working with children, young people and adults at risk are verified as suitable, in line with COG policy of non-discrimination on grounds of age, religion or belief, race, colour, sexual orientation, gender reassignment or disability.

These measures include:

- maintaining a record of the contact details of all trustees, lead volunteers, volunteers and members.
- taking up enhanced DBS checks on trustees and lead volunteers who may have direct unsupervised contact with children and vulnerable adults

## **11) Reviewing, updating and dissemination of Policies**

COG policies in relation to safeguarding are reviewed annually, any necessary updates added, and training needs noted and referred for action. The Designated Persons are responsible for ensuring these are reviewed / updated / disseminated. The Trustees will review the safeguarding policy and procedures annually including review of safeguarding performance and any consequent improvements required. An up-to-date risk register is maintained. This document shows how COG have considered how likely, and severe, risks are, how it plans to reduce those risks and how safeguarding sits alongside other risk management.

This Safeguarding Policy is available on the COG website.

## **12) Code of Conduct (refer to code of conduct document)**

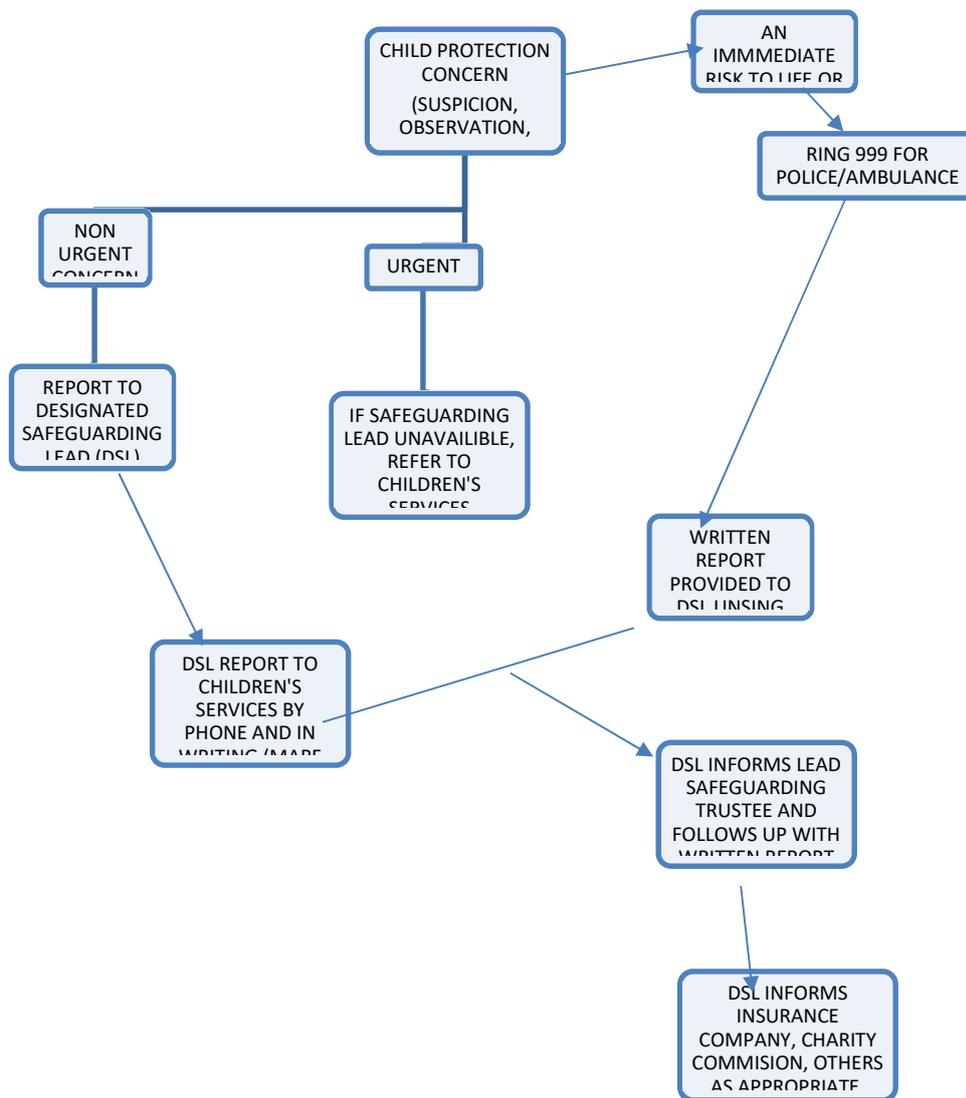
Being clear about standards of behaviour is an important part of safeguarding. The COG code of conduct sets out its expectations of trustees and volunteers.

## **13)**

<b>RELATED POLICIES</b>
<b>Code of Conduct</b>
<b>Confidentiality Statement and Data Protection Policy</b>
<b>Equality, Diversity and Inclusion Policy</b>
<b>Health &amp; Safety Policy</b>
<b>Whistle Blowing Policy</b>
<b>Health and Safety Policy</b>
<b>Grievance and Disciplinary Policy</b>

## **14) APPENDIX A – FLOWCHART OF SAFEGUARDING PROCEDURES WITH GUIDANCE NOTES – CHILDREN AND YOUNG PERSONS**

## FLOW CHART



**Contacts - Herefordshire Council on 01432 260800 from Monday to Thursday 8.45am to 5.15pm, Friday 8:45am to 4:45pm. If the situation is urgent outside of office hours contact the Emergency Duty team on 01905 768020 or the police on 999.**

If it is believed that there is an immediate risk of danger/threat to life or limb, the Police must be contacted immediately on 999

<https://westmidlands.procedures.org.uk/local-content/ygjN/lado-managing-allegations/?b=Herefordshire>

## Further Guidance

Children

## **Allegations of Physical, Neglect or Emotional Abuse:**

If a child has a physical injury, a symptom of neglect or where there are concerns about emotional abuse, the Designated Safeguarding Lead/Deputy will:

- Contact Children's Services for advice and in cases of deliberate injury, if they are concerned about a child's safety or if a child is afraid to return home.
- Not tell the parents or caregivers unless advised to do so, having contacted Children's Services.
- Seek medical help if needed urgently, informing the doctor of any suspicions.
- For lesser concerns, (e.g. poor parenting), encourage parent/caregiver to seek help, but not if this places the child at risk of significant harm.
- Where the parent/caregiver is unwilling to seek help, offer to accompany them. In cases of serious concern, if they still fail to act, contact Children's Services direct for advice.

## **Allegations of Sexual Abuse:**

In the event of allegations or suspicions of sexual abuse, the Designated Safeguarding Lead/Deputy will:

- Contact the Children's Services Department or Police Child Protection Team direct. They will NOT speak to the parent/caregiver or anyone else that place the child at risk of significant harm.

## **Procedure following a concern, disclosure or incident of abuse**

This procedure should be followed if there is a concern about abuse, or a disclosure or incident of abuse.

1. Keep calm. Do not show if you are shocked or surprised.
2. Listen to the child/young person.
3. Accept what you hear without passing judgement.
4. Ask questions only for clarification, don't ask leading questions.
5. Do not investigate or interview beyond that which is necessary to establish the basic facts
6. Do not make promises.
7. Offer support and understanding.
8. Explain that you cannot keep it secret and what may happen next (they may choose to stop telling you their information, but this is OK).
9. Reassure the child/young person that they were right to talk to you.
10. Write down notes – dates, times, facts, who was involved, observations - using actual words used if possible. The form below (S1) can be used as a template.
11. Check that, if possible, you have the following information:
  - name(s), address, date(s) of birth of the young person affected
  - parent/carer's name and contact details
  - details of the young person's GP
  - name of any other people said to be involved
  - names of any witness to the incident (if appropriate)
12. Report to the Designated Safeguarding Lead or Deputy as soon as possible (or immediately if you believe the matter is urgent).

13. Make notes of your conversation with the Designated Person and any advice offered.
14. Sign and date your notes and give them to the Designated Person to keep in a confidential file.
15. Act on the advice given.

**ALWAYS REMEMBER:**

1. IF IN DOUBT – CONSULT
2. Respect the confidentiality of everyone involved in the incident and keep the matter restricted only to those who need to know.
3. Make sure support is provided for the child/young person making the disclosure and for yourself if necessary.
4. Don't
  - press for explanations
  - put it off
  - leave it to someone else to help
  - be afraid to express your concern

**FORM S1 – Recording Form for a Disclosure, Observation or Suspicion of Abuse  
– Child or Young Person**

<b>Child/young person's information</b>	
Name of child/young person:	G.P.
Home address:	
Telephone Home:	Mobile:
Date of Birth:	Age:
Ethnic Origin:	Communication Needs:
<b>Parents/Carers/Guardian</b>	
Name:	
Mobile:	
<b>Details of disclosure, observation or suspicion</b>	
Date:	Time:
Place:	
Occasion:	
Nature of Concern:	
<b>Actions already taken</b>	
Child/Young Person spoken to? Yes/No	Date:
Outcome:	
Parent(s)/ Carer spoken to? Yes/No	Date:
Outcome:	
Designated Person for Safeguarding contacted? Yes/No	
Outcome:	
Signature:	Date:
<b>Referral to Statutory Agency</b>	
<b>Name of Statutory Agency Contact:</b>	
Position:	
Date:	
Feedback:	
<b>Staff member/volunteer(s) details</b>	
1. Name:	Role:
Signature:	Date:
2. Name:	Role:
Signature:	Date:
<b>Designed Safeguarding Person Comment and Sign Off</b>	
Comment:	
1. Name:	Role:
Signature:	Date:

## **15) APPENDIX B - SAFEGUARDING PROCEDURES WITH GUIDANCE NOTES – ADULTS AT RISK**

**Procedure in the event of a disclosure** -It is important that adults at risk are protected from abuse. All complaints, allegations or suspicions must be taken seriously. This procedure must be followed whenever a new allegation of abuse is made or when there is a suspicion that an adult at risk has been abused. Promises of confidentiality should not be given as this may conflict with the need to ensure the safety and welfare of the individual.

**Disclosures that have already been reported to statutory services** - One of the first things to ask following a disclosure being made is whether the incident has been disclosed previously, and already reported to statutory services. Make it clear that if previously reported to statutory services, further action is not COG's responsibility. In these circumstances, offer to report it again, and do so if the offer is accepted. If the person disclosing is in need of further support, remember we are unable to provide direct support ourselves, so this may need to be accessed through signposting to an appropriate service.

**Responding to an allegation** - If anyone involved with Colwall Orchard Group believes that an adult at risk, who is a person over 18 years of age, is being abused by relatives, family members, professional staff, paid care workers, volunteers, other service users, neighbours, friends, associates, or strangers, and is at serious immediate risk, a telephone call should be made if at serious risk, to:

### **Herefordshire Adult Safeguarding**

- 1432 260715 (weekdays 9am to 5pm)
- 0330 123 9309 (after 6pm, weekends and public holidays)

### Emergencies

- **If someone is injured or in immediate danger dial 999**
- If there is no emergency but you think a crime may have been committed ring West Mercia Police on 0300 333 3000 or 101

Wherever possible, it is important that the matter should be discussed beforehand with the Designated Safeguarding Lead Phil King or Designated Deputy Lead Jenny Papettas – but do not delay if you believe the situation to be urgent.

Written details of any incident must be passed to a safeguarding lead.

If you have concerns about possible abuse, which you do not believe to be urgent, you should contact one of the safeguarding leads to talk through the situation.

The Designated Safeguarding Trustee should be notified as soon as possible and followed up by a written anonymised report to the trustees. A written record of the concerns should be made in accordance with these procedures and kept in a secure electronic file/ secure and lockable place.

If an adult at risk has a physical injury or symptom of sexual abuse the Designated Safeguarding Lead/Deputy will:

- Discuss any concerns with the individual themselves giving due regard to their autonomy, privacy and rights to lead an independent life.
- If the adult at risk is in immediate danger or has sustained a serious injury contact the Emergency Services, informing them of any suspicions.
- For advice contact the Adult Social Care Adult at Risk Team who have responsibility under Section 47 of the NHS and Community Care Act 1990 and government guidance, 'No Secrets', to investigate allegations of abuse.

**Recording** - A full record should be made as soon as possible of the nature of the allegation and any other relevant information using Form S2. The report should include:

- The person's known details including name, date of birth, address and contact numbers. Name and contact details for carers
- Whether or not the person making the report is expressing their own concerns or those of someone else.
- The nature of the allegation, including dates, times, specific factors and any other relevant information.
- A clear distinction between what is fact, opinion or hearsay.
- A description of any visible bruising or other injuries. Also, any indirect signs such as behavioural changes.
- Details of witnesses to the incidents.
- The person's account if it can be given, of what has happened and how any bruising or other injuries occurred.
- Accounts from others, as appropriate

In the event of an incident or disclosure concerning a previously unreported incident:

**DO**

- Make sure the individual is safe
- Assess whether emergency services are required and if needed call them
- Listen
- React calmly
- Reassure the person that they were right to tell you and that they are not to blame and take what the person says seriously
- Ascertain and establish the basic facts
- Be careful not to be deemed as putting words into the person's mouth, the easiest way of doing this is by asking open questions and reporting the words used by the person
- Explain the procedure to the individual making the allegation
- Remember the need for ongoing support. We are unable to provide direct support ourselves, so this may need to be accessed through signposting to an appropriate service.
- Make a full and written record of what has been said as soon as possible and don't delay in passing on the information

## **DO NOT**

- Promise Confidentiality
- Confront the alleged abuser
- Be judgmental or voice your own opinion
- Be dismissive of the concern
- Investigate or interview beyond that which is necessary to establish the basic facts
- Consult with persons not directly involved with the situation
- Ask leading questions
- Assume Information
- Make promises
- Ignore the allegation

It is important to remember that the person who first encounters a case of alleged abuse is not responsible for deciding whether abuse has occurred. This is a task for the professional adult protection agencies, following a referral from the designated safeguarding officer.

## **Confidentiality**

Adults at Risk protection raises issues of confidentiality which should be clearly understood by all.

Volunteers and trustees have a responsibility to share relevant information about the protection of adults at risk with other professionals, particularly investigative agencies and adult social services. Clear boundaries of confidentiality will be communicated to all. All personal information regarding an adult at risk will be kept confidential and in line with GDPR laws. All written records will be kept in a secure area for a specific time as identified in data protection guidelines. Records will only record details required in the initial contact form.

If an adult confides in a volunteer and requests that the information is kept secret, it is important that the employee or volunteer tells the adult sensitively that he or she has a responsibility to refer cases of alleged abuse to the appropriate agencies. Within that context, the adult should, however, be assured that the matter will be disclosed only to people who need to know about it.

Where possible, consent should be obtained from the adult before sharing personal information with third parties. In some circumstances obtaining consent may be neither possible nor desirable as the safety and welfare of the vulnerable adult is the priority.

Where a disclosure has been made, volunteers should let the adult know the position regarding their role and what action they will have to take as a result. Volunteers should assure the adult that they will keep them informed of any action to be taken and why. The adult's involvement in the process of sharing information should be fully considered and their wishes and feelings taken into account before sharing personal information with third parties. In some circumstances obtaining consent may be neither possible nor desirable as the safety and welfare of the vulnerable adult is the priority.

## **Contacts**

### **Reporting a Concern to Herefordshire Adult Safeguarding**

- 1432 260715 (weekdays 9am to 5pm)
- 0330 123 9309 (after 6pm, weekends and public holidays)

### Emergencies

- **If someone is injured or in immediate danger dial 999**
- If there is no emergency but you think a crime may have been committed ring West Mercia Police on 0300 333 3000 or 101

<https://www.herefordshiresafeguardingboards.org.uk/concerned-about-an-adult>

**FORM S2 – Recording Form for a Disclosure, Observation or Suspicion of Abuse  
– Adult at Risk**

<b>Adult at Risk information</b>	
Name:	G.P.
Home address:	
Telephone Home:	Mobile:
Date of Birth:	Age:
Ethnic Origin:	Communication Needs:
<b>Carer Details (if relevant)</b>	
Name	
Address	
Mobile	
<b>Details of disclosure, observation or suspicion</b>	
Date:	Time:
Place:	
Occasion:	
Nature of Concern:	
<b>Actions already taken</b>	
Adult at Risk spoken to? Yes/No	Date:
Outcome:	
Carer spoken to? Yes/No	Date:
Outcome:	
Designated Safeguarding Person contacted? Yes/No	
Outcome	
Signature:	Date:
<b>Referral to Statutory Agency</b>	
<b>Name of Contact:</b>	
Position:	
Date:	
Feedback:	
<b>Staff member/volunteer(s) details</b>	
1. Name:	Role:
Signature:	Date:
2. Name:	Role:
Signature:	Date:
<b>Designed Safeguarding Person Comment and Sign Off</b>	
Comment:	
1. Name:	Role:
Signature:	Date:

## **16) APPENDIX C - Allegations of abuse against a person who works with Children and/or Adults at Risk**

If an accusation of inappropriate behaviour in connection with a child/children or adult at risk is made against a worker (whether a volunteer or paid member of staff) whilst following the procedure outlined below, the Designated Safeguarding Lead/Deputy in accordance with Local Safeguarding Children Board (LSCB) procedures will need to liaise with Children's Social Services in regard to the suspension of the worker, also making a referral to a Safeguarding Adviser (SA) / Local Authority Designated Officer (LADO). In addition to this, whether or not there are such mechanisms in operation, the Safeguarding Lead or Deputy should consider whether a referral should be made to the Disclosure and Barring Service. This scheme lists those people deemed unsuitable for working with children or adults at risk. Where liaising with a SA/LADO discussion should be had about the need to refer to the DBS. <https://www.gov.uk/guidance/barring-referrals>

If it is felt that the concerns relate to either or both Safeguarding Leads, or that they are not treating reported concerns seriously, then contact can be made with the Chair/Vice Chair of the Trustees.

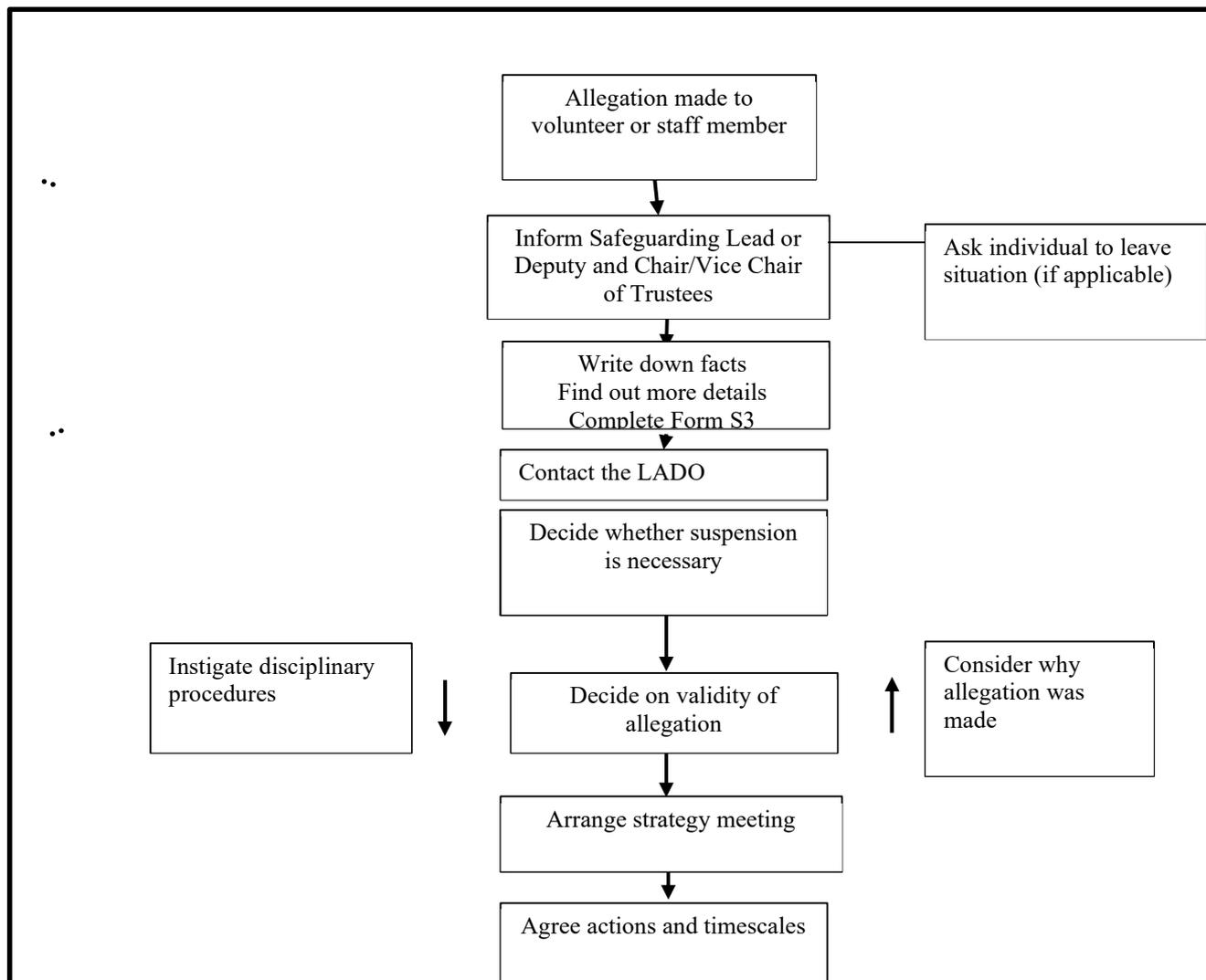
COG is fully committed to safeguarding the welfare of all people. If an allegation is made, then it will be taken seriously.

Staff and volunteers should follow the procedure below, taking note of the following points:

- Do not immediately discuss the allegation with the individual concerned.
- The allegation should be recorded using the form below Form S3.
- Following discussion with the LADO (Local Authority Designated Officer), the parents or carers of the child/children concerned should be informed, and support offered.
- The Chair/Vice Chair will inform the named individual as soon as possible and support him/her or advise him/her on how to access support.
- Full written report to Trustees
- Every effort will be made to maintain confidentiality.
- Even if the individual resigns the allegation must still be followed up.
- A record must be kept of any allegation made and how it was followed up and resolved. This must be kept for 10 years. A copy will be given to the individual.
- If a reference is provided for an individual against whom an allegation has been made, then it must clearly state this even if it was found to be false or unproven.
- Following an allegation process, we will REVIEW our policies and procedures to help prevent similar events in the future.

**The Local Authority Designated Officer, LADO, is part of the Hereford Council's Children's Services and is there to coordinate information, concerns and allegations, as well as to provide advice. They can be contacted on 01432 261739**

<https://westmidlands.procedures.org.uk/local-content/ygjN/lado-managing-allegations/?b=Herefordshire>



### Contacts

Herefordshire Council on 01432 260800 from Monday to Thursday 8.45am to 5.15pm, Friday 8:45am to 4:45pm. If the situation is urgent outside of office hours contact the Emergency Duty team on 01905 768020 or the police on 999.

If it is believed that there is an immediate risk of danger/threat to life or limb, the Police must be contacted immediately on 999

<https://westmidlands.procedures.org.uk/local-content/ygjN/lado-managing-allegations/?b=Herefordshire>

## **Checklist for handling and recording allegations or complaints made against a staff member or volunteer the checklist**

- Record the name and role of worker or volunteer against whom the allegation or complaint has been made.
- Verbal complaints should be backed up in writing by the complainant if appropriate; some may require immediate action that does not allow time for this to happen.
- It is important to identify who made the complaint and whether it was received first hand or is a concern that is being passed on from somebody else. If this is the case, it is better that you receive the information first hand.
- Record the full name, age and date of birth of the child/young person/adult at risk.
- The address recorded should be the address at which the child/young person/adult at risk lives with the main carer.
- If there are one or more alleged incidents, be as specific as possible about the dates that they are alleged to have occurred.
- Check your daily sheet/register to see if the child/young person/adult at risk and the staff member/volunteer were present that day. This will help to confirm the likelihood of the incident having taken place.
- Any other relevant information should be factual. It will be useful if you can confirm things such as the level of contact that the staff member/volunteer has with the child/young person/adult at risk and any other minor concerns that have been raised previously
- Summarise the complaint on the form S3 (below)

**FORM S3 - Allegations or complaints made against a staff member or volunteer**

**1. Name and position of staff/volunteer who is subject of allegation/ complaint:**

**2. Is the complaint written or verbal?** (*Delete as necessary*).

**3. Complaint made by:** Relationship to child/young person:

**4. Name of child/young person:** Age and date of birth:

**5. Parent's/Carer's name(s) and address:**

**6. Date of alleged incident/s:**

**7. Did the child/young person attend on this/these date/s?:**

**8. Nature of complaint:** (attach if received in writing)

**9. Other relevant information** (continue on separate sheet if necessary)

**10. LADO contacted:** Date:

**11. DBS contacted:** Date:

**12. Further actions as advised:**

**13. Your name and position:**

**14. Signature:**

**15. Today's date:**

**Designed Safeguarding Person Comment and Sign Off**

Comment:

1. Name: Role:  
Signature: Date: