



Wyvern Foundation Safeguarding Policy

1 Scope

- 1.1 The policy and procedures apply to the Trustees and Members of the Wyvern Foundation (WF) Committee

2 Definitions

2.1 What is a serious incident?

A serious incident is an adverse event, whether actual or alleged, which results in or risks significant:

- harm to the charity's beneficiaries, volunteers or others who come into contact with the charity through its work
- loss of the charity's money
- harm to the charity's work or reputation

For the purposes of this guidance, "significant" means significant in the context of the charity, taking account of its operations, finances and/or reputation.

- 2.2 Throughout this policy the children and young people who come into contact with the charity will be called 'beneficiaries'.

3 Principles and Standards

- 3.1 The Charity Commission (CC) state that: protecting people and safeguarding responsibilities should be a key governance priority for all charities, regardless of size, type or income, not just those working with children or groups traditionally considered at risk. A charity should be a safe and trusted environment and trustees must take reasonable steps to protect the people who come into contact with their charity through its work from harm. These people include:
- the charity's beneficiaries, including adults at risk and children
 - the charity's volunteers

It may also include other people who come into contact with the charity through its work. This might be, for example, people who attend an event run by the charity who are not beneficiaries, staff or volunteers.

- 3.2 Generally Trustees and Members should not have direct face-to-face contact with beneficiaries in a one-to-one situation.
- 3.3 Contact with beneficiaries will be made via email and letter in the main. Where contact by phone is the only option a record of the date, time and content of the call will be made
- 3.4 Contact between the charity and beneficiaries will be made by either the Chair Person or Vice Chairperson
- 3.5 Where the charity contacts a beneficiary regarding the offer of a grant the template letter agreed by the Trustees must be used and a copy retained
- 3.6 Should a beneficiary make contact with any Trustee or Member to discuss grant or bursary matters they should be directed to the website or email and

asked to make contact via these routes. The Trustee/Member must also report the contact to the Chair Person so that a risk assessment can be carried out

- 3.7 Trustees and Members must not act in a way that places a beneficiary or themselves at risk
- 3.8 Trustees must ensure that any organisations that are recipients of a grant comply with the aims and objectives of WF in the use of the grant money. Other organisations must agree to the terms and conditions set out by the charity in accepting the grant

4 Assessing and Managing Risks

- 4.1 Risks that the charity must be alert to include:

- sexual harassment, abuse and exploitation
- negligent treatment
- physical or emotional abuse
- bullying or harassment
- health and safety
- commercial exploitation
- extremism and radicalisation
- forced marriage
- child trafficking
- female genital mutilation
- discrimination on any of the grounds in the Equality Act 2010
- people may target your charity
- a charity's culture may allow poor behaviour
- people may abuse a position of trust they hold within a charity

NB: this is the list provided by the CC. WF acknowledges that not all these situations apply to its work

- 4.2 Managing the risks

Trustees must take reasonable steps to protect people who come into contact with your charity from harm including:

- people who benefit from your charity's work
- volunteers

It may also include other people who come into contact with your charity through its work.

- 4.3 What the charity needs to do

The CC expects the charity to:

- make sure all trustees, volunteers and beneficiaries know about safeguarding and people protection
- have appropriate policies and procedures in place
- check that people are suitable to act in their roles
- know to spot and refer or report concerns
- have a clear system of referring or reporting to relevant organisations as soon as you suspect or identify concerns

- set out risks and how you will manage them in a risk register which is regularly reviewed
- be quick to respond to concerns and carry out appropriate investigations
- not let one trustee dominate your work - trustees should work together

5 Roles and Responsibilities

5.1 Trustees

5.1.1 As part of fulfilling their duties, Trustees must take reasonable steps to protect people who come into contact with the charity from harm.

This includes:

- people who benefit from the charity's work
- volunteers
- It may also include other people who come into contact with the charity through our work.

5.1.2 Trustees are required to familiarise themselves with this policy, the requirements of the Charity Commission (CC) and reporting procedures

5.1.3 Trustees bear ultimate responsibility for ensuring the charity makes a report, and does so in a timely manner

5.2 Members

5.2.1 Members can report things that have happened to the CC, are happening or are likely to happen. Only report issues to the CC that could seriously harm:

- the people a charity helps
- the charity's volunteers
- the charity's reputation

6 Procedures

6.1 Trustees/Members must be able to recognise potential safeguarding concerns and understand the process for reporting

6.2 Trustees/Members should report an actual or alleged incident promptly. This means as soon as is reasonably possible after it happens, or immediately after the charity becomes aware of it.

6.2.1 The Trustee/Member with a concern they believe should be reported may wish to discuss their concerns confidentially with a Trustee before reporting the matter. This should be done without delay.

6.2.2 The purpose of sharing and discussing concerns is to agree the following:

- whether immediate action is required and what this should be
- whether the matter is a concern that is reported locally or a serious concern that requires reporting to the CC in addition to local reporting
- who will make the report and inform the Chairperson of action taken (where they are not involved in the discussion)

6.3 Types of safeguarding incident to report

The charity needs to make a report to the CC if a serious safeguarding risk materialises. This will usually be if any of the following occur:

- incidents of abuse or mistreatment (alleged or actual) of beneficiaries

of the charity (adults or children) which have resulted in or risk significant harm to them and:

- this happened while they were under the care of the charity
- someone connected with the charity, for example a trustee or member, was responsible for the abuse or mistreatment (alleged or actual)
- other incidents of abuse or mistreatment (alleged or actual) of people who come into contact with the charity through its work, which have resulted in or risk significant harm to them and are connected to the charity's activities
- breaches of procedures or policies at the charity which have put people who come into contact with it through its work at significant risk of harm, including failure to carry out relevant vetting checks which would have identified that a person is disqualified in law from holding their position within the charity. This might be, for example, because they are disqualified under safeguarding legislation from working with children and/or adults at risk, or financial impropriety

NB: this is the full list. WF acknowledges that not all these situations apply to its work

6.4 Action to take

If something does go wrong, you should take immediate action to:

- prevent or minimise any further harm, loss or damage
- report it to the CC as a serious incident
- report it to the police (and/or other relevant agencies) if you suspect a crime has been committed, and to any other regulators the charity is accountable to
- plan what to say to your volunteers, members, the public, the media
- review what happened and prevent it from happening again – this may include reviewing internal controls and procedures, internal or external investigation and/or seeking appropriate help from professional advisers

You should report what happened and explain how you're dealing with it, even if you have already reported it to the police or another regulator.

6.5 All safeguarding concerns must be reported to Swindon Borough Council (SBC) in the first instance. Serious incidents must also be reported to the Police and CC.

6.5.1 Where the person reporting the incident is unsure whether the concern is serious in nature the advice is to report to all organisations. The contact details are set out below:

6.5.2 SBC

You can contact the service using the following options:

Non emergencies (office hours)

- Email: swindonmash@swindon.gov.uk
- Telephone: 01793 466903 (during normal office hours, 8.30am to

4.40pm Monday to Thursday, and 8.30am to 4.00pm Friday)

You do not have to give your name if you contact SBC however, they may request your details so they can contact you for further information. Unless you are a professional, we will treat anything you tell us confidentially if you request to remain anonymous. The information you share with SBC will be recorded and may be acted upon which could include sharing what you have told them with the family.

6.5.3 Police

- If you are concerned a child or young person is in immediate danger, call the **Police on 999**

Non emergencies and out of hours) call 101

6.5.4 Charity Commission:

You can report serious incidents via email to: RSI@charitycommission.gsi.gov.uk

- 6.6 Where the best/only way to communicate with a beneficiary is in a one-to-one situation then the trustee/member should ask for another adult to be in attendance. The Chair Person must be informed of the interaction to reduce potential for any risks occurring

7 Policy Review

- 7.1 The policy will be reviewed on an annual basis as required by the Charity Commission

8 Resources

- 8.1 Further information about safeguarding can be found at:
<https://www.gov.uk/guidance/safeguarding-duties-for-charity-trustees>
<https://www.gov.uk/government/news/regulatory-alert-to-charities-safeguarding>
<https://www.gov.uk/guidance/charities-how-to-protect-vulnerable-groups-including-children>
https://www.swindon.gov.uk/info/20043/child_protection/929/report_suspected_child_abuse_or_exploitation