

Safeguarding Policy

Introduction

This policy sets out Guy's and St Thomas' Foundation's (the "**Foundation**") approach to safeguarding. This policy applies to our Linked Charities and family of brands that sit under the Foundation, including Impact on Urban Health, the Evelina London Children's Charity, Guy's Cancer Charity and Guy's & St Thomas' Charity.

Safeguarding aims to ensure that everyone connected with our charity is safe and protected from abuse and exploitation. It includes actions to prevent abuse and mitigate the risks of this occurring, as well as actions to ensure any allegations of abuse are taken seriously and anyone experiencing abuse is protected and their welfare promoted.

Given the nature of our work as a charitable foundation, we do not usually have direct contact with those who benefit from our work. However, we have a responsibility to protect our staff and trustees as well as others who we come into contact with in the course of our work. This policy reflects relevant legislation and statutory guidance and must be followed by Foundation staff (employees and contracted workers) and trustees.

We expect all organisations that we fund or contract to have their own safeguarding policy and procedures in place and to ensure these are followed or, in exceptional circumstances, to accept and adhere to the Foundation's policy and procedures if they do not have their own. We will make them aware of the Foundation's policy and the expectations that we have in relation to safeguarding.

This policy should be read in conjunction with the Foundation's safeguarding procedures, whistle-blowing policy, and Equity, Diversity and Respect policy, which also includes the Foundation's approach to bullying and harassment.

Full definitions of terms used in this policy are set out in **Appendix A**.

Our commitments to safeguarding

We have six policy commitments to safeguarding:

- **We promote a safe and trusted culture that prioritises safeguarding** by ensuring the Foundation and the organisations we work with have appropriate safeguarding mechanisms in place and take all safeguarding concerns seriously.
- **We take responsibility.** Safeguarding is everyone's responsibility. Every individual working for the Foundation has a role to play in keeping people safe.
- **We recruit safely.** We have specific procedures in place to select and carry out appropriate vetting for new staff and Trustees.

- **We respond promptly to every safeguarding concern.** All safeguarding concerns are dealt with in accordance with our safeguarding procedures.
- **We treat survivors of abuse and other safeguarding concerns with respect, care and dignity.** Those raising a concern and - if different - the person to whom the concern relates, will receive a compassionate response, be listened to and be taken seriously.
- **We encourage a culture of learning to continuously improve our approach to safeguarding.** We are committed to doing the right thing, being accountable for our actions and learning from incidents and near misses.

Our roles and responsibilities

Everyone in the Foundation has a responsibility for safeguarding and must:

- Familiarise themselves with this policy and the procedures that support it, attending safeguarding training appropriate to role
- Implement the safeguarding measures contained in this policy and ensure their behaviour always reflects the principles and practices set out in this policy
- Know what to do if they have a safeguarding concern, take all concerns seriously and follow Foundation procedures after a safeguarding concern has been raised.

Trustees

Our Trustees have a duty of care to the Foundation, which includes ensuring all reasonable steps are taken to safeguard people from abuse, managing risk and protecting the reputation of the Foundation. The Trustees may delegate the day to day work for safeguarding to the positions below but they retain ultimately responsible for safeguarding within the Foundation.

Our Trustees are responsible for:

- Approving the Foundation's Safeguarding Policy and overseeing its implementation and effectiveness, and ensuring this is reviewed on an annual basis.
- Ensuring the Foundation is compliant with Charity Commission regulations and that all serious incidents are reported to the Charity Commission
- Ensuring internal reviews are conducted following all safeguarding incidents and the learnings are reviewed by the Finance and Audit Committee.
- Appointing a Safeguarding Lead and Executive Safeguarding Lead

Executive Leadership Team

The Chief Executive Officer (CEO) is accountable to the Board of Trustees for all safeguarding matters. The CEO will ensure that safeguarding underpins all decisions made by the Executive Leadership Team by:

- Maintaining a clear organisational and operational focus on safeguarding staff, adults with support or care needs and children.
- Making sure relevant statutory requirements and other national standards are met.

Safeguarding Leads

Our Safeguarding Leads are the Director of Funding and the Funding Operations Manager:

- Safeguarding Lead: Julia Rose, Funding Operations Manager (Julia.rose@gsttfoundation.org.uk)
- Executive Safeguarding Lead: Andy Ratcliffe, Executive Director of Programmes (andy.ratcliffe@urbanhealth.org.uk)

The Safeguarding Leads, with the support of the Executive Leadership team, are responsible for ensuring the implementation of the safeguarding policy and ensuring staff are supported to fulfil their responsibilities. This includes:

- Monitoring of policy implementation to ensure consistency and compliance
- Acting as the first point of contact for concerns and providing advice and support to staff
- Ensuring staff are made aware of their safeguarding responsibilities and receive training relevant to their role
- Ensuring that the Foundation's safeguarding policy is reviewed annually
- Supporting staff with reviewing safeguarding policies of partners we work with
- The Executive Safeguarding Lead is accountable to the CEO.

Safe People

The Foundation takes recruitment of its staff seriously to ensure we recruit safely so as not to put candidates, colleagues or those we fund at risk of abuse.

- All employees go through a robust recruitment process including at least one interview and references are sought for all successful candidates covering the previous 4 years.
- The Foundation does not routinely conduct DBS checks as staff do not routinely have contact with those who benefit from our support or with children or adults with care and support needs. When developing new roles, we consider the level of contact and potential safeguarding risk and decide whether a DBS is required. For roles where we decide a DBS check is required that are filled by non-employees (e.g. contractors or secondees) we will obtain an up to date DBS check for those non-employees.
- We incorporate safeguarding into staff inductions to ensure that staff are aware of their responsibilities and how to report concerns.
- We provide specific training to staff members who assess funding applications or enter into contracts with suppliers who deliver services direct to children or adults with care and support needs.
- Our Safeguarding Leads are available to provide support and advice to staff. In addition, the Foundation is a member of the Funder Safeguarding Collaborative which provides a range of resources to support staff.
- All employees are asked to confirm their right to work in the UK.

Code of Conduct

We expect all staff to abide by the following safeguarding code of conduct in all aspects of their work. Any breach of this Code of Conduct will be taken seriously and may result in disciplinary action.

All staff are expected to:

- Be familiar with the Foundation's safeguarding policy and their responsibilities
- Treat everyone in accordance with our Equality, Diversity and Respect policy, including treating everyone with dignity and respect, and without bias or favouritism
- Never use language and behave in a way that is harassing, abusive, sexually provocative or demeaning
- Take all safeguarding concerns seriously and report all concerns, suspicions and allegations as soon as possible, in line with the Foundation's procedures

When visiting our partners or interacting with children and adults with care and support needs:

- Behave in a calm, positive, supportive and respectful manner
- Check with project staff whether they have any safeguarding measures or guidelines on conduct which they would like you to follow
- Ensure you are not left alone with a child or adult with care and support needs, including travelling alone with them
- Never provide personal details to a child or adult with care and support needs, request their contact details, make friends with them or engage with them online
- Never develop inappropriate relationships with children including engaging in any form of sexual activity with a child, regardless of the age of consent or local legislation and customs
- Never engage in sexual relationships with adults with care and support needs participating in projects funded by the Foundation
- Never use physical punishment or discipline or force of any kind towards children or adults with care and support needs
- Only take photographs or video recordings where you have explicit authorisation from the Foundation and the funding partner involved to do so and appropriate consent has been obtained from the individual, including written parental consent for children under the age of 18 (see our Social media policy).

How to raise a safeguarding concern with the Foundation

Safeguarding concerns or allegations come to light from a wide variety of sources. Foundation staff as well as external stakeholders, such as members of the public or the organisations we fund, can raise a safeguarding concern related to the Foundation's work or an organisation we fund or contract with in two ways:

- By emailing our Safeguarding Lead (safeguarding@gsttfoundation.org.uk)
- By calling the Foundation on +44 (0)20 7089 4550 and asking to speak to our Safeguarding Lead

If your concern relates to the Safeguarding lead you can ask to speak to our Executive Safeguarding Lead and vice versa.

What the Foundation will do with information received relating to a safeguarding concern

We ensure concerns are recorded appropriately and if (and to the extent) necessary, shared with relevant colleagues and other statutory agencies, including the police. All our staff and Trustees co-operate fully with statutory authorities where applicable. We follow our Safeguarding Procedures which detail how concerns are managed and investigated.

It is important that even low-level safeguarding concerns are reported. Low level concerns may relate to poor practice, rather than abuse, but it is important that these issues are addressed as this can help prevent further, more serious concerns in the future. If you are unsure whether something constitutes a safeguarding concern, you must still raise this with the Safeguarding Lead. It is the responsibility of the Safeguarding Lead to determine whether information supplied is to be considered a safeguarding concern and to determine what action is required.

The Safeguarding Lead will make notes of the discussion. If they determine that the concern is a safeguarding issue, they will ask the person reporting the concern to complete the safeguarding referral form and send this by email to safeguarding@gsttfoundation.org.uk Ideally you should include the following information, although it is accepted this is not always possible.

- Basic details about the person affected by the concern, as far as it is known. This includes the person's name; address and contact details
- If the person affected is a child, then details of parents/guardians should also be recorded. Similarly, if the person is an adult with care and support needs, details of carers should also be recorded
- Basic details of the individual against whom the concern is perceived. This includes their name, relationship/role within their organisation and relationship to the person affected by the concern
- Dates when the concern arose, or when the incident occurred
- A description of the concern, wherever possible using the person's own words to describe the event or incident as this helps avoid assumptions about the intended meaning of the words used
- Details of any action already taken about the concern
- The views and wishes of the person affected about what action they would like taken, including whether the safeguarding concern should be passed to the statutory agency or not

The referral form should be used to record information received in a consistent manner.

For concerns relating to partners, the Safeguarding Lead will where appropriate discuss the concern with the relevant grant or contract manager for the partner organisation. In most cases, where the concern relates to a project we are funding, information will be passed to our partner organisation and any investigation will be carried out by them with regular check-ins with the Foundation until the investigation is complete and

appropriate action has been taken. Where appropriate, the Local Authority Designated Officer will be contacted directly by the Foundation.

For concerns relating to the Foundation's staff, an investigation will be carried out by the Safeguarding Lead, an HR representative and Executive Directors as required. Further information is available in our Safeguarding Procedures.

In cases of emergency, where a child or adult with care and support needs appears to be at immediate risk of harm, an urgent report must be made to the statutory agencies to ensure that no one is left in a dangerous situation pending intervention, in an emergency dial 999. It is the responsibility of everyone within the Foundation to ensure those who may need protection are not left at risk. Where an emergency referral to statutory agencies is made, you must notify the Foundation's Safeguarding Lead as soon as possible, and provide details of:

- the rationale for the immediate communication to the statutory agency
- people involved in the communication, their contact details and any reference numbers
- details of the discussion, any decisions and the outcome of the conversation

What we expect from partners

We are committed to supporting the organisations we fund or contract with to protect those they support or come into contact with.

Assessment & Due Diligence

We ask all organisations that we fund to confirm that they have a safeguarding policy and whistleblowing policy in place.

To ensure our expectations of grantees and contract partners are proportional, we use a risk-based approach which includes a higher level of checks on those organisations most likely to come into contact with children or adults with care and support needs. Examples of such organisations are:

- organisations we support with charitable funds to deliver services or activities with children and/or adults with care and support needs
- organisations we commission to carry out primary research with children and/or adults with care and support needs
- organisations we contract with to manage our residential property portfolio
- organisations we contract with to provide fundraising services

For these organisations, we also:

- Ask them to complete a safeguarding checklist as part of our due diligence process to help us understand how safeguarding is approached and embedded within their organisation. This will also ask questions regarding on-line safety for organisations working with children.
- Request copies of their safeguarding policy and procedures.
- We may ask follow-up questions of their staff to ensure the policy and procedures are widely understood and implemented

This assessment will inform our decisions on whether to fund, or continue funding or working with organisations. If we discover the safeguarding policies and procedures do not comply with the requirements set out in our safeguarding checklist, we will consider

supporting those organisations to access training and offering advice to ensure compliance.

We may add conditions to our funding to ensure safeguarding remains a priority for funded organisations.

Reporting of Safeguarding Concerns by recipients of funding

We require organisations to report safeguarding concerns to us and this is included in their conditions of funding, whether this is through a grant agreement or contract. Grantees or contract partners must inform us of incidents which have resulted in or risk significant harm or abuse:

- where the harm was caused by someone connected with the work funded by the Foundation
- where the harm or risk of harm was created by a breach or serious failure in organisational safeguarding procedures

We do not require immediate reporting as the priority must always be for the organisation to take action to protect everyone involved. However, we do ask that grantees report safeguarding incidents to us as soon as possible and at all events within one working week.

Our aim, when receiving reports, is to ensure that appropriate action has been taken and learning identified to prevent similar incidents in the future. The responsibility for responding to the concern, including notifying relevant authorities and the regulator, rests with the grantee and should be undertaken in line with their own safeguarding procedures.

Once notified of a grantee safeguarding concern, the Safeguarding Lead will:

- Contact the partner organisation at the earliest possible opportunity, unless doing so would place individuals at further risk
- Discuss what actions the partner has taken or plans to take to address the concern, including details of any investigation and/or referral to statutory agencies
- Discuss timescales for action and ensure that the partner informs the Foundation of progress and outcomes
- Ensure that the partner (if a charity themselves) has referred any serious incidents to the Charity Commission in line with Charity Commission regulations

It is the responsibility of the partner organisation to manage the safeguarding process.

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Foundation will only take action where the partner organisation is unwilling or unable to act and any failure to intervene on behalf of the Foundation may place individuals at risk of further harm. While our aims are to work with our grantees to ensure lessons are learned and practice is improved, the Foundation may consider suspending funding if there is no improvement or change in practice and if the Foundation considers there may be further risk of harm to children or adults with care or support needs.

Confidentiality

All documentation relating to safeguarding incidents or allegations will be kept and treated confidentially and in accordance with UK GDPR the Data Protection Act 2018. Only those who need to know about the incident will be informed.

In order to keep people safe, information may need to be shared with others, both within the Foundation and with external agencies. Where appropriate, we will seek consent to share such information (which may include special category personal data or other personal data, as defined under applicable data protection legislation). However, if we need to share this information and it is not possible to get consent; requesting such consent would put the individual at risk at further risk; or it would not be considered reasonable for us to seek consent in the circumstances, we may share this information without the consent of the individual concerned.

Complaints

Any complaint about the way we have handled a safeguarding concern should be made in accordance with our [Complaints Policy](#) and will be addressed accordingly in a fair and thorough manner.

Review

This policy is reviewed by our Finance and Audit Committee and signed off by our Board every 12 months, or following any legislative changes, whichever comes first.

Date Approved: 1st December 2021

Date of Next Review: Nov 2022

Appendix A - Definitions

Child

a child is defined as any person under the age of 18, whether living with their families, in state care or living independently¹.

Safeguarding Children: In England, protecting children at risk is defined as:

1. Protecting children from abuse and maltreatment;
2. Preventing impairment of children's health or development;
3. Ensuring that children are growing up in circumstances consistent with the provision of safe and effective care;
4. Taking action to enable all children to have the best outcomes².

Adult with care and support needs

In England an adult with care and support needs is defined as a person aged 18 or over whom:

- Has needs for care and support (whether or not the local authority is meeting any of those needs) and;
- 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 neglect³.

An adult with care and support needs could be a member of the public (including but not limited to someone who benefits from services or activities we have funded or contracted out to others), someone we fund or contract with, or a member of staff. Whoever they are, any concerns should be shared in accordance with this policy.

Abuse

Abuse is a form of mistreatment by one individual that causes harm to another person. The range of abuse includes physical abuse, emotional abuse, neglect, sexual abuse and child sexual exploitation.

Abuse and neglect of Children

Physical abuse	A form of abuse which may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.
Emotional abuse	The persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to a child that they are worthless or unloved, inadequate,

¹ Working Together to Safeguard Children 2018, p.7, updated Dec 2020

² Working Together to Safeguard Children 2018

³ Care Act 2004, section 42

	<p>or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond a child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyber bullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.</p>
Sexual abuse	<p>Involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse Sexual abuse can take place online, and technology can be used to facilitate offline abuse. Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.</p>
Child sexual exploitation	<p>Child sexual exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology.</p>
Neglect	<p>The persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to: a. provide adequate food, clothing and shelter (including exclusion from</p>

	home or abandonment) b. protect a child from physical and emotional harm or danger c. ensure adequate supervision (including the use of inadequate caregivers) d. ensure access to appropriate medical care or treatment It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.
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Abuse and neglect of Adults with care and support needs

Physical abuse	A form of abuse which may involve slapping, hitting, pushing, restraining, misuse of medication, restraint, being denied food or water, or not being helped to go to the bathroom when you need to.
Emotional abuse	The persistent emotional maltreatment of an adult could include humiliating, blaming, controlling intimidating or harassing, verbal abuse, cyberbullying and isolation.
Sexual abuse	This includes sexual activity with someone without their permission or sexual activity with someone who is not able to give their consent. Sexual activity includes indecent exposure, sexual harassment, inappropriate touching or looking, sexual teasing or innuendo, sexual photography, being forced to watch pornography or sexual acts, being forced or pressured to take part in sexual acts and rape.
Exploitation	Unfairly manipulating someone for profit or personal gain. This could be planned or something done on the spur of the moment.
Financial or material abuse	This could include theft, fraud, exploitation, coercion in relation to the person's financial affairs or arrangements, e.g. getting someone to change their will.
Neglect	For adults, neglect includes not being provided with enough food or with the right kind of food, or not being taken proper care of, being left without help to wash or change dirty or wet clothes, not getting to a doctor when needed or not making sure you have the right medicines.
Discriminatory abuse	This includes discrimination on grounds of race, gender, gender identity, disability, sexual orientation, religion and other forms of harassment, slurs or similar treatment.
Organisational abuse	This includes neglect and poor care practice within an institution or specific care setting, e.g. a hospital or care home, or care provided at home. This could be a one-off incident or on-going ill treatment and could be through neglect or poor professional practice.
Modern Slavery	Human trafficking, forced labour, domestic servitude, debt bondage or sexual exploitation.
Domestic Violence or Abuse	This includes assault, threats of violence, humiliation, intimidation and harming, frightening or punishing.

Self-neglect	Lack of self-care, to the extent that this threatens the person's health or safety, inability to avoid self-harm, or failure to seek help.
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Appendix B Legal Context and Useful Resources

a) Duties under Charity Law

Guy's and St Thomas' Foundation's is regulated by the Charity Commission for England and Wales. We have duties under the [Charities Act 2011](#) and our duties seek to comply with their duties as summarised in [CC3: The essential trustee: what you need to know, what you need to do.](#)

In developing this policy, we recognise the specific duties set out by the Charity Commission [for safeguarding and protecting people](#) and [protecting charities from abuse for extremist purposes](#). As a Funder we also recognise the specific responsibilities the Charity Commission establishes on funders to carry out [due diligence checks on donors, beneficiaries and local partners and how to monitor end use of funds](#).

b) Legislative Framework for Safeguarding

This policy and any associated procedures and guidance were developed with reference to key domestic legislation to safeguard and promote the welfare of children and adults at risk of harm affected by our work.

Children	Adults at Risk
the Children Act 1989 & 2004 , the Protection of Children Act 1999 and the Safeguarding Vulnerable Groups Act 2006 , Working Together to Safeguard Children (2018) and Keeping Children Safe in Education (2021)	Care Act 2014 and the Care and support statutory guidance (2020) and Mental Capacity Act 2005 ,
The Counter-Terrorism and Security Act 2015 , Domestic Abuse Act 2021 .	

c) Useful Safeguarding Resources

[Funder Safeguarding Collaborative](#) offers members access to webinars, resources, training and capacity building tailored to the needs of funding organisations. Guy's and St Thomas' Foundation is a member of the Funder Safeguarding Collaborative (FSC) and staff can access resources via FSC intranet or requesting advice via the Safeguarding Lead.

[NVCO](#) offer a range of safeguarding know-how guidance, training and links to national and local organisations who provide safeguarding support. Resources are aimed at voluntary organisations, small groups, organisations and charities working in the UK.

[NSPCC](#) offer best practice guidance, policy templates, checklists, training as well as research and policy updates on safeguarding. Resources are aimed at a wider range of small organisations working with children in the UK.

[Ann Craft Trust](#) offers resources to assist organisations in safeguarding young people and adults at risk. Resources are aimed at a wider range of small organisations working with adults in the UK.

[Hourglass](#) offers information relating to the harm, abuse and exploitation of older people in the UK.

[Catalyst](#) offers a selection of information on safer working online. Resources are aimed at voluntary organisations, small groups, organisations and charities working in the UK.