Safeguarding Policy Statement

Procedures & Guidance

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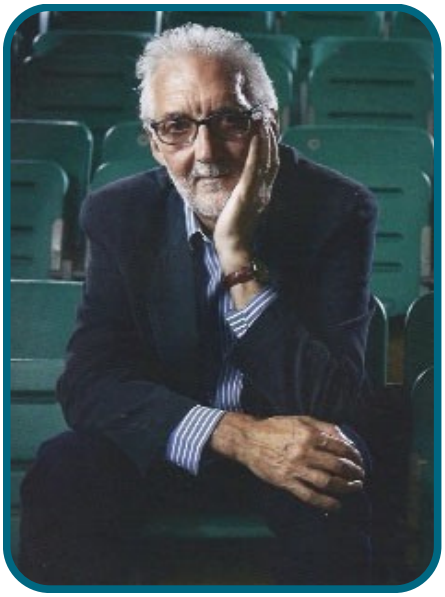
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1. Introduction from our Active Lancashire Board Chair



At Active Lancashire, we understand and see the impact of what good leadership and support around the theme of safeguarding can bring to our sports bodies, delivery networks and commissioning partners. We are committed to raising safeguarding standards and expectations, while ensuring that safeguarding remains a shared responsibility across all partner organisations. We are relentless in our vision to see safeguarding at the heart of everything that we do for young people and adults in Lancashire as a mechanism to improve engagement, offer support to people to be active and retain them as part of our physically active Lancashire community.

Active Lancashire's commitment starts with the Board, where we have a Director responsible for Safeguarding, to ensure that as an organisation we strive to promote the welfare and wellbeing of children, young people and adults. We require all staff and volunteers to share this commitment. Active Lancashire's mission is to Get people active, keep people moving and to improve people's lives.

We aim to ensure that our services and providers prioritise safeguarding for adults and children as part of their core service provision. Active Lancashire supports this position through the provision of training, awareness raising and policy development to our provider network and across the sector. We work closely with colleagues from the NSPCC and Ann Craft Trust to ensure our policies, services and standards are fit for purpose and reflect best practice from across the sector. Active Lancashire seeks to work with national local partners to provide a safe and supportive environment for staff, volunteers and service users, where we jointly put safeguarding at the heart of all our services.

This new policy and procedures, which support both children and adults, seek to ensure that Active Lancashire undertakes its responsibilities with regard to protection of all vulnerable people and will respond to concerns appropriately. The policy establishes a framework to support paid and unpaid staff in their practices and clarifies the organisation's expectations. The policy is advocated to all staff, volunteers and partners across and beyond the partnership as good practice and a statement of our commitment to this critical work within our communities.

Brian

Brian Cookson

Chair
Active Lancashire

1.1 SAFEGUARDING POLICY STATEMENT

Abuse, wherever it happens and whoever perpetrates it, cannot be ignored, by anyone. This includes abuse by strangers, professionals, domestic violence and self-neglect.

Everyone has the right to be safe and protected from harm. It is everyone's responsibility to ensure that all children, young people and adults, are protected from harm and abuse. A child or young person is anyone under the age of 18, an adult facing a safeguarding concern may be someone 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 or who is or may be unable to take care of him/herself or unable to protect him/herself against significant harm or serious exploitation.

Some groups are particularly vulnerable due to disability, age, mental health, cultural differences, gender identity, sexual orientation or linguistic barriers.

Active Lancashire believes that we should all work together to combat discrimination and actively include all children, young people and adults in their safeguarding measures. The aim of these measures is to ensure that all managers, trustees, board and committee members, staff, volunteers and all members of Active Lancashire's wider network act appropriately in response to any concern around abuse; be it physical, emotional, sexual, neglect or bullying.

Active Lancashire believes in these policies and procedures as safeguarding applies to anyone that has, or facilitates, any contact with children, young people and adults; however infrequently. Not just those involved directly. Even when Active Lancashire facilitates an event such as the Lancashire School Games, which children and young people attend with their parents and guardians, there is still a responsibility to ensure that each one is safe and protected from harm. For example, if a child attends a workshop, coaching session or event with their parent or guardian there is still a general responsibility for everyone involved to ensure their safety. There must be sufficient planning to minimise risk. The presence of a parent or relevant guardian does not prevent accidents. There can be legal liability if proper planning is not undertaken and contingencies not made. In addition to this, those involved in Active Lancashire's affiliated bodies may come into contact with a child, young person or adult suffering or at risk of serious harm or abuse.

Key Principles

It is recognised that:

- The welfare of all people but in particular children, young people and adults at risk is and must always be the paramount consideration.
- The Children Act 1989 defines a young person as under the age of 18.
- The Care Act 2014 puts the safeguarding of adults on a statutory footing and placed an emphasis on all organisations playing a part in the safeguarding of adults
- All young people and adults have a right to be protected from abuse regardless of their age, gender, disability, culture, language, racial origin, religious belief or sexual identity.
- It is the responsibility of the statutory agencies to determine whether or not abuse has taken place but it is everyone's responsibility to report any concerns.
- All incidents of suspicious poor practice and allegations of abuse should be taken seriously and responded to swiftly and appropriately.

1.2 SUMMARY OF RESPONSIBILITIES

Accepting its responsibilities for ensuring the safety and protection of young people and adults, Active Lancashire will:

- Promote a consistent approach to safeguarding across the sport and physical activity sector in Lancashire for the benefit of sports organisations, employees / volunteers, parents / carers and children / young people
- Provide advice and guidance on safeguarding to partner organisations
- Act as an advocate for good safeguarding practice, and promote the adoption of the guidance within this document, or similar, across the wider partnership
- Accept the moral and legal responsibility to implement procedures to provide a duty of care for young people and adults, safeguard their wellbeing and protect them from abuse
- Respect and promote the rights, wishes and feelings of children, young people and adults
- Recruit, train and supervise its employees and volunteers to adopt best practice to safeguard and protect young people and adults from abuse and themselves against allegations
- Require employees / volunteers to adopt and abide by this Safeguarding Policy and Good Practice Guidelines (at induction)
- Require employees / volunteers to adopt and abide by Active Lancashire Code of Conduct(at induction)
- Respond to allegations appropriately and implement the appropriate disciplinary and appeals procedures
- Ensure that its partnership, funding or commissioning criteria reference the requirement to address safeguarding within the relevant organisation(s)
- Monitor and evaluate the policy every year, in response to any changes in the role of the Partnership or in relevant legislation or following a significant incident.

2. LEGAL FRAMEWORK

2.1 SAFEGUARDING CHILDREN (UNDER 18YRS)

Safeguarding Children is the process of protecting children and young people (under 18 years) from abuse or neglect, preventing impairment of their health and development, and ensuring they are growing up in circumstances consistent with the provision of safe and effective care that enables children to have optimum life chances and enter adulthood successfully.

A child is someone who has not yet reached their 18th birthday

In 'Working Together to Safeguard Children 2023' Safeguarding and promoting the welfare of children is defined for the purposes of this guidance as:

- providing help and support to meet the needs of children as soon as problems emerge
- protecting children from maltreatment, whether that is within or outside the home, including online
- preventing impairment of children's mental and physical health or development
- ensuring that children grow up in circumstances consistent with the provision of safe and effective care
- taking action to enable all children to have the best outcomes in line with the outcomes set out in the Children's Social Care National Framework

https://www.gov.uk/government/publications/working-together-to-safeguard-children--2

Significant Harm

Significant harm is the level of harm that justifies compulsory intervention in family life in the best interests of children, and gives Local Authorities a duty to make enquiries to decide whether they should take action to safeguard or promote the welfare of a child who is suffering or likely to suffer significant harm.

There are no absolute criteria upon which to rely when judging what constitutes significant harm; sometimes a single traumatic event may constitute significant harm. More often, however, significant harm is a compilation of significant events, both acute and long- standing, which interrupt, change or damage a child's physical and psychological development.

Children Act Guidance and Definitions

Within the Children Act 1989, the following guidance is offered:

Significance is not defined within the Children Act although it is to be 'measured' in terms of:

• A child's health and development; and that which could reasonably be expected of a similar child.
• 'Harm' means ill treatment or the impairment of health or development;
• 'Development' means physical, intellectual, social, emotional or behavioural development;
• 'Health' means physical or mental health; and
• 'Ill treatment' includes sexual abuse and forms of treatment that are not physical, including for example, impairment suffered from seeing or hearing the ill treatment of another.

To begin with, in order to understand and establish significant harm, it is necessary to consider:

• The child's development within the context of their family and wider social environment;
• Any additional needs and how they impact at all levels (child and family);
• The nature of any harm and its likely impact upon the child's health and development;
• The adequacy of parental care.

More specifically, how does the following contextual information shape your professional judgement about this situation?

• Age of child (developmental stage/needs, vulnerability, abilities)?
• The 'act(s)' described or referred to – what is being described? Possible criminal act or investigation required? (10 is the age of criminal responsibility – e.g. if the concern relates to the actions of one child against another)
• Severity of ill-treatment?
• Degree and extent of physical harm?
• Duration and frequency?
• Extent and degree of premeditation?
• Degree of threat or coercion? Immediate risk?
• Nature of risk and evidence of risk – when and how is the child at risk?
• Impact upon the child's health and development?
• What am I being asked to do and what am I required to do in response to this information?

Children and Young People Safeguarding – **See Safeguarding & Protecting Children & Young People Policy & Procedures document**

2.2 SAFEGUARDING ADULTS (18YRS AND OVER)

The term 'vulnerable adult' which originated from previous adult protection guidance' No Secrets-DoH2000' has been replaced by the term 'Adults at Risk of abuse or neglect' in the Care Act 2014. Although, we are beginning to see a shift away from the term 'adults at risk'.

Adult Safeguarding –**See Safeguarding Adults Policy & Procedures document**

2.3 SAFEGUARDING GOVERNANCE - ROLES & RESPONSIBILITIES

Active Lancashire is committed to providing support to all those involved within the organisation in working (or volunteering/mentoring) with children and adults, and to provide a clear structure of Safeguarding accountability.

The Chief Executive has overall responsibility for ensuring that individuals are aware of and understand the principles of this policy.

Active Lancashire will ensure that it has arrangements in place to fulfil its commitment to safeguard and promote the welfare of both children and adults in the same way as statutory bodies and the public sector.

2.4 ACTIVE LANCASHIRE SAFEGUARDING

Board members

The Active Lancashire's Board of Trustees is ultimately responsible for:

- The approval of all safeguarding policies and procedures
- Ensuring adequate resources for effective safeguarding training
- Developing a culture within the organisation that promotes effective safeguarding practices.
- Naming of a Board Member who will be Active Lancashire's Safeguarding Champion – **Dannielle Roberts**

The Trustees play a vital role in ensuring that they are legally compliant in order to manage the charity's resources effectively and provide a long-term vision and protect the charity's reputation and values. In order to fulfil these responsibilities, the Board of Trustees may delegate some or all of these responsibilities to the Active Lancashire Safeguarding Group.

The Board Safeguarding Champion acts as the Board's lead advocate for safeguarding, ensuring that safeguarding and welfare remain a strategic priority, risks are effectively monitored, and the organisation complies with relevant legislation, policies, and best practice. They provide oversight and challenge on safeguarding matters, support the management of serious incidents, and help ensure a strong safeguarding culture that promotes the welfare of children, young people, and vulnerable adults.

Senior Leadership Team (SLT)

Active Lancashire's Senior Leadership Team will provide a robust commitment to safeguarding arrangements in the delivery of all services, contracts and sub-contracts. They will also assist in the safer recruitment and selection of staff and volunteer / mentors by the implementation of robust vetting and recruitment processes.

The SLT will also ensure that:

- The policy is accessible and implemented
- The policy is monitored and reviewed annually
- Sufficient resources are allocated to ensure that the policy can be effectively implemented through allocation of those resources i.e. training
- Clear and effective communication pathways in safeguarding to all staff and volunteers
- Lead project and programme managers are supported by SLT members to ensure that any issues, concerns or feedback matters can be discussed and advice given. This may include out of hours support by telephone as necessary.

Active Lancashire Safeguarding Group

Active Lancashire's 'Safeguarding Group' is responsible for the monitoring, review and audit of all Safeguarding matters in conjunction with colleagues from the NSPCC Sport, Ann Craft Trust and LSAB. It will promote full compliance and best practice in safeguarding in all its functions. The group will meet every four months and will have ready access to the SLT and the Board and the Board Safeguarding Champion in order to report or escalate safeguarding issues in a timely manner. The safeguarding group will consist of Active Lancashire Lead Safeguarding Officer and Deputy Safeguarding officers.

Lead Safeguarding Officer

The appointed Active Lancashire Lead Safeguarding Officer will provide support and guidance to all Project Safeguarding leads.

They are also responsible for:

- Monitoring all safeguarding concerns (via email alerts) and ensuring timely and effective responses and conclusions.
- Chairing the Safeguarding Group meetings and forwarding all safeguarding incidents to the Safeguarding Group for monitoring, audit and evaluation purposes.
- Attending necessary training on behalf of the organisation and cascading it across the partnership.

Project Safeguarding Leads

These managers will provide ready and accessible support and guidance to all staff and volunteers/mentors on safeguarding matters and will be trained by the Lead Safeguarding Officer on our expectation and responses to Safeguarding incidents.

They are also responsible for:

- Completion of/signposting to Active Lancashire Safeguarding Concerns Form (triggers email alert to Active Lancashire Safeguarding Team)
- Reporting all safeguarding incidents/concerns to Active Lancashire Safeguarding Officer in person where necessary
- Transferring paper copies of the concern form to the online form as soon as possible following the disclosure
- Liaising with statutory services in an emergency situation

Active Lancashire's workforce - staff and volunteers

Staff and volunteers have a shared responsibility to safeguard and promote the welfare of children and adults and need to know how to respond when they have a safeguarding concern about someone we work with.
All staff and volunteers are responsible for reporting any abuse or neglect or suspected abuse or neglect of any child or adults immediately to their Project manager (and Safeguarding Team).
In an emergency situation staff and volunteers will be expected to report urgent cases direct to statutory agencies. Staff and volunteers are also responsible for raising lower level concerns, poor practice and concerns about someone's mental or physical wellbeing.

2.5 LEGAL DEFINITIONS - CONSENT AND CAPACITY

It is a fundamental principle of English law that adults have the right to make decisions on their own behalf and are assumed to have the capacity to do so. This is known as the 'presumption of capacity' and extends to decisions that may entail personal risks and that may not be in accordance with an objective view of their best interests.

When completing a concern form, Active Lancashire staff should, wherever appropriate, seek the consent of the individual concerned before sharing their information with third parties. However, there may be circumstances where consent cannot be obtained, is withheld, or seeking consent would increase risk. In such cases, staff and volunteers must act in line with safeguarding procedures and share information with relevant agencies where this is necessary to protect the safety, welfare, or rights of the individual or others.

If consent is refused however information may still be shared when interventions are needed to protect either the client or other vulnerable groups. i.e. children and adults.

Adults Lacking Capacity

Adults lacking capacity to make decisions that would protect and promote their own interests are potentially extremely vulnerable. Although, in accordance with the principles of the Mental Capacity Act 2005, adults lacking capacity should be at liberty to participate as far as possible in decision-making, and express their views, emphasis should shift to ensuring that decisions made on an adults' behalf promote their overall best interests.

When supporting an adult the principles of the Mental Capacity Act 2005 will be used to support the decision making process

- Presumption of capacity
- Support to make a decision
- Ability to make unwise decisions.
- Best interest.
- Least restrictive.

2.6 SHARING INFORMATION

Sharing of information between practitioners and organisations is essential for effective identification, assessment, risk management and service provision. Fears about sharing information cannot be allowed to stand in the way of the need to safeguard and promote the welfare of children, young people and adults at risk of abuse or neglect.

Personal information held by Active Lancashire is subject to a legal duty of confidentiality and will not normally be disclosed without the consent of the individual. However, the right to confidentiality and respect for private and family life (Article 8, Human Rights Act, 1998) is not absolute.

Active Lancashire recognise that information sharing between key organisations is essential to safeguard children and adults at risk of abuse, neglect and exploitation. A key factor in many serious case reviews has been a failure to record information, to share it, to understand the significance of the information shared, and to take appropriate action in relation to known or suspected abuse or neglect.

Active Lancashire will ensure that confidential information is only shared where it is lawful and ethical to do so.

Active Lancashire's staff and volunteers will give due regard to relevant legislation, guidance and local information sharing protocols when making decisions on sharing information including the following:

- The Data Protection Act 2018
- The Children Act 2004
- The Care Act 2014

Further information about information sharing is contained in the staff policy handbook.

3. PROCEDURES

3.1 PURPOSE AND AIM OF THE PROCEDURES

The role of Active Lancashire is primarily one of strategic leadership and guidance rather than direct delivery. There are only a very limited number of projects where Active Lancashire staff are involved in directly delivering community activities. This Safeguarding Policies set out the necessary procedures and standards to follow for Active Lancashire staff when directly delivering activities. The Active Lancashire procedures constitute minimum standards for any partner organisation which is directly delivering sport and physical activity opportunities. Partner organisations should review their current policies and procedures to ensure that they comply with these minimum standards.

Active Lancashire assures all staff/volunteers that it will fully support and protect anyone who, in good faith (without malicious intent), reports their concerns about a colleague or the possibility that a person may be being abused. It is not the responsibility of anyone working with or for Active Lancashire, in a paid or unpaid capacity to take responsibility or to decide whether or not abuse has taken place.
However, there is a responsibility to protect children and adults in order that appropriate agencies can make enquiries and take any necessary action to protect the person through contact with the appropriate authorities as outlined in these procedures.

4. IMPLEMENTATION

4.1 ADDITIONAL POLICIES & PROCEDURES

Polices and procedures that address the following areas and which are consistent with this Safeguarding Policy Statement are available and include:

- Safeguarding Adults
- Safeguarding Children & Young People
- Safeguarding Communications Strategy
- Safe & Fair Recruitment and Employment Policy
- Anti-Bullying & Harassment Policy
- Whistle Blowing
- Internet Usage Policy
- Social Media inc. Digital Safeguarding Policy
- Codes of Conduct inc.
  - Staff & Volunteers CoC
  - Participants CoC

5. PREVENT

In order to safeguard adults, children, young people and communities most public bodies now have a statutory duty to be aware of the signs of extremist behaviour and to try and prevent individuals who may be at risk of being exploited by radicalisers and subsequently drawn into terrorist related activity. Extremism “Is the vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs.

If you are concerned that an individual is being exploited in this way it is important that you share these concerns with Active Lancashire’s Lead Safeguarding Officer.

6. TRAINING

Active Lancashire identifies that training and raising awareness of safeguarding issues, policies and procedures is fundamental to the development and maintenance of a safe environment and safer organisation.

Active Lancashire will also ensure that all current staff and volunteers are trained to the appropriate standards in safeguarding to maintain and promote safer staff, safer culture and a safer organisation.

All members of staff, volunteers and board members will receive training in safeguarding to a level which is commensurate to the level of responsibility of the role that is being performed.

Lead and Deputy Officers will attend the Time to Listen training delivered by NSPCC and Level 3 Safeguarding Adults in Sports & Physical Ann Craft Trust for Active Partnership Lead safeguarding staff and will attend regular updates as recommended by NSPCC and Ann Craft Trust.

Safeguarding training will not be regarded as a 'once only' activity, but as on-going development of skills and knowledge of safeguarding. Safeguarding refresher training events will be provided at least every three years and in response to staff turnover within the planned team skills development programme, led by the HR Manager.

7. PHOTOGRAPHY CONSENT POLICY STATEMENT

The permission to film, video or take photographic images is given on the basis that the person given the permission agrees not to cause or permit, directly or indirectly, any of the images to be published, shown, sold, distributed or otherwise disposed of by any method without prior written consent.

If the event organiser/welfare officer or their representative suspects inappropriate photography or filming, they will request the person to leave the venue and to surrender any film/images relating to the event.

To ensure the correct use of film and photography, information and guidance is integrated within Active Lancashire event policy.