

Sustain's safeguarding policy

Sustain is committed to the fair treatment of its staff, volunteers and clients, and we make every effort to ensure that no individual will be discriminated against on irrelevant grounds such as ethnic origin, gender, sexual orientation, disability or any other personal or cultural attribute. We expect all staff and volunteers to adopt a similar approach to their fair treatment and appreciation of others.

The majority of our work is office-based or working with organisations. However, on rare occasions Sustain works with schools and other youth organisations, with Sustain staff (very occasionally) working directly with children and young people aged under 18 or with vulnerable adults.

This policy sets out Sustain's commitment to, and procedures for, meeting our responsibility to safeguard the children, young people and vulnerable adults with whom Sustain staff may occasionally work. This policy applies to all Sustain members of staff including trustees, employees, interns, volunteers and freelancers employed or engaged by Sustain.

To ensure the protection of children and young people under 18, and vulnerable adults, and to merit public trust and confidence, Sustain is required to ensure that only suitable staff are allowed to undertake work that brings them into direct and regular contact with children and young people and/or with vulnerable adults. Sustain uses the Disclosure and Barring Service to assess the suitability of such staff.

For further information visit: www.gov.uk/guidance/safeguarding-duties-for-charity-trustees

1. Sustain's approach to safeguarding

Sustain's approach to the protection of children and young people under 18, and vulnerable adults, is that:

- the welfare of children and young people and vulnerable adults is paramount
- everyone that we work with, whoever they are, should be able to participate in and contribute to activities in a safe environment
we will establish and maintain an environment where children, young people and vulnerable adults feel safe, secure, are encouraged to talk and are listened to if they are worried or concerned about something
- we take all reasonable steps to protect children and young people under 18 and vulnerable adults from physical, emotional and sexual abuse or harm, discrimination, degrading treatment; and to respect their rights, wishes and feelings
- all suspicions and allegations of poor practice or abuse will be taken seriously and responded to swiftly and appropriately
- all Sustain staff and/or volunteers who work routinely with children and young people under 18 and /or vulnerable adults will be recruited with regard to their suitability for that responsibility
- having a criminal record will not necessarily prevent a person from being employed by or undertaking voluntary work with Sustain. This will depend on the nature of the job an individual is applying for and the circumstances and background of the offences.

- Anyone who has a current or previous conviction for offences related to physical, sexual or mental abuse of children or young people under 18 or vulnerable adults will be automatically excluded from working with children and young people or vulnerable adults.

Sustain acknowledges and accepts the UN Convention on the Rights of the Child, the principles of the Children Act 1989 and the Human Rights Act 1998.

Additional note: Under UK law, it is not legal for anyone with an unspent criminal conviction to serve as a senior member of staff, finance lead or charity trustee (without special waiver); and it is not legal for anyone with a criminal conviction, spent or unspent, to serve as a senior member of staff, finance lead or charity trustee if that individual is on the sex offenders register. We undertake a check during the process of appointment or promotion that all Sustain trustees and senior staff are eligible to serve in their roles.

We will ensure that all our staff and volunteers engaged in work that brings them into direct contact with children, young people or potentially vulnerable adults:

- understand the importance of safeguarding and their role in safeguarding children, young people and vulnerable adults
- recognise a child, young person or vulnerable adult potentially in need of safeguarding and know what action to take
- are able to recognise a disclosure from a child or young person under 18 or vulnerable adult and react appropriately
- are aware of the different forms of abuse and neglect
- understand dignity and respect when working with individuals
- know how to report a safeguarding concern relating to a child or young person under 18 or a vulnerable adult.

2. Recruitment and vetting

When Sustain creates a role that will come into contact with children, young people or vulnerable adults, we consider how to ensure proper safeguarding. This includes:

- Signalling to recruits through the application process that this is a role that will require criminal record checks.
- Requiring a declaration on the job application form relating to the person's criminal record.
- Appointment conditional only on satisfactory completion of the criminal records check.
- On appointment, conduct of an enhanced criminal record check under the Disclosure and Barring Service for roles that come into contact with children and young persons.

Sustain has recruitment policies for both staff and volunteers which seek to ensure that the well-being of children and young people is maintained and prioritised.

Sustain acknowledges and accepts the UN Convention on the Rights of the Child, the principles of the Children Act 1989 and the Human Rights Act 1998. We will:

- treat all children with respect and celebrate their achievements
- carefully recruit & select all adults whether paid or voluntary
- respond to concerns and allegations appropriately

When any adult has concerns about the welfare of any child/ young person then we expect them to share those concerns with the Young Persons Protection Officer.

Please refer to Appendix A in the event of a disclosure.

Disclosures through the Disclosure and Barring Service

In the case of Sustain advertising staff, freelance or voluntary positions, or where an existing member of staff or volunteer is moving across to a job that requires a disclosure under the terms of this policy, and where a DBS Disclosure forms part of the selection and/or appointment process, the job description will clearly reference to this requirement.

Where a Disclosure forms part of the appointment process, either of a new member of staff or volunteer, or of a member of staff, volunteer or intern moving to a new role that requires a DBS Disclosure (described here also as an 'applicant'), Sustain will require all applicants to provide details of their criminal record at an early stage in the application process. This information should be sent marked as "confidential" to the member of staff named in the job advertisement and/or job description. Disclosure information will only be seen by those at Sustain who need to see it as part of the recruitment process, and this information will be treated confidentially and sensitively. Information will remain confidential to the Sustain management team, and may additionally be shared with the Board of Trustees in exceptional circumstances.

Sustain undertakes to discuss any relevant matter revealed in a Disclosure with the applicant, and we aim to ask questions relating to the Disclosure information that are relevant, non-discriminatory and fair. Applicants who are deemed unsuitable to undertake an activity on behalf of Sustain in the light of the contents of a Disclosure will receive a written explanation as to Sustain's decision.

Failure to reveal information that is directly relevant to the position sought, or provision of information that is found to be misleading, could subsequently lead to Sustain rejecting an application or to the withdrawal of an offer of employment, or of a contract of employment. This may be considered as gross misconduct and may involve the staff member, volunteer or intern being required to cease working with children, young people or vulnerable adults with immediate effect, at the discretion of project managers and Sustain's senior management team. It may also lead to dismissal. Sustain undertakes to discuss any matter revealed in a Disclosure with the applicant before withdrawing any such offer or contract.

Applicants who are not able to provide a Disclosure for a position covered by this policy, before starting work, should contact Sustain at the earliest opportunity to explain why this is not possible, and mutually agree how to proceed and comply with the requirements of this policy. The process of obtaining a Disclosure should be completed as soon as possible, and certainly before any activities that involve direct contact with children, young people and/or vulnerable adults.

The decision on which roles require a DBS Disclosure will be made by Sustain's senior management team, with the Chief Executive ultimately responsible for the review of information disclosed and any associated decision. Occasionally, a funder or other stakeholder in a project may require a DBS Disclosure, and Sustain will agree such additional arrangements on a case-by-case basis, applying the principles and procedures as above.

3. Sustain's approach to unproven historical prior offence

Sustain may be made aware of unproven accusations of abuse against a member of staff or volunteer, taking place historically – prior to their appointment to a Sustain role. In such circumstances, Sustain

must balance both a fair approach to the individual accused, whilst also prioritising the safety of children, young people and vulnerable adults. Sustain’s approach will be to:

- Understand the nature and source of such an accusation and make a risk assessment accordingly. This may trigger Sustain’s Chief Executive, liaising with Trustees or taking external professional advice on a confidential basis if necessary, to:
 - Make the individual aware of the accusation and invite their perspective.
 - Agree a way to manage actual or perceived risks – both to the child, young person or vulnerable adult, and to the reputation and trust of the individual, Sustain and project partners.
 - Be guided by the assumption of “innocence until proven guilty”, but also balance this with safeguarding and reputation/trust needs. It may be necessary, for example, to deploy the staff member or volunteer to other tasks; or to agree the individual should interact with children, young people or vulnerable adults only in the presence of another staff member who would need to be made aware of the situation and their responsibilities as a result.

Unproven accusation shall not be grounds in its own right for dismissal, but may require further investigation, disclosure and redeployment of a staff member or volunteer, at Sustain’s discretion.

4. Training for Sustain staff and volunteers

All Sustain staff and volunteers who come into direct or regular contact with children and young people under 18 and/or vulnerable adults in the course of their work will receive appropriate training and advice outlining good and bad practice and informing them what to do if they have concerns about the behaviour of any person towards a child or young person under 18, or a vulnerable adult. Reporting procedures are reviewed regularly.

In the case of children and young people under 18 this will be based on guidance issued by the National Society for the Prevention of Cruelty to Children, see: <https://learning.nspcc.org.uk/research-resources/2019/safeguarding-child-protection-standards> and <https://learnwithunite.org/vle/file.php/1/policies/Safeguarding%20Policy.html>.

We will also provide links to this information to all staff, volunteers and management and refer to this in the job description of any staff member or volunteer covered by this policy.

5. Procedures for referral

It is not the responsibility of anyone working in Sustain in a paid or unpaid capacity to decide whether or not abuse has taken place. However everyone working for Sustain has a responsibility to act on any concerns through contact with the appropriate authorities so that they can then make inquiries and take necessary action to protect the child, young person or vulnerable adult in question. This applies both to any allegations/suspicions of abuse occurring in relation to Sustain activities, and to allegations/suspicions that abuse is taking place elsewhere.

Any member of Sustain staff or volunteer who receives a notification or allegation of abuse or suspects that abuse may have occurred must report it immediately to the designated person (Sustain Chief Executive), or if they are unavailable, to a member of Sustain’s senior management team.

The “designated person” refers to the member of staff responsible for child protection and safeguarding of vulnerable adults. In the case of Sustain this is the Chief Executive or, if unavailable, Sustain’s Programme Director whose management responsibilities cover projects that may work with children or vulnerable adults. At the date of policy review (May 2021) the contact details for the “designated person” are as follows:

- Kath Dalmeny, Chief Executive of Sustain, kath@sustainweb.org; 020 3559 6777; mobile: 07989 557982.
- Sarah Williams, Programme Director of Sustain, sarah@sustainweb.org; 020 3559 6777; mobile: 07904 855974.

The first and most important actions will be to ensure that:

1. If it is an emergency, or if the child, young person or vulnerable adult are physically hurt, emergency services are called by dialling 999.
2. The child, young person or vulnerable adult is safe and in the company of a responsible adult (preferably two), preferably until such time as a family member, carer, emergency services or professional service provider take over.
3. The person or persons suspected of abuse is/are safely and reliably separated from the child, young person or vulnerable adult, and/or escorted from the premises, and informed that any activities that bring them into contact with a child or vulnerable adult are immediately suspended, without prejudice as to further investigations.
4. The child, young person or vulnerable adult's parents or carer are informed.

In the case of a child or young person:

The designated person will immediately inform the relevant Education and Children's Services Initial Response Team (IRT). For the London Borough of Hackney, this is 020 8356 5500 (Mon to Fri 9am - 5pm) or 020 8356 2710 (emergency out of hours team); for the London Borough of Tower Hamlets this is: 020 7364 5006. Alternatively, contact ChildLine on 0800 1111 or the relevant local authority switchboard. Alternatively, speak to a police officer, teacher, health visitor, doctor or the NSPCC.

In the case of a vulnerable adult:

If any member of staff is concerned about the safety or wellbeing of any adult they come into contact with through their work at Sustain they must contact the designated person at the earliest opportunity. They must then record their concerns immediately on the Adult Safe-guarding Concern Notification form (see Appendix A) and send this to the designated person.

- In most instances the designated person will contact Adult Social Services via telephone: 0344 800 8020 [operates 24 hours a day 365 days a year].
- Guidance on the information required when making a referral is available on the NSAB website: https://www.proceduresonline.com/resources/careact/p_sq_adult_boards.html
- Send a copy to the named contact by e-mail, fax, or post within 24 hours.
- If the designated person or Line Manager is unsure if a referral should be made, they should contact the MASH and ask for a professional consultation. This can be anonymous on the part of the adult to help establish the level of concern and any action advised. This should also be documented on the notification form.

Sustain staff members or volunteers caring for the child, young person or vulnerable adult should not seek to interview the alleged victim of abuse – this is a matter for professional services. However, such staff or volunteers should report on anything they have seen or heard that may be material to the case, lodge a statement as soon as practicable with Sustain's Chief Executive and be prepared to give a witness statement or other evidence at a later date. The designated person (usually the Chief Executive or a member of Sustain's senior management team) should record:

- The name, age and date of birth of the child or young person, or the name of the vulnerable adult
- The home address and telephone number of the child or young person under 18 or of the vulnerable adult
- Name/s and address of parent/s or carer/s with parental responsibility

- What was said or seen, and by whom
- What has prompted the concerns? Include the date, time and location of any specific incidents
- The contact details of the referrer, their signature and the date of the record.
- Is the person making the report expressing their own concerns, or passing on those of somebody else? If so, record details.
- Has the child or young person been spoken to? If so, record details
- Has anybody been alleged to be the abuser? If so, record details.
- Who has this been passed on to, in order that appropriate action is taken? E.g. designated Child or Young Persons Protections Officer within the School or Social Services, etc.
- Has anyone else been consulted? If so, record details.

All records, information and confidential notes should be kept in separate files that can be accessed only by designated senior staff. The designated person/s will inform the relevant outside organisation of the incident. Tower Hamlets is the home authority for Sustain's head office at Cambridge Heath, E2 9DA:

If a crime has been committed and it's an emergency situation, or if you suspect a crime has been committed, call 999. For non-emergencies call 101.

Tower Hamlets Multi-Agency Safeguarding Hub advises: If you have a concern about the welfare or safety of a child during the office hours of 9am-5pm, you should contact the Tower Hamlets MASH: Tel: 020 7364 5006, option 3. Extensions: 5606/5601/5358/7796. Email: Mash@towerhamlets.gov.uk

Tower Hamlets Safeguarding Adults Board advises: If you think you or someone you know is being abused or neglected, you should call the telephone hotline on 0300 303 6070. Safeguarding enquiries or referrals should be emailed to enquiry@towerhamletsconnect.org.

Local Social Services: Call the children's social care team at the council in Tower Hamlets: 020 7364 5601 or 020 7364 5606 (020 7364 4079 out of hours).

Confidentiality must be maintained, and information relating to individual children and young people under 18 and/ or families and/or a vulnerable adult must be shared with Sustain senior staff on a strictly need-to-know basis.

6. Alleged abuse by Sustain staff or volunteers

When an allegation is made against a member of Sustain staff or volunteer, the allegation must be passed to the Sustain Chief Executive (or if unavailable, then a member of Sustain's senior management team, involving the Chief Executive as soon as practicably possible), who will take responsibility for suspending all activities undertaken by the member of staff or volunteer in question that involve direct contact with children or vulnerable adults. Immediate suspension of other activities may also take place, at Sustain's discretion.

The designated person for child protection should contact the local authority officer for consultation. Where there is a complaint of this nature against an employee or volunteer, there may be three types of investigation:

- Criminal, in which case the police are immediately involved.
- Child protection, in which case the social services (and possibly) the police will be involved.
- Disciplinary or misconduct in which case Sustain and its Trustees will be involved.

Should the relevant authorities deem that sexual, physical or mental abuse has taken place, this will be considered by Sustain as gross misconduct and be grounds for dismissal.

At all stages of the process described above, every effort will be made to ensure that confidentiality is maintained for all concerned. Information will be handled and disseminated on a need-to-know basis only. This includes the following people:

- The Chief Executive of Sustain, Sustain's senior management team and Trustees
- The parents of a child and/or carer of a child or vulnerable adult
- The person making the allegation
- Social Services/NSPCC Helpline staff/police
- The alleged abuser

All information will be stored in a secure place with limited access to designated people, in line with data protection laws.

7. External partners

Where we work in formal partnership with, or provide funding to, external organisations working with children and young people under 18 and/or vulnerable adults, Sustain will expect these to have robust safeguarding policy and procedures in place, in line with legislation, good practice and funder requirements. This will be a condition of any such grant agreement.

8. Records and confidentiality

All information is confidential and must be managed in line with Sustain's Data Protection policy. However, if there is a safeguarding concern information can be shared with Social Services, the Police and where appropriate the Care Quality Commission.

All information relating to a safeguarding concern given to the designated person over the telephone must be confirmed in writing, either in a printed document, secure email, or handwritten but in ink, signed and dated by the person with the concern.

Any information recorded will be kept in a separate named file, in a secure cabinet. These files are the responsibility of the designated person and information will only be shared within Sustain on a need-to-know basis.

9. Other relevant policies

To underpin the values and ethos of Sustain and our intent to ensure the children and young people and vulnerable adults we work with are appropriately safeguarded, the following policies are also included under our safeguarding umbrella:

- Bullying and Harassment
- Complaints
- Confidentiality
- Data Protection
- Equality and Diversity
- Health and Safety
- Recruitment
- Training
- Whistleblowing

10. Key contacts and responsibilities

Sustain’s Council of Trustees have overall responsibility for ensuring implementation and adherence to this policy. On a day-to-day basis this responsibility is delegated to the Chief Executive. The Chief Executive is authorised to use their discretion in the operation and implementation of this policy and associated procedures, subject to reporting any substantive changes to the Council of Trustees.

Designated people contacted details are:

- Kath Dalmeny, Chief Executive of Sustain, kath@sustainweb.org; 020 3559 6777; mobile: 07989 557982.
- Sarah Williams, Programmes Director of Sustain, sarah@sustainweb.org; 020 3559 6777; mobile: 07904 855974.

11. Data protection

Sustain will treat all personal information with care, compassion and the utmost sensitivity. However, in cases of disclosure of abuse affecting children, young people or vulnerable adults, we are obliged to share the information and refer our concerns to the police and/or Social Services. Senior managers at Sustain will take responsibility for doing so.

In the implementation of this policy, Sustain may process personal data and/or special category personal data collected in accordance with its GDPR and data protection policy. Data collected from the point at which this policy is invoked will only inform the organisation for the benefit of implementing this policy. All data is held securely and accessed by, and disclosed to, individuals only for the purposes of this policy. Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with the organisation’s GDPR and data protection policy immediately. It may also constitute a disciplinary offence, which will be dealt with under the organisation’s disciplinary procedure.

12. Information for internal use

| | | | |
|--|--|--------------|----------|
| Date of most recent update: | 12/07/23 | | |
| Reviewer and lead on policy: | Kath Dalmeny, working with CBR Solutions | | |
| Considered by management team: | Yes / No | Done (date): | 12/07/23 |
| Approved by (usually Chief Executive): | Kath Dalmeny | Done (date): | 12/07/23 |
| Sustain Council of Trustees approval required? | Yes | | |
| At which Council meeting? | July 2023 | Done (date): | 12/07/23 |
| Is this policy in the list of ‘required’ policies? | Yes | | |
| For required policies only, updates include (describe the changes in brief list format; keep and add older date to list of previous updates): <i>Note: For discretionary policies, updates will be recorded in Sustain Council meeting minutes.</i> | Policy published as part of HR Healthcheck 2021, adapted from CBR Solutions template Approved by Sustain Council of Trustees, refreshed/confirmed periodically. | | |
| Next review date (minimum period – usually three years – or if prompted by legislative change; or in the interim at the discretion of Sustain/trustees): | July 2024 The policy will be reviewed at least annually and updated as and where appropriate | | |
| Filed in Sustain drive (drive and folder names): | Line Managers drive | | |
| Publish privately on intranet? (include the final part of the file location – page name not full URL): | Intranet | | |
| Publish publicly on Sustain website? (include location – full URL): | No | | |
| Policy adapted from template provided by CBR Solutions: www.cbrsolutions.org.uk | | | |

Appendix A – In the event of a Disclosure about a child or young person under 18

1. Records, reporting process and monitoring

- 1.1 If we are concerned about the welfare or safety of any child who has come into contact with our organisation we will record the concern on the agreed report form and give this to the Young Persons Protection Officer or either Deputy.
- 1.2 The Young Persons Protection Officer or Deputy will report the matter to the Local Authority Designated Officer (LADO), following authoritative advice, namely:
 - **If a crime has been committed and it's an emergency situation, of if you suspect a crime has been committed, call 999.** For non-emergencies call 101.
 - Tower Hamlets Multi-Agency Safeguarding Hub advises: If you have a concern about the welfare or safety of a child during the office hours of 9am-5pm, you should contact the Tower Hamlets MASH: Tel: 020 7364 5006, option 3. Extensions: 5606/5601/5358/7796. Email: Mash@towerhamlets.gov.uk
 - Tower Hamlets Safeguarding Adults Board advises: If you think you or someone you know is being abused or neglected, you should call the telephone hotline on 0300 303 6070. Safeguarding enquiries or referrals should be emailed to enquiry@towerhamletsconnect.org.
 - Local Social Services: Call the children's social care team at the council in Tower Hamlets: 020 7364 5601 or 020 7364 5606 (020 7364 4079 out of hours).
- 1.3 If an allegation involves the Young Persons Protection Officer, the Deputy will be contacted. If the Young Persons Protection Officer or the Deputy are involved, the staff member or volunteer will liaise with the Local Authority Designated Officer direct.
- 1.4 Any information recorded will be kept in a separate named file, in a secure cabinet and not with the child's file. These files will be the responsibility of the Young Persons Protection Officer and information will only be shared within the organisation on a need to know basis for the protection of the child.
- 1.5 Any safeguarding information will be kept in the file and will be added to. Copies of referrals will be stored in the file.
- 1.6 Reports of a concern to the Young Persons Protection Officer must be made in writing and signed and dated by the person with the concern.

2. Roles and responsibilities

- 2.1 Our Young Persons Protection Officer will liaise with Children's Services and other agencies where necessary, and make referrals to Children's Services.
- 2.2 Any concern for a child's safety or welfare will be recorded in writing and given to the Young Persons Protection Officer who will be responsible for ensuring all staff and volunteers are aware of our policy and the procedure they need to follow.
- 2.3 The Young Persons Protection Officer will ensure that all staff and volunteers have received appropriate child protection information during induction and if necessary have been trained by the Safer Programme.
- 2.4 The Young Persons Protection Officer will ensure that our safeguarding policy is in place and is reviewed annually. The content of our policy has been written following consultation with the Safer Programme.
- 2.5 At all times the Young Persons Protection Officer will ensure that safer recruitment practices are followed.

- 2.6 Safer procedures ensure our recruitment practices are safe and compliant with statutory requirements.
- 2.7 We require evidence of any qualifications staff or volunteers hold. We do not accept testimonials and insist on taking up references as part of our appointment process. We will question the contents of application forms if we unclear about them. We will undertake enhanced Disclosure and Barring Service checks and use any other means of ensuring we are recruiting and selecting the most suitable people to work with children. We will use the recruitment and selection process to deter and reject unsuitable candidates.
- 2.8 Our organisation undertakes to remedy without delay any weakness in regard to our safeguarding arrangements that are brought to their attention.

Appendix B - Adult Safeguarding Concern Notification Form

- 1) Please speak to the Adult Safeguarding Lead (or in their absence your Line Manager) as soon as possible and complete this form to document your concerns and the initial outcome of this discussion. If you consider the adult is in immediate danger then you **MUST** contact the Police straightaway.

| | |
|----------------------|--|
| Name of adult | |
| Date of birth | |
| Home address | |
| Date of incident | |
| Location of incident | |

- 2) Please identify the type of abuse you are concerned about or have witnessed (more than one may apply):

| | | | |
|-----------------------------|--|------------------------------|--|
| Physical abuse | | Modern slavery | |
| Domestic violence | | Discriminatory abuse | |
| Sexual abuse | | Organisational abuse | |
| Psychological abuse | | Neglect and acts of omission | |
| Financial or material abuse | | Self-neglect | |
| Other please specify | | | |

- 3) Please describe the nature of your concerns in as much detail as possible in the box below (continue on a separate sheet if necessary). Please include dates, what happened, location, names of other witnesses:

- 4) Please explain any actions you have taken as a result of your concerns in the box below (continue on a separate sheet if necessary) for example who you have spoken to, when, what advice was received:

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5) Details of person notifying concerns:

| | |
|-------------------------------|--------------------------|
| Your name | |
| Your role/job title | |
| Your project or team | |
| Your work and contact numbers | Daytime: Home/mobile: |

| | |
|-----------|--|
| Signature | |
| Date | |

Please return the completed form to Kath Dalmeny, Chief Executive of Sustain, Adult Safeguarding Lead at Sustain, The Green House, 244-254 Cambridge Heath Road, London E2 9DA, and via email to: kath@sustainweb.org

For completion by Adult Safeguarding Lead:

| Action taken | By whom | Date |
|--------------|---------|------|
| | | |
| | | |
| | | |

| | |
|--------------------|--|
| Name | |
| Job title | |
| Date form received | |

| | |
|-----------|--|
| Signature | |
| Date | |