

Safeguarding and Welfare Policy - Eilidh MacLeod Memorial Trust CIO

1. Introduction/background

- 1.1 Eilidh MacLeod Memorial Trust CIO does not work directly with children and vulnerable adults, however it is committed to proactively safeguarding and promoting the welfare of its ultimate beneficiaries and staff and to taking reasonable steps to ensure those who come into contact with Eilidh MacLeod Memorial Trust CIO do not, as a result, come to any harm.
- 1.2 This policy relates to Eilidh MacLeod Memorial Trust CIO's commitments to safeguarding and protecting its beneficiaries. Where any suspected wrongdoing is in relation to staff, the procedure set out in Eilidh MacLeod Memorial Trust CIO's Whistleblowing or Complaints Policy should be followed, as appropriate. A list of these policies is set out in the 'other relevant policies' section below.
- 1.3 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.
- 1.4 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.
- 1.5 This duty of care extends beyond statutory safeguarding requirements. Eilidh MacLeod Memorial Trust CIO 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.
- 1.6 Given these values and in light of widely recognised risks, Eilidh MacLeod Memorial Trust CIO has developed this policy to promote protection for all those people it comes into contact with, as well as staff and volunteers within Eilidh MacLeod Memorial Trust CIO itself and the partner organisations with which it has relationships.
- 1.7 Should it come into contact with vulnerable groups (including children), Eilidh MacLeod Memorial Trust CIO 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

2.1 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.

2.2 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.

3. **Scope of this policy**

3.1 **For Eilidh MacLeod Memorial Trust CIO staff and contractors**

3.1.1 Compliance with this policy is mandatory for all Eilidh MacLeod Memorial Trust CIO staff. For the purposes of this policy 'staff' is defined as anyone who works for, or is engaged by Eilidh MacLeod Memorial Trust CIO, 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 and trustees**

3.2.1 As board members and trustees must act at all times in the best interests of Eilidh MacLeod Memorial Trust CIO 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:

- (a) Staff induction pack
- Trustee induction training

3.3 **For partnership organisations**

3.3.1 This policy also applies to other organisations with whom Eilidh MacLeod Memorial Trust CIO works. Eilidh MacLeod Memorial Trust CIO 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. Eilidh MacLeod Memorial Trust CIO 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 Eilidh MacLeod Memorial Trust CIO will ensure that each partner has appointed a member of staff who will be responsible for promptly reporting to the Eilidh MacLeod Memorial Trust CIO Designated Safeguarding Officer (or, in the event that they are unavailable the Deputy Designated Safeguarding Officer or other appropriate person) any safeguarding concerns that arise in the context of the partnership.

4. **Statement of Commitments**

- 4.1.1 Eilidh MacLeod Memorial Trust CIO commits to taking all reasonable measures to ensure vulnerable groups (including children) impacted by projects and programmes delivered and/or supported by Eilidh MacLeod Memorial Trust CIO are protected as far as possible from harm, including exploitation, neglect and abuse of all kinds.

5. Eilidh MacLeod Memorial Trust CIO commits to:

- (a) Developing a zero tolerance 'safety culture' within Eilidh MacLeod Memorial Trust CIO that creates and maintains protective environments.
- (b) Placing safeguarding at the heart of recruitment practices by carrying out the highest level of DBS checks to which we are entitled, requesting two written references, and checking qualifications and certifications.
- (c) Ensuring Eilidh MacLeod Memorial Trust CIO staff and board members are fully cognisant of protection issues and adhere to Eilidh MacLeod Memorial Trust CIO's code of conduct.
- (d) Increasing understanding and raising the awareness of staff within the organisation of risks relating to safeguarding.
- (e) Taking appropriate and proportionate action if the policy is not complied with.
- (f) Developing criteria so that staff understand what constitutes non-compliance.
- (g) Carrying out appropriate due diligence on partners, ensuring they have appropriate controls and safeguarding measures in place, and integrating safeguarding and onward reporting requirements in Eilidh MacLeod Memorial Trust CIO's partnership or funding-related agreements.
- (h) Making sure protection considerations are integrated into all aspects of the organisation.
- (i) Ensuring all staff 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. Eilidh MacLeod Memorial Trust CIO 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 already been caused.
- (l) Ensuring that its privacy policy remains suitably updated so that it is clear that, in keeping with Eilidh MacLeod Memorial Trust CIO's zero tolerance policy, it will report wrongdoing on the part of its trustees, 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 Eilidh MacLeod Memorial Trust CIO's experience and interaction with trustees, staff and partners.

6. Embedding organisational commitment

- 6.1 In order to make its policy commitments a practical reality, Eilidh MacLeod Memorial Trust CIO 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.
- 6.2 Eilidh MacLeod Memorial Trust CIO staff 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.
- 6.3 Staff (and trustees) will be expected to acknowledge and accept their responsibilities under this policy. Breaches of this policy by staff will be treated seriously and will be treated as a potential cause for disciplinary action.

7. Reporting & responding to concerns

- 7.1 Eilidh MacLeod Memorial Trust CIO staff are required to immediately report any concerns or suspicions of possible/actual harm to a beneficiary, including abuse, exploitation and neglect and policy non-compliance, or risk of such, resulting from action or inaction by anyone covered by this policy. This includes any suspected historical abuse. In the first instance these should be reported to the Designated Safeguarding Officer.

The person making the report should otherwise keep the matter strictly confidential and not seek to investigate the incident or suspicion.

- 7.2 The Safeguarding Lead Trustee, who sits on Eilidh MacLeod Memorial Trust CIO'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.
- 7.3 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.
- 7.4 We are committed to reporting all relevant incidents to the Charity Commission for England and Wales via a serious incident report. 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). Decisions to report to external authorities will be fully risk assessed and anonymisation/pseudonimisation considered when necessary. Reporting will not be avoided on the basis that it may harm Eilidh MacLeod Memorial Trust CIO's reputation or give rise to litigation and any concerns in relation to data protection will not act as a barrier to reporting, although will be carefully considered to ensure that the disclosure is made within the legal framework for so doing.

7.5 Eilidh MacLeod Memorial Trust CIO will develop strategies and tools to ensure effective implementation of this policy and to enable the Designated Safeguarding Officer, Board and others to monitor its performance.

7.6 Existing systems for risk management, due diligence, monitoring and evaluation, audit and review, and other organisational performance mechanisms will be adapted to include indicators and processes by which implementation of the safeguarding policy can be measured and these processes will be periodically reviewed to ensure that they remain effective and up-to-date in respect of best practice.

7.7 Eilidh MacLeod Memorial Trust CIO 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.

8. **Policy Review**

8.1 We are committed to reviewing our policy and good practice regularly. This policy will be reviewed by the board of trustees at least annually, 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.

9. **Other relevant policies**

9.1 The following policies of Eilidh MacLeod Memorial Trust CIO may also be relevant to safeguarding matters:

- (a) Code of conduct

10. **Contact information**

10.1.1 Eilidh MacLeod Memorial Trust CIO's Designated Safeguarding Officer is Suzanne Marie White. The Deputy Designated Safeguarding Officer is James Michael MacNeil.

10.1.2 Eilidh MacLeod Memorial Trust CIO's Safeguarding Lead Trustee is Roderick MacLeod.

10.1.3 These individuals have access to the email inbox for reporting concerns, which is Suzannemwhite@breathemail.net.

10.1.4 If you are not comfortable with submitting your report via email to that address, please call 01606 597295 and ask to speak with the relevant person.

11. **Publishing this policy**

11.1 Eilidh MacLeod Memorial Trust CIO will ensure that this policy is at all times publically accessible on its website.

Date of policy: 21 October 2018

This policy will next be reviewed in 2 years.