

## 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 or vulnerable adults. This requires Sustain staff and/or volunteers to assume a position of trust. To ensure the protection of children and/or vulnerable adults, and justify public trust and confidence, Sustain is required to ensure that only suitable staff and/or volunteers are allowed to undertake work that brings them into direct and regular contact with children and/or vulnerable adults. Sustain uses the Disclosure and Barring Service to assess the suitability of such staff and volunteers.

Sustain's approach to the protection of children and vulnerable adults is that:

- the welfare of children 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 take all reasonable steps to protect children and vulnerable adults from harm, discrimination and 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/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 employment 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 vulnerable adults will be automatically excluded from working with children or vulnerable adults.

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 confirm that all Sustain trustees and senior staff are eligible to serve in their roles.

### **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 make clear 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 or volunteer moving to a new role that requires a DBS Disclosure (described here also as an 'applicant'), Sustain will encourage 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 management 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 or volunteer being required to cease working with children 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 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.

### **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 project. In such circumstances, Sustain must balance both a fair approach to the individual accused, whilst also prioritising the safety of children 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 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 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.

## Training for Sustain staff and volunteers

All Sustain staff and volunteers who come into direct or regular contact with children or vulnerable adults in the course of their work receive 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 vulnerable adult.

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>. Links to this information will also be provided by Sustain for all staff, volunteers and management and referred to in the job description of any staff member or volunteer covered by this policy.

## 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 there is a responsibility of everyone working for Sustain 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 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 issues. 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 (August 2017) the contact details for the "designated person" are as follows:

- **Kath Dalmeny, Chief Executive of Sustain**, [kath@sustainweb.org](mailto:kath@sustainweb.org); 020 3559 6777; mobile: 07989 557982.
- **Sarah Williams, Programme Director of Sustain**, [sarah@sustainweb.org](mailto: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 or vulnerable adult are physically hurt, emergency services are called by dialing 999.
2. The child 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 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 or vulnerable adult's parents or carer are informed.

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.

Sustain staff members or volunteers caring for the child 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 child or vulnerable adult's name and (for children only) age and date of birth
- The child or vulnerable adult's home address and telephone number
- What was said or seen, and by whom
- Date, time and location
- All records should be signed and dated and include the contact details for the referrer

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

### **Alleged abuse by Sustain staff or volunteers**

When an allegation is made against a member of Sustain staff or volunteer then 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 is 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.

### **External partners**

Where we work in formal partnership with, or provide funding to, external organisations working with children 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.

**The policy will be reviewed at least annually, and updated as and where appropriate.**

**Approved by Sustain Council of Trustees, 15 August 2017; refreshed/confirmed, 6 November 2019; additional updates to guidance, links and legislation updated April 2020.**