

Safeguarding Policy

Policy Governance	
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Policy Contact	Julia Laister – Head of Foundation

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McCarthy Stone Foundation

The McCarthy Stone Foundation is a registered Charitable Incorporated Organisation (CIO) in England and Wales No. 1191504

Purpose

The Foundation strives to make a positive contribution to the communities it works in and recognises that the safety of every individual engaged with its work is of paramount importance. The purpose of this policy is to protect people, particularly children, adults at risk and beneficiaries of assistance, from any harm that may be caused due to their coming into contact with volunteers or staff of the McCarthy Stone Foundation (referred to hereafter as 'the Foundation'). This includes harm arising from:

- The conduct of staff, volunteers or personnel associated with the Foundation
- The design and implementation of the Foundation's programmes and activities

The policy lays out the commitments made by the Foundation and informs staff, volunteers and associated personnel of their responsibilities in relation to safeguarding.

Definition

In the UK, the NHS defines safeguarding as protecting peoples' health, wellbeing and human rights, and enabling them to live free from harm, abuse and neglect.

In our sector, we understand it to mean protecting people, including children and adults at risk, from harm that arises from coming into contact with our staff, volunteers, associated personnel or programmes.

In particular the foundation's work primarily involves supporting older adults. A vulnerable adult is a person aged over 18, who may be unable to take care of themselves or protect themselves from harm or from being exploited.

This may include a person who:

- Is elderly and frail
- Has a mental illness, including dementia
- Has a physical or sensory disability
- Has a learning disability
- Has a severe physical illness
- Has a history of substance abuse
- Is homeless

Responsibilities

This policy applies to trustees, employees, volunteers, and McCarthy Stone colleagues engaged in foundation activities at all levels, whether permanent or temporary, and including those employed indirectly via third parties or as part of a contractual relationship with the foundation.

Safeguarding is everyone's responsibility.

All those concerned have a responsibility to follow the guidance laid out in this policy and any related policies, and to pass on any welfare concerns using the required procedures. The Foundation adheres to the six key safeguarding principles set out in the Care Act 2014, namely that:

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- *Empowerment* – People being supported and encouraged to make their own decisions and informed consent.
- *Prevention* – It is better to take action before harm occurs.
- *Proportionality* – The least intrusive response appropriate to the risk presented.
- *Protection* – Support and representation for those in greatest need.
- *Partnership* – Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse.
- *Accountability* – Accountability and transparency in delivering safeguarding.

In addition all trustees, employees, volunteers and other staff have a collective responsibility to ensure:

- Safeguarding is considered everybody's business and everyone has a responsibility to be aware for possible signs of abuse or neglect and to act on their concerns.
- With a few exceptions, safeguarding enquiries should only take place with the consent and engagement of the person involved.
- The wellbeing of the person/s involved is of central importance and this includes control over their day to day life and starting with the assumption that the person is best placed to make judgements about their own wellbeing. This can mean respecting an older person's choice, even though this may put them at risk of harm.
- They respond quickly to concerns and carry out appropriate steps as outlined in the policy.
- There are adequate resources for safeguarding and protecting people.
- That harm is taken seriously and any failures are not downplayed.
- That statutory guidance, good practice guidance and relevant legislation is adhered to.

Further to this, Foundation Staff and Trustees have responsibility to ensure that:

- Relevant policies are accessible and implemented.
- Policies are monitored and reviewed.
- Appropriate resources are allocated for implementation.
- Principles of safeguarding are actively promoted and reinforced.

The Designated Safeguarding Lead Officer is Martin Neale, Care, Compliance and Improvement Advisor for McCarthy Stone. In the absence of the Designated Safeguarding Lead Officer, reports are sent to a monitored email inbox (see further information) and will be dealt with by the deputising member of McCarthy Stone's Care Team. Overall responsibility for Foundation activities is held by Graeme Marsh, Head of Foundation. The Head of Foundation, in partnership with the Designated Safeguarding Lead, ensure that:

- Safeguarding is actively promoted at all foundation events and activities.
- The welfare of vulnerable older people is primary.
- All staff and volunteers have access to appropriate levels of training.
- Concerns about safeguarding are responded to swiftly, seriously and appropriately.
- Written records are kept of any safeguarding concerns.

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- Relevant authorities e.g., Police or Adult Social Care are contacted in the event of a serious or immediate risk of harm, or if a crime has been committed.
- Trustees are informed as soon as possible about any complaints or concerns.
- Report serious incidents to the Charity Commission on the direction of the Trustees.

*** It is not the McCarthy Stone Foundation's responsibility to investigate allegations of abuse or neglect. In the event of a recorded safeguarding disclosure, the appropriate agencies will be informed by either the Designated Safeguarding Lead Officer or the Head of the Foundation.**

Guidance and Legislation

The Foundation's approach to Safeguarding seeks to protect all adults who:

- Have needs for care and support, and
- Are experiencing, or at risk of, abuse or neglect, and
- As a result of those needs are unable to protect themselves from the risk of, or the experience of, abuse and neglect.

The following legislation and guidance have been considered in the development of this policy.

- The Care Act 2014
- The Protection of Freedoms Act 2012
- Domestic Violence, Crime and Victims (Amendment) Act 2012
- The Equality Act 2010
- The Safeguarding Vulnerable Groups Act 2006
- Mental Capacity Act 2005
- Sexual Offences Act 2003
- The Human Rights Act 1998
- Serious incident reporting to the Charity Commission
- The Data Protection Act 2018 and the General Data Protection Regulation 2016 Adult Safeguarding Policy V1 – March 2018, V2 – October 2018, V3 – June 2021; v4 July 2023 5
- Making Safeguarding Personal (MSP) Principles: Local Government Association Toolkit Jan 2020

Types of Abuse and Neglect

Volunteers are not expected to be experts in safeguarding and are only expected to relay concerns to an appropriate point of contact, not directly address them. There are many signs and indicators that a person may be experiencing abuse or neglect, this list is not exhaustive, but should form the basis of observations that may indicate a safeguarding concern:

- Unexplained bruises or injuries – or lack of medical attention when an injury is present.
- Person has belongings or money going missing.
- Person is not attending / no longer enjoying their sessions.
- Someone losing or gaining weight / an unkempt appearance.
- A change in the behaviour or confidence of a person.

- They may self-harm.
- They may have a fear of a particular group or individual.
- They may tell you / another person they are being abused – i.e., a disclosure.

Reporting of Concerns

1. If you become aware of, or suspect that, abuse or poor practice is taking place, or are told about something that may signal abuse or poor practice, you should raise this matter immediately with either the Lead Volunteer at the activity, a member of the Foundation's permanent team, or the Designated Safeguarding Lead. Contact details for all parties are contained in the further information section below.
2. Wherever possible you should ensure that the person you are concerned about gives you their clear consent to the matter being reported. This policy recognises this may be challenging and the person involved may either lack the mental capacity to give consent, or not wish to do so for fear of repercussions. However, the priority is to enable expert assessment and prevention of any possible further harm, so in this instance the Head of Foundation and Designated Safeguarding Lead Officer should be informed for further support and guidance. Although it is unlikely you will ever have to face this situation in the context of foundation volunteering, the exception to this is where the matter is urgent and relates to the immediate safety of an adult at risk, in which case contact the Police immediately.
3. If the Lead Volunteer receives the concerns, this should be reported to both the Head of Foundation and the Designated Safeguarding Lead by email at the first opportunity. If the nature of the concern is urgent, this should be done by phone immediately.
4. You should make a written note of what you have been told, using the person's own words, as soon as practicable to do so. Providing it does not increase that person's risk of further harm, you should make them aware of your duty to share your concerns with the Lead Volunteer and/or Designated Safeguarding Lead.
5. Make notes of your own describing the circumstances in which the disclosure or observations came to light.
6. Take care to distinguish clearly between fact, observation, allegation, and opinion.
7. If the safeguarding concern has arisen as a result of a personal disclosure then you should:
 - a. React calmly.
 - b. Reassure the person involved that they were right to share the information.
 - c. Keep questions to the minimum required in order to establish key facts and an understanding of the disclosure.
 - d. Do not ask about explicit details. This is for any subsequent enquiry.
 - e. Do not promise confidentiality, which might not be feasible.
 - f. Inform the person of what you intend to do next.
 - g. Make a full written record of what has been said/heard as soon as you can and ensure this is kept secure in line with the foundation's policy on Data Protection and Privacy (GDPR).

As highlighted above, the Foundation does not investigate allegations of abuse or neglect, but will, where necessary and deemed appropriate, pass on all details to the relevant agencies.

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All safeguarding incidents reported will be escalated by the Head of Foundation to the Board of Trustees, ensuring confidentiality is maintained. In urgent cases, this should be **immediately escalated** to the Foundation's Chair and Vice-Chair. Non-urgent cases should be escalated as soon as practicable.

If the Head of Foundation is unavailable or away, all safeguarding reports should be immediately escalated to the Board of Trustees by the Designated Safeguarding Lead.

Training and Support

All Foundation volunteers, including Trustees, should take part in an appropriate level of training in relation to their role with the charity. At a minimum this should include:

- Review and discussion of the Safeguarding Policy
- Discussion of other relevant policies and processes
- Ensuring familiarity with reporting processes and nominated individuals.
- Volunteers taking part in the Foundation's community socials initiative will be required to watch the training materials ahead of their first volunteering session, which covers a number of issues relating to safeguarding.

Dealing with a safeguarding concern can be challenging, stressful and emotional for the person/s involved. The Foundation will offer support to survivors of harm caused by staff, volunteers or associated personnel independent of whether a formal internal response is carried out (such as an internal investigation). Decisions regarding support will be led by the individual primarily affected by the incident.

Individuals found to breach this policy, may – where appropriate – be subject to disciplinary measures by the Foundation and/or McCarthy Stone.

Managing Information

All personal information will be treated as confidential, wherever feasible to do so (this may not be feasible if a referral is required to the local authority and/or emergency services for example) and managed in line with the Foundation's Data Protection and Privacy (UK GDPR) policy.

In addition, all personal data should be managed in line with the relevant McCarthy Stone Data Protection principles and policy.

Policy Review

This policy should be reviewed biennially and after the reporting of any safeguarding concerns to ensure it remains fit for purpose and relevant for the foundation's activities.

Further Information

The following comprehensive guide from Age UK outlines further information on safeguarding for older adults and includes links to other resources and agencies.

[Safeguarding order people from abuse and neglect \(ageuk.org.uk\)](https://ageuk.org.uk/safeguarding-order-people-from-abuse-and-neglect)

The following individuals are the nominated contacts in case of a safeguarding concern arising:

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Designated Safeguarding Lead Officer: Lorna Harlow lorna.harlow@mccarthystone.co.uk / 07471033712

Head of Foundation: Julia Laister julia.laister@mccarthyandstone-foundation.org.uk / 07812 477537