



Rekindle Ail-ddeffro

Rekindle Safeguarding Policy and Procedure

Date approved by Trustee Board: 27 th September 2024	Effective Date 1 st October 2024
Next Review Date (annual review): 27 th September 2025	Policy Owner Board of Trustees/Lizzie Cockle (Manager)

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Safeguarding Policy

1. Introduction

1.1 Purpose and Commitment

Rekindle works with 16-25 year olds and aims to make a positive difference to their mental health, build resilience and enable them to lead healthy lives. We do this by offering early intervention for those at risk of, and those already suffering mental distress to promote recovery. We offer counselling and outreach work which provides focussed one-to-one support and group activities to build skills and connection.

We recognise that the safety and welfare of children and adults is paramount, and we do not tolerate the abuse of any person in any form. We are committed to:

- Safeguarding, and we understand our duty of care to our service users, and to those who work for or on behalf of Rekindle. All safeguarding concerns will be taken seriously and we will strive to work in partnership with other agencies.
- Creating a safe and secure environment where everyone can work together confidently and with mutual respect.
- Promoting the 'think family' approach which identifies safeguarding needs beyond the person we are supporting. This aims to improve outcomes for children and adults in families and recognises that the needs of children and the needs of their parents, carers or other adults cannot be separated from each other and their outcomes are mutually dependent on each other's well-being.
- The welfare of all of our service users and we recognise that all have a right to equal protection from harm or abuse, regardless of gender, ethnicity, disability, sexuality, marital status, gender reassignment, age, pregnancy (maternity), beliefs or any other difference.

Rekindle works with children (defined as those under 18 years) and adults (over 18 years) and this safeguarding policy and procedure therefore applies to both children and adults. The document sets out how safeguarding will be promoted, our organisational roles and responsibilities and how concerns will be effectively managed.

This policy and procedure is approved by our trustees. It will be reviewed and updated annually or more frequently as needed. It will be available to staff, volunteers and to others who have an interest in our services.

1.2 Scope

This policy and procedure applies to everyone working for or with Rekindle, including trustees, staff, volunteers, and contractors. Hereafter all will be called 'staff' in this policy and procedure. It is expected that this policy and procedure will be read, understood and applied by all staff.

1.3 Legislation and Guidance

This safeguarding policy is underpinned by law and statutory guidance including:

- Human Rights Act 1998
- Charity Commission Safeguarding Guidance 2021
- Data Protection Act 2018 (UK GDPR)
- Social Services and Wellbeing (Wales) Act 2014
- Code of Practice (under Part 10 of the Social Services and Well-being (Wales) Act 2014)
- Working Together to Safeguard People

- Wales Safeguarding Procedures
- Mental Capacity Act 2005
- Safeguarding Vulnerable Groups Act 2006
- Protection of Freedoms Act 2012

1.4 Relationship to Other Policies and Procedures

Rekindle has a suite of policies and procedures which collectively promote safeguarding, and which should be read alongside this policy and procedure including:

- Recruitment
- Whistleblowing
- Code of Conduct
- Lone Working
- Health and Safety
- Equality and Diversity
- Grievance
- Disciplinary/Capability
- Social Media/IT
- Complaints
- Confidentiality
- Data Protection

2. Roles and Responsibilities

2.1 Everyone

Everyone at Rekindle is responsible for safeguarding. Everyone should:

- read and apply this safeguarding policy and procedure.
- be vigilant in the course of their work to signs and indicators of abuse and neglect.
- respond to any safeguarding concerns however small they may appear using the procedures in this document.
- treat everyone with whom they come into contact with respect, promote safe practices and apply Rekindle's code of conduct.
- attend safeguarding learning and development opportunities.

2.2 Designated Safeguarding Persons (DSP)

The DSPs are the Team Leads (Lead Counsellor and Lead Wellbeing Practitioner). This role has operational responsibilities for safeguarding at Rekindle. Their responsibilities include:

- keeping updated about changes in safeguarding law, local multi-agency arrangements and best practice.
- being available to staff and providing advice and support on safeguarding to them
- managing individual safeguarding cases including making decisions and taking actions, seeking specialist advice, liaising with other agencies and making referrals and multi-agency work, escalating concerns if required and managing record keeping.
- alerting the Designated Safeguarding Lead (DSL) to safeguarding concerns relating to staff, poor practice concerns, staff training needs or any other matters related to the management of safeguarding.
- contributing to the safeguarding work, e.g. policy development, data collection, safer recruitment, induction and training of staff.

2.3 Designated Safeguarding Lead (DSL)

The DSL is the Service Delivery Manager who has strategic responsibilities for safeguarding at Rekindle. The DSL role includes the following responsibilities:

- promoting a safeguarding and listening culture and keeping updated about changes in safeguarding law and best practice.
- developing and annually reviewing the safeguarding policy and procedure in line with statutory guidance and implementing it across Rekindle to be assured of its implementation.
- developing and updating other related policies such as recruitment, disciplinary and whistleblowing policies as well as the code of conduct.
- ensuring effective safeguarding systems and processes are in place, including secure recording.
- appointing DSP's; ensuring that safeguarding is integral in all recruitment.
- ensuring all staff receive safeguarding induction and training.
- overseeing the work of the DSP's; quality assuring the management of safeguarding cases, including decisions made.
- overseeing the management of safeguarding allegations against staff.
- escalating any serious incidents (as per Charity Commission guidance) to trustees.
- briefing trustees regularly about safeguarding activity, maintaining a risk register and providing an annual report on safeguarding.

2.4 Trustees

The Trustees are responsible for the governance of safeguarding, ensuring that the charity is legally compliant, and services are delivered safely. Their responsibilities include ensuring:

- a culture of safeguarding is promoted and staff and service users can raise concerns.
- a safeguarding policy is in place and is understood by staff; it is reviewed annually.
- there are policies and systems to support them in place, including code of conduct, whistleblowing and recruitment policies.
- safeguarding concerns are managed effectively; with people and systems in place for its management; there is sufficient resourcing of safeguarding including for training.
- monitoring safeguarding performance including by reviewing regular feedback on safeguarding activity, overseeing a risk register and ensure remedial actions are taken.
- Chair makes enquiries in the event of an allegation being made against the Service Delivery Manager.
- compliance with the Charity Commission serious incident notification requirements, and other bodies such as regulators, grant-makers and insurance companies.
- a Lead Safeguarding Trustee is nominated who maintains regular contact with the DSL and champions safeguarding.

3. Identifying Abuse and Neglect

3.1 Definition of ‘safeguarding’

Safeguarding means preventing and protecting children and adults at risk from abuse or neglect and educating those around them to recognise the signs and dangers.

3.2 Definition of ‘child’ and ‘child at risk’

A ‘child’ is a person who is aged under 18.

A child at risk is a child who:

- i. Is experiencing or is at risk of abuse, neglect or other kinds of harm.
- ii. Has needs for care and support (whether or not the authority is meeting any of those needs).

3.3 Definition of ‘adult at risk’

An adult at risk is defined in law as someone who is aged 18 years and over who:

- i. Is experiencing or is at risk of abuse or neglect,
- ii. Has needs for care and support (whether or not the authority is meeting any of those needs), and
- iii. As a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it.

An adult may be in need of care and support and unable to protect themselves from harm for reasons such as learning or physical disability, mental health difficulties, and infirmity.

3.4 Defining ‘abuse’ and ‘neglect’

Abuse and neglect are types of maltreatment. Somebody may abuse or neglect a person by inflicting harm, or by failing to act to prevent harm. Abuse can happen anywhere for example, in a family, institutional or community setting or in a public place or online. Anyone can perpetrate abuse, e.g. family, friends, acquaintances, strangers, staff, adults or children.

3.5 Categories and indicators of abuse and neglect

Appendix 6 lists types of harm and their possible signs and indicators.

4. How Safeguarding Concerns May Arise at Rekindle

Safeguarding concerns might be identified because:

- A service user or someone else says that a service user has experienced harm.
- A service user or someone else says that a service user has caused harm to another person.
- Concerns are observed.
- There are queries about staff working practices or allegations made against staff (including volunteers and trustees).

5. Information Sharing and Duty to Report

This paragraph sets out the legal expectations about sharing safeguarding concerns. The general principle of the Data Protection Act 2018 is that service users’ personal information will not be shared with other agencies without their prior consent. However, there are important exceptions when there is a duty to share information that is in the public interest and a person’s consent to share information may be overridden.

The factsheet 'Working Together to Safeguard People: Information Sharing to Safeguard Children and Adults', (July 2019) [information-sharing-to-safeguard-children-and-adults.pdf \(gov.wales\)](#) provides 'seven golden rules' and a flowchart for information sharing.

The Mental Capacity Act 2005 (England & Wales) provides the legal framework for making decisions on behalf of people aged over 16 years who lack the mental capacity to make decisions themselves (for example about consenting for their information to be shared). Adults are presumed to have mental capacity until it has been assessed that they do not. Presumption of mental capacity means that adults can make what may be seen as unwise decisions. A person may not be able to make a certain decision at a certain point in time if they have an impairment in their functioning which means they are unable to understand information about the decision, retain, use or communicate their decision and understand the consequences. To make a decision, some adults at risk may need additional support and they are entitled in law to receive it. Anything done for, or on behalf of, a person who lacks mental capacity must be in their 'best interests' and the 'least restrictive' of their rights and freedoms.

The Social Services and Well-being Act 2014 sets out a 'statutory duty to report'. This means that if any person has knowledge, concerns or suspicions that a child (including an unborn child) or adult is suffering, has suffered or is likely to be at risk of abuse, it is their responsibility to refer the concerns to social services or police who have powers to make enquiries and intervene when necessary. The duty to report is on relevant partner agencies, however all agencies are expected to report any safeguarding concerns including voluntary sector organisations.

6. Learning & Development

All staff will have safeguarding learning and development opportunities to help them fulfil their roles and to recognise and respond to safeguarding concerns using this policy and procedure.

Rekindle offers the safeguarding learning opportunities through training, briefings, online, reading etc. Records will be kept of attendance.

Induction

Everyone when starting work at Rekindle will receive safeguarding induction and this safeguarding policy and procedure within 6 weeks of their start date, which they are expected to read and agree to apply when required.

Safeguarding learning and development / training

Within 6 months of starting their role, all staff will receive safeguarding learning and development which will help them to identify abuse and neglect and report it using this policy and procedure. There will thereafter be annual refreshers.

Safeguarding training for Designated Safeguarding Staff

The DSP's and DSL will receive training within 6 months of their role commencing and two yearly updates. This will focus on managing safeguarding including making decisions and referrals and contributing to the multi-agency process for safeguarding children and adults.

Safeguarding Training for Designated Safeguarding Leads & Trustee's

Those roles that undertake recruitment will have 'safer recruitment' training which should be refreshed every two years. Those staff who are required to manage allegations against staff will be required to have training which should be updated every two years.

Safeguarding Governance

Trustees will receive training to be able to fulfil their safeguarding governance responsibilities. This should take place for all Trustee's and be updated every two years.

Safeguarding Procedure

7. Responding to Safeguarding Concerns

7.1 Barriers to Speaking Out

Many people are reluctant to disclose their experiences of abuse and neglect because they:

- feel shame or embarrassment.
- feel guilt or responsibility for the abuse.
- do not have anyone that they can turn to or that they can trust.
- may have sought help before but felt let down.
- fear not being believed.
- have accepted the abuse or neglect as a 'norm'.
- fear the consequences of telling.
- believe they are protecting others (e.g. the abuser, family service users).
- lack the language to speak out, e.g. have communication impairment, don't speak Welsh or English fluently.

It is essential that we are available to our service users and work to provide a culture of listening, and that we understand the barriers for people in speaking out.

7.2 Responding to Safeguarding Concerns

A person is more likely to approach someone that they trust or because they are available and supportive. It is important to be clear about our boundaries if someone tells us about abuse or neglect. The matter may need to be reported to another agency and there may be criminal or safeguarding inquiries that commence. We are not responsible for undertaking investigations into allegations of abuse. If a person speaks to you about their experience of abuse or neglect, follow the guidelines below:

DO...

- Actively listen and allow the person to say what they wish.
- Remain calm and respond with care, reassuring the person they are right to tell you/someone.
- If you need to ask questions, use open questions, such as those starting 'who', 'when', 'where', 'how'. Ask the person what they would like to happen.
- Explain what will happen next, including that you will have to tell someone.
- Consult immediately with the Designated Safeguarding Person.
- Record the conversation immediately on the Safeguarding Concern Form (Appendix 3).

DON'T...

- Push the person to tell you more than they want, get them to repeat everything or interrupt if they are talking freely.
- Ask leading questions (questions that presume an answer).
- Show strong reactions or feelings such as shock, anger, distress or disgust.
- Speculate or blame anyone.
- Ask to look at injuries, especially if it entails them lifting/removing clothing.
- Promise confidentiality.

7.3 Recording

Recording is a key task in safeguarding. Records may be used in future legal proceedings and be accessed by other parties as well as the individual concerned. Records are kept in accord with Rekindle's Data Protection Policy.

Safeguarding records must:

- be made immediately and within 24 hours.
- where possible, use the person's own words.
- state the date, time, place and who was present.
- be legible, in plain language and free from jargon. Explain any acronyms or initials used.
- be objective and differentiate between fact, opinion and observations, and third party information.
- in chronological order note concerns, decisions and actions taken.
- be made only on Rekindle systems. Records should not be kept elsewhere or be made on personal equipment such as phones or records.
- be accessed only by those who are authorised.
- not be amended. Additional information or corrections should be written separately.

8. Managing Safeguarding Concerns Procedure

8.1 Overview

It is not our responsibility to decide if a person has been abused or to undertake enquiries into abuse, but we are responsible for responding to concerns and ensuring that they have been appropriately acted upon in a timely way in accordance with this procedure.

We have a duty to report any safeguarding concerns to social services or police who have powers to make enquiries and intervene when necessary. Reports must be made immediately or as soon as possible after the concern comes to light and within the day.

For any safeguarding concerns, whether they relate to children or to adults at risk, and however small they may appear, staff must speak with the DSP (or the DSL if the DSP is not available). The DSP will make the decisions on behalf of Rekindle about the action to take, making / overseeing referrals, and ensuring that decisions are acted upon. Information sharing must be in line with this policy and procedure.

8.2 Responding to an Emergency

In an emergency where someone is seriously hurt, is at immediate risk of abuse, is in danger or a criminal offence against them has occurred, you should ring 999 and ask for the emergency service required. Alert the DSP or DSL as soon as possible. Record all actions.

The procedures set out below in the paragraph 'Responding to a safeguarding concern about a child or adult' must then be followed.

8.3 Responding to Safeguarding Concerns about a Child or Adult at Risk

For all safeguarding concerns, follow these steps:

- speak to the DSP about your concern. This should be done as soon as possible and on the same day that you identify the concern.
- record all relevant details on the Safeguarding Concern Form (Appendix 3) and pass to the DSP. All subsequent actions and decisions must be recorded.
- The DSP will make decisions about the next steps, based on known information and after seeking any advice as needed from others, including social services. Records must be retained. Any of these decisions may be made:

- There are no safeguarding concerns and therefore no further action to take.
- The threshold has not been met to refer onwards however the service user has needs which may be met by Rekindle or by signposting or referring to other sources of help, with the consent of the service user.
- A safeguarding referral is made to social services because there is reasonable cause to suspect that the person has experienced or is at risk of abuse or neglect or there are serious concerns about their wellbeing. Information sharing with other agencies should be in line with the principles set out in this policy and procedure.

The referral must be made immediately using the multi-agency procedures and telephone reports must be followed up in writing within 24 hours. The referrer must be assured that their referral has been received. Appendix 2 lists the contact details of social services. Social Services should acknowledge within 7 working days that the report has been received and of their decision. If this is not done, the DSP must follow this up with social services.

The referral should provide sufficient information for social services including:

- Basic information (e.g. full names, addresses and dates of birth) about relevant people.
- Details of relevant professionals who are involved (e.g. GP, CPN, school).
- The nature of the concerns, how concerns have arisen, any evidence.
- Relevant background history or context, risks, immediate actions required.
- Additional needs arising from health needs or disability, language needs, ethnicity, race, religion or other needs
- Your views and assessment and what you consider needs to happen next
- If consent to share information has been obtained or if the person has been informed the referral is being made, if not, provide explanation.
- Your identifying details and contact details.

Following the referral, the DSP or staff may need to provide reports or attend meetings, contributing to and assisting with safeguarding enquiries in line with the multi-agency procedures.

If a referral is not accepted or there are delays and the DSP considers that this is having a negative impact upon the safeguarding needs of the person, they should proactively pursue discussion with social services and consider escalating their concerns through the multi-agency procedures.

9. Procedure for Managing Allegations against Staff

This procedure is relevant where there are safeguarding concerns against staff (which includes paid staff, volunteers and trustees).

We have a duty to report safeguarding concerns, and we must not ignore concerns about a colleague who may be causing harm to a child or an adult, whether this is occurring in their private life, in the community or in our organisation. This procedure also applies to behaviour that breaches safe working practices or our Code of Conduct and low-level concerns.

A safeguarding allegation is where a staff member may have:

- behaved in a way that has – or may have - harmed a child or an adult or behaved in a way that could lead to a child or an adult being harmed.
- possibly committed or is planning to commit a criminal act towards a child or an adult.

- behaved toward a child or an adult in such a way that it indicates that they could pose a risk of harm to service users.
- behaved in a way that indicates they may be unsuitable to work with service users.

whether this has occurred whilst working at Rekindle or elsewhere, including online.

Safeguarding concerns about a staff member may arise for example through an allegation being made about them, a complaint, a breach of code of conduct or engaging in poor working practices, information in a Disclosure and Barring List (DBS) check; online behaviour; historical concerns coming to light or concerns raised by another organisation.

It is important that all allegations and concerns are taken seriously and will not be ignored or downplayed. They will be properly addressed in line with this procedure and outcomes recorded.

9.1 Responding to a safeguarding concern about staff

If anyone needs immediate emergency support, call 999 straightaway.

Where there are safeguarding concerns about staff, follow the steps below. Refer to the flowchart for Managing Allegations against Staff (Appendix 5) and the Safeguarding Concern form (Appendix 3).

Speak to the Designated Safeguarding Lead (DSL) about your concern as soon as possible and on the same day that it is identified. It is not necessary for you to be completely certain, but you are expected to notify any concerns that may impact on the wellbeing of service users. You should not tell the subject of the allegation that you intend to or that you have spoken to the DSL.

Record details on the Safeguarding Concern Form (Appendix 3) and provide this to the DSL. The DSL will ensure that all subsequent actions and decisions are recorded. If you are not satisfied about your concerns being taken seriously or addressed by the DSL or trustees, you can contact social services directly or use the whistleblowing procedure.

If the concern is about the DSL, then notify the Chair of Trustees or another Trustee if the Chair is not available or the concern is about them. They will lead the investigation following the steps below.

9.2 Enquiries by the DSL

The DSL should follow this procedure, dealing with matters quickly, fairly and consistently so that individuals are safeguarded, evidence is secured and the staff member who is subject of the allegation is supported. This may involve working with others, both internally (e.g. trustees and HR) as well as external agencies (e.g. police, local authority and the local authority's Designated Officer for Safeguarding (DOS). The DOS is the nominated person in the local authority who is responsible for managing and monitoring safeguarding allegations about paid and unpaid staff who work with children and adults. The DOS will provide advice, information and guidance to employers about safeguarding allegations.

Four strands of enquiry

There may be up to four strands in the management of a safeguarding allegation and any or all of them may be required depending on the circumstances.

1. A police investigation if a criminal offence may have been committed.
2. Enquiries by social services about child or adult at risk safeguarding.
3. Rekindle internal enquiry including considerations about disciplinary action.
4. Referral to the Disclosure & Barring Service and/or referral to a professional registration body for professional misconduct.

An initial plan for the enquiry with proposed actions and timescales must be confirmed within one working day by the DSL. Consideration should be given to these areas:

- Which of the above four stands of inquiry are required (this may change as the enquiry progresses).
- Referral to the local authority Designated Officer for Safeguarding (DOS). The DOS must be contacted within 24 hours of the incident occurring or becoming known. The DOS will advise and may convene a meeting to ensure relevant reports and lines of inquiry are undertaken.
- If any immediate action is required to safeguard service users, staff, the building, records, equipment or services.
- What information to share with the subject of the allegation, arrangements to support them, decisions about suspension or altering their duties.
- What information to share with other staff, service users or any other known employer; managing community or media interest if it should arise.
- If the criteria is met for a serious incident report being made to the Charity Commission.

A police investigation if a criminal offence may have been committed

A report must be made to police and a crime reference number obtained where there has been a crime or a crime is suspected.

Enquiries by social services about adult or child safeguarding

Follow the 'Managing safeguarding concerns about service users' procedure above to make referrals about adult and child safeguarding.

Rekindle internal enquiry including considerations about disciplinary action.

Internal enquiries should start without delay and involve HR. Enquiries should be concluded, even if the person concerned refuses to cooperate, resigns or otherwise stops providing their services or the person is deceased. Outcomes of the investigation should take into account the result of any police investigations, criminal trial, safeguarding enquiries and fall into one these areas:

- Substantiated: there is sufficient evidence to say that the allegation is true.
- Unsubstantiated: there is insufficient evidence to either prove or disprove the allegation.
- Unfounded: there is no evidence or proper basis which supports the allegation being made.
- Malicious: evidence disproves the allegation which was made maliciously.
- False: evidence disproves the allegation, but it was not made to deceive.

Thereafter, decisions must be made and implemented which could include reintegrating the person into the workplace or invoking the disciplinary process.

Details of malicious allegations should be removed from personnel records. For all other allegations, records are kept on the personnel file of the person until the accused has reached normal pension age or for 10 years from the date of the allegation if that is longer.

Referral to the Disclosure & Barring Service and/or referral to a professional registration body for professional misconduct.

Rekindle has a duty to refer to DBS any person engaged to work in regulated activity where the allegation has been substantiated and where we have withdrawn permission for them to work in regulated activity. The duty remains even where we would have taken this action, but the person was re-deployed, dismissed, resigned, retired, or left. Failure to report to DBS in these circumstances is an offence. The referral process is outlined on the DBS website and they can be contacted for advice if there is uncertainty as to what to do.