

## **Policy & Procedure: Safeguarding children, young people, and adults at risk of abuse**

Last Updated: 5<sup>th</sup> May 2022

This document sets out Dravet Syndrome UK's approach to safeguarding, including our:

- Commitment to safeguarding
- Key safeguarding principles
- Safeguarding roles and responsibilities
- Safeguarding procedures for all employees and volunteers to follow
- Dealing with specific safeguarding circumstances

### **1. Definitions**

#### **Child or young person**

Anyone who has not yet reached their 18th birthday.

#### **Adult at risk**

Anyone aged 18 or over who is unable to look after their own well-being, property, rights, or other interests and is at risk of harm (either from another person's behaviour or their own behaviour) due to disability, illness, physical or mental infirmity.

#### **Employees**

Anyone employed by Dravet Syndrome UK, including agency employees.

#### **Volunteers**

Anyone volunteering for Dravet Syndrome UK, regardless of their role, including trustees.

#### **Child and adult abuse**

Children and adults may be vulnerable to neglect and abuse or exploitation from within their family and from individuals they come across in their daily lives. Abuse can take a variety of different forms, including:

- sexual, physical, emotional abuse, and neglect
- exploitation by criminal gangs / organised crime groups
- trafficking and modern slavery
- online abuse

- sexual exploitation
- influences of extremism leading to radicalisation
- domestic abuse
- financial abuse
- discriminatory abuse
- organisational abuse

### **Safeguarding children**

Defined in [Working together to safeguard children](#) as:

- protecting children from maltreatment
- preventing impairment of children's health or development
- ensuring that children are growing up in circumstances consistent with the provision of safe and effective care
- taking action to enable all children to have the best outcomes.

### **Safeguarding adults at risk**

Defined in the [Care and support statutory guidance](#) issued under the Care Act 2014 as:

- protecting the rights of adults to live in safety, free from abuse and neglect
- people and organisations working together to prevent and stop both the risks and experience of abuse or neglect
- people and organisations making sure that the adult's well-being is promoted including, where appropriate, taking their views, wishes, feelings and beliefs fully into account when deciding any action
- recognising that adults sometimes have complex interpersonal relationships and may be ambivalent, unclear, or unrealistic about their personal circumstances and therefore potential risks to their safety or well-being.

## **2. Policy**

### **2.1 Commitment to safeguarding**

2.1.1 Dravet Syndrome UK is committed to, and has a duty to, safeguard and promote the welfare of the children, young people, and adults at risk who access its services or with whom it comes into contact.

2.1.2 Dravet Syndrome UK aims to ensure that employees and volunteers comply with all legal, contractual, and professional standards and responsibilities in their work with children and adults. High-quality recording, record keeping, and records management are essential in this context, and procedures for these are contained within this policy.

- 2.1.3 Dravet Syndrome UK is committed to building and embedding a culture that places transparency and sound safeguarding practice at the centre of all its activities. Dravet Syndrome UK continually strives to strengthen its ways of working to ensure all employees feel safe to raise any safeguarding concerns and are fully supported if this occurs.
- 2.1.4 Article 19 of the UN Convention on the Rights of the Child states that, ‘every child should be protected from abuse’. Everyone at Dravet Syndrome UK has a responsibility to make sure that children are safeguarded and protected from abuse and neglect or where identified the risk of abuse and/or neglect.
- 2.1.5 The Care Act 2014 sets out a clear legal framework for how local authorities and other stakeholders should protect adults at risk of abuse or neglect. These safeguarding duties include the requirement for a multi-agency, local adult safeguarding system that seeks to prevent abuse and neglect and stop it quickly when it happens.
- 2.1.6 Some of the people Dravet Syndrome UK works with are adults at risk. All employees and volunteers have a duty to safeguard these individuals - including Dravet Syndrome UK volunteers, who may be adults at risk themselves.

## **2.2 Key safeguarding principles**

- 2.2.1 The well-being of children, young people, and adults at risk is paramount to the work of Dravet Syndrome UK.
- 2.2.2 All employees and volunteers have a responsibility to safeguard and promote the wellbeing of children, young people, and adults at risk. They must read and understand this policy and procedure, be aware of their responsibilities, and undertake their duties with care for quality, efficiency, and effectiveness.
- 2.2.3 Dravet Syndrome UK makes sure that employees, volunteers, and trustees are provided with training and support to equip them to safeguard children and adults at risk within their day-to-day professional practice and how to act if abuse or neglect is suspected.
- 2.2.4 This document reflects the legal framework set out in The Children Act 1989 and the Care Act 2014 (employees should note that child and adult safeguarding have the same statutory footing). These laws set out the statutory safeguarding duties of local authorities.
- 2.2.5 Dravet Syndrome UK’s safeguarding policy must always take precedence over all other organisational policies.
- 2.2.6 The care and support of children, young people, and adults at risk is Dravet Syndrome UK’s responsibility as an organisation, rather than that of the individual or service.

### **3. Roles and responsibilities**

#### **3.1 Board of Trustees**

The Board of Trustees are accountable for ensuring that the organisation has appropriate structure, processes, and resources in place to ensure safeguarding is central to all the organisation does, and for monitoring compliance.

Trustees discharge their safeguarding responsibilities by:

- appointing a Safeguarding Trustee, who is the board's named expert on safeguarding, to provide expert advice and guidance to the board on safeguarding matters linked to discharging their duties.
- receiving an annual safeguarding report,
- giving due scrutiny and consideration to any concerns identified by the Safeguarding Trustee and/or Director.

#### **3.2 Director**

The Director is operationally accountable for safeguarding and is responsible for ensuring that safeguarding policy and practice is developed, implemented, managed, and monitored across the charity. The Director also provides advice to the Board of Trustees on significant safeguarding matters. At times of the role of director changing another member of staff may need to be appointed interim safeguarding lead who is able to discharge this duty satisfactorily with the support of the organisation. The director however should ideally have the designated role where possible.

#### **3.3 Employees and volunteers**

All employees and volunteers have the responsibility to recognise, report and record safeguarding concerns about children, young people, and adults at risk in line with this policy document and associated guidance. This includes a responsibility to work closely with local authorities to share current information and effectively take part in multi-agency discussion. Volunteers must work with employees directly on the reporting and recording of safeguarding concerns.

### **4. Procedures**

#### **4.1 Handling a disclosure or concern**

4.1.1 If an employee is informed about or concerned about the abuse of a child, young person, or adult at risk, they must take following steps:

- Always place the child or adult's welfare and interests as the paramount consideration. The child first and always.

- Listen carefully and actively to the person - at this stage, there is no necessity to ask questions. Let the person guide the pace and remember their ability to recount an allegation will depend on age, culture, language, and communication skills, and level of cognitive/intellectual disability.
  - Do not show shock at what is being said. This may discourage the child or adult from talking, as they may feel you are unable to cope with what they're saying, or perhaps that you're thinking badly of them.
  - Do not investigate. If anything needs to be clarified to understand the safeguarding risk, ask clear, open questions:
    - Use the TED rule - Tell, Explain and Describe;
    - Always if required ask 'what, when, who, how, where' questions;
    - does not ask 'why' questions, these can suggest guilt or responsibility.
  - Remain calm and reassure the person that they have done the right thing by talking to a responsible adult.
  - Never promise to keep a secret or confidentiality. Dravet Syndrome UK works within wider statutory systems and must collaborate to effectively support and care for children, young people, and adults at risk. It is important that this fact, and its implications of transparency and reporting, are emphasised in early and subsequent conversations.
  - Ensure the child or adult at risk understands what will happen next with their information.
- 4.1.2 If the person disclosing is a child, employees have a duty to ensure that the information is passed on to keep the child safe. If a child request confidentiality, employees must explain Dravet Syndrome UK requirements, for example, 'I'm really concerned about what you have told me, and I have a responsibility to ensure that you are safe'.
- 4.1.3 If the person disclosing is an adult, employees have a duty to pass on information if someone is at immediate risk of harm, and to encourage and support the adult to share information and seek support. Employees must ask for the adult's consent to take up their concerns. If the adult does not agree, or if employees do not believe that the adult has capacity to decide about consent, they must consult with the Director who may need to refer to the Mental Capacity Act guidance ([link here to guidance](#)) for more information.

## 4.2 Responding to a safeguarding concern

### 4.2.1 Immediate risk of harm

- If an employee believes a child or adult to be at immediate risk of harm or abuse, and/or a criminal offence is taking place, they must take immediate steps to protect that person by calling 999.
- Employees must then contact the Director to let them know what has happened and to take advice on next steps.
- If an emergency arises outside of usual working hours employees must contact the Director on their personal mobile. The Director will then take responsibility for making the lead safeguarding trustee aware.
- Employees must record their safeguarding concerns and actions on the database on the same day. If there is any barrier to doing this, employees must discuss this with their manager on the same day, to agree who will make the record.

### 4.2.2 No immediate risk of harm

- Employees and volunteers must consult with the Director as soon as possible on the same working day of the safeguarding concern.
- If there are concerns that a child is, or has been, at risk of abuse, the Director will make a referral on the same day the safeguarding concern is raised to the local authority children's services in the area where the child is normally resident.
- If there are concerns that an adult is, or has been, at risk of abuse, the Director must consider the safeguarding concerns and the adult's individual circumstances in order to decide if a referral is warranted, including a consideration of:
  - Empowerment - what does the person want? What rights need to be respected? Is there a duty to act, are others at risk of harm?
  - Protection - is this person an adult at risk? What support do they need? Is mental capacity an issue? Should others (such as a carer) be involved?
  - Proportionality - have risks been weighed up? Does the nature of the concern require referral through multi-agency procedures?
  - Partnership - what is the view of others involved? How do multi-agency procedures apply?
  - Accountability - is there a clear rationale on which to base a decision?

### **4.3 Recording a safeguarding concern**

- 4.3.1 As soon as possible, employees must factually record in the notes section of the DSUK database (located on a secure server) what the child or adult has told them (in the child or adult's own words) or what the employee has observed. Employees must include the date, time, place, and observations of behaviour.
- 4.3.2 If practical barriers exist to prevent employees making timely entries in the DSUK database, they must discuss this with the Director on the same day as the safeguarding concern.
- 4.3.3 Volunteers must consult with the Director to provide the necessary information for them to record concerns on the DSUK database.
- 4.3.4 If employees fail to record accurately, or if they write down their interpretation of the child or adult's account (as opposed to a factual account), this may lead to inadmissible or unusable evidence should the information be required for court processes.
- 4.3.5 Employees must not contact any individual about whom an allegation or concern is being raised. This could be putting the person making the allegations in serious danger, for example, where domestic violence is taking place. It could also prejudice an investigation.
- 4.3.6 If the Director decides that a referral to the local authority children's services or adults social care is not warranted, this decision must first be discussed with the Safeguarding Trustee and then an explanatory note added to the DSUK database. The Director must be sure to include the reasons why this decision was reached.

### **4.4 Making a referral to the Local Authority**

- 4.4.1 Any sensitive information sent outside Dravet Syndrome UK must be sent securely using passwords or other forms of secure protection.
- 4.4.2 Referrals must be made on the same day where harm or risk of harm has been identified. If concerns arise out of office hours, referrals must be made to the local authority out of hours service.
- 4.4.3 For a child:

The Director must make referrals to the local authority children's social care services, following local procedures. The Director must always confirm the referral in writing via secure email.

Where possible, the Director must discuss their concerns with the child's parent (unless this is felt to put the child at risk of significant harm) and an agreement should be sought for a referral to the local authority children's social care. The Director must only do this if it does not increase risk to the child (through either delay, or the parent's possible actions or reactions).

If the Director decides not to seek parental permission before making a referral to children's social care, they must first speak with the Safeguarding Trustee if doing so does not delay reporting. They must also record and date this in the child's file on the DSUK database along with reasons. This must also be confirmed in the referral to children's social care via secure email. Contacting the child's local children's safeguarding team is appropriate if the safeguarding lead and trustee are unsure or disagree.

#### 4.4.4 For an adult:

If the adult consents to safeguarding procedures and a referral, the Director must follow the local Safeguarding Adults Board (SAB) procedures. The Director must take action on the same working day that the concerns were noted, and consent obtained.

If the adult does not consent to contacting other agencies and has the mental capacity to make that decision, the Director must provide information and advice to the adult. This must include a summary of the concerns and advice of other services that the adult may choose to access.

If a serious crime has been committed, the Director must also contact the police following the local Safeguarding Adult Board procedures. This must happen on the same working day the concern was noted.

## 4.5 **What to expect from the Local Authority?**

### 4.5.1 For a child:

Children's social care services are required to provide referrers with a response within 24 hours of receiving a referral and acknowledge receipt to the referrer.

Responses may include:

- referral progressing to a social work assessment
- no further action
- signposting to another service
- a recommendation that the referring agency or another agency undertake an early help assessment (or that the referral remains within early help services).

If no response has been received within 48 hours, Dravet Syndrome UK's Director must contact the local authority children's social care again and, if necessary, ask to speak to a line manager to establish progress.

If the local authority's response is inadequate, or doesn't sufficiently address the risk of abuse, the Director must discuss this with lead trustee for safeguarding on the same day. The Safeguarding Trustee must then review the details on the same day and decide to act



regarding any escalation required. Ensure all discussions are documented if social care have been contacted and the outcome of the conversation(s).

- 4.5.2 For an adult: Adult social care services do not have a statutory obligation to respond within a specified timeframe. Local response timeframe targets may operate; these are available on the individual local authority Safeguarding Adult Board website.

Responses may include:

- no further action
- an enquiry under Section 42 of the Care Act
- where the circumstances are deemed not to trigger the Section 42 safeguarding duty, the local authority may choose to carry out proportionate safeguarding enquiries to promote the adult's well-being, and to support preventative action. This could include signposting.

If no response has been received within 48 hours, the Director must contact the local authority adult's social care again and, if necessary, ask to speak to a line manager to establish progress.

If the local authority's response is inadequate, or doesn't sufficiently address the risk of abuse, the Director must discuss this with the Safeguarding Trustee on the same day. The Safeguarding Trustee must then review the details on the same day and decide to act regarding any escalation required. Ensure all discussions are documented if social care have been contacted and the outcome of the conversation(s).

## **4.6 Working with local authority social care services**

- 4.6.1 It is vitally important that all employees and volunteers work collaboratively and transparently with relevant children's social care services, regardless of their role at Dravet Syndrome UK.
- 4.6.2 Employees and volunteers' active involvement in conversations, meetings, and individual risk management or strategy development adds depth and detail to statutory processes.
- 4.6.3 Safeguarding is a multi-agency activity. Children, young people, and adults at risk can only be kept safe when agencies working together effectively and efficiently. Dravet Syndrome UK employees at all levels must be clear on their responsibilities in the management of safeguarding risk for children, young people, and adults at risk.

## **4.7 Digital safeguarding**

- 4.7.1 If an employee suspects that a child or young person is being, or has been, subjected to physical, sexual and emotional abuse through the use of information and communication

technology (ICT) – which can include bullying via mobile device or online (internet) with verbal and visual messages – they must make a referral to the Local Authority as detailed above.

- 4.7.2 If the concern is in regard to the sexual abuse or grooming of a child online, a referral must be made to the Child Exploitation and Online Protection Command: CEOP safety centre at [www.CEOP.police.uk](http://www.CEOP.police.uk) and also the local safeguarding team contacted as previously outlined in this policy.
- 4.7.3 The police will often be interested in securing any evidence of online abuse. Employees must take advice from the police regarding deleting content and taking steps to preserve or record evidence of online harm (e.g. screenshots).

#### **4.8 Managing safeguarding allegations or concerns regarding employees or volunteers**

- 4.8.1 If safeguarding allegations or concerns relate to a Dravet Syndrome UK employee or volunteer, the employee or volunteer who has been notified must not alert the individual in question of their concerns before taking advice from the Director, as subsequent enquiries may potentially be compromised.
- 4.8.2 If an allegation or concern is raised in respect of the Director, the matter must be raised directly with the Safeguarding Trustee without alerting the Director. If an allegation or concern is raised in respect of the Safeguarding Trustee, the matter must be raised directly with the Director without alerting the Safeguarding Trustee. The Director must then notify the Chair of Trustees.
- 4.8.3 Any allegations or concerns raised in respect of a Dravet Syndrome UK employee or volunteer must be brought to the attention of the Local Authority Designated Officer (LADO) within 24 hours of the matter being raised.
- 4.8.4 Lead responsibility for action lies with the Local Authority for the area where the alleged abuse occurred where there is most organisational risk.
- 4.8.5 Initially, it may be unclear how serious the allegation is. If there is any doubt, the LADO should be contacted for advice.
- 4.8.6 The LADO will offer an initial evaluation discussion of the concern. This will consist of advice and guidance regarding the most appropriate way of managing the allegation and whether the referral meets the criteria for LADO involvement.
- 4.8.7 If the referral meets the criteria for LADO involvement, the LADO will:
- Arrange a managing allegations strategy meeting if one is required, liaising with the police and other agencies as necessary.

- Ensure that child protection procedures are initiated where the child is considered to be at risk of significant harm.
- Advice on whether the person against whom the concern or allegation has been made should be suspended while investigations are undertaken.
- Ensure employers are aware of their duty to notify the appropriate regulatory bodies and/or to refer the individual to the Disclosure and Barring Service.

4.8.8 Charity Commission guidance on Serious Incident reporting should be consulted and acted on as required: <https://www.gov.uk/guidance/how-to-report-a-serious-incident-in-your-charity>

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