



MILLIMETRES 2 MOUNTAINS  
FOUNDATION

# **Millimetres 2 Mountains Foundation CIO Safeguarding Policy**

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## **1. Statement of Intent**

- 1.1 At Millimetres 2 Mountains Foundation we are committed to safeguarding and promoting the welfare of all adults who come into contact with Millimetres 2 Mountains Foundation, which is underpinned by our statutory duties. The Millimetres 2 Mountains Safeguarding Policy aims to ensure the protection of all vulnerable adults in all aspects of our work and to offer comprehensive advice to all staff members and volunteers with regards to legal requirements and good practice.
- 1.2 Fundamental to this is the recognition that the welfare of the vulnerable adult is paramount, and that all beneficiaries, without exception, have the right to protection from abuse regardless of gender, ethnicity, disability, sexuality or beliefs. In order to achieve this, Millimetres 2 Mountains endeavours to create a culture of listening to and engaging in dialogue with the beneficiaries – seeking their views in ways appropriate to their age and understanding, and taking account of those both in individual decisions and the establishment or development and improvement of services. This policy and the procedures included aim to ensure that all beneficiaries will have a positive experience and fulfil their potential.
- 1.3 For the purposes of safeguarding the term beneficiaries refers to individuals over the age of 18, undertaking the Millimetres 2 Mountains Foundation programme.
- 1.4 This policy is shared with the beneficiaries, organisations, other charities and other stakeholders upon request.
- 1.5 At the Millimetres 2 Mountains Foundation we work with adults who have faced some sort of adversity in their lives and are struggling with their mental wellbeing. We therefore recognise the importance of working across agencies, ensuring that all safeguarding issues are referred to the relevant agency, which for us will be our Local Adult Safeguarding Board, Bath.
- 1.6 All of the Millimetres 2 Mountains Foundation trips abroad are organised through a 3<sup>rd</sup> Party Provider. Checks are carried out on each of these providers and copies of insurance, policies and guidance are collected.
- 1.7 The Designated Safeguarding Lead (DSL) for the organisation is our trustee Edward Jackson. Edward has a monthly meeting with M2M staff member Lois Jackson to hear any concerns and talk about a safeguarding strategy for our beneficiaries. Edward is involved in the application process and he and Lois have access to a confidential area on Google Drive that securely stores all relevant documentation. The Safeguarding Team coordinates the safeguarding policies and procedures effectively and are the first point of contact for any staff or volunteer who wishes to discuss an issue concerning safeguarding.
- 1.8 The policy will be reviewed at least annually by the DSLs, endorsed by the trustees – with updates distributed among all Millimetres 2 Mountains staff.

## **2. Legal/Statutory obligations**

2.1 Millimetres 2 Mountains Foundation is subject to and/or recognises legal responsibilities in terms of vulnerable adult care and vulnerable adult protection and safeguarding. These include: The Care Act 2014, which came into effect in 2015, is the primary legislation in England for the support and protection of adults. It represents the most significant reform of care and support in more than 60 years, putting people and their carer's in control of their care and support. <http://www.legislation.gov.uk/ukpga/2014/23/contents/enacted> The legislation sets out how people's care and support needs should be met and introduces the right to an assessment for anyone, including carers and self-funders, in need of support. The act's "wellbeing principle" spells out a local authority's duty to ensure people's wellbeing is at the centre of all it does with greater emphasis on outcomes and helping people to connect with their local community. It seeks to ensure that people's eligibility for services will be the same across England.

- Guidance on safeguarding vulnerable adults, which in England had taken the form of the ‘No Secrets’ (2000) guidance, has been replaced by statutory guidance issued under the legislation which is the Care and Support Statutory Guidance (revised October 2018): <https://www.gov.uk/government/publications/care-act-statutory-guidance/care-and-support-statutory-guidance>
- This guidance is the adult equivalent of Working Together to Safeguard Children (Department for Education, 2018) for those seeking to support and protect adults at risk. For more information about the key legislation and government initiatives in relation to the protection of adults at risk go to: <https://www.anncrafttrust.org/resources/safeguarding-adults-legislation/>
- Duty of care – common law. This is an overall responsibility to endeavour to ensure the safety and welfare of the young people, personnel and trustees.
- *The Human Rights Act* (1998). This includes the right of individuals not to receive ill treatment; to privacy and family life; not to be the recipients of discrimination.
- *The General Data Protection Regulation* (2018) is a regulation in EU law on data protection and privacy for all individuals within the European Union. Please see the privacy notice on the website, or contact the GDPR administrator at Millimetres 2 Mountains Foundation (Lois Jackson) for further information.

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### 3. Terminology

Terminology For the purposes of this policy and procedures, the following terms are used:

*Adult at risk:* An adult at risk is ‘any person who is aged 18 years or over and at risk of abuse or neglect because of their needs for care and support’ (Care Act 2014 [England]). This definition is broadly consistent with definitions across the devolved nations. In Scotland, the definition of an ‘adult at risk’ or ‘vulnerable adult’ applies to those aged 16 years and over. In Northern Ireland the definition is, helpfully, broken down to assist in understanding as follows:

*Adult at risk of harm:* is a person aged 18 or over, whose exposure to harm through abuse, exploitation or neglect may be increased by their: a) Personal characteristics which may include, but are not limited to, age, disability, special educational needs, illness, mental or physical frailty or impairment of, or disturbance in, the functioning of the mind or brain. and/or b) Life circumstances which may include, but are not limited to, isolation, socio-economic factors and environmental living conditions.

*Adult in need of protection:* is a person aged 18 or over, whose exposure to harm through abuse, exploitation or neglect may be increased by their: a) Personal characteristics AND/OR b) Life circumstances AND c) Who is unable to protect their own well-being, property, assets, rights or other interests; AND d) Where the action or inaction of another person or persons is causing, or is likely to cause, him/her to be harmed

*Safeguarding:* This describes the activity that is undertaken to protect adults at risk from abuse, harm, ill-treatment and neglect.

*Abuse:* This is the ill-treatment or abuse of an adult at risk. A person may abuse or neglect an adult at risk by inflicting harm or by knowingly failing to act to prevent harm<sup>1</sup>. Adults can be abused in a family, at a community fundraising event, in any type of institution/organisation, by those known to them or others, for example by those responsible for organising, participating or providing support or care.

*Prevention:* This is how we seek to reduce the abuse of adults at risk occurring in the first place. This includes training, guidance and support for employees and volunteers, as well as for those receiving services.

*Regulated Activity (DBS Checks):* To find out more about what defines regulated activity please click here - <https://www.anncrafttrust.org/resources/safe-recruitment-process/>

Categories of Abuse: appendix 1.

#### **4. Safe recruitment, selection, and vetting**

- 4.1 It is vital that The Millimetres 2 Mountains Foundation creates a culture of safe recruitment and adopts recruitment procedures that help deter, reject or identify people who might abuse vulnerable adults. Millimetres 2 Mountains Foundation acts reasonably in making decisions about the suitability of the prospective trustees, staff and volunteers based on checks and evidence including: criminal record checks (DBS checks), barred list checks and prohibition checks together with references and interview information.
- 4.2 An offer of appointment to a successful candidate, including one who has lived or worked abroad, must be conditional upon satisfactory completion of pre-employment checks.
- 4.3 When appointing new staff who will be working with the beneficiaries, Millimetres 2 Mountains Foundation must:
  - verify a candidate's identity, preferably from current photographic ID and proof of address except where, for exceptional reasons, none is available;
  - obtain a certificate for an enhanced DBS check with a barred list information where the person will be engaging in regulated activity;
  - obtain a separate barred list check if an individual will start work in regulated activity before the DBS certificate is available;
  - verify the candidate's mental and physical fitness to carry out their work responsibilities. A job applicant can be asked relevant questions about disability and health in order to establish whether they have the physical and mental capacity for the specific role;
  - verify the person's right to work in the UK. If there is uncertainty about whether an individual needs permission to work in the UK, then prospective employers, or volunteer managers, should follow advice on the GOV.UK website;
  - if the person has lived or worked outside the UK, make any further checks we consider appropriate; and
  - verify professional qualifications, as appropriate.
- 4.4 A DBS certificate must be obtained from the candidate before or as soon as practicable after appointment. Alternatively, if the applicant has subscribed to it and gives permission, the applicant may undertake an online update check through the DBS Update Service. Individuals can join the DBS Update Service when applying for a new DBS check; this will allow them to re-use this check when applying for similar jobs. With the individual's consent, their employer can go online and carry out a free, instant check to see if a new certificate is required: [www.gov.uk/dbs-update-service](http://www.gov.uk/dbs-update-service).
- 4.5 Information revealed will be considered only for the purpose for which it was obtained and will be destroyed after a suitable period has passed - usually not more than six months following a recruitment decision. All information will be handled and stored securely, by authorised members of staff only.

- 4.6 When DBS checks are being processed, that individual may work with the beneficiaries, but may only do so with supervision from another person who has enhanced DBS clearance.
- 4.7 There may be circumstances in which a Disclosure shows a cause for concern about a prospective trustee, but which is not sufficient to disqualify them under the Criminal Justice and Court Services Act 2000 or the Care Standards Act 2000.
- 4.8 In these circumstances trustees should use reasonable caution, based on:
- the nature and seriousness of the problem disclosed, and its relevance to the duties and responsibilities of a charity trustee;
  - how long ago the problem disclosed took place;
  - whether there is a pattern of offending behaviour and the extent to which the prospective trustee has been reformed and rehabilitated in the intervening period.
- 4.9 It is important to remember that a Disclosure is intended to enable organisations to reach better informed decisions. It is not intended to lead to employers rejecting applicants with a criminal record as a matter of course, and the same applies when appointing trustees. In such cases, however, the existing trustees will need to give careful consideration to the proposed appointment.
- 4.10 With regards to week-long and regular volunteers, if possible Millimetres 2 Mountains Foundation will complete an enhanced DBS check with barring list, or request to have an updated copy of their most recent DBS check, before the placement occurs.

## **5. Vetting and Barring**

- 5.1 All Millimetres 2 Mountains Foundation trustees, staff and volunteers who will be working with the beneficiaries on a 1:1 basis in regulated activity are subject to an enhanced DBS check with barring list and read our Safeguarding Policy.
- 5.2 All trustees/staff/volunteers will be rechecked at least every 2 years.
- 5.3 In September 2014, the Disclosure and Barring Service (DBS) is responsible for the disclosure of criminal records and the barring function.
- 5.4 Millimetres 2 Mountains Foundation will ensure that anyone working or volunteering for them in regulated activity with the beneficiaries (see 5.1) is compliant with DBS checks with barring list.
- 5.5 If a volunteer/freelance worker does not fall under the 'regulated activity' specification but Millimetres 2 Mountains Foundation feels that they are in a position to build up trust with an adult at risk then the Foundation can request for them to have an enhanced check if they meet the requirements that are set out in the Police Act (Criminal Records) Regulations 2002.
- 5.6 Millimetres 2 Mountains Foundation complies with its legal duty to refer to the DBS any information about individuals who may pose a risk of harm to vulnerable groups, in particular if it removes someone from regulated activity or controlled activity for allegedly causing harm or posing a risk of harm. Any case will be referred to the DBS if we think that the individual has committed an offence that would lead them to be automatically included on a barred list under the automatic barring provisions.
- 5.7 Whenever possible, all DBS checks should be completed upon the offering of a position and before employment commences. However, if this disclosure does not come until a few weeks after DBS registration, Millimetres 2 Mountains Foundation may begin commencement of employment in advance of the enhanced disclosure coming through, but they will not have unsupervised access to the beneficiaries. The contract of employment to be provisional, pending the enhanced disclosure.
- 5.8 Millimetres 2 Mountains Foundation will keep abreast of all advice and legislation regarding the DBS and other safeguarding issues as it is published by government review.

## **6. Training and Induction**

- 6.1 All staff members and volunteers are monitored and supervised and will learn about vulnerable adult protection and safeguarding in accordance to their roles and responsibilities to ensure they are confident and competent to carry out these responsibilities.
- 6.2 As part of the induction process, all staff and volunteers will receive a Safeguarding brief (including familiarisation with their safeguarding responsibilities and the policies and procedures to be followed if they have concerns about a vulnerable adult's safety or welfare), will be given a copy of the Safeguarding Policy and will receive a suitable refresher course at least every 3 years, but usually annually.
- 6.3 Attendance will be kept on record for all training that staff and volunteers have received.
- 6.4 Millimetres 2 Mountains Foundation staff members will be trained accordingly.
- 6.5 In advance of their placement, volunteers are sent a copy of our Safeguarding Policy to read and are briefed orally as part of their induction process.

## **7. Creating a safe environment**

- 7.1 To ensure we create a safe environment when working with the beneficiaries, we minimise risk by carrying out a full risk assessment of activities in which our beneficiaries are involved and ensure that the risks posed to them are minimised. For full details of all policies and procedures taken by Millimetres 2 Mountains Foundation to ensure a safe environment, please see our specific Health and Safety policy (including risk assessment, first aid, accident and critical incident plan).
- 7.2 As we use third party providers to organise our trips we require the tour operator to send us a copy of their insurance, their Health & Safety Policy, Terms & Conditions & a risk assessment to make sure the trip will be carried out safely.
- 7.3 On some occasions Millimetres 2 Mountains Foundation staff will be working 1:1 with a beneficiary. However they will take all appropriate measures to ensure the safety of both themselves and the beneficiaries they are with (please see sections on travel and physical constraint).
- 7.4 When taking on new beneficiaries we ask them to declare any current or previous physical & mental health conditions in the last 2 years to give us a clearer idea on how much support they need on our trips.
- 7.5 A Development questionnaire is also completed by each beneficiaries which will give us an insight into their mood. This includes GAD-7 , Wellness and PHQ-9 questionnaires. These will be completed prior to them starting, before their climb and then annually.
- 7.6 Where possible beneficiaries will have their own room on the outdoor adventures however due to the nature of our trips this isn't always possible.

## **8. Cause for Concern**

- 8.1 All members of Millimetres 2 Mountains Foundation staff and volunteers put the welfare of the beneficiary at the centre of their work. A cause for concern about the safety or wellbeing of a vulnerable adult may arise in several ways; observation e.g. bruising, change in behaviour; disclosure from a person about abuse; reporting by another person, carer or individual that a vulnerable adult may have been harmed or be at risk.
- 8.2 All concerns and allegations that a vulnerable adult is in need, has suffered or is at risk of suffering from significant harm will be taken seriously by staff, volunteers and trustees.
- 8.3 Definitions of four kinds of abuse:

**Physical abuse:** May include hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child, including by fabricating the symptoms of, or deliberately causing, ill health to person.

What to look for:

- Any injuries, bruises, bites, burns, fractures etc. which are not consistent with the explanation given for them
- Injuries, which occur to the body in places, which are not normally exposed to falls, rough games etc.
- Injuries which appear to have been caused by a weapon e.g. cuts, welts etc.
- Injuries which have not received medical attention
- Instances where adults are kept away from the group inappropriately or without explanation
- Self-mutilation or self-harm e.g. cutting, slashing, drug abuse.

**Emotional abuse:** Is the persistent emotional ill-treatment of a vulnerable adult such as to cause severe and persistent adverse effects of the adult's emotional development. It may involve conveying to the adult that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person, age or developmentally inappropriate expectations being imposed.

What to look for:

- Changes or regression in mood and behaviour particularly where a vulnerable adult withdraws or becomes clinging. Also depression/aggression.
- Nervousness/inappropriate fear of particular adults e.g. frozen watchfulness.
- Sudden changes in behaviour e.g. under achievement or lack of concentration.
- Inappropriate relationships with peers and/or adults e.g. excessive dependence.
- Attention seeking
- Persistent tiredness

**Sexual abuse:** Involves forcing or enticing a vulnerable adult to take part in sexual activities, whether or not the vulnerable adult is aware of what is happening. The activities may involve physical contact, including penetrative (e.g. rape or buggery) or non-penetrative acts.

What to look for:

- Any direct disclosure made by a vulnerable adult concerning sexual abuse
- A vulnerable adult with excessive preoccupation with sexual matters and detailed knowledge of adult sexual behaviour, or who regularly engages in age inappropriate sexual play.
- Pre-occupation with sexual activity through words, play or drawing.
- Vulnerable adult who is sexually provocative or seductive with adults
- Inappropriate bed sharing arrangements at home
- Severe sleep disturbances with fears, phobias, vivid dreams or nightmares, sometimes with overt or veiled sexual connotations.
- Other emotional signs may be indicative of sexual or some form of abuse.

## 9. Allegation Procedures

9.1 All concerns, and allegations of abuse will be taken seriously by trustees, staff and volunteers and responded to appropriately.

9.2 If a member of staff or volunteer has a concern regarding a beneficiaries welfare they should raise their concerns with the DSL, or in the absence of the DSL it should be brought to the attention of the most senior member of staff. The DSL, without necessarily identifying the vulnerable adult in question, could discuss concerns with senior colleagues in another agency in order to develop an understanding of the vulnerable adults needs and circumstances.

9.3 Following the report of a concern or incident to the DSL it must be recorded immediately within one working day of a concern arising (see attached safeguarding referral form) and handed to the DSL only (who will securely save a copy on our shared drive and in a folder as a

hard copy). Any conversations regarding a vulnerable adult must be recorded whether or not actions are taken as a result.

- 9.4 Where a vulnerable adult is considered to be at risk, a referral to the BANES Virgin Care will be made.
- 9.5 Where there is a risk to the life of a vulnerable adult or a likelihood of serious immediate harm, Millimetres 2 Mountains will quickly inform the adults GP and/or the Police depending on the severity of the matter.

## **10. Allegations against a member of Millimetres 2 Mountains Foundation staff & Volunteers**

- 3.1 If an allegation is made concerning an adult who is working with or for Millimetres 2 Mountains Foundation, it should be reported to the DSL immediately (unless that person is the subject of the allegation, in which case it should be reported to Euan Craig, the Chairman of the Trustees).
- 3.2 All concerns or allegations must be recorded and passed to the DSL at least within one working day (see attached safeguarding referral form) and all conversations recorded.
- 3.3 It is essential that all allegations are examined objectively and that members of staff can expect that complaints about their behaviour to be investigated professionally and impartially, confidentially and as quickly as circumstances will allow.
- 3.4 Procedures need to be applied with common sense and judgement. Some allegations will be so serious as to require immediate referral to the police for investigation. Others may be much less serious and at first sight might not seem to warrant consideration of a police investigation. However, it is important to ensure that even apparently less serious allegations are seen to be followed up, and that they are examined objectively by someone independent of the organisation concerned. Even if an accusation is demonstrably false or trivial, this may highlight a adults need for other services and the DSL will refer the vulnerable adult accordingly.
- 3.5 The DSL will report allegations about staff/volunteers to the Local Authority Designated Officer within at least one working day if the allegation suggests that he/she has:
  - behaved in a way that has harmed a beneficiary or may have harmed a beneficiary;
  - possibly committed a criminal offence against or related to a beneficiary; or
  - behaved towards a vulnerable adult in a way that indicates s/he is unsuitable to work with beneficiaries.
- 3.6 The DSL should inform the accused person about the allegation after consulting the Local Authority Designated Officer within 1 working day.
- 3.7 However, where a strategy discussion is needed, or it is clear that police may need to be involved, that should not be done until those agencies have been consulted and have agreed what information can be disclosed to the person. If the person is a member of a union or professional association s/he should be advised to seek support from that organisation.
- 3.8 If the complaint or allegation is such that it is clear that investigations by police and/ or enquiries are not necessary, or the strategy discussion or initial evaluation decides that is the case, the local authority designated officer should discuss next steps with the DSL.
- 3.9 In those circumstances options open to Millimetres 2 Mountains Foundation will range from taking no further action to summary dismissal or a decision not to use the person's services in future. The nature and circumstances of the allegation and the evidence and information available will determine which of the range of possible options is most appropriate.
- 3.10 In some cases further investigation will be needed to enable a decision about how to proceed. If so, the local authority designated officer should discuss with the DSL about how and by whom the investigation will be undertaken. That should normally be undertaken by Millimetres 2 Mountains Foundation. However, in some circumstances appropriate resources

may not be available or the nature and complexity of the allegation might point to the Millimetres 2 Mountains Foundation commissioning an independent investigation.

- 3.11 Suspension: The possible risk of harm to vulnerable adults posed by an accused person needs to be effectively evaluated and managed – in respect of the adults involved in the allegations. In some cases the employee may need to be suspended. Suspension should be considered in any case where there is cause to vulnerable adult is at risk of significant harm, or the allegation warrants investigation by the police, or is so serious that it might be grounds for dismissal. The CEO and Chairman at Millimetres 2 Mountains Foundation will consider carefully whether the circumstances of a case warrant a person being suspended from contact with beneficiaries/volunteers until the allegation is resolved.

#### **4. Handling Disclosures**

4.1 When an adult discloses information about abuse to a member of staff, it may be done indirectly rather than directly and be limited in detail. An abused person is likely to be under severe emotional stress and the member staff may be the adult with whom the vulnerable adult feels safe to talk.

4.2 In any discussions with the person in question:

##### **DO:**

- Be accessible and receptive, listen carefully and make it clear that you believe them and take it seriously.
- Reassure the vulnerable adult that they are right to tell and that the abuse was not their fault.
- Negotiate getting support.
- In accordance with the policy, make careful records of any disclosure recording what was said using the person's own words as soon as is practicable following the disclosure. Date, time and sign the cause for concern form and record a hard and soft copy.
- Tell the vulnerable adult who you will be telling and why.

4.3 Remember that an allegation of a vulnerable adult abuse or neglect may lead to a criminal investigation, so don't do anything that may jeopardise a police investigation, such as asking a vulnerable adult leading questions or attempting to investigate the allegations of abuse.

##### **DO NOT:**

- Jump to conclusions.
- Show shock or disbelief, even if you feel it. Do not say things like "are you sure?", "why didn't you tell me before?"
- Directly question the person or suggest words for him/her to use.
- Try to get the person to disclose all the details
- Speculate or accuse anybody
- Promise things you cannot guarantee, for example keeping any disclosure a secret.

#### **5. Physical Contact Policy**

5.1 It is vital that our beneficiaries and volunteers receive physical affection and warmth such as hugs and is key to creating bonds and building rapport.

5.2 However, it is important to be aware that some people may view physical affection as a prelude to abuse or simply be uncomfortable.

5.3 Millimetres 2 Mountains staff should always ask before hugging a vulnerable adult and ensure that the vulnerable adult knows that it is ok for them to say 'no' hugs, never provide physical contact in a way that could be misunderstood, misinterpreted or be physically restraining.

## **6. Anti-bullying**

- 6.1 Millimetres 2 Mountains Foundation will not condone bullying inflicted on or by members of the group. Any physical violence by the group on their peers during trips will be stopped immediately and the person bullying will be removed from the trip. Any sexist, racist or other derogatory remarks will be highlighted as unacceptable.
- 6.2 Where bullying, wherever it happens, is observed or highlighted by a vulnerable adult as a live issue, this will be referred to the DSL Edward Jackson.

## **7. Communicating with Vulnerable Adults**

- 7.1 Millimetres 2 Mountains Foundation may communicate with vulnerable adults who have visited through their climbs, social media, website and through our e-newsletter. Should vulnerable adults communicate with members of Millimetres 2 Mountains staff directly they will be responded to in the following ways:
  - letters will be replied to with a copy of the letter kept on file.
  - Messages will be saved if any vulnerable information is discussed.
- 7.2 All communication will be supportive, friendly and honest. However, it will be clearly boundaried, avoiding unsuitable or over reliant relationships.

## **8. Confidentiality**

- 8.1 The protection of the vulnerable adult is the key priority when ensuring the confidentiality of all information stored about our beneficiaries & fundraisers. Adults may have access to confidential information about them in order to undertake their responsibilities. In some circumstances they may have access to or be given highly sensitive or private information. Such information must not be used to intimidate, humiliate, or embarrass the vulnerable adult concerned.
- 8.2 The safe and secure storing and processing of personal information is governed by the General Data Protection Regulation 2018. Please ensure you are familiar and compliant with our lawful basis for processing confidential information.
- 8.3 In deciding whether there is a need to share information you need to consider your legal obligations including:
  - whether the information is confidential; and
  - if it is confidential, whether there is a public interest sufficient to justify sharing.
- 8.4 Not all information is confidential. Confidential information is information of some sensitivity, which is not already lawfully in the public domain or readily available from another public source, and which has been shared in a relationship where the person giving the information understood that it would not be shared with others. For example, a beneficiary may have shared that they are suffering with a mental health condition in an online blog as well as with a Life Coach. Because the information has been shared on a public domain that specific information wouldn't be confidential.
- 8.5 Confidence is only breached where the sharing of confidential information is not authorised by the person who provided it or to whom it relates. If the information was provided on the understanding that it would be shared with a limited range of people or for limited purposes, then sharing in accordance with that understanding will not be a breach of confidence. Similarly, there will not be breach of confidence where there is explicit consent to the sharing.
- 8.6 Even where sharing of confidential information is not authorised, you may lawfully share it if this can be justified in the public interest. Seeking consent should be the first option, if

appropriate. Circumstances in which sharing confidential information without consent will normally be justified in the public interest. are:

- when there is evidence that the vulnerable adult is suffering or is at risk of suffering significant harm; or
- where there is reasonable cause to believe that a vulnerable adult may be suffering or at risk of significant harm; or
- to prevent significant harm to adults, including through the prevention, detection and prosecution of serious crime. (For the purpose of this guidance, serious crime means any crime which causes or is likely to cause significant harm to a child or vulnerable adult or young person or serious harm to an adult.)

8.7 Therefore, where you have a concern about a vulnerable adult, you should not regard refusal of consent as necessarily precluding the sharing of confidential information.

8.8 The key factor in deciding whether or not to share confidential information is proportionality, i.e. whether the proposed sharing is a proportionate response to the need to protect the public interest in question. In making the decision you must weigh up what might happen if the information is shared against what might happen if it is not, and make a decision based on a reasonable judgment.

8.9 Millimetres 2 Mountains Foundation staff & volunteers must make a judgement on the facts of the individual case. Where there is a clear risk of serious harm to adults, the public interest test will almost certainly be satisfied. However there will be other cases where practitioners will be justified in sharing some confidential information in order to make decisions on sharing further information or taking action – the information shared should be proportionate.

8.10 The approach to sharing information should be explained openly and honestly. Where this is done, the person will be aware how their information may be shared, and experience shows that most will give consent.

8.11 Information which is not confidential may generally be shared where that is necessary for the legitimate purposes of preventative work. Where information is confidential, however, and consent is refused, that should be respected, unless in the practitioner's professional judgment on the facts of the case, the public interest justifies the sharing of information.

8.12 Some questions to consider:

- Is there a legitimate purpose for you or your agency to share the information?
- Does the information enable a person to be identified?
- Is the information confidential?
- If the information is confidential, do you have consent to share?
- Is there a statutory duty or court order to share the information?
- If consent is refused, or there are good reasons not to seek consent to share confidential information, is there a sufficient public interest to share information?
- If the decision is to share, are you sharing the right information in the right way?
- Have you properly recorded your decision?

## **Referrals and reporting obligations**

M2M will follow guidance from the Charity Commission on serious incident reporting and will make all necessary referrals in a timely and open manner. M2M will report any incident which falls within the Charity Commission's guidance on what is deemed 'serious' and relates to protecting people and safeguarding incidents – incidents that have resulted in or risk significant harm to beneficiaries and other people who come into contact with the charity through its work. M2M will report any incident to the DBS where an allegation or incident falls within the DBS guidance and M2M has a duty to refer.



## **Contacts**

Samaritans – 0345 909090

- Mind: **Infoline: 0300 123 3393**
  
- Email: [info@mind.org.uk](mailto:info@mind.org.uk)  
Post: Mind Infoline, PO Box 75225, London, E15 9FS

## **LOCAL:**

### **BANES Health & Care**

VirginCare  
The Health Business & Technical Park,  
Runcorn,  
Cheshire  
WA7 4QX

### **By Telephone**

0300 247 02 01end\_of\_the\_skype\_highlighting

For emergency contact details for the South West visit <http://www.online-procedures.co.uk/swcpp/contact/>

### **Police**

Non Emergency 101

Emergency 999

Independent Organisation – [www.offtherecord-banes.co.uk](http://www.offtherecord-banes.co.uk) for Young people, parents, carers, other concerned individuals giving advice and counselling.

## **Reference materials**

Complying with the code of practice  
<http://www.DBS.homeoffice.gov.uk/PDF/Code%20of%20practice%20Apr%2009.pdf>

Vetting and Barring System

<http://www.DBS.homeoffice.gov.uk/faqs/isa.aspx>

*Safeguarding Children and Young People: Roles and Competences for Health Care Staff (2006);*

*Working Together to Safeguard Children: A guide to inter-agency working to safeguard and promote the welfare of children.* [www.everychildmatters.gov.uk/resources-and-practice/IG00060/](http://www.everychildmatters.gov.uk/resources-and-practice/IG00060/)

*Information sharing: Practitioners' guide.* [www.ecm.gov.uk/deliveringservices/informationsharing](http://www.ecm.gov.uk/deliveringservices/informationsharing)

*UKCP Standards of Education and Training , Guidelines for Section and Institutional Members for the Development of Codes of Practice and Professional Conduct for Working with Children*  
<http://www.psychotherapy.org.uk/c2/uploads/pwcc%20ethics%20july%202008%20doc.pdf>

*Information sharing: Practitioners' guide* (HM Government, 2006) Available at [www.ecm.gov.uk/deliveringservices/informationsharing](http://www.ecm.gov.uk/deliveringservices/informationsharing)

*Safe recruitment of trustees* Charity Commission CC30

*National Service Framework for Children, Young People and Maternity Services Core Standards* and in particular, Standard 5, *Safeguarding and Promoting the Welfare of Children and Young People*.

*The Use of Force to Control or Restrain Pupils*

[http://www.teachernet.gov.uk/doc/14800/4316\\_Use\\_of\\_force.pdf](http://www.teachernet.gov.uk/doc/14800/4316_Use_of_force.pdf)

**Keeping Children Safe in Education, for Staff, July 2015**

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/447596/KCSIE\\_Part\\_1\\_July\\_2015.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/447596/KCSIE_Part_1_July_2015.pdf)

**APPENDIX 1: Safeguarding Referral Form**

This document relates to the protection and safeguarding of young people and the prevention of terrorism or acts of extremism. This document is confidential and must not be discussed with anybody, except with the DSL or senior DSL.

Please complete the form fully within one working day or sooner if there is a significant risk and e-mail it to the DSL for your site. For guidance on completing this form please see the Child or vulnerable adult Protection and Safeguarding Procedures Policy or the DSL.

**The Vulnerable Person's details:**

<b>Name:</b>	<b>Site:</b>	
<b>Address:</b>		
<b>Date of Birth:</b>	<b>Age:</b>	<b>Gender:</b>

**Details of the nature of the safeguarding concern or worry:**  
*Please be as detailed as possible about your concerns or the disclosure, make notes of any behaviours observed, be factual and do not express opinions or make judgements:*

**The safeguarding concern was raised on:**

**Date:**  
**Time:**  
**Place:**

**Description of any injury or distress to the vulnerable adult observed by the staff member:**

**What action did you take?**

**Does the vulnerable adult know you are making this referral?      YES      NO**

*Please do seek consent so that a call from a safeguarding lead is not a surprise to the student.*

**Other useful information if known:**

**Names and job titles of any other staff members or external people involved in the concern:**

**Referring staff member/volunteers details:**

**Name:**

**Job Title:**

**Signature:**

**Date:**





