



Safeguarding Policy

2023–2026

Version Control

Information		Details	
Policy Name		Safeguarding Policy	
Authors		Kitty Reilly	
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Consultation Groups		Board of Trustees	
Approved by		Board of Trustees	
Overall responsibility for policy		Board of Trustees	
Version	Date	Summary of Changes	Approved by
1.1	May 2023	Update to reflect Chair of NTF is Safeguarding Lead Reference and updates from Working Together to Safeguard Children 2023 iteration Updates to process of raising concerns about a member of NTF Board, staff or volunteer	Trustees
1.2	November 2024	Added information about NTF informing Charity Commission if a serious incident-safeguarding concern is raised	Trustees

Introduction

This policy applies to the Board of Trustees, all staff and volunteers, or anyone working on behalf of the National Tremor Foundation (NTF).

The purpose of this policy is:

- ❖ To raise awareness of our responsibilities in protecting children and adults at risk who are in contact with the NTF.
- ❖ To protect the Board of Trustees, all staff and volunteers, or anyone working on behalf of the NTF
- ❖ To provide staff and volunteers with the overarching principles that guide our approach to safeguarding.

The NTF comes into direct contact with people of all ages through our support and information services, face to face meetings, and online support groups as well as at our events such as Annual General Meetings, information events and fundraising events. Some of our work also involves communicating with individuals online, through social media and via telephone and post.

The NTF believes that all children and adults should live a life free from abuse and neglect consistent with their human rights. Through the implementation of this safeguarding policy, the NTF will demonstrate its commitment to ensuring safeguarding of all children and adults at risk is paramount.

All children and adults at risk require protection, paying due regard to the nine protected characteristics as defined within the Equality Act 2010. This policy will not discriminate, either directly or indirectly, on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation.

The NTF Board of Trustees have delegated operational safeguarding lead responsibilities to the NTF's Children's Liaison Officer and Chair of the Board of Trustees. The Children's Liaison Officer brings a wealth of expertise and experience from a wide range of backgrounds in both safeguarding children and adults at risk across different settings and will be best placed to review and decide on the best course of action for all safeguarding enquiries which are received through the charities work.

The safeguarding lead, in consultation with the Board of Trustees, will be responsible for regularly updating this policy and ensuring the Board of Trustees, all staff and volunteers, or anyone working on behalf of The National Tremor Foundation (NTF) are familiar with its content.

What does the law say?

There are many pieces of legislation that are used in relation to safeguarding children and adults at risk. However, this policy has placed due regard to the following law and guidance (this list is not exhaustive) that seeks to protect children and adults at risk:

- ❖ The Children Act (1989 and 2004)
- ❖ The Care Act (2014)
- ❖ The Mental Capacity Act (2007)
- ❖ The Equality Act (2010)
- ❖ The Human Right Act (1998)
- ❖ Working Together to Safeguard Children (Department for Education, 2023)

Definitions

Children and young people

A child is anyone who has not yet reached their 18th birthday (Children Acts, 1989 and 2004). 'Children' therefore means 'children and young people' throughout. 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, in prison or in a Young Offenders' Institution, does not change his or her status as a child or entitlement to services or protection under the Children Act 1989.

Safeguarding and promoting the welfare of children is defined for the purposes of this guidance as:

- providing help and support to meet the needs of children as soon as problems emerge
- protecting children from maltreatment, whether that is within or outside the home, including online
- preventing impairment of children's mental and physical health or development
- ensuring that children grow up in circumstances consistent with the provision of safe and effective care
- promoting the upbringing of children with their birth parents, or otherwise their family network through a kinship care arrangement, whenever possible and where this is in the best interests of the children
- taking action to enable all children to have the best outcomes in line with the outcomes set out in the Children's Social Care National Framework (HM Government, 2023)

Child protection is a part of safeguarding and promoting welfare. This refers to the activity that is undertaken to protect specific children who are suffering, or are at risk of suffering, significant harm.

Children in need are defined under section 17 of the Children Act 1989, as those whose vulnerability is such that they are unlikely to reach or maintain a satisfactory level of health or development, or their health and development will be significantly impaired, without the provision of services (section 17(10) of the Children Act 1989), plus those who are disabled. The critical factors to be taken into account in deciding whether a child is in need under the Children Act 1989 are:

- ❖ What will happen to the child's health or development without services being provided; and
- ❖ The likely effect the services will have on the child's standard of health and development.

Categories of Abuse

There are 4 categories of child abuse:

- ❖ **Physical** - This includes hitting, shaking, poisoning, burning or drowning, fabricated or induced illness.
- ❖ **Sexual Abuse** - This includes forcing or enticing a child to take part in sexual activities; for example, inappropriate touching, rape, buggery, exposure to indecent images, or encouraging sexualised behaviour.
- ❖ **Emotional Abuse** - This includes persistent ill treatment of a child which affects their emotional development; for example, making a child feel worthless, unloved or inadequate.

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Neglect - This includes persistent failure to meet the physical and/or psychological needs of a child; for example, failing to provide adequate food, warmth, shelter, clothing, emotional care or medical treatment. It also includes failing to provide adequate supervision and protection from physical danger which includes leaving a young child “home alone”.

Reasons for concerns where maltreatment or abuse could be considered include:

- ❖ A child clearly alleges abuse.
- ❖ A child has an injury not consistent with the event reported as causing it.
- ❖ A pre-mobile child has an injury without clear accidental explanation.
- ❖ A third party makes a credible allegation of abuse.
- ❖ Concerns regarding sexual abuse even though there is no direct allegation.
- ❖ Concerns about a child living with or having contact with a person posing a risk.
- ❖ Neglect
- ❖ Abandonment
- ❖ Child refused urgent medical treatment.
- ❖ Emotional abuse
- ❖ Female Genital Mutilation and forced marriage.
- ❖ Child at risk of sexual exploitation
- ❖ Children whose parents/carers have mental health problems.
- ❖ Children who are pregnant
- ❖ Domestic abuse
- ❖ Children whose parents/carers are substance misusers.
- ❖ Children with disabilities
- ❖ Bullying at home or at school, including via computers or mobile phones
- ❖ Fabricated/induced illness.
- ❖ Children from abroad – not with their parents
- ❖ Parents/carers who are hostile and uncooperative in your attempts to treat their child/ren.

It is good practice to be open and honest with parents/caregivers about any concerns, the possible need for a referral, and information sharing between agencies. However, an inability to inform parents and/or cares should not prevent a referral being made. There are some rare cases where it will not be appropriate to discuss concerns with parents/caregivers before referral. In such situations, the timing of contact with parents/caregivers will be agreed with children's social care and/or the police once the referral has been made.

Situations where it would not be appropriate to inform family members prior to referral include where:

- ❖ Discussion would put a child at risk of significant harm.
- ❖ There is evidence to suggest that involving the parents/caregivers would impede the police investigation and/or children's social care enquiry.
- ❖ Sexual abuse is suspected.
- ❖ Fabricated or induced illness is suspected.
- ❖ Discussion would place one parent at risk of harm e.g., in cases of domestic abuse.

Adults at Risk

The Care Act 2014 defines adult safeguarding as protecting an adult's right to live in safety, free from abuse and neglect.

It is about people and organisations working together to prevent and stop both the risks and experience of abuse and or neglect.

Safeguarding balances, the right to be safe with the right to make informed choices, while at the same time making sure that the adult's wellbeing is promoted including, taking into consideration their views, wishes, feelings and beliefs in deciding on any action.

We need to ensure that adults at risk due to health needs, social care needs, or disabilities are able to live in their community free of abuse or neglect.

The Care Act safeguarding duties Section 42 (1) apply to an adult where there is reasonable cause to suspect:

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

It is key to remember that:

- ❖ Anyone can be an abuser. Abusers can be family members, partners, friends, neighbours, people who work or volunteer in health or social care services, or strangers.
- ❖ Abuse can happen anywhere. It can happen at home, at work, in a nursing or residential home, in hospital and is usually carried out by a person in trust to the individual
- ❖ Abuse can happen once, a few times or lots of times. It can be deliberate or unintentional. It might be the result of a lack of training, knowledge or understanding or as a result of non-paid carer breakdown (carer stress)

Categories of Abuse

The following are forms of adult abuse within the Care Act:

- ❖ **Physical** - Hitting, slapping, pushing, kicking, misuse of medication, restraint, or inappropriate sanctions.
- ❖ **Sexual** - Rape and sexual assault or sexual acts to which the adult at risk has not consented, or could not consent, or was pressured into consenting.
- ❖ **Psychological** - Emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or supportive networks.
- ❖ **Financial or material** - Theft, fraud, exploitation, pressure in connection with wills, property or inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits
- ❖ **Neglect and acts of omission** - Ignoring medical or physical care needs, failure to provide access to appropriate health, social care or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating.
- ❖ **Discriminatory** - Racist, sexist, that based on a person's disability, and other forms of harassment, slurs or similar treatment.
 - Hate crime – Hate crimes and incidents are taken to mean any crime or incident where the perpetrator's hostility or prejudice against an identifiable group of people a factor in is determining who is victimised. A person may be targeted because of hostility or prejudice towards that person's: disability, race or ethnicity, religion or belief, sexual orientation or transgender identity. The crime can be committed against a person or property and a victim does not have to be a member of the group at which the hostility is targeted. In fact,

anyone could be a victim of a hate crime.

- Mate crime – is similar to hate crime other than a perpetrator purports to be a friend or mate of the victim.
- ❖ **Organisational**– including neglect and poor care practice within an institution or specific care setting such as a hospital or care home, for example or in relation to care provided in one’s own home. This may range from one off incidents to ongoing ill-treatment. It can be through neglect or poor professional practice as a result of the structure, policies, processes and practice within an organisation.
- ❖ **Self-Neglect** this covers a wide range of behaviour neglecting to care for one’s personal hygiene, health or surroundings and includes behaviour such as hoarding.
- ❖ **Modern slavery** encompasses slavery, human trafficking, forced labour and domestic servitude. Slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment.
- ❖ **Domestic Abuse** including psychological, physical, sexual, financial, emotional and so-called honour-based violence.

Safer Recruitment Practices

The NTF will implement safe recruitment practices to ensure that the Board of Trustees, all staff, and volunteers are suitable and legally able to act in their positions and that Disclosure and Barring Service checks are sought where a role is eligible. Inductions of new Trustees, staff and volunteers will include safeguarding policy and practice.

The Board of Trustees, all staff, and volunteers are required to complete safeguarding training relevant to their role every three years. They are therefore expected to have a sound understanding of safeguarding concerns, including potential abuse and neglect of children and adults at risk, which may come to light during the course of the charities work.

We recognise that the involvement in situations where there is a risk or actual harm can be stressful for the Board of Trustees, all staff, and volunteers who encounter it. Therefore, if any such incident arises the safeguarding lead will initiate mechanisms to support those staff which may include:

- ❖ debriefing support
- ❖ sign posting to other services.
- ❖ additional training and support

How to raise a concern?

The processes outlined below detail the stages involved in raising and reporting safeguarding concerns about children and adults at risk by the Board of Trustees, all staff, and volunteers working in their capacity as representatives of the NTF.

Action to take if you are in direct contact with the person raising the concern, for instance through a telephone call, receipt of a complaint or a meeting face to face.

- ❖ Stop other activity and focus on what you are being told or have just seen.
- ❖ In an emergency situation, where a child or adult at risk is in **immediate danger**, or where a criminal act has been witnessed, call **999** and then follow the next steps:

If the person is not in immediate danger:

- ❖ Do not promise confidentiality or agree to ‘keep the conversation a secret. Explain clearly to the person raising the concern that you will need to pass on the concern to someone who can help. You can express support and reassurance to the person giving you the information, particularly if it is a child.

- ❖ Avoid asking leading questions such as ‘Did they do X to you? Instead ask open questions such as ‘Can you tell me what happened?’
- ❖ Take it at the persons pace– do not rush them.
- ❖ Avoid expressing opinions or emotions but be sincere in response to the concerns being raised.
- ❖ Ask only what you need to know to gather factual details to support a safeguarding concern being raised which should include details of the concern or allegation, when and where it happened and if possible, the name, date of birth and address of the individual/s concerned.
- ❖ Take accurate notes of what has been said using the words of the person telling you about their concern or what you have seen– if it is not possible to take notes at the time, do so immediately afterwards. Keep the notes taken at the time, without amendment, omission or addition, whatever subsequent reports may be written. The notes should be dated, signed and kept in a secure place until directed by the Safeguarding Lead as to the next steps to take. Include the date, time and location of the alleged incident and names of the individuals involved. Do not share this information with others unless advised to by the Safeguarding Lead for NTF or the police
- ❖ Do not investigate the case yourself.
- ❖ Do not, at this stage, tell the person who is the subject of an allegation or suspicion what you have been told.
- ❖ Refer all concerns to the Safeguarding Lead in the first instance by telephoning **01708 974740**, unless an immediate 999 response is required, who will discuss next steps and if the case needs to be referred on to the police or Social Care.
- ❖ Take actions to ensure your own safety (if required)
- ❖ Follow the incident up in writing within 48 hours and send to **safeguarding@tremor.org.uk**
- ❖ NTF Safeguarding Lead will inform the Charity Commission where any safeguarding concerns have been identified immediately they are aware of the concern or as soon as reasonably practicable after it happens using the following form: <https://register-of-charities.charitycommission.gov.uk/report-a-serious-incident>

If you are not in direct contact with the person raising the concern, for instance if you have received a letter, email or have identified a concern on social media.

- ❖ Stop other activity and focus the concerns identified. Responding to suspicion of abuse takes immediate priority.
- ❖ In an emergency situation, where a child or adult at risk is in immediate danger, or where a criminal act has been heard happening at that time, call 999.
- ❖ Retain any written records including emails and letters.
- ❖ Refer all concerns to the Safeguarding Lead on **01708 974740**, who will discuss next steps and if the case needs to be referred on to the police or Social Care.
- ❖ NTF Safeguarding Lead will inform the Charity Commission where any safeguarding concerns have been identified immediately they are aware of the concern or as soon as reasonably practicable after it happens using the following form: <https://register-of-charities.charitycommission.gov.uk/report-a-serious-incident>

Raising concerns outside of normal working hours

All safeguarding concerns should be reported to the Safeguarding Lead (during normal working hours 8am-5pm). The Safeguarding Lead will discuss the concerns and decide next steps. If the concerns are identified outside of normal office hours and the Safeguarding Lead is unavailable, decide whether there is an immediate risk to the child or adult at risk. In an emergency situation, where an individual is in immediate danger, or where a criminal act has been witnessed, call 999 or the relevant Social

Services Department in the area where the concern has been identified. This will usually be via the main switchboard number of the local authority. Inform the Safeguarding Lead of your concerns and actions as soon as practicable on **01708 974 740**, follow this up, in writing, within 48 hours, and send to **safeguarding@tremor.org.uk**

Reporting Serious Incidents to the Charity Commission

The Charity Commission requires charities to report serious incidents. If a serious incident takes place within the NTF, it is important that there is prompt, full and frank disclosure to the Commission. A serious incident in respect of safeguarding includes where there has been actual or alleged harm to the charity's beneficiaries, staff, volunteers or those who come in to contact with the NTF through the work we do.

The responsibility for informing the Charity Commission of any serious incident rests with the Board of Trustees. The Safeguarding Lead will lead on any reporting requirements however all of the Trustees are responsible for ensuring any concerns are notified to the Charity Commission immediately once they are aware of a concern or as soon as reasonably practicable but without any delay.

The following document should be used to support the NTF's Board of Trustees in their decision making about what needs to be reported to the Charity Commission:

https://assets.publishing.service.gov.uk/media/5bd706d9ed915d789dcd63ef/RSI_guidance_what_to_do_if_something_goes_wrong_Examples_table_deciding_what_to_report.pdf

The Commission's role is to ensure the charity's trustees are handling the incident appropriately and, where necessary, putting in place improved governance and internal controls, in order to prevent further harm.

The Commission is not responsible for dealing with incidents of actual abuse or mistreatment and it does not administer safeguarding legislation. It cannot prosecute or bring criminal proceedings, although it may refer concerns on to 'lead agencies', such as the police, local authorities and the Disclosure and Barring Service (DBS), as well as to specialist bodies responsible for designated areas, such as education or health and social care.

Concerns about a Trustee or someone employed or representing NTF.

Staff and volunteers may come into contact with children during the course of the NTF duties. During these times, staff and volunteers should not be left alone with children. A parent/carer or another staff or volunteer should be present who has the relevant Disclosure and Barring Service check in place.

Where concerns are reported about a staff member of the NTF, they should always be passed to the Chair of the Board of Trustees on **01708 974 740** selecting the relevant option, if the Chair of the Board of Trustees is not available or if the Chair of the Board of Trustees is the person you wish to raise concerns about please contact **01708 974739** selecting the relevant option for enquiries or emailing enquiries@tremor.org.uk and ask for the contact details of another member of the Board of Trustees and raise your concern with them.

The Chair of the Board of Trustees and Safeguarding Lead will provide advice and guidance on appropriate action to take, including any referral to other agencies including the Charity Commission. Where the Chair of the Board of Trustees is the person who concerns are being raised about the Trustee who has picked up the concern with liaise with the Charity Commission to gain support and direction.