



SAFEGUARDING CHILDREN AND VULNERABLE ADULTS POLICY

JANUARY 2020



1. **POLICY STATEMENT:** This policy is made in accordance with HOPE MBALE's vision, of having an equitable society where all people are valued, respected and supported for Justice to flourish.

HOPE MBALE works directly with vulnerable people on a range of its projects and programs and has a responsibility to promote the wellbeing and safety of all people it comes into contact with. HOPE MBALE believes that it is always unacceptable for a person to experience abuse or neglect of any kind. HOPE MBALE is committed to practice of protecting children and vulnerable adults from harm and recognizes 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 HOPE MBALE works and gets into contact.

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 HOPE MBALE policies.

3. WHO IS AFFECTED BY THIS POLICY?

This policy applies to all paid and unpaid staff/employees, seconded staff, board of directors, trustees, volunteers, mentors, students, agency workers, contractors working on behalf of HOPE MBALE in any capacity and in any setting.

All mentioned persons above working with HOPE MBALE should be made aware of HOPE MBALE 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 HOPE MBALE has direct or indirect contact with, for example children known to adults with whom HOPE MBALE works directly.

This policy also relates to vulnerable adults who need to be safeguarded from harm. Those who are directly working with HOPE MBALE and those whom they have indirect contact with.

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 not receiving community services because of age, health or disability
- Is not 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's 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). HOPE MBALE does not have a statutory duty to



comply with the key arrangements listed in Working Together, however it should have in place arrangements that reflect the importance of safeguarding and promoting the welfare of children, as well as vulnerable adults. 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 cases.

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 recognize an abusive or potentially abusive event or set of circumstances
- Knowing who in the organization 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 HOPE MBALE'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 authorities 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, HOPE MBALE's DSO should contact the local authorities/police responsible for providing advice and liaison in such cases. This is a general guide as the role of local authorities and police is expected to bring about change. 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 be defined as failing to provide or secure a child or vulnerable adult with the basic needs required for physical safety and wellbeing.

HOPE MBALE recognizes 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.

Categories of abused 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 behavior
- Modern slavery
- Neglect
- Online abuse
- Organizational or institutional abuse
- Physical Abuse
- Psychological or emotional abuse
- Radicalization of children or vulnerable adults
- Self-neglect
- Sexual Abuse. These categories can overlap and an abused child or adult often suffers more than one type of abuse.

Disabled children and young people are particularly vulnerable to abuse in any form. Safeguards for disabled children are essentially the same as for non-disabled children. Staff must maintain high standards of practice, remain vigilant to the possibility of a child being abused and minimize situations of risk. All staff must ensure that the children and vulnerable adults they come in contact with know how to raise concerns, and have access to interpreters/specialist workers and other aids to communication if required. Where there are concerns about the welfare of a disabled child, they should be acted upon in accordance with the procedures set out in this policy. The same thresholds for action apply. Where concerns are raised about a child who has communication difficulties, appropriate support, interpreting services and communication aids must be secured.

8. PROCEDURES FOR SAFEGUARDING CHILDREN AND VULNERABLE ADULTS

Organization 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 organizations, they have in place adequate safeguarding arrangements, including appropriate policies and mechanisms to provide assurance on compliance
- Maintain an organization that is safe for all staff, children and vulnerable adults and an environment where poor practice is challenged
- Ensure that all staff, associates, volunteers and Board members who may be in contact 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 Executive Director, Board members 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 HOPE MBALE's organizational policy and practice, which promote children and vulnerable adult's interests across all aspects of their lives. HOPE MBALE's work is underpinned by the values and principles that it advocates and believes in.

Responsibilities of the Designated Safeguarding Officer (DSO) is responsible for ensuring that safeguarding is given high priority within HOPE MBALE. Specific responsibilities include:

- Providing support and advice to managers and all 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 or cases reported and working with Senior Management to ensure resolutions
- Carrying out referrals to the relevant authorities where abuse of a child or vulnerable adult is reported or suspected
- Referring the matter to the authorities/police where a member of staff is suspected of abuse
- Maintaining an overview of safeguarding issues and monitoring the implementation of this policy, in conjunction with the Human Resource (HR) manager. The DSO has responsibility for deciding whether to refer any reported matters onto the police or to the respected local authorities. 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/care takers (if applicable) of the child or vulnerable adult should be informed of the referral.

Responsibilities of the HR Manager: -

- 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 organization
- Ensuring that the organization's safeguarding policy is reviewed annually



Responsibilities of Board of Directors: -

To comply with their legal duties, board of directors must react responsibly to reports of safeguarding risks and incidents of abuse and take steps to make sure all staff know how to deal with these.

Board of Directors should report a serious incident to the local authorities and or police if:

- beneficiaries have been, or are alleged to have been, abused or mistreated while under the care of HOPE MBALE, or by someone connected with HOPE MBALE, for example a board of directors, staff member or volunteer
- There has been an incident where someone has been abused or mistreated (alleged or actual) and this is connected with HOPE MBALE's activities
- There has been a breach of procedures or policies at HOPE MBALE which has put beneficiaries at risk, including a failure to carry out checks which would have identified that a person is disqualified under safeguarding legislation, from working with children or adults.

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 checks where applicable.
- Reporting all concerns to the Designated Safeguarding Officer (DSO)
- Providing advice and support to employees reporting disclosures or concerns and working with the DSO to resolve issues.

Employee responsibilities: -

All HOPE MBALE staff have a responsibility to ensure the safety of children and vulnerable adults with whom they work or get in contact. It is the responsibility of staff to promote good practice and minimize or manage potential risks. All staff - including volunteers, freelance staff and associates - must be aware of the requirements within these procedures.



Action to safeguard:

HOPE MBALE staff have no powers to investigate abuse. Nonetheless all HOPE MBALE 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 HOPE MBALE to decide whether or not abuse has taken place. It is the responsibility of staff at HOPE MBALE 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 or vulnerable adult is in immediate danger, or requires immediate medical treatment, they should call the police and/or emergency medical services on 999 straight away.

9. STAFF BEHAVIOUR

Code of conduct of HOPE MBALE staff working/getting in contact with children and/or vulnerable adults may be required to undergo awareness training.

Staff should not:

- Meet with the 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



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. HOPE MBALE 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 HOPE MBALE staff members and when in contact with children and vulnerable adults.

HOPE MBALE staff should not obtain and access inappropriate text and images that could manipulate 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 authorized to use the Internet must not download pornographic or other unsuitable material on to HOPE MBALE machines, or distribute such material to others. HOPE MBALE 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 HR Manager. 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, Designated Safeguarding Officer and in consultation with the IT services provider. Children and vulnerable adults should not be given access to such websites.

Children or vulnerable adults obtaining indecent images or 'sexting'

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 probation officer or any other local authority 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 HOPE MBALE, it may need to be isolated so that nobody else can see it. This may involve blocking the network to all users.

10. CONFIDENTIALITY AND SHARING INFORMATION

Confidentiality and the possible impact on the child or vulnerable adult

In any work with children and/or vulnerable adults it is important to be clear about confidentiality. Confidentiality and safeguarding should be discussed with children and/or vulnerable adults at the beginning of any piece of work and reminders/



information given from time to time, to ensure that they understand the processes and what responsibilities members of staff have. It is absolutely essential to be clear about the limits of confidentiality well before any such matter arises.

While personal information held by professionals and agencies is subject to a legal duty of confidence and should not normally be disclosed without the subject's consent, it is essential that staff respond quickly where they have concerns or suspicions of abuse. Any concerns about confidentiality should not override the rights of children and/or vulnerable adults at risk of, or suffering, harm. HOPE MBALE's responsibility for protecting children and vulnerable adults means that, where necessary to protect welfare, it will breach confidentiality to raise concerns.

Information sharing must be done in a way that is compliant with the General Data Protection Regulation and Data Protection Act 2018, the Human Rights Act 1998 and the common law duty of confidentiality. However, a concern for confidentiality must never be used as a justification for withholding information when it would be in the child or vulnerable adult's best interests to share information.

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 or the DSO, it is important that all concerns are properly recorded in writing whether or not further action is taken. HOPE MBALE has a standard Safeguarding & Child Protection Report form for recording suspected abuse to help people record relevant information. This form must be used for all concerns and passed as soon as possible to the DSO.

It is important that concerns raised are recorded accurately and in detail. All discussions should end with clear and explicit recorded agreement about who will be taking what action. Where no further action is the outcome the reason for this should be clearly recorded.

Some of the information requested by the form may not be available. Staff should not pursue the questioning of the child or vulnerable adult for this information if it is not given freely. There should be no delay in reporting the matter by waiting for all the information.

In completing the form it is important not to write speculative comments but to stick to the facts. Staff's opinion may be crucial but it should be recorded as an opinion and any evidence stated to support these opinions. Records pertaining to issues of child protection may be accessible to third parties such as Children's Services, Police, the Courts and Solicitors.

Records must be kept securely in a locked place or file to which access is restricted. Managers/ departmental heads have a particular responsibility in maintaining the confidentiality of these records and must ensure that the records, or any information they contain, are made available only to relevant parties. The transfer of information - verbally,



through the mail, electronically, etc. - should be done in such a way that confidentiality is maintained.

Before on and off-site activities a Risk Assessment should be carried out at least 48 hours before any activity involving a child and/or vulnerable adult. Safeguarding and Code of Conduct procedures apply whether the activity is on or off-site.

11. 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). You must seek advice from HR.

Some roles within HOPE MBALE, whilst not 'regulated positions', may involve working directly with children and/or vulnerable adults. Activities could include (but are not limited to): convening meetings; holding focus groups; and conducting interviews with children and/or vulnerable adults. Where this is the case, the relevant member of staff will be required to have a DBS check carried out prior to commencing any direct work with children and/or vulnerable adults.

Where a criminal conviction is disclosed by an applicant or through a DBS check/basic disclosure, the employees' line manager and the HR 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 be 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 organization.

Possible outcomes include amended duties, redeployment, and 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 HOPE MBALE and partner organizations even if direct contact with children and/or vulnerable adults is not part of their role.

Supporting staff

It is the responsibility of managers/departmental heads 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 supervised and supported in their work to HOPE MBALE 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 HOPE MBALE's whistle blowing policy
- Have training and support as required to effectively discharge their responsibilities.



Allegations against staff

Any suspicion, allegation or actual abuse of a child or vulnerable adult by an employee, trustee/board of directors, volunteer, mentor, student, agency worker, contract, and unpaid staff must be reported to the Designated Safeguarding Officer and/or to the HR Manager immediately.

Concerns about staff must be treated with the same rigor 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 DS will work with the member of staff's line manager and with HR. The DSO and senior managers 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 HOPE MBALE'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 NCB's disciplinary procedures being invoked. The Disciplinary Policy is available on the Intranet. 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.

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 any of HOPE MBALE's workplaces or working context, in addition to following the protocols set out within this



policy, it should also be reported to police/ local authorities. It is the responsibility of board of directors to ensure that this takes place.

All suspected or actual safeguarding incidents should be reported to the police by dialing 999 using any telephone. In addition, immediate action should be taken to:

- Prevent or minimize any further harm
- Report it to the police, if it is suspected a crime has been committed, and to any other regulators the organization is accountable to
- Plan what to say to staff, volunteers, members, the public and the media
- Review what happened and prevent it from happening again - this may include strengthening internal controls and procedures, and/or seeking appropriate help from professional advisers.

12. COMPLYING WITH THIS POLICY

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 minimize the risk of abuse from within HOPE MBALE. It is important to create a work environment where the risk of abuse is minimized 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 HOPE MBALE's safeguarding procedures in full. They should highlight and discuss any issues requiring clarification and any training issues with their line manager/ departmental head. Staff should make sure that they have a working knowledge of the different forms of abuse and possible indicators.

All staff should ensure that, when working with children and/or vulnerable adults, all colleagues, volunteers and other staff from partnering organizations have the appropriate employee checks in place which must include a full career history, identity



checks and references and adherence to Disclosure & Barring Service (DBS) where applicable.

Freelance staff and associates

It is the responsibility of the management to ensure that these staff are familiar with this document and agree to work within this framework. If there are any concerns with the conduct of freelance staff or associates, these concerns must be raised following the steps outlined in this policy.

13. CONTACT DETAILS

If you suspect that a child or vulnerable adult needs protection or is at risk of abuse,

Please contact HOPE MBALE on:-

Email: hopembale.programs@gmail.com

Mobile: +256751353891

14. FURTHER INFORMATION AND GUIDANCE

This policy should be read in conjunction with the following NCB policies and procedures:

- Confidentiality policy
- Equality and diversity policy
- Examples of gross misconduct and misconduct
- Grievance and mediation procedure
- Harassment and bullying policy
- Induction policy
- Non disciplinary dismissal process
- Recruitment policy
- Recruitment selection policy
- Staff training and development policy
- Whistle Blowing policy



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

- Data Protection Act 2018
- Equality Act 2010
- Human Rights Act 1998
- Management of Health and Safety at Work Regulations 1999
- Protection of Children Act 1999
- Protection of Freedoms Act 2012
- Safeguarding Vulnerable Groups Act 2006
- Sexual Offences Act 2003
- The Children Act 1989, 2004

15. POLICY OWNER

The Children and Vulnerable Adults Safeguarding Policy is owned by HOPE MBALE. It will be annually reviewed and updated to ensure compliance with relevant legislation and internal change.

The HR Department will ensure that each published version of this policy is archived, along with details of when it was in operation.

Reviewed by Board of Directors and adopted on 08th day of January 2020.

Signed by:

Edrisa Wambewo
Chairperson Board of Directors.