

# FRIENDS OF HOMEYARDS BOTANICAL GARDENS IN SHALDON CIO. 1159641

## SAFEGUARDING POLICY

### KEY FEATURES SUMMARY:

- We aim to prevent harm before it occurs
- We set out the steps to be taken if an allegation or incident occurs
- We set out the definition of abuse or neglect on which procedures are based
- We provide a safeguarding officer to take the primary role
- We provide contact details for reporting an incident
- We aim to show transparency and accountability in the safeguarding of children and vulnerable adults

### DEFINITIONS

the Term

#### **-FoHBGS**

means Friends of Homeyards Botanical Gardens in Shaldon

#### **-Volunteer**

The term Volunteer refers to those working in a voluntary role

#### **-Child**

Anyone who is under the age of 18

#### **-Adults At Risk (1)**

A person aged 18 or over who is or may be in need of community care services because of mental or other disability, age, illness and is or may be unable to take care of him or herself or take steps to protect themselves from significant harm or exploitation. This could include people with learning disabilities, sensory impairments, mental health needs, older people and people with physical disability or impairment. The term adults at risk may include any individuals who may be vulnerable as a consequence of their role as a carer in relation to any of the above.

#### **-Parent**

The term parent is used throughout this document as a generic term to represent parents, carers and guardians. The term parent also refers to carers or guardians of adults at risk, or people with parental responsibilities for adults at risk.

#### **-Safeguarding**

The process of protecting people from abuse or neglect and preventing impairment of their health. This is applicable to both children and adults at risk.

#### **-Poor Practice**

Poor practice includes any behaviour that contravenes the guidelines of the relevant recognised government or statutory bodies .

#### **-Capacity**

While it is not for individuals to make a decision about whether an adult lacks capacity, it is important that there is an understanding of the notion of capacity when safeguarding adults at risk. Capacity refers to an individual's ability to make a decision or take a particular action for themselves at a particular time, even if they are able to make other decisions. For example, they may be able to make small decisions about everyday matters such as what to wear for a sports activity, or what a healthy diet would be, but they lack the capacity to make more complex decisions about financial matters.

#### **-Participant**

A person taking part in an activity. This could be someone doing the activity, organising/leading the activity or watching the activity.

#### **-Organised activities**

Activities or experiences that are formally initiated, organised and/or led by an organisation or an individual.

(1) The Care Act 2014 defines safeguarding in terms of 'adults at risk'. An adult at risk is someone aged 18 or over who has needs for care and support (whether or not the local authority is meeting any of those needs), 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 either the risk of, or the experience of abuse or neglect)

## **1.0 INTRODUCTION**

FoHBGS Safeguarding Policy is available on our website .

A paper copy will be provided to all new trustees, committee members and volunteers when they join .

FoHBGS' vision is as a small community focussed not for profit CIO .

We provide a framework for volunteers from the local community to take part in cooperative activities including weekly gardening, serving of refreshments several times a week in summer and organising and running community events on 2 or more occasions in a year . Contact and engagement with children and vulnerable adults is either limited or irregular .

In order to continue to provide these positive benefits, all those involved need to be aware of good practice to ensure their actions are appropriate and cannot be misinterpreted. Where offered by the local authorities training should be offered to all trustees and committee members .

It is important to remember that as an organisation with responsibility for participants we have a duty of care and both a moral and a legal obligation to protect them from abuse. FoHBGS is committed to providing safe, enjoyable activities and opportunities for all participants. To this end this Safeguarding Policy Document has been compiled with reference to principles of good practice. The purpose of the policy is to help protect those undertaking activities under our supervision, and as a result to reduce the likelihood of allegations being made against FoHBGS Trustees ,committee and volunteers. The Policy is mandatory for all trustees ,committee members and volunteers.

## **2.0 POLICY STATEMENT**

FoHGB is committed to promoting the safety and welfare of all participants engaged in organised volunteering initiatives. It aims to contribute to safeguarding them by:

- ensuring that all trustees and committee members are clear in their role in safeguarding and promoting the welfare of those participants
- leading on the production, implementation, monitoring and review of this safeguarding policy and the accompanying procedures
- meeting the requirements of relevant legislation and sector guidance such as Working Together (2018), The Care Act (2014), the Standards for Safeguarding .
- ensuring that participants are appropriately trained and supervised
- implementing and demonstrating best safeguarding practice when trustees ,committee members ,volunteers or others are providing services, activities and programmes for all participants
- working with partners to establish and implement agreed, consistent minimum safeguarding standards for organised volunteering initiatives in the Homeyards Botanical Gardens in Shaldon
- requiring those individuals or organisations that are funded or commissioned by FoHBGS to provide any services for participants to effectively address safeguarding requirements, roles and relationships.

When participants are engaged in any activity that FoHBGS organises we will endeavour to protect them and keep them safe from harm by:

- providing all those involved with information about FoHBGS what it does and what you can expect from us. The Trustees ,committee members and volunteers are not qualified to supervise children or vulnerable adults and are not expected to carry out Regulated Activities in such a way as to be in close contact with participants unsupervised or necessarily required to be DBS checked . It is the responsibility of all participants to ensure for themselves that any children or

vulnerable adults are under their own provided appropriate qualified supervision by a parent ,teacher, teaching assistant or carer.

- adopting appropriate deployment procedures and providing clear procedures for all those involved to voice their concerns or lodge complaints relating to the welfare or protection of all participants.
- providing clear procedures for Trustees or committee members to voice their concerns if they suspect abuse from colleagues , volunteers or others outside of the organisation.
- it is the legal duty of all participants to report to the Lead Safeguarding Officer if they are barred under the DBS system .

When working with children and young people we will have in place arrangements consistent with the requirements of Working Together to Safeguard Children (2018).

## **2.1 POLICY AIMS**

The aims of the Policy are as follows:

- To create a healthy and safe environment during all activities.
- To ensure participants are listened to and kept safe from harm.
- To support and encourage parents / carers to voice their opinions regarding the welfare of participants
- To ensure Trustees, committee members and volunteers who administer sessions are well informed, supported and enabled to provide the best possible practice.

## **2.2 POLICY OBJECTIVES**

The specific objectives we pursue in order to achieve our aims are:

- To take steps to prevent the deployment of unsuitable persons.
- To raise the level of awareness of volunteers about abuse and the different forms it can take.
- To raise the level of awareness of volunteers about what all participants are entitled to be protected from.
- To ensure that all Trustees and committee members are able to recognise and respond to signs which could indicate abuse.
- To promote the general welfare of participants during any activity/event.
- To develop effective procedures for recording and responding to accidents and complaints when requested
- To respond swiftly and appropriately to all suspicions or allegations via clearly established communication channels
- To monitor the effectiveness of the policy and review the policy annually, and in response to (a) changes in legislation, (b) any significant incident and (c) changes in governance

## **2.3 RESPONSIBILITIES**

In meeting the obligations and commitments of this policy all Trustees and committee members have the following responsibilities:

- be aware of what is meant by safeguarding
- be alert to the risks which individual abusers, or potential abusers may pose to participants
- listen to participants, take any allegations/disclosures seriously and report all concerns in line with the organisation's procedures
- ensure that the inclusion of adequate safeguarding arrangements is a key element of commissioning, funding and partnership agreements, where these are relevant
- represent the organisation's approach to safeguarding and communicate this approach to partners by obtaining up to date DBS checks on all 3rd party providers .

## **2.4. LEAD SAFEGUARDING OFFICER**

FoHBGS designates a Lead Safeguarding Officer (contact details below ) whose role is to take action in respect of reports concerning safeguarding and / or poor practice and to lead on all matters to do with safeguarding

# THE LEAD SAFEGUARDING OFFICER IS:

JOYCE GILLESPIE TEL .07811758936

email : [joyce.gillespie@me.com](mailto:joyce.gillespie@me.com)

In her absence please call the Chair , Alison Melville-Shreeve Tel. 07941217006.

## 3.0 ABUSE, NEGLECT AND DEFINITIONS

Abuse and neglect are forms of maltreatment of any person. Somebody may abuse or neglect a person by inflicting harm, or by failing to act to prevent harm. Participants may be abused in a family or in an institutional or community setting, by those known to them or, more rarely, by a stranger e.g. via the internet. They may be abused by an adult or adults, a child or children.

Victims of abuse frequently suffer more than one category of abuse.

The main forms of abuse encountered by adults at risk are:

- Physical Abuse
- Emotional/Psychological Abuse
- Financial/material Abuse
- Sexual Abuse
- Neglect and acts of omission
- Discrimination
- Institutional/Organisational
- Domestic Violence, including honour-based violence
- Modern slavery
- Self-neglect
- Bullying
- Inappropriate publication of images or use of social media

## 4.0 PROMOTING GOOD PRACTICE

### 4.1 DUTY OF CARE

Duty of care means that an organisation needs to take such measures as are reasonable in the circumstances to ensure that individuals will be safe to participate in an activity to which they are invited to or which is permitted. Where there is a formal relationship, for example between a club and a club member, an activity leader and a participant or a coach and an athlete, there is a duty of care.

This duty occurs in two ways:

A) Legal Duty of Care and a Moral Duty of Care

The Legal Duty of Care has a strict definition. The most obvious example of this is in Health and Safety procedures where clear guidance is provided about what reasonable steps should be taken to minimise the hazards related to activities, substances or situations. In a volunteer organisation situation it is recognised that the organisation or individual responsible owes a duty of care to all those involved. However, it is also understood and recognised that accidents can and do happen, and that it is not possible to predict every eventuality. Liability for the legal duty of care would only arise when an incident occurs and it can be demonstrated that the risk was foreseeable but no action had been taken to remedy it. The governing document for FoHBGS sets out the liability of the Trustees.

B) The Moral Duty of Care is more correctly a responsibility for safety and welfare. Members of staff have a responsibility for all those involved in activities who are under their control. To determine if a breach of the duty of care has occurred the ordinary civil law of negligence would be applied. The question is whether the accused in acting, or omitting to act, has failed to reach the standard of a reasonable person.

{In a volunteering situation a leader has a duty of care for all those taking part irrespective of their age or position. The individual administering the activity, whatever their status, should be appropriately trained and authorised. Within a volunteering group situation the duty of care would start by ensuring the activity is authorised by the Trustees and the relevant leaders are appropriate for the task but then would go on to ensure that it is managed in a safe manner throughout.

### 4.2 As an Individual

It is the individual responsibility of everyone involved to promote the welfare of participants. This can be achieved by:

- simply reducing situations in which abuse can occur.
- creating a positive culture and climate within organised volunteering initiatives.
- recognising the additional vulnerability of some people and that extra measures may have to be put in place to support their participation.
- proactively embedding good practice

## **5.0 REPORTING**

### **5.1 ASSESSING CAPACITY**

In all cases an assessment of capacity must be made to determine how to proceed.

If the individual concerned is under 18 :

In all cases where someone is under 18 a decision must be made on their behalf.

If the individual concerned is 18 or over

Where participants are 18 or over we have a duty to determine whether that person has the capacity to make their own decision. A person's capacity must be assessed at the point at which the decision is needed, taking into account relevant and immediate circumstances as well as possible long term issues. Adults i.e. people over 18, are assumed to be competent to give consent in making decisions, unless otherwise demonstrated by their capacity being affected by such things as: medication, substances and some untreated mental health issues. For adults, this means that they have the capacity to choose how they live and make decisions about their safety, even if we do not agree with certain decisions. If you are unsure or concerned that the person may not have the mental capacity to make an informed choice about their safety or evaluate the risk of abuse with their situation, you should seek advice from the FoHBGS Safeguarding Lead or Local Authority.

### **5.2 CORE PRINCIPLES – REPORTING**

In being vigilant of safeguarding it is crucial that all Trustees Committee Members and Volunteers are aware of the steps used to recognise signs of abuse.

All staff and volunteers should be aware that other staff or service users may report concerns direct to them in the first instance as they may be considered the first point of contact.

It is not the responsibility of any member to take individual responsibility for deciding whether or not abuse or poor practice is actually taking place. However it is the responsibility of every member to report these concerns in order that appropriate agencies (e.g. local social services) can then make enquiries and take any necessary action to protect the participant.

Anybody receiving an allegation / concern / report of abuse or poor practice should, in all instances, immediately refer all such reports to the Lead Safeguarding Officer (contact details above and at Appendix A as soon as possible after the incident accurately, legibly and in as much detail as possible.

In case the Lead Safeguarding Officer is unavailable there report should be made to the chair of the Trustees of FoHBGS.

If the Lead Safeguarding Officer (or Chair) is not available the person discovering or being informed of the abuse should immediately contact the social services department or the police who will decide how and when parents/carers/guardians will be informed and ultimately become responsible for what steps to take next.

Where an incident, concern or allegation is reported direct to the Social Services Department or Police the Lead Safeguarding Officer should be informed at the earliest possible opportunity and the completed Incident Report Form (Appendix A) should be sent to him/her.

If the allegations / concerns involve the Lead Safeguarding Officer or Chair another Trustee of FoHBGS should be approached.

### **5.3 Dealing with Allegations - What to do in responding to a participant**

It should be recognised that direct disclosures are rare. However, participants who are being abused will only tell people they trust and with whom they feel safe. By listening to and taking seriously what the person is telling you, you will already be helping to protect them. It is useful to think in advance how you might respond to this situation. Here are some brief guidelines:

Create a safe environment by:

- Staying calm and not rushing into actions that may be inappropriate.
- Confirming you know how difficult it must have been to confide in you and that they have done the right thing.
- Reassuring the participant and stressing he/she is not to blame.
- Listening to what the person says and showing you are taking what is being said seriously.
- Where possible remain in view, do not go somewhere on your own.
- Be honest and do not make promises you cannot keep. Explain you may have to tell other people what is being disclosed.
- Ensure you are quite clear about what the person says so you report it accurately. Keep questions to a minimum, the law is very strict and an abuse case can be dismissed if it appears the person has been led or words have been suggested.
- Record exactly what the participant has said to you. As soon as possible after the incident, complete the Incident Report Form (found at Appendix A) accurately legibly and in as much detail as possible. Stick to the facts and do not give your opinions.
- Inform the Lead Safeguarding Officer or a Deputy Safeguarding Officer as soon as possible so that the person can be protected and you can gain some support for yourself in what could be a difficult situation.

#### 5.4 Dealing with Allegations - Against Trustees , Committee members or Volunteers

Should you become aware of an allegation against a colleague regarding an incident of abuse or poor practice taking place, or having taken place, it is vital that the following procedures are followed:

- Record exactly what the person has said to you. As soon as possible after the incident, complete the Incident Report Form (found at Appendix A) accurately, legibly and in as much detail as possible. Stick to the facts and do not give your opinions.
- Inform the Lead Safeguarding Officer or a Deputy as soon as possible so that the participant can be protected and you can gain some support for yourself in what could be a difficult situation.

#### 6.0 **ADOPTION , Review and Monitoring of Compliance**

The policy was formally approved and adopted by the Trustees of Friends of Homeyards Botanical Gardens in Shaldon on 12th December 2022 and will be reviewed by the Trustees annually, or in light of changes in relevant legislation, or following a significant incident or change in governance.

The Lead Safeguarding Officer will monitor all Incident Reports to assess whether correct procedures (as outlined herein) have been followed. If correct procedures have not been followed then reasons will be established and where necessary policy reviewed and or amended. Such policy reviews will be initiated and completed as soon as practically possible following an incident. In addition the Lead Safeguarding Officer will produce an annual monitoring report to the Trustees which covers numbers/types of cases/issues and learning points arising.

#### **DECLARATION**

FoHGBS is fully committed to safeguarding the wellbeing of participants by protecting them from harm.

As a volunteer with FoHBGS it is important that you have taken the time to thoroughly read this safeguarding policy. By being made aware of the policy it is our intention to ensure that all are proactive in providing a safe and secure environment for the participants in their care.

Trustees , committee members and volunteers will be required to:

A - notify the Chair of FoHGBS if they are arrested or investigated in relation to abuse.

B - Confirm that they have read and fully understood the FoHGBS Safeguarding Policy and declare that they will carry out their role in line with policy statements and procedures.

#### **Appendix A**

#### **SAFEGUARDING INCIDENT REPORT FORM**

### Section 1 Participant Details

NAME

FULL ADDRESS

TELEPHONE

DATE OF BIRTH

Day

NAME OF PARENT / GUARDIAN 1 / CARER 1 (if applicable)

TELEPHONE

Day

NAME OF PARENT / GUARDIAN 2 / CARER 2 (complete contact details if different from above)

FULL ADDRESS

Eve

Eve

POSTCODE

TELEPHONE

Day

### Section 2 Details of Incident / Concern / Allegation

Eve

POSTCODE

IS THIS REPORT BASED ON: (please tick as appropriate)

☐ AN INCIDENT WHICH YOU HAVE WITNESSED?

☐ A CONCERN YOU HAVE BASED ON POTENTIAL INDICATORS OF ABUSE? If so tick indicator(s) which have prompted your concerns:

☐ PHYSICAL ☐ BEHAVIOURAL ☐ OTHER .....

☐ AN ALLEGATION OR CONCERN THAT HAS BEEN REPORTED TO YOU BY SOMEBODY

ELSE? Please tick who: The Person ☐ Somebody Else ☐ Please give this person's details below

Is the alleged victim aware that you are contacting another agency?

☐ YES ☐ NO ☐ UNSURE If no, why is this? E.g. understanding, have not been told .....

Has the alleged victim given permission to share information?

☐ YES ☐ NO ☐ UNSURE If no, why is this? .....

NAME

FULL ADDRESS

TELEPHONE

Day

Eve

When was the incident reported to / witnessed by you? (please give date and time)

PLEASE GIVE FULL DETAILS OF THE INCIDENT(S) / CONCERN(S) / ALLEGATION(S)

Include; WHEN ie Date / Time; WHERE ie Venue and Exact Location; WHAT HAPPENED

Cont'd on rear ☐ Continuation sheet attached ☐

OBSERVATIONS Please include description / location of any visible injuries and give a description of the person's behaviour, physical and emotional state

PERSON'S ACCOUNT OF INCIDENT (complete this section if the person reported the incident to you). Record exactly what the person has said has happened (including how any bruising or other injuries have occurred) and include anything you have said to the person

### Section 3 Reporting of Incident

(If applicable) are Parents / Guardians aware of your concerns? ☐ No ☐ Yes If Yes please detail how they became aware

Is alleged abuser aware of your concerns? ☐ No ☐ Yes If Yes detail how he/she became aware ☐ n/a

Have Social Services been informed? ☐ No ☐ Yes If Yes please give details Who did you speak to?

Date and Time you informed them ..... Case Reference  
allocated .....

Have the Police been informed? ☐ No ☐ Yes If Yes please give details Who did you speak to?

.....  
Date and Time you informed them ..... Case Reference  
allocated .....

#### **Section 4 Your Details**

YOUR NAME

FULL ADDRESS

TELEPHONE

SIGNATURE

Day

Eve

DATE

POSTCODE

This form must now be sent immediately to:

Lead Safeguarding Officer, Friends of Homeyards Botanical Gardens in Shaldon -

[shaldonbotanicals@gmail.com](mailto:shaldonbotanicals@gmail.com)

#### **Appendix B -**

##### **CODE OF ETHICS & CONDUCT**

Participation and involvement in volunteering activities helps the development of individuals. This can be achieved by:

- Identifying and meeting the needs of individuals

- Improving enjoyment through a programme of safe, guided practice

- Creating an environment in which participants are motivated to maintain their involvement

Everyone involved with FoHBGS should comply with good ethical practice and should:

1. Respect the rights, dignity and worth of every person and treat everyone equally within the context of their activity.

2. Place the well being and safety of participants above all else.

3. Follow all guidelines laid down by the relevant organisation's governing body and hold appropriate insurance cover.

4. Develop an appropriate working relationship with participants, based on mutual trust and respect including being aware of e-safety and the implications.

5. Not exert undue pressure on any participants.

6. Encourage and guide participants to accept responsibility for their own actions.

7. Hold up to date and nationally recognised qualifications where necessary.

8. Ensure the activities directed or advocated are appropriate for the age, maturity, experience and ability of the participant.

9. At the outset, clarify with participants (and where appropriate with their parents) exactly what is expected of them and what participants are entitled to expect in return.

10. Co-operate fully with other organisations in the best interests of the participant.

11. Always promote the positive aspects of volunteering .

12. Consistently display high standards of behaviour and set a good example which others can follow.

13. Arrive in plenty of time to set up the activity and ensure safety checks are done prior to the start.

14. Keep informed about sound practices and the principles of people's development and personal motivations for taking part

16. Never transport young people or adults at risk alone in a vehicle.

17. Never ridicule or shout at a participant for making a mistake.

18. Develop an appropriate working relationship with participants based on mutual trust and respect. Ensure that participants always show respect for each other.

20. Ensure that confidential information is not divulged unless with the express approval of all those concerned.

22. Be aware that discriminatory, offensive and violent behaviour will not be tolerated and all complaints will be acted upon.



23. Maintain a clear boundary between friendship and intimacy with the participants and not conducting inappropriate relationship with participants.

I ..... (Please print name) agree to abide by the above code

Signed .....

Dated .....

**CARE DIRECT** -First point of contact for all social care calls. Information and advice.

DEVON SAFEGUARDING ADULT SERVICES Devon Safeguarding Adult Board  
0345 155 1007  
csc.caredirect@devon.gov.uk  
0845 6000 388 (low-call rate)

DEVON AND CORNWALL CONSTABULARY  
Child Protection Team (Devon, Plymouth and Torbay only)  
Devon & Cornwall Constabulary 24hr helpline:  
Child Protection Helpline: (24hrs, call free)  
0808 800 5000

DATE OF APPROVAL OR AMENDMENT : 12.12.2022

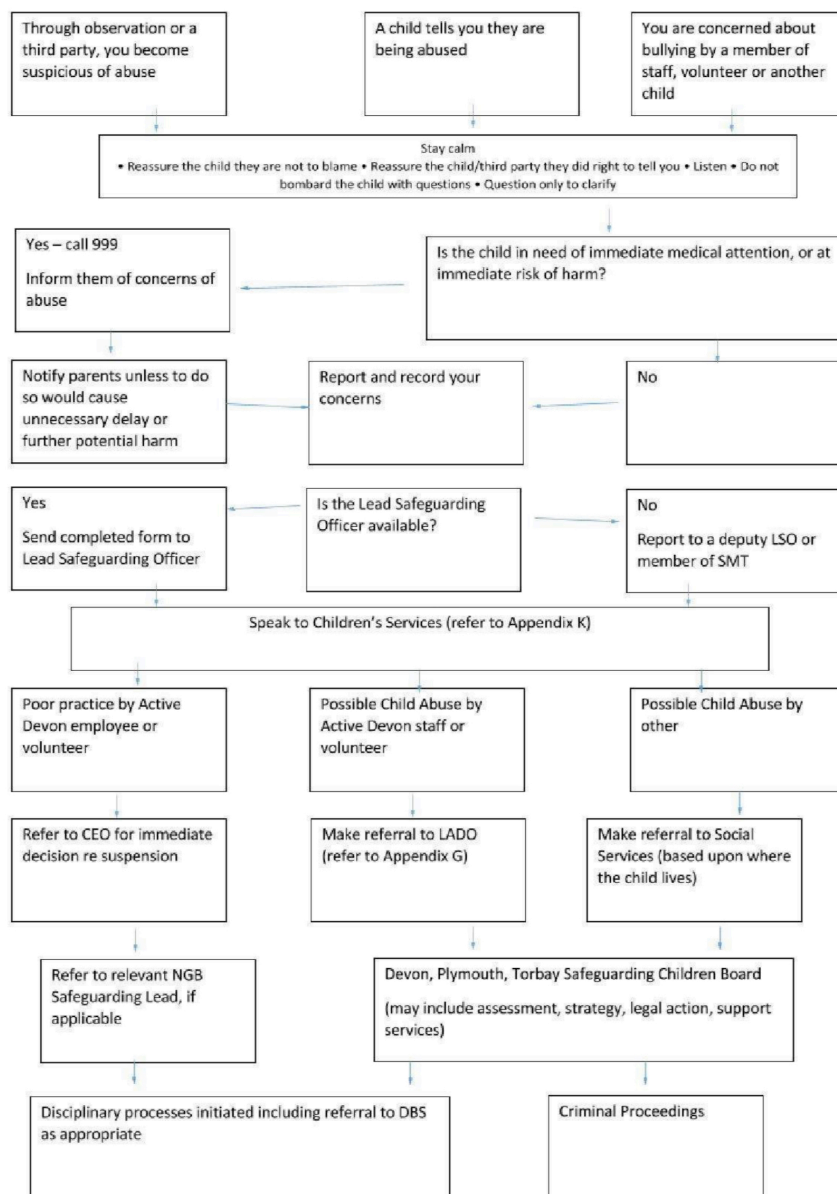
Signed Alison Melville-Shreeve  
Chair Friends of Homeyards Botanical Gardens in Shaldon .

AMENDMENTS.

SIGNED

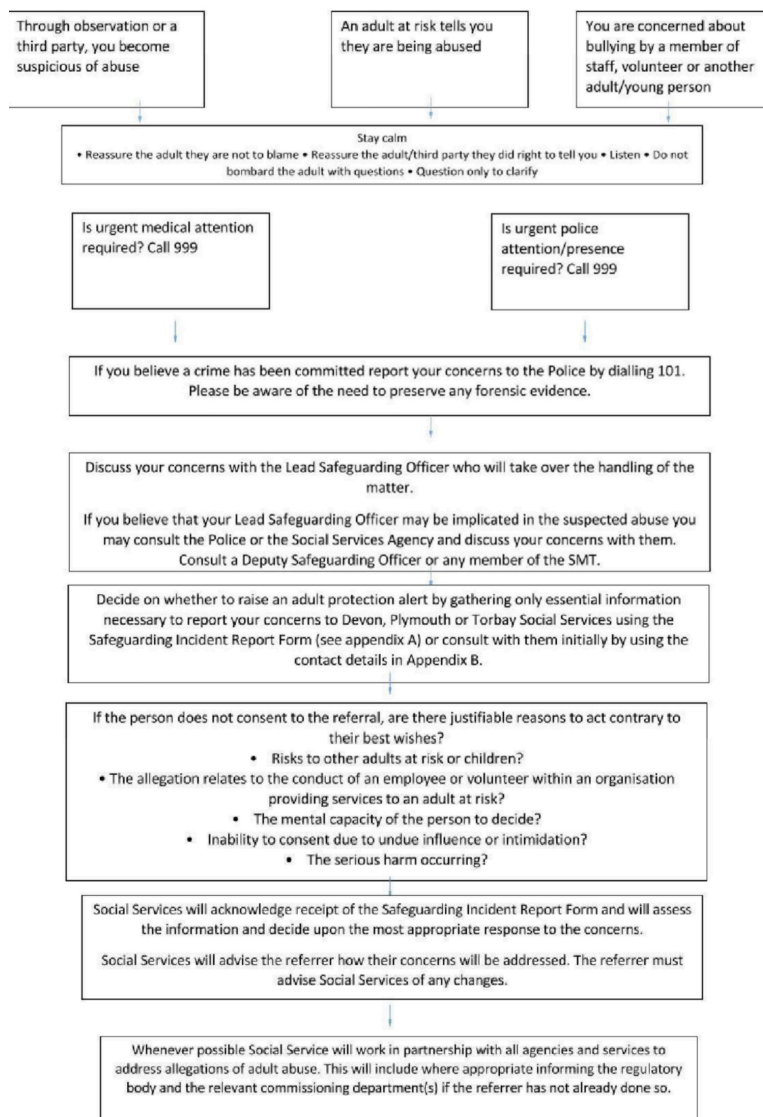
## Flow Chart 1

### Appendix C -Safeguarding Children and Young People Procedure Flow Chart



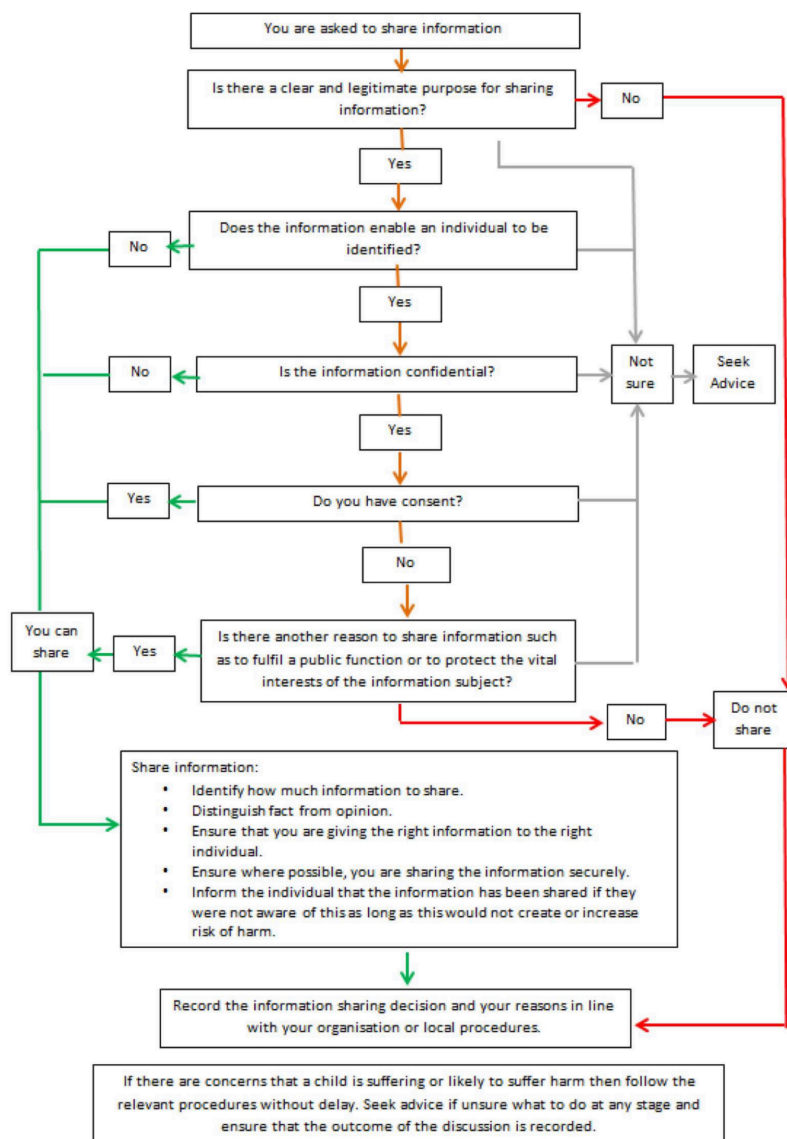
## Flow Chart 2 Appendix D

### - Adults at Risk Procedure Flow Chart



Flow Chart 3  
Appendix E

### Flowchart of when and how to share information



Source: Information Sharing (HM Government March 2015)

