

## **Nature Therapy CIC Safeguarding Children, Young People and Vulnerable Adults Policy**

**November 2013**

### **Introduction**

This policy not only protects the children, young people and vulnerable adults we work alongside, it also safeguards the reputation of Nature Therapy CIC

This policy outlines our position on safeguarding children, young people and vulnerable adults. It should be used in conjunction with:

- Complaints Policy
- Confidentiality Policy
- Consent Policy
- Data Protection Policy
- Data Retention Policy
- IT Policy
- Quality Policy
- Record Keeping Policy
- Risk Management Policy

There is a legal duty to report concerns about a child's welfare to local authority children's services. Concerns regarding vulnerable adult welfare should also be reported to adult services. This document sets out the framework for that process to ensure that children, young people, and vulnerable adults are kept free from abuse and discrimination.

### **Safeguarding Principles**

- Nature Therapy CIC looks at individual needs holistically and does not define these solely in terms of abuse
- All C/YP and VA's have a fundamental right to protection from abuse and exploitation
- Parents/carers have a responsibility to protect and should be supported in achieving this
- Listening to C/YP and VA's are not responsible for their own abuse and exploitation and are not expected to bear primary responsibility for their own protection. This responsibility lies with their parent/carers
- The work of safeguarding is evolving as new information becomes available from by Serious Case Reviews, current research, national policy, and social attitudes
- We recognise how issues such as race, gender, culture, disability, age and sexuality impact on our understanding of and responses to safeguarding but ultimately the C/YP or VA's welfare is of paramount importance
- Safety is an important factor in all of work
- Partnership working at all levels is essential for safeguarding C/YP and VA's

## **Framework for Safeguarding**

Nature Therapy CIC framework for safeguarding involves nine components as follows:

### Accountability

- Clear strategies for safeguarding coordinated by the Director
- A focus on risk management

### Actions

- Consistent procedures for reporting concerns
- Working jointly with other agencies
- Management of allegations

### Recording

- Standardised recording process
- Recording, reviewing and auditing of files
- Information sharing as appropriate and within a risk management context

### Recruitment

- Standard recruitment process
- Requirement for references to be checked
- Enhanced CRB checks for all reviewed every three years
- Scrutiny of employment history for suspicious gaps

### Supervision

- Formal supervision at all levels
- Appraisal and performance review system

### Inspection

- Self-audits, local audits and sampling

### Empowering Children, Young People and Vulnerable Adults

- Ensure our services remain child/user centred
- Commitment to equality and diversity i.e age/capacity appropriate interventions
- Continued development of participation
- Formal complaints procedure in service user friendly formats

### Whistle Blowing

- Optimising safe practice
- Independent investigation of concerns
- Emphasis on learning from mistakes

### Learning and Development

- Induction and continuous in service learning
- Optimising learning and development opportunities
- Learning from good practice, research and serious case reviews

### **Professional Boundaries**

Professional boundaries are the framework by which a member of Nature Therapy CIC relationship with a service user is clarified to ensure that it is always safe and appropriate. It defines parameters of that working relationship to ensure it is professional and complies with our Research Code of Conduct. A breach of professional boundaries is never acceptable and it is the responsibility of Nature Therapy CIC to make sure relationships with service users is professionally boundaried.

The need for professional boundaries relates to the following:

- To safeguard C/YP and VA's
- To ensure that members know what is expected of them in terms of their conduct and relationships with C/YP and VA's and their significant others
- To recognise and appropriately manage power imbalances and unequal relationships
- To build appropriate relationships of trust
- To protect the reputation of Nature Therapy CIC
- The need to continually reflect upon and consider the relationships established to ensure boundaries are being maintained
- To know when to seek help

Members of Nature Therapy CIC may at times breach professional boundaries with what they perceive to be well intentioned reasons. Regardless of this intention, the issue must be dealt with by the Director. More so if the breach is not just a single event.

Area where professional boundaries may be breached include:

- Thinking about C/YP/VA constantly
- Feeling a sense of attachment similar to them being a sibling, child, friend or parent
- Wanting to see them more than necessary
- Continuing the relationship when planned work is completed unless further work develops
- Asking them to come to social events with you that are not work related
- Giving or receiving gifts
- Providing a service for a friend or family member
- Any form of sexualised relationship
- Providing personal contact information
- Self disclosure - although there may be occasions when this is relevant

### **Concerns about abuse and what to do**

Any member of Nature Therapy CIC who has concerns about harm, whether it is witnessed, reported directly through a client or another person, or signs of abuse are observed must always seek to attempt the immediate safety of the individual. This might include taking calming measures, contacting emergency services, contacting child/adult services, or seeking medical assistance.

Contemporaneous record keeping must be commenced detailing factual evidence and the role of Nature Therapy CIC. The Director must be informed as soon as possible.

If a C/YP or VA informs they are being abused then all care will be given to listen to them and take them seriously, however no blanket assurance of confidentiality can be given or a promise to keep a secret. Any member of Nature Therapy CIC cannot be persuaded by the C/YP or VA or their significant others not to take action if they are concerned that abuse is taking place.

An allegation may lead to a criminal investigation. A police investigation must not be jeopardised by asking leading questions or attempting to investigate the allegation prior to informing child services or police. If there is an ongoing investigation, or a safeguarding plan already in place, any new incident must be referred to safeguarding services who will in turn share information with the police.

If a referral is to be made, then Nature Therapy CIC must assess any increased risk of harm in telling the C/YP or VA and parent/carer about the referral. The principle is to work in partnership with families wherever possible, but this is not always possible in cases for example where evidence may be destroyed. Relevant information must be disclosed to safeguarding services including information on developmental needs and an agreement must be sought with safeguarding services what the C/YP or VA and their parent/carers will be told and by whom as well as what actions will be taken.

Telephone referrals must always be followed up within 24 hours with a written referral.

Written reports must contain details of the evidence, including cumulative evidence, with appropriate dates/times/places and the names and designations of people involved. Printed reports will be kept in a secure place and the computer document passworded. If a report is emailed then this needs to be secure i.e passwording the document and sending the password in a separate email.

It is imperative that the report recording is undertaken as soon as possible. Failure to do so may jeopardise any criminal proceedings. It will be born in mind that anything documented may be used in court proceedings therefore language must be clear, factual, concise and legible.

If at any point the C/YP or VA is at increased risk of harm then police or safeguarding services will be immediately contacted.

The outcome of the referral must be established. Do not make a referral and do nothing more as the letter, email or phone call may not have been received or recorded. If the safeguarding service or police do not make contact within three days of the initial referral then the Director or their deputy will contact them for an update.

If you are not satisfied that the safeguarding services response adequately safeguards the C/YP or VA then the Director will make further representations.

### **Nature Therapy CIC and Research Records**

All records will be signed and dated and endorsed by the person who wrote them. This includes details from any supervisory sessions.

Records must be factual, chronological, and provide clear dates and times in order to provide useful evidence in court. Refer to the Record Keeping Protocol for further information.

- The police or court services may request access to records. Where police request access the following questions must be applied:
- For what purpose is the information required?

- Is it necessary to share personal information in order to fulfil that purpose?
- Is the information both relevant and material to that purpose?
- Do we have the power to disclose or withhold information?
- Can consent to disclose be obtained from the client?
- Where the consent of the client cannot be obtained or is unreasonably refused, can the information still be disclosed?
- Where there is no consent to disclosure does the public interest in disclosure clearly outweigh the interest preserved by the confidentiality?
- Can disclosure of the information be justified as necessary for the purpose of Article 8 of the Human Rights Act (1998) and the Data Protection Act (1998)?

### **Partnership Working and Consent**

Nature Therapy CIC will ensure they have a named contact for safeguarding in each area we work for both adults and children. Any member undertaking work on behalf of the enterprise will be provided with access to this safeguarding policy and their knowledge on what to do ascertained as part of an induction process. They will be asked to complete an on line safeguarding course as well as enhanced CRB and reference checks prior to working directly with clients.

If the enterprise received a referral where it is known there are ongoing safeguarding concerns then it must be ascertained if the client is subject to any safeguarding plans. If so, then Nature Therapy CIC must be on the list for conferences, reviews and core groups. If it is not known the client is subject to safeguarding plans initially but then later becomes known, then it is Nature Therapy CIC responsibility to ensure invitations to relevant groups. The enterprise must receive minutes of conferences, reviews and core groups or any other meetings pertaining to the C/YP or VA we are working with.

At the point of referral of a C/YP under the age of 16 years, then Nature Therapy CIC must ascertain who has parental responsibility and permission sought from that person to work with the child. If the YP is over 16 years and under 18 years they may be living independently and can provide their own consent. Over 18 years clients can provide their own consent if it is considered they have capacity to do so.

Nature Therapy CIC cannot agree to undertake any statutory monitoring of a C/YP or VA. This must be undertaken by a statutory agency.

There is often a concern expressed that a worker cannot disclose information as it would 'break a bond of trust'. However lessons learned from serious case reviews shows us that when information is shared from a variety of sources that the bigger picture of risk can emerge. Failure to share that information could lead to tragedy. The following criteria can be applied to the sharing of information:

- Data Protection legislation is not a barrier to sharing information, it provides a framework to ensure personal information is shared appropriately
- Always be open and honest with the client and their significant other/s as to why, what, how and who the information will be shared with where possible but not if it increases risk. Seek their agreement unless it is unsafe or inappropriate to do so
- Always seek advice if you are in doubt about sharing information
- Base a decision to share on the safety and well-being of the individual concerned

- Ensure the information that is shared is necessary for the purpose for which it is being shared, it is shared with only those people who need to know, it is accurate, factual, and up to date, and that it is shared in a timely and secure way
- Keep a record of decisions and the rationale for sharing or not sharing. If a decision is made to share then a record must be made of what was shared and with whom

### **Learning and Development**

Nature Therapy CIC ensures that all members of the enterprise have the skills necessary to identify and respond to safeguarding concerns. Safeguarding is part of the induction process and all aspects of safeguarding are covered in any annual appraisal and review where learning and development needs are discussed.

As part of the induction process all members will have access to safeguarding policies and an on line safeguarding course.

Serious Case Reviews are important learning tools. Nature Therapy CIC endeavours to take relevant lessons learned and applies them strategically and operationally across the enterprise.

### **Serious Case Reviews**

Nature Therapy CIC is committed to working with LSCBs and adult boards on case reviews. Our role could be as a standing or invited member or we could be asked to submit an internal management report. In the case of a request for an internal management report as soon as the notification is received that a client has died or been seriously injured then the Director must be informed and the relevant records sealed. Records may be sealed prior to the notification.

The author of the Internal Management Review or Internal Case Review will be the Director. The Director has undergone serious case review training and is competent at complex audit and report writing.

An IMR/ICR is different to and separate from any disciplinary investigation although any information gathered during the review process may be used to inform an investigation or enquiry. Disciplinary action may be taken on a concurrent basis.

Any media coverage must be directed through the Director. Any internal actions required that arise from the conclusions of the review will be implemented accordingly.

Lessons learned from child case reviews show that members must have additional knowledge of safeguarding in specific circumstances :

- Children living in domestic abuse
- Children living in secure units or children's homes
- Children who are bullied
- Children whose behaviour indicates a lack of parental control
- Children from black and minority ethnic groups
- Children who do not have English as their first language
- Children living with substance abuse and mental illness
- Child abuse linked to belief in possession or witchcraft or in other ways linked to spiritual or religious beliefs
- Child sexual exploitation

## Nature Therapy CIC Safeguarding Children and Vulnerable Adults Policy

- Child abuse and information technology
- Children and families who go missing
- Children living in temporary accommodation
- Migrant/refugee children
- Trafficked children
- Unaccompanied asylum seeking children
- Children at risk of genital mutilation
- Children who run away
- Complex or networked abuse
- Children living in family placements with adopters
- Honour based violence

Specific considerations for vulnerable adults are:

- Mental capacity
- Financial abuse
- Institutional abuse
- Unintentional abuse

Dr Kim Brown

Founder Director

Nature Therapy CIC

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