

Safeguarding Responsibility for the VCSE sector- What does legislation say?

Whether you're a registered charity, Community Interest Company or a small voluntary group working in the heart of your community, you have a responsibility to safeguard the people you support. This bulletin has been designed to give a quick and precise 'snapshot' of the legislation surrounding safeguarding in the VCSE (Voluntary, Charity and Social enterprise) sector. And what that means practically, to your VCSE organisation.

What is Safeguarding?

The principles to safeguarding remain the same regardless of organisation type or whether voluntary or commercial. **Everyone** has the responsibility to safeguard those around them.

The NCVO (National Council for Voluntary Organisations) says.

“Creating a safe and welcoming environment, where everyone is respected and valued, is at the heart of safeguarding.

It's about making sure your organisation is run in a way that actively prevents harm, harassment, bullying, abuse, and neglect. It's also about being ready to respond safely and well if there is a problem.

Everyone in the organisation has a role to play in safeguarding. It should become part of your day-to-day activities.

Every organisation that delivers charitable activities has a duty to safeguard volunteers, staff members, participants, and donors.” <https://www.ncvo.org.uk/help-and-guidance/safeguarding/getting-started-with-safeguarding/what-is-safeguarding/>

What is legislation?

Legislation is essentially a law; by adhering to legislation we are adhering to the law set out by Parliament. Legislation is reviewed and adapted regularly, particularly with Safeguarding legislation following a serious incident or death. Most recently the legislation '[Working Together to Safeguard Children Act 2018](#)' has been reviewed following the serious case reviews of children [Arthur Labinjo-Hughes and Star Hobson](#).

Parliament UK describes Legislation as.

“Legislation is a Law or set of Laws that have been passed by Parliament. The word is also used to describe the act of making a law. <https://www.parliament.uk/site-information/glossary/legislation/>

It is important to have an appropriate level of understanding of relevant Legislation surrounding your organisation or group. Below is a compiled list of Legislation relevant to the VCSE sector. To read the legislation in full, click the headings.

<u>Adult Safeguarding Legislation</u>	<u>Childrens Safeguarding Legislation</u>
The Care Act 2014	The Children Act 1989
Safeguarding Vulnerable Groups Act 2006	The Children Act 2004
Sexual Offences Act 2003	The Safeguarding Vulnerable Groups Act 2006
Public Interest Disclosure Act 1998	Children and Young People Act 2008
Making Safeguarding Personal Guide 2014	Working Together to Safeguard Children 2018

What are your Responsibilities?

When applying for funding or setting up as a registered charity you will likely be asked to provide a copy of your Safeguarding Policy. If working with both children and adults, you should have separate policy documents for each.

If you are not applying for funding or setting up through the Charity Commission, you will still be expected to have adequate policies in place. Although there is no official governing body currently to review or inspect Safeguarding policy and procedures for the VCSE, it is still expected. Should there be a safeguarding incident of significance within your organisation or group, questions will be asked regarding your current safeguarding practice, knowledge, and policy, along with what prevention mechanisms were already in place.

1. Safeguarding Policy

You should have a safeguarding children's policy if you work with children, a safeguarding adult's policy if you work with adults and one of each if you work with both. Your safeguarding policy should contain;

- A statement about your commitment to safeguarding.
- A statement about your commitment to safeguarding training.
- Confidentiality and information sharing (when to share concerns)
- Details about safe Record keeping.
- Definitions of what constitutes abuse.
- Relationships to other policy you might have (e.g. recruitment, health and safety, equality)
- Details of your designated safeguarding lead and deputy lead (if relevant).
- Your organisation/ group safeguarding procedures. (Details about what should be done if a child/adult discloses or if you observe a concerning situation or have a concern regarding a fellow staff member/volunteer).

- Details about how and when to contact your local [LADO](#) (Local Authority Designated Officer)
- A statement relating to your code of conduct or expected behaviour of staff/ volunteers.
- Commitment to your Safe recruitment.
- Details ensuring that any person working with children or one-on-one with adults at risk of abuse has a DBS check.
- Referral details to your local safeguarding team (website/telephone number/email).

2. Other Considerations

- How do you make sure everyone within your organisation has read and understood the policies?
- How do you make new staff aware of safeguarding policy and procedure?
- How does your organisation keep up to date with safeguarding issues/changes?
- If you were engaging with a child or adult had additional needs (not being met) how could you support them/ assist them accessing further support?
- Do you have health and safety procedures for any activities you run?
- Do you have 'supervision of children and young people policy' if relevant?
- Do you have adequate record keeping mechanisms that are secure in accordance with GDPR?
- Do you have a complaints procedure?
- Do you have a management structure or board of trustees? Have they approved all policy and procedures? And does each member have descriptive roles and responsibilities?

There is lots of support available (for free) for VCSE organisations to create and implement safeguarding policy and procedures. More details about support is listed in the closing statement below.

Closing Statement

Understanding safeguarding expectation is the first step to implementing quality procedures to keep the children and adults who access your organisation/group safe, as well as protecting your staff and volunteers.

Remember safeguarding is EVERYBODY'S responsibility.

For support implementing the above or reviewing the practices you already have in place, please contact Forum/ Sector Connect to arrange. Follow link for details <https://view.pagetiger.com/Safeguarding-poster-Forum>

Useful Websites

For support with all needs relating to the VCSE sector- <https://northbankforum.org.uk/>

A wide range of support available for the VCSE sector-

<https://www.ncvo.org.uk/about-us/>

For safeguarding children's learning and updates-

https://learning.nspcc.org.uk/?gclid=aw.ds&gad_source=1&gclid=EAlaIqobChMImtXfvILQgwMVxIRoCR1xBQIAEAAYASACEgKQMvD_BwE&gclid=aw.ds

Government related guidance for the VCSE- <https://www.gov.uk/guidance/voluntary-and-community-sector-organisations-who-can-give-you-extra-support>

A partner to Forum CIO and provider of support and training- <https://hullcvs.org.uk/>

Safeguarding adults information and updates- <https://www.anncrafttrust.org/>

Safeguarding adults legislation-

<https://www.scie.org.uk/safeguarding/adults/introduction/what-is>

Safeguarding children's legislation-

<https://www.childprotectioncompany.com/safeguarding-children/legislation-for-safeguarding/>

Information regarding the role of the LADO- <https://national-lado-network.co.uk/the-role-of-the-lado-local-authority-designated-officer/>

For North East Lincolnshire children's Safeguarding- <https://www.safernel.co.uk/>

Hull Safeguarding Childrens partnership- <https://www.hull.gov.uk/safeguarding/hull-safeguarding-children-partnership>

References

<https://northbankforum.org.uk/>

<https://www.ncvo.org.uk/about-us/>

https://learning.nspcc.org.uk/?gclid=aw.ds&gad_source=1&gclid=EAlaIqobChMImtXfvILQgwMVxIRoCR1xBQIAEAAYASACEgKQMvD_BwE&gclid=aw.ds

<https://www.gov.uk/guidance/voluntary-and-community-sector-organisations-who-can-give-you-extra-support>

<https://hullcvs.org.uk/>

<https://www.anncrafttrust.org/>

<https://www.scie.org.uk/safeguarding/adults/introduction/what-is>

<https://www.childprotectioncompany.com/safeguarding-children/legislation-for-safeguarding/>

<https://www.parliament.uk/site-information/glossary/legislation/>

<https://national-lado-network.co.uk/the-role-of-the-lado-local-authority-designated-officer/>

<https://www.virtual-college.co.uk/faqs/online-courses/safeguarding/legislation/children>