



## SAFEGUARDING POLICY (Scotland)

Policy number	3a	Version	5
Drafted by	David Dickens	Approved by Council on	12 JUNE 2018
Responsible person	David Dickens	Scheduled review date	1 MAY 2019

### COUNCIL OF MANAGEMENT SAFEGUARDING POLICY STATEMENT

The Charity Commission highlights to all charities the importance of providing a safe and trusted environment for anyone who comes into contact with them, including staff and volunteers.

In addition to this, the Fishermen's Mission recognises the importance of its ministry to the elderly, retired and widowed fishing families and its responsibility to protect and safeguard the welfare of all people entrusted to its care or support. This responsibility primarily rests with our Port Staff but other staff members (including volunteers) may also come into contact with children and/or protected adults in the course of their work.

As part of our commitment to Safeguarding, the Fishermen's Mission will ensure:

- The careful recruitment, supervision and training of all staff members.
- Valuing, listening to and respecting all people, young and old, as well as assisting their welfare and protection.
- Encouraging and supporting families.
- Maintaining good links with the statutory authorities and other organisations.
- Being alert to possible abuse, supporting those affected as well as reporting it appropriately.

The Charity Commission reminds charities that, if something goes wrong in a charity, trustees are accountable and responsible for putting things right. The Council of Management accept this responsibility and will ensure that the Fishermen's Mission safeguarding practices are robust.

This document has been approved by The Fishermen's Mission for use in all its activities involving children under the age of 18 years and protected adults age 18 years and over. This document has been updated to take account of the Protection of Vulnerable Groups (Scotland) Act 2007 (PVG Scheme) which came into force in Scotland in February 2011.

Where ever possible the policies, practices and procedures for The Fishermen's Mission in Scotland are aligned with those which are complied with in the rest of organisation and only where the law or practice in Scotland is different to that which applies in the rest of the UK does this document differ.

Any reference to Fishermen's Mission Staff includes reference to volunteers.

Any reference to Port Staff includes Fishermen's Mission Port Officers and Fishermen's Mission Area Officers.

**GLYN TONGE**

**CHAIRMAN**

**Date: 12 June 2018**

# SAFEGUARDING PROCEDURES

Procedures number	3a	Version	5
Drafted by	Hanna Taylor	Approved by CE	31 May 2018
Responsible person	David Dickens	Next Review date	1 MAY 2019

## 1. DEFINITIONS

- 1.1 In the context of this document, 'child' refers to any young person under the age of 18. The policy also covers 'vulnerable adults' over the age 18 and over but within the definitions described below,
- 1.2 A vulnerable adult can range from 16 years old and upwards.
- 1.3 If a 16-year-old is out of full time education, they would then be classed as an adult and could fall into the vulnerable adult category if they met the set criteria.
- 1.4 If a person is in full time education between the ages of 16 and 18 they would be classed as a child within the DBS criteria, and would become an adult when they turn 18.
- 1.5 In 2012, the government updated its legislation so that adults are no longer labelled vulnerable because of their personal characteristics or circumstances.
- 1.6 An adult is considered vulnerable if they require regulated activity to be provided to them.
- 1.7
- 1.8 The definition of Regulated Work applies to work with children ( vulnerable adult. .
- 1.9 Please refer to Appendix One for the definition of Regulated Work
- 1.10 Work is "normal duties" when it appears in a job description, can reasonably be anticipated or occurs regularly. Normal duties exclude one off occurrences and unforeseeable events. Normal duties also exclude work arranged at the last minute to stand in for sickness, or done as a one off activity of short duration.
- 1.11 Fishermen's Mission Staff means anyone employed by the Fishermen's Mission, directors, officers, self-employed staff or volunteers.

## 2. SAFE RECRUITMENT

- 2.1 The Protection of Vulnerable Groups (Scotland) Act 2007 was introduced in Scotland and implemented from February 2011. From this date all new applicants whose "normal duties" are to work with children or protected adults will require to be registered with the PVG Scheme. The requirement for membership of the PVG Scheme will be progressively extended to existing employees and volunteers over a period of three years following the year of introduction.
- 2.2 All applications, whether for paid or voluntary work, should be subject to an appropriate level of scrutiny. If the person's undertakes regulated work (see Appendix One), with

children and/or vulnerable adults then membership of the PVG Scheme or an enhanced disclosure is required before that person is permitted to carry out regulated work with children and/or vulnerable adults.

- 2.3 Members of Fishermen's Mission Staff who do not require PVG Scheme membership will be subject to such review, to include past experience, references, etc. as is in all the circumstances reasonable.
- 2.4 As recommended within Safer Recruitment guidelines, during the recruitment process all applicants are required to submit their application using the form provided and applications received in a different format will be rejected. This allows for ease of comparison and also to ensure we obtain all of the information we require
- 2.5 A member of the Council of Management and Head Office Staff will be provided with Safer Recruitment training. This training will be refreshed every 3 years.
- 2.6 A copy of this policy and the Whistleblowing Policy will be included in all recruitment application packs.

### **3. PROCEDURE FOR REPORTING ABUSE**

- 3.1 It is important to develop a culture where both children and adults feel able to raise concerns, knowing that they will be taken seriously and treated confidentially.
- 3.2 A complaint, concern or allegation may come from a number of sources: the child or protected adult, their parents, or someone else within the organisation.
- 3.3 An allegation may range from verbal bullying to physical or sexual abuse. If you are concerned that a child or protected adult may be being abused, it is not your responsibility to investigate further BUT it is your responsibility to report the matter to the Fishermen's Mission Chief Executive or other senior staff member.

### **4. HANDLING CONCERNS REPORTS OR ALLEGATIONS**

- 4.1 If a referral is made to a senior member of staff or the Fishermen's Mission Chief Executive, it is their duty to decide whether the matter should be referred to the Children's Social Work department or the Police. A record should be kept of all referrals made and passed on to the relevant authorities if and when appropriate.
- 4.2 If a referral is received it should be treated as confidential, stored securely and only shared with those who need to know.
- 4.3 If a decision is taken not to refer the matter to the relevant authorities, continued monitoring of the situation may be appropriate in order to safeguard the welfare of the individual concerned.

### **5. STAFF GUIDELINES**

The aim and objectives of the guidelines set out below are to ensure the welfare and the protection of those 'protected adults' and children with whom the Fishermen's Mission Staff work. These guidelines are also there to, as far as possible, safeguard the welfare and protection of Fishermen's Mission Staff and to encourage all Fishermen's Mission Staff to achieve the highest possible standards of conduct. All Fishermen's Mission Staff should carefully read and make sure they understand these guidelines.

- 5.1 Fishermen's Mission Staff have a responsibility to carry out their duties sensitively and effectively to all fishermen and their families regardless of protected characteristics.
- 5.2 When carrying out visits in the course of their duties, Fishermen's Mission Staff should consider the appropriateness of visiting alone, especially at night. If in doubt arrange to be accompanied by another member of Fishermen's Mission Staff. The same considerations should be applied to car journeys taken alone with children and/or protected adults. Fishermen's Mission Staff should make every effort to recognise these risks and minimise them whenever possible.
- 5.3 It is essential that Fishermen's Mission Staff acknowledge appropriate physical, sexual, emotional and psychological boundaries when carrying out their duties. Inappropriate touching or gestures of affection are to be avoided.
- 5.4 Fishermen's Mission Staff should be aware that those for whom they care may be in distress and vulnerable. The influence of Fishermen's Mission Staff in such situations should be acknowledged, used positively, and never abused.

## **6. MANAGEMENT RESPONSIBILITIES**

- 6.1 Fishermen's Mission Staff who have supervisory responsibilities should review the activities undertaken by those for whom they have responsibility where they involve a child or a vulnerable adult.
- 6.2 Fishermen's Mission Staff should carry out the appropriate level of risk assessment for these activities to ensure, so far as reasonably practicable, the safety of the child or vulnerable adult and the safety and welfare of Fishermen's Mission Staff. This should be completed using the Peninsula Business Safe online portal.

## **7. POLICY OWNERSHIP**

- 7.1 The Fishermen's Mission Chief Executive is responsible for this policy and its implementation.
- 7.2 Fishermen's Mission Staff should raise issues or concerns in respect of this policy with the Fishermen's Mission Chief Executive or if this would not be appropriate please refer to our Whistleblowing policy.



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Chief Executive

15 May 2017

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Date

## **Regulated Work**

### **Regulated activity when working with adults**

The definition of regulated activity does not label adults as 'vulnerable'.

Rather, it identifies the activities which, if any adult requires them, would lead to that adult being considered vulnerable at that particular time. The focus is on the activities required by the adult and not on the setting in which they are received.

This means that, for example, just because an older person lives in a care home, it does not automatically make them vulnerable.

There are six types of activity that are classed as regulated activity relating to adults. A person only needs to engage in these activities once to be considered to be carrying out regulated activity.

1. Health care for adults provided by, or under the direction or supervision of a regulated health care professional.
2. Providing personal care for adults involving hands-on physical assistance with washing and dressing, eating, drinking and toileting; prompting and supervising an adult with any of these tasks because of their age, illness or disability; or teaching someone to do one of these tasks.
3. Social work – provision by a social care worker of social work which is required in connection with any health services or social services.
4. Assistance with an adult's cash, bills or shopping because of their age, illness or disability arranged via a third party.
5. Assisting in the conduct of an adult's own affairs under a formal appointment (eg an enduring power of attorney).
6. Conveying adults for reasons of age, illness or disability to, from, or between places, where they receive healthcare, personal care or social work arranged via a third party (this does not include family and friends where no money changes hands or licensed taxi drivers).

### **Regulated activity when working with children**

Regulated activity when working with children comprises:

- a. unsupervised activities: teach, train, instruct, care for or supervise children, or provide advice/guidance on wellbeing, or drive a vehicle only for children
- b. work for a limited range of establishments ('specified places'), with opportunity for contact: eg schools, colleges, children's homes, childcare premises.

It does not include work by fully supervised volunteers.

The previously mentioned work is only considered regulated activity if it is done regularly, with the exception of a person who gives health care or certain types of personal care (eg helping a child to dress) which is always regulated activity.

### **Supervised work**

Where an organisation decides that work will be fully supervised and no checks are required, there are three main points in law as follows:

- There must be supervision by a person who is in regulated activity. However, where the work is in a specified place such as a school, paid work is still regulated activity even if it is supervised.
- The supervision must be regular and ongoing, day to day.
- The supervision must be *“reasonable in all the circumstances to ensure the protection of children”*.

You will have noted that there are three words that require judgement:

- regular – how regular?
- supervised or unsupervised – how to decide what’s required
- reasonable – what does this mean?

The government’s aim has been to scale back the prescription and legislation surrounding these checks and enable individual organisations to use their own judgement when deciding on the scope of what individual roles require. However, it remains crucial that organisations make the right decision and to help, the government has issued statutory guidance that spells out what each of the terms mean, in addition to detailed guidance on what constitutes ‘regulated activity’.