

## Safeguarding Aide Memoire

**Effective from: 23 April 2018**

**Last updated: 06 December 2018**

This Safeguarding Aide Memoire highlights the importance placed upon Cobseo Members to ensure their safeguarding arrangements for children and/or vulnerable adults and charity staff are consistent and in line with public and regulatory expectations.

The Aide Memoire details:

- [An Introduction to Safeguarding](#) with a short explanation of how it is defined, what individuals it covers and a summary of Trustee responsibility when it comes to safeguarding
- [A Collective Approach to Safeguarding Policy](#) which provides a basis for Members on the elements of recognised good safeguarding practices to help advise Members on the measures that should be included within their own safeguarding policy and procedures
- [A Summary of Assistance](#) including a detailed list of the sources, templates and other guidance available to Members to help ensure the highest operational safeguarding standards are maintained at their organisation

This Aide Memoire is applicable to Member organisations who work with adults at risk and/or children as an active element of their delivery operations. It also applies to Members who fund other organisations to provide the delivery of services to adults at risk and/or children. The Charity Commission's guiding principle on safeguarding details that Trustees must protect 'anyone that comes into contact with their charity from harm' which includes charity staff and volunteers; [read more here](#). This Aide Memoire will include guidance on how to protect charity staff.

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### An Introduction to Safeguarding

#### What is it?

The [Charity Commission in December 2017](#) described the purpose of safeguarding and promoting well-being and welfare as:

1. Protecting the rights of adults to live in safety, free from abuse and neglect. This is based on the [Care Act 2014](#).
2. Protecting children from maltreatment; preventing impairment of health or development; ensuring they are growing up in circumstances consistent with the provision of safe and effective care; and acting to enable them to have the best outcomes. This second meaning comes from [Working Together to Safeguard Children 2018](#).

#### Who does it apply to?

Safeguarding encompasses a broad range of 'regulated activities' undertaken by charitable organisations to ensure children, youths below the age of 18 and vulnerable adults, with whom they are assisting, are protected in an effective way from harm, abuse or neglect. Member organisations should recognise it is likely there will be scrutiny of their approach to safeguarding by regulators and interested third parties, particularly for those activities that can be reasonably regarded as a 'regulated activity' (please see Annex 1). As discussed above in safeguarding policies and the operational procedures followed, the protection of charity staff from encountering a harmful situation should also be considered.

#### How is it implemented?

The Trustees of an organisation are ultimately responsible for ensuring good safeguarding governance at their organisation. The Charity Commission details how good safeguarding governance can be achieved through ten actions that should be taken by Trustee boards. These are summarised below:

1. Ensure the charity has an adequate safeguarding policy and supporting documentation
2. Identify possible safeguarding risks
3. Consider how to improve safeguarding culture within a charity
4. Be assured that the charity knows how to recognise and report a safeguarding concern
5. Be assured that people (i.e. volunteers, beneficiaries etc.) know how to raise a safeguarding concern
6. Evaluate the training of safeguarding at an organisation

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7. Review which charity posts require a DBS check
8. Define a risk assessment for DBS checks
9. Review, regularly the safeguarding policy and procedures
10. Check what International due diligence is required, if any

These safeguarding action points by the Charity Commission can be found in full [here](#).

To support the Membership and to advocate the integrity of the military charities sector, Cobseo will update this Aide Memoire as appropriate to align with changes in the regulatory requirements and good practice.

### A Collective Approach to Policy

Every Member organisation should set out, in writing, their own safeguarding policy to embed good safeguarding practices into the everyday work of the organisation. This policy should be made available either online or in relevant publications and reviewed regularly (e.g. every two years) to be able to identify opportunities to improve the effectiveness of the safeguarding policy.

Trustees should be satisfied that their policy achieves an appropriate level of safeguarding proportionate to the level of risk inherent in the activities to be undertaken with adults at risk and/or children and charity staff. The assessment of level of risk is recognised as a subjective judgement that, generally, must be made on a case by case basis by each individual Member organisation.

The following section sets out what should be included within a good safeguarding policy to; encapsulate all groups that should be protected, ensure any funded activities are safeguarding appropriately, report safeguarding incidents and map out who governs the policy.

#### Safeguarding adults at risk and/or children

- Each Member organisation has clear and comprehensive safeguarding procedures within its policy to protect adults at risk and/or children.
  - a. The [NSPCC has guidance on preparing a safeguarding policy](#) for children and young persons and the procedures that should be in place
  - b. An example of a safeguarding policy for adults at risk from a local Adult Safeguarding Board and further informative guidance on safeguarding practices is available from the [NCVO](#)

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### Protecting Volunteers and Staff

- If a Member organisation has volunteers or staff, they need to protect them from harm. Organisations that employ either, should have clear policies and procedures on:
  - a. Bullying and harassment
  - b. Whistleblowing
- Organisations will also need to have adequate insurance to cover the individuals and the activities involved

### Funding activities

Member organisations who give funds to other organisations to deliver services should, as part of their due diligence approach, take steps to reassure themselves a recipient organisation has appropriate safeguarding policies and practices in place and these are implemented effectively. These measures should include:

- A bidding and appraisal process, which requires receipt and review of the safeguarding policy of the applicant, together with evidence of the working procedures followed to ensure it is complied with consistently
- Verification of the recording of DBS checks and an approach to determining when Standard and Enhanced DBS checks are required
- The approach as to how a safeguarding policy is embedded into working practices, which should include how training is undertaken by those staff, volunteers and/or contractors likely to be involved in the funded work
- Where funds are approved, the funding body should specify what it regards as a 'reportable' incident to a recipient organisation and request safeguarding updates as part of interim and end of project reporting
- Where an incident of poor compliance by a recipient organisation occurs, it should be a requirement to report this promptly to the funding body, together with the course of action taken or to be taken by the leadership of the recipient organisation

### Incident Reporting

Incidents can arise for a variety of reasons ranging from procedural deviations from an established safeguarding policy and practices to safeguarding concerns about an individual. Where an

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incident arises that contravenes a safeguarding requirement, it is expected these measures would be followed:

- All incidents should be promptly investigated by the management of the Member organisation
- Where an incident is found to raise safeguarding concerns, it should be reported promptly to the relevant authorities (e.g. police, regulators, local safeguarding bodies), together with setting out the course of action taken, or to be taken, by the Member organisation
- Where there is a contractual obligation to a funding body to report an incident, it should be reported promptly, together with the course of action taken, or to be taken, by the Member organisation
- The Member may also inform Cobseo who, if requested, can advise on the restoration and communications aspects of such an incident. Care should be taken by the Member organisation to ensure confidential personal details are not inadvertently shared and the anonymity of individuals are protected

### Policy governance

- Each Member organisation has a specific Trustee who is responsible for the senior oversight and conduct of the implementation of the safeguarding policy:
  - a. To perform their oversight role, it may be necessary for this trustee to undergo a Disclosure and Barring Service (DBS) check. Other persons at board level, and where part of their decision-making hierarchy involves executive or sub-committees, should also be prepared to undergo a DBS check
  - b. All senior and field personnel should undergo recognised safeguarding training relevant to children or adults at risk or both, depending on the nature of the Member organisation's present and intended future activities
- Each Member organisation has clear, written and well understood training, checking and information gathering arrangements for all involved in working in a regulated. This includes, field work and services delivered in the community or office/centre, assessment and case management:
  - a. Members should have record-keeping arrangements to demonstrate good safeguarding practices which will include, but are not limited to:
    - Records of recruitment and assessment of new staff, contractors and volunteers;
    - Clear and relevant role descriptions for both paid and volunteer roles;

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- Delivery and recording of induction and refresher training;
- Maintenance of valid DBS checks; and
- Recording the handling, access and use of casework information.

Trustees of Member organisations (or for Charities without a Trustee Board, those who serve on its governing body), will have regard to UK and, where relevant, home nation guidance and regulations overseeing safeguarding activities.

### Summary of Assistance

#### Regulatory Guidance

The Charity Commission offers advice and guidance on safeguarding of children and young persons for all registered charities. Its principal documents on the subject are: [‘Safeguarding Children and Young People’ \(2014\)](#) and [‘Strategy for Dealing with Safeguarding Issues in Charities’ \(2017\)](#).

#### Regional Guidance

Member organisations operating in Northern Ireland should be aware of the guidance on [child safeguarding produced by the Charity Commission for Northern Ireland](#), in conjunction with the Northern Ireland Commissioner for Children and Young People.

Member organisations operating in Scotland should refer to the independent public regulator responsible for the care and welfare of children and adults at risk, the [Social Care and Social Work Improvement Scotland](#).

#### Government Guidance

In 2013, the Department of Health issued a [statement on government policy](#) concerning the arrangements HM Government would put in place to support adult safeguarding. It focussed on the arrangements for adult safeguarding in local authorities around statutory Adult Safeguarding Boards. These boards work in partnership with other agencies, including charities, to ensure safeguarding and delivery of services to adults at risk are achieved. Several boards have published their safeguarding policies as the basis for the practices they expect organisations in their area to meet. These policy documents could be used as templates for Member organisations to develop their own policy and practices for activities affecting adults at risk. There are numerous local authority websites providing details of the local board and its policies e.g. the Manchester Safeguarding Children Board and their [Safeguarding Standard](#).

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### Safeguarding Templates and Example Policies

For reference, [NHS England has published its safeguarding policy](#) for children and adults at risk.

[Ofsted's safeguarding policy](#) is also a useful document when looking at approaches to safeguarding children and adults at risk, particularly for those organisations that have temporary employees or contractors working for them.

*...for adults*

NHS England has also produced a pocket guide on [safeguarding adults](#) which covers why it matters and the responsibilities of organisations working with adults at risk.

*...for children*

The National Society for the Prevention of Cruelty to Children (NSPCC) has a [wide range of policies and practical advice](#) on implementing safeguarding arrangements involving children that Member organisations might find helpful.

The Children and Family Court Advisory and Support Service (Cafcass) is an executive non-departmental public body that, in 2014, was brought closer to the family court system as a key safeguarding organisation. Cafcass have various [resources and templates](#) for those directly working with children.

*... for charity staff*

Whilst not a traditional 'at risk' group, organisations are required to consider how to protect staff within safeguarding policies and procedures. The safeguarding advice available to groups more traditionally considered at risk have some application for charity staff and volunteers. For more specific advice on how to protect charity staff and/or volunteers, the Charity Commission has [issued guidance](#) that highlights the sources of information to help protect these groups.

### Safeguarding in the Charity Sector

The National for Voluntary Organisations (NCVO) has produced a [comprehensive guide to safeguarding for voluntary organisations](#). In this guide, a list of the main points to include in a safeguarding policy is presented. For ease, the list is summarised in Annex 2.

The [Social Care Institute for Excellence](#) is a source of additional guidance. They also offer training.



## Safeguarding Aide Memoire

Cobseo is a Confederation that actively shares knowledge and activities for the benefit of the Armed Forces community. Training events and Members' events organised or funded by Cobseo are made available for staff, executives and Trustees. A full diary of training events is published on the [Cobseo website](#).

### **Cobseo – The Confederation of Service Charities**

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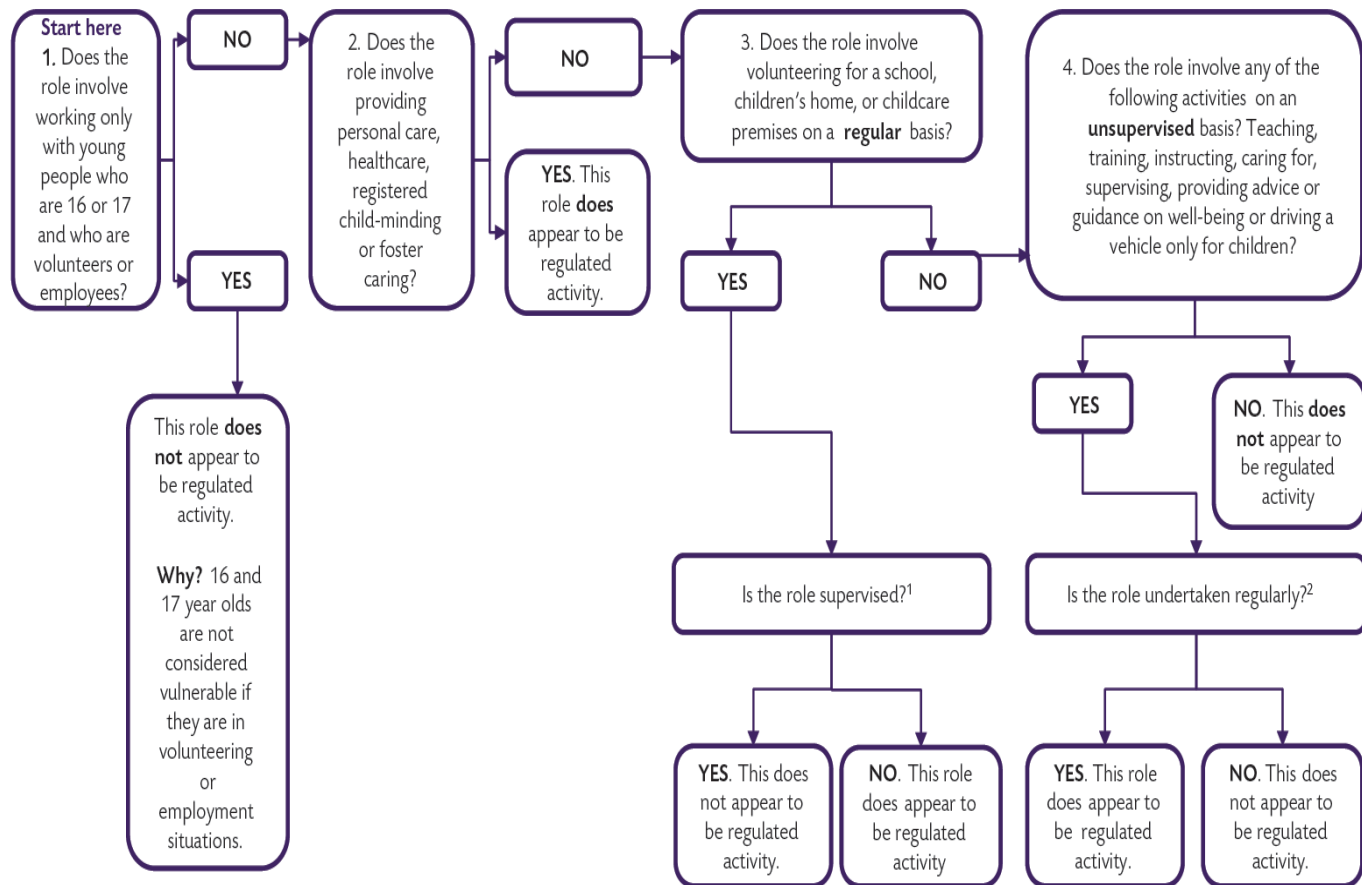
## Annex 1 – Identification of Regulated Activities Relating to Safeguarding (Source; NCVO)

The following charts **do not** apply to family arrangements or personal non-commercial arrangements (these are not covered by the DBS system) and should be read in conjunction with guidance from the [Department for Education](#).

### Regulated Activity Relating to children and young people:

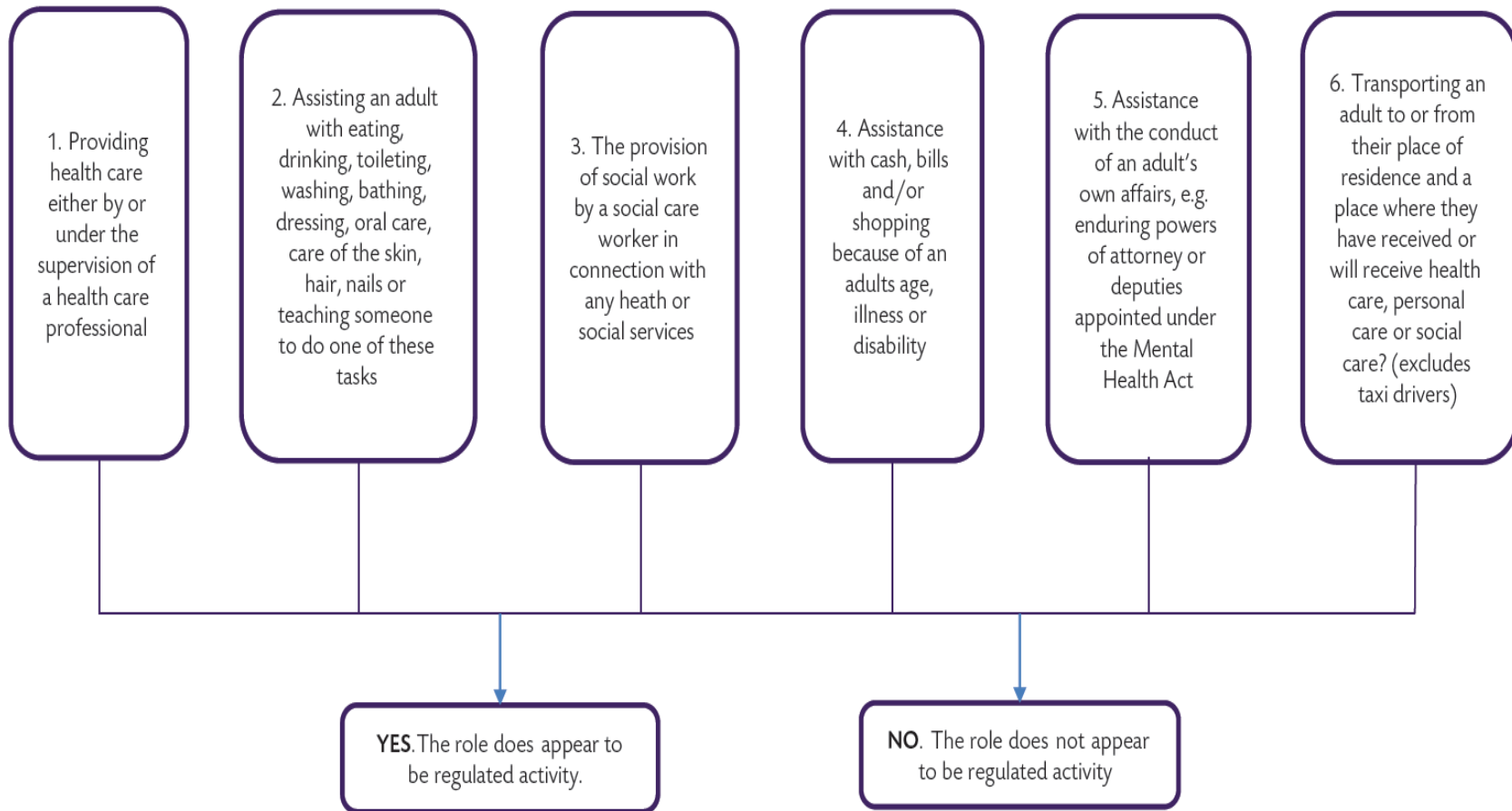
#### Notes

- Supervised means regular supervision by someone who themselves is in Regulated Activity. See the [Department for Education's guidance on supervision](#).
- Regular means carried out by the same person frequently (once a week or more) or on four or more days in a 30-day period (or in some cases overnight).



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### Regulated Activity Relating to adults:



### Notes

1. Anyone who provides day-to-day management or supervision of persons involved in these activities are in Regulated Activity.

## Annex 2 – Points to Include in a Safeguarding Policy (Source; NCVO)

### **Commitment, personnel and working arrangements:**

- State an organisation’s commitment to protecting its clients, employees, contractors and volunteers from all forms of abuse, including physical, emotional and sexual harm
- State the ‘safe’ recruitment and selection actions used (e.g. clear job descriptions, in-depth interviewing, robust references, job shadowing, induction and likely future training) to identify suitable staff and volunteers to be involved in safeguarding situations
- State the operational supervision and senior oversight arrangements followed within an organisation
- Outline the circumstances when the organisation’s activities may involve a safeguarding requirement that is a regulated activity and the working arrangements and record-keeping expected to be followed
- Commitment to provide information to staff, contractors and volunteers on the required procedures involving safeguarding to be followed within the organisation
- Identify the actions the organisation would determine as poor practice or forbidden.
- Describe a commitment to ensure the awareness of the safeguarding policy throughout the organisation and how the principles of safeguarding are to be embedded in the working culture

### **Incident recording and action:**

- Provide clear guidelines on what to do in the event of an allegation or incident, or if concerns are raised about the welfare of children and/or adults at risk
- Identify who adults at risk and children can contact in the event of an incident
- Clearly define what constitutes emotional, physical or psychological abuse, harm and neglect
- Provide details of the complaints and disciplinary procedures to manage concerns about the behaviour of staff or volunteers
- Outline the procedures for recording allegations and incidents, and the disciplinary mechanisms that result in the event of any transgressions
- Specify organisational responsibilities for recording and reporting abuse or harm

### **Tailoring a policy to an individual organisation:**

The content of safeguarding policy must be written to fit each individual organisation and its activities. Factors affecting the scope of a safeguarding policy include:

- The size of the organisation and staff group

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- The nature and scope of the volunteering activity and the safeguarding circumstances in which it is involved
- The personal characteristics of the client group
- The venue(s) or location(s) of the organisation's activities
- The history and experience of the organisation