

## **POLICY STATEMENT**

Liftec has a statutory and moral duty to ensure that the welfare of children and vulnerable adults is safeguarded during any works undertaken by our employees as part of our contractual obligations towards our customers. This is regardless of gender, age, ethnicity, disability, sexuality or religion. This view and policy is promoted as part of our standard practices and expects all staff to share this commitment and includes:

- To ensure that all its staff are clear about their individual behaviour and responsibilities in regard to the safety particularly of children and vulnerable adults, through its recruitment, induction and training;
- To ensure that all suspicions and/or allegations of abuse will be properly investigated and dealt with appropriately and quickly. In particular, if Liftec encounters a case that constitutes, or may constitute, a criminal case against a child / vulnerable adult, the police will be informed.

Liftec will therefore ensure that:

- That all staff likely to have contact with young people and/or vulnerable adults through their employment are carefully recruited and security-cleared through Basic DBS check where applicable;
- All staff and contracted staff are made aware of Liftec's Safeguarding Children and Vulnerable Adults Policy and Guidance through induction by their supervisor, line manager or project manager and through regular training;
- Any other relevant parties are provided with information about Liftec's policy, guidance and expectations regarding the safeguarding of children and vulnerable adults;
- Liftec's complaints procedure is accessible to all persons without bar.

## RESPONSIBILITIES

By creating this policy, Liftec understands that safeguarding children and vulnerable adults is a responsibility that is shared across business. However:

- The Managing Director is responsible to the Senior Management Team for this policy
- The HR Department is responsible for all administrative procedures relating to the selection and induction of staff, including Basic DBS checks to allow people to work with vulnerable groups, and for advising on any disciplinary action as appropriate;
- Any employees or Sub-Contractors will be subject to Basic DBS checks where required and if they meet the DBS minimum requirements for such checks.
- Sub-Contractors, working on behalf of Liftec will work to this policy and guidance;
- Site/line managers will monitor implementation of this policy, through ongoing assessment, and take appropriate action on any breaches within their areas of responsibility;
- All employees and sub-contractors have a responsibility to maintain appropriate standards of behaviour and to report lapses in these standards by other members of staff as well as the public. Any concerns or reasonable suspicions of abuse by colleagues should be reported to your own line manager in the first instance;
- All staff should report public allegations of inappropriate behaviour towards children or vulnerable adults to the appropriate safeguarding Representatives (Compliance Manager & HR Co-Ordinator) who will liaise with the Supervising Adult of the group/child concerned and/or the police and social services as necessary.

## RECRUITMENT

In line with the regulatory criteria of December 2012 Liftec will follow the process as set out below:

- Where applicable all appointments to Liftec field posts, Liftec will carry out Basic DBS checks, because owing to their role, they could come in close proximity to and/or unsupervised access to children or vulnerable adults.
- This is included as a part of the job application process;
- Declare all past and/or current criminal convictions and/or investigations prior to interview;
- Provide satisfactory employer/personal references;
- Complete a satisfactory probationary period;
- Account for any gaps in their employment history.

## DEFINITIONS

### What does Safeguarding mean?

“Safeguarding is a range of activity aimed at upholding an adult’s and child’s fundamental right to be safe. Being of feeling unsafe undermines our relationships and self belief, our ability to participate freely in communities and contribute to society. Safeguarding is of particular importance to people who, because of their circumstances, are unable to keep themselves safe.”

*(Practical approaches to safeguard and personalisation, Best Practice Guidance, Social Care Policy, Department of Health, November 2010 – Gateway Reference: 14847)*

All persons have a right to live their lives free from violence and abuse. This right is underpinned under the Human Rights Act (1998) to intervene proportionally to protect the rights of citizens.

These rights include:

- Article 2 – The right to life
- Article 3 – Freedom from torture (including humiliating and degrading treatment)
- Article 8 – Right to family life (one that sustains the individual)

### **Abuse**

Abuse is the violation of an individual's human rights. It is any behaviour towards a person that deliberately or unknowingly causes him harm, endangers life or violates their rights.

Abuse may be:

- Physical
- Sexual
- Psychological – repeatedly being made to feel unhappy, humiliated, afraid or devalued by others
- Financial or material – stealing or denying access to money or possessions
- Misuse of medication
- Neglect
- Discriminatory – abuse motivated by discriminatory attitudes towards race, religion, gender, disability or cultural background
- This list is not definitive

### **Who abuses**

Abuse can be perpetrated by anyone - relatives, partners, friends, neighbours, volunteers, paid care workers, or strangers - and can happen anywhere

### **Child**

The Children's Act 1989 defines a child as any male or female person aged under 18 years of age.

### **Vulnerable Adult**

There are various definitions of Vulnerable Adult, but for the purposes of CRB at present it is currently defined as:

A Vulnerable Adult for the purposes of an Enhanced Check is a person aged 18 or over who receives services of a type listed in paragraph 1. below or in consequence of condition of a type listed in paragraph 2. below or has a disability of a type listed at paragraph 3. below:

1. The services are:
  - Accommodation, sheltered housing and nursing or personal care in a care home
  - Personal care or support to live independently in his or her own home
  - Any services provided by an independent hospital, independent clinic, independent medical agency or National Health Service body
  - Social Care Services

- is detained in lawful custody (in a prison, remand centre, young offender institution, secure training centre or attendance centre, or under the powers of the Immigration and Asylum Act 1999)
  - is under the supervision of the probation services
  - Any services provided in an establishment catering for a person with learning difficulties.
  - is an expectant or nursing mother living in residential care
2. The conditions are:
- A learning or physical disability
  - A physical or mental illness, chronic or otherwise, including an addiction to alcohol or drugs
  - A reduction in physical or mental capacity
3. The disabilities are:
- A dependency upon others in the performance of, or a requirement for assistance in the performance of, basic physical functions
  - Severe impairment in the ability to communicate with others
  - Impairment in a person's ability to protect him or herself from assault, abuse or neglect

### **Spent Convictions**

Under the Rehabilitation of Offenders act 1974, if a person convicted of an offence is not convicted again during a specified 'rehabilitation period', the conviction is 'spent' (this would not include serious criminal offences). Usually the person does not have to reveal or admit the conviction, nor can an employer refuse to employ someone because of the spent conviction. However there are some exceptions, particularly to protect children and other vulnerable groups (see further details above in 'Legislation'). An employer should not ask for a CRB Disclosure or for details of spent criminal convictions unless the post is one covered under the Rehabilitation of Offenders Act exceptions order or there is statutory obligation to do so.

### **Duty to refer**

If an employer removes an employee or sub-contractor from regulated activity or controlled activity, or if they leave while under investigations for allegedly causing harm or posing a risk of harm, the employer is required by law to refer this information to the Independent Safeguarding Authority.

It will also be a serious offence for employers/providers to permit a barred individual to work for any length of time (no matter how infrequent) in a regulated activity.

Further details from **the Independent Safeguarding Authority** at [www.isa.homeoffice.gov.uk](http://www.isa.homeoffice.gov.uk)

**Whilst the Vetting and Barring Scheme is under review**, organisations working with children and vulnerable adults should continue to use Criminal Records Bureau (CRB) disclosure checks for staff and volunteers (see below).

New forms have already been produced by the CRB, and these will continue to be used, although details relating to ISA registration will be ignored when processed.

**CODE OF CONDUCT****'BLUE CARD'****CODE OF CONDUCT****WHEN WORKING IN THE PROXIMITY OF  
VULNERABLE ADULTS  
OR  
CHILDREN**

- Work safely and responsibly and be aware of responsibility for own actions and behaviour. Avoid any conduct which would lead any reasonable person to question their motivation and intentions.
- It is the responsibility of all adults to safeguard and promote the welfare of children and vulnerable adults.
- Never be in contact with children or access domestic premises without adult supervision, even if you are working in pairs.
- Never give your personal contact details to children or vulnerable adults, including mobile telephone number
- Work and be seen work, in an open and transparent way
- If any request is made of you that you deem inappropriate, contact your supervisor/line manager for advice
- Stay within the agreed work area and access routes
- Obtain permission if you need to go outside the agreed work area or access routes
- Keep staff informed of where you are and what you are doing
- Do not use inappropriate or profane language
- Dress appropriately – observe Liftec's company dress code
- Remember - your actions no matter how well intentioned could be misinterpreted

**Observe this code at all times**