

SAFEGUARDING POLICY Adults & Young People

Policy Number	1
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Date:	Apr 2025
Ratified by:	Board
Next review date:	Apr 2026
Target audience:	Blackthorn Trust Staff

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Service Users (Patients and Co-workers) at Blackthorn Trust have the right to receive high quality services regardless of their gender, race, age, disability or culture. They also have the right to see any notes made about them at Blackthorn Trust.

Alongside these rights, they have responsibilities to abide by organisational rules, including treating others (clients, staff, volunteers, visitors) with respect.

The Trust encourages feedback from those who use its services in verbal and written form and continues to improve and extend the methods by which it involves individuals in planning and developing services.

It is ultimately the responsibility of the CEO to ensure that this policy is published and accessible to all staff, volunteers and other relevant third parties. However, all Team Leaders and other Blackthorn staff are responsible for ensuring that anyone working within their team always understands and follows the policy.

To provide safety, protection and security to vulnerable people throughout our operations, we will adhere to this policy/statement and aim to:

- Protect adults and young people at risk from abuse, whatever their age, culture, disability, gender, language, ethnic origin, religious beliefs or sexuality
- Raise awareness of person protection issues, promoting good practice
- Conduct risk assessments to minimise potential hazards for the welfare of vulnerable people
- Provide support to individuals who have been abused and act proactively by preventing any similar incidents through risk assessment
- Ensure all staff and volunteers understand their responsibilities and are provided with safeguarding and Prevent training every year

1. PURPOSE

The purpose of this policy is

- 1.1 To outline the duty and responsibility of staff, volunteers and trustees working on behalf of Blackthorn Trust in relation to safeguarding
- 1.2 To provide staff with an overview of safeguarding and appropriate understanding for front line staff.
- 1.3 To provide a clear procedure that will be implemented where safeguarding and the protection of an adult at risk arise.

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2. DEFINITIONS

Safeguarding is a term we use to describe how we protect adults and children from abuse or neglect. It is an important shared priority of many public services, and a key responsibility of local authorities. Safeguarding is about protecting certain people who may be in vulnerable circumstances. These people may be at risk of abuse, neglect or radicalisation due to the actions (or lack of action) of another person. In these cases, it is vital that public services work together to identify people at risk and put steps in place to help prevent abuse or neglect.

The term 'person at risk' is used in this policy to replace 'vulnerable adult/child'. This is because the term 'vulnerable adult/child' may wrongly imply that some of the fault for the abuse lies with the victim of abuse. We use 'person at risk' as an exact replacement for 'vulnerable adult/child' as that phrase is used throughout existing government guidance.

Source: Office of the Public Guardian safeguarding policy, November 2015

An "**Adult at Risk**" is defined as any person aged 18 years and over who is or may be in need of community care services by reason of mental health issues, learning or physical disability, sensory impairment, age or illness and who is or may be unable to take care of him/herself or unable to protect him/herself against significant harm or serious exploitation.

Safeguarding and promoting the welfare of children refers to the process of protecting children from maltreatment, preventing the impairment of health or development, ensuring that children grow up in circumstances consistent with the provision of safe and effective care and taking action to enable all children to have the best outcomes. A child is anyone under the age of 18.

3. LEGAL FRAMEWORK

The following Acts and documents have been considered when putting together this policy:

- Mental Capacity Act 2005
- Children Act 2004
- Care Act 2014
- Office of the Public Guardian Safeguarding Policy
- Kent and Medway Safeguarding Adults Practitioner Guidance September 2017
- Data Protection Act 2018
- Prevent Government Strategy 2011

The Care Act sets down, that it is the general duty of a Local Authority to promote wellbeing in relation to how people are treated and the following must form part of that:

- a) personal dignity and respect
- b) physical and mental health and emotional well-being
- c) protection from abuse and neglect

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- d) control by an adult over their day-to-day life (including care and support and how it is provided)
- e) participation in work, education, training or recreation
- f) social and economic well-being
- g) domestic, family and personal relationships
- h) suitability of living accommodation
- i) the individual's contribution to society

Source: Kent and Medway Safeguarding Adults Guidance, September 2017

4. SAFEGUARDING ROLES AND RESPONSIBILITIES AND GOVERNANCE

All staff, volunteers and trustees working on behalf of Blackthorn Trust have a duty to promote the welfare and safety of service users and to be alert to potential indicators of abuse and neglect. Concerns about the welfare of the service user may come to notice in a variety of ways and not all of the concerns indicate that a person may be at risk.

Staff, volunteers and trustees may receive disclosures of abuse and observe individuals who are at risk. This policy will enable staff/trustees/volunteers to make informed and confident responses to specific protection issues.

IT IS NOT THE RESPONSIBILITY OF ANY BLACKTHORN TRUST TRUSTEE, STAFF, VOLUNTEER OR CONTRACTED SERVICE PROVIDER TO DETERMINE WHETHER ABUSE IS ACTUALLY TAKING PLACE.

HOWEVER, IT IS THE RESPONSIBILITY OF THE TRUSTEES, STAFF, VOLUNTEERS OR CONTRACTED SERVICE PROVIDERS TO TAKE THE ACTIONS SET OUT IN THE PROCEDURE, IF THEY ARE CONCERNED ABUSE IS TAKING PLACE.

Blackthorn Trust offers approved Safeguarding and Prevent training to all new starting staff, Trustees and volunteers and provides refresher sessions on an annual basis. Any persons contracted to deliver services on behalf of Blackthorn Trust must also demonstrate that they have appropriate and up to date training in place.

4.1 ROLE OF DESIGNATED SAFEGUARDING OFFICER

The role of the designated officer is to deal with all instances involving service users at risk that arise within Blackthorn Trust. They will respond to all safeguarding concerns and enquiries.

The designated Safeguarding Officers for Blackthorn Trust are:

Emma Halpin	Chief Executive
Susanna Odlin	Clinical Coordinator
Nathalie Belmas	Development Manager

4.2 ROLE OF LINE MANAGERS

The role of the Safeguarding Officers is to support the member of staff, trustee or volunteer involved with the incident and to ensure the correct procedures are followed.

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The Line Manager should ensure that all staff within their team are familiar with current safeguarding procedures and ensure that all staff undertake annual training, where appropriate.

4.3 ROLE OF TRUSTEES, STAFF AND VOLUNTEERS

All trustees, staff and volunteers are responsible for carrying out their duties in a way that actively safeguards and promotes the welfare of people at risk. They must also act in a way that protects them from wrongful allegations of abuse as far as possible. They must bring safeguarding concerns to the attention of the Safeguarding Officers.

4.4 ROLE OF CONTRACTORS OR SUBCONTRACTORS

It is the Safeguarding Officer's duty to ensure that any person providing services for or on behalf of Blackthorn Trust are applying the appropriate DBS checks, delivering safeguarding training commensurate with their level of contact with people at risk and ensuring their employees comply with their organisational Safeguarding Policy and Procedures.

5. THE ROLE OF KENT AND MEDWAY SAFEGUARDING ADULTS BOARD

The Kent and Medway Safeguarding Adults Board (KMSAB) <https://www.kmsab.org.uk/> is a statutory service which exists to make sure that all member agencies are working together to help keep Kent and Medway's adults safe from harm and protect their rights. It provides a range of reports, guidance and delivers training to agencies in Kent and Medway dealing with adults at risk. Policy guidance can be found at :- <https://www.kmsab.org.uk/p/professionals/kmsab-policies>

6. THE ROLE OF KENT SAFEGUARDING CHILDREN MULTI-AGENCY PARTNERSHIP

This is a partnership of agencies (Kent County Council, Kent Police and Health) who are responsible for ensuring children in Kent and Medway are safeguarded and receive the support they need in a timely and appropriate manner.

7. RECRUITMENT

Blackthorn Trust is committed to safer recruitment procedures. All staff and volunteers (where appropriate) are required to have an enhanced DBS check and undertake Safeguarding, Prevent and Health & Safety training before they can deliver any services or have contact with Blackthorn service users.

8. RISK ASSESSMENT

It is the responsibility of the Management Team to undertake a risk assessment for the job description and person specification for all job roles (both paid and unpaid) before recruitment takes place. This will ensure that only appropriate individuals are selected to undertake DBS procedures.

See the Staff Handbook for further information about Blackthorn's recruitment policies.

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9. USE OF PHOTOGRAPHIC/VIDEO EQUIPMENT

Written consent to take and use images or film of people at risk should be obtained prior to the taking of photographs and or video footage. According to mental capacity, this permission should be sought from the individual themselves or their Parents/carers. Individuals should be made aware of when, where and how the images may be used to give their informed consent.

Training will be provided, as appropriate, to ensure that staff are aware of these procedures. Specialist training will be provided for the member of staff with adult protection responsibilities.

10. CONFIDENTIALITY

Protection of a Co-Worker at risk raises issues of confidentiality which should be clearly understood by all.

Staff, volunteers and trustees have a professional responsibility to share relevant information about the protection of service users at risk with other professionals, particularly investigative agencies.

Clear boundaries of confidentiality will be communicated to all. All personal information regarding an individual at risk will be kept confidential except when; it is suspected that abuse has occurred

If a person at risk confides in a member of staff and requests that the information is kept secret, it is important that the member of staff tells the person sensitively that he or she has a responsibility to refer cases of alleged abuse to the appropriate agencies for the person's own sake. Within that context, the person at risk should, however, be assured that the matter will be disclosed only to people who need to know about it.

Where possible, consent should be obtained from the person at risk before sharing personal information with third parties. In some circumstances obtaining consent may be neither possible nor desirable as the safety and welfare of the individual is the priority.

Where a disclosure has been made, staff should let the person know the position regarding their role and what action they will have to take as a result.

Safeguarding issues are highly sensitive and staff who receive information about service users or their families in the course of their work should share that information only within appropriate professional contexts. All safeguarding records should be kept secure.

11. WHISTLEBLOWING POLICY & PROCEDURE (see separate policy)

It is important that any criminal behaviour or other wrongdoing by an employee, or any individual undertaking work with the organisation is reported and properly dealt with.

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This Whistleblowing policy is underpinned by the Public Interest Disclosure Act 1998 (known as the Whistleblowers Act). This gives legal protection to employees against being dismissed or penalised by their employers as a result of publicly disclosing certain serious concerns. The organisation is committed to ensuring that no member of staff should feel at a disadvantage in raising legitimate concerns.

The organisation will treat all such disclosures in a confidential and sensitive manner. The identity of the employee making the allegation may be kept confidential so long as it does not hinder or frustrate any investigation. However, the investigation process may reveal the source of the information and the individual making the disclosure may need to provide a statement as part of the evidence required.

If an employee has a concern, they should first raise it with their line Manager, verbally or in writing. If they feel that this person may be involved or do not wish to approach them, then they should approach another member of the management team or chairman of the board.

If the employee feels a senior manager/trustee may be involved, the employee should report the matter to chairman of the Board of trustees.

The organisation will ensure that an investigation takes place and make an objective assessment of the concern. This may involve the CEO and Chairman of the Board. The employee will be kept advised of progress and the organisation will ensure the action necessary to resolve the concern is taken.

The employee is encouraged to exhaust Blackthorn Trust internal procedures if able before contacting external sources such as the Police, Social Services, Health & Safety Executive, Environment Agency etc.

12. SAFEGUARDING PROCEDURES

12.1 INTRODUCTION

The procedure for reporting a concern or allegation informs all Blackthorn Trust trustees, staff, volunteers and those contracted service providers that have accepted this policy, of what actions they should take if they have concerns or suspicions or encounter a case of abuse or neglect in any child, young person or adult at risk.

Even for those experienced in working with child or adult abuse it is not always easy to recognise a situation where abuse may occur or already has taken place. Whilst it is accepted that staff are not experts at such recognition all staff have a duty to act if they have any concerns and discuss with an appropriate manager.

Abuse is a form of maltreatment that can occur in several forms which are not mutually exclusive. Types of abuse include:

Physical: This includes assault, hitting, slapping, pushing, giving the wrong (or no) medication, restraining someone or only letting them do certain things at certain times.

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Domestic: This includes psychological, physical, sexual, financial or emotional abuse. It also covers so-called 'honour' based violence.

Sexual: This includes rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, taking sexual photographs, making someone look at pornography or watch sexual acts, sexual assault or sexual acts the person didn't consent to or was pressured into consenting.

Psychological: This includes emotional abuse, threats of harm or abandonment, depriving someone of contact with someone else, humiliation, blaming, controlling, intimidation, putting pressure on someone to do something, harassment, verbal abuse, cyber bullying, isolation or unreasonable and unjustified withdrawal of services or support networks.

Financial or material: This includes theft, fraud, internet scamming, putting pressure on someone about their financial arrangements (including wills, property, inheritance or financial transactions) or the misuse or stealing of property, possessions or benefits.

Modern slavery: This covers slavery (including domestic slavery), human trafficking and forced labour. Traffickers and slave masters use whatever they can to pressurise, deceive and force individuals into a life of abuse and inhumane treatment.

Discriminatory: This includes types of harassment or insults because of someone's race, gender or gender identity, age, disability, sexual orientation or religion.

Organisational: This includes neglect and poor care in an institution or care setting such as a hospital or care home, or if an organisation provides care in someone's home. The abuse can be a one-off incident or repeated, on-going ill treatment. The abuse can be through neglect or poor professional practice, which might be because of structure, policies, processes and practices within an organisation.

Neglect and acts of omission: This includes ignoring medical, emotional or physical care needs, failure to provide access to appropriate health, care and support or educational services, or not giving someone what they need to help them live, such as medication, enough nutrition and heating.

Self-neglect: This covers a wide range of behaviour which shows that someone isn't caring for their own personal hygiene, health or surroundings. It includes behaviour such as hoarding.

Radicalisation Is the process through which a person comes to support or be involved in extremist ideologies. It can result in a person becoming drawn into terrorism and is in itself a form of harm

Source: Office of the Public Guardian, November 2015

12.2 HOW TO REPORT SAFEGUARDING CONCERNS

It is important that people at risk are protected from abuse. All complaints, allegations or suspicions must be taken seriously. This procedure must be followed whenever an allegation is made that an adult at risk has been abused or when there is a suspicion that such abuse has occurred.

- **Promises of confidentiality should not be given** as this may conflict with the need to ensure the safety and welfare of the adult at risk. If abuse is suspected or disclosed, staff involved should always let the individual know that this will have to be passed on. In the case of a volunteer or member of staff this should be to a member of the management team as soon as possible who will determine the action to be taken.

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- If the complainant is the person at risk, questions should be kept to the minimum necessary to understand what is being alleged and leading questions should be avoided. The use of leading questions can cause problems for the subsequent investigation and any court proceedings.
- **Any suspicion, allegation or incident of abuse must be reported** to a Blackthorn Trust Designated Safeguarding Officer:

Emma Halpin - Chief Executive
emma@blackthorn.org.uk - 01622 828369

Susanna Odlin - Clinical Coordinator
susanna@blackthorn.org.uk - 01622 828372

Nathalie Belmas- Development Manager
nathalie@blackthorn.org.uk - 01622 828371

- Once an allegation or disclosure has been made, the staff member to whom this has been made must discuss this with his/her line manager, who will decide on the most appropriate course of action. If necessary, this will be done in consultation with other professional colleagues and agencies, without disclosing the identity of the parties involved. In making a decision about how to take it forward, the following must be considered and explored:
 - - Immediacy of the risk
 - To whom and why the information was disclosed

Options available to the Safeguarding Officer are:

- - **Further clarification required:** Before pursuing this course, it must be discussed with the service user or anyone who has information about the situation in order to obtain information necessary to take action regarding a referral. This should be in line with Blackthorn Trust's Confidentiality Policy.
 - **There is no cause for concern or immediate referral:** No action to be taken but case monitored with clear records.
 - **Consultation is required with Social Services:** The Line Manager will contact Social Services without disclosing the identity of parties involved.
- **A full record shall be made as soon as possible** of the nature of the allegation and any other relevant information using the online Kent Adult Safeguarding Concern Form <https://www.kent.gov.uk/social-care-and-health/information-for-social-care-professionals/adult-safeguarding/adult-protection-forms>

To report a child safeguarding concern, either: call 03000 41 11 11 or email social.services@kent.gov.uk

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If the matter needs to be reported this should be done by telephone to the **Central Duty Team:**

- 03000 41 61 61 (during office hours) (over 18s)
- 03000 41 91 91 (out of hours) (over 18s)
- 03000 41 11 11 (under 18s)

Subject to the advice received, the Blackthorn Trust Designated Safeguarding Officer and the reporting member of staff/volunteer/member of the public will, together complete the online Safeguarding Concern form detailed above.

All information received and discussed will be treated in confidence and only shared in a professional context with individuals who need to be involved in resolving the situation.

12.3 HOW TO REPORT RADICALISATION OR EXTREMISM (PREVENT)

- If you have any immediate urgent concerns, contact the police, call 999.
- To make a referral to Prevent, download and complete the National Prevent Referral Form https://www.kent.gov.uk/_data/assets/word_doc/0009/59472/Prevent-Referral-Form.docx
- You can contact the police call 101 or 0800 789 321 or complete an online report for possible terrorist activity. <https://www.met.police.uk/tua/tell-us-about/ath/possible-terrorist-activity/>

12.4 RESPONDING APPROPRIATELY TO A PERSON AT RISK MAKING AN ALLEGATION OF ABUSE

Listen carefully to what is said and :

- Stay calm.
- Find an appropriate early opportunity to explain that it is likely that the information will need to be shared with others – do not promise to keep secrets.
- Tell the at risk person that the matter will only be disclosed to those who need to know about it.
- If the individual can understand the significance and consequences of making a referral to social services she/he should be asked his or her view.
- Regardless of the at risk person's view it remains the responsibility of the professional to take whatever action is required to ensure the safety of that young person.
- Ask questions for clarification only, and at all times avoid asking questions that suggest a particular answer.
- Reassure the individual that they have done the right thing in telling you.
- Tell them what you will do next, and with whom the information will be shared.
- Record in writing what was said, using the at risk person's own words as soon as possible – note the date, time, any names mentioned, to whom the information was given and ensure that the record is signed and dated. Also record what the professional said.

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It is important to remember that the person who first encounters a case of alleged abuse is not responsible for deciding whether abuse has occurred. That is a task for the professional child and adult protection agencies, following a referral from Blackthorn Trust or other reporting agency.

FOLLOWING REFERRAL

If appropriate, support should be made available to the person and their family. In addition staff should:

- Record details of any subsequent concern, relevant dates and times and any action taken. Any written information should be stored in a way to ensure confidentiality
- Be prepared to fully cooperate with the investigating agencies
- Be prepared if necessary to attend any child or adult Protection Case conferences or planning meetings required

13. PROCEDURE TO INVESTIGATE ALLEGED ABUSE BY BLACKTHORN TRUST STAFF

If a service user makes an allegation of abuse against a staff member, the person receiving the complaint must take it seriously and immediately report it to the Chief Executive. If the concerns are about the Chief Executive, the Chairman of the Board must be contacted. (Refer to Whistleblowing policy)

Any such allegations will be investigated and managed in line with Blackthorn Trust Disciplinary Policy in conjunction with the whistleblowing policy.

The Chief Executive (or Board Member) will investigate the allegation, taking written statements and will assess whether it is necessary to report to the police and refer the case to KCC's LADO (Local Authority Designated Officer) who can give advice and guidance. If allegations constitute a serious criminal offence, it will be necessary to contact the police and Social Services before informing the staff member. Any serious allegations or disclosures will be reported to relevant commissioners of Services.

Approved via email by the Board of trustees May 2024 for sign off at June Board Meeting

Signed 

(Chair Jonathan Shaw on behalf of Board)

Name of originator/author: Emma Halpin

Date: April 2025

Ratified by: Board April 2025

Next review date: April 2026