

# **Safeguarding Policy Children and Young People**

**Lead Designated Safeguarding Officer: Emma Ratyal Brooks**

**Document reviewed by Emma Ratyal Brooks, Jennifer Raven and Irene Ogunseitan  
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Fairbeats safeguarding contacts:

Emma Ratyal Brooks (Co-Director, Designated Safeguarding Lead): 07791 489512,  
emma.fairbeats@gmail.com

Jennifer Raven (Co-Director): 07725 946836, jenn.fairbeats@gmail.com

Irene Ogunseitan (Trustee): 07795 077084, irene.oludolapo@gmail.com

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## 1. Purpose

As a charitable organisation and registered company, Fairbeats! is committed to delivering and supporting a programme which ultimately benefits children, young people and adults at risk.

The purpose of this policy is to provide a framework that informs procedures related to Fairbeats!' legal obligation to protect children, young people and adults at risk who are suffering forms of abuse as defined in the Children's Act 1989 and the Protection of Vulnerable Adults Scheme 2004.

The purpose of this policy is also to ensure that any work carried out with children, young people and adults at risk is undertaken in a manner which protects the safety and interests of those people and organisations as well as staff working with them.

A child is defined as a person under the age of 18. For the purpose of Fairbeats!' work to ensure all young people and adults at risk are kept safe, the Fairbeats! Safeguarding Policy and Action Plan refers to all children, young people and adults at risk that partake in programmes, projects or work with Fairbeats!. All participants should be considered with care with regards to safeguarding.

## 2. Scope

This policy applies to all staff, Trustees and others who work in direct contact with children and young people within the organisation. Abuse may take place both outside and inside of the organisation's setting. Everyone who is part of the Fairbeats! remit is responsible for safeguarding, promoting and protecting the welfare of children, young people and adults at risk.

## 3. Legal Framework

The government guide to interagency practice for keeping children and young people safe, *Working Together to Safeguard Children: A guide to inter-agency working to safeguard and promote the welfare of children* (DCSF, 2010), sets out the responsibilities for all agencies, including voluntary and private sector organisations, to make arrangements for safeguarding and promoting the welfare of the children and young people with whom they work. The detail of those responsibilities is contained in paragraph 2.11 of *Working Together* (DCSF, 2010), which is reproduced in note 2 of the appendix<sup>1</sup>. A link to the 2018 version of this guide can be found here:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/729914/Working\\_Together\\_to\\_Safeguard\\_Children-2018.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/729914/Working_Together_to_Safeguard_Children-2018.pdf)

The Children Act 2004 requires agencies to work co-operatively to protect the welfare of children. Charitable organisations also have a duty, under the Children's Act 1989, to promote and safeguard the welfare of children and young people under the age of 18. They also have a duty, under the Protection of Vulnerable Adults Scheme 2004, to promote and safeguard the welfare of adults at risk. As a result of the passing of the Protection of Freedoms Act 2012, the

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<sup>1</sup> [www.safenetwork.org.uk/SiteCollectionDocuments/The\\_Safe\\_Network\\_Standards.pdf](http://www.safenetwork.org.uk/SiteCollectionDocuments/The_Safe_Network_Standards.pdf) - you are required to register with The Safe Network to access this document.

CRB and the Independent Safeguarding Authority (ISA) are combining their current functions to become a new safeguarding system called the Disclosure and Barring Service (DBS) for England, Wales and Northern Ireland.

Fairbeats! is committed to the government national framework for change outlined in Every Child Matters: Change for Children. The organisation adheres to the London Child Protection Committee guidelines, as well as The Protection of Children Act 1999, Sexual Offences Act 2003, Protection of Freedoms Act 2012.

## 4. Principles

Fairbeats! Safeguarding policy and procedure is based on the following principles:

- An ethos that promotes a positive, supportive and secure environment where children young people and adults at risk feel valued
- Liaison with other partner organisations/agencies/local authorities that support children and young people, such as social/children's services
- All allegations and suspicions of abuse taken seriously, and responded to swiftly and appropriately

There are five main elements to the policy:

- Ensuring the organisation practices safe recruitment in checking the suitability of staff freelancers and volunteers to work with children, young people and adults at risk
- Raising awareness of child protection issues amongst staff through staff inductions and training
- Developing and implementing procedures for identifying and reporting cases or suspected cases, of abuse
- Supporting the child, young person or adult at risk who has been abused
- Establishing a safe environment in which children, young people and adults at risk can learn and develop, where they are able to talk and be listened to

## 5. Definitions

The following definitions apply throughout the Safeguarding policy and associated procedures<sup>2</sup>:

### **Child or Children**

The Children Act 1989 defines a child as a person under eighteen for most purposes.

### **Vulnerable Adult or Adults at Risk**

The Protection of Vulnerable Adults Scheme (PoVA 2004) defines a vulnerable adult as a person aged 18 or over who has a condition of the following type: a substantial learning or physical disability; a physical or mental illness or mental disorder, chronic or otherwise, including addiction to alcohol or drugs; a significant reduction in physical or mental capacity.

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<sup>2</sup> The above definitions can be found in the NSPCC 2010 definitions of child abuse

This remains the legal definition however for every day use terminology which connects vulnerability to abuse with the person may be considered inappropriate. This policy will therefore use the terminology 'Adults at Risk; wherever possible.

It should be recognised that there are several forms of abuse including physical, psychological, financial, sexual or neglect. These will often constitute criminal offences.

Adults at risk who fall outside the scope of this policy must still be dealt with in accordance with the Department of Health 'No Secrets' guidance (i.e. they must be referred into Local Authority Safeguarding Adult procedures). However the standard operating procedures attached to this policy, can be used as best practice.

## **Defining Child Abuse**

Child abuse is to cause harm to a child or fail to take action to prevent harm.

### **Significant Harm**

Significant harm can be caused by one traumatic event or a compilation of events that interrupt, change or damage the child's physical or psychological development.

There are four types of child abuse. They are defined in the UK Government guidance *Working Together to Safeguard Children 2010* (1.33 – 1.36) as follows:

1. Physical abuse
2. Emotional abuse
3. Sexual abuse
4. Neglect

**Whilst the four categories above define Child Abuse, Fairbeats! policy is that young people and adults at risk are also protected from the same four forms of abuse. Other forms of abuse which may affect young people and adults at risk specifically include: Financial abuse, Discriminatory abuse and Institutional abuse.**

Bullying is not defined as a form of abuse in *Working Together* but there is clear evidence that it is abusive and will include at least one, if not two, three or all four, of the defined categories of abuse. For this reason it has been included in this factsheet.

### **Physical abuse**

Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.

### **Emotional Abuse**

Emotional abuse is the persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. It

may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond the child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyberbullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.

## **Sexual Abuse**

Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet). Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.

## **Neglect**

Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to: provide adequate food, clothing and shelter (including exclusion from home or abandonment); protect a child from physical and emotional harm or danger; ensure adequate supervision (including the use of inadequate care-givers); or ensure access to appropriate medical care or treatment.

It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

## **Bullying and Peer on Peer abuse**

All staff should be aware that children can abuse other children (often referred to as peer on peer abuse). This is most likely to include, but may not be limited to:

- bullying (including cyberbullying);
- physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm;
- sexual violence, such as rape, assault by penetration and sexual assault;
- sexual harassment, such as sexual comments, remarks, jokes and online sexual harassment, which may be stand-alone or part of a broader pattern of abuse;
- upskirting which typically involves taking a picture under a person's clothing without them knowing, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress or alarm;
- sexting (also known as youth produced sexual imagery);
- initiation/hazing type violence and rituals.

## Serious and Violent Crime:

all staff need to know the indicators that may signal that children are at risk from, or are involved with, serious violent crime. Including:

- Unexplained gifts/new possessions – these can indicate children have been approached by/involved with individuals associated with criminal networks/gangs
- Increased absence from school
- Change in friendship/relationships with others/groups
- Significant decline in performance
- Signs of self-harm/significant change in wellbeing
- Signs of assault/unexplained injuries
- Staff should also be aware of the associated risks and understand the measures in place to manage them

## Financial Abuse

Financial Abuse is another name for stealing or defrauding someone of goods and/or property. It is always a crime but is not always prosecuted. Sometime the issue is straightforward, for example a careworker stealing from an older person's purse, but at other times it is more difficult to address.

## Organisational Abuse

Organisational Abuse or institutional abuse is the mistreatment of people brought about by poor or inadequate care or support, or systematic poor practice that affects the whole care setting. It occurs when the individual's wishes and needs are sacrificed for the smooth running of a group, service or organisation.

## Discriminatory Abuse

Discriminatory Abuse is when someone picks on you or treats you unfairly because something about you is different. This can include unfair or less favourable treatment due to a person's race, gender, age, disability, religion, sexuality, appearance or cultural background

## 6. Responsibilities

**NB: All members of Fairbeats!, including staff, Trustees, freelancers, partner organisations and contract staff, are responsible for safeguarding and promoting the welfare of children, young people and adults at risk.**

**All staff** who come into contact with children, young people and adults at risk in their everyday work have a duty to safeguard and promote the welfare of children, young people and adults at risk. Staff will be trained to understand their responsibilities. Failure to comply with these responsibilities will be seen as a serious matter, which may lead to disciplinary action.

Staff are expected to:

- attend safeguarding training as required
- familiarise themselves with the Safeguarding policy and associated procedures

- safeguard and promote the welfare of children, young people and adults at risk and alert the Designated Safeguarding Officer if they have concerns about a child, young person or vulnerable adult

Fairbeats! will consider these implications in respect of work it agrees and contracts to other Member and Partner organisations and which may be delivered under the Fairbeats! 'banner'.

Partner/associates are i.e. Music Leaders, Voluntary Organisations, etc.

These staff are responsible for ensuring that their learners are aware of the services they can approach for support.

### **Designated Safeguarding Officer**

The Directors of Fairbeats! are designated as the people responsible for safeguarding children and adults at risk and dealing with safeguarding issues. They are known as Designated Safeguarding Officers.

Designated Safeguarding Officers act as the organisation's source of support, advice and expertise on safeguarding issues, and are responsible for dealing with allegations or suspicions of abuse. They attend training as appropriate, and make referrals to external agencies. Other aspects of their role include:

- obtaining information from staff, volunteers, children, parents or carers who have concerns relating to the protection of children or adults at risk, and to record this information
- assessing information quickly and carefully and asking for further information where appropriate
- consulting with a statutory child protection agency e.g. the local social services department, to clarify doubts or worries
- making referrals to statutory child protection agencies or the police without delay

Designated Safeguarding Officers have contact telephone numbers for the local Area Safeguarding Children's Board and other statutory agencies.

The Directors are responsible for ensuring that:

- the organisation's Safeguarding policy and procedures are fully implemented and followed by staff
- Designated Safeguarding Officers have sufficient time and resources to carry out their roles
- all staff feel able to raise concerns about the safety of children and adults at risk
- such concerns are dealt with sensitively, effectively and in a timely manner.

### **The Governing Body**

Trustees are responsible for ensuring that the organisation has a safeguarding policy and procedures in place, which includes safe recruitment and dealing with allegations of abuse against members of staff the organisation has appointed Designated Safeguarding Officers.

## 7. Safe recruitment of staff

Fairbeats! undertakes to ensure that its staff are fit to work with children, young people and adults at risk. It also reserves the right to refuse to employ staff whom it has a reasonable belief may pose a risk to its participant.

The organisation has systems in place to prevent unsuitable people from working with children, young people or adults at risk and to promote safe practice. These systems apply to all new staff and require the following checks to be made on appointment:

- A minimum of two references, satisfactory to the organisation, one of which should be from a previous employer
- Documentary evidence checks of identify, nationality, residency and “right to work” status
- DBS Disclosure which will be processed via Action for Refugees in Lewisham or Foundation for Community Dance, a DBS registered body
- Documentary evidence of qualifications
- Satisfactory completion of the probationary period

In accordance with the Regulations, records of all DBS checks carried out by Fairbeats! are kept for 5 years.

## 8. E-safety

**All Staff:** e-safety applies to all staff, and the board of trustees, paid staff, volunteers and sessional workers, agency staff, students and anyone working on behalf of Fairbeats!.

Fairbeats! E-safety is based on the following principles<sup>3</sup>:

- To protect children, young people and adults at risk who receive Fairbeats!’ services and who make use of information technology (such as mobile phones, games consoles and the Internet) as part of their involvement with us;
- To provide staff and volunteers with the overarching principles that guide our approach to e-safety;
- To ensure that, as an organisation, we operate in line with our values and within the law in terms of how we use information technology.
- The welfare of the children, young people and adults at risk who come into contact with our services is paramount and should govern our approach to the use and management of electronic communications technologies;
- All children, regardless of age, disability, gender, racial heritage, religious belief, sexual orientation or identity, have the right to equal protection from all types of harm or abuse;
- Working in partnership with children, young people, their parents, carers and other agencies is essential in promoting young people’s welfare and in helping young people to be responsible in their approach to e- safety;
- The use of information technology is an essential part of all our lives; it is involved in how we as an organisation gather and store information, as well as how we

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<sup>3</sup> [http://www.safenetwork.org.uk/news\\_and\\_events/news\\_articles/pages/e-safety-live-2012.aspx](http://www.safenetwork.org.uk/news_and_events/news_articles/pages/e-safety-live-2012.aspx)

communicate with each other. It is also an intrinsic part of the experience of our children, young people and adults at risk and is greatly beneficial to all. However, it can present challenges in terms of how we use it responsibly and, if misused either by an adult or a young person, can be actually or potentially harmful to them.

Teaching online Safety in school is guidance produced by the DFE in June 2019 to support schools to teach their pupils how to stay safe online, within new and existing school subjects and may be a useful resource for Fairbeats Staff and Volunteers.

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/811796/Teaching\\_online\\_safety\\_in\\_school.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/811796/Teaching_online_safety_in_school.pdf)

The British Association of Social Workers' social media policy (2018) recognised the opportunities and challenges new technology brings to those working with young and vulnerable people. It highlighted the importance of professionals considering implications for their practice, their services and the interests of service users. They advocate applying the same principles, expectations and standards for interacting and communicating with people online as in other areas of practice; maintaining personal and professional boundaries in their relationships with service users and colleagues.

Fairbeats workers should review their personal content and ongoing usage of social networking sites. Password and privacy settings should be applied (and regularly changed) in order for their profile and information to remain private. Friend requests from services users should be politely declined.

Workers should:

- Remember to appropriately set their privacy settings for personal and professional social networking sites.
- Ensure that their mobile phone or any equipment is password/PIN protected.
- Make sure that all publicly available information about them is accurate and appropriate.
- Remember that online conversations may be referred to as 'chat' but that they are written documents and should always be treated as such. Due regard should be given to anonymity.
- Make sure that they know the consequences of misuse of digital equipment.
- Be mindful that if they are unsure who can view online material, it should be assumed that it is publicly available. Remember that once information is online you have relinquished control of it.
- Make sure that when they receive any new equipment (personal or private), they know what features it has as standard and take appropriate action to disable/protect them.
- Make sure that if a service user requests to add them as a friend on a social networking site, they should respond politely with the following wording:

"Thank you for your request on [insert as appropriate]. I won't be able to accept because this is my personal account. Please do though follow Fairbeats on their social media sites so you can keep up to date with all the organisation's news". If they are seeking support, you could also redirect them to Childline or the helpline. Fairbeats workers should not:

- Give personal information to service users – children/young people/their

parents/carers. This includes mobile phone numbers, social networking accounts, personal website/blog URLs, online image storage sites and passwords.

- Use their personal mobile phone to communicate with service users. This includes phone calls, texts, emails and social networking sites.
- Use the internet or web-based communication to send personal messages to children/young people unless this is part of official Fairbeats business using professional accounts and devices.
- Share personal details with service users on a personal social network site.
- Add/allow a service user to join their contacts/friends list on personal social networking profiles.
- Use their own digital camera/video for work – this includes integral cameras on mobile phones.
- Play online games with service users.

## **8. Staff Development and Training**

All staff and workers who come into direct contact with children, young people and adults at risk must undertake training on the subject of safeguarding and the organisation's procedures, which will be organised on an annual basis. Fairbeats! Safeguarding policy, procedure and accompanying guidance will be issued to all new staff as part of their induction.

## **9. What to do if you suspect someone is being abused**

All staff, volunteers and others working in direct contact with children, young people and adults at risk must be alert to the signs of abuse. Anyone who suspects that abuse is taking place inside or outside of the organisation setting, or to whom a child, young person or vulnerable adult discloses issues relating to safeguarding, should contact one of the Designated Safeguarding Officer immediately.

### **Designated Safeguarding Officers**

Name of Safeguarding Officers – Emma Ratyal-Brooks and Jennifer Raven (Directors).

Staff or Trustees who are not Designated Safeguarding Officers, but who are approached with concerns about a child or vulnerable adult, must bring the concerns raised to the attention of one of the Designated Safeguarding Officers immediately.

All staff to whom a learner discloses issues that may be related to safeguarding must keep written records of concerns. Such records must be kept securely, separate from the main learner files and in locked locations.

The Designated Safeguarding Officer will develop effective links with relevant agencies and co-operate as required with any enquires regarding child or vulnerable adult protection matters, including attendance at case conferences.

Any person making a referral of a disclosure of abuse or neglect may need to assist the statutory authorities including social services or the police with any enquiries.

## Disclosure

Where a child, young person or vulnerable adult discloses alleged abuse to a staff member, or freelancer the person receiving that information should listen carefully and supportively. Great care must be taken not to abuse the child's trust.

### **This should not be a formal interview:**

- Listen to the child, young person or vulnerable adult
- Do not ask leading questions or make suggestions
- Offer reassurance but do not make promises
- Do not stop a child, young person or vulnerable adult recalling significant events
- Do not over-react
- Confidentiality should not be assured – explain that further help may have to be sought

### **Providing information to police or social services<sup>4</sup>**

- Information about suspected abuse must be accurate and a detailed record should always be made at the time of the disclosure/concern. It should include the following:
  - The child's name, age and date of birth of the child.
  - The child's home address and telephone number.
  - Whether or not the person making the report is expressing their own concerns or those of someone else.
  - The nature of the allegation. Include dates, times, any special factors and other relevant information.
  - Make a clear distinction between what is fact, opinion or hearsay.
  - A description of any visible bruising or other injuries. Also any indirect signs, such as behavioural changes.
  - Details of witnesses to the incidents.
  - The child's account, if it can be given, of what has happened and how any bruising or other injuries occurred.
  - Have the parents been contacted?
  - If so what has been said?
  - Has anyone else been consulted? If so record details.
  - If the child was not the person who reported the incident, has the child been spoken to? If so what was said?
  - Has anyone been alleged to be the abuser? Record details.
  - Where possible referral to the police or social services should be confirmed in writing within 24 hours and the name of the contact who took the referral should be recorded.

If you have any concerns about a child or young person call the NSPCC on 0808 800 5000, text 88858 or visit [www.nspcc.org.uk](http://www.nspcc.org.uk) for immediate advice.

The government have also published some guidance for safeguarding practitioners when sharing information.

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<sup>4</sup> NSPCC Online Child Protection Policy guidelines

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/721581/Information\\_sharing\\_advice\\_practitioners\\_safeguarding\\_services.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/721581/Information_sharing_advice_practitioners_safeguarding_services.pdf)

The Myth Busting section is particularly helpful with regards to GDPR (the GDPR and Data Protection Act 2018 are not barriers to sharing information where the safety of a child could be affected).

## **10. Allegations of abuse against members of staff**

Allegations of abuse, or concerns raised against members of Fairbeats! staff, will always be treated seriously. The allegation must always be referred to one of the Designated Safeguarding Officers who will follow the Safeguarding Procedure in the same way as for other safeguarding allegations. The Designated Safeguarding Officer will take the appropriate steps to ensure the safety of the child, young person or vulnerable adult, and any others who may be at risk. The Designated Safeguarding Officer will inform the Lead Safeguarding Officer in order that Fairbeats! procedures may be followed, and a Disciplinary Investigation is carried out.

If the allegation or concern is against one of the Designated Safeguarding Officers or Lead Safeguarding Officer, it should be reported to the Chair of Fairbeats! Board of Trustees.

Where there is a complaint against a member of staff there may also be criminal (police) investigations and/or a child/adults at risk protection investigation, carried out by Social Services.

### **Data Protection**

Under the Data Protection Act 1998, individuals have a right of access to personal data that relates to them. This right of access may include a right to request access to records (in whole or in part) relating to suspicions or allegations of abuse involving the person making the request.

## **11. Reporting cases to the Independent Safeguarding Authority**

Fairbeats! has a statutory duty to make reports, provide relevant information to the Independent Safeguarding Authority (ISA) where there are grounds for believing, following an investigation, that an individual is unsuitable to work with children or adults at risk, or may have committed misconduct. The responsibility for reporting cases to the ISA lies with the Lead Safeguarding Officer and/or Chair of Fairbeats!.

The Independent Safeguarding Authority make barring decisions for The Children's List Section and The Vulnerable Adults List.

## **12. Resignations**

If, during the course of an investigation relating to safeguarding, an employee tenders his or her resignation, or ceases to provide their services, Fairbeats! is not prevented from following up an allegation in accordance with these procedures. Every effort will be made to reach a conclusion in cases relating to the welfare of children, young people or adults at risk, including those where the person concerned refuses to co-operate with the process.

### **13. Whistleblowing**

Fairbeats! has an established Whistleblowing procedure for enabling staff to share, in confidence with a Designated Assessor, concerns they may have about instances of suspected malpractice in the Organisation. Malpractice can include fraud and financial irregularities, criminal offences being committed, that have been committed or that are likely to be committed, endangering the health or safety of individuals, and can also include concerns around the protection of children, young people or adults at risk.

The procedure is intended to provide safeguards to enable members of Fairbeats! staff to raise concerns without fear of adverse repercussions as set out in the Whistleblowing Act 2010. Fairbeats! recognises that it may be difficult to express concerns about colleagues, and is fully supportive of Whistleblowing for the sake of a child, young person or vulnerable adult, and will provide support and protect those who “blow the whistle”. This procedure is, accordingly, intended to provide safeguards to enable members of staff to raise concerns about malpractice in connection with the organisation.

The aim is to provide a rapid mechanism under which genuine concerns can be raised internally, and, if necessary, externally without fear of adverse repercussions to the individual. It is also intended to promote throughout the organisation a culture of openness and a shared sense of integrity by inviting all employees to act responsibly in order to uphold the reputation of the Fairbeats! and maintain public confidence.

### **14. Support for Staff**

Fairbeats! is aware that safeguarding cases can be distressing and that staff who have been involved may find it helpful to talk about their experiences, in confidence, with the Designated Safeguarding Officer or with a trained counsellor. Staff wishing to be referred for counselling should contact the Designated Safeguarding Officer.