

# SAFEGUARDING POLICY FOR ADULTS AT RISK

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<b>Approved by</b>	Board of Trustees
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## Contents

<b>1. Introduction</b>	<b>2</b>
1.1 Purpose	
1.2 Scope and Legal Framework	
1.3 Links to Charity Objectives and Values	
1.4 Outcomes	
<b>2. Key Principles</b>	<b>3</b>
<b>3. Policy Statement</b>	<b>4</b>
<b>4. Safeguarding Structure and Responsibilities</b>	<b>5</b>
<b>5. Risk Assessment</b>	<b>6</b>
<b>6. Definitions</b>	<b>7</b>
<b>7. Legislation</b>	<b>8</b>

# 1. Introduction

## 1.1 Purpose of this policy

The purpose of this policy is to provide a framework for all staff and volunteers of The Royal Parks (TRP) when dealing with safeguarding issues. It should be used in conjunction with Safeguarding Procedures for Adults at Risk to help prevent and reduce the risk of abuse to all adults at risk who visit and engage with The Royal Parks onsite, offsite, online or those who have contact with staff or volunteers.

## 1.2 Scope and Legal Framework

This policy, and its associated procedures, is mandatory for all staff including temporary, agency, freelance and contract staff (hereafter referred to as 'staff'), trustees and volunteers, as they must be aware of their individual and collective roles and responsibilities in safeguarding adults at risk from abuse and neglect.

The policy and the procedures have been implemented according to the following legislation and national guidelines:

- Sexual Offences Act 2003
- Mental Capacity Act 2005
- Safeguarding Vulnerable Groups Act 2006
- Deprivation of Liberty Safeguards
- The Disclosure and Barring Service 2013
- The Care Act 2014
- The Care and Support Statutory Guidance, August 2017
- Strategy for Dealing with Safeguarding Issues in Charities Policy Paper and Regulatory Alert (Charity Commission, December 2017).

More details can be found in section 7 of this policy.

## 1.3 Links to The Royal Parks charity Objects and Values

The Royal Parks Limited ("The Royal Parks") is the charity which manages London's Royal Parks. Launched in 2017, the charity supports and manages 5,000 acres of Royal parkland across London, including: Hyde Park, The Green Park, Richmond Park, Greenwich Park, St James's Park, Bushy Park and The Regent's Park, and Kensington Gardens. We also manage other important open spaces in the capital including Brompton Cemetery, Victoria Tower Gardens, Canning Green and Poet's Corner (together the "Parks").

The Royal Parks are owned by the Crown with their responsibility for them resting with the Secretary of State for Digital, Culture, Media and Sport. The Royal Parks charity manages the parks on behalf of the government.

The Royal Parks charitable objects are:

- to protect, conserve, maintain and care for the Royal Parks, including their natural and designed landscapes and built environment, to a high standard consistent with their historic, horticultural, environmental and architectural importance;

- to promote the use and enjoyment of the Royal Parks for public recreation, health and well-being including through the provision of sporting and cultural activities and events which effectively advance the objects;
- to maintain and develop the biodiversity of the Royal Parks, including the protection of their wildlife and natural environment, together with promoting sustainability in the management and use of the Royal Parks;
- to support the advancement of education by promoting public understanding of the history, culture, heritage and natural environment of the Royal Parks and (by way of comparison) elsewhere; and
- to promote national heritage including by hosting and facilitating ceremonies of state or of national importance within and in the vicinity of the Royal Parks.

The Royal Parks are open to everyone and welcome people of all ages to enjoy, learn and experience its natural and heritage landscapes, stories and activities. We aspire to be welcoming, friendly, respectful, caring and inclusive to all, including children, young people and adults at risk. We hope their time in the Parks provide inspiring, engaging and safe experiences.

This policy is complemented by The Royal Parks Safeguarding Procedures for Adults at Risk, which defines our responsibilities, standards and processes when dealing with safeguarding matters.

#### **1.4 Outcomes**

As a result of following this policy and practising its procedures, we hope adults at risk will be better protected from the impact of abuse and neglect. Staff, trustees and volunteers will take reasonable steps to safeguard and protect adults at risk, including contacting statutory agencies and/or, if appropriate, discussing concerns with the adult at risk and, when appropriate, with their parents / carers or advocates.

## **2. Key Principles**

This policy and corresponding procedures aim to achieve a culture within The Royal Parks in which a proactive approach is taken to safeguarding, promoting and protecting the rights of vulnerable adults.

The Royal Parks recognises that:

- All adults that work, volunteer or use The Royal Parks, its sites and services, have the right to live a life free from abuse, harm and neglect, regardless of age, disability, gender, racial heritage, religious belief, sexual orientation or identity;
- Collaboration with local Safeguarding Adults Boards and compliance with the local multiagency Safeguarding Adults Procedures is necessary, as appropriate;

- All staff, trustees and volunteers have a responsibility to ensure they are informed, trained and understand their duty to operate within this policy and procedures and to share them with volunteers and contractors, who may be working with vulnerable adults;
- All staff, trustees and volunteers have a share in the responsibility to take appropriate steps to protect adults at risk.

### 3. Policy Statement

This policy and associated procedures apply to all staff including temporary, agency, freelance and contract staff, trustees and volunteers (herein collectively referred to as “staff, trustees and volunteers”).

- The Royal Parks is committed to the prevention of and protection from abuse and neglect of all vulnerable adults who come into contact with its staff, trustees or volunteers within the Parks;
- The Royal Parks is committed to taking all reasonable steps to prevent the abuse of vulnerable adults, whether that abuse is perpetrated by staff, trustees or volunteers. Where practical, it will also take reasonable steps to prevent the abuse of vulnerable adults being perpetrated by family members or the public in the spaces that it controls;
- The Royal Parks will ensure staff and volunteers are carefully recruited and necessary checks are made in line with its Safeguarding Procedures and Recruitment Policies;
- The Royal Parks is committed to meeting its duty of care to all adults who come into contact with TRP staff, trustees or volunteers. If there are concerns about staff or volunteers perpetrating abuse, it will facilitate any action required to address this without delay. This will include actions required to address abusive behaviours and attitudes.
- The Royal Parks is committed to ensuring that the right staffing, training and reporting structure is in place to enable safeguarding concerns to be dealt with effectively and to ensure the correct processes are followed, as detailed in the procedures. This includes the escalation of concerns posing a significant risk to senior Royal Parks' staff;
- On occasions when staff have been dismissed because of concerns about abuse or neglect, they will be referred by The Royal Parks to the Disclosure & Barring Service (DBS) and professional bodies;
- The Royal Parks is committed to working with the police and Adult Safeguarding Boards and local authorities in which its sites are located, especially if there are perceived risks or concerns about staff, contractors or volunteers;

- The Royal Parks will take all reasonable steps to ensure that third party organisations delivering activities, events or services anywhere on its estate – albeit partners, contractors, concessionaires or license holders - have up to date and appropriate safeguarding policies and procedures;
- The Royal Parks will take reasonable steps to ensure that vulnerable adults who come into contact with its staff, trustees or volunteers are given information, advice and support where appropriate about the risk of abuse;
- The Royal Parks will publish this safeguarding policy and corresponding procedures online, on its intranet and website.

## 4. Safeguarding Structure and Responsibilities

The Royal Parks **Safeguarding Group** deliver and monitor safeguarding across the parks. The Group is formed by:

- The Safeguarding Trustee Lead (DTL)
- The Safeguarding Sponsor (SS)
- The Designated Safeguarding Lead (DSL) and the Deputy
- A team of Assistant Safeguarding Leads (ASL) representing relevant areas of the charity.

The Safeguarding Group champions safeguarding, raises awareness and ensures safeguarding training is delivered with their teams. They work together to make recommendations to the Designated Safeguarding Lead, who in turn, presents recommendations and provide regular reports to the Safeguarding Sponsor and Trustee Lead.

The Designated Safeguarding Lead and Deputy, as well as all Assistant Safeguarding Leads have responsibility for responding to concerns about the abuse of vulnerable adults when these are raised with them. Once the safeguarding procedures have been initiated, the ASLs will escalate concerns that pose a significant risk to the Designated Safeguarding Lead, who in turn will report to the Safeguarding Sponsor and Trustee Lead.

The **Designated Trustee Lead** (DTL) is appointed by and from the Board of Trustees, to represent the Board on safeguarding. The Designated Trustee Lead will enable the Board to:

- Evaluate safeguarding concerns, recommendations and actions and reports presented by the Designated Safeguarding Lead;
- Be able to respond appropriately to concerns and allegations;
- Represent the charity with the Charity Commission, Police and / or other relevant bodies if a significant risk matter arises (this includes allegations against staff), when appropriate.

The **Safeguarding Sponsor** (SS) is The Royal Parks Chief Executive who has overall responsibility for Safeguarding in the organisation. S/he meets with the Designated Safeguarding Lead (DSL) twice a year as a minimum to provide advice on procedural matters and their impact on the organisation, reviewing reports produced by the Designated Safeguarding Lead, when cases that pose significant risk are escalated.

The **Designated Safeguarding Lead** (DSL) – has the lead responsibility for all safeguarding and protection matters at all Royal Parks sites. S/he will escalate concerns to the Safeguarding Sponsor if these pose a significant risk and, where appropriate, make referrals to external bodies such as local authorities or the police. The Designated Safeguarding Lead is responsible for coordinating all needs, training and actions across the organisation, in collaboration with HR and relevant colleagues. The Designated Safeguarding Lead will take measures to improve systems and practices where necessary, ensuring training to staff is sufficient and policies and procedures are practical and accessible.

The Designated Safeguarding Lead will brief the Safeguarding Sponsor and Designated Trustee Lead quarterly on safeguarding issues, including presenting a proposed annual report on activity, trends, risks and actions. A final report will be presented to the Board of Trustees on an annual basis. The Deputy DSL provides support when DSL is not available and is chosen from one of the Assistant Safeguarding Leads.

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The **Assistant Safeguarding Leads** (ASL) – have the responsibility for safeguarding in their site and / or area of work. For example:

- Park Managers supervise safeguarding matters in their park, including general visits, activities and events (by exception of activities / events delivered by Learning, Projects or Volunteering teams).
- The Diana Memorial Playground Manager supervises safeguarding matters in this playground.
- The Programmes and Volunteering Manager supervises safeguarding matters related to volunteers and the activities they lead.
- The HR Manager supervises safeguarding allegations related to staff, contractors and freelancers and subsequent disciplinary actions if needed.

## 5. Risk Assessment

Should this policy and associated procedure be ignored or disregarded, the possible outcomes are:

- For vulnerable adults at risk of abuse or neglect to be placed at further risk of harm and neglect;

- For staff, trustees and volunteers to potentially be subjected to inquiry, investigation internally or externally for failing to take appropriate steps;
- For the Designated Safeguarding Lead, Safeguarding Sponsor and Board of Trustees to be subject of a possible inquiry and report from the Charity Commission and regulators or recommendation from local authorities to regulators;
- For The Royal Parks to be at risk of public scrutiny and the ultimate risk of legal prosecution. The above can lead to negative media attention, reporting and damage to its reputation. Visitors may lose confidence in The Royal Parks as an organisation resulting in fewer visitors. Partners, contractors, funders and potential donors may also lose trust. The loss of public trust and reputation may bring failure to deliver The Royal Parks' charitable and corporate objectives.

## 6. Definitions

Safeguarding Adults at risk of abuse or neglect is defined for the purposes of this policy as protecting an adult's right to live in safety, free from abuse or neglect while at the same time making sure that the adult's wellbeing is promoted. This includes, where appropriate, having regard to their views, wishes, feelings and beliefs in deciding on any action.

The Safeguarding duties apply to adults at risk. An adult at risk (or vulnerable adult) is defined as an individual who is 18 years of age or older, and who:

- Has need for care and support (whether or not a local authority is meeting any of those needs); and
- Is experiencing, or at risk of, abuse or neglect; and
- As a result of those care and support needs, is unable to protect himself or herself from either the risk of, or the experience of abuse or neglect.

The Royal Parks welcomes millions of visitors across its sites per year. It is inevitable that some of these visitors will be considered a vulnerable adult and, as such, be at risk of abuse or neglect.

Abuse and Neglect is defined as 'ill-treatment (including sexual abuse and forms of ill treatment that are not physical); the impairment of, or an avoidable deterioration in, physical or mental health; and the impairment of physical, emotional, social or behavioural development' (*Who Decides?*, Law Commission, 1997)

Abuse is defined as 'a violation of an individual's human and civil rights by any other person or persons' (*No Secrets*, DH and Home Office, 2000)

## 7. Legislation

This policy and associated procedures have been developed taking account of the following legislation and associated guidelines:

### Legislation:

- Sexual Offences Act 2003 introduced a number of new offences concerning adults at risk and children;
- Mental Capacity Act 2005, provided the general principle that everybody has the capacity unless it is proved otherwise, that they should be supported to make their own decisions, that anything done for or on behalf of people without capacity must be in their best interests and should be the least restrictive intervention;
- Safeguarding Vulnerable Groups Act 2006, introduced the Vetting and Barring Scheme (VBS) and the role of the Independent Safeguarding Authority (ISA). The ISA made decisions on who should be barred from working with children and vulnerable adults. The VBS dealt with activities classified as 'regulated', including both paid and unpaid (voluntary) work. With the VBS and ISA now defunct, their functions have been absorbed by the Disclosure and Barring Service (DBS);
- Deprivation of Liberty Safeguards, was introduced into the Mental Capacity Act 2005 and came into force in 2009. Designed to provide appropriate safeguards for vulnerable people who have a mental disorder and lack of capacity to consent to the arrangements made for their care or treatment, and who may be deprived of their liberty in their best interests in order to protect them from harm;
- The Disclosure and Barring Service 2013 (DBS, last updated 2015), was established under the Protection of Freedoms Act 2012 and merges the functions previously carried out by the Criminal Records Bureau (CRB) and Independent Safeguarding Authority (ISA). Under the provisions of the Safeguarding Vulnerable Groups Act 2006, the DBS makes decisions about who should be barred from working with vulnerable groups. There are two ISA Barred Lists (one for those barred from working with children and one for those barred from working with vulnerable adults). Barred individuals can be placed on one or both of these lists. Organisations and employers can request DBS checks on potential employees as part of their recruitment and induction procedures;
- The Care Act 2014 introduces new responsibilities for local authorities with major implications for adult care and support providers, people who use services, carers and advocates. This Act puts adult safeguarding on a statutory footing.

### Guidelines:



- The Care and Support Statutory Guidance, August 2017;
- Strategy for Dealing with Safeguarding Issues in Charities Policy Paper and Regulatory Alert (Charity Commission, December 2017).