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## Heart Wood CIO

## Child/Vulnerable Adult Safeguarding Policy

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### **Additional Documents relating to this policy**

CAUSE FOR CONCERN FORM

INCIDENT REPORTING AND VULNERABLE ADULT LOG

WHISTLEBLOWING POLICY

## 1. INTRODUCTION

Heart Wood provides group therapy in a nature setting to people suffering from enduring and complex poor mental health. Heart Wood work with children and adults as part of its activities. These include group therapy, fire lighting, cooking on a camp fire, bushcraft and woodland management.

We work with children from around 16+ with and without parental / carer supervision.

This policy has been designed to ensure the welfare and protection of any person who accesses services provided by Heart Wood.

We recognise that abuse can be a difficult subject for workers to deal with. Heart Wood is committed to the belief that the protection of vulnerable adults and children from harm and abuse is everybody's responsibility and the aim of these procedures is to ensure that all managers, trustees of the organisation, management committee members, staff and volunteers act appropriately in response to any concern around abuse.

This policy will enable Heart Wood to demonstrate its commitment to keeping safe the vulnerable children and adults with whom it works alongside. Heart Wood acknowledges its duty to act appropriately to any allegations, reports or suspicions of abuse.

It is important to have the policy and procedures in place so that staff, volunteers, service users and carers, and management committee can work to prevent abuse and know what to do in the event of abuse.

The purpose of this policy is:

- To protect children and young people who engage with Heart Wood's services. This includes the children of adults who use our services.
- To protect the adults who use Heart Wood services.
- To provide parents, staff and volunteers with the overarching principles that guide our approach to child and adult protection.
- This policy statement applies to anyone working on behalf of Heart Wood, including the board of trustees, paid staff, freelance workers and volunteers.

It is acknowledged that significant numbers of children and vulnerable adults are abused and it is important that Heart Wood has a Safeguarding Policy, a set of procedures to follow and puts in place as preventative measures to try and reduce those numbers.

Heart Wood sessions are facilitated by a Lead Facilitator and a Co-Facilitator. The Lead Facilitator is the Session Safeguarding Lead (SSL) for that session. The Session Safeguarding Lead is responsible for ensuring the correct procedures are adhered to according to the guidance outlined in this policy, reporting any safeguarding concerns to the Heart Wood Safeguarding Lead (SL) or, in their absence, the Heart Wood Deputy Safeguarding Lead (DSL).

## **2. GUIDING PRINCIPLES**

The child/vulnerable adult/adult's interests are paramount, and their safety and welfare will always be given first priority.

A child/vulnerable adult/adult's concern will be listened to carefully and will always be taken seriously.

The limits of confidentiality regarding child/adult protection concerns will be explained to the child/vulnerable adult/adult's at the appropriate time during their engagement with Heart Wood.

Care will be taken not to infringe privacy and confidentiality any more than is necessary to safeguard the welfare of the child/vulnerable adult. In assessing the need for action when faced with child/adult protection concerns, staff will remain sensitive to issues of family relationships, religion and culture, but will always place a child/ vulnerable adult's safety and welfare first.

Arrangements will be made to assist with communication in circumstances of disability or where English is not the service user's first language.

Staff will use plain, jargon-free language appropriate to the age and culture of each person, and will explain any unavoidable technical or professional terms.

Heart Wood will ensure that all staff understand its safeguarding procedures, and are given appropriate levels of training in child/vulnerable adult protection matters.

Heart Wood will ensure that training programmes take account of the latest Government guidance and requirements, and relevant research, and operate within an anti-discriminatory framework.

Heart Wood will ensure that the safeguarding procedures in use by local authorities in which it operates are accessed when necessary, in order that good working relationships and appropriate levels of co-operation can be maintained should the occasion arise.

Heart Wood will ensure that all staff receive appropriate supervision on a regular basis and have access to the Safeguarding Lead or Deputy Safeguarding Lead in the event of the need for an urgent case discussion.

## **3. WHAT IS ABUSE?**

Abuse is the intentional harm done to another person through mistreatment or ill-treatment, or failing to act to prevent harm. It affects all groups, all social classes, both genders; all ages; all abilities, all cultures and ethnic groups.

Abuse can occur in any environment and anyone can be an abuser. However, the person responsible for the abuse is often well known to the person being abused.

#### 4. TYPES OF ABUSE

**Physical Abuse** Someone may abuse a child/vulnerable adult by actually inflicting harm on them, or by failing to act to prevent harm happening to them. Physical abuse may involve hitting, shaking, throwing, kicking, poisoning, burning or scolding, drowning, suffocating, or otherwise causing physical harm to a child/vulnerable adult. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child/vulnerable adult.

**Emotional Abuse** is the persistent emotional maltreatment or emotional neglect of a child/vulnerable adult such as to cause severe and persistent adverse effects on their emotional health and development. It may involve conveying to the victim that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the victim opportunity to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on a child/vulnerable adult. These may include interactions that are beyond the victim's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the victim from participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyber bullying), causing a child/ vulnerable adult to frequently feel frightened or in danger, or the exploitation or corruption of a child/vulnerable adult. Some level of emotional abuse is involved in all types of maltreatment of children and vulnerable adults, though it may occur alone.

**Sexual Abuse** involves forcing or enticing a child/vulnerable adult to take part in sexual activities, including prostitution/sexual exploitation, whether or not the victim is aware of what is happening. The activities may involve physical contact, including penetrative or non-penetrative acts. They may include activities, such as involving the victims in looking at, or in the production of, pornographic material or watching sexual activities, or encouraging the victims to behave in sexually inappropriate ways. A child/vulnerable adult should also be considered to have been a victim of sexual abuse if they have been groomed or engaged in inappropriate sexual activity or conversation over the internet, chat room or mobile phone. Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.

**Child Sexual Exploitation** is a form of sexual abuse. It has been identified throughout the UK, in both rural and urban areas, and in all parts of the world. It affects boys and young men as well as girls and young women. Sexual exploitation can take many forms from the seemingly "consensual" relationship where sex is exchanged for attention/affection, accommodation or gifts, to serious organised crime and child trafficking. What marks out exploitation is an imbalance of power within the relationship. The perpetrator always holds some kind of power over the victim, increasing the dependence of the victim as the exploitative relationship develops.

**Neglect** is the persistent failure to meet a child's/vulnerable adult's basic physical and /or psychological needs, likely to result in the serious impairment of the victim's health or development. Neglect may occur during pregnancy as a result of maternal substance abuse.

Once a child is born, neglect may involve a parent or carer failing to provide adequate food, clothing, shelter including exclusion from home or abandonment, failing to protect a child/vulnerable adult from physical and emotional harm or danger, failure to ensure adequate supervision including the use of inadequate care-takers/care givers, or the failure to ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child/vulnerable adult's basic emotional needs.

**Self-Neglect** is now recognised as a safeguarding concern for vulnerable adults. It is the term used to refer to those who fail or refuse to take care of their own basic needs. The Care Act statutory guidance 2014 defines self-neglect as: "neglecting to care for one's personal hygiene, health or surroundings and includes behaviour such as hoarding."

**Radicalisation** has become one of this century's most pressing child protection issues and is now seen as a form of child abuse. Grooming online or in person is a classic technique used by abusers to exploit vulnerable children. Indeed, extremists use similar methods to radicalise children. Under the Prevent duty, facilitators need to identify and act in cases where radicalisation is a factor.

**Domestic Violence** Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality. This can encompass but is not limited to the following types of abuse: psychological, physical, sexual, financial, emotional.

**Controlling behaviour** is a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.

**Coercive behaviour** an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim.

**Female Genital Mutilation (FGM)** is also a form of physical abuse. This is the ritual removal of some or all of the external female genitalia and is also known as "cutting" or "female circumcision."

**Child Criminal Exploitation** is common in county lines and occurs where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child or young person under the age of 18. The victim may have been criminally exploited even if the activity appears consensual. Child Criminal Exploitation does not always involve physical contact; it can also occur through the use of technology. Criminal exploitation of children is broader than just county lines and includes for instance children forced to work on cannabis farms or to commit theft. County lines is a term used to describe gangs and organised criminal networks involved in exporting illegal drugs into one or more importing areas within the UK, using dedicated mobile phone lines or other form of "deal line". They are likely to exploit children and vulnerable adults to move and store the drugs and money and they will often use coercion, intimidation, violence (including sexual violence) and weapons.

**Modern Slavery** is defined as the recruitment, movement, harbouring or receiving of children, women or men through the use of force, coercion, abuse of vulnerability, deception or other means for the purpose of exploitation. It is a crime under the Modern Slavery Act 2015 and includes holding a person in a position of slavery, servitude forced or compulsory labour, or facilitating their travel with the intention of exploiting them soon after.

**Peer Abuse** Heart Wood Facilitators working with children must be aware of the potential for abuse between children. They should identify any blind spots at the locations of Heart Wood sites; be aware of any potential risky areas; pay attention and monitor children who move to areas out of view; take steps to prevent isolation; separate children if needed. Any suspicion of one child abusing another should be reported immediately to the Safeguarding Lead at that session who will then report this to the Heart Wood Safeguarding Lead.

**Sexual Violence and Harassment** is defined as 'unwanted conduct of a sexual nature' that can occur online and offline. It can include:

- Sexual comments, such as: telling sexual stories, making lewd comments, making sexual remarks about appearance, sexual "jokes" or taunting;
- Physical behaviour, such as: deliberately brushing against someone; interfering with someone's clothes
- Online sexual harassment, which might include: Non-consensual sharing of sexual images / videos and sharing sexual images and videos (both often referred to as sexting); Inappropriate sexual comments on social media;
- Exploitation;
- Coercion and threats.

Heart Wood we are aware of the importance of:

- Making clear that sexual violence and sexual harassment is not acceptable, will never be tolerated and is not an inevitable part of growing up;
- Not tolerating or dismissing sexual violence or sexual harassment as part of 'growing up';
- Challenging behaviours (which are potentially criminal in nature), such as grabbing bottoms, breasts and genitalia. Dismissing or tolerating such behaviours risks normalising them.

**Sexting** can be defined as 'sending or posting sexually suggestive images, including nude or semi-nude photographs, via mobiles or over the internet.' If sessional staff or volunteers become concerned about a 'sexting' issue they should not look at, share or print any indecent image and should:

## **5. THE SAFEGUARDING POLICY STATEMENT**

### **5.1. What is Safeguarding?**

Safeguarding has been defined by the Care Quality Commission as: "protecting people's health, wellbeing and human rights, and enabling them to live free from harm, abuse and neglect."

### **5.2. Key Aims of the Safeguarding Policy**

Heart Wood takes seriously its duty of care to safeguard and promote the welfare of children and vulnerable adults who use its services or are associated with adults who use its services.

For the purpose of this policy and in keeping with the legal definition, a child is anyone under the age of 18 years.

A vulnerable adult is someone who is aged 18 or over who is, or may be, in need of community services due to age, illness or a mental or physical disability; and who is, or may be, unable to take care of himself/ herself, or unable to protect himself/ herself against significant harm or exploitation.

Heart Wood is committed to ensuring safeguarding practise reflects statutory responsibilities and government guidance.

The policy recognises that the welfare and interests of children and vulnerable adults are paramount in all circumstances, as enshrined in the Children Act 1989. It aims to ensure that regardless of age, gender, religion or beliefs, ethnicity, disability, sexual orientation or socio-economic background, all children and vulnerable adults:

- have a positive and safe environment to undertake therapy sessions
- are valued, listened to and respected, and any concerns raised are taken seriously
- are protected from all types of harm, abuse and neglect

### **5.3. Implementation**

Heart Wood is committed to fulfilling its duty of care to safeguard and promote the welfare of children and vulnerable adults, by ensuring that staff are trained and supported in meeting their safeguarding responsibilities in the course of their work and have easily accessible procedures and guidance to assist them.

The Trustees will designate one of its members to take the lead on safeguarding and promoting welfare, whose responsibilities include ensuring Heart Wood:

- has an effective Safeguarding Policy in place and follows agreed procedures
- has a designated Safeguarding Lead for dealing with safeguarding issues
- ensures swift and appropriate action is taken in the event of any disclosures allegations, suspicions or concerns of abuse raised at any time by any of its participants, facilitators or employees
- supports and works in partnership with agencies tasked with protecting children and vulnerable adults from abuse or harm
- ensures that confidential, detailed and accurate records of all safeguarding concerns are maintained and securely stored
- recruits staff in line with safer recruitment processes, ensuring DBS checks are undertaken
- accesses appropriate safeguarding training for all staff
- has procedures for dealing with allegations of abuse made against staff
- has a whistleblowing policy in place and follows agreed procedures



We will seek to keep children and vulnerable adults safe by:

- Valuing, listening to and respecting them
- Appointing a nominated Safeguarding Lead
- Developing safeguarding policies and procedures which reflect best practice
- Using our safeguarding procedures to share concerns and relevant information with agencies who need to know, and involving children, young people, parents, families and carers appropriately
- Creating and maintaining an anti-bullying environment and ensuring that we have a policy and procedure to help us deal effectively with any bullying that does arise
- Sharing information about safeguarding best practice with children, their families, facilitators and volunteers
- Recruiting staff and volunteers safely, ensuring all necessary checks are made
- Providing effective management for staff and volunteers through supervision, support, training and quality assurance measures
- Implementing a code of conduct for staff and volunteers
- Using our procedures to manage any allegations against staff and volunteers appropriately
- Ensuring that we have effective complaints and whistleblowing measures in place
- Ensuring that we provide a safe physical environment for our participants by applying health and safety measures in accordance with the law and regulatory guidance
- Recording and storing information professionally and securely.

#### **5.4. Scope of Policy**

The Safeguarding Policy and procedures affect all staff, including Heart Wood's facilitators, volunteers, staff and Trustees.

The policy and procedures will be widely promoted and failure to comply with them will be addressed without delay and may ultimately result in dismissal/ exclusion from Heart Wood.

#### **5.5. Review**

The Safeguarding Policy will be reviewed every year by the Safeguarding Lead, or sooner in the following circumstances:

- if there are any changes in legislation and/or government guidance
- as required by the Local Safeguarding Children Board (LSCB) or Ofsted
- as a result of any other significant change or event The Safeguarding Lead will ensure that any changes are clearly communicated to the Heart Wood staff and Trustees in writing electronically as soon as practicable and in person at the next available opportunity.

### **6. SAFEGUARDING PROCEDURES**

Facilitators at Heart Wood are always expected to report any concerns they may have about any aspect of the safety or well-being of any child/vulnerable adult, however slight or inconsequential they may seem.

No action is not an option, and they must contact the Safeguarding Lead as soon as possible and complete a Incident Reporting Form.

If the Safeguarding Lead is not available, the facilitator can seek support from the Deputy Safeguarding Lead.

#### **6.1. REPORTING**

All facilitators must immediately report any of the following to the Safeguarding Lead:

- Any suspicion that a child is injured, marked, or bruised in a way which is not readily attributable to normal age-related play
- Any explanation given which appears inconsistent or suspicious
- Any behaviours which give rise to suspicions that a child/vulnerable adult may have suffered harm (e.g. worrying drawings or play)
- Any concerns that a child/vulnerable adult may be suffering from inadequate care, ill treatment, or emotional maltreatment
- Any concerns that a child/vulnerable adult is presenting signs or symptoms of abuse or neglect
- Any significant changes in a child/vulnerable adult's presentation
- Any hint or disclosure of abuse from any person
- Any concerns regarding person(s) who may pose a risk to children/vulnerable adult (e.g. someone living in a household with children present)

- In relation to sexting

Step 1: If a device is involved, confiscate it and set it to flight mode or, if not possible, switch it off.

Step 2: Seek advice - give the electronic device immediately to the Designated Safeguarding Lead.

The Designated Safeguarding Lead will report the concerns according to the Heart Wood reporting procedures.

The production and distribution of sexting images involving anyone under the age of 18 is illegal and needs very careful management for all those involved.

- Further information is available from:  
[www.gov.uk/government/groups/uk-council-for-child-internet-safety-ukccis](https://www.gov.uk/government/groups/uk-council-for-child-internet-safety-ukccis)

If you're not sure whether you should take a concern seriously, or whether you should report, report anyway.

As a Co-Facilitator, if you are unsure about anything to do with child protection and safeguarding, or are unsure whether to report something to the Safeguarding Lead, then you can discuss this with the Lead Facilitator at your session.

## **6.2. DISCLOSURE**

Disclosure is the process by which a child or vulnerable adult starts to share their experiences of abuse with others. This can take place over a long period of time – it is a journey, not one act or action.

Children/Vulnerable adults may disclose directly or indirectly and sometimes they may start sharing details of abuse before they are ready to put their thoughts and feelings in order.

It takes extraordinary courage for a child/vulnerable adult to go through the journey of disclosing abuse.

Not all disclosures will lead to a formal report of abuse or a case being made or a case being taken to court, but all disclosures should be taken seriously.

It is vital that anyone who works with child/vulnerable adults knows how to provide them with the support they need if they have experienced abuse.

### **How disclosure happens**

Children/vulnerable adults may disclose abuse in a variety of ways, including:

- Directly– making specific verbal statements about what's happened to them
- Indirectly – making ambiguous verbal statements which suggest something is wrong

- Behaviourally – displaying behaviour that signals something is wrong (this may or may not be deliberate)
- Non-verbally – writing letters, drawing pictures or trying to communicate in other ways.

Sometimes children/vulnerable adults make partial disclosures of abuse. This means they give some details about what they've experienced, but not the whole picture.

They may withhold some information because of:

- Fear that they will get in trouble with or upset their family
- Wanting to deflect blame in case of family difficulties as a result of the disclosure
- Feelings of shame and guilt.

### **Responding to Disclosure**

Disclosures or information may be received from participants, parents/carers or other members of the public. All facilitators will handle disclosures with sensitivity.

Such information cannot remain confidential and facilitators will not investigate but will, wherever possible, elicit enough information to pass on to the Safeguarding Lead in order that they can make an informed decision of what to do next.

When responding to disclosure, facilitators will:

- *Show you care, help them open up:* Give your full attention to the child/vulnerable adult and keep your body language open and encouraging. Be compassionate, be understanding and reassure them their feelings are important.
- *Take your time, slow down:* Respect pauses and don't interrupt the child/vulnerable adult – let them go at their own pace. Recognise and respond to their body language. And remember that it may take several conversations for them to share what's happened to them.
- *Show you understand, reflect back:* Make it clear you're interested in what the child/vulnerable adult is telling you. Reflect back what they've said to check your understanding – and use their language to show it's their experience.

If a child/vulnerable adult tells you they are experiencing abuse, it's important to reassure them that they've done the right thing in telling you. Make sure they know that abuse is never their fault.

Never talk to the alleged perpetrator about the child/vulnerable adult's disclosure. This could make things a lot worse for them.

It's vital that any person who is trying to disclose abuse feels that they are being listened to and taken seriously.

It is important to maintain an unbiased approach when responding to disclosures and ensure each case is treated in a fair and transparent manner and that the child gets the protection and support that they need.

### **Barriers to disclosure**

Some children/vulnerable adults are reluctant to seek help because they feel they don't have anyone to turn to for support.

They may have sought help in the past and had a negative experience, which makes them unlikely to do so again.

They may also:

- Feel that they will not be taken seriously
- Feel too embarrassed to talk to an adult about a private or personal problem
- Worry about confidentiality
- Lack trust in the people around them (including parents) and in the services provided to help them
- Fear the consequences of asking for help
- Worry they will be causing trouble and making the situation worse
- Find formal procedures overwhelming

### **Helping children/vulnerable adults disclose abuse**

It's important to create an environment where children, young people and vulnerable adults are comfortable about speaking out if anything is worrying them. They need to:

- Be able to recognise abuse and know it is wrong
- Know who they can talk to about it.

The people they choose to disclose to need to listen, understand and respond appropriately so the child gets the help, support and protection they need.

### **6.3. Procedure for facilitators receiving a disclosure from an ADULT participant**

It is not possible to cover all situations that may possibly arise. The following procedures outline essential aspects that will need to be considered in most cases.

If an adult participant tells a facilitator that:

- they themselves are currently abusing a child, or have done so in the past
- they or someone they know has accessed, produced or distributed images of child sexual abuse
- they know of a child who is currently being abused
- they know of someone who is currently abusing a child
- they themselves were abused as a child and the abuser is still at large and in a position to abuse others

**In every case the facilitator should:**

- Listen very carefully
- Clarify the details
- Reassure them that they are believed and that what they say is taken seriously
- Make careful and legible notes recording:
  1. exactly what was said leading up to the disclosure
  2. exactly what the participant said when making the disclosure
  3. exactly what the facilitator said in reply
  4. record the date and time of the conversation
- Remind the participant about the confidentiality agreement discussed in the first contact/appointment and the limits to confidentiality.
- Advise the participant that the information given will have to be shared with the Heart Wood's designated Safeguarding Lead and that the facilitator has no choice in this.
- Advise them that it may be necessary for Heart Wood to make a report to the statutory authorities, with or without their consent, and they will usually be advised if this is the case.
- Give the participant every encouragement to report the situation themselves to the statutory authorities. It is always best that the participant be persuaded to make the report themselves.
- If the participant decides to report the abuse, offer appropriate support for them to do so.
- Advise the participant that Heart Wood will have to check that the abuse has been reported.
- Discuss the case with the Heart Wood Safeguarding Lead as soon as possible and complete a Incident Reporting Form. If the Safeguarding Lead is unavailable, then contact the Deputy Safeguarding Lead.
- Follow whatever course of action is advised.
- Maintain accurate and detailed notes in accordance with Heart Wood's guidelines and keep all notes securely together.
- In all cases where a participant makes a disclosure relating to abuse, notes which are being kept in basic form will have to be fully and clearly written in relation to the disclosure.
- Facilitators will have to provide copies of their notes to a court of law if they are required to do so. They may also be required to contribute to reports in relation to child/vulnerable adult safeguarding cases. The Safeguarding Lead and the Deputy Safeguarding Lead will be able to advise in such cases.
- Keep the participant informed of what is happening.
- Offer them reassurance and support as appropriate, following advice from the designated person.

#### **6.4. Procedure for facilitators receiving a disclosure from a CHILD/VULNERABLE ADULT participant**

##### **If a child/ vulnerable adult tells a facilitator that:**

- They are currently being subjected to any form of abuse.

- They have been abused by someone in the past and that the person who abused them is still in a position to abuse others.
- They know of another child/ vulnerable adult who is being abused or who has been abused in the past.
- They themselves are abusing, or have abused another child/ vulnerable adult.

**In every case the facilitator should:**

- Listen very carefully.
- Clarify the details.
- Reassure them that they are believed and that what they say is taken seriously.
- Make careful and legible notes recording:
  1. exactly what was said leading up to the disclosure
  2. exactly what the participant said when making the disclosure
  3. exactly what the facilitator said in reply o the date and time of the conversation
- Explain to the participant that their safety and well-being is most important, and that because of this someone else has to be told what they have said.
- Remind them about the conversation that took place in the first contact/appointment about confidentiality and the limits of this.
- Explain who Heart Wood's designated Safeguarding Lead is and explain that they will be told and that the facilitator has no choice in this.
- Discuss the case with Heart Wood's Safeguarding Lead immediately or as soon as possible and complete an Incident Reporting Form.
- If the Safeguarding Lead is not available speak to the Deputy Safeguarding Lead.
- Follow whatever course of action is advised.
- Maintain accurate and detailed notes to be securely stored.
- Keep the participant informed of what is happening.
- Offer them reassurance and support as appropriate, following advice from the designated person.
- Bear in mind that it may not be safe for the participant to return home.
- Keep them safe until suitable arrangements have been made for them

**In EVERY disclosure case the facilitator should NOT:**

- attempt to carry out any form of investigation of their own.
- interrogate the participant in an attempt to obtain further details beyond what they are willing to share with the facilitator.
- share the information with anyone other than the Heart Wood designated Safeguarding Lead or the Deputy Safeguarding Lead, until and unless they are advised to do so.

- Make any contact with the child or vulnerable adult's parents or carers, unless the facilitator is sure it is safe to do so.



### **6.5. Procedures for all other Heart Wood personnel**

Following appropriate induction and training, Heart Wood expects its personnel to be aware of its safeguarding policies and procedures. They should know the name of the designated Safeguarding Lead and the Deputy Safeguarding Lead and how to contact them.

Heart Wood personnel are expected to report any concerns, suspicions or allegations they have to the Safeguarding Lead and to complete an Incident Reporting Form. When the Safeguarding Lead is not available they may seek advice from the Deputy Safeguarding Lead.

If any child or vulnerable adult asks a facilitator to keep information about potential or actual abuse secret, the Heart Wood personnel must explain immediately and straightforwardly that such information cannot be kept secret and will be discussed with the Safeguarding Lead and referred to the relevant local authority.

All facilitators and staff must remember that an allegation of child/ vulnerable adult abuse or neglect may lead to a criminal investigation, so they must not do anything that may jeopardise police inquiries such as asking a child/ vulnerable adult leading questions or attempting to investigate the allegations of abuse.

They must not share the information with anyone other than the Heart Wood Safeguarding Lead or the Deputy Safeguarding Lead, until and unless they are advised to do so.

### **6.6. Whistleblowing**

Whistleblowing is when someone reports wrongdoing that is in the public interest. This is usually something they've seen at work but not always. The wrongdoing might have happened in the past, be happening now, or be something the whistleblower is concerned may happen in the near future. Whistleblowing concerns should be made to the Designated Officer for the relevant Local Authority.

You should raise a whistleblowing concern if:

- Your or another organisation doesn't have clear child protection and safeguarding procedures to follow
- Concerns aren't dealt with properly or may be covered up
- A concern that was raised hasn't been acted upon
- You are worried that repercussions are likely to arise if you raise a concern.

You can also contact the Whistleblowing Advice Line on 0800 028 0285.

## **6.7. SUMMARY OF PROCESS**

The following points, and flow chart on page 25 summarise how and when to share information appropriately.

1. Remember that the Data Protection Act is not a barrier to sharing information but provides a framework to ensure that personal information about living persons is shared appropriately.
2. If there are concerns that a child may be at risk of significant harm or an adult at risk of serious harm, then it is your duty to follow the relevant procedures without delay. Seek advice if you are not sure what to do at any stage and ensure that the outcome of the discussion is recorded.
3. Be open and honest with the person (and/or their family where appropriate) from the outset about why, what, how and with whom information will, or could be shared, and seek their agreement, unless it is unsafe or inappropriate to do so.
4. Seek advice if you are in any doubt, without disclosing the identity of the person where possible.
5. Share with consent where appropriate and, where possible, respect the wishes of those who do not consent to share confidential information. You should go ahead and share information without consent if, in your judgement, that lack of consent can be overridden in the public interest, or where a child is at risk of significant harm. You will need to base your judgement on the facts of the case.
6. Consider safety and well-being: Base your information sharing decisions on considerations of the safety and well-being of the person and others who may be affected by their actions.
7. Necessary, proportionate, relevant, accurate, timely and secure: Ensure that the information you share is necessary for the purpose for which you are sharing it, is shared only with those people who need to have it, is accurate and up-to-date, is shared in a timely fashion, and is shared securely.
8. Keep a record of your decision and the reasons for it – whether it is to share information or not. If you decide to share, then record what you have shared, with whom and for what

## **6.8. PROCEDURES FOR THE SAFEGUARDING LEAD**

The Safeguarding Lead will be available to discuss any concerns raised by facilitators, staff members, participants or Trustees.

In every case where a safeguarding issue is raised, the Safeguarding Lead will receive a completed Incident Reporting Form. The Safeguarding Lead will then decide on what action (if any) is required.

If the Safeguarding Lead decides that no action is required, the report is noted on the Child Protection and Vulnerable Adult Log with a clear reason as to why no action was taken.

## **Referrals**

When further action is required, the Safeguarding Lead will act on behalf of Heart Wood and refer disclosures, allegations or suspicions of abuse relating to children or vulnerable adults to Northumberland County Council using the following contact details:

**Onecall: 01670 536 400**

**Text phone: 01670 536 844**

**Email: [onecall@northumbria.nhs.uk](mailto:onecall@northumbria.nhs.uk)**

If the referral is urgent and in relation to a child, the Safeguarding Lead must contact the Customer Resolution Centre directly by telephone (01609 780780) to make a telephone contact and give a verbal report. A written referral using the Universal Referral Form (See Appendix A) must be completed and submitted within 24hrs of the verbal report. It should be emailed securely or sent as a confidential document. If an acknowledgement of the contact is not received, the Safeguarding Lead will follow this up to ensure that the information has been received.

If the referral is in relation to a vulnerable adult but they are not in immediate danger, the Safeguarding Lead should complete the online form at Northumberland County Council, or send a completed Incident Reporting Form the report it as a confidential document. If an acknowledgement of the contact is not received, the Safeguarding Lead will follow this up to ensure that the information has been received.

The referral and its outcome must also be noted on the Child Protection and Vulnerable Adult Log. The analysis of the service log and the learning from safeguarding incidents will be used to inform regular reviews of the Safeguarding Policy and procedures.

## **6.9. EMERGENCY ACTION**

### **Disclosure from a child/ vulnerable adult under serious threat**

On the rare occasion that a child or vulnerable adult discloses current and serious sexual or physical abuse, the member of staff may feel it necessary to act with such urgency that there is no time to contact Heart Wood's Safeguarding Lead.

In an emergency situation, the priority is to ensure safety measures are put in place to protect the vulnerable person from further abuse.

If this happens, in addition to the guidance above:

- explain who it is that will be contacted.
- Dial 999 and ask the operator for the police.
- follow whatever advice is given.
- keep the child/ vulnerable adult informed of what is happening.
- keep them safe until suitable arrangements are made for them.

- advise Heart Wood of the situation at the very earliest opportunity by contacting the Safeguarding Lead or, in their absence, the Deputy Safeguarding Lead.
- maintain detailed notes of all conversations and actions and keep these securely.

***In an emergency situation the member of staff must not contact the child or vulnerable adult's parents or carers, or allow them to return home, until they it is considered to be safe for them to do so.***

#### **6.10. RECORD KEEPING**

Clear detailed recording must be made within 24 hours about any of the above events. This record should include what was said, by whom (with names), the decisions made and reasons for them, the action taken, and any outcome.

In any circumstances where the protection of a child has been discussed, the record should be countersigned by the Safeguarding Lead, together with any other relevant comments or information.

Service user information and case records held by Heart Wood are subject to the Heart Wood GDPR Policy based on the GDPR and Data Protection Act 2018.

Any records containing personal information about Heart Wood participants are kept securely either in locked filing cabinets or if held electronically, are password protected with access from authorised staff only.

#### **6.11. CONFIDENTIALITY AND ITS LIMITATIONS**

Whether a facilitator is offering therapy to a vulnerable adult or child, they must be satisfied that the participant understands and accepts the terms and conditions under which it is provided; including confidentiality and its limitations.

Heart Wood's Registration Form and Working Agreement, given to all participants before therapy begins and which need to be signed, provide a clear statement regarding confidentiality. It makes it clear that if it becomes apparent that a participant is at risk, their safety and welfare will take priority over all other considerations.

It also indicates that a court of law may order information to be disclosed (in accordance with the Children Act, the GDPR and Data Protection Act 2018, Crime and Disorder Act 1998 and the Mental Capacity Act 2005).

When a child/vulnerable adult is going to engage with therapy, an assessment of their understanding and capacity must be made before engagement can commence.

Heart Wood recognises that children/vulnerable adults should not be offered levels of confidentiality that could prove impossible to keep. Separate procedures are followed for ensuring the participant group understands the basis on which the engagement is provided. The degree of confidentiality and involvement of parent(s) or carer(s) is clarified prior to engagement.

## **6.12. INFORMATION SHARING**

This section is about sharing information for the purposes of safeguarding and promoting the welfare of children/ vulnerable adults.

Sharing information amongst facilitators working with children and their families is essential. In many cases it is only when information from a range of sources is put together that a child can be seen to be in need or at risk of harm.

There may be anxiety for facilitators about the legal or ethical restrictions on sharing information, particularly with other agencies. Facilitators should be aware of the law and should comply with the code of conduct or other guidance applicable to Heart Wood. These rarely provide an absolute barrier to disclosure. Heart Wood facilitators must be prepared to exercise their professional judgement. A failure to pass on information that might prevent a tragedy could expose Heart Wood to criticism in the same way as an unjustified disclosure.

A decision whether to disclose information may be particularly difficult if facilitators think that it may damage the trust between them and their participant. Wherever possible facilitators should explain the problem to the participant, seek agreement and explain the reasons if deciding to act against a parent or child/vulnerable adult's wishes.

It is often helpful to discuss such concerns with another facilitator, designated or named professional.

### **What are the legal restrictions?**

The decision whether to disclose information may arise in various contexts. There may be concerns about a child/ vulnerable adult that might be allayed if shared with another agency. Heart Wood facilitators and members of staff may be asked for information in connection with an assessment of a child's needs under Section 17 of the Children Act 1989 or an enquiry under Section 47 of the Act or in connection with court proceedings.

In all cases those main restrictions on disclosure of information are:

- Common law duty of confidence
- Human Rights Act 1998
- The GDPR and Data Protection Act 2018

Each of these has to be considered separately.

Other statutory provisions may also be relevant. But in general, the law will not prevent the Heart Wood staff from sharing information with other facilitators if:

- those likely to be affected consent
- the public interest in safeguarding the child's welfare overrides the need to keep the information confidential
- disclosure is required under a court order or other legal obligation

### **6.13. DISCLOSURE IN THE ABSENCE OF CONSENT**

The law recognises that disclosure of confidential information without consent or a court order may be justified in the public interest to prevent harm to others, especially regarding the protection of children and vulnerable adults.

The approach to confidential information should be the same whether any proposed disclosure is internally within one organisation or between agencies.

Where it is determined that the child, or vulnerable adult, is, or may be at risk of significant harm a referral to the relevant local authority must be made.

#### **What if the duty is to a child?**

A duty of confidence may be owed to a child or young person in their own right. A young person aged 16 or over, or a child aged between 12 and 15 who has the capacity to understand and make their own decisions, (is Gillick Competent) may give (or refuse) consent to disclosure.

Otherwise a person with parental responsibility should consent on their behalf and must give consent where the child is under 12.

See <http://www.nspcc.org.uk/preventing-abuse/child-protectionsystem/legal-definition-child-rights-law/gillick-competency-fraser-guidelines/>

## **7. SUPERVISION**

Safeguarding children and vulnerable adults entails making difficult and risky professional judgements and decisions.

Monthly peer supervision is provided for all facilitators. Effective supervision is important to promoting good standards of practice and to supporting individual staff members.

In addition, in order to satisfy the requirements of accreditation, every facilitator must undergo a specified number of hours of clinical supervision every month. The number of hours required is specific to the accrediting body that each facilitator belongs to. Clinical supervision includes scrutinising and evaluating the work carried out, assessing the strengths and weaknesses of the facilitator and providing coaching and development.

Heart Wood must ensure that staff fully understand their roles and responsibilities, and that practice is soundly based and consistent with Northumberland County Councils procedures.

## **8. TRAINING**

Heart Wood facilitators who come into contact with children and vulnerable adults must know of the predisposing factors, signs and indicators of child/vulnerable adult abuse. They must be able to exercise professional skill in terms of effective information sharing and the ability to analyse information and must have the knowledge and skills to collaborate with other agencies and disciplines in order to safeguard the welfare of children and vulnerable adults.

They will need a sound understanding of the legislative framework and the wider policy context with which they work, as well as a familiarity with local policy and procedures.

Heart Wood is responsible for ensuring that its facilitators are competent and confident to carry out their safeguarding responsibilities.

All facilitators will be sent the Safeguarding Policy electronically and must reply affirming that they have received, read and understood Heart Wood's Safeguarding Policy and are aware of the procedures in place that must be followed to protect vulnerable participant groups. Their email response will be kept on file.

Members of staff must also be given the opportunity to ask any questions regarding this policy.

As a minimum, all Heart Wood facilitators must have completed a safeguarding awareness course. Copies of certificates will be kept in the individual's personnel file. It is advised that this training is renewed every three years.

Heart Wood Lead Facilitators that work directly with children or vulnerable adults are required to complete Level 3 Safeguarding Training, and demonstrate an appropriate level of knowledge, skills and expertise in child protection. Copies of certificates are required to be kept in the individual's personnel file and needs updating every three years.

Heart Wood Co-Facilitators that work directly with children or vulnerable adults are required to complete Level 2 Safeguarding Training, and demonstrate an appropriate level of knowledge, skills and expertise in child protection. Copies of certificates are required to be kept in the individual's personnel file and needs updating every three years.

Heart Wood will ensure that the designated Safeguarding Lead is sufficiently trained to implement its policy and procedures. The Safeguarding Lead will also give recommendations to Heart Wood on any new thinking in the field of safeguarding and liaise with the centre facilitators to ensure that they are adequately inducted and trained on safeguarding issues.

## **9. SAFE RECRUITMENT**

As part of Heart Wood's recruitment procedures and in accordance with the Equal Opportunities and Diversity Policy, all facilitators and staff undergo a rigorous selection and vetting process.

Facilitators are required to complete a Heart Wood training programme in order to learn and understand the ethos and model of the Heart Wood Approach.

Before being appointed by Heart Wood, facilitators are required to

- provide photographic ID to check their identity
- provide proof of relevant qualifications, affiliations and accreditations
- provide an enhanced Disclosure and Barring Service certificate (or equivalent if from outside England) and register for the online update service.
- provide two referees from relevant organisations

## **10. ALLEGATIONS OF ABUSE MADE AGAINST A FACILITATOR OR MEMBER OF STAFF**

Experience has shown that those who work with children/ vulnerable adults in any and every setting can subject them to abuse. Allegations against staff must be taken seriously and treated in accordance with Northumberland County Council Safeguarding procedures.

Allegations may arise from a variety of sources, for example following a complaint by parents or a child or concerns being raised by other members of staff. Heart Wood must openly recognise the possibility of abuse and must prevent the creation of circumstances that could facilitate abuse.

It is important that staff are given guidance on acceptable behaviour and safe working practice in order to protect them from misplaced or malicious allegations.

### **Allegation of Abuse of a Child Made Against a Member of Staff**

Where abuse of a child by a facilitator or member of staff is suspected or alleged, this must be reported to Heart Wood's Safeguarding Lead (or the Deputy Safeguarding Lead in their absence) who will in turn notify the Local Authority Designated Officer (LADO) in Northumberland within one working day.

The LADO has specific responsibility with regard to handling allegations of abuse made against those who work with children. If the accused is a facilitator then their accrediting body would also need to be informed. The accrediting body would carry out its own investigation into the allegation as well. The LADO will make a judgement as to what response is needed to ensure the child or vulnerable adult's safety. Initial discussions between the LADO and the Heart Wood Safeguarding Lead will focus on whether the allegation is likely to be true and if it should be dealt with under this policy.

Some allegations may not require any further action and it will be left to Heart Wood to decide whether to take any disciplinary action. If Heart Wood dismisses or removes a person from working with children or vulnerable adults (or would have if the person had not left or resigned) because of concerns over their behaviour towards children/ vulnerable adults, then it is the legal duty of Heart Wood under The Safeguarding Vulnerable Groups Act 2006 to make a referral to the Disclosure and Barring Service.

As a result of the initial discussion, the LADO may decide to take either of the following courses of action:

- referral to the police for a criminal investigation
- referral to Family Support Social Work (FSSW) for assessment and possible child protection investigation
- initiation of disciplinary proceedings against the member of staff



- referral to the DBS for the person to be barred where allegations are substantiated and the person is thought to be unsuitable to work with children

### **Allegation of Abuse of a Vulnerable Adult Made Against a Member of Staff**

Where abuse of a vulnerable adult by a facilitator or member of staff is suspected or alleged, this must be reported to Heart Wood's Safeguarding Lead (or the Deputy Safeguarding Lead in their absence) who will in turn notify the Northumberland County Council Safeguarding Team within one working day.

If the referral is urgent, the Safeguarding Lead must phone first and give a verbal report, and then complete and email securely an Incident Report Form within 48 hours.

If the referral is non urgent, then the Incident Report Form must be completed and emailed securely or sent as a confidential document.

If the member of staff who has had the allegation made against them has routine access to vulnerable adults then they would need to be "suspended without prejudice" while the investigation was being carried out.

### **11. Partnership Working**

When working in partnership, the Heart Wood Safeguarding Lead will decide whether the allegation should be passed onto the head of the partnership organisation and/or the LADO.

Any member of staff or volunteer who does not feel confident to raise their concerns with the Heart Wood's Safeguarding Lead should contact the LADO directly.

#### **The LADO for Northumberland is:**

Carol Glasper  
Carol.Glasper@northumberland.gov.uk / LADO@northumberland.gov.uk  
01670 623 979

You can also get advice and support from these independent organisations:

**Childline** Tel: 0800 1111

**Kidscape** Tel: 020 7823 5430 (9am-1pm Monday to Thursday)

**NSPCC** Tel: 0808 800 5000

**National Youth Advocacy Service (NYAS)** Tel: 0808 808 1001

**Fearless** - Guided by **Crimestoppers**, their youth service has developed effective anti-crime resources for young people and their families. Aimed at 11-16 year olds, it provides awareness of the dangers surrounding street crime, drugs and violence. You can also pass on information about crime 100% anonymously.

## Keeping Records of Allegations of Abuse Made Against a Heart Wood Facilitator or Member of Staff

Heart Wood must keep a clear and comprehensive summary of any allegations made, details of how the allegations were followed up, any action taken and the decisions reached. This information will be kept on the person's confidential clinical file. The information must be retained until the person reaches normal retirement age or for 10 years if that is longer.

## Learning Lessons

If an allegation is substantiated, the Safeguarding Policy and Procedures must be reviewed as well as the Recruitment Policy.

