

## **Paul Hamlyn Foundation Safeguarding Policy**

### **1. Introduction**

This policy sets out PHF's approach to safeguarding. Safeguarding aims to ensure that everyone connected with our charity is safe and protected from abuse and exploitation. It includes actions to prevent abuse and mitigate the risks of this occurring, as well as actions to ensure any allegations of abuse are taken seriously and anyone experiencing abuse is protected and their welfare promoted.

Paul Hamlyn Foundation's mission is to help people overcome disadvantage and lack of opportunity and the Foundation has a particular interest in young people. Although the Foundation does not provide services to, or work directly with, children, young people or adults with care and support needs, the Charity Commission requires all registered charities to ensure that safeguarding is a governance priority. By prioritising safeguarding within our internal practices and integrating safeguarding into our overall approach to funding, the Foundation plays an important role in promoting practices and organisational cultures which keep people safe.

This policy reflects relevant legislation and statutory guidance on safeguarding within the UK (See Appendix A). This policy should be read in conjunction with the Foundation's whistle-blowing policy, complaints procedure and anti-bullying and harassment policy.

This policy is reviewed on an annual basis to ensure policies and procedures reflect best practice and take into account any changes within the Foundation. The revised policy is approved by Trustees.

- This policy was approved by Trustees on 22<sup>nd</sup> March 2022
- Date of the next review: March 2023

### **2. Scope**

Safeguarding is the responsibility of everyone working at the Foundation and all staff, trustees and volunteers are expected to read and follow this guidance.

This policy relates to the work funded by the Foundation and we will make grantees aware of the Foundation's policy and the expectations that we have in relation to safeguarding. However, PHF believes it is the responsibility of the organisations and individuals funded by PHF to ensure that their safeguarding policies and procedures are fit for purpose given the specific nature of their work and the manner in which it is conducted. Therefore, we expect all organisations and individuals that we fund to have their own safeguarding policy and procedures in place and to ensure these are followed.

### **3. PHF's position**

- PHF is committed to safeguarding all those connected with our work. In particular, PHF believes that the welfare of a child, young person or adult at risk is of paramount importance.
- Within the parameters of its role of a funder, PHF is committed to safeguarding children, young people and adults with care and support needs by ensuring the Foundation and the organisations and or individuals we work with and/or fund have appropriate safeguarding mechanisms in place.
- PHF believes all allegations of harm and abuse must be taken seriously and the Foundation has procedures in place to ensure any concern or allegation of abuse is responded to swiftly and appropriately.
- PHF aims to promote a healthy safeguarding culture within the Foundation and we encourage a culture of learning to continuously improve our approach to safeguarding.

### **4. Roles and Responsibilities**

Safeguarding is the responsibility of everyone working at the Foundation and all staff are expected to read and follow this guidance set out in this policy.

**Trustees** have ultimate responsibility for safeguarding within PHF. Our Trustees are responsible for:

- Approving the Foundation's Safeguarding Policy and overseeing its implementation and effectiveness, and ensuring this is reviewed on an annual basis.
- Ensuring the Foundation is compliant with Charity Commission regulations and that all serious incidents are reported to the Charity Commission.
- Appointing a Safeguarding Lead who is responsible for championing safeguarding at Board level and providing oversight on high risk safeguarding concerns. The Board Safeguarding Lead is Tom Wylie

The **Senior Leadership Team** (SLT) have responsibility for:

- Ensuring the safeguarding measures outlined in this policy implementation within their areas of responsibility
- Ensuring their teams have access to appropriate training and support to enable them to fulfil their safeguarding responsibilities.
- Ensuring safeguarding is included in the organisational risk register and that the level of risk is monitored and reviewed on a regular basis.
- The Chief Executive Officer (CEO) is accountable to the Board of Trustees and will keep them informed on progress and any concerns in relation to safeguarding.

PHF has two **safeguarding lead officers**: the Director of Grants Abou Sidibe ([asidibe@phf.org.uk](mailto:asidibe@phf.org.uk)) and Catherine Sutton ([csutton@phf.org.uk](mailto:csutton@phf.org.uk)). The Safeguarding Lead Officers are responsible for:

- Acting as the first point of contact for any safeguarding concern and ensuring appropriate action is taken.
- Ensuring the Foundation's Safeguarding Policy is reviewed on an annual basis.
- Conduct an annual review of safeguarding incidents and submit an anonymised report to the Senior Leadership Team, identifying trends and key learning for the Foundation.
- Ensuring staff have access to advice and training to help them fulfil their safeguarding responsibilities, including access to external safeguarding expertise where necessary.

## **5. Safe People**

### **5.1 Safe Recruitment**

When recruiting new members of staff, recruitment checks are undertaken to ensure the suitability of all potential candidates. This includes:

- A job description and person specification is created for all roles.
- Candidates are interviewed to check their suitability against the person specification and job requirements.
- Offers of employment will be dependent upon receipt of two satisfactory references and evidence of right to work in the UK.

PHF does not put in place Disclosure and Barring Services (DBS) checks for its staff as PHF staff do not work directly with children and young people or adults with care and support needs. PHF staff cannot, therefore, be left in sole charge of children, young people or vulnerable adults with care and support needs when visiting an organisation or project and will refuse to do so if asked.

If, in the future, PHF creates new positions which require regular contact with children or adults at risk, PHF will use the government online tool to check whether a DBS check is required <https://www.gov.uk/find-out-dbs-check>.

### **5.2 Training and Awareness Raising**

Upon joining PHF, new staff and trustees will be made aware of their safeguarding responsibilities and provided with support to adhere to these. This includes:

- All staff complete an obligatory online training module on safeguarding
- All new trustees are briefed on the Foundation's approach to safeguarding as part of their induction.
- Where appropriate, an additional induction to safeguarding is provided by their line manager or one of PHF's Lead Safeguarding Officers
- Role-specific training and guidance is provided to grant officers to help them assess and support safeguarding in the organisations PHF funds

- All staff receive a refresher briefing on safeguarding following the annual review of the safeguarding policy.
- PHF provided space in meetings and other forums to discuss safeguarding and build knowledge and capacity within the team.

### **5.3 Code of Conduct**

This Code of Conduct sets out acceptable behaviours that trustees, staff, and volunteers must adhere to in their work for PHF.

#### *Professional Conduct*

- Treat everyone with dignity and respect and do not engage in any form of harassment, intimidation, victimization, abuse or exploitation.
- Do not discriminate, directly or indirectly, against any person on the basis of sex, race, ethnicity, sexual orientation, gender identity or expression, nationality, ethnic or social origin, religion, culture, language, age, disability, or any other status.
- Behave in a manner that upholds the values of PHF and avoid any conduct which could damage the reputation of the Foundation.
- Report any concerns about the safety of any individual connected with our work to the Safeguarding Lead Officer immediately.

#### *Contact with organisations funded by PHF*

- Only visit organisations with the prior knowledge of PHF.
- Always ask the organisation visited if they have any specific safeguarding measures that should be followed and always adhere to their instructions related to safeguarding at all times.
- Do not ask for or accept personal contact details (including social media addresses, contact details, email, phone numbers etc) from any individuals supported through PHF programmes unless this has been explicitly authorized for business purpose.
- PHF staff cannot be left alone with children, young people or adults at risk when visiting an organisation or project and will refuse to do so if asked.
- Ensure that any children or young people or adults at risk attending events arranged by PHF are accompanied by appropriately checked and qualified staff.
- Never engage in a physical/sexual relationship with children, young people or adults at risk or develop relationships which could in any way be deemed abusive or exploitative.

#### *Handling Personal Data*

- When using social media, never share personal information or data about PHF's employees, grantees or beneficiaries of the work funded by the Foundation.
- Only take photos and/or video where written, informed consent has been obtained.
- When using images in reports, presentations or other communication materials never include the person's full name or include details that could identify the person's exact location.
- Always follow PHF's data protection policies and procedures when handling personal information.

## **6. Internal Reporting Procedures**

Any staff member who is alerted to a safeguarding concern, or who observes an issue which causes concern in any work PHF funds or is involved with should report this at the earliest opportunity to their line manager and the safeguarding lead(s). Staff must never promise to keep a concern a secret as they are required to report all safeguarding concerns to the Safeguarding Lead.

Staff should not take action themselves as this could place them or others at risk. However, in an emergency, where people are in immediate danger, staff should call 999.

PHF's Safeguarding Lead Officer is responsible for ensuring that all concerns are taken seriously and responded to in a timely and appropriate manner. This includes but is not limited to:

- Where a child or adult with care and support needs is suffering or at risk of significant harm, notifying the local authority and/or police.
- Cooperating fully with any actions or investigation which may be initiated by statutory services.
- Ensuring support is provided to any PHF personnel who may have been affected, including the person reporting the concern.
- Maintaining a confidential record of the concern, actions taken and any learning or improvements which could help prevent similar incidents in the future.

Where the concern relates to the conduct of a PHF employee, volunteer or trustee, PHF's Safeguarding Lead Officer will also:

- Inform the HR Manager or Chief Operating Officer as it may be necessary to suspend the individual while further investigations are carried out, in line with the Foundation's Grievance and Disciplinary Policy.
- Inform the CEO and the lead Trustee for Safeguarding so that they can provide oversight and support to ensure a robust response.
- Ensure that serious incident report is submitted by the Executive in line with Charity Commission requirements.

Anyone who believes that PHF has failed to take appropriate action in relation to safeguarding concerns, should report this to the Trustee Lead for Safeguarding or make a report via PHF's [Whistleblowing Policy](#)

## **6. Groups using the PHF Building**

PHF provides the opportunity for outside organisations to book a room at the Foundation offices. When arranging a booking, staff must confirm as part of the standard conditions of meeting room use that the organiser takes responsibility for safeguarding issues relating to those using the room during their booking. If the room is to be used by children, young people,

vulnerable adults or adults with care and support needs, staff must ensure that appropriate levels of supervision are in place at all times.

## **7. Safeguarding within Grant Making**

### **7.1 Application & Assessment Stage**

As part of its application information, the Foundation provides a statement on expectations regarding safeguarding. Drawing on the Charity Commission's guidelines, the Foundation expects all applicants to demonstrate adequate safeguards in the following four areas:

- **Policies & Procedures:** The organisation has in place a safeguarding policy and procedures that are up to date with the legislative and policy requirements of the relevant nation.
- **Reporting and Response:** The organisation has accessible channels for people to raise concerns and is clear about how it will respond. This should include reporting to and working in partnership with local safeguarding services.
- **Human Resources:** The organisation has enough staff to provide a safe service and the necessary checks are in place when recruiting staff (eg. References, Disclosure and Barring Services checks). Once in post, staff are provided with appropriate training and support to ensure they are aware and able to fulfill their safeguarding responsibilities.
- **Governance & Accountability:** Leadership of the organisation promote a culture of openness and transparency and there is clear accountability and oversight of safeguarding issues. For organisations working directly with children, young people or adults with care and support needs, this must include having a Designated Safeguarding Lead.

Questions on safeguarding will be included in the application form and, if required, the Foundation may ask additional questions as part of its assessment process. Although PHF may discuss safeguarding with applicants, it is not able to provide advice and support around the development of safeguarding policies and procedures.

Information on safeguarding arrangements will be provided to panels where the work involves work with children, young people or adults with care and support needs.

### **7.2 Terms and Conditions**

Once funding is approved, PHF's funding agreements outline the Foundation's expectations in regard to safeguarding for those that we fund. This will include the requirement to notify PHF of safeguarding incidents as part of the standards monitoring reports to the Foundation.

### **7.3 Monitoring**

PHF will monitor safeguarding in two ways:

- Monitoring reports include a question asking grantees to inform the Foundation of key risks within their organisation. This includes safeguarding risks and grantees will be required to inform PHF of any safeguarding incidents in response to this question.
- Where the funded work involves work with children, young people or adults with care needs, Grant Managers will include safeguarding as an agenda item for monitoring calls with grantees.

#### **7.4 Reporting of Safeguarding Concerns within Grantees**

In line with the Charity Commission, grantees are asked to inform PHF of any safeguarding incidents:

- where the harm was caused by someone connected with the work funded by PHF.
- where the harm or risk of harm was created by a breach or serious failure in organisational safeguarding procedures.

Whenever a safeguarding incident is reported to the Foundation by a grantee, the Grant Manager will notify the Safeguarding Lead Officer to seek guidance on what further information is required.

- Where PHF is satisfied that appropriate action has been taken, the Grant Manager will simply thank the grantee for sharing details of the concern and their response. The Grant Manager will make a confidential record of the incident on PHF's grant management system.
- If further information is required, the Grant Manager will call the relevant Senior member of staff in the grantee organisation to seek feedback from the organisation on how they have dealt with the concern to satisfy itself that the organisation has responded appropriately to the concern and put the necessary measures in place. The additional information will be shared with the Safeguarding Lead Officer who will determine whether PHF is satisfied with the response. The Grant Manager make a confidential record of the incident on PHF's grant management system.

When discussing safeguarding incidents with grantees:

- PHF will avoid imposing actions as it is important that the grantee follows their own procedures and internal processes.
- Staff should not offer advice around safeguarding as PHF does not have the resources or expertise around this specialist area. If an applicant or organisation PHF works with requires advice, refer them to the NSPCC.
- PHF will only step into report safeguarding issues to the police or other statutory services if the organisation has failed or refused to do so and we have reasonable grounds to believe that this places individuals at continuing risk of significant harm or abuse.
- PHF expects grantees to notify the Charity Commission of any safeguarding incidents within their organisation. The Foundation will only notify the Charity Commission of

safeguarding incidents within a grantee organisation if the grantee refuses to do so or the incident is likely to have a material impact on PHF.

- If a grantee is unable or unwilling to respond appropriately to safeguarding concerns, we may suspend existing funding and/or pause considering any application for future funding until improvements are made. The decision to pause funding will be taken by the relevant Head of Programme, in discussion with the Director of Grants.

## **Appendix A: Legal Context and Useful Resources**

### **a) Duties under Charity Law**

Paul Hamlyn Foundation is regulated by the Charity Commission for England and Wales. We have duties under the Charities Act 2011 and our trustees seek to comply with their duties as summarised in CC3: The essential trustee: what you need to know, what you need to do.

In developing this policy, we recognise the specific duties set out by the Charity Commission for safeguarding and protecting people and protecting charities from abuse for extremist purposes. As a Funder we also recognise the specific responsibilities the Charity Commission establishes on funders to carry out due diligence checks on donors, beneficiaries and local partners and how to monitor end use of funds.

### **b) Legislative Framework for Safeguarding**

This policy and any associated procedures and guidance were developed with reference to key domestic legislation to safeguard and promote the welfare of children and adults at risk of harm affected by our work.

	<b>Children</b>	<b>Adults at Risk</b>
England	<u>Children Act 1989 &amp; 2004, Protection of Children Act 1999 and Safeguarding Vulnerable Groups Act 2006, Working Together to Safeguard Children (2018) and Keeping Children Safe in Education (2021)</u>	<u>Care Act 2014 and Care and support statutory guidance (2020) and Mental Capacity Act 2005.</u>
	<u>The Counter-Terrorism and Security Act 2015, Domestic Abuse Act 2021.</u>	
Scotland	<u>Children (Scotland) Act 1995, Children and Young People (Scotland) Act 2014, Protection of Vulnerable Groups (Scotland) Act 2007, and the National Guidance for Child Protection in Scotland (2021).</u>	<u>Adult Support and Protection (Scotland) Act 2007, and its Code of Practice (2021), the Adults with Incapacity (Scotland) Act 2000, Mental Health (Care and Treatment) (Scotland) Act 2003 and the Domestic Abuse (Scotland) Act 2018.</u>



Wales	<u>Social Services and Well-being (Wales) Act 2014</u> , <u>Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015</u> , <u>Well-being of Future Generations (Wales) Act 2015</u> . <u>Working Together to Safeguard People (2019)</u> and the <u>Wales Safeguarding Procedures (2021)</u> .	
Northern Ireland	<u>The Children (Northern Ireland) Order 1995</u> , <u>Children’s Services Co-operation Act (Northern Ireland) 2015</u> and the <u>Health and Social Care (Reform) Act (Northern Ireland) 2009</u> and <u>Co-operating to Safeguard Children and Young People in Northern Ireland (2017)</u> .	<u>The Mental Capacity Act (Northern Ireland) Act 2016</u> and the guidance <u>Adult Safeguarding: Prevention and Protection (2015)</u>

**c) Wider duties**

We recognise our wider duties of care including under the Data Protection Act 2018, Public Interest Disclosure Act 1998, the Public Interest Disclosure (Northern Ireland) Order 1998 and the Equality Act 2010. We work in line with duties and principles of the Malicious Communications Act 1988, Communications Act 2003, Computer Misuse Act 1990, the Serious Crime Act 2015 and the Age appropriate design: a code of practice for online services (2020).

**d) Useful Safeguarding Resources**

Funder Safeguarding Collaborative offers members access to webinars, resources, training and capacity building tailored to the needs of funding organisations. Paul Hamlyn Foundation is a member of the Funder Safeguarding Collaborative (FSC) and staff can access resources via FSC intranet or requesting advice via the PHF’s Safeguarding Lead.

NCVO offer a range of safeguarding know-how guidance, training and links to national and local organisations that provide safeguarding support. Resources are aimed at voluntary organisations, small groups, organisations and charities working in the UK.

NSPCC offer best practice guidance, policy templates, checklists, training as well as research and policy updates on safeguarding. Resources are aimed at a wider range of small organisations working with children in the UK.

Ann Craft Trust offers resources to assist organisations in safeguarding young people and adults at risk. Resources are aimed at a wider range of small organisations working with adults in the UK.

Hourglass offers information relating to the harm, abuse and exploitation of older people in the UK.

Catalyst offers a selection of information on safer working online. Resources are aimed at voluntary organisations, small groups, organisations and charities working in the UK.

