


## Andrew Simpson Group – Safeguarding Policy

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Signed		28 <sup>th</sup> February 2025
Name	Hermione Garner	Operations Manager

### 1. Introduction

Definition: Throughout this document there is frequent reference to “ASF”. In every instance ASF refers to the Andrew Simpson Foundation, all of its subsidiaries and entities operating as part of the Andrew Simpson Group.

ASF has a duty of care to safeguard from harm all vulnerable adults and young people. ASF has adopted this safeguarding policy to ensure the safety and protection of all vulnerable adults and young people involved directly with personnel acting on behalf of ASF in the course of their company activities.

The safeguarding principles apply to ASF’s activities within the office, in its assessment centre relations and awarding related activity carried out within centres. To achieve this, we need to ensure we work effectively together to make any external verification, moderation or other awarding related activities carried out in centre learning environments safe and secure for all.

This policy is divided into 9 sections:

- Recruitment and selection of staff
- Code of practice
- Confidentiality and information sharing
- Recognition
- Response
- Reporting
- Recording
- Referral

### 2. Scope

This policy applies to all ASF and Andrew Simpson Centres employees, contractors, casual workers, agency workers, volunteers and Trustees.

One important difference between safeguarding adults and safeguarding children is an adult’s right to self-determination. Adults may choose not to act at all to protect themselves and it is only in extreme circumstances that the law intervenes. This will often only happen when an adult is assessed to lack capacity in that area, or where the concerns may extend to children, such as when they are living in the same household.

This can make the matter of safeguarding adults even more complex. It is not solely focused on creating an appropriate process and system to safeguard. It also needs to take into account the importance of creating a culture that embraces the adults themselves, informing and consulting them on all decisions affecting them.



All of us could be regarded as being at risk or vulnerable at certain times in our lives, for example when undergoing medical treatment or experiencing a period of mental ill-health. Equally, not all people with a disability would identify themselves as being vulnerable or at risk at all times.

### 3. Mental capacity and consent

Although many of the good practice guidelines and principles to be followed when safeguarding children also apply to adults, there is a key difference. In the case of a child, there is a clear duty to act if we suspect that the child has been harmed or is at risk of harm. In the case of an adult, the starting assumption must always be that they have the capacity to make a decision and have the right to do so. If there is an allegation or concern about an adult who has capacity, their consent must be obtained before any referral is made, unless others are at risk of harm. No information should be given to the adult's family or carers without their consent.

If the adult does not have capacity and is unable to give consent, a referral may be made and their family or carers informed, provided that they are involved in the individual's life and are not implicated in the allegation.

Mental capacity refers to the ability to make a decision at a particular time. The term 'lacks capacity' means that a person is unable to make a particular decision or take a particular action for themselves at a particular point in time – although they may still be able to express an opinion or preference or take a less complex decision.

Under the Mental Capacity Act 2005 a person lacks capacity to make a decision if they have an 'impairment of or disturbance in the function of their mind or brain' (either temporary or permanent), and as a result they cannot do one or more of the following:

- Understand the information relating to this particular decision (including its benefits and risks)
- Retain the information for long enough to make this decision
- Weigh up the information involved in making this decision
- Communicate their decision in any way.

The Act also says that:

- A person is not to be treated as unable to make a decision unless all practical steps to help him/her to do so have been taken without success
- A person is not to be treated as unable to make a decision merely because he/she makes an unwise decision
- An act carried out or decision made, for or on behalf of a person who lacks capacity must be undertaken, or made, in their best interests
- Before the act is carried out, or the decision is made, regard must be paid to whether the purpose for which it is needed can be as effectively achieved in a way that is less restrictive of the person's rights and freedom of action.

### 4. Responsibilities

Senior Management Team:	<ul style="list-style-type: none"> <li>• ensure that the policy is implemented, monitored and reviewed.</li> <li>• ensure the contents of the policy is communicated to managers and other appropriate individuals.</li> <li>• support individuals who have received information regarding safeguarding issues.</li> </ul>
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	<ul style="list-style-type: none"> <li>• support any young person or vulnerable adult who raises a safeguarding issue.</li> <li>• co-operate/liase with the CEO during the response and referral stages.</li> <li>• maintain confidentiality of information.</li> <li>• support any subsequent action required by third party or internal inquiry.</li> </ul>
CEO and Senior Team:	<ul style="list-style-type: none"> <li>• maintain monitor and review this policy to ensure effectiveness.</li> <li>• ensure staff recruitment, induction and HR practices policies and procedures reflect safeguarding best practice.</li> <li>• ensure the Safeguarding Policy is available to all staff, contractors, casual workers and trustees.</li> <li>• receive concerns about safeguarding.</li> <li>• respond to the concerns by identifying the most appropriate course of action.</li> <li>• act as a link with any external agencies.</li> <li>• keep confidential records of concerns and actions.</li> <li>• submit high level report/s of any safeguarding issues.</li> </ul>
Line Managers:	<ul style="list-style-type: none"> <li>• Ensure that their teams are familiar with the contents of the policy and appropriate responses required if a safeguarding concern arises.</li> <li>• Refer any concerns to Senior Management Team.</li> </ul>
Staff and Volunteers:	<ul style="list-style-type: none"> <li>• Be aware of and abide by any safeguarding policies and procedures.</li> <li>• Create a safe and welcoming environment.</li> <li>• Treat all individuals with respect.</li> <li>• Refer any concerns to their Manager.</li> </ul>

## 5. Definitions:

**Young person** - A child; someone who has not yet reached their 18th birthday.

**Adult at Risk** - Someone of 18 years or over who:

- May be in need of community care services by reason of mental or other disability, age or illness; and
- is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation.

**Child Abuse** - can be through inflicting harm, or failing to act to prevent harm. Abuse may be physical, emotional or sexual and may take place in a family, institutional or community setting by those known to them or by a stranger.





**Neglect** - can be through inflicting harm, or failing to act to prevent harm. Neglect is the persistent failure to meet a child's basic physical and/ or psychological needs, likely to result in the serious impairment of the child's health or development.

**Abuse of Adults at Risk** - A violation of an individual's human and civil rights by any other person or persons.

**Physical Abuse** - when someone physically hurts or injures by hitting, shaking, throwing, poisoning, burning, biting or scalding; suffocating, drowning or otherwise causing physical harm.

**Sexual Abuse** - any sexual act to which a child or vulnerable adult has not consented, could not consent or was pressured into consenting. This could include full sexual intercourse, masturbation, oral sex or fondling, showing pornographic books, photographs or videos, or taking pictures for pornographic purposes.

**Psychological/Emotional Abuse** - The persistent emotional ill treatment such as to cause severe and persistent adverse effects on the person's emotional development. It may involve conveying to someone that they are worthless or unloved, inadequate, or valued insofar as they meet the needs of another person. It may occur if someone is subjected to constant criticism, name-calling and sarcasm, bullying, racism or unrealistic pressure to perform to high expectations consistently.

**Bullying** - Deliberate hurtful behaviour, usually repeated over a period of time where it is difficult for those being bullied to defend themselves. It may be:

- physical, e.g. kicking
- verbal, e.g. racist
- emotional, e.g. ignoring and isolating
- sexual, e.g. unwanted physical contact

Bullying may also include more general activities that have the potential to create significant harm, such as downloading or using inappropriate material.

**Financial/Material Abuse** - This includes theft, fraud, exploitation, pressure in connection with wills, property or inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.

**Discriminatory Abuse** - Includes racist, sexist, that based on a person's disability, and other forms of harassment, slurs or similar treatment.

**Patterns of Abuse** - Most incidents of abuse contain prior indications of the potential for abuse that have been missed, ignored or overlooked. These might include:

- offering extra support to individual young persons or vulnerable adults
- placing themselves in closed rooms
- a series of minor concerns about physical contact
- a history of frequent moves from job



## **6. Recruitment and Selection of Staff**

The ASF and ASCs are committed to safeguarding and promoting the welfare of all of our staff and customers and expects all staff and volunteers to share this commitment. It is recognised that this can only be achieved through sound procedures, good inter-agency cooperation and the recruitment and retention of competent, motivated employees who are suited to and fulfilled by the roles they undertake.

All posts within the ASF and ASCs are exempt from the Rehabilitation of Offenders Act 1974 and therefore all applicants for paid work and relevant volunteers will be required to declare all unfiltered convictions, cautions and bind-overs, including those regarded as spent and an agreement to be checked if applicable by the Disclosure and Barring Service (DBS).

The ASF and ASCs are committed to ensuring that people who have been convicted are treated fairly and given every opportunity to establish their suitability for positions. Having a criminal record will not necessarily be a bar to obtaining a position. This will depend on the background, nature and circumstances of the offence(s).

The ASF and ASCs will

- Implement robust recruitment procedures and checks for appointing staff and volunteers to ensure that reasonable steps are taken not to appoint a person who is unsuitable to work with children or who is disqualified from working with children or does not have the suitable skills and experience for the intended role;
- Keep and maintain a central record of recruitment and vetting checks;
- Ensure that the terms of any contract with a contractor or agency requires them to adopt and implement measures described in this procedures; and
- Require staff who are convicted or cautioned for any offence during their employment with ASF or ASC to notify their manager of the offence and penalty.

Two references will be requested, either from their previous employer or from someone known to them personally, but not a relative. Evidence of identity will be required, such as a passport or a driving licence with photograph.

## **7. Code of Practice**

These are guidelines for employees, contractors, casual workers, agency workers and Trustees when in contact with vulnerable adults or young people:

- Do not have lone contact with vulnerable adults or young persons. If this is unavoidable, ensure someone else is advised of what is taking place and why.
- Conduct contact in an open environment avoiding private or unobserved situations.
- Maintain a safe and appropriate distance from each person. Do not have physical contact without that person's permission
- Ensure that language is appropriate, clear and cannot be misinterpreted
- Encourage open communication

## **8. Confidentiality and Information Sharing**

Ensure confidentiality protocols are adhered to and information is shared appropriately.

If in doubt about confidentiality, seek advice from your line manager.



Your line manager will disclose any information about an individual to other members of staff on a need-to-know basis, taking account of the best interests of the individual.

Colleagues must be aware that information that any individual discloses regarding abuse of themselves or another person must be shared as appropriate, and cannot be kept secret.

Confidentiality is designed to safeguard the best interests of the individual and must not be confused with protecting the management interest of ASF.

ASF operates Whistleblowing and Grievance policies if staff have any concerns about the conduct of their colleagues.

## **9. Recognition**

The ability to recognise behaviour that may indicate abuse or other safeguarding issues is of fundamental importance. Abuse can occur in a range of situations in which the vulnerable adult or young person may find themselves.

## **10. Response**

Appropriate response is vital. No report of a concern about possible abuse or other safeguarding issues should ever be ignored. In order to determine the most appropriate response, find out whether the allegation is from a young person or vulnerable adult against an employee, contractor, casual worker, agency worker, Trustee or another.

- Is the disclosure from an individual alleging abuse to themselves or to another?
- Is it the reporting of a concern or suspicion?
- What, precisely, is the alleged to have happened?

Detailed clarity is vital. If you suspect or are told an adult or young person is being abused:

- stay calm
- listen carefully to what is said
- allow them to speak, but be very careful not to say anything that may suggest or prompt a particular answer
- accept at face value what they say
- reassure them that they are being carefully listened to and do not promise to 'keep it confidential'. Make it clear that it may be necessary to tell someone else who can help to sort things out
- reassure them they have done the right thing in speaking about the issue
- tell the adult or young person what will happen next and with whom the information will be shared
- immediately report all Safeguarding concerns to your Line Manager.
- ensure the CEO is also made aware
- all safeguarding concerns must be recorded using the Safeguarding Issue Reporting Form which is available from your manager. Ensure the following details are included:
  - name/date of birth and address of person reporting
  - If this issue has not occurred at ASF - contact numbers (mobile, work and home)
  - date(s) and time(s) of abuse/incident(s)
  - record precisely what has been alleged



## 11. Reporting

You are not responsible for deciding whether abuse has occurred. That is the task for the professional agencies, following a referral from the Senior Management Team. Any concerns regarding allegations of abuse must be in the first instance, be reported to the Senior Management team and CEO. Once you have completed a Safeguarding Issue Reporting Form, the record will be kept confidential, and the information will only be viewable by the referrer and the CEO.

There is a Safeguarding Support Pack which is available to all managers and has advice on how to treat concerns and how to report and refer. This includes information relevant to the location of the operation (who to contact, local agencies who can offer support etc).

## 12. Recording

An accurate record should be made of what has been alleged, using the words of the vulnerable adult or young person. Add, if appropriate, factual observations about the physical or emotional state of the individual sharing their concerns. Information will be recorded and stored securely, in line with ASF's data protection policy, and will only be accessible to those who need to access it as part of action to resolve a complaint or allegation.

## 13. Referral

ASF and ASC Designated Safeguarding Lead	
<b>Operations Managers:</b>	<b>Hermione Garner – 07789690298</b> <b>Alex Porter – 07971817967</b>

Contact one of the Designated Safeguarding Leads with any concerns or possible referrals. Please also use resources in the Safeguarding Support Pack – available to all Centre Managers and Senior Staff.

### Useful Contacts

RYA Safeguarding Team:	02380 604226 / <a href="mailto:safeguarding@rya.org.uk">safeguarding@rya.org.uk</a>
Children Services:	0845 6035620 / Out of hours: 0845 6004555
Adult Services:	0845 6035630 / Out of hours: 0845 6004555
Childline UK (24hr helpline for children):	0800 1111
Child Exploitation and Online Protection Centre:	0870 0003344
Child Protection in Sport:	0116 234 7278
Kidscape (helpline for adults concerned about bullying):	08451 205204
NSPCC Freephone (24hr helpline):	0808 8005000
The Samaritans:	08457 909090

**If you believe a crime has been committed or the child or vulnerable adult is in immediate danger, contact your local police on 0845 0454545**