




# POLICY

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• Document Control	Any changes to this document need to be agreed by Harriet Walker who is the policy lead and holder from 16/9/22
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## 1. Overview

- 1.1. This policy lays out how Business in the Community (BITC) aims to keep people safe from harm, setting out especially what it expects from its employees (herein colleagues), volunteers, and those working on behalf of the organisation to protect people who come into contact with the charity. It includes our commitment to proactively prevent harm and respond well where harm occurs or is suspected, whether online or offline.
- 1.2. This includes harm arising from:
  - The conduct of our colleagues or those working on our behalf,
  - The design and implementation of our programmes and activities,
  - Behaviour, actions or inactions caused by individuals themselves (e.g., suicide, self-harm, self-neglect),
  - Behaviour, actions or inactions experienced outside of our activities but which colleagues or those working on our behalf become aware of,
  - Our working environment,
  - Our digital interactions and engagement with those accessing our digital products.
- 1.3. **Scope:** This policy applies to:
  - All colleagues employed by BITC,
  - Anyone working on behalf of BITC, including but not limited to trustees, volunteers and consultants,
  - Third party organisations in a joint initiative where it has been decided that BITC's Safeguarding Policy and associated procedures will be followed,
  - Donors and members where they engage in our activities.
- 1.4. Other policies, flowcharts & forms related to safer working across the organisation which may also apply and should be considered are as follows:
  - Code of Conduct
  - Data Protection (including Data Subject Rights Procedure and Data Breach Procedure)
  - Data Retention
  - Disciplinary Policy
  - Disclosure and Barring Checks Policy and Procedure
  - Employee Wellbeing

- Health and Safety
- Induction, on-going training and development
- Information Security
- Recruitment and Selection Policy (including Safeguarding guidance)
- Social media
- Speak up (Whistleblowing)

1.5. This policy may be subject to change at the discretion of management and in consultation with our recognised Union Community where fundamental changes are required.

## 2. Definitions

- **Adult at Risk:** Anyone aged 18 or over who has needs for care and support and is experiencing, or is at risk of, abuse or neglect. As a result of those care and support needs, they may be unable to protect themselves.
- **Brokered partner:** The partner organisation has the direct relationship with the individual. The partner organisation has the primary responsibility for safeguarding and lead any response to safeguarding concerns for those they have responsibility for. BITC needs to be clear that the organisation has effective safeguarding procedures in place to address the concern at hand. BITC will assist them to meet their duties.
- **Child:** Anyone under the age of 18 years.
- **Contracting colleague:** The BITC colleague who contracts with consultants or partners delivering services to BITC or on our behalf.
- **Donor:** Individual who is or is considering donating to BITC.
- **Outsourced partner:** The partner organisation has an agreement to deliver on BITCs behalf. The partner organisation has the direct relationship with the individual and in most instances, the partner organisation will be the 'lead safeguarding organisation' and lead any response to safeguarding concerns for those they have responsibility for. Any variation to this will be specified in the agreement with the organisation. BITC must ensure that those organisations deliver effective care, provide active support and give direction as necessary.
- **Partners:** agencies or organisations engaged in delivering services on behalf of BITC; or agencies or organisations we are in a joint initiative with.

- **Safeguarding:** Safeguarding refers to the range of measures in place to protect people from harm, abuse, neglect and mistreatment of any kind. It includes a wide range of issues relating to an individual's welfare and their health and safety.
- **Team member:** anyone engaged or acting on behalf of BITC supported or directed activities including employees, agency workers, secondees, interns, those on work experience, volunteers (including trustees) and consultants.

### 3. Legal Framework

- 3.1. We recognise and seek to meet all duties expected by our principal regulator, the Charity Commission for England and Wales [for safeguarding and protecting people, protecting charities from abuse for extremist purposes](#) and [due diligence, monitoring and verifying the end use of charitable funds](#).
- 3.2. In developing this policy and any associated procedures and guidance, we have referred to key domestic legislation as expected by the Charity Commission including [The Charities Acts 2006 & 2011](#), the [Children Act 1989 & 2004](#), the [Protection of Children Act 1999](#) and the [Safeguarding Vulnerable Groups Act 2006](#), the [Care Act 2014](#), the [Data Protection Act 2018](#), [Public Interest Disclosure Act 1998](#), the [Equality Act 2010](#) and in light of the principles of the [Mental Capacity Act 2005](#), the [Counter-Terrorism and Security Act 2015](#) and the [Domestic Abuse Act 2021](#).
- 3.3. BITC recognises its duties to safeguard and promote the welfare of children and adults at risk of harm affected by its work. Where we engage in such work, we will consider relevant statutory guidance including [Keeping Children Safe in Education \(2023\)](#), [Working Together to Safeguard Children \(2018\)](#)<sup>1</sup>, [Care and support statutory guidance \(2020\)](#), [Prevent Duty Guidance for England & Wales \(2023\)](#) and the [Domestic Abuse Statutory Guidance \(2022\)](#). We shall consider this guidance proportionally in light of the unique nature and

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<sup>1</sup> At the time of updating this policy, the UK Government is consulting on a revised version of this statutory guidance. Team members which work directly with children should be alert to updates from the Lead Designated Safeguarding Officer (LDSO) when the final version is published.

structure of the organisation and respecting the duties of statutory agencies to protect children and adults experiencing or at risk of harm.

3.4. BITC operates across the United Kingdom. The principles underpinning this policy are developed with regard to UK legislation. They apply across the organisation, irrespective of location. However, specific legal obligations and context for our safeguarding activity will vary according to the nation in which we are operating. This includes, but not limited to:

- In relation to Scotland, [Charities and Trustee Investment \(Scotland\) Act 2005](#) and [Charities \(Regulation and Administration\) \(Scotland\) Act 2023](#); [Children \(Scotland\) Act 1995](#), [Children and Young People \(Scotland\) Act 2014](#), [Protection of Vulnerable Groups \(Scotland\) Act 2007](#), [Adult Support and Protection \(Scotland\) Act 2007](#), [the Adults with Incapacity \(Scotland\) Act 2000](#) and the [Mental Health \(Care and Treatment\) \(Scotland\) Act 2003](#).
- In relation to Wales, [The Social Services and Well-being \(Wales\) Act 2014](#) and the [Well-being of Future Generations \(Wales\) Act 2015](#).
- In relation to Northern Ireland, [The Children \(Northern Ireland\) Order 1995](#), [Children's Services Co-operation Act \(Northern Ireland\) 2015](#), [the Health and Social Care \(Reform\) Act \(Northern Ireland\) 2009](#), [The Mental Capacity Act \(Northern Ireland\) Act 2016](#), [Public Interest Disclosure \(Northern Ireland\) Order 1998](#).

3.5. BITC recognises its duties to safeguard and promote the welfare of children and young people and adults at risk in the digital world. Where we use digital to work directly with our users and volunteers, we will promote best practice in online safety and mitigate risks in as far as possible. We will seek to work in line with duties in the [Malicious Communications Act 1988](#), [Communications Act 2003](#), [Computer Misuse Act 1990](#), the [Serious Crime Act 2015](#), the [Age appropriate design: a code of practice for online services \(2021\)](#) and the Charity Commission [Charities and Social Media guidance \(2023\)](#).<sup>2</sup>

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<sup>2</sup> At the time of updating this policy, the UK Government is passing an Online Safety Bill. Team members which work with digital products and services should be alert to updates from the Lead Designated Safeguarding Officer (LDSO) when the Bill is passed.

## 4. Key Principles

- 4.1. Business in the Community's values commit us to be focused, passionate, pioneering, collaborative and to act with integrity. We will act with integrity, respect each other, respect our partners' commitments, be consistent and fair, and be honest and transparent.
- 4.2. To ensure we are fulfilling our values we are committed to safeguarding and promoting the wellbeing of those who benefit from our work, our colleagues and volunteers and others we come into contact with.
- 4.3. Protecting people and meeting our safeguarding responsibilities is a governance priority for BITC. It is a fundamental part of operating as a charity for the public benefit. We will ensure that safeguarding is embedded within our programmes, operations, working environment, digital activities and culture across the organisation.
- 4.4. BITC provides a range of services across the United Kingdom. Our employees and volunteers engage with children, young people and adults at risk who require support to be healthy and safe and to achieve their potential. We have a particular duty of care when in contact with:
  - **Children and young people under 18 years of age:** We will seek to protect children from maltreatment; prevent impairment of their health or development; ensure they are growing up in circumstances consistent with the provision of safe and effective care; and take action to enable them to have the best outcomes.
  - **Adults (aged 18 and over) at risk:** We will protect the rights of adults to live in safety, free from abuse and neglect.
- 4.5. BITC provides information, advice and services online and further our goals using a wide range of digital platforms and information systems. We will seek to protect all those in contact with the charity from harm in the online environment through the implementation of effective technical solutions, advice and support and procedures for managing incidents. This includes harm arising from behaviour online which may hurt a person physically or emotionally. This behaviour could be from digital content (including text, images and audio) produced, promoted, generated or shared by BITC agents or other users of our services or on platforms we use.

- 4.6. Safeguarding is everyone's responsibility. All employees, volunteers and those acting on BITC's behalf must play their full part in safeguarding people who come into contact with the charity. Everyone has an obligation and responsibility for safeguarding and to achieve the commitments in this policy. Everyone is responsible for the quality, efficiency, and effectiveness of their safeguarding activity. Everyone must report concerns related to protecting, safeguarding, and promoting the welfare of anyone experiencing or at risk of abuse, harm or neglect.
- 4.7. BITC works in partnership with a wide range of other organisations to meet our goals. We will act to empower, prevent and protect by working in partnership, ensuring that we recognise and take action in relation to our accountability to partners and clients.
- 4.8. Business in the Community's safeguarding arrangements are underpinned by the following key principles. We apply the same safeguarding principles to our activities whether they are offline or online:

**Best interests:** the primary consideration when managing safeguarding is always to act in the best interests of those at risk of or experiencing harm. We will always consider how best the individual(s) can be supported and the potential effect the application of this Policy may have on their life.

**Respect:** the views and wishes of the person who has experienced or is at risk of harm will guide our response. We treat them with dignity and respect at all times; listening to what they have to say; taking their views seriously; and working with them collaboratively when deciding how to support their needs.

**Equal protection from abuse:** No one should ever experience abuse of any kind through our activities. Everyone has an equal right to be protected from all types of harm or abuse regardless of their age, disability, gender identity or reassignment, marriage and civil partnership, pregnancy and maternity, race (including colour, nationality, and ethnic or national origin), religion or belief, sex and sexual orientation, nor on grounds of any other irrelevant distinction.

**Confidentiality and information sharing:** We will protect individuals' rights to privacy and confidentiality and only disclose information about a person who comes into contact with the charity to other colleagues on a 'need to know' basis. All our colleagues must be aware that whilst they have duties to



keep any information confidential, they also have a professional responsibility to share information with other agencies to protect people from harm and retain information in a safe, secure and lawful manner.

## 5. Commitments for implementation

### 5.1. Safer recruitment

- We will recruit colleagues (both paid staff and volunteers) safely assessing all roles, taking into account the working environment, determining if there is a requirement for DBS/PVG/AccessNI check and if so, at what level. This assessment will take place for all roles; including those with contact with children and adults at risk and those who have access to data regarding these groups.
- We will always manage risks to ensure the individual is suitable for their role.
- We will advise all colleagues working with children and adults at risk of harm to disclose any reason that may affect their suitability to undertake this work (including convictions, cautions, court orders, reprimands and warnings).
- The details of these requirements for colleagues are set out in Recruitment and Selection Policy (including Safeguarding guidance).

### 5.2. Awareness raising

- We will share information about the right to be safe and safeguarding best practice, as appropriate, to all engaged in our work, including through induction and training.
- Any new colleagues will, as a minimum, be directed to this policy and associated procedures and receive basic training as part of the new starter induction The line manager or Contracting colleague should discuss any role-specific safeguarding requirements with the colleague.

### 5.3. Training

- All employees and volunteers will complete safeguarding training relevant to their role.
- All employees and volunteers will receive communication annually reminding them of their duties, any significant amendments to policy or procedure and with links to relevant materials or resources.



- Specific training will be provided for individuals with operational responsibility for programmes that work directly with people who come into contact with the charity, and managers and directors of those individuals.
- Training will be provided to hiring managers on safer recruitment and selection training that includes reference to safeguarding responsibilities and requirements for additional disclosure checks for certain roles.
- Training will be provided to those responsible for responsible for programme or project risk assessment (delivered as part of the Delivery & Impact induction).
- Enhanced safeguarding training and other relevant training will be given to individuals that have designated safeguarding responsibilities or work in high-risk roles.
- The Board of Trustees will be trained in safeguarding so that they have a full understanding of their responsibilities when carrying out their roles.
- Training will be refreshed at least every three years or more often following significant change to policies, procedures or operational delivery.

#### **5.4. Managing risk**

- All employees, volunteers and others acting on our behalf should be proactive in taking appropriate, proportionate, preventative steps to reduce the risk of, or perception of, harm occurring; especially concerning children and adults at risk. All individuals acting on behalf of BITC will seek to protect those that are at risk of being harmed and respond well to those that have experienced harm.
- BITC will ensure colleagues can access support via the Employee Assistance Programme (EAP) if affected by safeguarding issues raised to them that may impact on their own wellbeing.
- Individuals responsible for programme or project design and implementation must ensure that safeguarding is accounted for at all stages of the programme/project cycle. It is important that safer programming measures are carried out even for programme activities that do not explicitly engage children, or adults at-risk. This includes whether the programme or activities are primarily delivered online, offline or a mixture of the two. These should be updated annually.

- Risk assessments of potential hazards should be undertaken at the planning phase to allow programmes and activities to be designed with safeguarding in mind. This will include a definition as to the type of relationship(s) held with individuals by partners engaged (“brokered” or “outsourced”) and specific hazards arising from the programme or activity. These must be regularly reviewed as part of monitoring activities.

#### **5.5. Monitoring, evaluation and accountability**

- A regular update on safeguarding will be presented to the BITC Executive Team outlining an overview of concerns and other key elements.
- The Lead DSO will provide updates to BITC Executive Team as part of standard regulatory items as necessary and to the Lead Safeguarding Trustee at least biannually.
- Those involved with a safeguarding concern have the right to feedback on their experiences with BITC. Their views and experiences will inform further development of our approach to safeguarding.
- An annual review of the organisations approach to safeguarding and an organisational wide audit of safeguarding activity will be completed. A summary report resulting from the review will be presented to the BITC Board of Trustees and Audit Committee.

#### **5.6. Safeguarding concerns**

- Employees, volunteers and others acting on our behalf will always respond to a safeguarding disclosure, concern or allegation promptly and appropriately following the relevant procedure.
- If BITC becomes aware of abuse, neglect or harm, we will provide support and make sure that our response takes the needs of the person experiencing abuse, any bystanders and our organisation as a whole into account.
- BITC will record all safeguarding concerns, discussions and decisions (and justifications for those decisions) promptly and appropriately in writing, recording and storing information professionally and securely and in line with established procedures.
- Where there is a safeguarding concern/incident that happens on a digital platform we will follow our procedures and escalate anything that is illegal to the appropriate authority.

### 5.7. Partnerships

- Employees and others acting on BITC's behalf who are responsible for the relationship with partners will help the partners to be aware of and understand BITC's safeguarding policies and other related policies.
- We will ensure we take into account our safeguarding responsibilities when undertaking due diligence of partners. Partners should have their own equivalent policies in place.
- In any joint activities or initiatives with others, BITC and the partner organisation will agree and record in writing (usually in any agreement) who has responsibility for safeguarding (i.e., the "safeguarding lead organisation") and which policies and procedures will be followed for the joint initiative.
- We will maintain a log of all known safeguarding lead organisation and contact details of their relevant designated safeguarding lead.
- All agreements (e.g. memorandums of understanding, (MoUs) and contracts), will include the "safeguarding lead organisation's safeguarding policy" as an appendix or as a link when starting any project. Breaches of this policy can lead to termination of contractual agreements.

### 5.8. Digital safeguarding

- All projects, programmes and campaigns that are using digital will be risk assessed with regards to digital risks to ensure that no further harms are caused to those in contact with the charity.
- Where we are using digital to engage with children and young people and adults at risk, we will ensure that we adhere to best practice in digital safeguarding relevant to their age or context. We will consider appropriate approaches to educate and raise awareness of online safety to these groups relevant to the activities we engage in.
- We will enable all colleagues to work safely and responsibly to role model positive behaviour online, and to manage professional standards and practice when using technology.
- We recognise that where we use third party platforms/apps and social media we are bound by their terms and conditions, but we will take reasonable steps to help to mitigate risks and to escalate and report any concerns.

## 6. Responsibility for implementation

### 6.1. Trustees

Business in the Community's Board of Trustees has ultimate responsibility for the management of safeguarding across the organisation. Governance and oversight is managed through the Audit Committee.

### 6.2. Lead Designated Trustee

The Lead Designated Trustee accountable for safeguarding is Jane Ashcroft, Chair of the Audit Committee.

### 6.3. Lead Designated Safeguarding Officer (LDSO)

The Lead Designated Safeguarding Officer is Harriet Walker – Advisory and Membership Director

The LDSO is accountable overall for the operational implementation of BITC's safeguarding work and communicating with the Board on all aspects of safeguarding.

Duties include:

- Ensuring safeguarding is part of the operational and business planning and strategic development.
- Evaluating the impact of relevant legislation on the organisation's approach to safeguarding young people and adults at risk
- Evaluating, developing and challenging the safeguarding performance of individuals and teams.
- To be able to speak with authority, engage and influence others in relation to safeguarding at a local, regional and national level.
- Reporting on concerns to the Executive and Audit Committee.
- Acting as the main point of contact for out of hours concerns. Responsibility for out of hours concerns will be deputised to the Safeguarding Operations Lead.
- Leading the annual review with support from Head of Business Management, Delivery & Impact.

### 6.4. Safeguarding Operations Lead (SOL)

The Safeguarding Operations Lead is Maria Anderson, Project Manager.

Working under the direction of the LDSO, the SOL is accountable for developing and delivering BITCs safeguarding activity.

Duties include:

- Acting as the central point of contact for safeguarding queries across the organisation
- Maintaining central safeguarding policy records and updating HR and the web team as appropriate.
- Holding Designated Safeguarding Officers (DSOs) accountable for specific actions and ensure risk is managed.
- Maintaining concern risk log and filing forms in a secure location.
- Supporting with DBS/PVG/AccessNI queries alongside HR.
- Coordinating the Designated Safeguarding Officers Network.
- Managing communication and sharing of final documents e.g., policies.
- Reporting on concerns to the Executive Committee (via the LDSO).
- Scheduling and chairing monthly DSO meetings; setting the agenda, coordinating and prompting on actions from last meeting.
- Drafting quarterly updates to audit committee and sign off with LDSO.
- Facilitate the upkeep of the recording of partner safeguarding lead and contact details by reviewing at monthly DSO meetings.
- Maintaining a Change Control Log of potential amendments and improvements to policy and procedures to be used to inform annual review.
- Identifying where there may be gaps that require attention through our annual review process (this is a joint role across all DSOs).
- Acting as cover for LDSO for out of hours concern contact as necessary.

#### **6.5. Designated Safeguarding Officer (DSO)**

We have lead officers for relevant areas working with people who come into contact with the charity, including areas such as front-line delivery, HR and Facilities.

Duties include:

- Advising their teams on matters relating to safeguarding, including any potential safeguarding concern.
- Completing detailed safeguarding report/referral.
  - Supervising others to achieve high safeguarding standards.

- Implementing, monitoring and developing their team's compliance with safeguarding policies and procedures both internally and externally.
- Raising any recent safeguarding concerns with the Designated Safeguarding Officers Network and identify learnings.
- For any partnership their team engage in, record and keep up to date the safeguarding lead organisation and contact details of the partners relevant designated safeguarding lead and stored in the agreed location and format and then contributing to review at monthly DSO meetings.
- Identifying where challenge is required in respect of a decision taken by an agency.
- Managing feedback from those involved with a safeguarding concern; and always actively seeking feedback for serious concerns.
- Responding to and informing policy reviews and annual review improvements.
- All DSOs will actively participate in the Designated Safeguarding Officers Network. The primary purpose of the network is to share best practice and generate learning to inform policy development and wider implementation of safeguarding duties (including induction, training and annual review).

## 6.6. Operational Delivery

Colleagues undertaking programme delivery, including Programme Managers and Delivery Managers.

Duties include:

- Identifying any safeguarding issues.
- Taking appropriate action to ensure the child/young person/adult at risk is protected.
- Contributing to a safe practice environment, including the supervision of others.
- Engaging effectively with external agencies to ensure people who come into contact with the charity are safeguarded.
- The ability to make coherent decisions in regard to safeguarding when appropriate.

### **6.7. Volunteers**

Individuals who are volunteering with/alongside BITC to undertake work in communities on a programme but who are not directly employed by BITC. In addition to volunteers, this includes but is not limited to secondees, interns and those on work experience.

Duties include:

- To be able to identify safeguarding issues.
- Be able to report and describe safeguarding concerns to their relevant Designated Safeguarding Officer/BITC contact.
- To comply with BITC's or with their relevant partner organisation's safeguarding policy and procedures (as appropriate).

### **6.8. Role of all Colleagues**

All colleagues have a responsibility to report all safeguarding concerns. Duties include:

- Be fully conversant with BITC Safeguarding Policies and Procedures.
- Undertake training as advised by your line manager.
- Capability to identify safeguarding issues.
- Be able to report and describe safeguarding concerns to their relevant Designated Safeguarding Officer/BITC contact.
- Contribute to the creation of a physically and emotionally safe environment
- Provide feedback as relevant on how to improve our approach to safeguarding.



Appendix A – Safeguarding Structure

