

The Olive Tree Cancer Support Group Safeguarding Policy



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Statement of Policy

The activities carried out by The Olive Tree Cancer Support Centre mean that there are a range of employees and volunteers who may come into contact with people who are at risk of harm, including children and adults who the law says are vulnerable. The contact may happen in different ways, for example face to face, on the telephone or on-line.

The Olive Tree Cancer Support Centre is committed to safeguarding the well-being of all service users, employees and volunteers who are involved in or affected by our work. All children and adults, regardless of age, disability, gender, racial heritage, religious belief, sexual orientation or identity, have the right to equal protection from all types of harm or abuse and the right to be treated with respect and dignity.

All employees and volunteers have a duty to prevent the abuse of children and adults and report any safeguarding concerns to the relevant person.

This policy sets out our approach to removing, reducing and managing risks and the agreed action that staff and volunteers are required to take to follow best practice in dealing with Safeguarding concerns.

This Policy should be read alongside with other policies and procedures.

Our approach can be summarised under the two headings of Safeguarding Service Users and Safeguarding our Employees and Volunteers:

Safeguarding Service Users:

The Olive Tree Cancer Support Centre will:

- Carry out criminal background checks on all applicants for employee and volunteer roles for which they are required.
- Treat any disclosure of previous criminal background fairly and make a decision on whether to appoint to a role based on a transparent set of procedures, with clear accountability and reasons for the decision.
- Keep appropriate records of dates of criminal background checks and ensure that eligible employees and volunteers have their checks renewed in-line with sector best practice.
- Ensure that allegations of abuse or concerns about the safety and wellbeing raised by or on behalf of service users are properly investigated and that any action necessary to protect a service user from harm is taken promptly and in-line with established organisational procedures and guidance and any legal requirements.
- Ensure that responsibility for safeguarding is clearly identified in relevant roles and have a robust structure for escalating concerns about safeguarding where required.
- Have a nominated Safeguarding Officer who has organisational responsibility for monitoring safeguarding issues, ensuring compliance with this policy and acts as the main point of contact for external organisations who want to discuss safeguarding.
- Ensure that staff and volunteers understand The Code of Conduct (Appendix A) and are clear about the process to follow, if they are concerned about the welfare of a visitor.

Safeguarding our employees and volunteers:

The Olive Tree Cancer Support will:

- Offer planned and emergency emotional support to those employees and volunteers whose roles involve dealing with sensitive, challenging or difficult issues.
- Use risk assessments to ensure that where potential risk to an individual is identified, appropriate measures are put in place to mitigate such risk.

Accountability and Responsibility for this Policy

Accountability for this policy rests with the Trustees but all employees and volunteers have a duty to know what action to take if they are concerned that a service user or colleague is at risk.

The Centre Manager who is also the designated Safeguarding Officer has a responsibility to ensure that any new activity requested by or for service users is appropriate and acceptable. As a minimum this will involve agreeing any required conditions and control measures with our insurers before the activity is carried out.

Failure to follow this policy is a serious matter and may be dealt with under the disciplinary policy (for employees) and the problem solving procedure (for volunteers).

Safeguarding Officer

The Safeguarding Officer, currently Marilyn Drury, The Olive Tree Center Manager, is responsible for:

- Providing advice and support as described in this policy;
- For dealing with any urgent concerns that any abuse is ongoing;

All policies are kept up to date with changes in legislation/best practice and will be reviewed annually by the Trustees

Section A: Safeguarding Service Users

1. Understanding the Law

The law in England, Wales, Scotland and Northern Ireland makes it clear that criminal background checks can be used as part of recruiting paid staff and volunteers under certain circumstances:

- The Olive Tree has a legal duty to carry out full criminal background checks for a limited number of roles – these are roles that are involved carrying out very specific tasks that are called regulated activity or regulated work.
- The Olive Tree is entitled to carry out full criminal background checks for some roles – these are roles that involve substantial, unsupervised contact with children or vulnerable adults but do not involve carrying out tasks that constitute regulated activity or regulated work.

- The Olive Tree is not eligible to ask for full criminal background checks for any other roles.
- The Olive Tree is entitled to ask for details of any unspent convictions for any role, but chooses to at point of application.

This means that we cannot just decide to ask for a full criminal background check because we want to – there has to be a clear legal reason for requesting the check. Requesting a full criminal background check for a role that is not eligible is unlawful.

2. What is regulated activity and regulated work and why is it important?

Regulated activity (England, Wales and Northern Ireland) and Regulated Work (Scotland) are types of work which the Government has specified as having particular responsibilities, being positions of trust and/or offering the opportunity for high levels of unsupervised contact with vulnerable adults or children.

Some people are barred (banned) from carrying out regulated work with adults and/or children due to previous criminal activity. When checking the criminal background of applicants for regulated activity and regulated work a check is also made to see whether the applicant is barred from undertaking such work.

Understanding and defining regulated activity correctly is essential for The Olive Tree because:

- It is a criminal offence for The Olive Tree to knowingly employ a barred person to do regulated activity or work.
- It is a criminal offence for a barred person to seek to work, or work in, activities from which they are barred.
- The Olive Tree has a legal duty to make a referral to the Disclosure and Barring Service (DBS) when one of our employees or volunteers has harmed or poses a risk of harm to a child or vulnerable adult.

3. Regulated activity and regulated work with Adults

In England, Wales and Northern Ireland an adult is deemed to be vulnerable if he or she is over 18 years of age and is receiving a service which is classified as a regulated activity or regulated work. It is the receipt of such a service that makes an adult vulnerable, not any disability or health condition.

Regulated activity constitutes 6 specific types of work:

- providing health care by, or under the direction or supervision of a health care professional,
- providing relevant personal care – for example physical assistance with washing, dressing, hair and nail care
- social work provided by a social care worker - for example work in a care home or social services
- providing assistance with general household matters to an adult who is in need of it by reason of age, illness or disability – specifically shopping and paying bills
- any relevant assistance in the conduct of an adult's own affairs – most commonly taking power of attorney
- providing transport to people as a result of their age, illness or disability – this only applies to transport to health or social care services, and does not include transport to leisure activities.

Such an activity only has to occur once for it to be regulated.

Within The Olive Tree the most common types of regulated activity with adults is currently providing complementary health care in the form of therapeutic care . We do not provide social care or personal care under the meaning of the law. The Welfare Service is provided by Macmillan Staff and volunteers who are covered by The Macmillan Safeguarding Policy.

4. Regulated activity and regulated work with children

A child is defined across the UK as someone aged under 18.

In England Wales and Northern Ireland regulated activity with children has a precise definition:

- Teaching, training, instruction, care for or supervision of children if carried out by the same person frequently or overnight.
- Advice or guidance (except legal advice) provided wholly or mainly for children which relates to their physical, emotional or educational well-being if carried out by the same person frequently or overnight.
- Activity within specified establishments such as schools and children's homes carried out frequently.
- Healthcare provided to a child by a health care professional or by a person acting under the direction or supervision of a healthcare professional.
- Personal Care of a child (any frequency) – providing physical help with eating, drinking, toileting, dressing etc.
- Moderating a public electronic interactive communication service likely to be used wholly or mainly by children and carried out by the same person frequently
- Driving a vehicle being used only for conveying children and their carers
- Early years or later years childminding (any frequency)
- Fostering a child (any frequency)
- Day to day management of regulated activity

Frequently means at least once a week or 4 times in any 30 day period.

Within The Olive Tree, staff and volunteers do not currently carry out regulated activity with children.

5. Incidental contact with children

It is important to note that in order to be regulated activity/regulated work children must be the focus of the service. The mere presence of children (for example when a service is provided to an adult who has children with them) does not meet the criteria for regulated activity.

Additionally, there are exceptions in the law covering the workplace – this means that staff who supervise someone under 18 in a work setting (for example if a child is doing work experience) are not carrying out regulated activity or regulated work.

6. Posts and roles which are not regulated activity but are eligible for a criminal backgrounds check in England, Wales and Northern Ireland

In England, Wales and Northern Ireland there is additional legislation that allows an organisation to ask for a criminal background check.

The Olive Tree can request an enhanced DBS check where an employee or volunteer provides certain types of work with vulnerable adults or children frequently (at least once a week or four times in any 30 day period) or overnight.

The Olive Tree is allowed to (but has no legal duty to) check any role that involves:

- any form of assistance, advice or guidance provided wholly or mainly for vulnerable adults, where a vulnerable adult is someone who is receiving a service from The Olive Tree which provides support, assistance, advice or counselling to individuals with particular needs
- any form of teaching, training, care for or supervision of children, and any form of advice or guidance provided to children (unless this is merely incidental to providing a service to adults).

Those involved in this type of work at The Olive Tree would include volunteer emotional support team members.

7. Other types of criminal background check

There are two other types of criminal background checks that exist – Standard and Basic checks. Standard checks are only available for a set of professions that are defined in law (such as members of the judiciary and firearms dealers) and for people who are eligible for an enhanced DBS check. Where The Olive Tree is entitled to request an enhanced DBS check we will do so – hence we do not use standard DBS checks.

Basic checks are only requested by an individual through Disclosure Scotland

8. Recruitment of employees and volunteers

The key principles are:

The Olive Tree will carry out the appropriate level of criminal background check on successful applicants for employee and volunteer roles where we are eligible to do so. We will not request a check unless it can be clearly demonstrated by the Centre Manager that such a check is justified under the relevant national law.

The Olive Tree must obtain an enhanced criminal record check and the relevant barred list check if we are recruiting someone (paid or unpaid) who will be providing or participating in a regulated activity with children or adults. This check must be completed before the applicant starts work.

The Olive Tree will treat any disclosure of previous criminal background fairly and make a decision on whether to appoint to a role based on a transparent set of procedures, with clear accountability and reasons for the decision.

For the purposes of this policy, the recruiting/volunteer manager is the person who is responsible for the recruitment process and for selecting the successful applicant. This will usually be the person who will line manage the successful candidate(s). At The Olive Tree this person is also the Centre Manager.

9. Which roles require Criminal Background checks?

Each role needs to be looked at by the manager who understands the service and the relevant national law. A decision on whether to check a role can be complex and it is not possible to say

“all roles that involve x are eligible for a check”. Some services which on paper look the same will have different eligibility based on the individual service specification.

For information on how the Olive Tree administers DBS checks see Operational Procedure Manual.

10. Dealing with Positive Disclosures

Possession of a criminal conviction or caution does not automatically make a candidate unsuitable for employment or volunteering at The Olive Tree. Understanding the nature of the offence(s) and the circumstances surrounding it is essential in making a fair decision about whether to appoint someone.

Therefore, whenever a criminal records check is returned containing information about criminal background this must be discussed with the applicant. This discussion must take place before any offer of employment or volunteering is made.

The manager (and additional support if felt necessary) should arrange a time specifically to discuss the offence(s) and be open about the reason for the discussion. The manager should explain that The Olive Tree’s policy is to have a standard process for understanding the nature of any offences that a criminal background check shows.

Before the discussion takes place the manager must ensure that they have:

- a quiet, confidential space for the discussion
- enough time to fully discuss and understand the offences

The manager should take notes during the discussion – if this is taking place by phone the manager should ensure that the applicant knows that notes are being taken.

The manager should discuss any offence listed on the DBS record, which gives cause for concern, separately with the applicant. They should seek to understand:

- the nature of the offence
- the circumstances surrounding the offence including any mitigating factors
- what action the applicant has taken to change their behaviour since the offence
- the views of the applicant on the offence, including how they would deal with similar circumstances now

Additionally if the applicant has failed to provide information about the offence when given an opportunity (e.g. when filling in the application form or if raised as part of interview process) they should be asked why they did not disclose this information.

All staff involved in recruitment decisions involving criminal background checks must remember that an individual has the right to see any data that is held on them so ensure that any observations are objective.

A decision on whether to appoint will be made by the Safeguarding Officer in conjunction with the Trustees. In reaching a decision the Safeguarding Officer will consider:

- the seriousness of the offence and its relevance to the safety of The Olive Tree employees, volunteers, clients, visitors and property
- whether the applicant disclosed the offence during the recruitment process
- the age of the applicant when the offence occurred
- the length of time since the offence occurred

- any relevant information offered by the applicant about the circumstances which led to the offence being committed, for example the influence of domestic difficulties
- whether the offence was a one-off or part of a history of offending
- whether the applicant's circumstances have changed since the offence was committed, making re-offending less likely
- whether the offence has since been decriminalised by Parliament
- the degree of remorse, or otherwise, expressed by the applicant and their motivation to change
- the level of risk posed to The Olive Tree's reputation

If a decision is made not to appoint due to criminal background the Safeguarding Officer will write to the applicant to explain the rationale for the decision.

11. Storage and Handling of Criminal Background Information

Information provided through a DBS check must be treated in the strictest confidence. Criminal records information will only be used to assess the suitability of an applicant for a specific position of trust for which they have applied

- all certificates and information about criminal records will be kept securely
- information will only be released to staff members who are entitled to see it as part of their role – in general this will mean the Manager, Trustees and administrative staff involved in the recruitment process
- criminal records information will be destroyed once it is no longer needed. Unless there are exceptional circumstances, information will be destroyed or deleted no more than 6 months after receipt.
- The Olive Tree will keep personal records showing
 - a record of the date of issue of a certificate
 - the name of the subject
 - the type of certificate requested
 - the position for which the certificate was requested
 - the unique reference number of the certificates
 - the details of the recruitment decision taken.

12. Additional Information

Volunteers/Staff from overseas or who have only been in the UK for a short period of time.

Volunteers and employees who are recruited from overseas or who have not been in the country long will not have a checkable history in the UK. Where they are recruited to roles requiring a criminal background check, The Olive Tree still needs to satisfy itself that on the basis of reasonable checks, the person is not unfit to work with children or vulnerable adults.

When recruiting people who have lived outside the UK for more than 6 months in the last five years, they should be asked to provide evidence of their fitness to work with vulnerable adults from the country where they have lived. Such people cannot commence their work or volunteering with The Olive Tree without such proof

In most cases the relevant embassy may be able to provide them with this, in a form commonly referred to as a certificate of good conduct. The Olive Tree will pay for the cost of these certificates for volunteers but potential employees will be responsible for paying for these themselves. Where information is returned from an embassy, The Olive Tree will meet the cost of having the information translated where required.

Where such information is not available or where it is impossible for an applicant to get the information (such as in the case of refugees) the application must be discussed with the Manager and the Trustees to discuss what other safeguards can be put in place and decide on whether the applicant can be offered the role.

Details for embassies in the UK can be found on the [Foreign Embassies section of the GOV.UK website](#), or telephone **020 7008 1500** for details, including the cost of an enquiry.

People who lack identity documents

Some people may lack the necessary identity documents to get a DBS carried out. This includes some people who have been or are homeless, Gypsies and travellers, asylum seekers, and ex-offenders who have recently been released from prison.

In such cases it is possible to get a check carried out using fingerprints but advice should always be taken from the the Safeguarding Officer before requesting fingerprinting.

13. Training for Employees and Volunteers

All employees and volunteers should be aware of what action to take if they are concerned about the welfare of someone they come into contact with or are notified that someone is at risk.

Certain roles may require additional safeguarding training to ensure that they have the necessary knowledge and skills to identify and take appropriate action when someone is at risk.

Safeguarding Officer will require a higher level training, to enable them to provide the appropriate level of support to employees, volunteers and service users.

Reporting procedures via West Sussex County Council are in Appendix I.

14. Dealing with Allegations of Abuse or Suspected Abuse

There are a variety of behaviours, activities and circumstances that may put a service user or other person at risk of harm. Some of these will be deliberate acts that are intended to cause harm, others may be well-intentioned acts that are harmful whilst others may be acts of omission (not doing something).

For the purposes of this policy, all acts that put the safety and welfare of someone at risk are referred to as abuse.

The key principles if abuse is disclosed or suspected are:

- an employee or volunteer's primary responsibility is to protect themselves and the child or vulnerable adult if they are at risk
- every employee or volunteer has a duty to take action
- employees or volunteers should not have to cope alone
- all suspicions or evidence of abuse or risk to safety must be reported

15. Recording and Reporting Concerns

It is essential that employees and volunteers report concerns about the welfare of people they come into contact with. These may be about people affected by cancer (including the children of people we are supporting), or may relate to the behaviour of other staff or volunteers, or working

practices in place. As representatives of The Olive Tree, employees and volunteers have a duty of care to people affected by cancer and a responsibility to take action and report any concerns about their safety.

In some cases employees and volunteers may directly witness abuse or someone may report that they have been harmed or are worried about their safety. For example, a service user may tell a volunteer or employee that a carer is stealing money from them, or that a family member has hurt them, or that they have not eaten for several days.

In other cases, employees and volunteers may have suspicions (but no evidence) of abuse or abuse may be alleged by a third party. For example a neighbour may report that a service user has been threatened, or an employee or volunteer may be worried about bruising on a service users arms.

In all circumstances employees and volunteers should take the following action:

- ensure their own safety – leave the situation if they are at risk of harm
- where there is clear evidence of harm or an imminent danger call the emergency services immediately
- treat all allegations of abuse seriously
- where abuse is witnessed or directly reported by a service user, and it is safe to do so, offer support to the service user and attempt to understand what action they wish to take
- Speak to and report concerns to the Centre manager who is also the Safeguarding Officer as soon as possible.

Individual employees and volunteers must never investigate an allegation of abuse unless appointed to do so by the Safeguarding Officer.

16. Self Harm or Threats of Suicide

Some service users may express thoughts of self harm, self injury or even suicide. If this happens, or if an employee or volunteer believes that someone is considering serious self harm, serious self injury or suicide, then the actions set out in sections 18 and 19 must still be followed.

There is further guidance relating to suicidal service users in APPENDICES F and G.

17. Support for those who report abuse

All those making a complaint or allegation or expressing concern, whether they are staff, service users, carers or members of the general public should be reassured that:

- They will be taken seriously
- Their comments will usually be treated confidentially, but their concerns may be shared if they or others are at significant risk
- If service users, they will be given support and the allegation or concern will be acted on at the earliest possible opportunity
- If staff or volunteers they will be given support and afforded protection
- We will contact emergency or other support services where we consider it is necessary or appropriate to do so.

18. Investigating Allegations of Abuse

Formally investigating allegations of abuse can be complex and requires great sensitivity and discretion. The Olive Tree cannot formally investigate allegations of abuse unless they involve an allegation against an Olive Tree employee or volunteer as we have no power to take any action and any investigation would need to be duplicated by other agencies if abuse is discovered.

Where a Safeguarding Officer/ Centre manager decides that the allegations need to be investigated, the issue should be notified to the appropriate Local Authority or Health and Social Care Trust. The Olive Tree has no control on what happens after the Local Authority is notified. All employees and volunteers are expected to cooperate as required with any external investigation.

19. Allegations of Abuse made against Olive Tree Employees and Volunteers

Where an Olive Tree employee or volunteer is alleged to have abused someone this must be investigated by The Trustees.

The employee or volunteer must discuss the allegation with the Safeguarding Officer/ Centre Manager who, in conjunction with the charity Trustees make a decision about:

1. whether the allegation needs to be reported to the police and if not
2. whether the employee or volunteer is able to continue in their normal duties or whether adjustments should be made to their work to protect them and/or others.

Adjustments may include:

- Changing their role to temporarily remove them from having direct contact with members of the public
- If they work alone in the community, arranging for them to work with someone else rather than alone
- Temporarily suspending them from working

Making an adjustment to a role does not in any way imply guilt. It is purely an action designed to allow an investigation to be carried out as quickly as possible while minimising risk.

All employees and volunteers who are alleged to have abused someone will be offered appropriate support until any investigation is concluded.

All allegations will be investigated, and as a minimum will involve an initial process to establish the facts and decide whether a formal investigation is warranted.

Any formal investigation will be carried out under the disciplinary policy for employees and the problem solving procedure for volunteers.

The Safeguarding Officer/ Centre Manager will advise on the investigative process and advise on an appropriate person to carry out any investigation.

20. The Duty to Refer

If, following an investigation into alleged abuse, a decision is made to permanently remove an employee or volunteer from carrying out regulated activity or regulated work, The Olive Tree has a legal duty to pass this information to the DBS. The DBS uses this information to decide whether an individual should be placed on the relevant barring list.

The Olive Tree will have a duty to refer if:

The individual has been carrying out a regulated activity or regulated work and The Olive Tree has decided to remove them permanently from this role or other regulated roles

Because:

An investigation has led us to conclude that their actions (or inactions) have:

- caused harm to someone
- placed someone at risk of harm even if no harm actually occurred (for example leaving a young child alone in a house)
- shown that they pose a risk harm to children or vulnerable adults
- been convicted or cautioned for an offence that carries automatic barring (such as certain sexual offences and violent offences).

The duty to refer also applies where a person carrying out regulated activity or regulated work has voluntarily left their role but would have been subject to permanent removal from their role if they had not left.

The Safeguarding Officer will decide whether a referral is necessary and will manage the referral process.

Guidance for making a referral is contained in APPENDIX E.

21. Confidentiality

All documentation relating to incidents or allegations of people being harmed, or placed at risk of harm, will be kept and treated confidentially and in accordance with the GDPR. This includes information from Safeguarding Officer report and details of all investigations and their outcomes. Only those people who need to know about an incident will be informed. It is the responsibility of the Manager and the Trustees to ensure absolute confidentiality.

22 Complaints

Any complaint about the way The Olive Tree has handled a particular safeguarding issue will be logged through our **Complaints Policy** and addressed by the relevant team in accordance with the Complaints policy, If the complaint concerns sensitive or confidential information, or information which is the subject of an ongoing investigation it may be referred to the Safeguarding Officer who will discuss with the relevant people on a 'need to know basis', and respond to the complaint as appropriate having established the facts and bearing in mind the competing interests that may be at stake.

Section B: Safeguarding Employees and Volunteers

23 Background

Some employees and volunteers, particularly those who maybe lone workers either at a centre or in the community

The Olive Tree is committed, as far as is reasonably practical, to providing a safe working environment for all of its employees and volunteers and to reducing the risk of harm coming to them during their work with us.

The first step to minimising the risk of harm is that a risk assessment must be carried out on the activity to see whether it is appropriate.

24. Lone Working

All employees and volunteers who work alone should receive training and information about how they access support whilst working. This support should include what to do if they are concerned about the welfare of a service user or if they need assistance.

No employee or volunteer should work alone in the community unless there is an Olive Tree employee available to provide support in an emergency. This support will be available by telephone, including out of hours.

25. Support for Employees and Volunteers at Risk of Emotional Harm

In addition to the physical risks associated with some roles, certain roles within The Olive Tree increase the risk of mental and emotional harm, such as stress related illnesses. These are roles where employees or volunteers have to deal with sensitive and challenging situations and issues, for example employees and volunteers working on the Emotional Support Team and providing Managers have a duty to ensure that all employees and volunteers in such roles have access to regular supervision and the opportunity to discuss their emotional well-being.

To reduce the risk of emotional harm, managers should consider providing group or clinical supervision, setting up peer support and buddying schemes. All employees and eligible volunteers also have access to emotional support services

26. Sharing Personal Details

Employees and volunteers should avoid sharing personal information such as personal mobile numbers, addresses, Facebook or other social media details with service users. This helps to maintain professional boundaries with the service user, whilst providing the support required. Further training or advice can be provided in relation to this.

All employees and volunteers must take a common sense approach to their own safety and take steps to avoid risky situations. If one arises they must take steps to remove themselves from the situation and involve the Manager or the emergency services, as required.

Appendix A: Code of Conduct (Children and Vulnerable People)

All staff and volunteers working with vulnerable people should behave in accordance with the below Code of Conduct.

In order to protect vulnerable people, and protect staff and volunteers from false accusations, staff and volunteers should never:

- spend time alone with vulnerable people out of sight of others unless the service has been established to provide 1:1 support or agreed in advance with the appropriate Safeguarding Officer.
- let suspicion, disclosure or allegations of abuse go unrecorded or unreported
- engage in rough, physical, sexually or racially provocative games, or allow the participants to do so
- allow or engage in inappropriate touching of any form
- make sexually suggestive comments about, or to, a vulnerable person, even in fun
- allow bullying behaviour to go unchallenged
- allow the use of inappropriate language or behaviour to go unchallenged
- do things of a personal nature to, or for, vulnerable people that they can do themselves
- take inappropriate photographs of vulnerable people*
- wear inappropriate clothing, or allow vulnerable people to
- stay in contact with vulnerable people after an event (ensure that parents / carers / enablers are your point of contact) unless (in exceptional circumstances) your line manager, DVSM or Safeguarding Officer has approved this.

*All photographs taken must positively reflect the activity, culture and image that The Olive Tree wants to portray and employees and volunteers should be vigilant about the type of photographs that are being taken. In every case you should ensure that a Publicity Release form is signed.

No photographs should be taken of vulnerable people in embarrassing or compromising positions, for example whilst swimming or whilst partially clothed. It is essential that no information or photographs are used unless and only in accordance with the terms of the photo consent form.

Appendix B: Criminal Records Disclosure Form

Used to record any information received about criminal records following a criminal records check being received.

Applicant Details	
Initials of Applicant	
Role	
Location	
Supervisor / manager	

Details of Conviction / Caution	
Nature of DBS (or country equivalent) Information (e.g. conviction, caution)	
Details – name of offence	
Date of conviction / caution	

Was information on these or other offences disclosed during recruitment process – if yes please give details:

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Report from interviewing staff following meeting with applicant

Please provide a record of your discussion and the issues raised – please see paragraph 14 of the safeguarding policy

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Decision from Trustees

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Appendix C: Safeguarding Reporting Form

Part A – to be completed by the employee or volunteer reporting the safeguarding concern and sent to The Center Manager

Please complete all sections as fully as possible.

Name of employee or volunteer reporting concern	
Job/Volunteer role title	
Telephone number	
Name of individual suspected of being at risk	
Age (approximately if not known)	
Home address (if known)	
Postcode (if known)	
Telephone number (if known)	
Name of carer/parent where relevant	
Please describe the situation that has occurred?	
Please explain what your concerns are?	
Date	

Part B – to be completed by the manager

Name	
Job title	
Date	
Please give details of any action taken or advice given and explain the reasons why?	

Please ensure that you have contacted the employee or volunteer who raised the concern to check that they are OK and to provide them with a progress report of your actions (in so far as you can without breaching confidentiality)

Appendix D: Handling of DBS certificate information - Policy Statement

General principles

As an organisation using the Disclosure and Barring Service (DBS) checking service to help assess the suitability of applicants for positions of trust, The Olive Tree complies fully with the Code of Practice regarding the correct handling, use, storage, retention and disposal of certificates and certificate information. It also complies fully with its obligations under the Data Protection Act 1998 and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of certificate information.

Storage and access

Certificate information should be kept securely, in lockable, non-portable, storage containers with access strictly controlled and limited to those who are entitled to see it as part of their duties.

Handling

In accordance with section 124 of the Police Act 1997, certificate information is only passed to those who are authorised to receive it in the course of their duties. We maintain a record of all those to whom certificates or certificate information has been revealed and it is a criminal offence to pass this information to anyone who is not entitled to receive it.

Usage

Certificate information is only used for the specific purpose for which it was requested and for which the applicant's full consent has been given.

Retention

Once a recruitment (or other relevant) decision has been made, we do not keep certificate information for any longer than is necessary. This is generally for a period of up to six months, to allow for the consideration and resolution of any disputes or complaints. If, in very exceptional circumstances, it is considered necessary to keep certificate information for longer than six months, we will consult the DBS about this and will give full consideration to the Data Protection and Human Rights of the individual before doing so.

Throughout this time, the usual conditions regarding the safe storage and strictly controlled access will prevail.

Disposal

Once the retention period has elapsed, we will ensure that any DBS certificate information is immediately destroyed by secure means, i.e. by shredding, pulping or burning. While awaiting destruction, certificate information will not be kept in any insecure receptacle (e.g. waste bin or confidential waste sack). We will not keep any photocopy or other image of the certificate or any copy or representation of the contents of a certificate.

However, notwithstanding the above, we may keep a record of the date of issue of a certificate, the name of the subject, the type of certificate requested, the position for which the certificate was requested, the unique reference number of the certificates and the details of the recruitment decision taken.

Appendix E: Recruiting Manager's Guidance on Criminal Background Checks (England and Wales)

Understanding which roles require a criminal backgrounds check can be complex and it is essential that we get the decision on whether to check right.

It is unlawful to ask for a Criminal Background check unless the relevant national law allows us to – we cannot “err on the side of caution” – every check must be justified under the relevant law.

In reaching a decision on whether a check is required, recruiting managers should refer to the relevant national guidance below and use the appropriate flowchart(s).

Checks on criminal background in England and Wales are carried out by the Disclosure and Barring Service (DBS)

There are two types of disclosure that Olive Tree uses

- Enhanced DBS Check with Adult Barring Information
- Enhanced DBS Check

Both of these checks will provide details of all relevant offences that are held on the Police National Computer Database (such as convictions and cautions) as well as any information that police where the applicant has lived thinks is relevant (for example serious allegations made where no charges were brought).

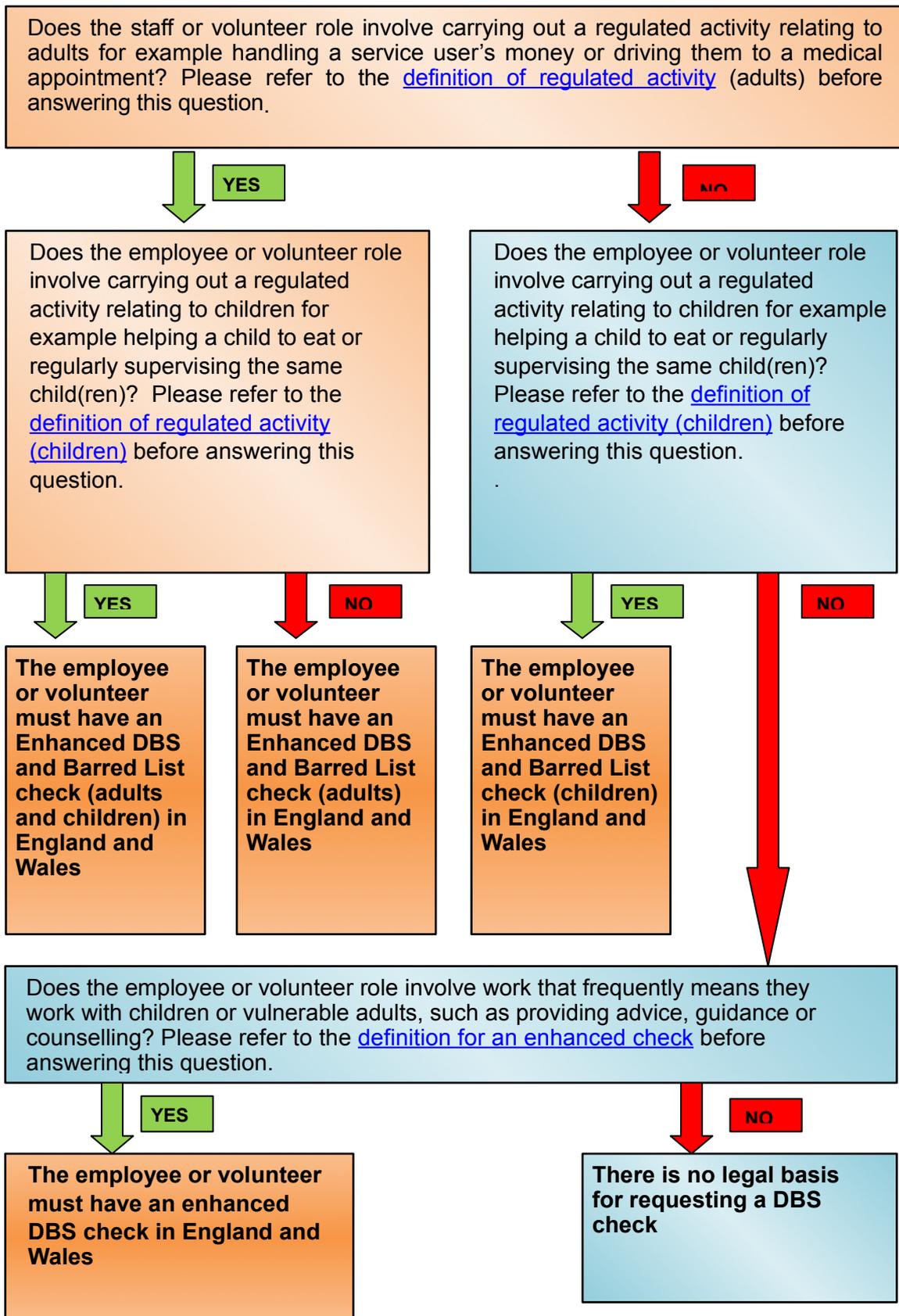
Checks with barring also include a check against the relevant list (for adults or children or both) to see whether the applicant is legally barred from working with that client group due to previous behaviour. For example, most people who are convicted to offences against children are barred from working in positions of trust with children.

Checks with barring are only available for roles that involve what the law calls regulated activity. The regulated activity has to be a feature of the role – i.e. be expected, rather than happening incidentally.

For example, one of the activities that is classified as regulated is handling money. We would expect volunteers providing a practical support service of light housework, shopping and gardening to handle money so they are carrying out regulated activity. However, if at an event, an Olive Tree employee collected some money from participants to go and buy some drinks, this would not be regulated activity as we would not reasonably expect their role to involve them handling other people's money.

The Centre Manager should use the following flowchart to assess the level of DBS check (if any) that they believe is eligible and then discuss with a Trustee..

Eligibility for a Criminal Backgrounds Check England and Wales



Appendix F: Suicidal People Guidance

1) Purpose and Background

- 1.1 Some people may express feelings of depression or an inability to go on. Some may express thoughts of self harm, self injury or even suicide. Some people also have mental health issues or a history of depression.
- 1.2 This guidance covers the expected actions to be taken by staff or volunteers when they are approached by someone expressing suicidal thoughts or someone with a clear plan to attempt suicide- or in the act of a suicide attempt.

2) Scope of the Guidance

- 2.1 This guidance applies to all employees and volunteers.
- 2.2 All managers have a responsibility to be familiar with this guidance and to comply with it and to ensure that their employees are aware of the policy and understand their own and the organisation's responsibilities in respect of it.

3) Staff Responsibilities in Relation to this Guidance

- 3.1 All staff and volunteers must have an awareness of the possibility that they may encounter suicidal people. Staff and volunteers will:
 - Understand that they have a duty to act on any concerns about a suicidal person
 - Know what to do if they have concerns
 - Be aware of the guidance and procedure relevant to their work
 - Be trained to a standard that equips them to carry out their responsibilities.

4) Relevant Definitions and Law

- 4.1 Definition of suicide:
Suicide is the act of killing yourself intentionally. Attempted suicide or non-fatal suicidal behaviour is self-injury with the desire to end one's life that does not result in death
- 4.2 Suicide and the law:
Suicide is not against the law. However it is an offence for any person to "encourage or assist" in a suicide or attempted suicide. That is, you are guilty of a criminal offence if you are seen to be an accomplice to the suicide of another.
- 4.3 It is not against the law to speak with someone who is committing suicide or who is talking about suicidal feelings, providing the discussion cannot be seen to influence the death of that person.
- 4.4 We have a separate approach that governs management of situations where people that contact our services discuss thoughts of serious harm to themselves including those wanting information about euthanasia.

5) Suicidal People and Confidentiality

- 5.1 Confidentiality means that personal information disclosed by the vulnerable person will not be shared with a third party without the express permission of the caller.
- 5.2 There are some exceptional circumstances where staff may need to break confidentiality without permission of the individual concerned in order to meet the law of the land or their professional codes of conduct.

6) Boundaries of the Guidance

- 6.1 Staff and volunteers are not expected to make assessments of a person's mental health or capacity. The Olive Tree does not have a specific remit to directly support people experiencing suicidal feelings. There are a number of other UK based services and health professionals that directly help people experiencing suicidal thoughts and feelings and we encourage our staff to signpost visitors with suicidal feelings to those services.

7) Actions where there are concerns about a person causing serious self harm

- 7.1 If the person expressing suicidal thoughts or feelings is a child, a manager and Safeguarding Officer must be notified as a matter of urgency.
- 7.2 Where a child is at risk or threatens to cause serious self harm or commit suicide, the Safeguarding Officer will notify the emergency services unless there are compelling reasons not to.
- 7.3 If there are concerns about an adult causing serious harm to themselves, staff should do the following:
- The staff member or volunteer seeks support from any staff members or volunteers working alongside them, the Centre Manager / Safeguarding Officer as soon as they have concerns about a service user.
 - If the staff member or volunteer is working in isolation, Centre Manager / Safeguarding Officer should be contacted for support.
 - A staff member should document what is said and attempt to ascertain any action the person has taken or might be about to take.
 - The staff member or volunteer should encourage anyone that states they have taken action to harm themselves to contact the emergency services themselves. If the person is reluctant or unable to do so, the staff member should explain we will contact the emergency services on their behalf.
 - Where someone expresses suicidal feelings, but have not taken any self harming actions, staff members should firmly encourage the visitor to seek appropriate support from GP, other health professional or relevant organisation (see list)
 - You may have to decide, with the support of the Centre Manager or Safeguarding Officer, to make the decision as to whether the situation warrants breaking confidentiality to contact the emergency services or an identified health professional involved in the visitors care e.g. GP.
 - You should report the incident using the Safeguarding Reporting Form. Consent should be gained to record the person's personal details. If consent is not given, an account of the interaction should be recorded anonymously.
 - The completed report should be sent to the Safeguarding Officer at the earliest possible

time.

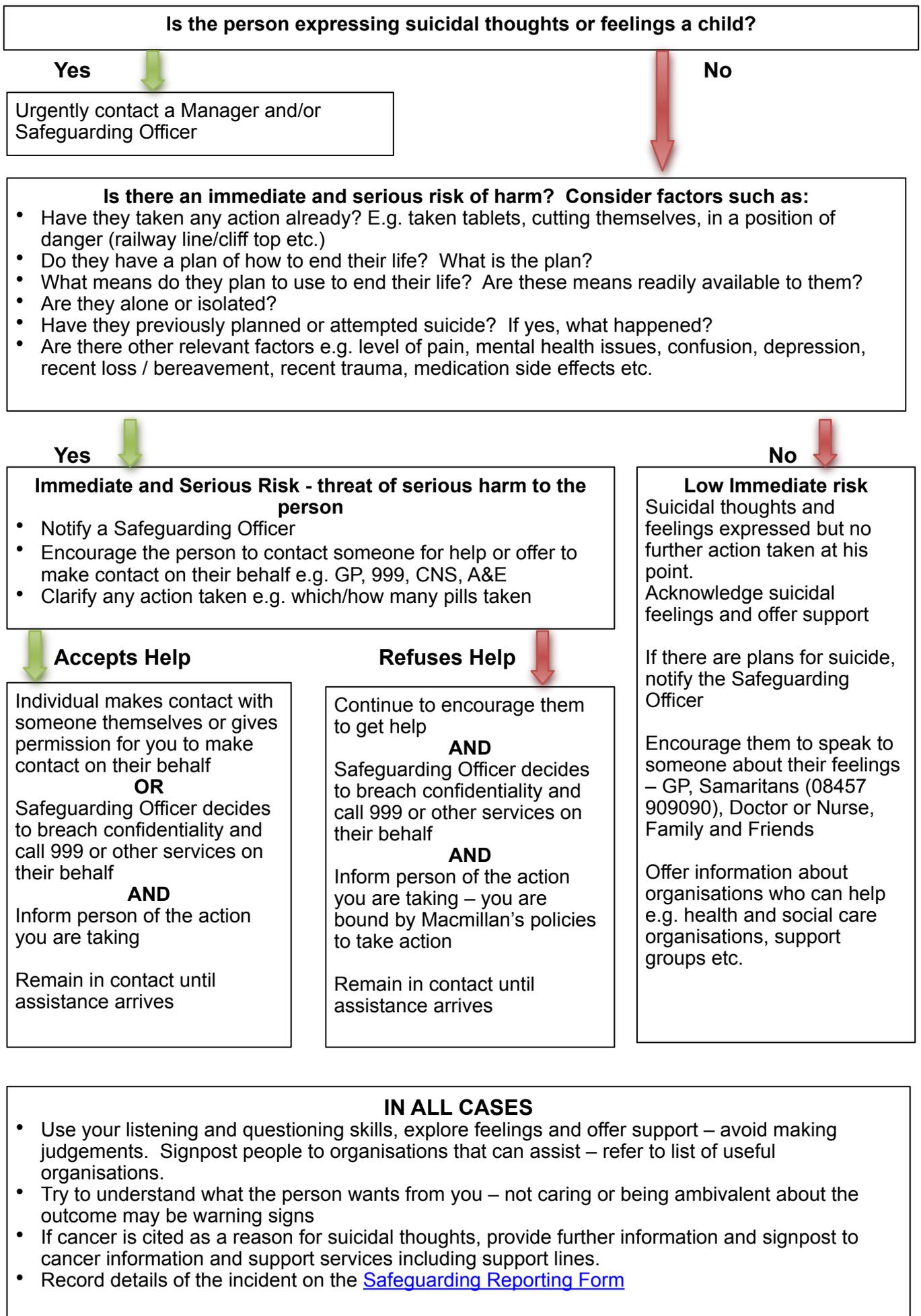
- All staff who have dealt with a suicidal person should be provided with adequate time to debrief immediately after the interaction, this may result in temporarily closing the service if necessary.
- Learning from interactions with people expressing suicidal thoughts, feelings of actions will be anonymised shared.

8) Guidance

8.1 Written guidance in the form of a [suicidal people support framework](#) has been developed. This is a practical tool to assist employees and volunteers in managing situations where suicide is discussed and covers where a service user:

- hints or implies suicidal feelings or thoughts
- states that they have been thinking seriously of committing suicide, or have been planning suicide
- states they have already taken some action to end their lives e.g. taken pills, or seriously self harmed.

Appendix G: Suicidal People Support Framework



Appendix H: What Is Abuse?

Abuse and neglect are forms of maltreatment. Both adults and children may abuse or neglect another person by inflicting harm, or by failing to act to prevent harm. People are most commonly abused by someone they know, or more rarely, by a stranger.

The following are the broad categories of abuse that vulnerable people may encounter:

Neglect and acts of omission is the persistent failure to meet a vulnerable person's basic needs – such as food, warmth and shelter, safety, emotional wellbeing and access to medical attention. We should also be aware of self neglect.

Sexual abuse is when a vulnerable person is used sexually by an adult or young person. Making a vulnerable person look at pornographic magazines or films is also sexual abuse.

Physical abuse includes hitting, kicking, punching and other ways of inflicting pain or injury such as poisoning (perhaps with harmful drugs or alcohol), drowning or smothering. Physical harm may also be caused when a parent or carer / enabler fabricates the symptoms of, or deliberately induces illness in, a vulnerable person.

Emotional abuse undermines a vulnerable person's confidence and sense of self-worth – for example, by ignoring them, giving degrading punishments, bullying or constantly threatening or humiliating them.

Financial abuse may include theft, fraud, exploitation or pressure in connection with wills, property, enduring power of attorney, inheritance or financial transactions. It also includes the inappropriate use, misuse or appropriation of property, possessions or benefits.

Discriminatory Abuse includes abuse, bullying or harassment based on the individual's age, sex, disability, religion, race or ethnicity and sexual orientation.

Responding to Allegations of Abuse

If you are in the situation where a vulnerable person is disclosing abuse, you should stay calm and use the strategies below to help you to allow them to speak:

- Use open-ended statements, such as "Tell me more" and "Would you like to explain that further?"
- Avoid "leading" questions, such as "It sounds like you've been abused?"
- Listen carefully to what the vulnerable person is saying
- React calmly, even if a vulnerable person is telling you something upsetting
- Reassure the vulnerable person that they are not to blame
- There are 'no secrets', so reassure the vulnerable person that they were right to tell you
- Explain to the vulnerable person what is going to happen next - that you have to pass on the information to those who need to know for their protection
- Reassure the vulnerable person about 'confidentiality' so they understand that information will only be passed on to those who need to know and can help them
- Keep the best interests of the vulnerable person as your prime concern and focus

Remember: You are not conducting an investigation. This will be the responsibility of the Local Authority or Health and Social Care Trust. You are simply listening to the vulnerable person and responding in a responsible way.

Possible Signs of Abuse

The following are possible signs that abuse may be occurring although there may be other explanations for them. Employees and volunteers who work closely with vulnerable people should be aware of the possible signs of abuse, but more importantly, what they should do if they are concerned.

Physical abuse
A history of unexplained falls or minor injuries
Bruising in well protected areas, or clustered from repeated striking
Finger marks
Burns of unusual location or type
Injuries found at different states of healing
Injury shape similar to an object
Injuries to head/face/scalp
History of GP or agency hopping, or reluctance to seek help
Accounts which vary with time or are inconsistent with physical evidence
Weight loss due to malnutrition, or rapid weight gain
Ulcers, bed sores and being left in wet clothing
Drowsiness due to too much medication, or lack of medication causing recurring crises/hospital admissions
Sexual abuse
Disclosure or partial disclosure (use of phrases such as 'It's a secret')
Medical problems, e.g. Genital infections, pregnancy, difficulty walking or sitting
Disturbed behaviour e.g. depression, sudden withdrawal from activities, loss of previous skills, sleeplessness or nightmares, self-injury, showing fear or aggression to one particular person, repeated or excessive masturbation, inappropriately seductive behaviour, loss of appetite or difficulty in keeping food down.
Behaviour of others towards the vulnerable adult
Circumstances – e.g. two service users found in a toilet area, one in a distressed state
Emotional abuse
Isolation
Over meticulous
Inappropriately dressed
Withdrawn, agitated, anxious not wanting to be touched
Change in appetite
Insomnia, or need for excessive sleep

Tearfulness
Unexplained paranoia, or excessive fears
Low self esteem
Confusion
Neglect
Physical condition poor
Clothing in poor condition
Inadequate diet
Untreated injuries or medical problems
Failure to be given prescribed medication
Poor personal hygiene
Financial abuse
Unexplained or sudden inability to pay bills
Unexplained or sudden withdrawal of money from accounts
Disparity between assets and satisfactory living conditions
Extraordinary interest by family members and other people in the vulnerable person's assets
Discriminatory abuse
Lack of respect shown to an individual
Signs of substandard service offered to an individual
Exclusion from rights afforded to others, such as health, education, criminal justice
Other possible signs of abuse
Inappropriate use of restraints
Sensory deprivation e.g. spectacles or hearing aid
Denial of visitors or phone calls
Failure to ensure privacy or personal dignity
Lack of flexibility of choice e.g. bedtimes, choice of food
Restricted access to toilet or bathing facilities
Lack of personal clothing or possessions
Controlling relationships between care staff and service users

Appendix I: Raise a concern about an adult



Raise a concern about an adult

What to do if you think an adult is being harmed, abused or neglected.

1. How to raise a concern (selected)
2. How we support adults at risk
3. What we will do
4. Further information

If you think the danger is immediate phone the police now on 999!

If it is less urgent, you can either:

- phone [Sussex Police](#) on 101
- use our online [adult safeguarding alert form](#)
- complete the Adult safeguarding concern form and email it to socialcare@westsussex.gov.uk

How we support adults at risk

Across Sussex, health services, adult social care services and the police have agreed ways of working together to prevent, respond to and look into the suspected abuse of adults at risk. Adult safeguarding arrangements in the county are led by [West Sussex Safeguarding Adults Board](#).

When we use the term 'safeguarding adults' we mean that we work together with adults at risk. This means supporting them to live as independently and safely as possible, in the way that they want, so that they are in control of their lives.

What we will do

We will always:

- take all concerns we receive seriously
- take appropriate action regarding any immediate risk
- try to talk to the adult at risk as soon as possible about what they want to happen and what support they may want to help them keep safe – if the person refuses help but others may be at risk, we will take appropriate action but will always keep the person who is at risk informed
- talk to the police if it is a criminal matter
- talk to those involved and ask them what has happened

- talk to other professionals who may need to be involved
- gather relevant information to decide whether we need to take further action, following our safeguarding procedures.

Further information

You can find out more about protecting a vulnerable adult on our West Sussex Connect to Support website:

[Reporting abuse or neglect \(West Sussex Connect to Support\)](#)

Or, view the documents below.

- [What to do if you think someone is being abused or neglected \(PDF, 850KB\)](#)
- [What you can do if someone is abusing you or someone you know - easy read \(PDF, 1.2MB\)](#)

Appendix J: Safeguarding Training in The Olive Tree

Type of training:	Outcome:	Suitable for:
Basic Guidance	<ul style="list-style-type: none"> - Who to notify if you are concerned about the wellbeing of someone; 	Volunteers and supporters, carrying ad-hoc or one off activities
Level 1 Training	<ul style="list-style-type: none"> - Basic information about safeguarding adults and children; - Understanding the need to report concerns 	All employees and volunteers carrying out regular work for The Olive Tree
Level 2 Training	<ul style="list-style-type: none"> - Understanding what safeguarding is and your role in safeguarding adults and children; - Understanding dignity and respect when working with individuals; - Be able to recognise an adult or child potentially in need of safeguarding and take action; - Have knowledge of The Olive Tree policy, procedures, legislation that supports safeguarding adults and children. 	All staff who have regular contact with the people affected by cancer

<p>Level 3 Training</p>	<ul style="list-style-type: none"> - Being able to take early action because you recognise that abuse may be insidious/hidden rather than a one off event; - Being able to respond to a safeguarding concern/alert effectively; - Taking and making appropriate referrals and referring to other sources of investigation if required; - Asking the right questions and gathering initial information to promote safety and wellbeing of the person; - Undertaking an initial risk assessment either by telephone or face-toface and taking any required protective action; - Recognising when other agencies may need to be involved, including the Police; - Reflective Practice in safeguarding. 	<p>Safeguarding Officer</p>
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