

Content warning: information within this policy details different forms of abuse that some readers may find upsetting, distressing, or triggering. Please proceed with caution when reading.

The purpose of this policy is to protect all people, but particularly children* and vulnerable adults, from any harm that may be caused through any contact with LINK. Staff and volunteers do not and are not expected to have direct contact with children or adults at risk, in the normal course of their duties. However, it is possible that on rare occasions, there may be circumstances where children and vulnerable adults from local education facilities or other groups may be invited to participate in a specific piece of work or project. In these circumstances, Scottish Environment LINK follows the Adult Support and Protection Act 2007 and the Children (Scotland) Act 2020.

It is important therefore that all LINK staff and volunteers have clear guidelines on specific measures they should take when working with these groups/individuals, and what to do in the event of any concerns about their safety or about the conduct of an employee or volunteer in relation to these groups are brought to their attention.

The following offers guidance on what action LINK employees and volunteers should take if such an occurrence arises and on LINK's policy when working with these groups.

1. Purpose & Scope

1.1 * For the purposes of this policy and guidance a child is anyone who has not yet reached their 18th birthday. The definition of a vulnerable adult, also referred to as an adult at risk, are those aged 16 years and over who: are unable to safeguard their own wellbeing, property, rights or other interests. See full definitions in [Appendix 1](#).

This guidance should be observed by all LINK staff and all volunteers working with LINK in any projects or events that engage with these groups.

1.2 A number of LINK Staff and volunteers may have contact with these groups in the course of their activities. LINK acknowledges that it has a responsibility to promote safeguarding practices and the highest standards of duty of care among its staff and volunteers in relation to these groups. It also recognises that good safeguarding and child protection guidance are also of benefit to staff and volunteers, as they can help protect them from misunderstandings or erroneous allegations.

2. Background - What is safeguarding?

In the UK, safeguarding means protecting peoples' health, wellbeing and human rights, and enabling them to live free from harm, abuse and neglect.¹

Safeguarding means taking all reasonable steps to prevent harm including sexual exploitation, abuse and harassment from occurring; to protect people, especially vulnerable adults and children, from that harm; and to respond appropriately when harm does occur.

¹ NHS 'What is Safeguarding? Easy Read' 2011

Scope

- All staff employed by LINK
- Associated personnel whilst engaged with work or visits related to LINK, including but not limited to the following: consultants; volunteers; contractors.

Children

2.1 All LINK staff and associated personnel who have access to or contact with children must:

- recognise and accept they have a responsibility to protect any children within their sphere of work and care;
- develop awareness of the issues which can cause children harm and have knowledge of and be able to recognise signs of the four most common types of abuse (emotional, physical, sexual, neglect – see [Appendix 1](#))
- be aware of ‘grooming’ behaviour (the befriending of children as a precursor to abuse); and
- immediately report any concerns using LINK’s procedures in section 5 for reporting safeguarding concerns.

2.2 LINK in turn will endeavour to safeguard children by:

- adopting a Guidance for Safeguarding Children applicable to all concerned with LINK activities;
- adopting a procedure for reporting safeguarding concerns; and
- reporting concerns to the relevant authorities.

Adult safeguarding

All staff and associated personnel who have access to or contact with adults, including vulnerable adults, must not:

- Sexually abuse or exploit adults, including vulnerable adults
- Subject adults, including vulnerable adults, to financial, physical, emotional or psychological abuse, or neglect in the case of vulnerable adults.

Protection from sexual exploitation and abuse

LINK staff and associated personnel must not:

- Exchange money, employment, goods or services for sexual activity. We follow the [ISAC \(Inter-Agency Standing Committee\) six core principles - Protection from Sexual Exploitation and Abuse](#).
- Engage in any sexual relationships with beneficiaries of assistance, since they are based on inherently unequal power dynamics.

Additionally, LINK staff and associated personnel are obliged to:

- Contribute to creating and maintaining an environment that prevents safeguarding violations and promotes the implementation of the Safeguarding Policy
- Report any concerns or suspicions regarding safeguarding violations by a LINK staff member or associated personnel to the appropriate staff member.

3. Policy

3.1 It is LINK's policy that:

i All LINK staff and volunteers accept responsibility for the welfare of these groups with whom they come into contact in the course of their work, and that they will report any concerns about a child/adult or somebody else's behaviour, using the procedures set out. They will endeavour to ensure that no visitor spends time alone with children or vulnerable adults away from other adults and they will report any concerns set out in the procedure below.

ii The Chief Officer of LINK will take action following any expression of concern and ensure the lines of responsibility in respect of child, vulnerable adult, and adult protection are clear.

iii The Chief Officer will be responsible for making the appropriate referrals to statutory agencies. However, if a child or vulnerable adult is in danger, is carrying weaponry, or has seriously harmed themselves or another person, it should be reported to the correct authorities immediately.

iv All people who come into contact with children/vulnerable adults in the course of their work with LINK must adhere to this guidance. Failure to comply with these obligations may result in disciplinary action in accordance with LINK's Disciplinary Procedure.

v Information relating to any allegation or disclosure must be clearly recorded as soon as possible - see Section 6 - How to report your concerns.

vi The Children Act 2020 states that the 'welfare of the child is paramount'. This means that confidentiality is immediately broken between a child and a vulnerable adult if a child/vulnerable adult discloses that they have harmed themselves or another person or are going to harm themselves or another person, or that they have been harmed themselves by another person as you will need to report the name of the child/vulnerable adult to the appropriate person. Appropriate personnel need to be informed immediately in these cases. This is the Chief Officer at LINK, or police in severe cases. However, **only the Chief Officer may know the name of the child / vulnerable adult and details of the disclosure**: the information must **remain confidential** between you, the child, and the Chief Officer or police whilst the allegations are being investigated.

vii This policy will be openly and widely made available to staff and volunteers and actively promoted within the organisation.

viii A culture of mutual respect between LINK employees and volunteers and children, vulnerable adults will be encouraged, with the LINK lead modelling good practice in this context.

ix It is part of LINK's acceptance of its responsibility of duty of care towards these groups that employees and volunteers who encounter any protection concerns in the context of their work will be supported when they report their concerns in good faith.

4 Code of Practice specifically when working with children

4.1 When working with children, staff and volunteers should always:

- i act as a role model of good and appropriate behaviour;
- ii ensure that whenever practicable the persons who are normally responsible for the children (eg teachers, parents, guardians) are present during activities or that there is always more than one adult present;
- iii respect a child's right to personal privacy;
- iv be aware that any physical contact with a child may be misinterpreted and so must be avoided whenever possible;
- v challenge unacceptable behaviour and report all allegations and/or suspicions of abuse;
- vi always report any concerns immediately to the LINK Chief Officer regarding the conduct of another employee or volunteer in relation to children or vulnerable adults;
- vii remember that those who abuse children can be of any age (even other children), gender, ethnic background or class, and it is important not to allow personal preconceptions about people to prevent appropriate action taking place.

4.2 When working with children, staff and volunteers should never:

- i Spend time alone with children away from other adults;
- ii have inappropriate physical or verbal contact with children;
- iii do things of a personal nature for children that the child can do for themselves including accompanying a child to the toilet;
- iv allow children to use inappropriate language unchallenged;
- v allow bullying of one child by another to go unchecked;
- vi make suggestive or derogatory remarks or gestures in the presence of children;
- vii show favouritism to any one child;
- viii become complacent on the (spurious) grounds that "it could never happen to me";

ix let any allegations a child makes go unrecorded;

x take children alone in a car on journeys, however short, unless with the prior consent of the child's parent or guardian, and then only in exceptional circumstances. Exceptional circumstances include circumstances which are unexpected, rare, unavoidable and short;

xi communicate directly with children by email or text messages - best practice would be to communicate with parents or guardians;

xii communicate directly with children via Facebook or other social media;

xiii Staff and volunteers are not permitted or expected to work alone with a child.

4.3 Further information on what actions to take in an emergency are given in [Appendix 2](#).

5 Guidance on responding to a child making an allegation of abuse

5.1 Do take a disclosure of abuse from a child seriously. It is important not to deter children from making a disclosure of abuse through fear of not being believed, and to listen to what they have to say. If the allegation gives rise to a child protection concern it is important to follow the procedure for reporting such concerns, and not to attempt to investigate the concern yourself - [see Section 6](#) - How to report your concerns.

5.2 There are no circumstances in which LINK staff or volunteers should work alone with a child (section 4.2 xiii) and LINK does not expect staff or volunteers to deal with this kind of situation on their own. The points below provide guidance should a situation that is beyond your control occur.

i Stay calm and listen carefully to what is said and show that you are taking it seriously.

ii Reassure the child that they have done the right thing in telling you and they have not done anything wrong.

iii Allow the child to continue at her/his own pace, let them give a spontaneous account.

iv Make no judgement about what you have heard.

v Record in writing what was said, using the child's own words as soon as possible – note the date, time, any names mentioned, to whom the information was given and ensure that the record is signed and dated.

vi Ask minimal questions for clarification only, and at all times avoid asking questions that suggest a particular answer.

vii Find an appropriate early opportunity to explain that it is likely that the information will need to be shared with others – do not promise to keep secrets.

viii Tell the child that the matter will only be disclosed to those who need to know about it.

ix Tell them what you will do next, and with whom the information will be shared (if this is in a school or other official environment, it will need to be the designated person within that school or organisation).

x Remember that whilst you may have been the first person encountering an allegation of abuse it is not your responsibility to decide whether abuse has occurred. That is a task for the professional child protection agencies, following a referral from the Designated Safeguarding Person.

6a How to report your concerns, children

6.1 Suspicions or concerns may be raised in a number of ways, the most likely of which are:

- the conduct of another volunteer, staff member or another adult;
- a child disclosing abuse.

6.2 If a member of staff or a volunteer is working in, for example, a school or externally organised group in a different location, and has concerns, they should report them immediately to the appropriate person in the host organisation within which the concern has arisen.

6.3 Staff or volunteers must report to the Chief Officer immediately any concerns they may have about the conduct of another member of staff or volunteer in relation to children.

6.4 The most common examples of the types of concerns that must be reported immediately are:

- someone has behaved in a way that has harmed a child or may have harmed a child;
- someone has possibly committed a criminal offence against or related to a child; or
- someone has behaved towards a child in a way that indicates they are unsuitable to work with children.

6.5 The Chief Officer will consider the matter and then, if appropriate, refer it to the police, or, after taking appropriate advice (which may include discussing the circumstances on a confidential basis with professional advisers), decide either to deal with the matter internally or not to take any further action. If further information comes to light at a later stage which warrants a referral to the Police, the Chief Officer will make the referral.

However, if a child is severely physically harmed and the person who has harmed them is with them/going to collect them from an event/meeting, or if a member of staff/volunteer witnesses physical or sexual abuse, these need to be reported to the police **immediately** and then reported to the CO/line manager; therefore the order changes. Please see flowchart in appendix for further detail.

6.6 Where allegations are made about staff, careful consideration must take place about the appropriateness of the person continuing to work with LINK. This may include suspension during any internal or external investigation and dismissal if the allegation is proved. Professional advice should be sought in all processes concerning directly employed staff to ensure that the correct employment procedures are followed.

6.7 The incident will then be recorded by Chief Officer and the file will be stored securely (see details below on retention periods) and be marked with the date (month/year) it should be destroyed and stored securely. The file will then be securely destroyed at the appropriate date.

6.7 (i) If concerns have been raised about an adult's behaviour around children, LINK will keep the records in their personnel file either until they reach normal retirement age or for 10 years - whichever is longer.

6.7 (ii) Where concerns have been raised about a child's safety and wellbeing, records will be kept for 7 years after LINK's last contact with the child and their family.

6b How to report your concerns, adults including vulnerable adults

Staff members who have a complaint or concern relating to safeguarding of an adult/vulnerable adult should report it immediately to the LINK Chief Officer. If the staff member does not feel comfortable reporting to the LINK Chief Officer (for example if they feel that the report will not be taken seriously, or if that person is implicated in the concern) they may report to any other appropriate staff member. For example, this could be another senior manager.

However, in cases where adult/vulnerable adult is severely physically harmed and the person who has harmed them is with them/going to collect them from an event/meeting, or if a member of staff/volunteer witnesses physical or sexual abuse, these need to be reported to the police **immediately** and then reported to the CO/line manager; therefore the order changes. Please see flowchart in appendix for further detail.

7 Preventative actions

7.1 The most important key to safety is prevention and organisational awareness and good practice can promote positive staff behaviour and enable early detection and response.

7.2 LINK Staff and children

As working with children is rare, and is not expected, within LINK, additional checks specific to someone's suitability to work with children are not undertaken as standard practice at initial recruitment. LINK do, however as a matter of routine complete background screening checks on all potential staff members including independent references and a requirement to declare any convictions which are not yet spent (i.e. unspent) under the terms of the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended in 2013) to allow LINK to assess a person's suitability for working for LINK.

On occasion when LINK does wish to work with children, for example when involving children in the planning of an event such as Sea Scotland, this work is not regarded as 'regulated work' therefore there is no requirement for staff to be members of the Protecting Vulnerable Groups Scheme. (There are 2 types of regulated work – work with children and work with protected adults. Regulated work is usually jobs including:

- caring responsibilities;
- teaching or supervising children and/or protected adults;
- providing personal services to children and/or protected adults;
- having unsupervised contact with children and/or protected adults.

However, when a situation does arise where staff are required to work with children (as part of their role) in addition to the checks noted above LINK will also require the member of staff involved to obtain a Basic Disclosure Scotland record which will be reviewed by the Chief Officer to confirm the members of staff's suitability ahead of the work taking place. See [Appendix 3](#) – Policy statement on the secure storage, handling, use, retention and disposal of Disclosures and Disclosure information.

8. Additional

Should any member of staff or LINK member have concerns about how a safeguarding incident with a child has been dealt with by LINK they may wish to contact an independent third party such as the NSPCC whistleblowing helpline - 0800 028 0285 or visit their website by following the link [here](#).

The LINK Staff Handbook, issued to and available to all staff on Sharepoint, details LINK's policy in relation to the use of technology, such as computers and mobile phones, and requires that they must not use this technology for the purpose of accessing, producing or distributing any information or violent or sexual images that are harmful for children. This includes adult pornography.

Appendix 1 - Definition of terms

Child

A child means every human being below the age of eighteen years unless, under the law applicable to the child, majority is attained earlier (Convention on the Rights of the Child, United Nations, Article 1).

Vulnerable Adult (also referred to as an adult at risk)

is a person who is or may be in need of care by reason of mental or other disability, age or illness; and who is or may be unable to take care of themselves, or is at risk of suffering significant harm or exploitation because they are unable to safeguard their own wellbeing, property, rights or other interests'

Abuse

1. Physical Abuse

Physical abuse may involve, hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces illness in a child.

2. Emotional Abuse

Emotional abuse is the emotional maltreatment to cause severe and persistent adverse effects on the child/adults's emotional development. It may involve conveying that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond the person's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the person participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve causing the person frequently to feel frightened or in danger, or the exploitation or corruption. Some level of emotional abuse is involved in all types of maltreatment, though it may occur alone.

3. Sexual Abuse

Sexual abuse involves forcing or enticing a child or vulnerable adult to take part in sexual activities, including prostitution, whether or not they are aware of what is happening. The activities may involve physical contact, including penetrative or non-penetrative acts. They may include non-contact activities, such as involving a child/vulnerable adult in viewing, or in the production of, pornographic material, or encouraging them to behave in sexually inappropriate ways.

Sexual abuse can also occur to adults who are not vulnerable, too. This can be in the form of non-consensual physical contact, including penetrative or non-penetrative acts, as well as forcing an adult in viewing, or in the production of, pornographic material, forcing them to behave in sexually inappropriate ways, or disseminating nude pictures of the person without their consent.

4. Neglect, child specific

Neglect is 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 provide adequate food and clothing, shelter including exclusion from home or abandonment, failing to protect a child from physical and emotional harm or danger, failure to ensure adequate supervision including the use of inadequate care-takers, or the failure to ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

Neglect can also occur with vulnerable adults, for example someone who is elderly and cannot care for themselves or someone who has a physical or learning disability (e.g., Downs Syndrome).

5. Financial abuse vulnerable adult specific

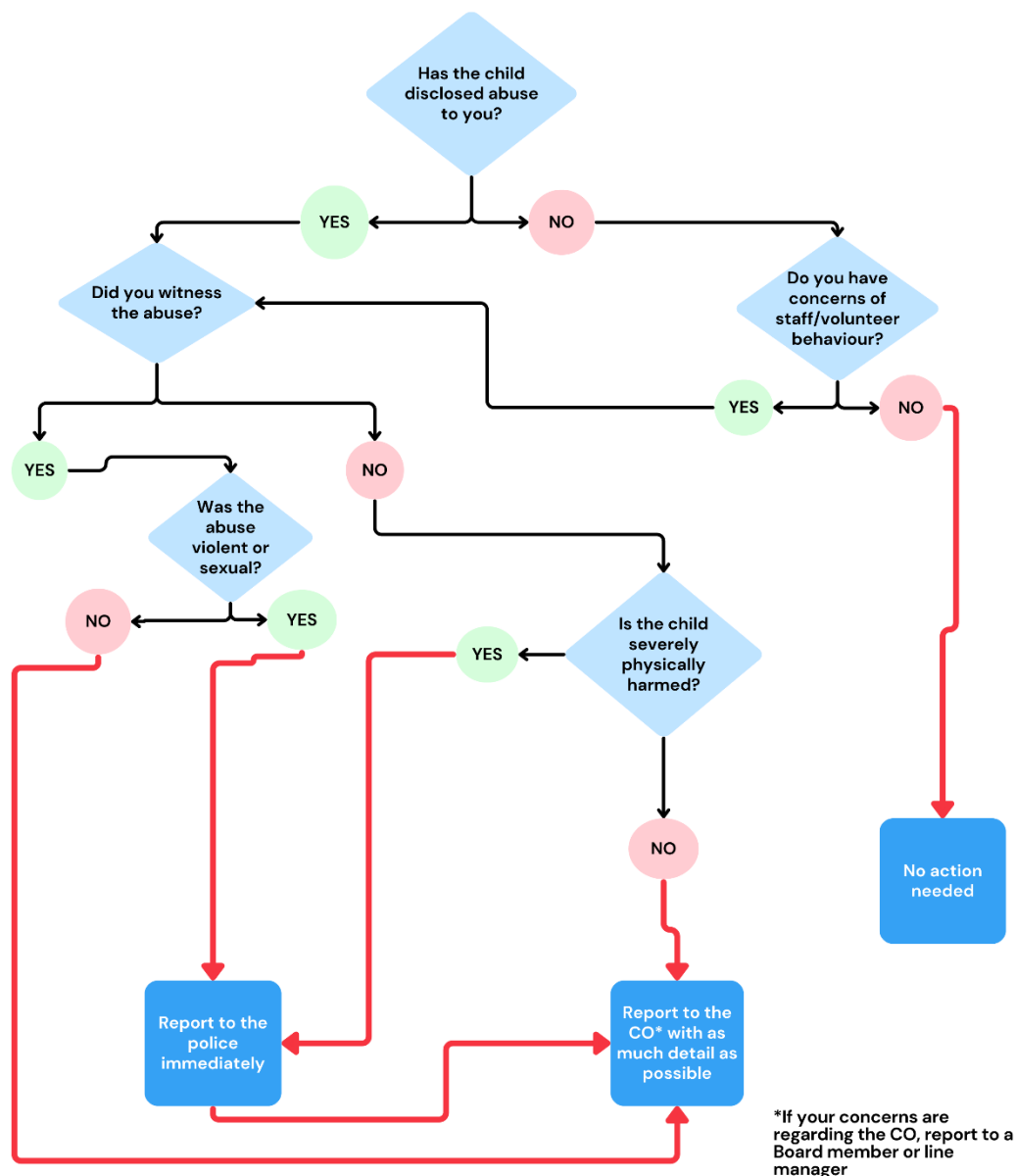
Financial abuse is when a partner/carers/parent uses controlling, threatening and degrading behaviours towards a person in relation to money and finances to control the person. This could include stealing money that is for an elderly or disabled person, hiding money, or refusing to give money to the person entitled to it.

Financial abuse can also occur in relationships/marriages.

Appendix 2 – Handling incidents and accidents

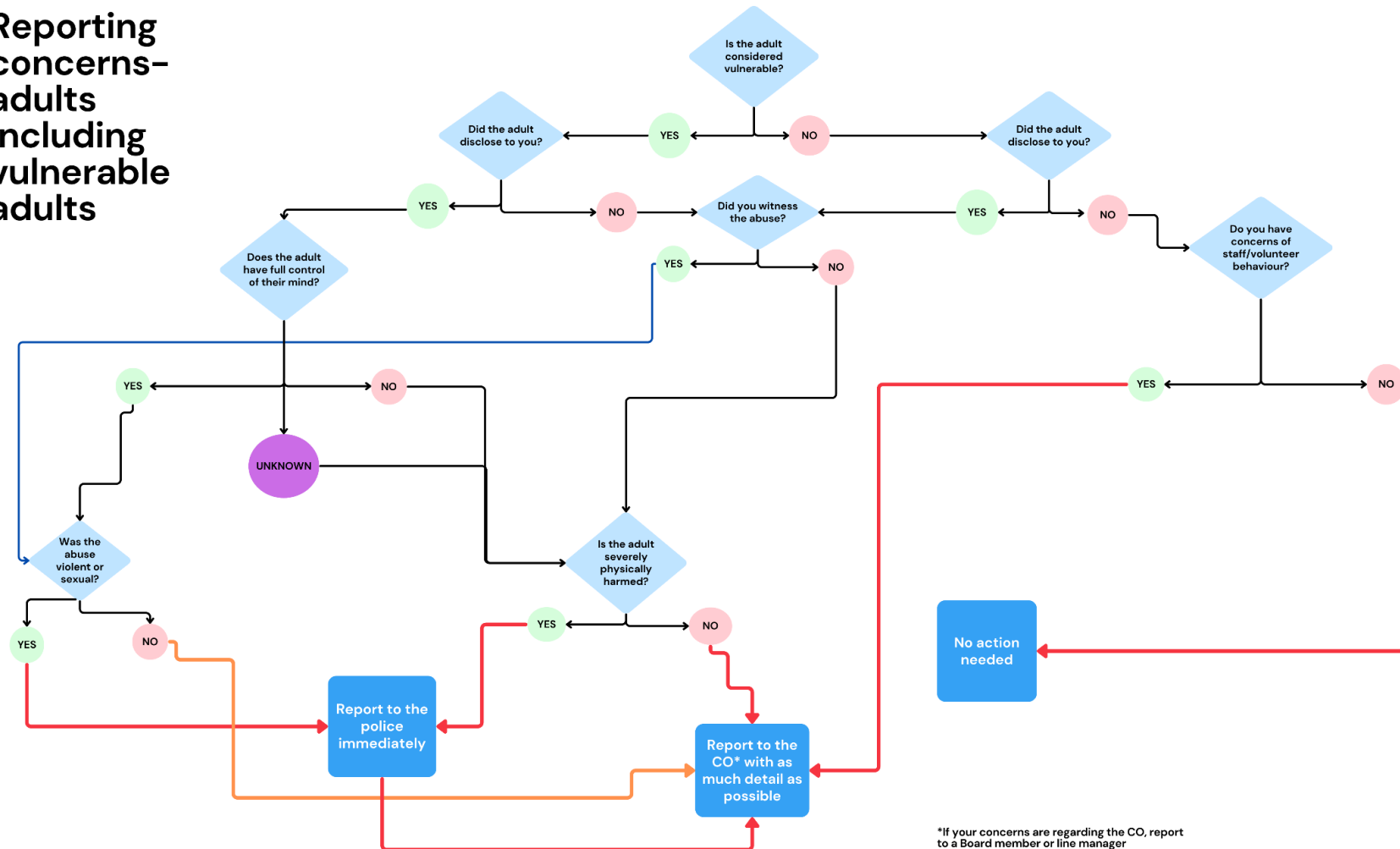
Flowchart for reporting concerns: children

Reporting concerns-children



Flowchart for reporting concerns: vulnerable adults

Reporting concerns—adults including vulnerable adults



What to do if an accident happens with a child

Depending on your judgement of the situation, go to the scene immediately if possible and/or summon First Aid assistance and/or contact the emergency services. With children it can be hard to tell whether they have been injured or whether an injury is serious. If you have any doubt about this, you should err on the side of caution and contact the emergency services.

Even if a child is accompanied and you think an accident is not being treated seriously enough, get medical assistance.

What to do if a child is unattended or lost

If you see a child who seems unattended or who is definitely lost:

- i if accompanied with another member of staff/volunteer, which all staff should be, introduce yourselves, find out their name, and try to establish whom they are with and where they last saw them;
- ii ask them to come with you to the reception point /main entrance /designated meeting place;
- iii remember that the adult(s) will be looking for the child too, so stay within obvious places;
- iv if you come across a child who is definitely lost, try to keep them from getting distressed;
- v make sure to keep the child in your sight, and if you have to leave them, only pass them on to someone you can rely upon to look after them.
- vi contact other members of the LINK contingent to inform them of the situation – they may have the person looking for the child with them.

What to do if a child is abusive or violent to you

Following such an incident it is important that the following steps are taken:

- i Ensure the safety of all those involved in the incident including any other children.
- ii Gain appropriate first aid or medical attention for anyone injured.
- iii Once the child is calm provide the opportunity for the child to reflect on the incident if this is appropriate.
- iv Undertake a formal de-briefing with other adults involved or affected by the incident.
- v Once the situation is calm parents / carers should be informed of the incident as quickly as possible.
- vi The incident itself must be formally recorded.

Appendix 3 – Policy statement on the secure storage, handling, use, retention and disposal of Disclosures and Disclosure information

2.1 General principles

As an organisation using the Disclosure Service to help assess the suitability of applicants for positions of trust, Scottish Environment LINK complies fully with the code of practice regarding the correct handling, use, storage, retention and disposal of certificates and certificate information.

It also complies fully with its obligations under the Data Protection Act 2018 and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of certificate information and has a written policy on these matters, which is available to those who wish to see it on request.

2.2 Storage and access

Certificate information should be kept securely, in lockable, non-portable, storage containers with access strictly controlled and limited to those who are entitled to see it as part of their duties.

2.3 Handling

In accordance with section 124 of the Police Act 1997, certificate information is only passed to those who are authorised to receive it in the course of their duties. We maintain a record of all those to whom certificates or certificate information has been revealed and it is a criminal offence to pass this information to anyone who is not entitled to receive it.

Once the inspection has taken place the certificate should be destroyed in accordance with the code of practice.

2.4 Usage

Certificate information is only used for the specific purpose for which it was requested and for which the applicant's full consent has been given.

2.5 Retention

Once a recruitment (or other relevant) decision has been made, we do not keep certificate information for any longer than is necessary. This is generally for a period of up to six months, to allow for the consideration and resolution of any disputes or complaints.

Throughout this time, the usual conditions regarding the safe storage and strictly controlled access will prevail.

2.6 Disposal

Once the retention period has elapsed, we will ensure that any DBS/PVG certificate information is immediately destroyed by secure means, for example by shredding, pulping or burning. While awaiting destruction, certificate information will not be kept in any insecure receptacle (e.g. waste bin or confidential waste sack).

We will not keep any photocopy or other image of the certificate or any copy or representation of the contents of a certificate. However, notwithstanding the above, we may keep a record of the date of issue of a certificate, the name of the subject, the type of certificate requested, the position for which the certificate was requested, the unique reference number of the certificates and the details of the recruitment decision taken.

Support lines

[Samaritans Scotland](#)

[Scottish Action for Mental Health](#)

[NSPCC Scotland](#)

[Protection of Adults at Risk of Harm Directory](#)