Safeguarding and Welfare Policy

1. Introduction/background

WAY Widowed and Young does not work directly with children and vulnerable adults (as defined by "The Care Act 2014" and "The Children's Act 2004"), however it is committed to proactively safeguarding and promoting the welfare of its members, volunteers and staff, and to taking reasonable steps to ensure those who come into contact with WAY Widowed and Young do not, as a result, come to any harm.

This policy relates to WAY Widowed and Young's commitments to safeguarding (as defined by the Charity Commission) and protecting its beneficiaries.[1] Where any suspected wrongdoing is in relation to staff, the procedures set out in WAY Widowed and Young's Policies should be followed, as appropriate. A list of these policies is set out in the 'other relevant policies' section below.

Over recent years there has been increasing recognition of the way in which vulnerable people can be at risk of harm from organisations and institutions that are supposed to help them, either as a result of abuse and exploitation by individuals in positions of trust, or via programme activities in general.

As a consequence, there has been a significant increase in the efforts made by agencies to ensure that no harm comes to beneficiaries or target communities from contact with their staff and associates or as a result of any of the organisation's activities.

This duty of care extends beyond statutory safeguarding requirements. WAY Widowed and Young does not engage in any activity with children or vulnerable adults that is regulated by domestic safeguarding legislation but it does take seriously its obligations to operate in a way that ensures, so far as is possible, that its work does no harm to anyone with whom it engages.

Given these values and in light of widely recognised risks, WAY Widowed and Young has developed this policy to promote protection for all those people it comes into contact with, as well as staff and volunteers within WAY Widowed and Young itself.

Should it come into contact with vulnerable groups (including children), WAY Widowed and Young takes responsibility to ensure it is doing all it can to protect such groups from all forms of harm, including abuse, neglect and exploitation and to ensure appropriate action is taken if such harm occurs.

2. Understanding Risks

It is clear that vulnerable persons can be harmed, or put at risk of harm, by organisations and institutions, and that abuse of vulnerable groups (including children) can happen in all types of organisations. Such harm may result from unintentional acts or deliberate actions.

[1] The Charity Commission has published guidance, "*Safeguarding and protecting people for charities and trustees",* which is updated from time to time and available at: https://www.gov.uk/guidance/safeguarding-duties-for-charity-trustees

Unintentional acts may lead to harm due to a lack of 'due diligence' or competence or through organisational negligence, such as inadequate care and supervision, lack of policies, procedures and guidance to inform programming and practice, or lack of staff compliance with legal requirements. Also, deliberate actions may be taken by people with intent to abuse vulnerable people. WAY Widowed and Young will maintain a risk register, which will be regularly reviewed, that identifies Safeguarding and Welfare risks to the charity and how they will be managed and mitigated.

3. Scope of this policy

3.1 For WAY Widowed and Young staff, volunteers and contractors

Compliance with this policy is mandatory for all WAY Widowed and Young staff and volunteers. For the purposes of this policy 'staff' is defined as anyone who works for, or is engaged by WAY Widowed and Young, either in a paid or unpaid, full time or part time capacity. This includes directly employed staff, contractors, agency staff, consultants, volunteers, interns and equivalents.

3.2 For board members, staff and volunteers

Trustees, staff and volunteers must act at all times in the best interests of WAY Widowed and Young and its ultimate beneficiaries, they are also expected to comply with this policy. This expectation is made clear to board members and trustees through the following training:

(a) Staff induction & annual refreshers

(b) Trustee induction

(c) Volunteer induction

3.3 For partnership organisations

3.3.1 This policy also applies to other organisations with whom WAY Widowed and Young works. WAY Widowed and Young expects that the principles and approaches already shared with partnership organisations mean that they will fully support the values and commitments set out in this policy. WAY Widowed and Young recognises that some will already have protection policies and associated measures in place. Where this is the case, they should have no difficulty in also complying with the standards set out in this policy.

3.3.2 WAY Widowed and Young will ensure that each partner has appointed a member of staff who will be responsible for promptly reporting to the WAY Widowed and Young Designated Safeguarding Officer (or, in the event that they are unavailable the lead Safeguarding Trustee or other appropriate person) any safeguarding concerns that arise in, or are relevant to the context of the partnership.

4. Statement of Commitments

WAY Widowed and Young commits to taking all reasonable measures to ensure vulnerable groups (including children) impacted by projects and programmes delivered and/or supported by WAY Widowed and Young are protected as far as possible from harm, including exploitation, neglect and abuse of all kinds.

See APPENDIX iv & v. for Types of Abuse

5. WAY Widowed and Young commits to:

(a) Developing a zero tolerance 'safety culture' within WAY Widowed and Young that creates and maintains protective environments.

(b) Placing safeguarding at the heart of recruitment practices by carrying out the highest level of DBS or other criminal record checks to which we are entitled, requesting two written references, considering gaps in work history, checking qualifications and certifications and, where appropriate, confirming a person's right to work in the UK.

(c) Ensuring WAY Widowed and Young staff, volunteers and board members are fully cognisant of protection issues and adhere to WAY Widowed and Young's code of conduct.

(d) Increasing understanding and raising the awareness of staff, volunteers and trustees of risks relating to safeguarding within the organisation and in connection with its activities.

(e) Taking appropriate and proportionate action if the policy is not complied with.

(f) Maintaining adequate insurance in relation to the charity's activities and the people involved, to the extent that it is reasonably available.

(g) Carrying out appropriate due diligence on partners, which may include ensuring they have appropriate controls and safeguarding measures in place; meet any applicable international standards in carrying out their activities; and integrating safeguarding and onward reporting requirements in WAY Widowed and Young's partnership or funding-related agreements, taking account of the Charity Commission's relevant guidance[2].

(h) Review Safeguarding Policy and procedures every three years or whenever there is a major change in legislation

(i) Ensuring all staff, volunteers and trustees are aware of their responsibilities to report concerns and of steps to take/who to go to in order to report such concerns.

(j) Ensuring that safeguarding concerns are addressed promptly and through the appropriate channels.

(k) Reporting safeguarding incidents, allegations or concerns to external authorities and regulators, as appropriate, and in accordance with best practice. WAY Widowed and Young will fully risk assess such reporting to ensure that making a report is not likely to cause further harm to the individual(s) to whom harm has (actually, allegedly or potentially) already been caused.

(l) Report wrongdoing on the part of its trustees, volunteers, staff and partners to appropriate authorities; will share such information as may be necessary to protect individuals from harm; and will provide fair and accurate references, which appropriately reflect WAY Widowed and Young's experience and interaction with trustees, staff and partners.

[2] *https://www.gov.uk/government/publications/charities-due-diligence-checks-and-monitoring-end-use-*

6. Embedding organisational commitment

In order to make its policy commitments a practical reality, WAY Widowed and Young will instigate or strengthen a range of measures that focus on making sure this policy and associated procedures are in place, that people are supported to understand and work within the provisions of the policy, that it is fully and effectively integrated into all of our activities, and that it is subject to monitoring and review.

6.1 WAY Widowed and Young staff, volunteers and trustees will receive regular training/briefing on their responsibilities and obligations under this policy and it will form part of the induction for new staff and trustees.

6.2 Staff, volunteers and trustees will be expected to acknowledge and accept their responsibilities under this policy. Breaches of this policy by staff, volunteers and trustees will be treated seriously and will be treated as a potential cause for disciplinary action or termination of the relationship by other means.

6.3 The Safeguarding Lead Trustee, who sits on WAY Widowed and Young's board of trustees, will have oversight of safeguarding and welfare arrangements and will receive reports of any safeguarding and welfare incidents that arise. The Safeguarding Lead Trustee will have a regular slot at meetings of the board of trustees to ensure that trustees are appropriately apprised of matters that arise.

6.4 WAY Widowed and Young committed to reporting all relevant incidents to the Charity Commission for England and Wales via a serious incident report.[3] We will also report incidents to other regulatory bodies and government departments or funding bodies, where appropriate. Where there is evidence that criminal activity may have taken place, or concerns have been raised in relation to a child or vulnerable adult, we will report to the relevant police and/or safeguarding authorities as appropriate (for example to the relevant Local Authority Designated Officer (LADO) or Adult Safeguarding Board), taking appropriate account of the Charity Commission's guidance in this respect [4].

Decisions to report to external authorities will be fully risk assessed and anonymisation/pseudonymisation considered when necessary. Reporting will not be avoided on the basis that it may harm WAY Widowed and Young's reputation or give rise to litigation. In line with statutory guidance, concerns regarding data protection will not act as a barrier to processing or reporting safeguarding incidents. Under the **UK GDPR** and the **Data Protection Act 2018**, safeguarding and protecting individuals from harm provides a lawful basis for sharing personal and special category data. While disclosures will be carefully considered to ensure they are necessary, proportionate, and secure, the protection of a vulnerable person or child will always take precedence over data confidentiality.

6.5 WAY Widowed and Young will implement and keep updated a Whistleblowing and a Complaints Policy aimed at encouraging a culture of openness and accountability wherein staff and members of the public are, respectively, confident that they can raise any matter of genuine concern without fear of reprisal in the knowledge that they will be taken seriously and that matters will be investigated appropriately and managed on a need-to-know basis, with appropriate remedial action taken

[3] The Charity Commission had published guidance as to what constitutes a serious incident and how to make a report, which is updated from time to time and available at: https://www.gov.uk/guidance/how-to- report-a-serious-incident-in-your-charity

4 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/754070/guidance_on_criminal_reporting_inc_overseas.pdf

7. Safeguarding Complaints, Concerns and Allegations

As a WAY member, volunteer, member of staff or trustee you may be concerned about the welfare of an adult or child, become aware that abuse or poor practice is taking place, suspect abuse or poor practice may be occurring or be told about something that may be abuse or poor practice.

PRINCIPLES IN RELATION TO ADULTS AT RISK

The Care and Support Statutory Guidance Section 14.13 sets out the following six key principles which underpin all adult safeguarding work:

- Empowerment: People being supported are encouraged to make their own decisions and informed consent.
- Prevention: It is better to take action before harm occurs.
- Proportionality: The least intrusive response appropriate to the risk presented.
- Protection: Support and representation for those in greatest need.
- Partnership: Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse.
- Accountability: Accountability and transparency in delivering safeguarding.

PRINCIPLES IN RELATION TO CHILDREN AT RISK

Section 1 of The Children's Act 2004 sets out 3 key principles which underpins Child Safeguarding:

- The welfare of the child is paramount
- Delay is likely to prejudice the welfare of the child
- The court shall not make an order unless to do so would be better for the child than making no order (the 'no order' principle).

SEE APPENDIX iv - for guidance on "TYPES OF HARM"

Concerns should be brought to the attention of the Designated Safeguarding Officer without delay.

The names of the Designated Safeguarding Officer and Safeguarding Lead Trustee can be found in the '**Contact Information'** section at the end of this policy.

7.1 The person reporting the concern is not required to decide whether abuse has occurred, but simply has a duty to pass on their concerns and any relevant information email.

7.2 All concerns will be treated in confidence. Details should only be shared on a 'need to know' basis with those who can help with the management of the concern.

7.3 Concerns will be recorded on an Incident Report Form and sent to Designated Safeguarding Officer and retained confidentially. The Designated Safeguarding Officer will assist with completion of this form if required.

SEE APPENDIX iii - for a copy of the incident report form

7.4 Reporting at WAY Organised Events or Trips: *For any safeguarding concerns, observations, or disclosures that arise during a WAY organised event, trip, or holiday where adults and children are present, staff and volunteers must follow the specific event reporting procedure set out in* ***Appendix VI.***

SEE APPENDIX VI - for guidance on "What to do if you have a concern on a WAY Organised event"

7.5 WAY Widowed and Young will work with other external agencies to take appropriate action where concerns relate to potential abuse or serious poor practice.

7.6 WAY Widowed and Young disciplinary procedures will be applied and followed where possible.

7.7 Safeguarding adults at risk requires everyone to be committed to the highest possible standards of openness, integrity and accountability. WAY Widowed and Young supports an environment where staff, volunteers, parents/carers and the public are encouraged to raise safeguarding concerns. Anyone who reports a legitimate concern to the organisation (even if their concerns subsequently appear to be unfounded) will be supported. All concerns will be taken seriously.

7.8 It is important when considering your concern that you also consider the needs and wishes of the person at risk.

SEE APPENDIX i - for guidance on "What to do if you have a concern".

8. RESPONDING TO DISCLOSURE OF ABUSE

8.1 If an adult or child indicates that they are being abused the person receiving the information should:

- Stay Calm
- Listen carefully to what is said, allowing the adult or child to continue at their own pace, and take it seriously.
- Explain that it is likely the information will have to be shared with others- do not promise to keep secrets.
- Keep questions to a minimum, only ask questions if you need to identify/ clarify what the person or child is telling you. Take care to distinguish between fact, observation, allegation and opinion. It is important that the information you have is accurate.
- Reassure the person or child that they have done the right thing in revealing the information.
- Ask them what they would like to happen next.
- Explain what you would like to do next and ask if they are happy for you to share the information in order for you to help them. You should explain to them that it is your duty to share your concern with your Lead Safeguarding Officer.
- Record in writing what was said using the adult or child's own words as soon as possible

DO NOT:

- Dismiss the concern.
- Panic or allow shock or distaste to show.
- Probe for more information than is offered.
- Make promises that cannot be kept.
- Conduct an investigation of the case.
- Make negative comments about the alleged perpetrator.

If the matter is urgent and relates to the immediate safety of an adult or child at risk then contact the police immediately. Complete and Incident Form and copy it to the Designated Safeguarding Officer within 24 hours.

9. SIGNS AND INDICATORS OF ABUSE AND NEGLECT

9.1 Abuse can take place in any context. Abuse may be inflicted by anyone. Members, staff or volunteers may suspect that an adult is being abused or neglected. There are many signs and indicators that may suggest someone is being abused or neglected, these include but are not limited to:

- Unexplained bruises or injuries – or lack of medical attention when an injury is present.
- Person or child has belongings or money going missing.
- Person or child is not attending / no longer enjoying the event.
- Someone losing or gaining weight / an unkempt appearance. A change in the behaviour or confidence of a person.
- Self-harm.
- A fear of a particular group or individual.
- They may tell you / another person they are being abused – i.e. a disclosure.

10. CONSENT – THIS ONLY RELATES TO ANYONE 18 YRs +

10.1 The Care Act 2014 statutory guidance advises that the first priority in safeguarding should always be to ensure the safety and well-being of the adult.

10.2 The principles of the Mental Capacity Act 2005 (MCA) state that every individual has the right to make their own decisions and provides the framework for this to happen

10.3 Adults have a general right to independence, choice and self-determination including control over information about themselves.

10.4 WAY Widowed and Young does not expect staff members or volunteers to support an adult who is felt to be vulnerable or at risk through their decision making process but expects them to inform the Designated Safeguarding Officer without delay so that they can clearly define the various options to help support the adult at risk to make a decision about their safety. As long as it does not increase the risk to the individual, it should be explained to them that it is their duty to share their concern with the Designated Safeguarding lead. Consent is not required to seek guidance or share information with the Charities Governing Body.

10.5 Adults may not give their consent to the sharing of safeguarding information outside of the organisation for a number of reasons. For example, they may be unduly influenced, coerced or intimidated by another person, they may be frightened of reprisals, they may fear losing control, they may not trust social services or other partners or they may fear that their relationship with the abuser will be damaged. Reassurance and appropriate support may help to change their view on whether it is best to share information.

10.6 Those seeking to support the adult should consider the following:

• Explore the reasons for the adult's objections – what are they worried about?
• Explain the concern and why you think it is important to share the information
• Tell the adult with whom you may be sharing the information with and why
• Explain the benefits, to them or others, of sharing information – could they access better help and support?
• Discuss the consequences of not sharing the information – could someone come to harm?

• Reassure them that the information will not be shared with anyone who does not need to know
• Reassure them that they are not alone and that support is available to them

10.7 If the adult continues to refuse intervention to support them with a safeguarding concern, or requests that information about them is not shared with other safeguarding partners their wishes should be respected.

10.8 However, there are a number of circumstances where those seeking to support the adult can reasonably override such a decision, including but not limited to:

• It appears that the adult lacks the mental capacity to make that decision (this must be properly explored and further guidance should be sought from the Designated Safeguarding Officer)
• Emergency or life-threatening situations may warrant the sharing of relevant information with the emergency services without consent
• Other people are, or may be, at risk, including children
• A serious crime has been committed / may be prevented
• Individuals in a Position of Trust are implicated

10.9 In such circumstances, it is important to keep a careful record of the decision-making process and guidance should be sought from the Designated Lead Safeguarding Officer. Legal advice will be sought where appropriate. If the decision is to take action without the adult's consent, then unless it is unsafe to do so, the adult should be informed that this is being done and of the reasons why.

SEE APPENDIX ii - for guidance on "Capacity" & APPENDIX v – "Consent and Data Sharing"

11. SAFEGUARDING CONCERNS REGARDING STAFF MEMBERS, VOLUNTEERS OR CONTRACTORS.

11.1 If a staff member, volunteer or contractor is accused or suspected of abuse against an adult at risk or child, the organisation will act professionally, promptly and decisively to remove them from duty, so as to protect the interests of the adult at risk and the person accused, until an investigation is completed.

11.2 All allegations of abuse regarding staff, volunteers or contractors should be immediately reported to the appropriate Designated Safeguarding Officer. In the event that an allegation of abuse is made against one of the Designated Safeguarding Officers this must be referred immediately to the WAY's CEO. In the event that an allegation of abuse is made against the Chief Executive Officer this should be reported to the Chairperson of the Board of Trustees.

11.3 Where a member of staff is under investigation for the alleged abuse of a child or adult at risk, he/ she may be subject to the provisions of the Staff Disciplinary Procedure following guidance from the relevant Local Authority Designated Officer (LADO).

11.4 In order to protect the child or adult at risk, and the staff member, the individual will generally be suspended on full pay and without prejudice, to allow time and space for the allegation to be fully investigated. The Association will suspend the individual(s) at the earliest opportunity, having consulted with the Multi-Agency Safeguarding Arrangements (MASA) and/ or Police. During this time of suspension, the staff worker member must, as a condition of employment, co-operate reasonably with the investigating process and comply with any reasonable restrictions on their contact or communications with the Association's staff or service users until such time as the investigation is completed.

11.5 The organisation will provide without prejudice, the individual under investigation with an appropriate 'peer support' to accompany them through the process.

11.6 In the event of dismissal or resignation of a staff member as a result of safeguarding concerns (including abuse and neglect either deliberate or for any other reason including competence issues) the appropriate Designated Safeguarding Officer will refer the conduct of that staff member or volunteer to the Disclosure and Barring Service. Compromise agreements will not be used in situations such as this to exit staff from the organisation.

12.SAFER RECRUITMENT, INDUCTION AND TRAINING

12.1 The charity will take reasonable steps during the recruitment process to ensure that staff undertaking work on behalf of the organisation are suitable individuals to work with adults at risk, including the requirement to have an appropriate Disclosed and Barring Service check (level dependant on duties) prior to commencing work.

12.2 As part of safer recruitment practice the charity will:

- Explore the experience of applicants, of working with children adults at risk, before appointment.
- Give adequate time post-interview to fully explore the professional working background of all successful applicants.
- Obtain a complete career history, detailing what applicants were doing, from when and to, and with what organisation. Applicants must give a satisfactory explanation for any and all gaps.
- Successful applicants for positions will be required to produce any relevant certificates of qualification prior to confirmation in post.
- A minimum of two acceptable references are required. One must be from the applicant's current or most recent employer. All reference requests will include a copy of the Job Description/ Person Specification. Generic or applicant presented references will not be accepted, nor will incomplete previous employer references.
- Where any doubt about the completeness of references is perceived, a verbal reference must be sought. Offers of employment are conditional on obtaining suitable references and may be withdrawn.
- Safeguarding adults and children at risk training is provided to staff during induction (including a copy of this Policy).

13. THE DISCLOSURE AND BARRING SERVICE

13.1 All staff working with adults at risk are required to complete one of the following Disclosure and Barring Service (DBS) checks:

● Standard DBS ● Enhanced DBS ● Enhanced DBS with list checks

13.2 All employment situations which involve work with adults at risk are exempt from the Rehabilitation of Offenders Act 1974, therefore, all convictions which relate to children and vulnerable adults, however old the conviction, must be declared by applicants. Information about other criminal convictions must also be declared, as these may be relevant to the suitability of an applicant.

13.3 Successful applicants that have a criminal conviction and / or narrative comments on their DBS checks will be risk-assessed for their suitability for work prior to being confirmed in employment.

13.4 Disclosure and Barring Service checks should be repeated for each staff member every 3 years.

13.5 DBS Update service is recommended for staff and trustees to allow smoother processes for re-checking every 3 years.

13. GUIDANCE AND LEGISLATION

The practices and procedures within this policy are based on the principles contained within the UK and legislation and Government Guidance and have been developed to complement the Safeguarding Adults Boards policy and procedures, and take the following into consideration:

- The Children's Act 2004
- The Care Act 2014
- The Protection of Freedoms Act 2012
- Domestic Abuse Act 2021
- The Equality Act 2010
- The Safeguarding Vulnerable Groups Act 2006
- Mental Capacity Act 2005
- Sexual Offences Act 2003
- The Human Rights Act 1998
- The UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018"

Other relevant WAY policies

The following policies of WAY Widowed and Young may also be relevant to safeguarding matters:

(a) Complaints Policy
(b) Bullying and Harassment Policy
(c) Membership Policy Inc. Code of conduct
(d) Data protection policy
(e) Privacy Policy
(f) Health and Safety policy
(g) Confidentiality Policy

Changes to this Policy

WAY Widowed and Young will ensure that this policy is accessible on its website.

WAY Widowed and Young, reserve the right to change this policy at any time. In which case the amended policy will be updated on our website and will apply from the date we post them.

The format and content of our website changes constantly. You should refresh your browser each time you visit our sites to ensure that you access the most up to date version.

Our Contact Details

WAY Widowed and Young's Designated Safeguarding Officer is **Stephanie Patrick.**

WAY Widowed and Young's Lead Safeguarding Trustee is **Louise Dodds.**

We can be contacted in the following ways:
0300 201 0051

Stephanie.patrick@widowedandyoung.org.uk
Louise.dodds@widowedandyoung.org.uk

WAY Widowed and Young, Advantage House, Stowe Court, Stowe Street, Lichfield. WS13 6AQ.
enquiries@widowedandyoung.org.uk

Policy Control

We are committed to reviewing our policy and good practice regularly. This policy will be reviewed by the board of trustees every three years or in the event of and changes in legislation, when there is a change in UK law and/or best practice or when an incident occurs that highlights a need for change – whichever occurs first.

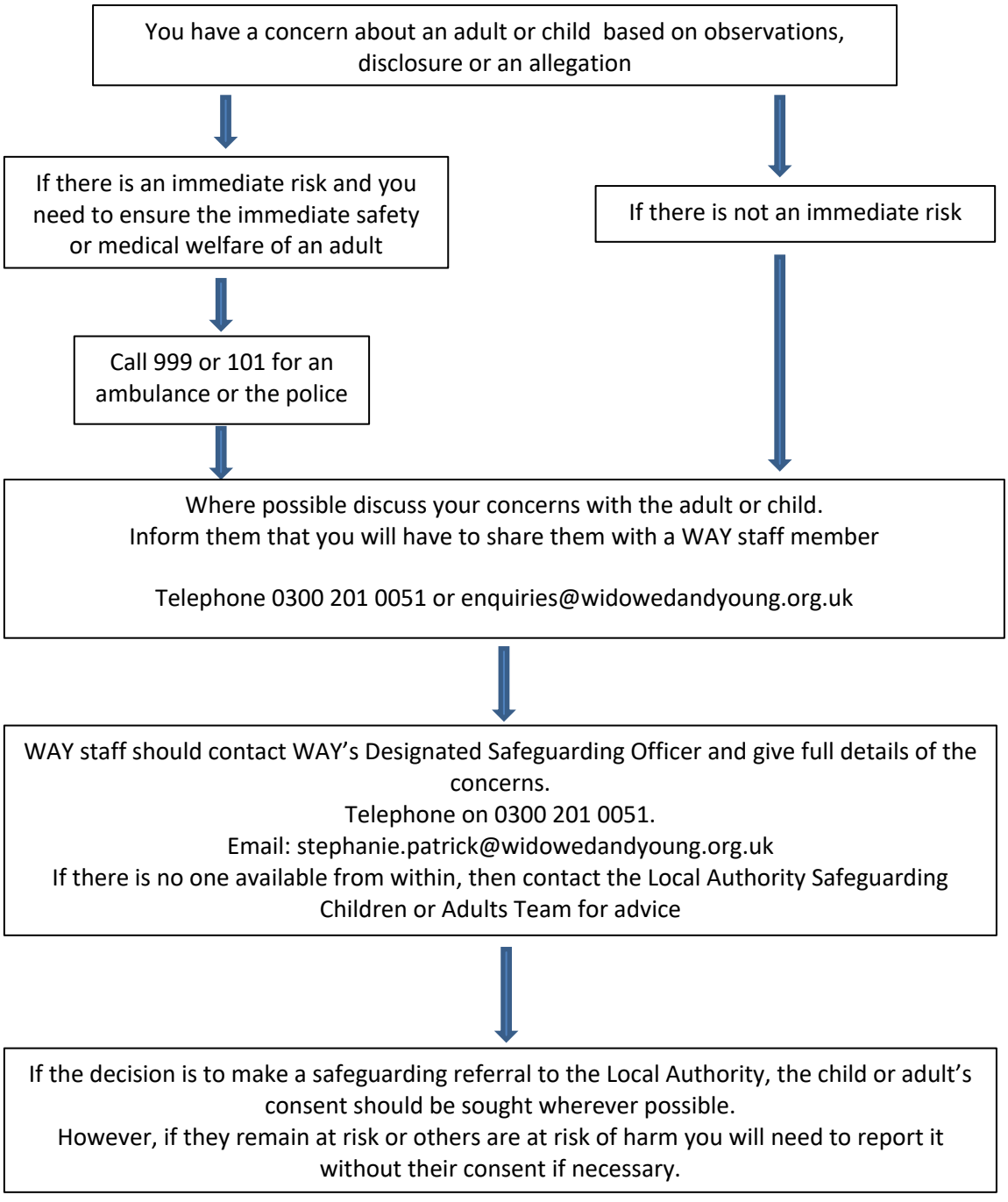
This policy replaces "WAY Child Protection Policy V4"

Version	1	Issue Date MM/YY	06/19	Last Review Date MM/YY	10/23	Next Review Date MM/YY	07/2026
Signed (Chair or Trustee)	Agreed by WAY Board of Trustees, Meeting Date: 28th July 2026						

****END OF POLICY***

Appendix i

What to do if you have a concern about an adult or child?



Remember

It is not your duty to investigate concerns about an adult or child but do not ignore them – talk to the adult if possible and get in touch with someone within your organisation or the local authority for advice.

* If for any reason a WAY's Designated Safeguarding Officer is not in post or is unavailable a principle of least delay is important. Please contact the WAY Lead Safeguarding Trustee.

Appendix ii

Capacity – Guidance on Making Decisions – ADULTS 18yrs and over

The issue of capacity or decision making is a key one in safeguarding adults. It is useful for organisations to have an overview of the concept of capacity.

We make many decisions every day, often without realising. We make so many decisions that it's easy to take this ability for granted.

But some people are only able to make some decisions, and a small number of people cannot make any decisions. Being unable to make a decision is called "lacking capacity".

To make a decision we need to:

- Understand information.
- Remember it for long enough.
- Think about the information.
- Communicate our decision.

A person's ability to do this may be affected by things like learning disability, dementia, mental health needs, acquired brain injury, and physical ill health.

The Mental Capacity Act 2005 (MCA) states that every individual has the right to make their own decisions and provides the framework for this to happen.

The MCA is about making sure that people over the age of 16 have the support they need to make as many decisions as possible.

The MCA also protects people who need family, friends, or paid support staff to make decisions for them because they lack capacity to make specific decisions.

Our ability to make decisions can change over the course of a day.

Here are some examples that demonstrate how the timing of a question can affect the response:

- A person with epilepsy may not be able to make a decision following a seizure.
- Someone who is anxious may not be able to make a decision at that point.
- A person may not be able to respond as quickly if they have just taken some medication that causes fatigue.

In each of these examples, it may appear as though the person cannot make a decision. But later in the day, presented with the same decision, they may be able to at least be involved.

The MCA recognises that capacity is decision-specific, so no one will be labelled as entirely lacking capacity. The MCA also recognises that decisions can be about big life- changing events, such as where to live, but equally about small events, such as what to wear on a cold day.

To help you to understand the MCA, consider the following five points:

1. Assume that people are able to make decisions, unless it is shown that they are not. If you have concerns about a person's level of understanding, you should check this with them, and if applicable, with the people supporting them.

2. Give people as much support as they need to make decisions. You may be involved in this – you might need to think about the way you communicate or provide information, and you may be asked your opinion.

3. People have the right to make unwise decisions. The important thing is that they understand the implications. If they understand the implications, consider how risks might be minimised.

4. If someone is not able to make a decision, then the person helping them must only make decisions in their "best interests". This means that the decision must be what is best for the person, not for anyone else. If someone was making a decision on your behalf, you would want it to reflect the decision you would make if you were able to.

5. Find the least restrictive way of doing what needs to be done.

Remember:

You should not discriminate or make assumptions about someone's ability to make decisions, and you should not pre-empt a best-interest's decision merely on the basis of a person's age, appearance, condition, or behaviour.

When it comes to decision-making, you could be involved in a minor way, or person's ultimate decision. A person may be receiving support that is not in- line with the MCA, so you must be prepared to address this.

Appendix iii

Incident Report Form

Name of person recording the incident:		
Address:		
Post Code:	Telephone no:	Email address:

Name of Identified Adult / Child:		
Address:		
Post Code:	Telephone no:	Email address:

Name of person reporting the incident:		
Address:		
Post Code:	Telephone no:	Email address:

Details of the allegation/s: (include: date, time, location and nature of the incident)
Additional information: (include: witnesses, corroborative statements etc)

Have you discussed your concerns with the adult or child? What are their views?
WAY staff team notified. Reference number (if allocated) Name of person spoken to: Date: Time:
Action Taken: Date: Time:
Signature of Recorder: Signature of Complainant:
Data protection: WAY Widowed and Young processes the personal and special category data in this form in accordance with the **UK GDPR** and the **Data Protection Act 2018**. Information is processed under the lawful basis of **Legal Obligation** and **Legitimate Interests** (specifically for the safeguarding and protection of individuals at risk). Strict confidentiality will be maintained, and information will only be shared with relevant statutory bodies (such as the Police or Local Authority Safeguarding Partners) where necessary to prevent harm or protect life.

Appendix iv

GUIDANCE ON TYPES OF HARM - ADULTS

The Care Act 2014 recognises 10 categories of abuse that may be experienced by adults.

Self-neglect
This covers a wide range of behaviour: neglecting to care for one's personal hygiene, health or surroundings and includes behaviour such as hoarding.

Modern Slavery
This encompasses slavery, human trafficking, forced labour and domestic servitude.

Domestic Abuse
This includes psychological, physical, sexual, financial and emotional abuse perpetrated by anyone within a person's family. It also includes so called 'honour' based violence.

Discriminatory
Discrimination is abuse which centres on a difference or perceived difference particularly with respect to race, gender or disability or any of the protected characteristics of the Equality Act.

Organisational
This includes neglect and poor care practice within an institution or specific care setting such as a hospital or care home, for example, or in relation to care provided in one's own home. This may range from one off incidents to on-going ill-treatment. It can be through neglect or poor professional practice as a result of the structure, policies, processes and practices within an organisation.

Physical
This includes hitting, slapping, pushing, kicking, misuse of medication, restraint or inappropriate sanctions.

Sexual
This includes rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography or witnessing sexual acts, indecent exposure and sexual assault or sexual acts to which the adult has not consented or was pressured into consenting.

Financial or material
This includes theft, fraud, internet scamming, coercion in relation to an adult's financial affairs or arrangements, including in connection with wills, property, inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.

Neglect/Acts of omission
This includes ignoring medical or physical care needs, failing to provide access to appropriate health social care or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating.

Emotional or psychological
This includes threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or supportive.

Not included in the Care Act 2014 but also relevant to safeguarding adults;

Cyber Bullying
Cyberbullying occurs when someone repeatedly makes fun of another person online or repeatedly picks on another person through emails or text messages, or uses online forums with the intention of harming, damaging, humiliating or isolating another person. It can be used to carry out many different types of bullying (such as racist bullying, homophobic bullying, or bullying related to special educational needs and disabilities) but instead of the perpetrator carrying out the bullying face-to-face, they use technology as a means to do it.

Forced marriage
This is a term used to describe a marriage in which one or both of the parties are married without their consent or against their will. A forced marriage differs from an arranged marriage, in which both parties consent to the assistance of a third party in identifying a spouse. The Anti-social Behaviour, Crime and Policing Act 2014 make it a criminal offence to force someone to marry.

Mate Crime
A 'mate crime' is when vulnerable people are befriended by members of the community who go on to exploit and take advantage of them. It may not be an illegal act but still has a negative effect on the individual. Mate Crime is carried out by someone the adult knows and often happens in private. In recent years there have been a number of Serious Case Reviews relating to people with a learning disability who were murdered or seriously harmed by people who purported to be their friend.

Radicalisation
The aim of radicalisation is to attract people to their reasoning, inspire new recruits and embed their extreme views and persuade vulnerable individuals of the legitimacy of their cause. This may be direct through a relationship, or through social media.

Appendix V

GUIDANCE ON TYPES OF HARM – CHILDREN AND YOUNG PEOPLE

The statutory definitions of abuse and neglect are set out in the government's statutory guidance, **Working Together to Safeguard Children (2026)**. Abuse is a form of maltreatment of a child (anyone under the age of 18) by inflicting harm or failing to prevent it.
When identifying or responding to concerns, practitioners, staff, and volunteers must maintain **professional curiosity**, recognising that children may experience multiple, overlapping forms of harm simultaneously.

Core Categories of Abuse

- **Physical Abuse:** A form of abuse involving hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child. This includes 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 causing severe and persistent adverse effects on their emotional development. This includes conveying that they are worthless, unloved, or inadequate; serious bullying (including cyberbullying); exploiting or corrupting them; and **witnessing or hearing the ill-treatment of others** (such as domestic abuse in the home).
- **Sexual Abuse:** Forcing or enticing a child or young person to take part in sexual activities, regardless of whether they are aware of what is happening or if physical contact occurs. This includes online sexual abuse, grooming, self-generated sexual content produced under coercion, and group-based exploitation.
- **Neglect:** The persistent failure to meet a child's basic physical, emotional, or psychological needs, likely to result in the serious impairment of their health or development. This includes failing to provide adequate food, clothing, shelter, medical care, or protection from harm.

Modern Harm Definitions (Domestic Abuse & Exploitation)

Under the **Domestic Abuse Act 2021** and **Working Together 2026** frameworks, the policy explicitly recognises modern, complex forms of harm:

- **Impact of Domestic Abuse on Children:** Any child who sees, hears, or experiences the effects of domestic abuse is legally recognized as a victim of abuse in their own right. This includes exposure to coercive control, physical violence, or economic abuse within the household.
- **Teenage Relationship Abuse:** Abusive, controlling, or coercive behavior occurring within a young person's own intimate relationships (often categorized as child-on-child abuse).
- **Extra-Familial Harm & Exploitation:** Harm that occurs outside the home environment. This includes:
    - **Child Criminal Exploitation (CCE):** Where an individual or group coerces, controls, or manipulates a child into criminal activity (e.g., "county lines" drug operations).
    - **Child Sexual Exploitation (CSE):** Coercing or manipulating a child into sexual activity, even if the activity appears "consensual".
    - **Online Harm:** Abuse, grooming, or exploitation facilitated entirely online or via digital technology.

- **Honour-Based, Faith-Based, or Belief-Based Abuse:** Harm committed under the guise of defending "honour" or cultural/religious traditions, including forced marriage and female genital mutilation (FGM).

Key Safeguarding Practice Principles

Anti-Racist & Anti-Discriminatory Practice All safeguarding actions must actively challenge racism and discrimination rather than just remaining "aware" of it. Staff must recognize how past trauma, discrimination, and adultification bias (viewing vulnerable children as older or more mature than they are) can impact how a child or family engages with help.

- **Extremism** goes beyond terrorism and includes people who target the vulnerable – including the young – by seeking to sow division between communities on the basis of race, faith or denomination; justify discrimination towards women and girls; persuade others that minorities are inferior; or argue against the primacy of democracy and the rule of law in our society. ***All childcare services within the organisation recognise their responsibilities as set out in PREVENT duty guidance April 2019***.

Signs of Possible Abuse The following signs could be indicators that abuse has taken place but should be considered in context of the child's whole life.

Physical
· Injuries not consistent with the explanation given for them
· Injuries that occur in places not normally exposed to falls, rough games, etc.
· Injuries that have not received medical attention
· Reluctance to change for, or participate in, games or swimming
· Repeated urinary infections or unexplained tummy pains
· Bruises on babies, bites, burns, fractures etc. which do not have an accidental explanation*
· Cuts/scratches/substance abuse*

Sexual
· Any allegations made concerning sexual abuse
· Excessive preoccupation with sexual matters and detailed knowledge of adult sexual behaviour
· Age-inappropriate sexual activity through words, play or drawing
· Child 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
· Eating disorders - anorexia, bulimia*

Emotional
·Changes or regression in mood or behaviour, particularly where a child withdraws or becomes clinging.
· Depression, aggression, extreme anxiety.
· Nervousness, frozen watchfulness
· Obsessions or phobias
· Sudden under-achievement or lack of concentration
· Inappropriate relationships with peers and/or adults
· Attention-seeking behaviour

· Persistent tiredness
· Running away/stealing/lying

Neglect
· Under nourishment, failure to grow, constant hunger, stealing or gorging food, Untreated illnesses,
· Inadequate care, etc

*These indicate the possibility that a child or young person is self harming.Approximately 20,000 are treated in accident and emergency departments in the UK each year.

Appendix V

Consent and Information Sharing

WAY Widowed and Youngs members, volunteers and staff should always share safeguarding concerns in line with their organisation's policy, usually with their safeguarding lead in the first instance, except in emergency situations. As long as it does not increase the risk to the individual, the worker or volunteer should explain to them that it is their duty to share their concern with the Designated Safeguarding Officer.

The Designated Safeguarding Officer will then consider the situation and plan the actions that need to be taken, in conjunction with the adult at risk and in line with the organisation's policy and procedures and local safeguarding adults board policy and procedures.

To make an Adult safeguarding referral you need to call the local safeguarding adults' team. This may be part of a MASH (Multi-Agency Safeguarding Hub). A conversation can be had with the safeguarding adults team without disclosing the identity of the person in the first instance. If it is thought that a referral needs to be made to the safeguarding adult's team, consent should be sought where possible from the adult at risk.

Individuals may not give their consent to the sharing of safeguarding information with the safeguarding adult's team for a number of reasons. Reassurance, appropriate support and revisiting the issues at another time may help to change their view on whether it is best to share information.

If they still do not consent, then their wishes should usually be respected. However, there are circumstances where information can be shared without consent such as when the adult does not have the capacity to consent, it is in the public interest because it may affect other people or a serious crime has been committed. This should always be discussed with your safeguarding lead and the local authority safeguarding adults team.

If someone does not want you to share information outside of the organisation or you do not have consent to share the information, ask yourself the following questions:

- Is the adult placing themselves at further risk of harm?
- Is someone else likely to get hurt?
- Has a criminal offence occurred? This includes: theft or burglary of items, physical abuse, sexual abuse, forced to give extra money for lessons (financial abuse) or harassment.
- Is there suspicion that a crime has occurred?

If the answer to any of the questions above is 'yes' - then you can share without consent and need to share the information.

When sharing information there are seven Golden Rules that should always be followed.

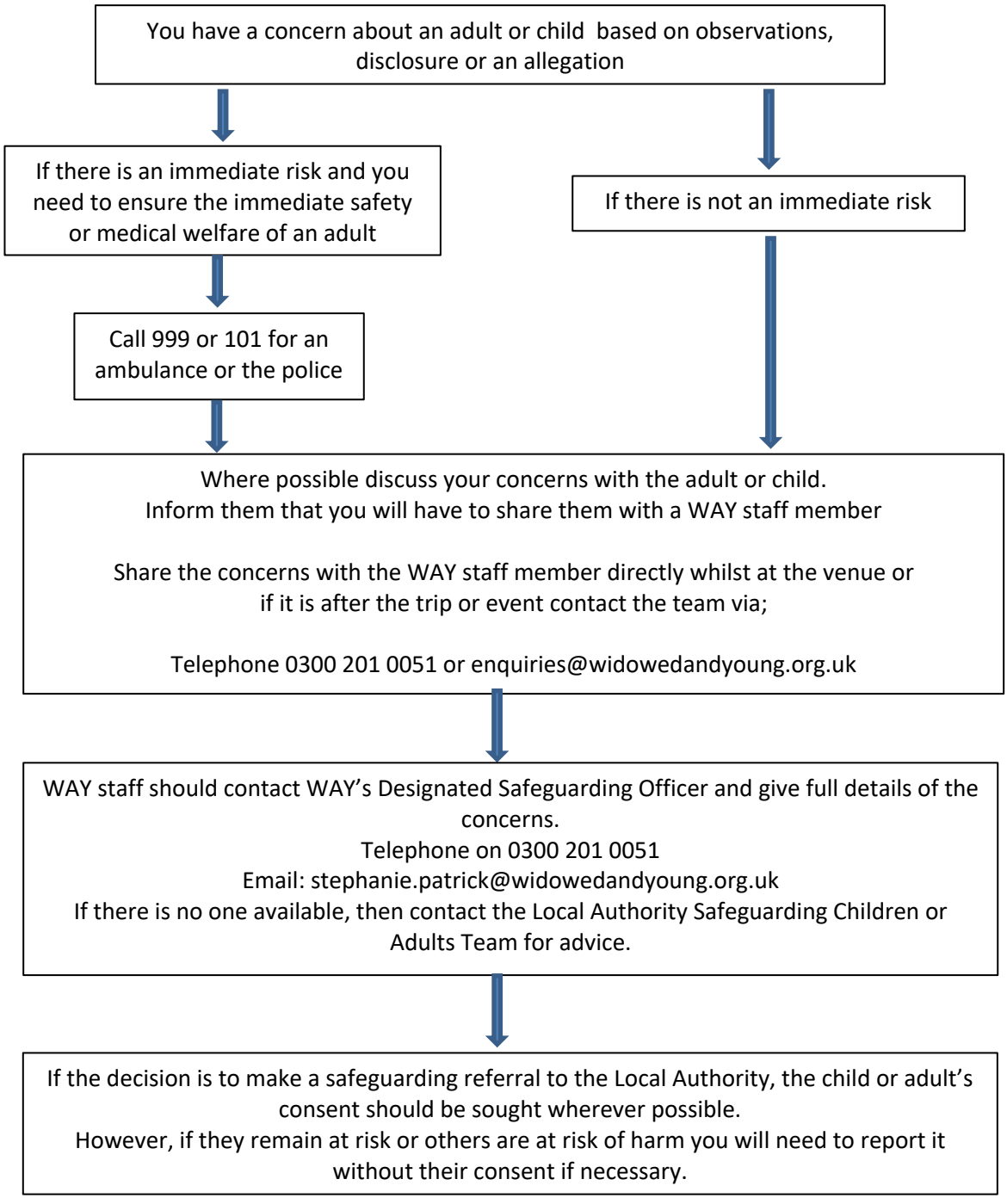
1. Seek advice if in any doubt
2. Be transparent - The Data Protection Act (DPA) is not a barrier to sharing information but to ensure that personal information is shared appropriately; except in circumstances whereby doing so places the person at significant risk of harm.
3. Consider the public interest - Base all decisions to share information on the safety and well-being of that person or others that may be affected by their actions.
4. Share with consent where appropriate - Where possible, respond to the wishes of those who do not consent to share confidential information. You may still share information without consent, if this is in the public interest.

5. Keep a record - Record your decision and reasons to share or not share information.
6. Accurate, necessary, proportionate, relevant and secure - Ensure all information shared is accurate, up-to-date; necessary and share with only those who need to have it.

Remember the purpose of the Data Protection Act (DPA) is to ensure personal information is shared appropriately, except in circumstances where by doing so may place the person or others at significant harm.

Appendix VI

What to do if you have a concern about an adult or child on a WAY organised trip?



Remember

It is not your duty to investigate concerns about an adult or child but do not ignore them – talk to the adult if possible and get in touch with someone within your organisation or the local authority for advice.

** If for any reason a WAY's Designated Safeguarding Officer is not in post or is unavailable a principle of least delay is important. Please contact the WAY Lead Safeguarding Trustee.*