



# Community Foundation

## SAFEGUARDING POLICY

### 1. PURPOSE AND SCOPE

- 1.1 The Community Foundation serving Tyne & Wear and Northumberland (the Foundation) is committed to protecting people from risk of harm within our organisation and at those we fund. We have policies and procedures in place to address this, including those on recruitment, conduct, bullying and harassment, health and safety, risk, complaints and whistleblowing. This purpose of this policy is to set out the approach to, and responsibilities for, safeguarding at the Foundation. It applies to all employees, trustees (directors) and volunteers (including committee co-optees and grant panel members).

### 2. DEFINITIONS

- 2.1 Safeguarding means protecting people's health, well-being and rights so that everyone – especially children and adults at risk – can live free from abuse, harm and neglect. Safeguarding is covered by legislation and related regulations, including the Children Acts 1989 and 2004, the Children and Social Work Act 2014 and the Care Act 2014. A **child** is as anyone under the age of 18. An adult at risk is any person who is aged 18 years or over and at risk of abuse or neglect because of their needs for care and or support regardless of whether these needs are being met by a local authority.
- 2.2 Safeguarding risks include: sexual harassment, abuse and exploitation; negligent treatment; physical or emotional abuse; bullying or harassment; commercial exploitation; extremism and radicalisation; forced marriage; child trafficking; female genital mutilation; discrimination on any of the grounds in the Equality Act 2010. This list is not exhaustive.
- 2.3 Safeguarding concerns for us could arise in relation to:
- organisations applying for or receiving funding;
  - children or adults at risk applying for or receiving individual grants;
  - members, donors or potential donors;
  - employees, volunteers and trustees.

### 3. PRINCIPLES

- 3.1 The Charity Commission has detailed guidance on safeguarding that as a charity the Foundation must follow. We are responsible for safeguarding our staff, trustees and volunteers, and any children and adults at risk with whom we have direct contact. We must also be confident that every organisation we fund has in place adequate safeguarding policies and procedures, whether or not they are a charity.

- 3.2 Most organisations we fund help people who have lived experience of disadvantage or discrimination, or who are at risk. These people are at higher risk of neglect, abuse and exploitation. So, dealing with safeguarding concerns is common for organisations we fund, and not a sign of failure. When looking at safeguarding, we want applicants and grantees to be open about issues and to learn from them.
- 3.3 While safeguarding is a key part of our grant assessment process, the Foundation does not directly advise organisations on effective safeguarding practice, nor do we investigate safeguarding concerns ourselves. Instead we signpost organisations to appropriate sources of advice and training including the Local Safeguarding Children Partnership or Safeguarding Adults Board
- 3.4 Trustee, staff and volunteer roles at the Foundation do not involve regulated activity relating to children or adults at risk. Therefore, they are not eligible for standard or enhanced Disclosure or Barring Service (DBS) checks.

#### **4. SAFEGUARDING AND GRANT-MAKING TO ORGANISATIONS**

- 4.1 As set out in our grant-making policy, the Foundation requires grant applicants to demonstrate that they are committed to safeguarding and to have adequate policies and procedures in place. **All organisations** must demonstrate the following on safeguarding.
  - A commitment to protecting trustees, staff, volunteers and beneficiaries from harm.
  - Practices that ensure everyone in the organisation is made aware of safeguarding.
  - Policies that are publicly available, regularly reviewed and put into practice.
  - Procedures that enable people to raise concerns, handle allegations and incidents, and report to relevant authorities;

**For organisations working directly with children or adults at risk**, we also require there to be an appropriately trained designated safeguarding lead (DSL), evidence of regular safeguarding training for all staff and volunteers, and for there to be appropriate checks on trustees, staff and volunteers in eligible roles.
- 4.2 We will reject applications where the above requirements are not clearly demonstrated. But we may refer organisations to sources of advice and training. Where safeguarding arrangements are in place but require minor improvements, we may offer funding but with a condition that the organisation makes such changes before we award the grant.
- 4.3 Because of the nature of the beneficiary group or proposed activities (e.g. helping young people involved in the sex industry), some grant applications may present unusual significant safeguarding risks even where the organisation's policies and procedures are appropriate. Such grants will be referred to the Board in line with the grant-making policy.
- 4.4 Our grant terms and conditions require grantees to maintain adequate safeguarding policies and procedures, and to notify us of any safeguarding concerns and how they have been dealt with. We also ask about safeguarding on review visits to grantees. Lack

of response to safeguarding concerns, or failure to disclose them to us, may mean we will not consider further funding to an organisation until improvements are made.

## **5. SAFEGUARDING AND GRANT-MAKING TO INDIVIDUALS**

- 5.1 The Foundation has some funds which award grants to individuals who may include children and adults at risk. Our approach when setting up and managing such funds is to require the involvement of appropriate adults (parents, guardians, carers or representatives of statutory bodies) as referrers and intermediaries.
- 5.2 In a few cases, a staff member's role may involve telephone contact with children or adults at risk to assess applications from them as individuals. This does not count as work with children or adults that is eligible for a standard or enhanced DBS check. However, we will assess risks in such roles and may ask for a basic DBS check.

## **6. OTHER FOUNDATION CONTACT WITH CHILDREN OR ADULTS AT RISK**

- 6.1 The Community Foundation may also have direct contact with children and adults at risk when running events and meetings, when visiting funded organisations and when meeting with our donors. In addition to our normal risk assessments, we do the following.
- 6.2 Trustees, employees and volunteers may not be left in sole contact with children or adults at risk when travelling to or visiting an organisation or a donor, or when attending an event. They must refuse to do so if asked.
- 6.3 Children and adults at risk at Foundation events or meetings must be accompanied by an appropriate representative of an organisation whose safeguarding arrangements we have checked, or by a family member or carer. We will take reasonable steps to ensure we know who is attending any event or meeting in advance.
- 6.4 The Foundation's donor experience manual has guidance for dealing with adult donors who are at risk which staff must follow. We will amend or end communication with individuals if we are made aware of a vulnerability within the definition in this policy.

## **7. DEALING WITH SAFEGUARDING CONCERNS**

- 7.1 A Foundation trustee, employee or volunteer may become aware of a safeguarding concern because:
- a grantee has reported an incident at their organisation to us;
  - a whistle-blower raises a concern about a grantee organisation;
  - an allegation is about the conduct of a Foundation trustee, employee or volunteer;
  - an individual (e.g. an employee, a trustee, a volunteer, a donor or a beneficiary of a grantee) discloses a concern about themselves; or
  - we observe something of concern ourselves.
- 7.2 In any of these circumstances, the person who first becomes aware of the safeguarding concern must inform the Foundation's designated safeguarding lead (DSL) within two

working days, providing as much information as possible. (Unless there is a significant risk of immediate harm – see below.) The DSL, or the Chief Finance and Operating Officer (CFOO) or Chief Philanthropy Officer (COO) if the DSL is not available, will record the concern and follow up with the person raising it within two working days. Where necessary, the DSL will also trigger the Foundation's crisis management procedure. There are several possible actions.

- If the concern relates to (or is notified to us by) a funded organisation, the DSL will normally contact its safeguarding lead, chair or most senior employee and require follow up from them to give assurance that appropriate measures to investigate the concern have been taken, including notifying relevant statutory agencies.
- If the DSL has reason to think that an organisation may not deal appropriately with a concern raised, or the organisation fails to follow notification procedures or provide follow up to us, or it is considered that the Community Foundation might reasonably be expected to do so, they may decide to inform relevant statutory agencies directly.
- If the concern relates to an external person not linked to a funded organisation, the DSL will refer the matter directly to the appropriate statutory agency.
- If the concern relates to alleged conduct by an employee, volunteer or trustee of the Foundation, the DSL will report the matter to the CEO (or in their absence, or if the allegation is about the CEO, the Chief Finance and Operating Officer). As well as appropriate referrals to statutory agencies, action may be taken in line with the Foundation's wider policies and procedures, including its disciplinary procedures.
- In the case that an employee, trustee or volunteer believes there is a significant risk of immediate harm to a person, they must first call 999 and then inform the DSL of the action taken and any follow up contacts.
- The DSL ensures that records are kept in line with the Foundation's confidentiality and data protection policies.

## **8. RESPONSIBILITY FOR IMPLEMENTING THIS POLICY**

8.1 Overall responsibility for this policy lies with the Foundation's Board of trustees. The trustees have delegated operation responsibility to the Director of Community Relations, who is the Foundation's designated safeguarding lead (DSL). In their absence, or where any concerns relate to them, the CFOO or CPO takes the DSL role.

8.2 The DSL's responsibilities are to ensure:

- employees are made aware of this policy and related procedures, and receive appropriate information on recognising signs of abuse and dealing with disclosures;
- any concerns raised or reported are discussed, recorded and dealt with appropriately and where necessary referred to the appropriate statutory agencies.
- procedures are reviewed, and the policy updated as agreed.

8.3 It is the responsibility of all employees, trustees and volunteers to ensure that they are familiar with this policy and any related procedures.

## 9. BREACHES OF THE POLICY

- 9.1 Concerns around safeguarding should be dealt with as above. Where the concern is not around safeguarding but other aspects of compliance with this policy, employees and trustees must notify the Chief Finance and Operating Officer as soon as possible. Volunteers should notify their normal point of contact within the Foundation in the first instance. Where any concern relates to the Chief Finance and Operating Officer, either the Chief Executive or Chair of the Board should be notified.
- 9.2 Any alleged breach of this policy by an employee will be dealt with under the Foundation's disciplinary procedure and could result in dismissal for gross misconduct.
- 9.3 Any alleged breach by a trustee will be investigated by the Governance, Finance and Audit Committee in the first instance and could result in disqualification from the Board.
- 9.4 Any alleged breach by volunteers or others associated with the Foundation will be investigated by the Chief Finance and Operating Officer and could result in individuals being removed from voluntary roles or contracts being terminated.

## 10. MONITORING AND REVIEW

- 10.1 The Foundation will monitor the effectiveness of this policy regularly to ensure its suitability, adequacy and effectiveness. Any improvements identified will be made as soon as possible. The policy will be reviewed by the Board every three years.

Date originally approved by Board	March 2017 (Children & Vulnerable Adults Policy)
This version	2.1
Date last updated	April 2021
Reason for last update	Updated for change of job roles
Next review due	December 2022
Owner	Adam Lopardo
Job title	Director of Community Relations
Related procedures (if applicable)	<ul style="list-style-type: none"><li>• Grants manual</li><li>• Donor experience manual</li><li>• Grant-making policy</li><li>• Crisis management procedure</li><li>• Gift acceptance policy</li><li>• Data protection and privacy policy and procedures</li><li>• Employee handbook</li><li>• Complaints procedures</li><li>• Whistleblowing policy</li></ul>