LOGGERHEADS PARISH COUNCIL
SAFEGUARDING POLICY

Approved by Council: December 2022
Date of Review: May 2026

Introduction

Loggerheads Parish Council is committed to ensuring that all employees, volunteers, service users, clients and visitors are safeguarded in line with the provisions of the Working Together 2014 of the Care Act 2014 and the Mental Capacity Act 2005 ***(PHSA 3.1, 3.7)***

Safeguarding means protecting an individual's right to live in safety, 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 an individual's wellbeing is promoted including, where appropriate, having regard to their views, wishes, feelings and beliefs in deciding on any action

It must be recognised that adults sometimes have complex interpersonal relationships and may be ambivalent, unclear or unrealistic about their personal circumstances. People have complex lives and being safe is only one of the things they want for themselves

1. Scope of the Policy and Procedure

The aim of this policy and procedure is to ensure:-

- the safety of adults at risk by outlining clear procedures
- Children and young people who receive services from or are in contact are protected from harm. This includes the children of adults who receive our services or are in contact with the Parish Council.
- service plans consider the need to safeguard adults at risk ***(PHSA 2.4)***
- all employees, volunteers, service users, clients and visitors within Loggerheads Parish Council are clear about their responsibilities and are trained adequately

2. Safeguarding Adults

2.1 Definition of Adult at Risk

An adult at risk is a person 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 is at risk of, abuse or neglect, and
- as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it

This may include a person who:-

- is an older person who is frail due to ill health, physical disability or cognitive

impairment;
- has a learning disability;
- has a physical disability and / or a sensory impairment / or communication difficulty i.e. autism;
- has mental health needs including dementia or a personality disorder;
- has a long-term illness / condition;
- misuses substances or alcohol;
- lacks capacity to make specific decisions to make particular decisions;

Within the services provided by Loggerheads Parish Council, adults at risk could be present in any group or session, at any time so this safeguarding policy statement is applicable throughout all of Loggerheads Parish Council activities and provision. In the case of suspected abuse initially staff, trustees or volunteers should raise an alert and submit this to the named Safeguarding Lead who will contact the Newcastle-under-Lyme Adult Social Care see below, and other authorities as applicable. ***(PHSA 4.3)***

2.2 What is abuse?

Abuse of an adult can take many forms. Abuse is a violation of an individual's human and civil rights by any other person or persons. It can take a variety of forms and can be both overt and covert. The following list is not exhaustive, but is illustrative of the kinds of abuse that might be experienced:-

- Physical (including Female Genital Mutilation and Honour Based Violence)
- Domestic Abuse
- Psychological
- Sexual abuse
- Financial or material abuse
- Modern Slavery and Human Trafficking
- Neglect and Acts of Omission
- Discrimination abuse
- Organisational abuse
- Self-Neglect
- Deprivation Of Liberty

3. Safeguarding Children

3.1 Definition of Children at Risk

In England a child is defined as anyone who has not yet reached their 18th birthday. Child protection guidance points out that even if a child has reached 16 years of age and is: -

- living independently
- in further education
- a member of the armed forces
- in hospital; or
- in custody in the secure estate

They are still legally children and should be given the same protection and entitlements as any other child (Department for Education, 2018a).

For the purpose of this policy a child is anyone who has not yet reached their 18th

birthday as defined in the Children Act (1989 and 2004). 'Children' therefore means children and young people throughout, unborn babies are also included.

3.2 What is abuse?

Abuse of a child can take many forms. Abuse is a violation of an individual's human and civil rights by any other person or persons. It can take a variety of forms and can be both overt and covert. The following list is not exhaustive, but is illustrative of the kinds of abuse that might be experienced:-

- Physical abuse
- Emotional abuse
- Neglect
- Sexual abuse
- Exploitation
- County Lines and Human Trafficking
- Modern slavery
- Forced marriage and Honour-based violence
- Female Genital Mutilation (FGM)
- Fabricated or induced illness
- Radicalisation

The Children Act 1989 provides the legislative framework for child protection in England. Key principles established by the Act include:

- the paramount nature of the child's welfare
- the expectations and requirements around duties of care to children

The Children Act 2004, which encourages partnerships between agencies and creates more accountability, by:

- placing a duty on local authorities to appoint children's services members who are ultimately accountable for the delivery of services
- placing a duty on local authorities and their partners to co-operate in safeguarding and promoting the wellbeing of children and young people

Both of these acts are amended by the Children and Social Work Act 2017, which received Royal Assent on 27 April 2017. Key provisions include:

- the Child Safeguarding Practice Review Panel was established to review and report on serious child protection cases that are complex or of national importance (Sections 12 to 15)
- the previous model of Local Safeguarding Children's Boards (LSCBs) has been replaced by local safeguarding partners who will publish reports on local safeguarding practice reviews (Section 17)
- child death review partners are required to review each death of a child normally resident in their area and identify matters that are relevant to public health and safety and children locally (Section 24)
- local authorities must appoint personal advisers for care leavers up to the age of 25 (Section 3)
- relationships education will be provided to primary school children and relationships and sex education will be provided (instead of sex education) in secondary schools (Section 34)

In addition to legislation specifically concerning safeguarding, there is further legislation which is designed to protect the rights of children.

Working together to safeguard children (Department for Education, 2018)

The Department for Education (DfE) published an updated version of the key statutory guidance for anyone working with children in England in July 2018. It sets out how organisations and individuals should work together and how practitioners should conduct the assessment of children. This latest guidance updates the previous version published in 2015. The main changes are: -

- three safeguarding partners: chief officers of police, integrated care boards (ICBs, previously clinical commissioning groups or 'CCGs') and local authorities replace local safeguarding children boards (LSCBs), working together with relevant agencies to protect the welfare of children in their area (Chapter 3)
- child death review partners are required to make provisions to review child deaths, replacing the previous requirement on LSCBs (Chapter 5, Section 6)
- responsibility for overseeing lessons learned from serious child safeguarding incidents lies with the Child Safeguarding Practice Review Panel at a national level, and with the safeguarding partners at a local level (Chapter 4, Section 5)

Early years providers are required to have policies and procedures to safeguard children in place (Chapter 2, Section 14). This relates to children from birth up to 1st September following the date on which they turn 5-years-old

4. Standards

4.1 Loggerheads Parish Council staff and contractors ***(PHSA 2.3)*** are required to:-

- Where appropriate and required by regulations have a Disclosure and Barring Service (DBS) check when they commence employment. Where this has not been undertaken staff will not be allowed to work with adults unless supervised by a member of staff who has had a clear DBS check. ***(PHSA 7.2)***.
- Demonstrate respect for all service users as individuals in all matters.
- Reflect on their own approach and style, recognising the inherent power their position bestows.
- Undertake relevant training in safeguarding, disclosure and diversity matters. Ask a senior member of staff if they have any uncertainties about how to deal with a specific service user ***(PHSA 7.1)***.
- Ensure that all service users experience a suitable and supportive environment to encourage service user disclosure of any issues which might affect the way in which they should be treated.
- Ensure all service users are aware of our Equality and Diversity policy and that they know how to complain if they become victims of harassment bullying, unfair treatment or harassment.
- Ensure a diverse range of services and training that is sensitive to difference.
- Invite and encourage constructive feedback from service users about standards and styles of behaviour and promote an open and honest culture of respect for diversity.

- Deal with complaints of abuse, unfair treatment or harassment and bullying promptly, sensitively, confidentially and in accordance with procedures.
- Ensure that all persons working for or providing services to Loggerheads Parish Council are provided with a briefing on these safeguarding policies and procedures before any work is undertaken or any services delivered.
- Report any incidents immediately to any relevant partners or commissioners.

4.2 Service users, clients, volunteers and visitors are required to:-

- Help prevent inappropriate behaviour by challenging and reporting behaviour that appears to be causing distress to others.
- Support an open, constructive environment within which diversity is valued positively.

4.3 Dealing with claims of abuse perpetrated by internal members of staff

This Policy makes it clear how employees are expected to perform when dealing with all service users. It specifically ensures that claims made of abuse by internal staff will be investigated and dealt with.

5. Safeguarding Lead

The details of the named contact for Loggerheads Parish Council is the Parish Clerk

The named person will have full awareness of the policy and procedures guidelines and have attended training on safeguarding endorsed by the local Safeguarding Board.

The named contact will be a single point of contact for the organisation in relation to:-

- Child Sexual Exploitation
- Female Genital Mutilation
- Prevent
- Domestic Abuse
- Honour Based Violence
- Forced Marriage
- Mental Capacity Act
- Deprivation of Liberty Safeguards
- Trafficking / Modern Slavery

5.1 First Steps

If you think abuse has or may have occurred act immediately. It is the responsibility of the person first becoming aware of a situation where there may be an adult subject to, or at risk of, abuse to make safe and deal with the immediate needs of the person. This may mean taking reasonable steps to ensure the adult is in no immediate danger and seeking medical treatment if required as a matter of urgency.

Do NOT discuss the allegation of abuse with the alleged perpetrator.

Do NOT disturb or destroy articles that could be used in evidence. Where an assault of some kind is suspected do not wash or bathe the person unless this is

associated with first aid treatment necessary to prevent further harm.

Do NOT discuss concerns or disclosures with other members of staff other than the safeguarding lead ***(PHSA 3.2)***.

If the allegation is about a staff member or volunteer of any organisation, ensure that the allegation is properly managed.

Contact the police if it is thought a crime has just been committed. Telephone 101 or 999 if an emergency

Record details of the allegation as soon as possible somewhere that can be kept secure. Include:-

- The allegation or concerns, including the date and time of the incident,
- What the adult at risk said about the abuse and how it occurred or what has been reported to you.
- The appearance and behaviour of the victim.
- Any injuries observed.
- Whether any dependants are also at risk ***(PHSA 4.4) (PHSA 1.3)***

5.2 If the allegation is against a member of staff a volunteer or a service user of Loggerheads Parish Council ***(PHSA 3.6)***

Loggerheads Parish Council will ensure that any allegations made against members or a member of staff will be dealt with swiftly and in accordance with these procedures:-

- The worker must ensure that that the vulnerable adult is safe and away from the person against whom the allegation is made.
- The named person for safeguarding should be informed immediately.
- In the case of an allegation involving the named person, alternative arrangements should be sought to ensure that the matter is dealt with by an independent person.
- (Note: this could be a committee member, director or anyone within the organisation that is in a senior position within the organisation and believed to be independent of the allegations being made).
- The named person should contact the local authority social services team for advice on how to proceed with the immediate situation. Outside of working hours the Emergency Duty Team can give advice and / or in the event of an emergency situation arising, the police.
- The individual who first received / witnessed the concern should make a full written record of what was seen, heard and/or told as soon as possible after observing the incident / receiving the report. It is important that the report is an accurate description. The named person (if appropriate) can support the worker during this process but must not complete the report for the worker. This report must be made available on request from either the police and / or social services.
- Regardless of whether a police and / or social services investigation follows, Loggerheads Parish Council will ensure that an internal investigation takes place and consideration is given to the operation of disciplinary procedures. This may involve an immediate suspension and/or ultimate dismissal dependant on the nature of the incident.
- Whistle blowing will not prejudice the position or prospects of Loggerheads

Parish Council staff or volunteers ***(PHSA 3.3)***

5.3 Bring the concern to the attention of your Safeguarding Lead

It is the responsibility of the Safeguarding Lead to:-

- Decide without delay on the most appropriate course of action once the allegation or suspicion of abuse has been raised.
- Deal with any immediate needs:-
    - Ensure that the victim of the alleged abuse is safe
    - Ensure that any necessary emergency medical treatment is arranged
    - Ensure that no forensic evidence is lost
    - If the alleged perpetrator is also an adult at risk, ensure that another member of staff / manager is allocated to attend to their needs and ensure that other service users are not put at risk.
- Clarify the facts stated by the member of staff but do NOT in any circumstances discuss the allegation of abuse with the alleged perpetrator or, if possible, the victim.
- Check that the circumstances fall within the safeguarding adult's procedure i.e. meeting the definition of abuse as defined in this Policy and Procedure.
- Address issues of consent and confidentiality, taking care to not promise confidentiality
- A formal referral must be made on the same day as the alert is raised when:
    - A crime has been, could have been, or yet could be committed.
    - There is a suspicion that an abuse has taken place.
    - The allegation involves a child
    - The alleged perpetrator is themselves an adult at risk.
    - They are unsure if abuse has taken place
- Where a decision is made NOT to refer, the alert must be recorded, with the reasons for the decision not to refer.
- All incidents, allegations of abuse and complaints must be recorded, monitored and available for internal and external audit. ***(PHSA 2.1, 2.2)***

4.4 The Referral Stage

This involves bringing the concern regarding alleged abuse or potential abuse formally to the attention of the following authorities as appropriate:-

- First Response Team based at the MASH on 0800 1313 126

  www.staffordshire.gov.uk/Care-for-children-and-families (Between 8.30am and 5pm Monday to Thursday and 8.30am and 4.30 pm on a Friday).

  To make an Adult Protection referral advice should be sought from the Adult Protection Contact Centre on 0345 604 2719 (Between 8.30am and 5pm Monday to Thursday and 8.30am and 4.30 pm on a Friday).

- The police if you think a crime may have been committed – Telephone **101** and specify it is a safeguarding issue (**999** in an emergency).

- For out of hours support, any concerns relating to a child or adult at risk of abuse and neglect should be directed to Staffordshire County Council

Emergency Duty Service on 0345 604 2886.

The person making the referral should ideally have the following information available; however, the lack of any of this information should not delay the referral:-

- The name of the adult
- Date of birth and age
- Address and telephone number
- Why the adult is considered to be at risk
- Whether consent has been obtained for the referral, and if not the reasons e.g. the adult lacks mental capacity or there is an over-riding public interest (e.g. where other adults or children are at risk)
- What the person involved has said they want to happen next (the referral needs to be made, with details of those involved even if the person has not given consent, but this needs to be included in the information given)
- Whether there are any concerns or doubts about the mental capacity of the adult at risk
- Whether the police are aware of the allegation, and whether a police investigation is underway

The designated lead should receive acknowledgement or the referral from the relevant agency, and be given feedback about what happens next. This will not always be appropriate to pass on to the person completing the first account report.