**Date of Review: 12/07/2019 Reviewed by: Mr Ryan Palmer (Registered Care Manager)**

**1. POLICY STATEMENT**

This policy is made in accordance with Comfort Home Care’s vision and mission, for every child to grow up safe, secure and supported and to build a better childhood for all.

Comfort Home Care staff may come into contact directly with children and young adults within their normal daily routines and have a responsibility to promote the wellbeing and safety of all people it comes into contact with. Comfort Home Care believes that it is always unacceptable for a person to experience abuse or neglect of any kind. Comfort Home Care is committed to practice that protects children and vulnerable adults from harm and recognises its duty to ensure that appropriate action is taken where a child or vulnerable adult is experiencing harm or is at risk of harm.

**2. PURPOSE**

• To safeguard and promote the wellbeing of the children and vulnerable adults with whom Comfort Home Care’s staff come into contact with.

• To ensure that all employees and others covered by this policy understand the context within which checking with the Disclosure and Barring Service takes place.

• To provide all employees with guidance on how they should behave if they suspect that a child or vulnerable adult may be experiencing, or be at risk from abuse or harm.

• To guide employees on how to respond to - and report – concerns.

• To ensure compatibility with other Comfort Home Care policies.

**3. WHO IS AFFECTED BY THIS POLICY?**

This policy applies to all paid employees and unpaid staff working on behalf of Comfort Home Care in any capacity and in any setting.

Young members, young people on work experience and any children or young adults involved in the work of Comfort Home Care should be made aware of Comfort Home Cares safeguarding policies and procedures. Those with specific communication needs because of language or disability should have access to information in appropriate forms to ensure their understanding.

This policy relates to all children from unborn up to 18 years of age and includes children with whom Comfort Home Care has direct or indirect contact with, for example children known to adults with whom Comfort Home Care works directly.

**4. DEFINITIONS**

As per the definitions set out in the Children Act 1989, a ‘child’ is anyone who has not yet reached their 18th birthday. It also includes unborn children. Adults aged 18 and over have the potential to be vulnerable (either temporarily or permanently) for a variety of reasons and in different situations.

An adult may be vulnerable if he/she:

• Has a learning or physical disability.

• Has a physical or mental illness, chronic or otherwise, including an addiction to alcohol or drugs.

• Has a reduction in physical or mental capacity.

• Is in the receipt of any form of healthcare.

• Is detained in custody.

• Is receiving community services because of age, health or disability.

• Is living in sheltered or residential care home.

• Is unable, for any other reason, to protect himself/herself against significant harm or exploitation.

**5. LEGAL FRAMEWORK**

Everyone has a right to be safeguarded from abuse or neglect. There is a legislative

framework in place to safeguard children and vulnerable adults through The Children Act 1989 (as amended by section 53 of the Children Act 2004) and the Safeguarding Vulnerable Groups Act 2006.

Further guidance that sets out the requirements and expectations on professionals to work together to effectively safeguard children include Working Together to Safeguard Children (2015), Safeguarding Disabled Children: Practice Guidance (2009) and What to do if you’re worried a child is being abused (2015) (Department for Education 2015).

Female Genital Mutilation (FGM) is illegal in England and Wales under the Female

Genital Mutilation Act 2003. It is a form of child abuse and violence against women.

While the duties under the Act are limited to regulated health & social care

professional and teachers, non-regulated practitioners also have a responsibility to

take appropriate safeguarding action in relation to any identified or suspected case

of FGM.

The Counter-Terrorism and Security Act 2015 sets out the “need to prevent people from being drawn into terrorism”. The Prevent strategy is part of an overall counterterrorism strategy, contest, and aims to reduce the threat to the UK from terrorism by stopping people becoming terrorists or supporting terrorism. Organisations such as Comfort Home Care do not have a duty to adhere to the Prevent duty but do still have a responsibility to safeguard and promote the welfare of the children and young people it works with.

**6. GENERAL PRINCIPLES**

Safeguarding relates to the action taken to promote the welfare of children and vulnerable adults and to protect them from harm.

All staff should have a basic awareness of safeguarding issues. This includes:

• Being alert to the possibility of abuse and neglect.

• Having enough knowledge to recognise an abusive or potentially abusive event or set of circumstances.

• Knowing who in the organisation to raise concerns with.

• Being competent to take the appropriate immediate or emergency action.

If any member of staff has any concerns about a child or vulnerable adult, they must alert Comfort Home Care’s Designated Safeguarding Officer (DSO) immediately. If the DSO agrees there is grounds for concern, they must take appropriate action to safeguard the child or vulnerable adult. This may include contacting the relevant local authority social care service or the local police child abuse investigation team.

If a child or vulnerable adult is in immediate danger the member of staff who first becomes aware of the danger should dial 999 for the police.

The above may include concerns about a member of staff, a suspicion that a child or vulnerable adult is being abused or neglected, or a suspicion that an activity is taking place that could place a person at risk. If the concern relates to a member of staff, Comfort Home Care ’s DSO should contact the local authority designated officer (LADO) responsible for providing advice and liaise in such cases. This is a general guide as the role of the LADO is expected to change, additionally some local authorities will have new multi-agency safeguarding arrangements.

In any situation where there is a suspicion of abuse, the welfare needs of the child or vulnerable adult must come first even where there may be a conflict of interest (e.g. where the suspected perpetrator may be a member of staff).

**7. WHAT CONSTITUTES ABUSE?**

Abuse is a deliberate act of ill-treatment that can harm or is likely to harm a person’s

safety, wellbeing and development. Abuse can be physical, sexual or emotional.

Abuse may not, however, fall easily into these categories and staff/associates are not

expected to be experts in the field.

Neglect also constitutes abuse but can defined as failing to provide or secure a child or vulnerable adult with the basic needs required for physical safety and wellbeing.

Comfort Home Care recognises that a person’s welfare is paramount and that all children and vulnerable adults - regardless of age, disability, gender, racial heritage, religious belief and sexual orientation or identity - have the right to protection from all types of harm and abuse.

**8. Categories of abuse**

Children and vulnerable adults can experience abuse in a number of ways.

Forms of abuse that may affect children and vulnerable adults include:

• Abuse of trust.

• Child sexual exploitation.

• Child Trafficking.

• Discriminatory abuse.

• Domestic violence or abuse.

• Emotional Abuse.

• Female Genital Mutilation (FGM).

• Financial or material abuse.

• Grooming.

• Harmful sexual behaviour.

• Modern slavery.

• Neglect.

• Online abuse.

• Organisational or institutional abuse.

• Physical Abuse.

• Psychological or emotional abuse.

• Radicalisation of children or vulnerable adults.

• Self-neglect.

• Sexual Abuse.

**PROCEDURES FOR SAFEGUARDING CHILDREN AND VULNERABLE ADULTS**

**Organisation duties and responsibilities**

• Raise awareness of the need to protect children and vulnerable adults and reduce risks to them.

• Ensure that staff in contact with children and vulnerable adults have the requisite knowledge, skill and qualifications to carry out their jobs safely and effectively.

• Ensure safe practice when working in partnership with other organisations, in particular that they have in place adequate safeguarding arrangements, including appropriate policies and mechanisms to provide assurance on compliance.

• Maintain an organisation that is safe for all staff, children and vulnerable adults and an environment where poor practice is challenged.

• Ensure that all staff, associates, volunteers who will be working with children and vulnerable adults’ consent to vetting through the Disclosure and Barring Scheme where applicable.

• Ensure that when abuse is suspected or disclosed, it is clear what action must be taken.

• Ensure that the Proprietor, and the Designated Safeguarding Officer are accountable for the effective implementation of this policy.

• Ensure that all staff receive a copy of safeguarding policies, are trained in their meaning and application and understand their responsibilities.

These procedures are set within the wider context of Comfort Home Care’s organisational policy and

practice, which promote children and young adult’s interests across all aspects of their lives.

**9. Responsibilities of the Designated Safeguarding Officer**

The Designated Safeguarding Officer (DSO) is responsible for ensuring that safeguarding is given high priority within Comfort Home Care.

 Specific responsibilities include:

• Providing support and advice to staff on safeguarding matters related to children and vulnerable adults.

• Ensuring that all members of staff receive training on child protection and safeguarding as part of their induction, and on an ongoing basis where required.

• Managing referrals/cases reported.

• Carrying out referrals to the relevant local authority social care team where abuse of a child or vulnerable adult is reported or suspected.

• Referring the matter to the local authority designated officer (LADO) where a member of staff is suspected of abuse.

• Maintaining an overview of safeguarding issues and monitoring the implementation of this policy.

The DSO has responsibility for deciding whether to refer any reported matters onto the police or to the local authority social care service. Where possible, referrals should be made on the same working day and certainly within 24 hours. It is the responsibility of the DSO to decide whether the parents/carers (if applicable) of the child or young person should be informed of the referral.

**10. Responsibilities of the Proprietor**

• Supporting the DSO in the above tasks.

• Auditing the operation of the policy and procedures.

• Implementing a training strategy for employees.

• Ensuring that the policy and procedures are implemented throughout the organisation.

• Ensuring that the organisation’s safeguarding policy is reviewed annually.

**11. Responsibilities of all line managers**

Individual line managers are responsible for ensuring staff comply with the expectations set out within this policy.

Specific responsibilities include:

• Being the first point of contact for reports of concerns.

• Ensuring that all employees and volunteers in regulated roles are subject to DBS checks where applicable.

• Reporting all concerns to the Designated Safeguarding Officer (DSO).

• Providing advice and support to employees reporting disclosures or concerns.

• Working with the DSO to resolve issues.

**12. Employee responsibilities**

All Comfort Home Care staff have a responsibility to ensure the safety of children and vulnerable adults with whom they come into contact with whilst carrying out their normal day to day duties. It is the responsibility of staff to promote good practice and minimise and manage potential risks. All staff and associates - must be aware of the requirements within these procedures.

**13. Action to safeguard:**

Comfort Home Care’s staff have no powers to investigate abuse. None the less all Comfort Home Care staff have a duty to safeguard and promote the welfare of children and/or vulnerable adults and a responsibility to work closely and co-operatively with other agencies in order to achieve this. Staff may have a role as referrers, witnesses or supporters in safeguarding processes.

If a member of staff suspects that a child or vulnerable adult is being harmed by experiencing, or already has experienced, abuse or neglect and/or is likely to suffer harm in the future, they must talk to the Designated Safeguarding Officer. The DSO will agree next steps including making any necessary referrals.

If anyone other than the DSO makes a referral, they should inform the DSO as soon as possible.

It is not the responsibility of Comfort Home Care to decide whether or not abuse has taken place. It is the responsibility of staff at Comfort Home Care to act if there is cause for concern, in order that the appropriate agencies can investigate and take any action necessary to protect the young and/or vulnerable adult.

If a member of staff is concerned that a child is in immediate danger, or requires immediate medical treatment, they should call the police and/or emergency medical services on 999 straight away.

**14. STAFF BEHAVIOUR**

**Code of conduct**

Comfort Home Care’s staff who may come into contact with children and/or vulnerable adults may be required to undergo awareness training.

**Staff should not:**

• meet with a child or vulnerable adult on their own.

• ask overly personal questions, including those about age or appearance (unless specifically related to a work project, in which case it must be documented).

• send/give out material that could be considered offensive, which includes material on social media sites.

• suggest or imply a personal relationship could develop.

• take an aggressive or bullying tone.

• have physical contact.

• offer or accept personal gifts.

• travel alone with a young and/or vulnerable person.

**15. Website/online safety**

The Internet is a significant tool in the distribution of indecent photographs and some adults use the Internet to try to establish contact with young and/or vulnerable people to “groom” them for inappropriate or abusive relationships. Comfort Home Care would consider staff involvement in such activities as gross misconduct, which could ultimately lead to dismissal and referral for police investigation.

Presence on websites and social media, staff should take care when communicating with others online, particularly when identifying themselves as Comfort Home Care staff members and when in contact with children and vulnerable adults.

Many websites contain offensive, obscene or indecent material such as:

• Sexually explicit images and related material.

• Advocating of illegal activities.

• Advocating intolerance for others.

Staff members authorised to use the Internet must not download pornographic or

other unsuitable material on to Comfort Home Care’s machines, or distribute such material to others.

Comfort Home Care would consider this gross misconduct which could ultimately lead to dismissal

and referral for police investigation.

In addition, users must not place any material on to the Internet that would be

considered inappropriate, offensive or disrespectful of others. Disciplinary action will

be taken against staff that breach this policy.

Where this is done inadvertently, the user must escape from the website and/or delete

the material immediately. They should also report the incident to their line manager, the DSO or Proprietor. Breach of this will be treated as gross misconduct.

Where exemption is required, because of the nature of the work of the member of staff, permission must be given in advance by the line manager.

If a child or vulnerable adult reports to a member of staff that they have sent, or been sent, indecent images (sometimes referred to as ‘sexting’), they should discuss the concern with the Designated Safeguarding Officer. The police and children's social care should always be contacted if:

• somebody involved is over the age of 18 or under the age of 13.

• there are concerns about the ability to give consent.

• the images are extreme or show violence.

• the incident is intended to cause physical or emotional harm.

• there is reason to believe that the young person has been blackmailed, coerced or groomed.

Details of the incident and the actions taken must be recorded in writing. Staff should avoid looking at the image, video or message in question. If it is on a device belonging to Comfort Home Care, it may need to be isolated so that nobody else can see it. This may involve blocking the network to all users.

**Do not promise to keep secrets.**

Should it become necessary to pass on information shared by another party this decision should always be discussed with the person in question and where possible their cooperation sought beforehand. Explanations of the reasons; processes; likely sequence of events; and who to contact for information or for support should also be provided.

When a child or vulnerable adult makes an allegation of abuse, they may hope that the abuse will stop without further enquiries. They may fear the effect this will have on their family and may fear retribution from the abuser. They should be helped to understand why the referral (to the Designated Safeguarding Officer) must be made and what is likely to happen as a result. It is important to reassure the child or vulnerable adult but he/she must not be told that their allegation will be treated in a particular way or that the information will be kept a secret.

A record should be kept of any decision and the reasons for it – whether it is to share information or not. If you decide to share, then record what you have shared, with whom and for what purpose.

**Confidential Record-Keeping**

Even if a concern has been discussed with a line manager/ the DSO, it is important that all concerns are properly recorded in writing whether or not further action is taken.

**17. SAFE RECRUITMENT**

**Recruiting staff**

The Protection of Freedoms Act 2012 under the Safeguarding Vulnerable Groups Act

2006 sets out that it is an offence for an employer to knowingly employ someone in a

regulated position if they are barred from doing so. Where there is regular contact

but not ‘regulated’ i.e. supervised it is still possible to consider an enhanced criminal

records check but this will not include a check of the barred list through the Disclosures

and Barring Service (DBS).

Where a criminal conviction is disclosed by an applicant or through a DBS check/basic disclosure, the employees’ line manager will consider this assessment objectively and, where the assessment indicates that the level of risk is too high to allow the individual to start/continue working in a particular role/activity, the consequences of this for the individual will dependent upon:

• The check concerned.

• The reason for the check (that is, check for a new employee, a recheck for an existing employee in their current post or a check for an existing employee in a new post).

• Relevant legislation.

• The post concerned.

• Whether the individual is suitable for other employment opportunities available within the organisation.

Possible outcomes include amended duties, redeployment, withdrawal of an offer of employment or, where the individual started work before the relevant screening check was completed, dismissal.

Safe recruitment practice of checking work history, identity and explanations for any gaps must be followed for all staff working at Comfort Home Care even if direct contact with children and/or vulnerable adults is not part of their role.

**18. Supporting staff**

It is the responsibility of managers to ensure that the staff they line manage are aware of and understand the procedures and have levels of knowledge and skills commensurate to the level and nature of their direct involvement with children and/or adults.

**All staff should:**

• be supported in their work.

• work to Comfort Home Care’s safeguarding procedures which are reviewed and updated as necessary.

• receive training in safeguarding at a level appropriate to their work situation.

• be able to raise concerns about poor and dangerous practice through Comfort Home Care’s whistle blowing policy.

• have access to personal safety procedures (See Web Site, Resources Section).

• have training and support as required to effectively discharge their responsibilities.

 **19.** **Allegations against staff**

Any suspicion, allegation or actual abuse of a child or vulnerable adult by an employee, must be reported to the Designated Safeguarding Officer and/or to the Proprietor immediately.

Concerns about staff must be treated with the same rigour as other concerns. If there are concerns that abuse has taken place the DSO will pass this information to the Local Authority Designated Officer for investigation. The DSO will work with the member of staff’s line manager. The DSO and senior manager will also need to refer to the Disciplinary Policy and Procedure and decide whether the member of staff should be suspended pending a full investigation.

If the member of staff is not happy with the response they receive from the DSO, then they should refer to the Comfort Home Care’s Whistle Blowing Policy.

There may be instances when a staff member’s performance or conduct when working with children and/or vulnerable adults will lead to Comfort Home Care’s disciplinary procedures being invoked. The Disciplinary Policy is available on the website/resource section. The nature of the concern about the staff member’s conduct and or performance will determine how and what disciplinary action is taken.

On occasion, a child or vulnerable adult may abuse another child or vulnerable adult. Safeguarding procedures should be followed in respect of all parties in those situations.

**20. Reporting a serious safeguarding incident**

If any member of staff is involved in an actual or suspected serious safeguarding incident, or if a serious safeguarding incident takes place within Comfort Home Care’s workplace it should be reported immediately to the (DSO) and the appropriate regulatory body.

**COMPLYING WITH THIS POLICY**

**21. Expectations of employees**

It is important that staff work to a high standard of professional conduct and act with integrity at all times, in order to minimise the risk of abuse from within Comfort Home Care. It is important to create a work environment where the risk of abuse is minimised and children and vulnerable adults feel comfortable and safe. When incidents of abuse are raised or suspected it is important that staff have the necessary information and support and follow the procedures appropriately.

Staff should make sure they have read Comfort Home Care’s safeguarding procedures in full. They should highlight and discuss any issues requiring clarification and any training issues with their line manager. Staff should make sure that they have a working knowledge of the different forms of abuse and possible indicators.

**22. CONTACT DETAILS**

If you suspect that a child or vulnerable adult needs protection or is at risk of abuse, please contact Comfort Home Care’s Designated Safeguarding Officer -

Name Title Work/ Mr Ryan Palmer (Registered Care Manager)

Tel: 01884 251555

In the absence of the DSO staff should contact the Proprietor.

Name Title Work/ Mrs Victoria Burston (Proprietor).

Tel: 01884 251555.

NSPCC Child Protection Helpline (24 hours).

To report or discuss concerns about a child’s welfare. Tel: 0808 800 5000 or textphone:

0800 056 0566 or email: help@nspcc.org.uk

Child Exploitation and Online Protection Command (CEOP)

Report a concern that a child is being sexually abused or groomed online at

[www.ceop.police.uk](http://www.ceop.police.uk)

**FURTHER INFORMATION AND GUIDANCE**

This policy should be read in conjunction with the following Comfort Home Care’s policies and procedures:

• Confidentiality policy.

• Data Protection policy.

• Disciplinary guidance process.

• Equality and diversity policy.

• Examples of gross misconduct and misconduct.

• Grievance and mediation procedure.

• Harassment and bullying policy.

• Induction policy.

• Whistle Blowing policy.

The following legislation is relevant to this policy, either because it has influenced its introduction and/or its content:

• Counter-Terrorism and Security Act 2015

• Data Protection Act 2018

• Equality Act 2010

• Female Genital Mutilation Act 2003

• Health and Safety at Work Act 1974

• Human Rights Act 1998

• Management of Health and Safety at Work Regulations 1999

• Protection of Children Act 1999

• Protection of Freedoms Act 2012

• Rehabilitation of Offenders Act 1974

• Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975

• Safeguarding Vulnerable Groups Act 2006

• Sexual Offences Act 2003

• The Children Act 1989, 2004

• The Police Act 1997

**23. POLICY OWNER**

The Children and Vulnerable Adults Safeguarding Policy is owned by Comfort Home Care It will

be annually reviewed and updated to ensure compliance with relevant legislation and internal change.