

# Safeguarding Policy and Procedure

(Under 18s And Vulnerable Adults)



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## **Introduction**

The vast majority of people who work with under 18s/vulnerable adults are well motivated and would never harm them. Unfortunately, a few do and it is essential that the Party creates a culture that makes all those who work for and with the Party willing and comfortable to voice their concerns, particularly those about someone with whom they work or who they know personally. Where there are valid concerns, it is important that the procedure is followed and if necessary, the Party's internal processes are also commenced at the same time.

Everyone can help to safeguard Under 18s and vulnerable adults, if they are willing and able to act should they have concerns about their welfare. Parents and other primary caregivers have the primary responsibility for safeguarding their under 18s and vulnerable adults. Statutory and voluntary agencies, relatives, friends and neighbours also have responsibilities.

If an incident occurs within Liberal Democrat activity all employees, members, candidates and volunteers have a responsibility to follow the steps outlined within this policy.

## **Purpose and Scope**

The purpose of this policy is to set out the Liberal Democrat commitment to keeping under 18s and vulnerable adults safe. It applies to all members, employees and volunteers working on behalf of the Liberal Democrats.

## **Policy Statement**

We believe that everyone has a responsibility to promote the welfare of under 18s and vulnerable adults and to keep them safe.

We will give equal priority to keeping all under 18s and vulnerable adults safe regardless of their age, disability, gender reassignment, race, religion or belief, sex or sexual orientation.

We will do this by: -

- Explaining the responsibilities of the Liberal Democrats and its employees, members and volunteers, in respect of under 18s and vulnerable adult protection.
- Providing a clear set of procedures and processes that will be implemented where under 18s and vulnerable adult protection issues arise.
- Building a safeguarding culture where all stakeholders know how they are supposed to behave and feel comfortable about sharing concerns.

## **Context**

All under 18s and vulnerable adults have the right to protection from all forms of abuse including exploitation, neglect, physical and mental abuse regardless of their age, gender, disability, culture, language, racial origin, religious beliefs or sexual orientation.

Under 18s and some adults are less able to protect themselves than others, and some have difficulty making their wishes and feelings known. This may make them vulnerable to abuse.

The priority should always be to ensure the safety and protection of under 18s and vulnerable adults. To this end it is the responsibility of all employees, members, and volunteers, to act on any suspicion or evidence of abuse or neglect and to pass on their concerns to a responsible person/agency.

## Definitions

For the purposes of this document and ensuring consistent and widely understood terminology, the following definitions are used:

A **child** is defined as a person under the age of 18 (The Children's Act 1989) and **young people** are defined as a person generally from 14 to 17 years of age (as defined by the Department of Health). For the purposes of this document, these groups are referred to collectively as **under 18s**.

The legal definition of a **vulnerable adult** is "an adult defined as vulnerable when they are in receipt of a 'regulated activity' in relation to vulnerable adults". 'Regulated activities' include assistance with healthcare, personal care and assistance with a person's own affairs, such as managing cash and paying bills (sections 65 and 66 of the Protection of Freedoms Act 2012).

A more generic definition is that a **vulnerable adult** can be defined as someone 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 (definition from the Department of Health 2002).

You should consider both the legal and generic definitions when considering whether you are dealing with a **vulnerable adult**, although if there is conflict the legal definition shall take priority.

## Abuse

Abuse and neglect are forms of maltreatment. It is a violation of an individual's human and civil rights by any person or persons. The abuse may be a single act or repeated acts, financial, sexual, physical, verbal or psychological, or an act of neglect or an omission to act.

The abuse may occur in a family or in an institutional or community setting and can be carried out by those known to them or, more rarely, by a stranger. It can occur in any relationship, and it may result in significant harm to, or exploitation of, the person. In addition, for vulnerable adults, it may occur when a vulnerable person is persuaded to enter into any transaction to which he or she has not consented, or cannot consent.

Some definitions of abuse are: -

### **Physical Abuse**

This may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, misuse of medication, restraint, or inappropriate sanctions or otherwise causing physical harm. Physical harm may also be caused when a parent or carer fabricates the symptoms of or deliberately induces illness in the vulnerable adult or under18.

### **Emotional Abuse**

This is the persistent emotional maltreatment of the vulnerable adult or under18 such as to cause severe and persistent adverse effects on the individual's emotional wellbeing. It may involve conveying to the under18/vulnerable adult that they are worthless, unloved or inadequate. It may involve bullying, causing them to feel frightened or in danger.

### **Sexual Abuse**

This type of abuse involves forcing or enticing a vulnerable adult or under18 to take part in sexual activities, including prostitution whether or not the vulnerable adult or under18 is

aware of what is happening. Examples of physical contact include penetrative or non-penetrative acts. It may include non-contact activities involving under 18s' looking at or being involved in sexual online images and/or encouraging under 18s to behave in sexually inappropriate ways. In relation to a vulnerable adult, it occurs when they have not or cannot consent or are pressured into consenting.

### ***Neglect and acts of omission***

This is the persistent failure to meet the under 18's or vulnerable adult's basic physical, emotional and/or psychological needs, likely to result in the serious impairment to their health and/or development. It can include failing to provide adequate food, clothing and shelter, adequate supervision or failing to provide medical help when needed.

### ***Psychological Abuse***

This is the use of emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or supportive networks.

### ***Financial or material Abuse***

This type of abuse involves 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***

This type of abuse can be racist, sexist, or based on a person's disability, age, or sexuality and other forms of harassment, slurs or similar treatment.

## **Roles and Responsibilities**

### **The Role of Activists, Employees, Volunteers and Trustees**

All activists, employees, volunteers and trustees working on behalf of the Liberal Democrats have a duty to promote the welfare and safety of under 18s and vulnerable adults. Anyone who works regularly with young people and vulnerable adults should ensure they are fully aware and up to date with safeguarding procedures, and referral processes.

Activists, employees, volunteers and trustees may receive disclosures of abuse of under 18s/vulnerable adults or observe under 18s/vulnerable adults who are at risk. This policy will enable them to make informed and confident responses to specific safeguarding issues.

### **Role of a Responsible Person (Line Managers/Person-in-charge/Local Party Chair)**

The role of the Responsible Person is to support the employee(s), member(s) or volunteer(s) involved with the incident and to ensure the correct procedures are followed. The responsible person should make contact with the delegated safeguarding lead in the local party or designated Safeguarding Officer at HQ in the first instance.

The Responsible Person should ensure that all people within their team are familiar with the Liberal Democrat's current safeguarding procedures and where appropriate undertake safeguarding training. They should also ensure that those who work closely and regularly with under 18s/vulnerable adults in an unsupervised environment, have a disclosure and barring (**DBS**) check (previously called a CRB check).

Recruitment should be undertaken in line with current Liberal Democrats recruitment processes and procedures. These procedures and processes take account of the need to safeguard and promote the welfare of under 18s and vulnerable adults, including

arrangements for appropriate checks on new employees, volunteers and trustees where applicable.

## **Role of Safeguarding Officer**

The designated safeguarding lead has overarching responsibilities regarding safeguarding in the Liberal Democrats. They will also hold a central register of all safeguarding cases

The Safeguarding Officer for the Liberal Democrats is the Director of Finance & Corporate Services. Contact: [safeguarding@libdems.org.uk](mailto:safeguarding@libdems.org.uk) and phone: +447385391679.

## **DBS Checks**

DBS Checks can be obtained by contacting the People Team ([people@libdems.org.uk](mailto:people@libdems.org.uk)). The criteria for an enhanced DBS check is that the applicant works directly with vulnerable adults or under 18s frequently (once a week or 4 or more days in a 30 day period) in an unsupervised environment e.g.:- Regularly transports an under 18 in their own car for the purpose of deliveries.

Applicants will be required to complete an online form and supply 3 forms of identification and proof of address.

## **Training and Support**

Core safeguarding learning sessions will be available during conferences and available as a recorded video link post conference. More in depth training may be available from individual Local Authorities and Local Safeguarding Partnerships for Adults and Children (Local Authorities, Police and CCGs)

For members, volunteers and employees who have occasional contact with children and young people: You should be familiar with these guidelines and understand your responsibilities relating to safeguarding under 18s and vulnerable adults.

## **Use of Photographic/Video Equipment**

Parental written consent should be obtained prior to the taking of photographs and/or video footage and use of images of under 18s. If a vulnerable adult is not able to give informed consent themselves, carer written consent should be obtained prior to the taking of photographs and/or video footage and use of any image of that vulnerable adult. When consent is being sought, parents/carers should be made aware of when, where and how the images may be used. A consent form can be obtained from [data.protection@libdems.org.uk](mailto:data.protection@libdems.org.uk)

See also the [guide and code of conduct for working with under 18s and vulnerable adults](#) for more information on working with this group.

## **Procedure in the Event of a Disclosure**

It is important that under 18s/vulnerable adults are protected from abuse. All complaints, allegations or suspicions must be taken seriously. This procedure must be followed whenever an allegation is made that an under18/a vulnerable adult has been abused or when there is a suspicion that an under18/vulnerable adult is being or has been abused or is at risk of harm.

## **Responding Appropriately to a Disclosure**

If an under18/vulnerable adult makes a disclosure to you of alleged abuse, the key is the '3



Rs': reassure, report and record.

- **Reassure:** stay calm, listen and show empathy. Reassure them that it will be taken seriously and explain that the issues will be reported internally and what may happen next.
- **Report:** report to the person in charge immediately. Consider notifying external agencies, including social services or the police if necessary (see more detail on reporting below).
- **Record:** write up notes of the conversation clearly and factually as soon as possible and pass them onto the line manager, Local Chair, or Head of People and Pastoral Office. (See appendix 4)

## DO:

- Make sure the individual is safe.
- Assess whether emergency services are required and if needed call them.
- Listen carefully to what is said.
- Stay calm, offer support and reassurance. Reassure the individual that the matter will only be disclosed to those who need to know about it. (See section on confidentiality) Reassure the individual that they have done the right thing in telling you.
- Explain areas of confidentiality. Find an appropriate early opportunity to explain that it is likely that the information will need to be shared with others – do not promise to keep secrets. It is important that the individual is sensitively informed that cases of alleged abuse will be referred to appropriate agencies for the individual's own sake.
- Speak to your manager for support and guidance.
- Be clear to the individual about what your role is regarding the information and what action you will have to take as a result.
- Explain the procedure to the individual making the allegation. The individual's involvement in the process of sharing information should be fully considered and their wishes and feelings taken into account.
- Ascertain and establish the basic facts. Make careful notes and obtain agreement with them, ensuring notation of dates, time and persons present are correct and agreed. Ask questions for clarification only, and at all times avoid asking questions that suggest a particular answer. Allow the individual to continue at her/his own pace.
- Tell them what you will do next, and with whom the information will be shared. Record in writing what was said, using the individual's own words as soon as possible – note the date, time, any names mentioned, to whom the information was given and ensure that the record is signed and dated.
- Assurances should be given to the individual that they will be kept informed of any action to be taken and why.
- Follow the correct procedure.

## DON'T:

- Confront the alleged abuser.
- Be judgmental or voice your own opinion.
- Be dismissive of the concern.
- Investigate or interview beyond that which is necessary to establish the basic facts.
- Disturb or destroy possible forensic evidence.
- Consult with persons not directly involved with the situation.
- Ask leading questions, as this can cause problems for the subsequent investigation and any court proceedings. A 'leading question' is one which suggests a particular answer or contains the information you are seeking to confirm.
- Assume information.
- Make promises of confidentiality, as this may conflict with the need to ensure the safety

and welfare of the individual.

- Ignore the allegation.
- Elaborate in your notes.
- Panic.
- Seek proof before reporting your concerns.

**It is important to remember that the person who first encounters a case of alleged abuse is not responsible for deciding whether abuse has occurred.**

**That is a task for the professional safeguarding agencies, following a referral.**

## **Reporting a Disclosure**

### **Making a record**

A full record must be made as soon as possible of the nature of the allegation and any other relevant information including using the '*Initial Cause for Concern Form*' at Appendix 4 to this procedure.

This should include information in relation to the date, the time, the place where the alleged abuse happened, your name and the names of others present, the name of the complainant and, where different, the name of the under 18/ vulnerable adult who has allegedly been abused, the nature of the alleged abuse, a description of any injuries observed, the account which has been given of the allegation.

### **Referring to outside agencies**

A referral should be made to relevant outside agencies including (a) Social Services and (b) if there has been a potentially criminal act, the police.

If you are not sure about the seriousness of the allegation or whether it should be reported to outside agencies or the police, contact the Safeguarding Officer for advice as soon as possible.

It is not for you to decide whether something is criminal or abusive – only that it might be, in which case the relevant agencies and/or police should be informed to make this decision.

When submitting a report to the relevant authorities such as the police or social services a written record of the **date** and **time** of the report shall be made and the report must include the **name** and **position** of the person to whom the matter is reported.

The telephone report must be confirmed in writing to the relevant local authority Social Services department within 24 hours.

You can find information about the local area social services or safeguarding teams on your local council's website.

The police can also offer advice regarding safety at home and in the community and may refer people who have experienced violence, abuse or crimes to the Victim Support helpline - 08 08 16 89 111 or the chat function of the Victim Support Website <https://www.victimsupport.org.uk/help-and-support/get-help/supportline/>.

## **Reporting within the Liberal Democrats**

Any disclosure of suspected abuse must be reported without delay, that working day where possible, to the Safeguarding Officer unless this person is involved. It is important that under 18s and vulnerable adults are protected from harm therefore all complaints, allegations or suspicions must be taken seriously.

If the police or social services have been informed, always also contact the Local Party Chair except if the Local Chair is involved in, or has a connection to, the disclosure or the under18/vulnerable adult, in which case you should contact the Designated Safeguarding Lead directly.

Contact: [safeguarding@libdems.org.uk](mailto:safeguarding@libdems.org.uk) and phone: +447385391679.

## **Making a Formal Complaint**

Whether the disclosure relates to suspected abuse, or does not relate to suspected abuse, but is nevertheless against the Members' Code of Conduct, discriminatory and/or relates to behaviour by a member of the Liberal Democrats which is likely to bring the party into disrepute, you can also log a complaint about that member via:

<https://beta.libdems.org.uk/complaints-procedures#Contact>

You should then receive an acknowledgement of this within 48 working hours from our Standards Officer. The Standards Officer will also be able to set up support at any time prior to, during, or after the proceedings of the complaint.

All complaints are reviewed on an individual basis. You can find out further information about how our complaints procedure works by reading our step by step complaints procedure here <https://sites.google.com/libdems.org.uk/complaints-path/home>

## **Confidentiality**

Safeguarding raises issues of confidentiality which should be clearly understood by all.

Members, employees, and volunteers have a responsibility to share relevant information about the protection of under 18s and Vulnerable adults with other professionals, particularly investigative agencies. Clear boundaries of confidentiality should be communicated to all.

All personal information regarding under 18s should be kept confidential except when it is suspected that the person is the victim of abuse.

If an under18/vulnerable adult confides in a member, volunteer, trustee or member of employees and requests that the information is kept secret, it is important that the person confided in tells the individual sensitively that he or she has a responsibility to refer cases of alleged abuse to the appropriate agencies for the under18/vulnerable adult's own sake. Within that context, the under18/vulnerable adult should, however, be assured that the matter will be disclosed only to people who need to know about it.

Where possible, consent should be obtained from the under18/ vulnerable adult before sharing personal information with third parties. In some circumstances obtaining consent may be neither possible nor desirable as the safety and welfare of the under18/vulnerable adult is the priority.

Child/adult protection issues are highly sensitive and anyone who receives information about

children/vulnerable adults or their families in the course of their work should share that information only within appropriate professional contexts to people who justifiably have a need to know.

All records should be kept secure and all personal information regarding an under18/vulnerable adult should be kept confidential. All written records will be kept in a secure area for a specific time as identified in data protection guidelines. Records will only record details required in the initial contact form.

This section should be read alongside the party's guidance on data protection.

## APPENDIX 1: RECORDING A SAFEGUARDING CONCERN FORM

Name of the person raising a safeguarding concern	
Are they a (cross relevant item) :	Member Volunteer Employee
Concern is about (cross relevant item):-	Vulnerable Adult Under 18
Name of individual safeguarding concern is about:	
Are they a (cross relevant item) :	Member Volunteer Employee
Name of alleged abuser, relationship with under18/vulnerable adult (if known):	
Date and time of alleged incident(s):	
Where did the alleged incident(s) occur:	
Names/Contacts of any witnesses:	
What is the nature of the incident:	
Describe concern:	
Describe what you have done so far :	
What have your observations been to support your concerns:	
Description and location of any visible marks / bruises, etc:	
Who has this been reported to ( <b>date</b> and <b>time</b> of the report and the <b>name</b> and <b>position</b> of the person to whom	

the matter is reported.)	
Has this report been confirmed in writing to the local social service team	
Name of person completing the form:	
Signature:	
Contact Details:	
Date:	

**Please use continuation sheet if required. Send to [safeguarding@libdems.org.uk](mailto:safeguarding@libdems.org.uk).**

## **APPENDIX 2: LEGAL FRAMEWORK**

### **Legal Framework for Children**

This guidance reflects the principles contained within the United Nations Convention on the Rights of the Child (**UNCRC**) ratified by the United Kingdom in 1991 and the Human Rights Act 1998.

The Children's Act 1989 sets out the legislative framework for safeguarding and promoting the welfare of children and the Children's Act 2004 underpins the 'Every Child Matters, Change for Children' programme.

In July 2018 the Government published '[Working Together to Safeguard Children Statutory framework: legislation relevant to safeguarding and promoting the welfare of children](#)' which details the full legislative framework covering Safeguarding Children

### **Legal framework for Vulnerable Adults**

This guidance reflects the principles contained within the Human Rights Act 1998, the Mental Capacity Act 2005, Public Interest Disclosure Act 1998 and the Protection of Freedoms Act 2012.

The Mental Capacity Act 2005, covering England and Wales, provides a statutory framework for people who lack capacity to make their own decisions, or who have capacity and want to make preparations for a time when they may lack capacity in the future. It sets out who can make decisions, in which situations, and how they should go about this.

The Human Rights Act 1998 gives legal effect in the UK to the fundamental rights and freedoms contained in the European Convention on Human Rights (**ECHR**).

### **The Public Interest Disclosure Act 1998**

The first priority should always be to ensure the safety and protection of under 18s and vulnerable adults. To this end it is the responsibility of all to act on any suspicion or evidence of abuse or neglect and to pass on their concerns to a responsible person and/or agency.

The Public Interest Disclosure Act 1998 (**PIDA**) created a framework for whistle blowing across the private, public and voluntary sectors. The Act provides individuals in the workplace with protection from victimisation where they raise genuine concerns about malpractice in accordance with the Act's provisions.

## **APPENDIX 3: THE ROLE OF KEY INDIVIDUAL AGENCIES OUTSIDE THE LIBERAL DEMOCRATS**

### **Children Social Services**

The Children's Act 1989 gives Local Authority Social Services the primary responsibility for the care and protection of abused children and children at risk of abuse. It is their statutory duty to ensure that there is an investigation in cases of suspected abuse or significant harm.

All local authorities have a Local Safeguarding (Children) Partnership, which oversees multi-agency work aimed at protecting and safeguarding children and young people.

### **Adult Social Services**

The Department of Health's '[No secrets](#)' guidance document requires that authorities develop a local framework within which all responsible agencies work together to ensure a coherent policy for the protection of vulnerable adults at risk of abuse.

All local authorities have a Local Safeguarding (Adults) Partnership, which oversees multi-agency work aimed at protecting and safeguarding vulnerable adults.

### **Police**

The overriding concern of the Police in child protection is the welfare of the child. Their general duties are to investigate crimes as well as a duty to prevent offences being committed and to protect those at risk of harm. The Children's Act 1989 permits the Police to take a child into police protection; where there is reasonable cause to believe that he/she would otherwise be at risk of significant harm.

The Police also play a vital role in Safeguarding Adults with cases involving alleged criminal acts.

It becomes the responsibility of the police to investigate allegations of crime by preserving and gathering evidence. Where a crime is identified, the police will be the lead agency and they will direct investigations in line with legal and other procedural protocols. Police and Social Services will work jointly where it is likely that criminal proceedings will be brought against the perpetrator of the abuse.

### **NSPCC**

The NSPCC pursues its objective of identifying and preventing child abuse through consultation and cooperation with Social Services. They are identified as an 'authorised person' under the Children Act 1989. NSPCC runs national Child Protection Helplines. Child Protection Officers of the NSPCC are required to initiate procedures that ensure their own appropriate response to any complaint or request for help on all matters concerning children.



## **APPENDIX 4: USEFUL ORGANISATIONS, PEOPLE, AND FURTHER SOURCES OF INFORMATION**

The local council will have links to their safeguarding team.

Key people to contact within the team include: Director of Children Services, Head of Safeguarding and Director of Social Services.

**Child Line:** telephone 0800 1111, Website: [www.childline.org.uk](http://www.childline.org.uk),

**Working together to Safeguard Children** – (A guide to inter-agency working to safeguard and promote the welfare of children.)  
[www.gov.uk/government/publications/working-together-to-safeguard-children--2](http://www.gov.uk/government/publications/working-together-to-safeguard-children--2)

**The Child Exploitation and Online Protection Centre (CEOP):**

<https://www.ceop.police.uk/Safety-Centre/>

**Guide to internet safety and safe surfing for young people from Think U Know. Part of CEOP:** [www.thinkuknow.co.uk](http://www.thinkuknow.co.uk)

**NSPCC:** telephone 0808 800 5000, Website:  
<https://www.nspcc.org.uk/keeping-children-safe/reporting-abuse/report/>

‘No Secrets’ report – (A national policy for the protection of vulnerable adults)  
<https://www.gov.uk/government/publications/no-secrets-guidance-on-protecting-vulnerable-adults-in-care>

Action on Elder Abuse (AEA) is a charity working to protect, and prevent the abuse of, vulnerable older adults. <http://www.elderabuse.org.uk>

The National Care Line - 0800 0699 784  
<https://www.thenationalcareline.org/AccessingHelp/ActionOnElderAbuse>

The Centre for Policy on Ageing was established in 1947 by the Nuffield Foundation with a remit to focus on the wide-ranging needs of older people. <http://www.cpa.org.uk/>

Statement of Government Policy on Adult Safeguarding:  
<https://www.gov.uk/government/publications/adult-safeguarding-statement-of-government-policy>

Regulated activity (adults); The definition of ‘regulated activity’ (adults) as defined by the Safeguarding Vulnerable Groups Act 2006 from 10th September 2012, Department of Health  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/216900/Regulated-Activity-Adults-Dec-2012.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/216900/Regulated-Activity-Adults-Dec-2012.pdf)