



*'Thriving and Surviving'*

<b>Organisation</b>	<b>Sexual Abuse and Incest Line</b>
<b>Document purpose</b>	<b>To ensure all staff, volunteers, sessional workers and Board Members are aware of the procedure for supporting adults and children affected by Abuse</b>
<b>Version</b>	<b>3</b>
<b>Title</b>	<b>Children &amp; Adults Safeguarding Policy</b>
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<b>Approving Committee</b>	<b>Board of Trustees</b>
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<b>Target audience</b>	<b>All employees, students, volunteers and sessional workers</b>
<b>Circulation list</b>	<b>All employees, students, volunteers and sessional workers</b>
<b>Associated documents</b>	<b>DHR Policy</b> <b>Whistle Blowing Policy</b> <b>Complaints Procedure</b> <b>Privacy Policy</b> <b>Confidentiality Policy and Procedure</b>

## **Children & Adults Safeguarding Policy**

### **Policy Statement**

All children and vulnerable adults have the right to protection from abuse and harm, including physical, emotional, sexual abuse, neglect, financial, or material abuse. SAIL will ensure concerns about safety or wellbeing are taken seriously and dealt with promptly and appropriately. Safeguarding is everyone's responsibility.

### **Purpose and Scope**

SAIL is committed to creating a safe environment where the welfare of vulnerable adults, children, and young people is paramount. This policy applies to all staff, sessional counsellors, volunteers, trainees, and Board members. It outlines the safeguarding responsibilities of the organisation in line with current legislation and good practice.

There are several essential aspects we do as SAIL to protect children and adults at risk of abuse from professionals. These include:

- Safe recruitment practices
- Clear procedures for dealing with allegations
- Guidance about appropriate behaviour for staff and volunteers

Abuse can take many forms including:

- Physical, emotional or sexual mistreatment
- Neglect or lack of care that leads to harm
- Financial or material abuse

Through this policy, SAIL recognises the vulnerability of children and adults and their unconditional right to protection from abuse. Staff, sessional counsellors, committee members, and volunteers are expected to prioritise the welfare of children and adults at risk and uphold their professional and public responsibility to protect them from harm.

This commitment includes:

- Accepting organisational responsibility for safeguarding children and adults at risk.
- Ensuring all concerns about safety or wellbeing are followed up and dealt with promptly and sensitively.

SAIL's recruitment policy adheres to the Derby and Derbyshire Safeguarding Children Partnership (DDSCP) guidelines on the safe recruitment of staff, sessional counsellors,

and volunteers and should be read alongside this policy (Guide to Safer Recruitment in Derbyshire, 2022).

The statutory safeguarding responsibilities under Section 11 of the Children Act 2004 include:

1. Protection from maltreatment
2. Preventing impairment of health or development
3. Ensuring children grow up in circumstances consistent with safe and effective care to support optimum life chances.

The Derby and Derbyshire Safeguarding Adults policy and procedures describe the responsibilities and actions required when there are concerns about adults at risk and are available via [www.saferderbyshire.gov.uk](http://www.saferderbyshire.gov.uk).

The Derby and Derbyshire Safeguarding Children procedures can be accessed via [www.ddscp.org.uk/staff-and-volunteers/policies-and-procedures](http://www.ddscp.org.uk/staff-and-volunteers/policies-and-procedures).

### **Key Legal and Ethical Frameworks**

- Children Act 1989 and 2004
- Children and Social Work Act 2017
- Marriage and Civil Partnership (Minimum Age) Act 2022
- The Derby and Derbyshire Safeguarding Children Partnership Procedures Manual (2023)
- The Derby and Derbyshire Safeguarding Adults Boards policy and procedures (2023)
- Working Together to Safeguard Children (2023)
- UK-GDPR and Data Protection Act 2018
- The BACP Ethical Framework for the Counselling Professions (2018)
- The BACP Safeguarding children and young people within the counselling professions in England and Wales (2024)
- The BACP Legal Resource (2024)

These laws and procedures set out how organisations and individuals must work together to safeguard and promote the welfare of children, young people, and adults at risk of harm.

### **BACP Ethical Framework**

The BACP Ethical Framework underpins all counselling work with adults and young people at SAIL and informs our safeguarding responsibilities. Key principles include:

- **Putting clients first** by prioritising their safety and wellbeing
- **Working to professional standards**, including following safeguarding policies and legal duties

- **Being trustworthy and responsible**, especially in matters of confidentiality and information sharing
- **Respecting the rights and dignity of all clients**, including the right to protection from harm
- **Maintaining integrity**, including acting on concerns in a timely and transparent way

Practitioners are expected to work within these principles and to seek supervision or consultation where ethical dilemmas arise, especially around safeguarding or information sharing.

## **Definitions and Concepts**

- **Child:** Anyone under the age of 18
- **Parental Responsibility (PR):**
  - Defined in Section 3(1) of the Children Act 1989 as all the rights, duties, powers, responsibilities, and authority which by law a parent has in relation to a child and their property.
  - All mothers automatically have PR.
  - Fathers have PR if married to the mother at the time of birth or subsequently, or by being named on the birth certificate, or by obtaining a PR agreement or court order.
  - Others, including stepparents, civil partners, guardians, or local authorities (under a care order), may acquire PR through legal means.
  - PR can be shared but not transferred, and it ends when the child turns 18, or in some cases, through adoption.
  - It is essential to clarify who has PR when working with children, especially where parental consent is required.
- **Gillick Competence:**
  - Refers to a child under the age of 16 being able to consent to their own treatment without parental involvement if they have enough understanding and intelligence to fully comprehend what is involved in the proposed intervention.
  - This includes understanding the nature, purpose, risks, and benefits of the treatment, and the potential consequences of accepting or refusing it.
  - Competence must be assessed on a case-by-case basis, as it is situation-specific and can vary depending on the complexity of the decision.
  - A child may be competent to make some decisions but not others.
  - Therapists should provide information in an age-appropriate way and document their assessment of Gillick competence carefully.

## **Responsibilities**

- SAIL has designated Safeguarding Leads responsible for keeping up to date on local and national safeguarding policies and acting on concerns.
- All staff, volunteers, and counsellors must complete safeguarding training and follow SAIL's policies.
- Safeguarding training must be refreshed regularly in line with national and local guidance.
- All staff must maintain accurate, timely, and comprehensive notes on Paloma.
- Notes must reflect factual, up-to-date information and be recorded promptly after each session or safeguarding incident.

### **The Welfare Checklist**

Cited from the Children Act 1989 Section 1.

When making decisions, or writing reports about children, it is important to consider:

- The ascertainable wishes and feelings of the child concerned (consider in the light of age and understanding).
- Physical, emotional and educational needs.
- The likely effect of any change of circumstances.
- Age, sex, background and any characteristics which the court considers relevant.
- Any harm which is being suffered or risk of harm of being suffered.
- How capable each of the child's parents, and any other person in relation to whom the court considers the question to be relevant, is of meeting needs.
- The range of powers available to the court under this Act in the proceedings in question.'

### **Consent and Capacity**

#### **Adults (18+)**

- Adults are presumed to have full mental capacity to make their own decisions.
- If an adult lacks capacity due to illness, disability, trauma, or other reasons, decisions about treatment should be made under the Mental Capacity Act 2005.
- Adults have the right to make decisions others may consider unwise, provided they have the capacity to do so.

#### **Young People Aged 16–17**

- Legally presumed to have capacity to consent to medical, psychological, and therapeutic treatment under the Family Law Reform Act 1969.
- Their consent is as valid as that of an adult, and they do not need parental permission.
- If a young person refuses treatment, legal intervention via the High Court may occur in extreme cases to protect their welfare.

- If they lack capacity, parental consent may be required.

### **Children Under 16**

- Can consent to therapy if assessed as Gillick competent:
  - They must understand the nature, benefits, risks, and alternatives to therapy.
  - Competence is decision-specific and must be assessed on a case-by-case basis.
- If not Gillick competent, consent must be provided by someone with parental responsibility.
- Courts may intervene if treatment is refused or there is a dispute over competence.

### **Additional Considerations**

- Capacity may vary over time and must be reassessed if there is a concern.
- Factors such as illness, trauma, medication, or substance use can temporarily affect capacity. Assessment is time and decision specific and can be delayed if the lack of capacity to be felt to be temporary and the decision isn't urgent.
- Consent decisions must be clearly documented in Paloma.
- Once a young person turns 18, they are treated as an adult. If they lack capacity, the Mental Capacity Act 2005 applies.

### **Confidentiality and Information Sharing**

- Confidentiality is central to therapeutic work and builds trust with clients. However, there are specific situations in which confidentiality must be legally and ethically breached.
- Reasons for breaking confidentiality without client's consent can be found in SAIL's confidentiality policy - In these instances, practitioners must share the minimum necessary information with relevant authorities.
- All staff, volunteers and sessional workers must follow ICO guidance on data protection and SAIL's confidentiality policy and procedures
- All decisions to share or withhold information must be documented clearly, with the rationale explained.

### **Procedure and Action**

When a safeguarding concern arises and needs to be discussed with a member of the Safeguarding Team, please follow the steps below:

#### **1. Initial Contact via Office**

Call the main office to inquire who from the Safeguarding Team is available to take a call. Office staff will provide information on availability and may be able to connect you directly or advise on the next step.

## 2. Follow-Up Email Communication

If the matter is not resolved via phone or if immediate contact is not possible:

- a. Send an email to the office email address.
- b. In the email, copy in the Safeguarding Lead who is scheduled to be working that day.
- c. Clearly mark the subject line with “Safeguarding – [Client ID]”.
- d. Set the email as High Priority to ensure it is seen and actioned promptly.
- e. Request a call-back and include your availability and your best contact details.

## 3. Escalation if No Response

If you do not receive a response within a reasonable timeframe:

- a. Attempt to directly call the Safeguarding Lead(s) who are marked as working on that day.

## Documentation

- a. Clearly record your safeguarding concern within a case note on Paloma.
- b. Record on Paloma the time and method of each contact attempt for accountability and follow-up purposes.
- c. Maintain confidentiality and discretion throughout all email communications.

Please refer to the current Safeguarding Lead Contact Details below to identify the appropriate personnel to contact based on the day and time.

## Safeguarding Lead Contact Details

Named Safeguardi ng Leads	Karen Millard 07999548965 <a href="mailto:karen.millard@sailderbyshire.org.uk">karen.millard@sailderbyshire.org.uk</a>	Wed 8:30-6, Thurs & Fri 8:30-2	
	Sam Robb-King 07763 255142 <a href="mailto:sam.robb-king@sailderbyshire.org.uk">sam.robb-king@sailderbyshire.org.uk</a>	Mon 12-5, Tues 8:30-2.45, Thurs 8:30-2.30	
	Reena Sharma 07871 935051 <a href="mailto:reena.sharma@sailderbyshire.org.uk">reena.sharma@sailderbyshire.org.uk</a>	Tues-Wed 9:30-4	

	Elisabeth Cartwright 07934 320027 <a href="mailto:elisabeth.cartwright@sailderbyshire.org.uk">elisabeth.cartwright@sailderbyshire.org.uk</a>	Mon & Wed 9:30-5	
	Jade Revill-Ross 07599955349 <a href="mailto:jade.revill-ross@sailderbyshire.org.uk">jade.revill-ross@sailderbyshire.org.uk</a>	Tues 9-3  Wed & Thurs 9.30 – 6.30	
	Ruth Gartland (Director) 07889 798490 <a href="mailto:ruth.gartland@sailderbyshire.org.uk">ruth.gartland@sailderbyshire.org.uk</a>		

## Training and Supervision

- All team members receive a safeguarding induction and must complete mandatory safeguarding training.
- Safeguarding training must be refreshed regularly in line with national and local guidance.
- The Safeguarding Leads receives enhanced training.
- Safeguarding issues are reviewed regularly in supervision and team meetings.

	Level 1 & 2  Introduction & awareness raising  <i>Mandatory safeguarding training</i>	Level 3  Staff who engage in assessing, planning, intervening and evaluating safeguarding needs	Level 4  Managing safeguarding allegations
Staff group	All Employees, Students, Volunteers, Sessional Counsellors and Board of Trustees Chair	ISVA workers, All Counsellors including	Named Safeguarding Lead



		Students, Volunteers and Sessional Workers	
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### **Whistle blowing/ complaints**

- SAIL recognises that staff, sessional counsellors, and volunteers have the right and responsibility to raise any matters of concern regarding poor practice at work.
- The organisation's complaints procedure provides a safe and structured way for individuals to voice concerns or complaints.
- The dignity at work policy ensures that individuals are protected and supported when raising concerns.
- For further guidance, staff should refer to SAIL's whistleblowing policy, which outlines how to raise concerns confidentially and the protections in place.

### **Monitoring and Evaluation**

- Safeguarding incidents are recorded and reviewed.
- An annual safeguarding report is produced.
- A register is kept of Enhanced Adult and Children DBS checks
- A register is kept of safeguarding training.

### **Communication**

- All staff, volunteers and sessional workers must read and adhere to SAIL's policy and procedures.
- Updates to procedures will be shared promptly.

### **Safeguarding Referrals**

- For emergencies contact the police telephone: **999**
- For non-emergencies contact the police telephone: **101**

#### **Derbyshire**

- Call Derbyshire telephone: **01629 533190** or contact our out of hours service **01629 532600**.
- Complete an online referral for vulnerable adults: [Adult Safeguarding Referral Form](#)
- Complete an online referral for children: [Starting Point Form](#)

#### **Derby City**

- Multi Agency Safeguarding Adult hub telephone: 01332 642 855 (or 01332 786 968 for out of hours)
- Complete an online referral for vulnerable adults: [Make a safeguarding referral - Derby Safeguarding Adults Board](#)
- Children's social care and the First Contact Team telephone: **01332 641172**
- Complete an online referral for children [online form](#)