

# TCWF Safeguarding Policy and Procedure

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# TCWF Safeguarding Policy and Procedure

## 1. Introduction and Legal Framework

The Trustees and Management Committee of The Colour Works Foundation are firmly committed to the welfare of all employees, volunteers, contractors, young people and organisations with whom we interact.

The Colour Works Foundation is committed to the welfare of all children / young people with whom our staff, contractors or volunteers interact and are committed to protecting them from any form of harm. Our children / young people have a right to meet in a safe environment with people they can trust so we will ensure we create such an environment. TCWF will also ensure that all risks which young people encounter are carefully assessed, and the necessary steps taken to minimise and manage them.

The Colour Works Foundation is also committed to providing a safe environment within which its Trustees, Employees, Contractors and Volunteers are required to work and are committed to ensuring that the working environment is free from abuse and exploitation.

### **Evaluation and Review:**

The Trustees maintain overall responsibility for Safeguarding within the Charity and will regularly assess the implementation and effectiveness of the policy with the Designated Safeguarding Leader. The policy will be reviewed annually or whenever there are changes in legislation, key functions or persons within the organisation, following new or revised government or statutory guidance, or after dealing with any safeguarding concern. The most current version of this policy will always be available to view or download from the Charity's website

**TCWF** believes that it is always unacceptable for a child or young person to experience abuse of any kind and recognises its responsibility to safeguard the welfare of all children and young people, by a commitment to practice which protects them.

We recognise that:

- the welfare of the child/young person is paramount
- all children/young people regardless of age, disability, gender, racial heritage, religious belief, sexual orientation or identity have the right to equal protection from all types of harm or abuse

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- working in partnership with children, young people, their parents, carers and other agencies is essential in promoting young people's welfare.

We will endeavour to safeguard children and young people by:

- valuing them, listening to and respecting them
- appointing a nominated child protection lead and a member of the trustee board who takes lead responsibility for safeguarding at the highest level in the organisation
- writing detailed safeguarding child protection procedures
- making sure all staff and volunteers understand and follow the safeguarding child protection procedures
- ensuring children, young people and their families know about the organisation's safeguarding and child protection policies and what to do if they have a concern
- building a safeguarding culture where staff, volunteers and young people know how they are expected to behave and feel comfortable about sharing concerns.
- adopting child protection guidelines through our procedures and employee handbook
- recruiting staff and volunteers safely, ensuring all necessary checks are made.
- sharing information about child protection and good practice
- sharing information about concerns with agencies who need to know, and involving staff, clients, parents and children appropriately.
- providing effective management for staff and volunteers through supervision, support and training.

**The Children Act 2004** places a duty on organisations to safeguard and promote the wellbeing of children and young people. This includes the need to ensure that all adults who work with, or on behalf of children and young people in these organisations are competent, confident and safe to do so. Professionals have a duty to report any safeguarding or child protection concerns to the safeguarding lead in their organisation and/or report any concerns to local Children's Services and/or Police.

- Everyone working with children and young people should be familiar with the pan-Dorset Inter-agency Safeguarding Procedures and Safer Recruitment Procedures: [Contents \(proceduresonline.com\)](https://proceduresonline.com)
- and Child Sexual Exploitation risk assessment: [Child Sexual Exploitation \(proceduresonline.com\)](https://proceduresonline.com)

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- and Working together to Safeguard Children [Working together to safeguard children](#)  
- GOV.UK ([www.gov.uk](http://www.gov.uk))

TCWF recognises that staff may come into contact with adults at risk either as service users or as parents or carers of service users. Details on how to raise concerns about the safety and wellbeing of a vulnerable adult can be found on the Dorset DSAB website [Reporting a concern - Dorset Council](#)

This policy & procedure aims to make sure that:

- The needs and interests of adults at risk of harm are always respected and upheld.
- The human rights of adults at risk of harm are respected and upheld.
- The primary aim for all agencies shall be to prevent harm.
- A proportionate, timely, professional and ethical response is made to any adult at risk of harm.
- All decisions and actions are taken in line with the Mental Capacity Act 2005.

The procedures also aim to make sure that each adult at risk maintains:

- Choice and control.
- Safety.
- Health.
- Quality of life.
- Dignity and respect.
- Rights and access to justice

All employees and volunteers of The Colour Works Foundation will be provided with a copy of this policy and will be requested to indicate their commitment to it by completing an online signed record which will be held on their file.

The policy seeks to promote multiagency working in light of Working Together to Safeguard Children: March 2018, The Children Act 2004 and The New Care Act 2014. We are also committed to reviewing our policy and good practices regularly.

## 2. Definitions

- A **child** is anyone under the age of 18

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- An **adult at risk** is defined in The New Care Act 2014 as a person over 18 'who may be in need of community care services by reason of mental or other disability, age or illness; and who is unable to protect him or herself against significant harm or exploitation. Adults may be at risk of abuse if they:
  - o depend on other people for their care
  - o are older, frail and unable to protect themselves
  - o have mental health problems
  - o have a physical or learning disability
  - o have serious sight or hearing impairment
  - o have dementia
  - o misuse alcohol or drugs
  - o have a long-term illness.

In this document the wording **young person** or **young people** refers to any attendee on a TCWF course who could either be a child or an adult at risk according to the above definitions

**Leaders / Course deliverers** are those adults under the responsibility of TCWF who are in charge of delivering TCWF courses to young people. They may be an employee, contractor or volunteer

## 3. Recruitment

All staff, trustees, contractors and volunteers should complete an application form supplying the following information:

- Personal details
- Names of 2 independent referees
- Previous experience
- Self-disclosure of criminal convictions
- Competencies and areas of interest
- Signature and date

All TCWF staff, trustees, contractors and those volunteers specifically supporting TCWF courses (i.e. meeting young people face to face) should complete a Disclosure Form (DBS) at enhanced level which must be reviewed by the TCWF Designated safeguarding leader. These clearances will be renewed every 3 years.

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Staff, trustees, contractors or volunteers will not be able to lead courses until their Disclosure form is cleared and references have been received. All new staff, contractors or volunteers supporting TCWF courses will be closely supervised and not left alone with young people until references have been received and DBS checks completed.

In accordance with guidance from the Criminal Records Bureau a record will be kept of the disclosure number, issue date and whether the check is satisfactory. This Record of vetting checks for staff, contractors or volunteers will be kept on file and available to view by any hosting organisation.

## 4. Code of Conduct

The Trustees and Management Committee adheres to the following guidelines as to how young people and adults interact with each other.

- Abusive behaviour and language, violence, aggression, bullying or discrimination will not be tolerated. Leaders will respond quickly and effectively to any such reports which, if necessary, will result in the offender(s) being suspended from the course. Equally it is not acceptable for any TCWF representative to exhibit abusive behaviour, language, violence, aggression, bullying or discrimination towards a young person and they will be asked to leave the course pending further investigation.
- Leaders / Course deliverers and volunteers will refrain from consuming alcohol prior to assuming responsibility for young people and any young person under the influence of alcohol or other illegal substances will not be allowed to attend a TCWF session.
- Recommended numbers of young people on a TCWF course are 8-15. The maximum number that can be considered for any one course is 30. TCWF may also provide presentations to large (50+) groups of young people (e.g. widening participation summer schools) where there is limited interaction with the young people.
- The ratio of leaders to young people will be applied at minimum for all TCWF courses of 1:15 where the element of risk is similar to that encountered in everyday life
- At the end of each TCWF session – young people will be free to leave according to the same arrangements as agreed with the partner organisation.

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## 5. Training Provision

The contents of this policy (and other policies) will be included in the induction process for all Trustees, members of the Management Committee, contractors, employees and volunteers. All these parties will also be given the opportunity to attend Safeguarding training courses offered at regular intervals by the Safeguarding Children's Board or via NSPCC online courses or other local organisation qualified to provide such training. Course deliverers will be expected to complete NSPCC online training in Safeguarding 16-25 year olds or equivalent. Refresher safeguarding training may be provided by the TCWF designated Level 3 (or equivalent) qualified safeguarding officer or via the Designated Safeguarding Leader of The Shine Project.

It is the responsibility of The Trustees and Management Committee to ensure that Course Deliverers attend safeguarding training every 2 years. Volunteers who support courses will be required to provide evidence of any recent safeguarding training or complete the in-house safeguarding training provided by a TCWF Level 3 qualified safeguarding leader or training provided by The Shine Project. Attending these sessions will help them understand their responsibilities and provide information on identification and appropriate response to child protection issues.

Course Deliverers will also be required to watch the youtube video explaining how to safeguard vulnerable adults. [Dorset & BCP SAB Adult Safeguarding Animation - YouTube](#) and the Ann Craft Trust What is safeguarding video [What is Safeguarding? - Ann Craft Trust](#)

To confirm understanding and their responsibilities staff, trustees, volunteers and course deliverers will be required to complete the online Record of Training completion form. <https://forms.office.com/e/uyecQg1qgh>

## 6. Dealing with Allegations

The following procedures will apply in the identification or suspicion of abuse towards a young person.

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## Abuse

There are many types of abuse to which young people can be subjected:

- **Physical abuse**

The act of deliberately physically hurting a person causing injuries such as bruises, broken bones, burns, or cuts.

- **Neglect**

The on-going failure to meet a young person's most basic needs, the most common form of abuse. A young person may be left hungry or dirty, without adequate clothing, shelter, supervision, medical or health care. A young person may be put in danger or not protected from physical or emotional harm. They may not get the love, care and attention they need from their parents / carers.

- **Sexual abuse**

A young person is sexually abused when they are forced or persuaded to take part in sexual activities. This doesn't have to be physical contact and it can happen online. Sometimes the young person won't understand that what's happening to them is abuse. They may not even understand that it's wrong.

- **Emotional abuse**

Emotional abuse is the on-going emotional maltreatment or emotional neglect of a young person. It's sometimes called psychological abuse and can seriously damage a young person's emotional health and development. Emotional abuse can involve deliberately trying to scare or humiliate a young person or isolating or ignoring them.

- **Peer Abuse**

There is no clear boundary between incidents that should be regarded as abusive and incidents that are more properly dealt with as bullying, sexual experimentation etc. This is a matter of professional judgement.

If one young person causes harm to another, this should not necessarily be dealt with as abuse: bullying, fighting and harassment between young people is not generally seen as child protection issues. However, it may be appropriate to regard a young person's behaviour as abusive if:

- There is a large difference in power (for example age, size, ability, development) between the young people concerned; or
- The perpetrator has repeatedly tried to harm one or more other young person; or



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- There are concerns about the intention of the alleged perpetrator.
- If the evidence suggests that there was an intention to cause severe harm to the victim, this should be regarded as abusive whether severe harm was caused or not.

- **Child Sexual Exploitation**

Child sexual exploitation is a form of child abuse. It occurs where anyone under the age of 18 is persuaded, coerced or forced into sexual activity in exchange for, amongst other things, money, drugs/alcohol, gifts, affection or status.

- **Financial abuse**

This can take the form of stealing or misusing money or property or pressure about wills or inheritance

- **Discrimination**

Discrimination is treating someone less favourably because of race, ethnicity, religion, age, gender, disability or sexual orientation

- **Domestic violence and abuse**

Domestic abuse is officially classified as ‘any incident of threatening behaviours, violence or abuse between adults who are or have been in a relationship together or between family members regardless of gender or sexuality’

- **Female genital mutilation (FGM)**

FGM comprises all procedures involving partial or total removal of the external female genital organs or any other injury to the female genital organs for non-medical reasons. FGM is most often carried out on young girls aged between infancy and 15 years old. It is often referred to as ‘cutting’ female circumcision’, ‘initiation’ ‘Sunna’ and ‘infibulation’. FGM is illegal in the UK.

## Results of Abuse

If any of these occur, young people often display problems in the following areas: -

- Behaviour
- Drugs and alcohol
- Education
- Physical evidence e.g. bruising or in the case of FGM difficulty walking / going to the toilet
- Mental health

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- Relationships

A young person may disclose that he/she is being abused; he/she may show signs of abuse; or he/she may speak about third party abuse.

If abuse is suspected or a disclosure made, then:

- The person to whom the concern is first reported should immediately make a written record, where possible in the young person's own words, including date, time and place, who was present and what was said. They should not investigate, ask leading questions or make assumptions. This information should be transferred to The Colour Works Foundation's record of disclosure form (see appendix 1), signed and dated. This form must be passed to the TCWF designated safeguarding lead as soon as possible after the event (within 24hrs).
- The concern may only be shared with the TCWF Course deliverer in charge or the Partner Organisation Safeguarding Officer in line with their safeguarding policy
- On receipt of the TCWF record or disclosure form, the TCWF Designated Safeguarding Lead will assess the information provided. If deemed necessary, they will contact the appropriate local statutory services within 48hrs and provide information to funders as required in any terms and conditions associated with the grant acceptance.

If abuse is reported/alleged:

- The young person will be listened to and encouraged to speak without interruption, comment or judgment.
- It will be explained that in terms of The Colour Works Foundation's Confidentiality Policy, information may need to be shared in certain circumstances.
- The matter must not be investigated or discussed with anyone other than with the TCWF Course Deliverer, TCWF Designated safeguarding lead or Partner Organisation Safeguarding Officer.
- A written account of the report or allegation will be made, signed and dated and the information passed to the TCWF Designated Safeguarding Lead and Partner Organisation Safeguarding Officer.
- The TCWF Designated safeguarding lead will assess the information and, within 48 hours, contact the relevant statutory services, if necessary.

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- If the matter is regarded as critical it should be referred immediately and directly to the Local Authority Safeguarding Officer by following the procedure on the relevant Local authority website or by dialling 999 (where the risk is an emergency) and details of the referral passed to the Designated Safeguarding lead as soon as possible.
- The Board of Trustees will be informed of any safeguarding incidents during the Trustee and Management meeting by the designated Safeguarding Lead (overview only – no personal details or specifics of the incident will be shared with Trustees unless the designated safeguarding lead identifies that it is appropriate to do so)

TCWF staff / contractors / volunteers should not:

- Make ambitious promises or promise confidentiality.
- Seek details beyond those that the child or adult disclosing willingly discloses.
- Document the conversation while the person is disclosing. This should be done as soon as possible after the disclosure has been made.
- Ask leading questions.
- Name behaviour and/or body parts in language different to that used by the child / adult disclosing.
- Give the impression that the child / adult disclosing is to blame.
- Approach the alleged abuser or person whose conduct there are concerns about.

## 7. PREVENT

The PREVENT strategy has been in place since 2011 but its profile has been raised with the passing of the Counter Terrorism and Security Act in Sep 2015.

TCWF staff must have ‘due regard to the need to prevent people from being drawn into terrorism, supporting terrorism or being drawn into non-violent extremism and to ensure that those with vulnerabilities are given appropriate advice and support.’ PREVENT training will be included in the initial safeguarding training provided to all TCWF Course deliverers, Programme managers and volunteers as part of their induction.

PREVENT is part of safeguarding and any concerns should be referred via the form in appendix 1 to the TCWF designated safeguarding lead.

## 8. Protecting Leaders

The Trustees and Management Committee recognise the importance of protecting its leaders and volunteers from possible allegations of abuse and recommends the following guidelines:

Deliverers / volunteers should not:

- Be alone with young people (with the exception of Level 2 /3 trained individuals who are providing 121 coaching or are dealing with a situation where the young person has left the room and the encouragement of the deliverer is required to enable to young person to re-engage with activities)
- Lock and unlock premises without another adult present.
- Transport young people in a car or minibus without another adult being present
- Take young people to their homes.
- Make inappropriate contact with young people i.e. develop relationships outside the organisation's setting
- Leave young people unattended.
- Leave young people in the presence of adults who are not suitably trained.
- Leave young people in the presence of adults not known to leaders.
- Leave young people in the presence of adults who have not had relevant DBS checks.
- Show favouritism to young people on a TCWF course.

## 9. Allegations about Leaders

If an allegation is made or suspicions emerge regarding any adult working for The Colour Works Foundation (this includes employees, volunteers or contractors) these should be reported to the TCWF Designated safeguarding leader. If an allegation is made against the Designated Safeguarding Leader, the report should be made to the Trustee Safeguarding leader within 48hrs.

If further action is required, the following procedure will apply during which all information relating to the allegation will remain confidential:

- A detailed factual record of the allegation and action taken will be made
- Information will be passed to the Chair of Trustees.
- Consideration will be given to the suspension of the person involved taking account of the risks to other young people and the leader concerned
- If the allegation involves a TCWF Participant, contact will be made with the young person's parents to advise them of the process

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- Relevant external bodies will be advised

## 10. Consent

### Parental Consent for TCWF participants under 18:

TCWF will make every effort to ensure adequate parental consent has been received for all TCWF activities (including consent for any paper-based profile data to be uploaded into the iComment system). In most cases it is the responsibility of the partner organisation to obtain parental consent and this should be checked and confirmed by the course deliverer with the partner organisation prior to commencing any activities (and recorded on the partner checklist form). TCWF recognises that for some young people it is not always possible to obtain parental consent and where the young person is aged 16+ they may provide their own consent for participating on a TCWF course if they are deemed to have the mental capacity to do so.

Since children may be photographed while participating in a TCWF course and associated activities, written permission from parents/guardians will be obtained which will also allow photographic material to be used in the public domain. Young people under the age of 18 who do not have parental consent for photographs must not be included in any photographs taken by TCWF staff.

### Consent – young people over 18

Young people over the age of 18 may consent to participate in TCWF activities for themselves. Written consent will be obtained from all participants confirming their acceptance of completion of the iComment personality profile and any other request for their data that may be required for funders or other organisations supporting TCWF. Consent for photographs will detail how the image will be used and no images must be taken of any young people who have not provided their photographic consent.

## 11. Relationships of Trust

Those who have responsibility for and authority or influence over children and vulnerable young people (over 18) are in relationships of trust in relation to the children and young people in their

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care. A relationship of trust can be described as one in which one party has power and influence over the other by virtue of their work or the nature of the activity. It is vital for all those in such positions of responsibility to understand the power they may have over those in their care and the responsibility they must exercise as a consequence. The unequal balance of power should not be used for personal advantage or gratification and appropriate professional boundaries should always be maintained.

Communication with children and young people should also take place within professional boundaries. This includes the wider use of technology, such as mobile phones, text messaging, e-mails, websites, blogs etc. Staff / Course deliverers should only make contact with children and young people for professional reasons, if it is part of their role and it is in accordance with TCWF policy. Communication with young people under the age of 18 via technology should only take place if parental consent has been received allowing communication with the young person via email / mobile phone or social media.

Staff / Course deliverers should be circumspect in their communication with and about children and young people so as to avoid any possible misinterpretation of their motives or behaviour. Any form of electronic communication should only be used in accordance with TCWF policy.

This means that staff should not:

- Use their position to gain access to personal information relating to children and young people for their own or others advantage.
- Use their power to intimidate, threaten, coerce or undermine children or young people.
- Use their status and standing to form or promote inappropriate relationships: professional boundaries must always be maintained.

Any incidents causing concern should be recorded and reported to the TCWF Designated Safeguarding Leader.

The TCWF Designated Safeguarding Leader is:

Liz Davies – Tel: 07305 336 331 / Email: [liz@tcwfoundation.org.uk](mailto:liz@tcwfoundation.org.uk)

The Trustee responsible for Safeguarding is:

Peter Simpson – [peter@tcwfoundation.org.uk](mailto:peter@tcwfoundation.org.uk)

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## Appendix 1

### Record of Disclosure Form

<b>Date of session</b>	
<b>Time</b>	
<b>Partner organisation</b>	
<b>Course Deliverer</b>	
<b>Other leaders / volunteers present</b>	
<b>Name of Young person</b>	

Events leading up to disclosure	
Record of disclosure	

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Post session	
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### Actions

Action	By whom	By when

This form should be passed to the TCWF Designated Safeguarding Lead within 24hrs or the disclosure.

If the matter is regarded as critical it should be referred immediately and directly to the Dorset or BCP teams (details on website

[https://pandorsetscb.proceduresonline.com/p\\_report\\_concerns.html?zoom\\_highlight=MASH](https://pandorsetscb.proceduresonline.com/p_report_concerns.html?zoom_highlight=MASH)) (if the young person is under 18) or by dialling 999 (where the risk is an emergency)