

# EVERYYOUTH – Safeguarding Policy

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<b>Approved by:</b>	Matt Garrod (EveryYouth Trustee and Director of Operations ((Housing & Homelessness), The Benjamin Foundation
<b>Legislation or regulatory guidance that impact on this policy:</b>	<ul style="list-style-type: none"> <li>• Care Act 2014</li> <li>• Care and Support Statutory Guidance under the Care Act 2014</li> <li>• Children Acts 1989 and 2004</li> <li>• Children (Leaving Care) Act 2000</li> <li>• Safeguarding Disabled Children Act 2009</li> <li>• Safeguarding Vulnerable Groups Act 2006</li> <li>• Children and Young Persons Act 2008</li> <li>• Drug Trafficking Act 1994</li> <li>• Data Protection Act 2018</li> <li>• Education Act 2002</li> <li>• Equality Act 2010</li> <li>• Homelessness Act 2002</li> <li>• Housing Acts 1996 and 2004</li> <li>• Human Rights Act 1998</li> <li>• UNCRC 1989</li> <li>• Mental Capacity Act 2005</li> <li>• Sexual Offences Act 2003</li> <li>• Anti-Social Behaviour, Crime and Policing Act 2014</li> <li>• Modern Slavery Act 2015</li> <li>• Female Genital Mutilation Act 2003 / Serious Crimes Act 2015</li> <li>• Counter-Terrorism and Security Act 2015</li> <li>• Children and Social Work Act 2017</li> <li>• Domestic Abuse Act 2021</li> <li>• Working together to Safeguard Children 2018</li> <li>• Keeping Children Safe in Education 2021</li> <li>• What to do if You're Worried a Child is Being Abused 2015</li> <li>• LA policy and procedure for safeguarding young people or adults</li> <li>• Local Safeguarding Partnership/Board</li> <li>• GDPR and Data Protection Act 2018</li> </ul>
<b>Next review date due:</b>	April 2024

# EVERYYOUTH – Safeguarding Policy

1. Introduction .....	2
2. Purpose .....	2
3. Audience .....	2
4. Reporting .....	3
5. Terminology & Definitions .....	3
6. Risk Factors .....	5
7. Legislation .....	6
8. Commitment to review .....	6
9. Commitment to equity and inclusion .....	6

## 1. Introduction

- 1.1 EveryYouth takes all forms of abuse seriously.
- 1.2 EveryYouth’s work involves supporting other organisations in their work with young people, especially those who are homeless or at risk of homelessness. This support includes promoting public awareness of issues young people face and fundraising, both of which can involve working directly with young people.
- 1.3 This safeguarding policy and procedure combines the principles and processes for children (under 18 years) and adults who may be at risk (aged 18+) on the basis that the principles and many of the processes of best safeguarding practice are similar for both groups. The term ‘vulnerable adult’ is being replaced in most areas by ‘adult at risk’.

## 2. Purpose

- 2.1 The purpose of this policy is to protect young people and adults from any harm.
- 2.2 The policy will provide a framework and process for recognising, responding, reporting and recording any concerns about a young person or adult. It also intends to ensure that in the event of a concern about a young person or adult, the relevant statutory authorities are involved in an appropriate and timely manner, following local and national safeguarding policies and procedures.

## 3. Audience

- 3.1 EveryYouth works indirectly with young people and adults between the ages of 16 and 25 years but has occasion to work with individuals both one-to-one and in groups.
- 3 Although EveryYouth is not responsible for the wellbeing of young people and its staff are not trained in youth work, housing or other related professions, young people may disclose a safeguarding concern and we have a moral obligation to help protect that young person.
- 3.2 This policy and supporting procedure applies to anyone working with or on behalf of EveryYouth. It should form part of every induction for new staff or volunteers.

# EVERYYOUTH – Safeguarding Policy

3.3 This policy also provides trustees with oversight of how safeguarding and protecting young people and adults from harm are managed within EveryYouth. It provides the means by which trustees can monitor activity, identify risks and ensure they are addressed.

3.4 EveryYouth's Board of Trustees has a safeguarding champion who is EveryYouth's Designated Safeguarding Lead (DSL).

## 4. Reporting

4.1 EveryYouth ensures that safe, appropriate and accessible means of reporting safeguarding concerns are made available to all EveryYouth personnel.

4.2 EveryYouth may also be made aware of concerns via external sources such as members of the public, partners and official bodies.

## 5. Terminology & Definitions

5.1 The term **safeguarding** means embedding practices throughout the organisation to make sure that young people and adults are protected wherever possible. In contrast, **young people and adult protection** means responding to circumstances of abuse and/or neglect that arise.

5.2 **Abuse** is an act of oppression and injustice, exploitation and manipulation of power by those in a position of authority. This can be caused by those inflicting harm or failing to act to prevent harm. Abuse is not restricted to any socio-economic group, gender or culture. It can take a number of forms, including, but not limited to:

- physical abuse;
- domestic violence and abuse;
- psychological/emotional abuse;
- financial or material abuse;
- modern slavery;
- discriminatory abuse;
- organisational abuse;
- neglect and acts of omission;
- self-neglect;
- sexual abuse;
- exploitation including sexual and criminal.

### 5.3 Definition of a child

A child is anyone under the age of 18 (as defined in the United Nations Convention on the Rights of a Child).

### 5.4 Definition of adults at risk

An adult at risk is a person aged 18 years or over who has care and support needs. (Care Act 2014). Safeguarding duties apply to an adult who:

# EVERYYOUTH – Safeguarding Policy

- has needs for care and support (whether or not the local authority is meeting any of those needs);
- is experiencing, or at risk of, abuse or neglect; and
- as a result of those care and support needs is unable to protect themselves from the risk of, or the experience of abuse or neglect.

## 5.5 Child protection

This refers to activity which is carried out to protect specific young people (under the age of 18) who are suffering, or are at risk of suffering, significant harm.

## 5.6 Duty of Care

Duty of Care is defined simply as a legal obligation to:

- Act always in the best interest of individuals and others
- Not act or fail to act in a way that results in harm
- Act within your competence and not take on anything you do not believe you can safely do.

## 5.7 Significant harm

There are no absolute criteria on which to rely when judging what constitutes significant harm. For the purposes of EveryYouth's response to concerns about young people or vulnerable adults, this distinction is the responsibility of young people's or adult's services and the police. Any decision about investigating concerns of this nature will therefore be their responsibility but EveryYouth has a key role in influencing decisions and also contributing to any investigation and/or protection plan.

## 5.8 Child Sexual Exploitation

Child sexual exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology (HM Government).

## 5.9 Domestic Violence and Abuse

Any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality.

## 5.10 Forced Marriage and so-called 'honour-based' violence

A forced marriage is where one or both people do not (or in cases of people with learning difficulties, cannot) consent to the marriage and where duress is used. 'Duress' includes psychological, sexual, financial or emotional pressure and physical violence.

So-called 'honour'-based violence is an incident or crime "which has or may have been committed to protect or defend the honour of the family and or the community". 'Honour' can be the motivation, excuse or justification behind a range of violence against mainly women and girls and in some cases men and boys.

# EVERYYOUTH – Safeguarding Policy

## 5.11 Female Genital Mutilation

Female Genital Mutilation (FGM) comprises all procedures involving the partial or total removal of the external female genitalia or any other injury to the female genital organs for non-medical reasons. **Breast ironing** is a practise whereby the breasts of girls typically aged 8-16 are pounded using tools such as spatulas, grinding stones, hot stones, and hammers to delay the appearance of puberty.

## 5.12 Prevent

Places a duty to have “due regard to the need to prevent people from being drawn into terrorism”.

## 5.13 Mental Capacity

‘Mental capacity’ means a person’s ability to make a decision about some aspect of their lives. It does not matter if other people would not agree with the decision but it does require the person to understand a situation and understand what will happen if they take a particular decision about it. This could range from the day-to-day choices of what to wear or eat to more difficult choices about housing, medical treatment or personal finances. The five key principles of the Mental Capacity Act are:

- Every adult has the right to make their own decisions and must be assumed to have capacity to do so unless it is proved otherwise. This means that it must not be assumed someone cannot make a decision for themselves just because they have a particular medical condition or disability, or because they lack capacity in other areas.
- People must be supported as much as possible to make their own decisions before anyone concludes that they cannot do so. This means that every effort should be made to encourage and support the person to make the decision for himself/herself. If a lack of capacity is established, it is still important that the person is involved as far as possible in making decisions.
- People have the right to make what others might regard as unwise or eccentric decisions. Everyone has their own values, beliefs and preferences which may not be the same as those of other people. People cannot be treated as lacking capacity for that reason.
- Anything done for or on behalf of a person who lacks mental capacity must be done in their best interests.
- Anything done for, or on behalf of, people without capacity should be the least restrictive of their basic rights and freedoms. This means that when anything is done to, or for, a person who lacks capacity the option that is in their best interests and which interferes the least with their rights and freedom of action must be chosen.

## 6. Risk Factors

- 6.1 The categories of abuse listed above in 5.2 may all present within services EveryYouth funds or works with, as a result of actions of staff or volunteers, or between peers.
- 6.2 Young people and adults who are referred to EveryYouth’s beneficiary charities - delivery partners and members - may have a history of harm or abuse. They may have been looked after by the local authority or been in youth offending institutions. They may be substance users, engaged in criminal activity or they may have a learning or mental health disability amongst countless other factors that may make them highly dependent and vulnerable to harm.
- 6.3 They young people EveryYouth seeks to support are also vulnerable to other forms of harm such as gang membership, serious youth violence and violent extremism. There may be historical abuse, sexual exploitation, forced marriage or ‘honour based’ violence.

# EVERYYOUTH – Safeguarding Policy

## 7. Legislation

- 7.1 EveryYouth must abide by all relevant UK legislation and guidance. This policy and accompanying procedure have been developed with current statute and guidance in mind.
- 7.2 All personnel will attend safeguarding training and will be made aware of their responsibility to comply with current legislation and guidance and any new relevant legislation as it is implemented. The Designated Safeguarding Lead (DSL) is expected to keep the trustees and executive informed about any changes relevant to EveryYouth's work.
- 7.3 EveryYouth will provide, and it is expected that all staff, trustees, and volunteers will participate in, refresher and/or update training, workshops, briefings and/or seminars on an annual basis.

## 8. Commitment to review

- 8.1 This policy, its accompanying procedures and any supporting documents will be reviewed every year or sooner where any changing legislation and/or government guidance has an impact.

## 9. Commitment to equity and inclusion

- 9.1 EveryYouth celebrates and embraces diversity in its work and practice because it reflects our values – it is who we are and who we want to be - and makes us more effective.