

## Policy/Procedure

# Safeguarding: Adults & Children

January 2024

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# **SECTION 1 - Safeguarding: Adults**

## **Introduction**

Oasis is committed to safeguarding adults in line with national legislation and relevant national and local guidelines. We will achieve this by ensuring that our activities are delivered in a way which keeps all adults safe.

Oasis is committed to creating a culture of zero-tolerance of harm to adults which necessitates: the recognition of adults who may be at risk and the circumstances which may increase risk; knowing how adult abuse, exploitation or neglect manifests itself; and being willing to report safeguarding concerns.

This extends to recognising and reporting harm experienced anywhere, including within our activities, within our centre, within our voluntary activities, in the community, in the person's own home and in any care setting.

Oasis is committed to best safeguarding practice and to uphold the rights of all adults to live a life free from harm from abuse, exploitation and neglect.

## **Policy Statement**

Oasis believes everyone has the right to live free from abuse or neglect regardless of age, ability or disability, sex, race, religion, ethnic origin, sexual orientation, marital or gender status.

Oasis is committed to creating and maintaining a safe and positive environment and an open, listening culture where people feel able to share concerns without fear of retribution.

Oasis acknowledges that safeguarding is everybody's responsibility and is committed to preventing abuse and neglect through safeguarding the welfare of all adults involved.

Oasis recognises that health, well-being, ability, disability and need for care and support can affect a person's resilience. We recognise that some people experience barriers, for example, to communication in raising concerns or seeking help. We recognise that these factors can vary at different points in people's lives.

Oasis recognises that there is a legal framework within which we need to work to safeguard adults who have needs for care and support and for protecting those who are unable to take action to protect themselves and will act in accordance with the relevant safeguarding adult legislation and with local statutory safeguarding procedures.

Actions taken by Oasis will be consistent with the principles of adult safeguarding ensuring that any action taken is prompt, proportionate and that it includes and respects the voice of the adult concerned.

## **Purpose**

The purpose of this policy is to demonstrate the commitment of Oasis to safeguarding adults and to ensure that everyone involved in Oasis is aware of:

- The legislation, policy and procedures for safeguarding adults.
- Their role and responsibility for safeguarding adults.



- What to do or who to speak to if they have a concern relating to the welfare or wellbeing of an adult within the organisation.

## Scope

This safeguarding adult policy and associated procedures apply to all individuals involved in Oasis including Trustees, Staff, Volunteers and Service Users. This includes all concerns about the safety of adults whilst taking part in our activities whilst at our centre and in the wider community.

We expect our partner organisations, including for example, suppliers and sponsors to adopt and demonstrate their commitment to the principles and practices as set out in this policy and any associated procedures.

## Commitments

In order to implement this policy Oasis will ensure that:

- Everyone involved with Oasis is aware of the safeguarding adult procedures and knows what to do and who to contact if they have a concern relating to the welfare or wellbeing of an adult.
- Any concern that an adult is not safe is taken seriously, responded to promptly, and followed up in line with this policy.
- The well-being of those at risk of harm will be put first and the adult actively supported to communicate their views and the outcomes they want to achieve. Those views and wishes will be respected and supported unless there are overriding reasons not to.
- Any actions taken will respect the rights and dignity of all those involved and be proportionate to the risk of harm.
- Confidential, detailed and accurate records of all safeguarding concerns are maintained and securely stored in line with our Privacy, Data Protection and Information Sharing Policy.
- Oasis will cooperate with the Police and the relevant Local Authorities in taking action to safeguard an adult.
- All trustees, staff and volunteers understand their role and responsibility for safeguarding and have completed and are up to date with safeguarding training and learning opportunities appropriate for their role. Records of this training is kept in their personal staff file.
- Trustees also undertake on-going monitoring to ensure that safeguards are being effectively implemented in practice. This is done by 'discussion and questions' with the Service Director at each Trustee meeting held. 'Safeguarding Monitoring' is a compulsory item on the agenda at each meeting.
- Oasis uses safer recruitment practices and continually assesses the suitability of staff and volunteers to prevent the employment of unsuitable individuals.
- Oasis shares information about anyone found to be a risk to adults with the appropriate bodies. For example: Disclosure and Barring Service, the Police and Local Authority/Social Services.
- When planning activities and events Oasis includes an assessment of risk to the safety of all adults from abuse and neglect and designates a person who will be in attendance as a safeguarding lead for that event.
- Actions taken under this policy are reviewed by the trustees and senior management team on an annual basis.
- This policy and related policies are reviewed on no less than an annual basis and whenever there are changes in relevant legislation and/or government guidance as required by the Local Safeguarding Board or Authority.



## Implementation

Oasis is committed to developing and maintaining its capability to implement this policy and procedures.

To do so, the following will be in place:

- A clear line of accountability within the organisation for the safety and welfare of all adults.
- Access to relevant legal and professional advice.
- Safeguarding adult procedures that deal effectively with any concerns of abuse or neglect, including those caused through poor practice.
- A Designated Safeguarding Lead and deputies are in place and on site or available to be contacted at all times. Caroline Edwards is the Designated Safeguarding Lead and Joanne Lucas as Deputy Designated Safeguarding Lead.
- A Designated Safeguarding Lead for events/courses/activities/trips.
- Arrangements to work effectively with other relevant organisations to safeguard and promote the welfare of adults, including arrangements for sharing information.
- Risk assessments that specifically include safeguarding of adults.
- Policies and procedures that address the following areas and which are consistent with this Safeguarding policy:
  - > Safeguarding children
  - > Bullying and harassment
  - > Social media
  - > Equality, diversity and inclusion
  - > Safe activities risk assessments
  - > Discipline and grievance
  - > Concerns, complaints and compliments
  - > Whistleblowing
  - > Safe recruitment and selection (staff and volunteers)
  - > Information policy, data protection and information sharing

## Safeguarding Adults: Supporting Information

### Key Points

- There is a **legal duty on Local Authorities** to provide support to 'adults at risk'.
- **Adults at risk** are defined in legislation.
- The safeguarding legislation applies to **all forms of abuse** that harm a person's well-being.
- The law provides a framework for good practice in safeguarding that makes the overall **well-being** of the adult at risk a priority of any intervention.
- The law emphasises the importance of **person-centred safeguarding**, (referred to as '**Making Safeguarding Personal**').
- The law provides a framework for making decisions on behalf of adults who can't make decisions for themselves (**Mental Capacity**).
- The law provides a framework for all organisations to **share information and cooperate** to protect adults at risk.



## Safeguarding Adults Legislation

Safeguarding Adults in all home nations is compliant with United Nations directives on the rights of disabled people and commitments to the rights of older people. It is covered by:

- The Human Rights Act 1998.
- The Data Protection Act 2018
- General Data Protection Regulations 2018
- Sexual Offences Act 2003
- Mental Capacity Act 2005
- Safeguarding Vulnerable Group Acts 2006
- Health and Social Care Act 2012
- Equality Act 2010

The practices and procedures within this policy are based on the relevant legislation and government guidance.

- England - The Care Act 2014
- Care and Support Statutory Guidance (especially chapter 14) 2014
- Public Interest Disclosure Act 1998

Many other pieces of UK legislation also affect adult safeguarding. These include legislation about different forms of abuse and those that govern information sharing. For example, legislation dealing with:

- |  |  |
|--|--|
| <ul style="list-style-type: none"> <li>• Murder/attempted murder</li> <li>• Physical Assault</li> <li>• Sexual Offences</li> <li>• Domestic Abuse/Coercive control</li> <li>• Forced Marriage</li> <li>• Female Genital Mutilation</li> <li>• Theft and Fraud</li> </ul> | <ul style="list-style-type: none"> <li>• Modern slavery and Human exploitation</li> <li>• Hate crime</li> <li>• Harassment</li> <li>• Listing and Barring of those unsuitable to work with adults with care and support needs</li> </ul> |
|--|--|

There is also legislation about the circumstances in which decisions can be made on behalf of an adult who is unable to make decisions for themselves:

- England and Wales - Mental Capacity Act 2005
- There are specific offences applying to the mistreatment of and sexual offences against adults who do not have Mental Capacity and specific offences where mistreatment is carried out by a person who is employed as a carer: e.g. wilful neglect and wilful mistreatment.

## Definition of an Adult at Risk

The Safeguarding Adults legislation creates specific responsibilities on Local Authorities, Health, and the Police to provide additional protection from abuse and neglect to Adults at Risk.

When a Local Authority has reason to believe there is an adult at risk, they have a responsibility to find out more about the situation and decide what actions need to be taken to support the adult.

The actions that need to be taken might be by the Local Authority (usually Social Services) and/or by other agencies, for example the Police and Health. An organisation may need to take action as



part of safeguarding an adult, for example Ofsted, to use the disciplinary procedures in relation to a member of staff or member who has been reported to be harming a participant. The Local Authority role includes having multi-agency procedures which coordinate the actions taken by different organisations.

#### England (Care Act 2014)

An adult at risk is an individual aged 18 years and over who:

- (a) has needs for care and support (whether or not the Local Authority is meeting those needs) AND
- (b) is experiencing, or 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.

## Abuse and Neglect

Abuse is a violation of an individual's human and civil rights by another person or persons. It can occur in any relationship and may result in significant harm to, or exploitation of, the person subjected to it. Any or all of the following types of abuse may be perpetrated as the result of deliberate intent, negligence, omission or ignorance.

There are different types and patterns of abuse and neglect and different circumstances in which they may take place.

Safeguarding legislation includes the following types of abuse:

- Physical
- Sexual
- Psychological
- Neglect
- Financial

Abuse can take place in any relationship and there are many contexts in which abuse might take place; e.g. institutional abuse, domestic abuse, forced marriage, human trafficking, modern slavery, sexual exploitation, county lines, radicalisation, hate crime, mate crime, cyber bullying, scams.

Abuse can take place within any context and the person causing harm might be any other person. For example: a member of staff, a volunteer, a client or a trustee.

Some examples who abuse or neglect could be carried out by:

- A spouse, partner or family member.
- Neighbours or residents.
- Friends, acquaintances or strangers.
- People who deliberately exploit adults they perceive as vulnerable.
- Paid staff, professionals or volunteers providing care and support.

Often the perpetrator is known to the adult and may be in a position of trust and/or power.

The England (Care Act 2014) defines categories of adult abuse and harm as follows:

- Physical
- Sexual
- Emotional/Psychological/Mental



- Neglect and acts of Omission
- Financial or material abuse
- Discriminatory
- Organisational / Institutional
- Self-neglect
- Domestic Abuse (including coercive control)
- Modern slavery

## Signs and Indicators of Abuse and Neglect

An adult may confide to a member of staff, volunteer or another service user that they are experiencing abuse inside or outside of the organisation's setting. Similarly, others may suspect that this is the case.

There are many signs and indicators that may suggest someone is being abused or neglected. There may be other explanations, but they should not be ignored. The signs and symptoms include but are not limited to:

- Unexplained bruises or injuries – or lack of medical attention when an injury is present.
- Person whose belongings or money keeps going missing.
- Someone losing or gaining weight / an unkempt appearance a deterioration in hygiene.
- A change in the behaviour or confidence of a person.
- Self-harm.
- A fear of a particular group of people or individual.
- A parent/carer always speaks for the person and doesn't allow them to make their own choices.
- They may tell you / another person they are being abused – i.e. a disclosure.

## Wellbeing Principle

The concept of 'well-being' is threaded throughout UK legislation and is part of the law about how health and social care is provided. Our well-being includes our mental and physical health, our relationships, our connection with our communities and our contribution to society.

Being able to live free from abuse and neglect is a key element of well-being.

The legislation recognises that statutory agencies have sometimes acted disproportionately in the past. For example, removing an adult at risk from their own home when there were other ways of preventing harm. In the words of Justice Mumby 'What good is it making someone safe when we merely make them miserable?' What Price Dignity? (2010)

For that reason, any actions taken to safeguard an adult must take their whole well-being into account and be proportionate to the risk of harm.

## Person Centered Safeguarding/Making Safeguarding Personal

The legislation also recognises that adults make choices that may mean that one part of our well-being suffers at the expense of another – for example we move away from friends and family to take a better job. Similarly, adults can choose to risk their personal safety; for example, to provide care to a partner with dementia who becomes abusive when they are disorientated and anxious.



None of us can make these choices for another adult. If we are supporting someone to make choices about their own safety, we need to understand what matters to them and what outcomes they want to achieve from any actions agencies take to help them to protect themselves.

The concept of 'Person Centred Safeguarding'/'Making Safeguarding Personal' means engaging the person in a conversation about how best to respond to their situation in a way that enhances their involvement, choice and control, as well as improving their quality of life, well-being and safety. Organisations work to support adults to achieve the outcomes they want for themselves. The adult's views, wishes, feelings and beliefs must be taken into account when decisions are made about how to support them to be safe. There may be many different ways to prevent further harm. Working with the person will mean that actions taken help them to find the solution that is right for them. Treating people with respect, enhancing their dignity and supporting their ability to make decisions also helps promote people's sense of self-worth and supports recovery from abuse.

If someone has difficulty making their views and wishes known, then they can be supported or represented by an advocate. This might be a safe family member or friend of their choice or a professional advocate (usually from a third sector organisation).

England (Care Act 2014) The Act's principles are:

- Empowerment – People being supported and encouraged to make their own decisions and informed consent.
- Prevention – It is better to take action before harm occurs.
- Proportionality – The least intrusive response appropriate to the risk presented.
- Protection – Support and representation for those in greatest need.
- Partnership – Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse.
- Accountability – Accountability and transparency in delivering safeguarding.

## Mental Capacity and Decision Making

We make many decisions every day, often without realising. UK Law assumes that all people over the age of 16 have the ability to make their own decisions, unless it has been proved that they can't. It also gives us the right to make any decision that we need to make and gives us the right to make our own decisions even if others consider them to be unwise.

We make so many decisions that it is easy to take this ability for granted. The Law says that to make a decision we need to:

- > Understand information
- > Remember it for long enough
- > Think about the information
- > Communicate our decision

A person's ability to do this may be affected by things such as learning disability, dementia, mental health needs, acquired brain injury and physical ill health.

Most adults have the ability to make their own decisions given the right support however, some adults with care and support needs have the experience of other people making decisions about them and for them.

Some people can only make simple decisions like which colour t-shirt to wear or can only make decisions if a lot of time is spent supporting them to understand the options. If someone has a disability that means they need support to understand or make a decision this must be provided.





A small number of people cannot make any decisions. Being unable to make a decision is called “lacking mental capacity”.

Mental capacity refers to the ability to make a decision at the time that decision is needed. A person's mental capacity can change. If it is safe/possible to wait until they are able to be involved in decision making or to make the decision themselves.

For example:

- A person with epilepsy may not be able to make a decision following a seizure.
- Someone who is anxious may not be able to make a decision at that point.
- A person may not be able to respond as quickly if they have just taken some medication that causes fatigue.

Mental Capacity is important for safeguarding for several reasons.

Not being allowed to make decisions one is capable of making is abuse. For example, a disabled adult may want to take part in an activity but their parent who is their carer won't allow them to and will not provide the support they would need. Conversely the adult may not seem to be benefiting from an activity other people are insisting they do.

Another situation is where an adult is being abused and they are scared of the consequences of going against the views of the person abusing them. It is recognised in the law as coercion and a person can be seen not to have mental capacity because they cannot make 'free and informed decisions'.

Mental Capacity must also be considered when we believe abuse or neglect might be taking place. It is important to make sure an 'adult at risk' has choices in the actions taken to safeguard them, including whether or not they want other people informed about what has happened, however, in some situations the adult may not have the mental capacity to understand the choice or to tell you their views.

UK legislation describes when and how we can make decisions for people who are unable to make decisions for themselves. The principles are the same.

- We can only make decisions for other people if they cannot do that for themselves at the time the decision is needed.
- If the decision can wait, wait – e.g. to get help to help the person make their decision or until they can make it themselves.
- If we have to make a decision for someone else then we must make the decision in their best interests (for their benefit) and take into account what we know about their preferences and wishes.
- If the action we are taking to keep people safe will restrict them then we must think of the way to do that which restricts to their freedom and rights as little as possible.

Many potential difficulties with making decisions can be overcome with preparation. A person needing support to help them make decisions will ordinarily be accompanied by someone e.g. a family member or formal carer whose role includes supporting them to make decisions.

It is good practice to get as much information about the person as possible. Some people with care and support needs will have a 'One Page Profile' or a 'This is Me' document that describes important things about them. Some of those things will be about how to support the person, their routines, food and drink choices etc. but will also include things they like and don't like doing.



If a person who has a lot of difficulty making their own decisions is thought to be being abused or neglected you will need to refer the situation to the Local Authority, and this should result in health or social care professionals making an assessment of mental capacity and/or getting the person the support they need to make decisions.

There may be times when Oasis would need to make decisions on behalf of an individual in an emergency. Decisions taken to safeguard an adult who cannot make the decision for themselves could include:

- Sharing information about safeguarding concerns with people that can help protect them.
- Stopping them being in contact with the person causing harm.

## Recording and Information Sharing

Oasis will comply with the Data Protection Act (DPA) and the General Data Protection Regulations (GDPR).

Information about concerns of abuse includes personal data. It is therefore important to be clear as to the grounds for processing and sharing information about concerns of abuse.

Processing information includes record keeping. Records relating to safeguarding concerns must be accurate and relevant. They must be stored confidentially with access only to those with a need to know.

Sharing information, with the right people, is central to good practice in safeguarding adults. However, information sharing must only ever be with those with a 'need to know'. This does NOT automatically include the person's spouse, partner, adult, child, unpaid or paid carer. Information should only be shared with family and friends and/or carers with the consent of the adult or if the adult does not have capacity to make that decision and family/ friends/ carers need to know in order to help keep the person safe.

The purpose of Data Protection legislation is not to prevent information sharing but to ensure personal information is only shared appropriately. Data protection legislation allows information sharing within an organisation. For example:

- Anyone who has a concern about harm can make a report to the Designated Safeguarding Lead (DSL).

There are also many situations in which it is perfectly legal to share information about adult safeguarding concerns outside of Oasis. Importantly personal information can be shared with the consent of the adult concerned. However, the adult may not always want information to be shared. This may be because they fear repercussions from the person causing harm or are scared that they will lose control of their situation to statutory bodies or because they feel stupid or embarrassed. Their wishes should be respected unless there are over-riding reasons for sharing information.

The circumstances when we need to share information without the adult's consent include those where:

- it is not safe to contact the adult to gain their consent – i.e. it might put them or the person making contact at further risk.
- you believe they or someone else is at risk, including children.
- you believe the adult is being coerced or is under duress.
- it is necessary to contact the police to prevent a crime, or to report that a serious crime has been committed.



- the adult does not have mental capacity to consent to information being shared about them.
- the person causing harm has care and support needs.

When information is shared without the consent of the adult this must be explained to them when it is safe to do so, and any further actions should still fully include them.

## Multi-Agency Working

Safeguarding adults' legislation gives the lead role for adult safeguarding to the Local Authority. However, it is recognised that safeguarding can involve a wide range of organisations.

Oasis may need to co-operate with the Local Authority and the Police including to:

- Provide more information about the concern you have raised.
- Provide a safe venue for the adult to meet with other professionals e.g. Police/Social Workers/Advocates.
- Attend safeguarding meetings.
- Coordinate internal investigations (e.g. complaints, disciplinary) with investigations by the police or other agencies.
- Share information about the outcomes of internal investigations.



## Appendix 1 – Sources of Information and Support

### Refuge: National 24Hour Freephone Domestic Abuse Helplines

Tel: 0808 2000 247

[www.nationaldahelpline.org.uk/Contact-us](http://www.nationaldahelpline.org.uk/Contact-us)

### Rape Crisis Federation of England and Wales

Rape Crisis was launched in 1996 and exists to provide a range of facilities and resources to enable the continuance and development of Rape Crisis Groups throughout Wales and England.

Email: [info@rapecrisis.co.uk](mailto:info@rapecrisis.co.uk)

[www.rapecrisis.co.uk](http://www.rapecrisis.co.uk)

### Hourglass (formerly Action on Elder Abuse)

A national organisation based in London. It aims to prevent the abuse of older people by raising awareness, encouraging education, promoting research and collecting and disseminating information.

24 hrs tel: 0808 808 8141

Text: 07860 052906

Email: [helpline@wearehourglass.org](mailto:helpline@wearehourglass.org)

[www.wearehourglass.org](http://www.wearehourglass.org)

### Men's Advice Line

For male domestic abuse survivors

Tel: 0808 801 0327

[www.mensadvice.org.uk](http://www.mensadvice.org.uk)

### National LGBT+ Domestic Abuse Helpline

Tel: 0800 999 5428

Email: [help@galop.org.uk](mailto:help@galop.org.uk)

[www.galop.org.uk](http://www.galop.org.uk)

### Respond

Respond provides a range of services to victims and perpetrators of sexual abuse who have learning disabilities, and training and support to those working with them.

Tel: 020 7383 0700

Email: [admin@respond.org.uk](mailto:admin@respond.org.uk)

[www.respond.org.uk](http://www.respond.org.uk)

### Stop Hate Crime

Works to challenge all forms of Hate Crime and discrimination, based on any aspect of an individual's identity. Stop Hate UK provides independent, confidential and accessible reporting and support for victims, witnesses and third parties.

24 hours service:

Telephone: 0800 138 1625

Web Chat: [www.stophateuk.org/talk-to-us/](http://www.stophateuk.org/talk-to-us/)

E mail: [info@stophateuk.org](mailto:info@stophateuk.org)

Text: 07717 989 025

Text relay: 18001 0800 138 1625

By post: PO Box 851, Leeds LS1 9QS



### Susy Lamplugh Trust

The Trust is a leading authority on personal safety. Its role is to minimise the damage caused to individuals and to society by aggression in all its forms – physical, verbal and psychological.

Tel: 0808 802 0300

Online form: [National Stalking Helpline Enquiry Form | Suzy Lamplugh Trust](#)

Email: [info@suzylamplugh.org](mailto:info@suzylamplugh.org)

[www.suzylamplugh.org](http://www.suzylamplugh.org)

### Victim Support

Provides practical advice and help, emotional support and reassurance to those who have suffered the effects of a crime.

Tel: 0808 168 9111

[www.victimsupport.com](http://www.victimsupport.com)

### Women's Aid Federation of England and Wales

Women's Aid is a national domestic violence charity. It also runs a domestic violence online help service.

Email: [helpline@womensaid.org.uk](mailto:helpline@womensaid.org.uk)

[www.womensaid.org.uk/information-support](http://www.womensaid.org.uk/information-support)



# SECTION 2 - Safeguarding: Children

## Introduction

Oasis is committed to safeguarding children in line with national legislation and relevant national and local guidelines. We will achieve this by ensuring that our activities are delivered in a way which keeps all children safe. Oasis will work with children, parents and the community to ensure the safety of children and to give them the very best start in life.

Oasis is committed to creating a culture of zero-tolerance of harm to children which necessitates: the recognition of children who may be at risk and the circumstances which may increase risk; knowing how child abuse, exploitation or neglect manifests itself; and being willing to report safeguarding concerns.

This extends to recognising and reporting harm experienced anywhere, including within our activities, within our nursery, within our voluntary activities, in the community, in the child's own home and in any care setting.

## Purpose

The purpose of this policy is to demonstrate the commitment of Oasis to safeguarding children and to ensure that everyone involved in Oasis is aware of:

- The legislation, policy and procedures for safeguarding children and young people.
- Their role and responsibility for safeguarding children..
- What to do or who to speak to if they have a concern relating to the welfare or wellbeing of a child within the nursery.

## Scope

This safeguarding child policy and associated procedures apply to all individuals involved in Oasis including Trustees, Staff, Volunteers and Service Users. This includes all concerns about the safety of children whilst at our nursery or taking part in our activities whilst at our centre and in the wider community.

We expect our partner organisations, including for example, suppliers and sponsors to adopt and demonstrate their commitment to the principles and practices as set out in this policy and any associated procedures.

## Commitments

Oasis is committed to best safeguarding practice and to uphold the rights of all children to live a life free from harm from abuse, exploitation and neglect.

We aim to carry out this policy by:

- promoting children's right to be strong, resilient, and listened to by creating an environment in our setting that encourages them to develop a positive self-image, which includes their heritage arising from their race, ethnicity and languages spoken at home as well as their religious beliefs, cultural traditions and home background.



- promoting children's right to be strong, resilient, and listened to by encouraging them to develop a sense of autonomy and independence.
- promoting children's right to be strong, resilient, and listened to by enabling them to have the self-confidence and vocabulary to resist inappropriate approaches.
- helping children to establish and sustain satisfying relationships within their families, with peers, and with other adults.
- working with parents to build their understanding of and commitment to the principles of safeguarding all our children.
- Everyone involved with Oasis is aware of the safeguarding procedures and knows what to do and who to contact if they have a concern relating to the welfare or wellbeing of a child.
- Confidential, detailed and accurate records of all safeguarding concerns are maintained and securely stored in line with our Privacy, Data Protection and Information Sharing Policy.
- Oasis will cooperate with the Police and the relevant Local Authorities in taking action to safeguard a child.
- All Trustees, staff and volunteers understand their role and responsibility for safeguarding and have completed and are up to date with safeguarding training and learning opportunities appropriate for their role. Records of this training is kept in their personal staff file.

## Implementation

Oasis is committed to developing and maintaining its capability to implement this policy and procedures.

To do so, the following will be in place:

- A clear line of accountability within the organisation for the safety and welfare of all children.
- Access to relevant legal and professional advice.
- Safeguarding procedures that deal effectively with any concerns of abuse or neglect, including those caused through poor practice.
- A Designated Safeguarding Lead and deputies. Caroline Edwards is the Designated Safeguarding Lead and Joanne Lucas is the Deputy, Designated, Safeguarding Lead.
- A Designated, Safeguarding Lead for events/courses/activities/trips.
- Arrangements to work effectively with other relevant organisations to safeguard and promote the welfare of children, including arrangements for sharing information.
- Risk assessments that specifically include safeguarding of children.
- A designated Safeguarding Trustee is in place. Amna Boheim is the designated Safeguarding Trustee. Their role is to ensure:
  - A good quality service as a basis for good safeguarding practice.
  - Ensuring a safeguarding strategy is in place.
  - Working with the designated safeguarding lead (DSL).
  - Acting as a main point of contact for the DSL.
  - Understanding how safeguarding works in practice.
  - Reporting to the board and keeping them up to date.



- Policies and procedures that address the following areas and which are consistent with this Safeguarding policy:
  - Safeguarding adults
  - Bullying and harassment
  - Social media
  - Equality, diversity and inclusion
  - Safe activities risk assessments
  - Discipline and grievance
  - Concerns, complaints and compliments
  - Whistleblowing
  - Safe recruitment and selection (staff and volunteers)
  - Information policy, data protection and information sharing

## Definition of a Child and a Child at Risk

- The Children Act 1989 defines a child as a person under the age of 18, they can also be described as a person who has not yet reached their 18<sup>th</sup> birthday so 'children' therefore means children and young people.
- 'Vulnerable children' are defined as any children at greater risk of experiencing physical or emotional harm and/ or experiencing poor outcomes because of one or more factors in their lives. Some of these factors could be:
  - The child's physical, emotional, health and educational needs.
  - Any harm the child has experienced or may be at risk of experiencing – these can include a specific set of childhood experiences known as 'adverse childhood experiences'.
  - The capability of the child's carers and wider family environment to meet the child's needs, or indeed to cause harm – these might include homelessness or poor housing conditions, the presence of adults in the home with mental health problems, alcohol and drug dependence, or contact with the criminal justice system, domestic abuse and poverty.
  - The absence of supportive relationships in a child's life.
  - The wider community and social conditions beyond the family including crime, the built environment, community cohesion and resilience.

This list is not exhaustive, and children can experience one or several of these factors with different levels of consequences over the course of their lives including into adulthood.

## Safeguarding Children: Supporting Information

### Key Points

- There is a **legal duty on Local Authorities** to provide support to 'children at risk'.
- **Children at risk** are defined in legislation.
- The safeguarding legislation applies to **all forms of abuse** that harm a child's well-being.
- The law provides a framework for good practice in safeguarding that makes the overall **well-being** of the children at risk a priority of any intervention.





- The law provides a framework for all organisations to **share information and cooperate** to protect children at risk.

## Safeguarding Children Legal Framework Primary Legislation

- Children Act (1989 and 2004 s47)
- Children and Social Work Act (2017)
- Protection of Children Act (1999)
- General Data Protection Regulations (GDPR) 2018
- Data Protection Act (2018)
- Change for Children (Every Child Matters) (2004)
- Safeguarding Vulnerable Groups Act (2006)
- Statutory framework for the Early Years Foundation Stage 2023 (4<sup>th</sup> September)

## Secondary Legislation

- Sexual Offences Act (2003)
- Criminal Justice and Court Services Act (2000)
- Human Rights Act (2000)
- Race Relations (Amendment) Act (2000)
- Race Relations Act (1976) Regulations
- Equalities Act (2010)
- Data Protection Act (1998) Non Statutory Guidance
- Rehabilitation of Offenders Act 1974
- The Public Interest Disclosure Act (1998)
- Convention on the Rights of the Child, UNICEF 1989
- Sex Discrimination Acts 1975 and 1986
- Sex Discrimination (Gender Reassignment) Regulations 1999
- Freedom of Information Act 2000
- Every Child Matters – Change for Children 2010
- Female Genital Mutilation Act – 2003
- The Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018 ([legislation.gov.uk](http://legislation.gov.uk))

## Guidance

- Working Together to Safeguard Children – Sept 2018
- What to do if you're Worried a Child is Being Abused (HMG 2015)
- Framework for the Assessment of Children in Need and their Families (DoH 2000)
- Helping Families Early 2020 – 2023 (SCC)
- Mandatory Reporting of Female Genital Mutilation (2016) – procedural information
- Statutory guidance on making arrangements to safeguard and promote the welfare of children under section 11 of the Children Act 2004 (HMG 2007)
- Information Sharing: Guidance for Staff members and Managers – March 2015
- Independent Safeguarding Authority: [www.isa.homeoffice.gov.uk](http://www.isa.homeoffice.gov.uk)
- Local Safeguarding Partners (LSP). Manual of Child Protection guidelines
- Keeping Children Safe in Education 2023



- Safeguarding children and protecting professionals in early years settings: online safety considerations: <https://www.gov.uk/government/publications/safeguarding-children-and-protecting-professionals-in-early-years-settings-online-safety-considerations>
- Public Health England Report – No Child Left Behind

## Safeguarding Procedures

### Social Networking

- All computers owned and used by Oasis staff and volunteers are password protected and passwords are known only on a 'need to know' basis and computers have anti-virus software installed. They have also been encrypted and Microsoft log-ins have dual authentication.
- Staff are advised not to post anything on social networking sites that may damage the setting's reputation.
- Staff are aware that it is not appropriate to engage in personal online communication with children, young people, parents or carers related to our setting.
- If the staff have any concerns regarding online posts then they should report them to the management team or DSL as soon as possible.

### Mobile Phones/Cameras

Any staff, volunteers, parents and visitors, working or visiting the nursery can bring mobile phones onsite but they must be left in the main office. They must be signed in and out on the 'Mobile Phone Signing' In/Out Sheet. The only exception to this is a regulatory Ofsted Inspector who may keep their business mobile on their person and may take pictures of the setting with no children in them. Parents on stay and play must lock their personal belongings, including mobile phones, away in the lockers provided or, if they are all full, they can be left in the office at the owner's risk. This is for the safety of the individual as they are personally responsible for any allegations made towards them. The nursery should use the landline phone for emergency use or to contact parents.

Parents and carers are advised that they are not permitted to take their mobile phones or cameras into the nursery.

### Photographs

Photographs of the children are taken for the use of their Learning Journeys and the notice board. Pictures and/or videos may also be taken to be used in promotional work for the Oasis charity and for press articles. Parents/carers are required to complete a 'Use of Photographic/Video Images and Personal Testimonials Form' when they complete their Oasis Family Information forms to indicate if images of their children can or cannot be used. Photos are only kept as long as is necessary.

### Staffing and Volunteering

- Our Designated Safeguarding Lead, who co-ordinates Child Protection issues is Caroline Edwards. She is responsible for sharing information with the staff team and trustees, accessing information & liaising with outside agencies to ensure information is up-to-date, collating information when there are concerns regarding a child and contacting the Social Services



Contact Centre who provide relevant and up-to-date advice and make decisions regarding referrals.

- We provide adequate and appropriate staffing ratios to meet the needs of children.
- Applicants for posts within the setting are clearly informed that the positions are exempt from the Rehabilitation of Offenders Act 1974.
- Candidates are informed of the need to carry out 'enhanced disclosure' checks with the Disclosure and Barring Service before posts can be confirmed and before they have unsupervised contact with children.
- Where applications are rejected because of information that has been disclosed, applicants have the right to know and to challenge incorrect information.
- We abide by Ofsted requirements in respect of references and Disclosure and Barring Service checks for staff and volunteers, to ensure that no disqualified person or unsuitable person works or volunteers at the setting or has access to the children.
- We abide by the Safeguarding Vulnerable Groups Act (2006) requirements in respect of any person who is dismissed from our employment or resigns in circumstances that would otherwise have led to dismissal for reasons of Child Protection concern.
- In the event of the disqualification of us as a registered provider, we must not continue as an Early Years' provider, nor be directly concerned in the management of any other provision. Where a person is disqualified, we must not employ that person in connection with Early Years' provision. If we become aware of relevant information that may lead to disqualification of an employee, we must take appropriate action to ensure the safety of children.
- We have procedures for recording the details of visitors to the setting.
- We take security steps to ensure that we have control over who comes into the setting so that no unauthorised person has unsupervised access to the children.
- We take steps to ensure children are not photographed or filmed for any other purpose than to record their development or their participation in events organised by us (unless agreed by all parents).
- Parents sign a Consent Form and have access to records holding visual images of their child.

## Responding to Suspicions of Abuse

- We acknowledge that the abuse of children can take different forms - physical, emotional, and sexual as well as neglect.
- When children are suffering from physical, sexual or emotional abuse, or may be experiencing neglect, this may be demonstrated through the things they say (direct or indirect disclosure) or through changes in their appearance, their behavior or their play.
- We take into account factors affecting parental capacity such as social exclusion, domestic violence, parent's drug or alcohol abuse, mental or physical illness or parent's learning disability.
- We are aware of other factors that affect children's vulnerability such as abuse of disabled children, fabricated or induced illness, child abuse linked to beliefs in spirit possession, sexual exploitation of children (such as through internet abuse), and Female Genital Mutilation all of which may affect, or may have affected, children and young people using our provision.
- We also make ourselves aware that some children and young people are affected by gang activity, by complex, multiple or organised abuse, through forced marriage or honor-based violence or may be victims of child trafficking. While this may be less likely to affect young children in our care, we may become aware of any of these factors affecting older children and young people who we may come into contact with.
- Where we believe that a child in our care, or that is known to us, may be affected by any of these factors, we will follow the procedures below for reporting Child Protection concerns.
- Where such evidence is apparent, a member of staff makes a dated record of the details of the concern and discusses what to do with the 'designated person'. The information is stored on the child's personal file.



- We refer concerns to the local authority children's social care department and co-operate fully in any subsequent investigation. **NB** In some cases this may mean the police or another agency identified by the Local Safeguarding Partners.
- Staff in the setting take care not to influence the outcome either through the way they speak to children or by asking the children questions.
- We take into account the need to protect young people aged 16-19 as defined by the Children's Acts of 1989 and 2004. This may include students or school children on work placement, young employees or young parents. Where abuse is suspected, we follow the procedure for reporting as with any other Child Protection concerns. The views of the young person will always be taken into account, but the setting may override the young person's refusal to consent to share information if it feels that it is necessary to prevent a crime from being committed or intervene where one may have been, or to prevent harm to a child or adult. Sharing confidential information without consent is done only when not sharing it could be worse than the outcome of having shared it.

## Recording Suspicions of Abuse and Disclosures

Where a child makes comments (a disclosure) to a member of staff that gives cause for concern, or a member of staff observes signs or signals that gives cause for concern such as significant changes in behaviour; deterioration in general well-being, unexplained bruising, marks or signs of possible abuse or neglect, that member of staff:

- Listens to the child, takes what they say seriously, offers reassurance and gives assurance that she or he will take action, but does not promise to keep secrets.
- Communicates with the child in a way that is appropriate to their age, understanding and preference; does not question the child.
- Makes a written record that is an objective account of the observation or disclosure that includes:
  - The date and time of the observation or the disclosure;
  - The exact words spoken by the child (as far as is possible);
  - The name of the person to whom the concern was reported, with date and time;
  - The names of any other person present at the time.
- These records are signed and dated and kept in the child's personal file which is kept securely and confidentially.

All members of staff know the procedures for recording and reporting suspicions of abuse and disclosures.

## Informing Parents

- Parents are normally the first point of contact. If we have concerns about a child, we will share these concerns with parents/carers. However, if sharing these concerns puts the child at risk of significant or further harm then we will seek advice from the duty manager at Surrey County Council's contact centre.
- If a suspicion of abuse is recorded, parents are informed at the same time as the report is made, except where the guidance of the Duty Assessment Team via the Social Services Contact Centre does not allow this.
- This will usually be the case where the parent is the likely abuser. In these cases, the investigating officers will inform parents.



## Liaising with Other Bodies

### Children's Single Point of Access (C-SPA)

The C-SPA is based at Surrey County Council HQ and acts as the front door to children's services in Surrey. The C-SPA provides residents and people who work with children in Surrey with direct information, advice and guidance about where and how to find the appropriate support for children and families.

Availability: 9am to 5pm, Monday to Friday

- Phone: 0300 470 9100
- Out of Hours Phone: 01483 517898 to speak to the C-SPA [emergency duty team](#)
- Email (for concerns relating to a child or young person, emails are dealt with during normal office hours – see above): [cspa@surreycc.gov.uk](mailto:cspa@surreycc.gov.uk)
- Email (for concerns relating to an adult, emails are dealt with during normal office hours – see above): [ascmash@surreycc.gov.uk](mailto:ascmash@surreycc.gov.uk)
- Textphone (via Text Relay): 18001 0300 200 1005
- SMS: 07527 182 861 (for the deaf or hard of hearing)
- VRS: [Sign Language Video Relay Service](#)

### For out of hours support contact the Emergency Duty Team

The Emergency Duty Team (EDT) is not intended as an alternative means of accessing the usual daily activities of Surrey County Council. The team operates outside of normal office hours:

- Monday to Friday 5pm to 9am
- Weekends 24 hours a day
- The EDT also operates throughout all bank holiday periods

Contact the team:

- Phone: 01483 517898
- Fax: 01483 517895
- SMS Number: 07800000388 (for deaf and hard of hearing callers online)
- To make a call via text direct, please dial 18001 01483 517898
- Email: [edt.ssd@surreycc.gov.uk](mailto:edt.ssd@surreycc.gov.uk)

### Schools and Early Years Child Protection Consultation Line

The Child Protection Consultation Line provides advice and support to professionals to ensure they are able to direct us to the most appropriate service that can meet the child and family's needs.

The Consultation Line is open to all professionals who work with families who live in Surrey.

Availability: 9am to 5pm, Monday to Friday



- Phone: 0300 470 9100 option 3

Where professionals are concerned that a child may be at imminent risk of significant harm, please call 999 for police.

- Surrey Country Council's Local Authority Child Protection Designated Officer (LADO) for allegations against a member of staff: 0300 123 1650 or [LADO@surreycc.gov.uk](mailto:LADO@surreycc.gov.uk).
- The Police in all cases call 999 or 111.
- We have a copy of 'What to do if you are worried a child is being abused' and a 'flow chart poster' for parents and staff. All staff are familiar with what to do if they have concerns.
- We have procedures for contacting the Local Authority on Child Protection issues, including maintaining a list of names, addresses and telephone numbers of social workers, to ensure that it is easy, in any emergency, for the setting and social services to work well together.
- We notify the registration authority (Ofsted) of any incident or accident and any changes in our arrangement that could affect the wellbeing of children, within 14 days. Ofsted can also be contacted on the Early Years Complaints Line on 0300 123 1231 or email [enquires@ofsted.gov.uk](mailto:enquires@ofsted.gov.uk)
- Details of the local National Society for the Prevention of Cruelty to Children (NSPCC) contacts are also kept.
- If a referral is to be made to the Local Authority Social Services department, we act within the Local Safeguarding Children and Child Protection guidance in deciding whether we must inform the child's parents at the same time.
- We MUST notify Ofsted of any food poisoning affecting two or more children looked after our premises. Notification must be made as soon as is reasonably practicable, but within 14 days of the incident. Failure to do this without reasonable excuse, fails to comply with this requirement, and is an offence.

## Allegations Against Staff

- We ensure that all parents know how to complain about a member of staff or a volunteer within the setting, which may include an allegation of abuse.
- We follow the guidance of the Local Safeguarding Partners when responding to any complaint that a member of staff or volunteer has abused a child.
- We respond to any disclosure by children or staff that abuse by a member of staff may have taken, or is taking, place by first recording the details of any such alleged incident.
- We refer any such complaint immediately to the Local Authority Social Service department to investigate.
- We co-operate entirely with any investigation carried out by social services in conjunction with the police.
- Our policy is to suspend the member of staff on full pay for the duration of the investigation; this is not an indication of admission that the alleged incident has taken place but is to protect the staff as well as children and families throughout the process.

## Storage of Information

Any sensitive information regarding the children, adult clients and our staff is stored in a lockable filing cabinet which will be kept locked at all times.

See Privacy, Data Protection and Information Sharing Policy for further guidance.

## Disciplinary Action



Where a member of staff or a volunteer has been dismissed due to engaging in activities that caused concerns for the safeguarding of children or vulnerable adults, we will notify the Disclosure and Barring Service (DBS) of relevant information so that individuals who pose a threat to children (and vulnerable groups) can be identified and barred from working with these groups.

## Training

- All new staff receive induction training to ensure they are aware of policies and practices within our setting so that they can perform their roles and responsibilities.
- We seek out training opportunities for all adults involved in the setting to ensure that they are able to recognise the signs and symptoms of possible physical abuse, emotional abuse, sexual abuse and neglect and so that they are aware of the Local Authority guidelines for making referrals.
- We ensure that all staff know the procedures for reporting and recording their concerns in the setting.
- We ensure that designated persons receive training in accordance with that recommended by the Local Safeguarding Partners.
- All staff are trained in 'what to do if/safeguarding' and undertake refresher training every 3 years. Staff have access to a copy of the safeguarding policy in the main office or on the 'Briefcase' shared file.
- Staff receive regular supervision sessions to ensure that they have a route to discuss any issues/concerns that they may have.
- Our Designated Safeguarding Lead **Caroline Edwards** has attended Foundation Modules 1,2 & 3 Training and attended Early Help training and Safer Recruitment training as has Joanne Lucas, her Deputy Designated Safeguarding Lead.

## Planning

The layout of the rooms allows for constant supervision.

## Reviewing Documentation

The Nursery Manager/SENCO carries out reviews of the Accident/Incident books half termly. We usually inform parents if there are any regular patterns of behaviour i.e. a child regularly walking/falling or harming others. This is also raised with the child's key worker and documented in the child's observation file.

## Curriculum

- We introduce key elements of Child Protection into our programme to promote the personal, social and emotional development of all children, so that they may grow to be 'strong, resilient and listened to' and so that they develop understanding of why and how to keep safe.
- We create, within the setting, a culture of value and respect for the individual, having positive regard for children's heritage arising from their race ethnicity, languages spoken at home, cultural and social background.
- We ensure that this curriculum is carried out in a way that is developmentally appropriate for the children.

## Confidentiality



All suspicions and investigations are kept confidential and shared only with those who need to know. Any information is shared under the guidance of the Local Safeguarding Partners.

## Physical Intervention

Physical intervention is only used at our setting when absolutely necessary and appropriate. There are three main types of physical handling:

Positive Handling:

- Giving guidance to children (such as how to hold a paintbrush or when climbing).
- Providing emotional support (such as placing an arm around a distressed child).
- Physical care (such as First Aid or toileting).

Physical Intervention:

Physical intervention can include mechanical and environmental means such as highchairs, stair gates and locked doors. These may be appropriate ways of ensuring a child's safety.

Restrictive Physical Intervention:

This is when a member of staff uses physical force to intentionally restrict a child's movement against his or her will. In most cases this will be through the use of the adult's body rather than mechanical or environmental methods.

When will Oasis staff use restrictive physical intervention?

- When someone is injuring themselves or others.
- When damage is being caused to the setting or its property.
- When there is a suspicion that either of the above is about to happen.

Staff will always aim to:

- Use side-by-side contact aiming for no gap between their body and the child's so to avoid the risk of being kicked and to risk the impact and damage.
- Be aware of the child's head position to avoid the risk of being head-butted.
- Avoid holding the child by his/her joints where pain and damage may be caused.
- Avoid lifting the child.
- Ensure that there is no restriction to the child's breathing and that the child is not held around the chest or stomach.

Restrictive intervention will be recorded on the Incident Form and the parent will be informed in a face-to-face chat, the circumstances of the method used will be explained and they will be asked to sign the Incident Form. It will also be added to the Incident Log Sheet to enable us to track patterns of behaviour.

## Female Genital Mutilation

FGM is illegal in England and is a form of child abuse and violence against women under the FGM Act 2003 Serious Crime Act 2015. Where an allegation of FGM is disclosed to a member of staff, or a member of staff observes signs or signals that gives cause for concern such as significant changes in behaviour, deterioration in general well-being, unexplained bruising, marks or signs of possible FGM that member of staff:





- Listens to the child, takes what they say seriously, offers reassurance and gives assurance that she or he will take action, but does not promise to keep secrets.
- Communicates with the child in a way that is appropriate to their age, understanding and preference; does not question the child.
- Makes a written record that forms an objective account of the observation or disclosure that includes:
  - The date and time of the observation or the disclosure,
  - The exact words spoken by the child (as far as is possible),
  - The name of the person to whom the concern was reported, with date and time,
  - The names of any other person present at the time.
- These records are signed and dated and kept in the child's personal file which is kept securely and confidentially.

Staff should report directly to the Designated Safeguarding Lead (DSL) who will inform the police and Children's Services.

All members of staff know the procedures for recording and reporting. **We will report & seek advice from the relevant agencies.**

## **Bruising in Children who are not Independently Mobile**

Staff who notice bruising on a child who is not independently mobile must report it directly to the Designated Safeguarding Lead (DSL) who will inform Children's Services.

They should also make a written record that forms an objective record of the observation or disclosure that includes:

- The date and time of the observation or the disclosure,
  - The exact words spoken by the child (as far as is possible),
  - The name of the person to whom the concern was reported, with date and time,
  - The names of any other person present at the time.
- These records are signed and dated and kept in the child's personal file which is kept securely and confidentially.

## **Support to Families**

- The setting believes in building trusting and supportive relationships with families, staff and volunteers in the group.
- The setting makes clear to parents its role and responsibilities in relation to Safeguarding Children, such as for the reporting of concerns, providing information, monitoring of the child, and liaising, at all times, with the local social care team.
- The setting continues to welcome the child and the family whilst investigations are being made in relation to any alleged abuse.
- We follow the Safeguarding Children Plan as set by the Social Services Department in relation to the setting's designated role and tasks in supporting the child and the family, subsequent to any investigation.
- Confidential records kept on a child are shared with the child's parents or those who have parental responsibility for the child in accordance with the procedure, and only if appropriate under the guidance of the Local Safeguarding Partners.



In the event of an issue being raised (or a referral made about a child) the Social Care Team will be contacted and the Local Authority Child Protection Designated Officer (LADO) will be informed so that they can offer the setting support.

**Information needed when making a referral:**

- Details of the concern or allegation.
- Name, date of birth and address of the child.
- Details of the service or setting being referred, including the contact details of the onsite Service Manager.
- Additional relevant information regarding the child, if possible the ethnicity of the child and any other agencies involved.

## **Policy Adoption and Review**

This policy was first adopted at a meeting of Oasis Childcare held on 26<sup>th</sup> February 2010 and will be reviewed by the Programs Manager and agreed by the Service Manager annually. Details of all revisions and reviews are noted on the Policies, Procedures Adoption, Amendment and Revision Sheet filed at the front of the Policies file held in the main office. The latest date of review and/or update is logged at the bottom of each page of the policy.