

Date approved:	As Interim Policy 14 03 2023
To be reviewed:	As soon as practicable

# Safeguarding Policy

## 1. Policy Statement

The LI recognises that the services it provides may be used by children and adults at risk. Generally, we do not work with children or vulnerable adults, however, where our work does bring us into contact with children or adults at risk, we will work in partnership with organisations which have appropriate safeguarding policies, practices and experience.

We believe that no person should ever experience abuse of any kind, and that everyone has the responsibility to promote the welfare of children and adults at risk.

As an organisation that believes that children and adults at risk have the right to be secure from abuse, our volunteers, staff, consultants or anyone acting on our behalf must behave in a way that protects children and adults at risk from harm.

We will appoint a Trustee as Safeguarding Champion and a member of staff as the Designated Safeguarding Lead (DSL). The DSL will have suitable experience, training and expertise, and will be responsible for liaising with appropriate outside agencies in any safeguarding matter.

Our Designated Safeguarding Lead (DSL) is **Robert Hughes** (Commercial Director).

We recognise that we have a duty to ensure the welfare of the users of our services who may be at risk. This duty involves reporting the risk to an appropriate agency and by promoting a safe environment within the organisation.

## 2. Purpose

The purpose of this safeguarding policy is:

- i. To protect children and adults at risk who come into contact with anyone working on behalf of the LI.
- ii. To provide anyone working or volunteering on behalf of the LI with overarching principles and guidance on our approach to safeguarding.
- iii. To outline the action we will take if abuse is alleged to have occurred.

## 3. Scope

- 3.1.** This Safeguarding policy applies to all LI members representing the organisation in our education outreach activities, pathway programmes, members of governance groups within the institute, volunteers, staff, agency staff, contractors, and consultants. For ease of reference all in this group will be referred to as 'worker' or 'workers' throughout the policy and in so far it does not mean 'worker' for the purpose of employment law except for employees.
- 3.2.** The Policy covers all potential LI work situations where the LI's staff or volunteers might come into contact with children and adults at risk. Activities that are member activities outside of the LI remit

and control are not covered by this policy. For LI Staff this policy should be read in conjunction with a separate safeguarding provision under the heading Health & Safety available in the LI Staff Handbook.

- 3.3. We will publish this policy on our website and communicate same at the point of engaging the relevant persons listed in paragraph 3.1. above.
- 3.4. The policy does not replace other LI internal policies or procedures. For example, if a member or volunteer has a concern about the professional conduct of another member or volunteer, they should follow the procedure for complaints under the Code of Practice or Working Together Policy.
- 3.5. This safeguarding policy is part of the Landscape Institute's governance documents. Other relevant documents are:
  - i. Royal Charter
  - ii. By-Laws
  - iii. Regulations
  - iv. Conflict of Interest Policy
  - v. Whistleblowing Policy

#### 4. Definition of Terms

For the purpose of this policy:

**Abuse** could take any of the following forms:

- i. physical abuse
- ii. sexual abuse
- iii. emotional abuse

**Children** for this policy refers to a child under the age of 18.

**Adult at risk** is somebody who is aged 18 and over who has community care and support needs, and who 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 abuse or neglect or the risk of it.

A **responsible adult** refers to a person who is responsible for the welfare for a child or adult at risk during their engagement or participation in one of our activities, this may be teacher, parent, carer, friend etc.

**Legal guardian** is the person with legal authority and responsibility for a child or an adult at risk, which could be the birth parent, or someone appointed by the courts.

**Regulated Activity** is any activity that the Disclosure and Barring Service can bar people from doing. It is defined in the Safeguarding Vulnerable Groups Act 2006 (SVGA) which has been amended by the Protection of Freedoms Act 2012 (PoFA).

Regulated Activity involving children includes:

- i. Regularly undertaking unsupervised activities with children.
- ii. Regularly working in certain establishments (e.g., schools, children's homes, etc) where there is an opportunity for contact with children.

- iii. Providing relevant personal care such as washing and dressing and health care by or supervised by a professional (whether undertaken regularly or otherwise).

Interpreting types of risks and harm, reference would be made to the Charity Commission's guidance on types of risk and harm that are in scope: <https://www.gov.uk/guidance/safeguarding-duties-for-charity-trustees>

## **5. Procedures**

### **5.1. Responsibility**

- i. The LI has a duty to ensure that 'workers' who will work with children & adults at risk adopt safe practices.
- ii. We will comply with the safeguarding policies of our partners, and only work in partnership with organisations that have an appropriate safeguarding policy.
- iii. Therefore, we will undertake DBS checks on all new and existing 'workers' as appropriate and will undertake regular supervision of 'workers' to minimise any risks to beneficiaries by 'workers'.
- iv. We have a duty to report serious concerns relating to abuse to appropriate agencies including the Disclosure & Barring Service (DBS).
- v. The DSL is responsible for putting these procedures in place and monitoring their effectiveness.

### **5.2. We will:**

- i. Set out and inform 'workers' of the procedures for responding to suspicions or evidence of abuse.
- ii. Operate policies which ensure that all new 'workers' are rigorously checked, by the taking up of references and appropriate DBS checks.
- iii. Ensure that all 'workers' are given a copy of the Safeguarding Policy during their induction, and have its implications explained to them.
- iv. Incorporate material relevant to issues of abuse into 'workers' training at all levels.
- v. Maintain vigilance concerning the possibility of abuse from whatever source.
- vi. Encourage a climate of openness which enables 'workers' to pass on concerns about behaviour that might be abusive.
- vii. Produce and periodically revise policies and procedures to minimise the risk of abuse.
- viii. Provide training and supervision where required for 'workers' in all aspects of abuse and protection and provide them with any relevant information and guidance.
- ix. Ensure that all 'workers' are aware of the main indicators of abuse.
- x. Investigate any allegations of abuse quickly and thoroughly.
- xi. Implement improvements to procedures if an investigation reveals deficiencies in the way in which the LI operates.
- xii. Collaborate with other relevant agencies in combating abuse and improving the protection of beneficiaries.

If a 'worker' who works with children or adults at risk in a regulated activity<sup>1</sup> has been cautioned or convicted for a "relevant offence" the LI will make a referral to the DBS and that 'worker' will be removed

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<sup>1</sup>It is a criminal offence for a barred person to seek to work, or work in, activities from which they are barred. It is also a criminal offence for employers or voluntary organisations to knowingly employ a barred person in a regulated activity. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/739154/Regulated\\_Activity\\_with\\_Children\\_in\\_England.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/739154/Regulated_Activity_with_Children_in_England.pdf)

from working in the regulated activity. Such caution or conviction may lead to further disciplinary action in line with the appropriate LI policies.

### **5.3. The LI requires that its 'workers':**

- i. Refrain from any abusive action in relation to users of its services.
- ii. Report to the LI anything they witness which is or might be abusive.
- iii. Co-operate in any investigation into alleged abuse.
- iv. Participate in training activities relating to abuse and protection

'Workers' should be aware of who they may turn to for advice if they become aware or suspect that abuse is occurring. Failure by a 'worker' to report incidents or suspicions of abuse may lead to disciplinary action.

### **5.4. Recruitment**

**5.4.1.** The LI will carry out all relevant checks on recruits to mitigate risks. We will ensure that workers working with children are checked as appropriate through the DBS; obtaining a standard or enhanced certificate as appropriate.

**5.4.2.** For relevant posts identified by the LI, applicants will be required to undergo an enhanced DBS disclosure. In all cases enhanced disclosure will apply to applicants for posts where job involves "regulated activity".

### **5.5. Procedures for Reporting Abuse**

#### **5.5.1. Reporting**

- i. If you suspect abuse may be occurring, you should discuss your concerns with our Designated Safeguarding Lead (DSL). Concerns should be documented.
- ii. If your concerns are about a colleague, these should be reported to Designated Safeguarding Lead (DSL) immediately.
- iii. If your concerns are about DSL, it should be reported to the CEO immediately.
- iv. If the alleged abuse is by a volunteer or member of the LI representing the Institute, the report should be made to Designated Safeguarding Lead (DSL) who will raise the issue with the organisation who employs the person or appropriate authority.
- v. If the alleged abuser is a member of staff or a volunteer, and there is sufficient evidence that abuse has or might have occurred, the LI will suspend that person from that regulated activity or other duties pending the outcome of an investigation.
- vi. You should record any concerns that you have raised, who you reported them to and if you spoke to the person about the concerns. If you do not hear back from this person, contact them again.

#### **5.5.2. Investigation**

- i. Alleged abuse will be investigated by the Designated Safeguarding Lead (DSL). The investigation will include interviewing the members of staff involved in the incident, hearing and assessing evidence from any others who might have knowledge of the incident and considering any other possible source of evidence. This includes:
  - a. assessing and clarifying the information
  - b. making referrals to statutory organisations as appropriate
  - c. consulting with and informing the relevant members of the organisation's management
- ii. Where the LI receives an allegation that a member or member of staff or 'worker' has

- a. behaved in a way that has harmed or may have harmed a child;
  - b. possibly committed a criminal offence against or related to a child; or
  - c. behaved towards a child or children in a way that indicates that they are unsuitable to work with children;
- the matter will be referred to the relevant regulatory agency.
- iii. If the allegation relates to the DSL, then the CEO or Trustee with Safeguarding oversight on the Board will carry out the investigation following the process laid out for the DSL. Depending on the nature, they may engage an external investigator if they consider a case falls outside their competencies.
  - iv. Pending investigation, a member or member of staff or 'worker' may be suspended from carrying out any LI activity until the outcome of an investigation.

### 5.5.3. Following the Investigation

If it seems from the investigation that abuse may have taken place, and the alleged abuser is a member of staff, the LI will take action under the LI's disciplinary policy for staff or members' disciplinary procedure. In the event of a finding against a member of the LI, a referral would be made to an ISP for relevant sanctions under the Disciplinary Regulations to be applied. The DSL will liaise with the Honorary Secretary and/or the Regulation Team on the referral and may make a recommendation on the appropriate level of member sanctions within the existing sanctions framework.

If the alleged abuser is not an LI 'worker' we will involve other appropriate responsible bodies.

The LI will take appropriate steps to inform the DBS if a member of staff has been dismissed or removed from working with children because of concerns over their behaviour towards children.

#### **Contacts (*London Borough of Camden being the local authority for the LI Office*):**

To report a concern about a child in London Borough of Camden

**Call Contact Service** on 0207 974 3317 (9am to 5pm) or 0207 974 4444 (option 1) – outside office hours, weekends or bank holidays)

**Email** [LBCMASHadmin@camden.gov.uk](mailto:LBCMASHadmin@camden.gov.uk) . More information is on the Children & Families Contact Service website.

#### **About an adult**

Adult in immediate danger, call the police on 999 straight away. Not urgent, call 101

About your own safety or the safety of an adult:

Call 020 7974 4000 (option 1), or Email [adultsocialcare@camden.gov.uk](mailto:adultsocialcare@camden.gov.uk)

If you are able to, please share the important information below

- What you know of the person's care and support needs
- Details of the suspected abuse or neglect if this is the reason for the concern
- Information should be shared with the adult's consent wherever possible.

You can also complete a form called the [multi-agency safeguarding adults referral form](#) and email it to the team at [asc.mash.safeguarding@camden.gov.uk](mailto:asc.mash.safeguarding@camden.gov.uk)