



## **SAFEGUARDING POLICY & PROCEDURE**

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### **Purpose**

The purpose of this policy is to protect people, particularly children, at risk adults and beneficiaries of assistance, from any harm that may be caused due to their encountering Restitute. This includes harm arising from:

- The conduct of staff or personnel associated with Restitute.
- The design and implementation of Restitute programmes and activities

The policy lays out the commitments made by Restitute, and informs staff and associated personnel<sup>i</sup> of their responsibilities in relation to safeguarding.

This policy does not cover:

- Sexual harassment in the workplace – this is dealt with under Restitute CIC’s Anti Bullying and Harassment Policy<sup>ii</sup>
- Safeguarding concerns in the wider community not perpetrated by Restitute or associated personnel.

### **What is safeguarding?**

In the UK, safeguarding means protecting peoples' health, wellbeing and human rights, and enabling them to live free from harm, abuse and neglect In the voluntary and community sector, we understand it to mean protecting people, including children and at risk adults, from harm that may arise from coming into contact with our staff or programmes.

### **Scope**

- All staff and volunteers contracted by Restitute
- Associated personnel whilst engaged with work or visits related to Restitute, including but not limited to the following: consultants; volunteers; contractors; programme visitors including journalists, celebrities and politicians



## **Policy Statement**

Restitute believes that everyone we meet, regardless of age, gender identity, disability, sexual orientation or ethnic origin has the right to be protected from all forms of harm, abuse, neglect and exploitation. Restitute will not tolerate abuse and exploitation by staff or associated personnel.

This policy will address the following areas of safeguarding [as appropriate]: child safeguarding, adult safeguarding, and protection from sexual exploitation and abuse. These key areas of safeguarding may have different policies and procedures associated with them (see Associated Policies).

Restitute commits to addressing safeguarding throughout its work, through the three pillars of prevention, reporting and response.

## **Restitute responsibilities**

Restitute will:

- Ensure all staff have access to, are familiar with, and know their responsibilities within this policy
- Design and undertake all its programmes and activities in a way that protects people from any risk of harm that may arise from their coming into contact with Restitute. This includes the way in which information about individuals in our programmes is gathered and communicated
- Implement stringent safeguarding procedures when recruiting, managing and deploying staff and associated personnel
- Ensure staff receive training on safeguarding at a level commensurate with their role in the organization
- Follow up on reports of safeguarding concerns promptly and according to due process

## **Staff responsibilities**

### **Safeguarding children**

Restitute staff and associated personnel must not:

- Engage in sexual activity with anyone under the age of 18
- Sexually abuse or exploit children



- Subject a child to physical, emotional or psychological abuse, or neglect
- Engage in any commercially exploitative activities with children including child labour or trafficking

### **Adult safeguarding**

Restitute staff and associated personnel must not:

- Sexually abuse or exploit at risk adults
- Subject an at risk adult to physical, emotional or psychological, financial abuse, or neglect

### **Protection from sexual exploitation and abuse**

Restitute staff and associated personnel must not:

- Exchange money, employment, goods or services for sexual activity. This includes any exchange of assistance that is due to beneficiaries of assistance
- Engage in any sexual relationships with beneficiaries of assistance, since they are based on inherently unequal power dynamics

Additionally, Restitute staff and associated personnel are obliged to:

- Contribute to creating and maintaining an environment that prevents safeguarding violations and promotes the implementation of the Safeguarding Policy
- Report any concerns or suspicions regarding safeguarding violations by an Restitute staff member or associated personnel to the appropriate staff member

### **Reporting arrangements**

Restitute will ensure that safe, appropriate, accessible means of reporting safeguarding concerns are made available to staff and the communities we work with.

Any staff or volunteers reporting concerns or complaints through formal whistleblowing channels (or if they request it) will be protected by Restitute's Disclosure of Malpractice in the Workplace (Whistleblowing) Policy.

Restitute will also accept complaints from external sources such as members of the public, partners and official bodies.



## **How to report a safeguarding concern**

Staff or volunteers who have a complaint or concern relating to safeguarding should report it immediately to the Director for Safeguarding or their line manager. If the staff member does not feel comfortable reporting to their Safeguarding Lead or line manager (for example if they feel that the report will not be taken seriously, or if that person is implicated in the concern) they may report to any other appropriate staff member. For example, this could be a Director, Non Exec Director, HR Lead or CEO.

Restitute's Safeguarding Lead Director is Sarah Sharlott Tel 07970063257 E mail Sarah.sharlott@Restitute.org

## **Response**

Restitute will follow up safeguarding reports and concerns according to policy and procedure, and legal and statutory obligations.

Restitute will apply appropriate disciplinary measures to staff found in breach of policy. Restitute will offer support to survivors of harm caused by staff or associated personnel, regardless of whether a formal internal response is carried out (such as an internal investigation). Decisions regarding support will be led by the survivor.

## **Confidentiality**

It is essential that confidentiality is maintained at all stages of the process when dealing with safeguarding concerns. Information relating to the concern and subsequent case management should be shared on a need to know basis only, and should be kept secure at all times.

## **Associated policies**

Anti Bullying and Harassment policy

Disclosure of Malpractice in the Workplace (Whistleblower) policy

Complaints Policy



## APPENDIX ONE - DEFINITIONS

### **Beneficiary of Assistance**

Someone who directly receives goods or services from Restitute's programme. Note that misuse of power can also apply to the wider community that Restitute serves, and also can include exploitation by giving the perception of being in a position of power.

### **Child**

A person below the age of 18

### **Harm**

Psychological, physical and any other infringement of an individual's rights

### **Psychological harm**

Emotional or psychological abuse, including (but not limited to) humiliating and degrading treatment such as bad name calling, constant criticism, belittling, persistent shaming, solitary confinement and isolation

### **Protection from Sexual Exploitation and Abuse (PSEA)**

The term used by the humanitarian and development community to refer to the prevention of sexual exploitation and abuse of affected populations by staff or associated personnel. The term derives from the United Nations Secretary General's Bulletin on Special Measures for Protection from Sexual Exploitation and Abuse (ST/SGB/2003/13)

### **Safeguarding**

In the UK, safeguarding means protecting peoples' health, wellbeing and human rights, and enabling them to live free from harm, abuse and neglect

In the voluntary and community sector, we understand it to mean protecting people, including children and at risk adults, from harm that arises from coming into contact with our staff or programmes. One definition is as follows:

*Safeguarding means taking all reasonable steps to prevent harm, particularly sexual exploitation, abuse and harassment from occurring; to protect people, especially vulnerable adults and children, from that harm; and to respond appropriately when harm does occur.*



This definition draws from our values and principles and shapes our culture. It pays specific attention to preventing and responding to harm from any potential, actual or attempted abuse of power, trust, or vulnerability, especially for sexual purposes.

Safeguarding applies consistently and **without exception** across our programmes, partners and staff. It requires proactively identifying, preventing and guarding against all risks of harm, exploitation and abuse and having mature, accountable and transparent systems for response, reporting and learning when risks materialise. Those systems must be survivor-centred and also protect those accused until proven guilty.

Safeguarding puts beneficiaries and affected persons at the centre of all we do.

### **Sexual abuse**

The term 'sexual abuse' means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

### **Sexual exploitation**

The term 'sexual exploitation' means any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another. This definition includes human trafficking and modern slavery.

### **Survivor**

The person who has been abused or exploited. The term 'survivor' is often used in preference to 'victim' as it implies strength, resilience and the capacity to survive, however it is the individual's choice how they wish to identify themselves.

### **Safeguarding Adults at Risk**

"Adult safeguarding" is working with adults with care and support needs to keep them safe from abuse or neglect. It is an important part of what many public services do, and a key responsibility of local authorities.' – Care Act 2014

All organisations have a duty to ensure that the welfare of all adults is ensured. As part of this they need to understand when to implement their safeguarding adults reporting procedures.

- Safeguarding duties apply to an adult who: Has needs for care and support (whether or not the local authority is meeting any of those needs) and;
- Is experiencing, or is at risk of, abuse or neglect; and;



- As a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of, abuse or neglect.

## **Categories of abuse**

### **Self-neglect**

This covers a wide range of behaviour, but it can be broadly defined as neglecting to care for one's personal hygiene, health, or surroundings. An example of self-neglect is behaviour such as hoarding.

### **Modern Slavery**

This encompasses slavery, human trafficking, forced labour, and domestic servitude.

### **Domestic Abuse**

This includes psychological, physical, sexual, financial, and emotional abuse perpetrated by anyone within a person's family. It also includes so-called "honour" based violence.

### **Discrimination**

Discrimination is abuse that centres on a difference or perceived difference, particularly with respect to race, gender, disability, or any of the protected characteristics of the Equality Act.

### **Organisational**

This includes neglect and poor care practice within an institution or specific care setting, such as a hospital or care home, or in relation to care provided in one's own home. Organisational abuse can range from one off incidents to ongoing ill-treatment. It can be through neglect or poor professional practice as a result of the structure, policies, processes and practices within an organisation.

### **Physical**

This includes hitting, slapping, pushing, kicking, restraint, and misuse of medication. It can also include inappropriate sanctions.

### **Sexual**

This includes rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography or witnessing sexual acts, indecent exposure and sexual assault, or sexual acts to which the adult has not consented, or was pressured into consenting.



### **Financial or Material**

This includes theft, fraud, internet scamming, and coercion in relation to an adult's financial affairs or arrangements, including in connection with wills, property, inheritance or financial transactions. It can also include the misuse or misappropriation of property, possessions, or benefits.

### **Neglect and Acts of Omission**

This includes ignoring medical or physical care needs and failing to provide access to appropriate health social care or educational services. It also includes the withdrawing of the necessities of life, including medication, adequate nutrition, and heating.

### **Emotional or Psychological**

This includes threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation, or withdrawal from services or supportive networks.

### **Four Additional Types of Harm**

There are four additional types of harm that are not included in The Care Act, but they are also relevant to safeguarding adults.

### **Cyber Bullying**

Cyber bullying occurs when someone repeatedly makes fun of another person online, or repeatedly picks on another person through emails or text messages. It can also involve using online forums with the intention of harming, damaging, humiliating, or isolating another person. It includes various different types of bullying, including racist bullying, homophobic bullying, or bullying related to special education needs and disabilities. The main difference is that, instead of the perpetrator carrying out the bullying face-to-face, they use technology as a means to do it.

### **Forced Marriage**

This is a term used to describe a marriage in which one or both of the parties are married without their consent or against their will. A forced marriage differs from an arranged marriage, in which both parties consent to the assistance of a third party in identifying a spouse. The Anti-Social Behaviour, Crime and Policing Act 2014 make it a criminal offence to force someone to marry.

### **Mate Crime**

"Mate crime" is when "vulnerable people are befriended by members of the community who go on to exploit and take advantage of them" (Safety Network Project, ARC). It may not





be an illegal act, but it still has a negative effect on the individual. A mate crime is carried out by someone the adult knows, and it often happens in private. In recent years there have been a number of Serious Care Reviews relating to people with a learning disability who were seriously harmed, or even murdered, by people who purported to be their friend.

### **Radicalisation**

The aim of radicalisation is to inspire new recruits, embed extreme views and persuade vulnerable individuals to the legitimacy of a cause. This may be direct through a relationship, or through social media.

Restitute CIC undertakes to ensure copies of its Safeguarding policy and procedure are available at all events it organises and is available to download from its website

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