

Our approach to safeguarding

1 Purpose

This document sets out the Trust's approach to safeguarding of children, young people and vulnerable adults through its activities (including grant making) and its staff and trustees. It provides an understanding of the regulatory framework in England, Scotland and Wales and how it applies to the work of the Trust. It also sets out the procedures the Trust will follow to ensure it is fulfilling its duties and best practice.

2 The legislative and regulatory framework

In England the Care Act 2014 sets out the legal framework for how local authorities and other parts of the system should protect adults (18 years or older) at risk of abuse or neglect. In Wales, the Social Services and Well-being Act 2014 provides the legal framework for adult (18 years or older) safeguarding. In Scotland the Adult Support and Protection Act 2007 gives greater protection to adults (16 years or older) at risk of harm or neglect.

In England the main legislation relating to safeguarding children and young people is the Children Act 2004 and the most recent guidance issued through that Act is the Working Together to Safeguard Children guide, July 2018.

In Scotland, the key guidance for anyone working with children is the National Guidance for Child Protection in Scotland (Scottish Government, 2014).

In Wales the Social Services and Well-being Act 2014 provides the legal framework for the safeguarding of children and young people.

Both the [Charity Commission for England and Wales](#) and the [Office of the Scottish Charity Regulator](#) have emphasised that a charity's trustees have a legal duty to review their approach to safeguarding.

3 Definitions

Safeguarding is about protecting particular people or groups of people who may be vulnerable in particular circumstances. These people may be at risk of harm due to the actions (or lack of action) of another person or organisation.

Where this document refers to charities, this term includes any constituted community group, Community Interest Company (CIC), company limited by guarantee or not for profit charitable organisation funded by the Trust or with which the Trust works.

Where this document refers to trustees, the term is taken to include any governing positions such as committee members for constituted community organisations or company directors (e.g. CICs).

The terms 'adult at risk' and 'vulnerable adults' are used by different organisations but have the same meaning.

4 Principles

The Trust supports charitable organisations working with people who are more likely to be at risk of harm. The Trust has a responsibility to take proportionate steps to ensure that grant holders have appropriate systems in place to safeguard their beneficiaries and those working for and with the grant holder (such as its staff, trustees and volunteers). However, it is the responsibility of the trustees (or equivalent) of grant holding organisations to ensure that their safeguarding policies and procedures are fit for purpose given the specific nature of their work and the manner in which it is conducted. Consequently, the focus of the Trust's assessment of applicant safeguarding is to ensure that appropriate management and governance arrangements are in place to regularly review the relevant policies and make certain that staff, volunteers, and beneficiaries use them effectively.

The Trust is not an expert in effective safeguarding practice, nor is it a referral agency or regulator. Whilst being aware of its responsibilities it must not directly investigate safeguarding incidents, provide guidance on, or approve individual safeguarding policies of applicant or funded organisations. It must, however, immediately refer safeguarding issues about its applicant/funded organisations to the appropriate safeguarding agencies, which will decide whether or not an allegation should be investigated.

Internally, the Trust has a responsibility to have an appropriate safeguarding policy and internal process in place to ensure that reported incidents are effectively managed, and that its own staff are kept safe. It is the responsibility of the Trust to make sure its staff, operations and programmes do no harm to children and adults at risk or expose them to abuse or exploitation. We review our safeguarding policy every 12 months, and it is agreed by a Board-delegated committee. Our Leadership Team safeguarding lead is Max Rutherford and our Board has a safeguarding lead is Tommy McIlravey. We keep up-to-date with changes in legislation and practice.

5 Procedure for applicants and funded partners

5.1 Applicants

The responsibility for ensuring appropriate safeguarding systems, where required, are in place lies with the applicants and grant holders themselves. This is reflected in a statement within the guidance to applicants provided by the Trust, whether or not they are intending to work with children and young people or adults at risk. It takes this approach because it is likely that many of the projects it funds may not be aware of the vulnerabilities of regular or occasional participants.

5.2 Grant offer

All grant offers (direct and with sub-grant agreements) include standard conditions that require the grant holder to:

- keep policies and procedures in place to deliver the project successfully;
- adhere to safeguarding legislation and good practice; and
- ensure appropriate DBS checks are carried out.

In addition, the standard conditions of grant include a clause that sets out requirements to consider safeguarding risks, maintain policies and procedures and train new staff and/or volunteers. It requires the grant holder to provide the Trust with any information it requests in order to be satisfied that the obligations of the clause are being met. There is also a requirement for appropriate checks and management of third-party suppliers.

A further term of grant is available for panel members to apply where a grant falls short of expected practice. In such a case, no grant will be released until the safeguarding term has been fully met.

5.3 Monitoring

As part of grant set up, the Trust will ask the grant holder to submit their organisation's safeguarding policy. Although the Trust will not advise on the quality of the policy, the Trust will check to confirm:

- it provides the name of the organisation's safeguarding lead
- it is informed by current legislation/practice and covers the nature of the work the Trust is funding. If the organisation has an online presence then there should be a statement about digital safeguarding practice
- the approach they take to ensure employees, freelance staff and volunteers (including trustees or management committee members) are aware of the policy and the training required to support it
- the date of last review of the funded organisation's safeguarding policy that was discussed and agreed at Board or equivalent level (it must be no more than 12 months since last review)

At each progress reporting point the Trust will ask for confirmation from all grant holders that its safeguarding policy is still being actively applied across the organisation, and that it has been reviewed by the organisation's trustees within the last 12 months.

The Trust carries out a proportion of random compliance checks each year across its grant portfolio. Where compliance checks are carried out, these include the need for evidence of safeguarding policies, when they were last reviewed, online or physical training is up-to-date and evidenced and confirmation that they are actively applied. The Trust also checks that where needed DBS checks exist and are up to date.