



Safeguarding policy for children, young people and adults at risk

Approved: March 2020

Updated with revised job titles and procedures: March 2021

Next review due: March 2022

The Tuberous Sclerosis Association
admin@tuberous-sclerosis.org
Main switchboard: 0300 222 5737

Registered address: The TSA, Unit 56, 1 Emma Street, London, E2 9FP
Charity number: 1039549 (England & Wales), SC042780 (Scotland)

Introduction

Safeguarding is about protecting children, young people and adults at risk from significant and serious harm and keeping them safe. It involves identifying children and adults at risk who have suffered harm, or who may be at risk of harm, and working with them and other agencies in order to protect them from avoidable harms. The Tuberous Sclerosis Association (TSA) is committed to ensure that their safety is a priority and that vulnerable clients are safeguarded at all times.

The individuals who we work with at TSA may be vulnerable to abuse because of their age, health or physical or mental abilities. It is vital that we understand how to recognise, act and prevent such abuse or opportunities for such abuse.

This policy applies to all TSA trustees, staff, management, ambassadors and volunteers and recognises that **safeguarding is everyone's business**.

This policy outlines how TSA will deliver its specific objective of improving safeguarding practice in the charity, reflecting our commitment to prevent and reduce the risk of abuse and neglect of children, young people and adults.

It is the intention of this policy to outline a series of principles and ways of working that are equally applicable to the safeguarding of children, young people and of adults at risk of abuse or neglect. There are two fundamental requirements for effective safeguarding in the provision of support through the TSA:

- **Preventing safeguarding incidents arising**, by providing high quality care and support;
- **Ensuring effective responses where harm or abuse occurs**, by implementing an effective safeguarding child and adult's policy and procedures.

Confidentiality is essential to the environment of trust with clients, but this needs to be balanced against the organisation's common law duty to protect vulnerable members of the community, including TSA's own staff. TSA will apply robust risk management processes for the identification of situations which may require the organisation to make professional judgments to protect vulnerable people from harm.

The TSA takes safeguarding adults at risk and children seriously, and this policy and associated procedures will be kept under regular review consistent with any national or local Safeguarding Policy changes. We expect the same from those who deliver services on our behalf.

Scope and purpose of the policy

Policy statement

Safeguarding is everyone's business. The TSA is committed to safeguarding and promoting the welfare of children, young people and adults at risk. It expects everyone associated with the charity to share this commitment.

This policy and supporting procedures are here to safeguard and protect:

- Children and young people.
- Adults at risk who have care and support needs, are experiencing or at risk of abuse or neglect, and as a result of their care and support needs are unable to protect themselves.

The TSA also recognises its responsibility for safeguarding children and other adult family members of adults at risk whilst providing help and support.

The TSA trustees, management and staff will promote a safe environment for children, young people and adults at risk to live full and happy lives within their communities.

Roles and responsibilities

Safeguarding is everyone's responsibility. This policy applies to all TSA trustees, staff, management, ambassadors and volunteers. It applies to the provision of help and support services to clients either on our own premises or on other public or private property.

The TSA will collectively manage risks and reduce the likelihood of abuse by:

- Providing an up-to-date safeguarding policy and procedures that reflect current safeguarding legislation and guidance.
- Operating in line with Local Authority safeguarding policies and procedures.
- Identifying a named trustee safeguarding lead on the Board and a named designated safeguarding lead on the senior management team.
- Training trustees and staff at induction and on an ongoing basis to ensure that they have a strong understanding of safeguarding and how to recognise, respond to and record any concerns.
- Having robust safer recruitment and selection procedures.
- Promoting and using safer working practices.

The role of the **named trustee safeguarding lead** on the Board is to ensure that safeguarding is a standing item on all Board agendas and offer support and advice to the named designated safeguarding lead on the senior management team when needed.

The role of the **named designated safeguarding lead** on the senior management team is to:

- Be a source of advice and expertise to all staff.
- Develop the TSA's safeguarding policy and procedures and ensure that they are accessible to everyone at the TSA.
- Keep staff up-to-date on current safeguarding procedures and practice, ensuring that they receive necessary training.
- Support decision-making by staff about when and where information should be shared or a concern should be referred.
- Maintain accurate records about safeguarding concerns and referrals.
- Promote good practice and effective communications about safeguarding, both internally and externally.

This policy will be reviewed annually to ensure that it is up to date with current legislation.

Safeguarding children and young people

Definition of a child

The definition of a child is anyone who has not yet reached their 18th birthday. The fact that a child has reached 16 years of age, is living independently or is in further education, is a member of the armed forces, is in hospital or in custody in the secure estate, does not change their status or entitlements to services or protection. The term 'children' and 'child' is used mainly in this document for ease of reading.

The aims of children's safeguarding (*Working Together to Safeguard Children*, Department for Education, 2018) are to:

- protect children from maltreatment;
- prevent impairment of children's health or development
- ensure that children grow up in circumstances consistent with the provision of safe and effective care; and
- take action to enable all children to have the best outcomes.

Relevant legislation and guidance for safeguarding children

- The Children Act 1989
- The Children Act 2004
- *Working Together to Safeguard Children: A Guide to interagency working to safeguard and promote the welfare of children*, HM Government 2015
- The United Nations Convention on the Rights of the Child 1991
- *What to do if you're worried a child is being abused*, Department of Health 2015

See Appendix A for more information about relevant legislation and guidance.

Signs of abuse for safeguarding children

There are four main categories of abuse and neglect for children:

- Neglect
- Physical abuse
- Sexual abuse
- Emotional abuse.

The following list of signs to look out for is guidance only.

- Alcohol and substance misuse
- County lines
- Concealed pregnancy
- Discriminatory abuse
- Domestic violence, including 'honour-based' violence, Female Genital Mutilation (FGM), forced marriage and coercive or controlling behaviour
- Emotional abuse
- Exploitive use of technology
- Financial or material abuse
- Gambling
- Hate and "mate" crime
- Misuse of technology
- Modern slavery
- Neglect and acts of omission
- Organisational or institutional abuse
- Psychological abuse

- Physical abuse
- Radicalisation
- Sexual abuse
- Sexual exploitation
- Spiritual abuse
- Trafficking

Definition of terms for safeguarding children

Information sharing

Information sharing is essential for effective safeguarding. The TSA may have one piece of a jigsaw which will help a safeguarding partner to understand the bigger picture for a child who is being abused or at risk of abuse. Concerns about a child must be passed on the relevant statutory authorities.

The General Data Protection Regulation (GDPR) 2018 includes safeguarding of children as a justified reason for sharing information without consent. The TSA does not need consent to share information with Children's Social Care or the Police where doing so prevents harm or a crime.

The TSA recognises that some people may share information about their own family dynamics, stresses and triggers that includes information about children. The TSA will promote effective and early identification of safeguarding concerns in respect of children.

Signification harm

The Children Act 1989 introduced the concept of 'significant harm' as the threshold which justifies compulsory intervention in family life in the best interests of children.

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.

Safeguarding procedures for children at risk

The TSA has a set of clear safeguarding procedures to make sure that everyone at the charity knows:

- What to do and who to tell internally if you have a concern about a child
- How to handle a disclose of abuse or neglect, and how to respond and record your concerns
- When and how to share information with external partners to ensure effective safeguarding
- When and how to make a referral to Children's Social Care or the Police if there are concerns about significant harm.

The safeguarding procedures for adults and children are attached to this policy as Appendix B.

Adults at risk

Definition of an adult at risk

There is no single law that defines an adult at risk across the UK. In general terms, an adult at risk is a person over the age of 18 years (or 16 years in Scotland) who is:

- having needs for care and support, and;
- experiencing, or is at risk of, abuse and neglect and;
- as a result of those care needs, is unable to protect themselves from either the risk of, or the experience of abuse or neglect.

The aims of adult safeguarding are to:

- stop abuse or neglect wherever possible;
- prevent harm and reduce the risk of abuse or neglect to adults with care and support needs;
- safeguard adults in a way that supports them in making choices and having control about how they want to live;
- promote an approach that concentrates on improving life for the adults concerned;
- raise public awareness so that communities as a whole, alongside professionals, play their part in preventing, identifying and responding to abuse and neglect;
- provide information and support in accessible ways to help people understand the different types of abuse, how to stay safe and what to do to raise a concern about the safety or well-being of an adult;
- address what has caused the abuse or neglect.

We will benchmark our safeguarding arrangements for adults at risk against the following six Safeguarding Principles, which are:

1. Empowerment. Presumption of person-led decisions and informed consent.
2. Protection. Support and representation for those in greatest need.
3. Prevention. It is better to take action before harm occurs.
4. Proportionality. Proportionate and least intrusive response appropriate to the risk presented.
5. Partnership. Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse.
6. Accountability. Accountability and transparency in delivering safeguarding.

Legislation and guidance relevant to safeguarding adults at risk

- England – Care Act 2014, HM Government
- England – *Care and Support, Statutory Guidance on Implementation of the Care Act 2014*
- England – Mental Capacity Act, Department of Health 2005
- Scotland – The Adult Support and Protection Act 2007 and *related Code of Practice*
- Wales – Social Services and Wellbeing (Wales) Act 2014
- Northern Ireland – *Adult Safeguarding Prevention and Protection in Partnership*

See Appendix C for more information about relevant legislation and guidance.

Signs of abuse for safeguarding adults at risk

The following list is for guidance only.

- Physical abuse
- Domestic violence or abuse, including 'honour-based' violence, FGM and forced marriage, and coercive or controlling behaviour.
- Sexual abuse
- Psychological or emotional abuse
- Financial or material abuse
- Modern slavery
- Discriminatory abuse
- Organisational or institutional abuse
- Neglect or acts of omission
- Self-neglect.

Definitions of terms for safeguarding adults at risk

Duty to safeguard adults at risk

This duty is mainly aimed at people with care and support needs who may be in vulnerable circumstances and at risk of abuse or neglect by others. In these cases, local services must work together to spot those at risk and take steps to protect them. The 'duty' applies to an adult who:

- has care and support needs (whether or not the local authority is meeting any of those needs) and;
- is experiencing, or at risk of, abuse or neglect;
- 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.

Care and support needs

This definition sets out the threshold for eligible care and support needs based on identifying how a person's needs affect their ability to achieve relevant outcomes, and how this impacts on their wellbeing. If an adult has a physical or mental impairment or illness and they are unable to achieve at least two 'wellbeing outcomes', and as a consequence of being unable to achieve one of the outcomes there is or is likely to be a significant impact on the adult's wellbeing, then they are eligible for care and support by the local authority.

Information sharing

Information sharing is key effective safeguarding. Concerns about a child must be passed to the relevant statutory authorities, but if an adult does not give consent to share their personal information or refuses a referral then their wishes should usually be respected. The TSA's staff will usually obtain the consent of a client before sharing any information with family and friends or with trained professionals to facilitate further help and support. Confidentiality is an important part of the TSA's ethos.

However, there are a small number of situations where consent is not needed. For example, if there is immediate risk of harm to the person or someone else, a serious crime has been committed or can be prevented, or if the person lacks capacity at this time to make a decision about consent. The General Data Protection Regulation (GDPR) 2018 includes safeguarding children and others at risk as a justified reason for sharing information without consent. The TSA does not need consent to share information with the Local Authority safeguarding team or the Police where there is immediate risk of harm to the person or someone else, a serious crime has been committed or can be prevented, or if the person lacks capacity at this time to make a decision about consent.

Capacity and lack of capacity

Adults have the right to make decisions on their own behalf and they are presumed to have the capacity to do so. Adults lacking capacity to make decisions that would protect and promote their own interests are potentially extremely vulnerable. The Mental Capacity Act 2005 sets out the circumstances in which it can be established that a person lacks the capacity to make a specific decision at a particular time.

Adults at risk should be supported to participate as far as possible in decision-making and express their views. Where it has been established that an adult lacks capacity to make a specific decision, information can be disclosed in accordance with the Mental Capacity Act 2005, when in the opinion of the member of staff, it would be in the person's best interests. Where an adult lacks capacity to consent to disclosure it is usually reasonable to assume unless there is clear evidence to the contrary that they would want people close to them, or directly involved in their care, to be given appropriate information about their illness, prognosis and treatment.

On the rare occasion that TSA staff have to make a decision on behalf of an adult who is lacking capacity to make a specific decision at a particular time, they will do so in that person's best interest and ensuring that it is the least restrictive option available.

Safeguarding procedures for adults at risk

The TSA has a set of clear safeguarding procedures to make sure that everyone at the charity knows:

- What to do and who to tell internally if you have a concern about an adult at risk
- When and how to share information with external safeguarding partners, including respecting people's wishes and understanding when it may be appropriate to act without consent
- When and how to assess whether a person has the mental capacity to make a specific decision about sharing information or being referred for support
- When and how to make a referral for support from a Local Authority safeguarding team or another safeguarding partner such as the Police
- When and how to challenge Local Authority decisions
- What it is important to record about safeguarding issues.

The safeguarding procedures for adults and children are attached to this policy as Appendix B.

Robust recruitment and safe working practices

Robust recruitment

Disclosure and Barring Service (DBS) checks

The DBS was established under the Protection of Freedoms Act 2012 and merges the functions previously carried out by the Criminal Records Bureau (CRB) and Independent Safeguarding Authority (ISA). The primary role of the DBS is to help employers in England and Wales make safer recruitment decisions and prevent unsuitable people from working with vulnerable groups.

The TSA will not knowingly allow a trustee, member of staff, manager, ambassador or volunteer (either in a paid or unpaid capacity) to work with or support a group which they are barred from working with.

The TSA is aware of its responsibility for ensuring that it carries out appropriate Basic and Enhanced DBS disclosure checks on applicants for any position that qualifies for such a check. All trustee and staff roles at the TSA require a Basic DBS disclosure check.

Recruitment of ex-offenders

The TSA has an up-to-date policy for the recruitment of ex-offenders which has been approved by the TSA Board and is referenced in the Staff Handbook.

Safer staffing

Training

The TSA is clear that training and raising awareness of safeguarding issues, policies and procedures is fundamental to the development and maintenance of a safer environment, safer organisation and safer staff. The charity will ensure that appropriate safeguarding training during induction and at regular intervals is provided to trustees and members of staff to assist them in:

- preventing abuse
- recognising abuse
- responding appropriately to allegations of abuse
- recording concerns
- knowing who to tell and when information can be shared.

The designated safeguarding lead will receive appropriate training every two years to ensure that s/he are up to date with policy and practice and aware of any changes in legislation.

All members of the senior management team receive external safeguarding training so that they can support staff when the named designated safeguarding lead is on leave.

All members of staff who have frontline roles on the TSA's Support Line receive external training from a provider that specialises in safeguarding for helplines.

The TSA will provide internal training by the designated safeguarding lead for trustees and staff at induction that is refreshed on a regular basis to ensure that they have a strong understanding of safeguarding and how to recognise, respond to and record any concerns.

Whistleblowing

The Public Interest Disclosure Act 1998 amended 2013, introduced protection for workers from reprisals for disclosing information in the public interest. It emphasises the importance that 'whistleblowing' can play in deterring and detecting malpractice and abuse of children and adults at risks.

The TSA will promote practical arrangements for whistleblowing to enable staff to voice any concerns, made in the public interest, without fear of repercussion. Any staff member who uses the 'whistleblowing' procedure will be made aware that their employment rights are protected. Staff members will be supported in this individual responsibility to bring matters of concern to the attention of senior management and/or relevant external agencies. This is particularly important where it helps to safeguard the welfare of children, young people and adults at risk.

The TSA will ensure that the charity:

- has an appropriate whistleblowing policy in place.
- has clear procedures for dealing with allegations against staff.
- encourages and supports staff to report any behaviour by colleagues that raises concern regardless of source.

All safeguarding concerns raised by staff through the 'whistleblowing' pathway must be referred to the Head of Communications and Support and the Chief Executive Officer for consideration and assessment.

On 1 January 2012, the NHS whistleblowing helpline for NHS staff was extended to staff and employers in the social care sector. The helpline number is 08000 724 725 and further information can be found at <http://wbhelpline.org.uk>.

Safeguarding allegations against staff

The TSA will immediately refer all safeguarding allegations about its staff to the appropriate Local Authority social services safeguarding team for adults or children.

It is a matter of policy that any staff member about whom a safeguarding allegation is made will be suspended without prejudice immediately, pending investigation. This will be the case even if the allegation is not linked to their role or activity with TSA. Such instances will be rare and any decision to suspend will not be taken lightly.

The decision will be taken by the Chief Executive and designated safeguarding lead in discussion with the relevant line manager. The decision will be informed by advice from external HR and legal specialists. If the safeguarding allegation is about the Chief Executive, the designated safeguarding lead will raise it directly with the Chair and Vice Chair who will make the decision on behalf of the charity.

During any investigation of an allegation against a suspended member of staff, the TSA recognises that the charity has a continuing duty of care. They will ensure a link person is nominated who is not connected to the investigation to provide support and guidance, such as a local GP, trade union or HR adviser, who can signpost the suspended member of staff to other external support networks.

Complaints about TSA staff

All complaints that are received about the conduct or behaviour of TSA staff will be dealt with according to the TSA Complaints policy.

If any complaint is identified as a potential safeguarding concern, issue or risk then this complaint will be referred directly into Safeguarding Procedures. It will be forwarded to the designated safeguarding lead who will fully investigate the situation with the Chief Executive in order to respond to the complaint. If the complaint is about the Chief Executive then the designated safeguarding lead will work with either the Chair, Vice Chair or trustee safeguarding lead to investigate and respond to the complaint.

Under no circumstances will safeguarding referrals be delayed whilst waiting for the client to make a formal written complaint.

DBS referral

If at any time TSA removes an individual from their role and believe that the person has caused harm or poses a future risk of harm to vulnerable groups, including children or adults at risk (or the person has resigned or left that post in circumstances where they may have been removed), then they will refer the matter to the Disclosure and Barring Service.

Appendix A – More details about legislation and guidance relating to safeguarding children

- **The Children Act 1989** places a legal duty on the local authority to make enquiries if they have reasonable cause to suspect a child is suffering or likely to suffer significant harm to enable them to decide whether to take any action in order to safeguard or promote the child's welfare. http://www.opsi.gov.uk/acts/acts1989/ukpga_19890041_en_1_12
- **The Children Act 2004** Section 11 of the Children Act 2004 placed duties on a range of organisations and individuals to ensure their functions, and any services that they contract out to others, are discharged having regard to the need to safeguard and promote the welfare of children, for example police, NHS, local authorities, probation, prisons and offending services. <http://www.legislation.gov.uk/ukpga/2004/31/contents>
- ***Working Together to Safeguard Children: A Guide to interagency working to safeguard and promote the welfare of children*, HM Government 2015.** These documents define the categories of child abuse and provide a useful list of signs and symptoms. <https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>
- **The United Nations Convention on the Rights of the Child**, Families and Babies believe that every child has the right to be loved and cared for and to be safe and well, to be offered a good standard of education, to be protected from exploitation and to have opportunities for rest and play (1991). Similarly, all children have the same rights and the same value, regardless of age, race, culture, gender, disability, or social/economic background. <http://www.unicef.org/crc/>
- ***What to do if you're worried a child is being abused*, Department of Health 2015.** This guidance is accompanied with flowcharts following the procedure from referral, initial assessment, emergency action that might need to be taken, through to what happens after a strategy discussion and child protection review conference. https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/419604/What_to_do_if_you_re_worried_a_child_is_being_abused.pdf
- ***Sharing Information*, Department for Children, Schools and Families 2015.** This HM Government advice is non-statutory and has been produced to support practitioners in the decisions they take when sharing information to reduce the risk of harm to children and young people. This advice is for all frontline practitioners and senior managers working with children, young people, parents and carers who must make decisions about sharing personal information on a case by case basis. It might also be helpful for practitioners working with adults who are responsible for children who may be in need. <https://www.gov.uk/government/publications/safeguarding-practitioners-information-sharing-advice>

Appendix B – Procedures for safeguarding children

TSA Support Line safeguarding procedures

HIGH AND / OR IMMEDIATE RISK

Adviser believes that user is at a high risk of immediate harm that may require emergency services

DURING CALL

Offer appropriate reassurance, remain calm

1. Alert the Designated Safeguarding Lead (DSL). If SL unavailable, contact Deputy DSL (DDSL)
 - o DSL or DDSL to listen in on call if able
2. Explain to user:
 - o Why you are worried and the emergency services need to be contacted immediately to ensure their safety
 - o They need to get to a safe place - e.g. another house, outside, a trusted loved one
3. If user unable/unwilling to call emergency services:
 - o Offer to call emergency services and ask for identifying information: (e.g. name, address, age)
 - DSL/Adviser to then call emergency services, using identifying information
 - o If identifying information not given, SL/Adviser to contact Call Handling to attempt call trace, and then contact emergency services
4. Following arrival of emergency services and the user is safe, end the call



AFTER CALL

All steps to be completed on same day of the call

1. Adviser to update DSL and DDSL on call and do **all** the following:
 - o Agree next steps with DSL and DDSL (referral to or update third-party, follow-up, develop of action plan etc.)
 - o Fill out safeguarding incident form and send to DSL and DDSL, save on TSA central drive in secure area
 - o Update Harlequin user entry – record safeguarding concern, what decisions were made and why
2. Adviser, DSL and DDSL to debrief as part of steps against vicarious trauma protection (see vicarious trauma documentation)



NEXT STEPS

All steps to be completed on same day of the call

1. Adviser to follow-up with caller / third party to check on outcome, offer action plan and discuss possible referral to, or update of, third-party (if applicable). If no response, follow-up on later days (consider written response)
2. Support and Information Services team (SAIS) to discuss call in team meeting
 - o Evaluate response and areas for improvement and carry out reflective practice
3. SAIS to update wider TSA team (as needed)
 - o Wider TSA team to be made aware of call in next team meeting as part of safeguarding monitoring
4. Further reflective practice and vicarious trauma steps to be carried out as needed

Key contacts

- **DESIGNATED SAFEGUARDING LEAD** Louise Fish (Joint Chief Executive): Louise.Fish@tuberosus-sclerosis.org / 07786 390 101
- **DEPUTY DESIGNATED SAFEGUARDING LEAD** Luke Langlands (Head of Communications and Support): Luke.Langlands@tuberosus-sclerosis.org / 07421996057. If Luke unavailable, contact another member of management team
- **Call Handling** 0333 321 0888
- Samantha Barber (Joint Chief Executive): Samantha.Barber@tuberosus-sclerosis.org
- Anna Gaunt (Joint TSA Support Line Manager): Anna.Gaunt@tuberosus-sclerosis.org
- Mega Arumugam (Joint TSA Support Line Manager): Mega.Arumugam@tuberosus-sclerosis.org

Remember: Time must be set aside for reflective practice and vicarious trauma protection following safeguarding concerns of any risk level

**Date of next review:
March 2022**

LOW RISK

MEDIUM RISK

Adviser considers that risk to user is low or medium. 'Low' focused on monitoring, 'Medium' focused on referral

DURING CALL

Remain calm and encourage empowerment

1. Use mixture of open and closed questions to gather information about them and others (e.g. name, location etc.)
2. Gently but clearly explain to user:
 - o That an action plan could help keep them / others safe, and will give clarity to everyone involved
 - o Gather more information: E.g. details of concern, who lives with TSC, current access to support and if any professionals already involved
3. If user agrees on action plan: Agree a date/time for a follow-up call or email
4. If user declines action plan: Action plan still developed and used internally. Continue with call, if appropriate offer follow-up contact at later date to check-in

AFTER CALL

To happen on same day of the call

1. Adviser, Designated Safeguarding Lead (DSL) and Deputy DSL (DDSL) to agree on appropriate next steps (if any) and develop action plan
2. Fill out safeguarding incident form, send to DSL and DDSL, and save on TSA central drive in secure area
3. Update Harlequin user entry – record safeguarding concern, what decisions were made and why (even if agreed that no further next steps necessary)

NEXT STEPS

To happen at the earliest appropriate time

1. Share action plan with user (if they agreed to receive one)
2. Carry out steps agreed within action plan
3. Adviser to debrief with DSL and/or DDSL
 - o Apply reflective practice and address impact of possible vicarious trauma
4. Support and Information Services team (SAIS) to discuss call in team meeting
 - o Evaluate response and areas for improvement and carry out reflective practice
5. SAIS to update wider TSA team (as needed)
 - o Wider TSA team to be made aware of call in next team meeting as part of safeguarding monitoring
6. Further reflective practice and vicarious trauma steps to be carried out as needed

Remember: You are never alone with any decision to escalate a call – the team is one in everything!

Remember: Use the TSA's risk level checklist to help judge your perceived level of risk for caller

Remember: It is our responsibility to refer when needed but not to investigate

Remember: It is ok to start at one risk level and then change to match your professional judgement

DURING CALL

Offer appropriate reassurance, remain calm

1. Alert the Designated Safeguarding Lead (DSL). If DSL unavailable, contact Deputy DSL (DDSL)
 - o DSL or DDSL to listen in on call if able
2. Use mixture of open and closed questions to gather information about them and others (name, location etc.)
3. Gently but clearly explain to user:
 - o You are worried about them and that you need to tell someone about the situation to help keep them safe
 - Seek the user's permission to make a safeguarding referral
 - o That an action plan could help keep them / others safe, and will give clarity to everyone involved
 - If action plan declined, plan to still be developed and used internally
4. If user agrees to referral:
 - o Confirm that you will discuss the situation internally. Agree day/time to follow-up with user
5. If user does not agree to referral:
 - o If person at risk of harm is aged under 18, inform user that an internal referral discussion will still happen because you want to keep the child safe
 - o If person at risk of harm is an adult, confirm that a discussion will happen internally about a referral, but that no steps will be made before talking to them

REFERRAL

If possible, to happen immediately after call

1. Adviser, DSL and DDSL to discuss if referral to take place –even if user is an adult and no permission given
2. Contact user, informing them of the decision on whether to refer or not and the steps that will now be made
3. Referral to be made to relevant Social Care Services (SCS) by Adviser who has dealt with user

AFTER CALL

To happen at the earliest appropriate time

1. Adviser, DSL and DDSL to agree on appropriate next steps and develop action plan
2. Carry out steps in action plan
3. Adviser who dealt with user to follow-up with SCS to identify outcome of referral (usually 24 hours after referral made)
4. Fill out safeguarding incident form, send to DSL and HS, and save on TSA central drive in secure area
5. Adviser to debrief with DSL and/or DDSL
 - o Apply reflective practice and address impact of possible vicarious trauma
6. Support and Information Services team (SAIS) to discuss call in team meeting
 - o Evaluate response and areas for improvement and carry out reflective practice
7. SAIS to update wider TSA team (as needed)
 - o Wider TSA team to be made aware of call in next team meeting as part of safeguarding monitoring
8. Further reflective practice and vicarious trauma steps to be carried out as needed

Appendix C – More information about legislation and guidance on safeguarding adults at risk

- **England – Care Act 2014, HM Government.** This Act replaced the ‘No Secrets’ Department of Health 2000 guidance in respect of safeguarding adults at risk. The terms ‘adult at risk of abuse or neglect’ and the previously used term ‘vulnerable adult’ are interchangeable and mean the same. This act makes the creation of Safeguarding Adult Protection Boards, vetting and training as mandatory for the first time. The Act came into force in April 2015.
- **England – Care and Support, Statutory Guidance on Implementation of the Care Act 2014.** The Government issued statutory guidance in October 2014 which explained how the new Care Act 2014 Regulations which came into effect from April 2015 work in practice. They made changes that included clarifying the guidance on adult safeguarding and revising the eligibility criteria to focus on outcomes and better address social isolation.
- **England – Mental Capacity Act, Department of Health 2005.** This Act provides a statutory framework to empower and protect vulnerable people who are not able to make their own decisions. It makes it clear who can take decisions, in which situations and how they should go about this. <https://www.gov.uk/government/publications/mental-capacity-act-code-of-practice>
- **Scotland – The Adult Support and Protection Act 2007 and related Code of Practice**
- **Wales – Social Services and Wellbeing (Wales) Act 2014**
- **Northern Ireland – Adult Safeguarding Prevention and Protection in Partnership (Policy)**
- **Data Protection Act 1998.** The Data Protection Act 1998 gives effect throughout the United Kingdom to an EC Directive of 1995. It requires compliance with eight Data Protection Principles which set out standards for processing and handling information. Where you have concerns that the actions of some may place children at risk of significant harm or adults at risk of serious harm, it may be possible to justify sharing information with or without consent for the purposes of identifying people for whom preventative interventions are appropriate. <https://www.gov.uk/data-protection/the-data-protection-act>
- **The General Data Protection Regulation (GDPR) 2018** includes safeguarding of children or others at risk as a justified reason for sharing information without consent.
- **Counter-Terrorism and Security Act 2015.** Section 26 of the Act places a duty on partners of Local authorities and certain bodies, in the exercise of their functions, to have due regard to the need to prevent people from being drawn into terrorism. <https://www.gov.uk/government/publications/prevent-duty-guidance>

Appendix D – More information about legislation and guidance on robust recruitment and safe working practices

- **Safeguarding Vulnerable Groups Act 2006 (as amended by the Protection of Freedoms Act 2012).** This Act created the Independent Safeguarding Authority along with Vetting and Barring Scheme to help prevent unsuitable people from working (paid or otherwise) with children and Adult at Risks. In 2012 The Criminal Records Bureau (CRB) and the Independent Safeguarding Authority (ISA) merged into the Disclosure and Barring Service (DBS). CRB checks are now called DBS checks.
<http://www.legislation.gov.uk/ukpga/2006/47/contents>
<http://www.legislation.gov.uk/ukpga/2012/9/contents/enacted>

- ***Safer Working Practices, Department of Children, Schools and Families 2009.*** Whilst this practice guidance is archived, it continues to provide clear advice on appropriate and safe behaviours for all adults working with children in paid or unpaid capacities, in all settings and in all contexts.
<http://webarchive.nationalarchives.gov.uk/20100202180143/http://www.dcsf.gov.uk/everychildmatters/resources-and-practice/IG00311/>

A revised edition was published in 2015 by the Safer Recruitment Consortium, however this is specifically aimed at educational settings. There is however useful information within the guidance document.

<http://www.saferrecruitmentconsortium.org/GSWP%20Oct%202015.pdf>

- ***Recruiting Safely, Children's Workforce Development Council 2009.*** Whilst this document is now archived it continues to provide an overview for individuals and organisations seeking to understand the task of safer recruitment within the wider safeguarding agenda. It provides a list of key issues that need to be considered when undertaking safe recruitment.
<http://webarchive.nationalarchives.gov.uk/20130403233802/https://www.education.gov.uk/publications/eOrderingDownload/summary%20guidance%20on%20safer%20recruitment%20nov%202009.pdf>

This document needs to be read in conjunction with information on the website below for making safer recruitment decisions. <https://www.gov.uk/government/policies/helping-employers-make-safer-recruitingdecisions>

- **The Public Interest Disclosure Act 1998 (as amended in 2013).** This Act introduced protection for workers from reprisals for disclosing information in the public interest. It emphasises the importance that the role 'whistleblowing' can play in deterring and detecting malpractice and abuse of children and adults at risk.