



Safeguarding Policy for Get up and Grow



Get Up And Grow Safeguarding Policy

1.0 The purpose of this policy is:

To protect children, young people and vulnerable adults who receive Get up and Grow's services. This includes the children of adults who use our services to provide clients, staff and volunteers with the overarching principles that guide our approach to child protection.

This policy applies to anyone working on behalf of Get up and Grow, including senior managers, paid staff, volunteers, sessional workers, agency staff and school students.

2.0 Legal framework

This policy has been drawn based on legislation, policy and guidance that seeks to protect children in England. A summary of the key legislation is available from <https://nspcc.org.uk/learning>.

3.0 Related policies and procedures

This policy should be read alongside our organisational policies/procedures which are included and listed below:

3.1 Role of the designated safeguarding officer

The role of the designated safeguarding officer is to take overall ownership of the policy and promote the importance of safeguarding within the organisation. This includes:

- Promoting the Safeguarding Policy within their social enterprise.
- Dealing with any reported suspicions and allegations of abuse of children or vulnerable adults within contract and grant project delivery.
- Providing appropriate information when making referrals to external agencies (such as Social Services or the Police) in all cases of suspected abuse of children or vulnerable adults.
- Ensuring that appropriate records are kept in relation to the reporting of suspected abuse.
- The management of DBS and basic disclosure checks for staff and volunteers.

Each member of staff and volunteers are accountable for the adoption and implementation of this policy.

In addition, they should, wherever possible, conduct themselves in accordance with the Code of Practice set out in Appendix A. This provides guidance on acceptable and desirable conduct to protect both children and vulnerable adults and those working with them.

Every member of staff or volunteer who becomes aware of any suspicions or allegations regarding harm to children or vulnerable adults is required to report this immediately to the designated safeguarding officer.

3.2 Dealing with disclosures and concerns about a child, young person or vulnerable adult

Concerns for the safety and wellbeing of children and vulnerable adults could arise in a variety of ways and in a range of situations. For example, a child/vulnerable adult may report or show signs of abuse, someone may hint that a child/vulnerable adult is at risk or that a colleague is an abuser, or someone may witness abuse.

According to the NSPCC two different groups of abuse. Their definitions can be found here <https://www.nspcc.org.uk/preventing-abuse/child-abuse-and-neglect/child-sexual-abuse/> [Accessed 12 September 2018].

It is not always easy to recognise a situation where abuse may occur or has taken place and Get up and Grow staff and volunteers are not experts at such recognition.

However, each person has a responsibility to act if they have any concerns about someone's behaviour towards a child or vulnerable adult. It is important that the recipient of any complaint or accusation that a child or vulnerable adult has been or is being abused listens carefully without making or implying any judgment as to the truth of the complaint or accusation.

To ensure that all of the details of an allegation are captured for any future investigation, a detailed record should always be made at the time of the matter being raised. An Incident Report form is provided for this purpose.

It is impossible to promise complete confidentiality when a concern is raised or an accusation made. This is because Get up and Grow owes a duty of care to its staff, clients and volunteers that cannot be fulfilled unless Get up and Grow takes action on the basis of information that may have been provided in confidence.

The duty of confidentiality must be weighed against the duty of care, in case of potential or actual harm of an individual. However, at all stages, only those people who need to be made aware of an incident or concern, whether internal or external, should be informed.

Where a complaint of abuse is reported, the designated safeguarding officer will carefully consider the information available with other senior management and decide on the appropriate course of action. Such situations may require contact with

the relevant external agencies (including schools, social services and the police) for them to investigate the matter and determine any necessary action.

In emergency circumstances (for example, where there is certain immediate and significant danger to an individual or a criminal act has been witnessed), Get up and Grow staff should make referrals to the police, social services, schools or other appropriate authorities.

3.3 Managing allegations against staff and volunteers

Allegations and complaints against staff can be minimised by having:

- Safer Recruitment strategies in place
- Appropriate induction and training
- Open and transparent safeguarding ethos
- Professional code of conduct
- Regular briefing and discussion of safeguarding issues

An allegation is any information which indicates that a member of staff/volunteer may have:

- Behaved in a way that has harmed a child or may have harmed a child
- Possibly committed a criminal offence against or related to a child
- Behaved towards a child or children in such a way that indicates he or she would pose a risk of harm if they worked regularly or closely with a child.
- This applies to any child the member of staff/volunteer has contact with in their personal, professional or community life.

When an allegation is received:

- Take the matter seriously and keep an open mind
- Do not investigate
- Do not promise confidentiality to the informant
- Make a written record of the allegation using the informant's words (including time, date and place where the alleged incident took place, what was said and anyone else present; sign and date)
- Get up and Grow's Designated Safeguarding Officer must immediately contact the relevant Designated Officer (DO) at the client's place of work.
- Decisions must not be made without a discussion with the DO
- Make a written record of discussions with DO and others
- Make sure DO has full details of the person against whom a concern has been raised and the person who is the subject of the concern

3.4 Recording and information sharing

Get up and Grow complies with the principles of the new GDPR legislation in the way it collects, holds and disposes of personal information (see Appendix B).

Completed risk assessments relating to activities involving children/vulnerable adults must be retained by Get up and Grow whilst an activity/event is ongoing and for a minimum of five years after it has ceased (or the risk assessment has been superseded).

Details of relevant training (such as on safeguarding or working with children or vulnerable adults) must be retained by Get up and Grow for a minimum of five years after the training is completed.

Personal files of all staff and volunteers (including those who have contact with children/vulnerable adults) and any documentation related to allegations or suspicions of abuse must be retained for a minimum of six years after the individual concerned leaves the organisation.

In addition, Get up and Grow, wherever practicable, will record lists of the individuals (staff, students, volunteers and child/vulnerable adult participants) involved in activities/events for children and/or vulnerable adults and retain them securely for a minimum of six years after the activity/event.

Information about any allegations or suspicions of abuse must be shared on a need to-know basis only. Documentation related to allegations or suspicions must be stored in a secure place which is only accessible to those with appropriate knowledge of the suspicions/allegations.

Where it is necessary for staff, students or volunteers to take photographs or video images of children or vulnerable adults, written consent must be obtained (from parents in the case of children) before these images are taken in order to comply with GDPR legislation.

3.5 Code of conduct for staff and volunteers

See Appendix A – Code of Practice

3.6 Safer recruitment

Get up and Grow is in the process of becoming a registered body with the DBS. Registered bodies are entitled in law to apply for a DBS check only where the position is included in the DBS's list of eligible posts. These posts represent the professions, offices, employments, work and occupations that are known as the exceptions to the Rehabilitation of Offenders Act 1974.

There are two types of check available from the DBS:

- Standard - contains details of all spent and unspent convictions, cautions, reprimands and warnings held on the Police National Computer (PNC) that are not 'protected'. Protected convictions and cautions are normally old and minor; they are filtered by the DBS so they are not disclosed and they must not be taken into account by employers. The filtering rules and the list of offences that will never be filtered are now available for you to view on the DBS's web pages.
- Enhanced - contains the same information as the standard check but also any relevant and proportionate information held by the local police forces. In addition, where the role is eligible, registered bodies can request a check on whether a person is barred from working with children or adults in regulated activity (particular types of work with children and adults).

The majority of work carried out by Get up and Grow will involve working directly with children and vulnerable adults. This work falls into the category of 'regulated activity' and so are eligible in law for an enhanced DBS check with appropriate barred list check.

Get up and Grow will carry out enhanced DBS checks on all paid staff and volunteers before they start work or volunteering with the organisation.

3.7 Anti-bullying

Bullying may be defined as deliberately hurtful behaviour, usually repeated over a period of time, where it is difficult for those bullied to defend themselves.

It can take many forms, but the three main types are physical (eg hitting, kicking, theft), verbal (e.g. racist or homophobic remarks, threats, name calling) and emotional (eg isolating an individual from the activities and social acceptance of their peer group).

There is increasing use of new technologies as a tool for bullying and such incidents should be taken seriously.

Any incidents of bullying or suspected bullying should be reported to the designated safeguarding officer. This should be recorded and reported to the school, police or social services, depending on which is the most appropriate.

3.8 Managing complaints

Get up and Grow have a complaints procedure that is outlined below:

- Any complaints can be made in a letter and sent to Get up and Grow's home office – 199 Rochdale Road, Shaw, Oldham, OL2 7JN.
- People can also make a complaint on the phone or face-to-face telling the organisation that they want them to investigate an issue further.
- Any Get up and Grow complaints will be investigated by the management team. If a complaint is upheld, a full apology will be given and, where appropriate, be given details of any action that the organisation is taking to put things right.
- If a person is not satisfied with the outcome, they can ask for a further review. The local Citizens Advice Bureau will tell you how to do this.
- Get up and Grow will aim to respond in full to any complaints within 28 days. However, if the issue is complicated, any delay will be explained and you will be kept informed of progress.

3.9 Whistleblowing

A whistle-blower is someone who reports certain types of wrongdoing. This will usually be something they may have seen at work - though not always.

The wrongdoing disclosed must be in the public interest. This means it must affect others, eg the general public.

As a whistle-blower a person is protected by law – they will not be treated unfairly or lose their job because they ‘blow the whistle’.

A Get up and Grow staff member or volunteer can raise their concern at any time about an incident that happened in the past, is happening now, or they believe will happen in the near future.

Any incidents of whistle blowing can be reported to member of the Get up and Grow staff who will agree the most appropriate action to be taken. All incidents will be treated in confidence.

3.10 Health and safety

Get up and Grow have a health and safety policy and general risk assessments for all gardening activities and associated risks. Individual risk assessments will be carried out at the beginning of each contract or grant project.

3.11 Induction, training, supervision and support

New members of staff will receive an induction and regular training. This includes:

- Health and Safety training
- First Aid training
- General Risk Assessment training for gardening activities
- When working with food, staff will be given training in Basic Food Hygiene
- Other training as required by individual contracts or grant projects

Adult to child ratios

Supervision levels will vary depending on the children's age, gender, behaviour and the abilities within your group.

They will also vary depending on:

- Nature and duration of activities
- Competence and experience of staff involved
- Requirements of location, accommodation or organisation
- Any special medical needs
- Specialist equipment needed.

The NSPCC recommend having at least two adults present when working with or supervising children and young people. They also recommend the following adult to child ratios as the **minimum** numbers to help keep children safe:

- 0 - 2 years - 1 adult to 3 children
- 2 - 3 years - 1 adult to 4 children
- 4 - 8 years - 1 adult to 6 children
- 9 - 12 years - 1 adult to 8 children
- 13 - 18 years - 1 adult to 10 children

However, Get up and Grow will take the lead from the NSPCC and recommend having at least two members of staff present, even with smaller groups.

4.0 Quality Assurance

4.1 We believe that:

Children and young people should never experience abuse of any kind. We have a responsibility to promote the welfare of all children and young people, to keep them safe and to practise in a way that protects them.

4.2 We recognise that:

The welfare of the child is paramount

- All children, regardless of age, disability, gender reassignment, race, religion or belief, sex, or sexual orientation have a right to equal protection from all types of harm or abuse
- Some children are additionally vulnerable because of the impact of previous experiences, their level of dependency, communication needs or other issues
- Working in partnership with children, young people, their parents, carers and other agencies is essential in promoting young people's welfare.

We will seek to keep children and young people safe by:

- Valuing, listening to and respecting them
- Appointing a Designated Safeguarding Officer (DSO) for children and young people, a deputy and a lead trustee/board member for safeguarding
- Adopting child protection and safeguarding best practice through our policies, procedures and code of conduct for staff and volunteers
- Providing effective management for staff and volunteers through supervision, support, training and quality assurance measures
- Recruiting staff and volunteers safely, ensuring all necessary checks are made
- Recording and storing information professionally and securely
- Sharing information about safeguarding and good practice with children, their families, staff and volunteers via leaflets, posters, group work and one-to-one discussions
- Using our safeguarding procedures to share concerns and relevant information with agencies who need to know, and involving children, young people, parents, families and carers appropriately
- Using our procedures to manage any allegations against staff and volunteers appropriately
- Creating and maintaining an anti-bullying environment and ensuring that we have a policy and procedure to help us deal effectively with any bullying that does arise
- Ensuring that we have effective complaints and whistleblowing measures in place

- Ensuring that we provide a safe physical environment for children, young people, staff and volunteers, by applying health and safety measures in accordance with the law and regulatory guidance.

5.0 Contact details

Designated Safeguarding Officer (DSO): Name: Hayley Watson

Phone: 07577 800553

Email: hayley@getupandgrownw.com

Further information

NSPCC Helpline: 0808 800 5000

We are committed to reviewing our policy and good practice annually.

This policy was last reviewed on:

Signed:  Date: 01.04.2024

This policy will next be reviewed on 01.04.2025

Appendix A – Code of Conduct

- When working with children and/or vulnerable adults, Get up and Grow staff and volunteers are expected to take account of the guidance below in the way that they conduct themselves.
- Consider the wellbeing and safety of event participants in advance through proper planning and development of safe methods of working/activities.
- Wherever possible, work in an open environment with children where they can be seen by others.
- Avoid unnecessary physical contact.
- Avoid taking a child or vulnerable adult alone in a car on journeys, however short.
- Avoid taking a child or vulnerable adult to the toilet, unless another adult is present, or another adult is aware (this may include a parent, group leader or other responsible person).
- In a situation where you are alone with a child or vulnerable adult, make sure that others can clearly observe you.
- Set expectations of the standards of behaviour required from participants in an activity/event and encourage them to accept responsibility for their own performance and behaviour.
- Ask participants in an activity/event to take reasonable steps to ensure their own safety and that of others, and to report any inappropriate behaviour they experience/witness or any concerns that they may have.
- Avoid showing favouritism towards particular participants.
- Report incidents of alleged abuse to the designated safeguarding officer and ensure that any allegations are recorded.
- Report any concerns about poor practice to the Directors of Get up and Grow.
- Report any accidents to the designated person in the organisation for recording and investigation where required.
- Avoid personal relationships with a child or vulnerable adult.
- It is not appropriate for staff to have a physically or emotionally intimate relationship with a young person under the age of 18. Particular attention is drawn to the provisions of the Sexual Offences Act 2003 which created a new criminal offence of abuse of “a position of trust”.
- Staff and volunteers should remember that inappropriate behaviour can also occur over the telephone, email, social media or internet.
- Only official Get up and Grow social media should be used for engaging with the wider community. Inappropriate or abusive comments should be removed swiftly and abusive individuals blocked/reported to the social media concerned. Facebook, instant chat and other similar functions should not be used to interact with children or vulnerable adults. Wherever possible, communication should be only public pages and avoid colloquial language/abbreviations which may be misinterpreted (e.g. LOL).
- Do not make suggestive or inappropriate remarks to or about a child or vulnerable adult, even in fun, as this could be misinterpreted.

- Participate in training available to you to support you in your work with children and vulnerable adults.
- First aid treatment should be given with more than one adult present unless a delay would be life-threatening.
- Do not take children or vulnerable adults to your home.
- Maintain confidentiality about sensitive information.
- Where it is necessary for staff or volunteers to take photographs or video images of children or vulnerable adults, written consent must be obtained (from parents/guardians in the case of children) before these images are taken in order to comply with the EU General Data Protection Regulation (GDPR) 2018. Personal details and photos which clearly identify an individual must only be published where he/she (or his/her parent/guardian) has given specific agreement. Subjects should be suitably dressed in photographs.

Appendix B – Get up and Grow Data Protection Policy

Purpose and Background

Get up and Grow holds information on clients, contracts, grant funders, staff and volunteers involved with their service delivery. The organisation has a responsibility to look after this information properly, and to comply with the Data Protection Act.

The UK Act was replaced by the EU General Data Protection Regulation (GDPR) on 25 May 2018. It is likely that the GDPR will continue to form the basis of UK Data Protection legislation, even once the UK has left the EU, so it is fully taken into account in this policy.

Good Data Protection practice is not just a matter of legal compliance and ticking the boxes. Data Protection is about taking care of people and respecting their privacy. Poor practice or a serious breach could not only harm individuals but would also have a serious effect on the reputation of Get up and Grow.

Scope

This policy applies to information relating to identifiable individuals which is held by Get up and Grow.

Our legal basis for using people's data

Everything Get up and Grow records about individuals – obtaining the information, storing it, using it, sharing it, even deleting it – will have an acceptable legal basis.

There are six of these:

1. Consent from the individual (or someone authorised to consent on their behalf).
2. Where it is *necessary* in connection with a contract between Get up and Grow and the client.
3. Where it is *necessary* because of a legal obligation – if the law says you must, you must.
4. Where it is *necessary* in an emergency, to protect an individual's 'vital interests'.
5. Where it involves the exercise of a public function – i.e. most activities of most government, local government and other public bodies.
6. Where it is *necessary* in Get up and Grow's legitimate interests, as long as these are not outweighed by the interests of the individual.

Where Get up and Grow bases their processing on consent they will be able to 'demonstrate' that they hold consent. This means having a record of who gave consent, when they gave it, how they gave it (e.g. on the website, on a form, verbally) and what they actually consented to.

In the case of legitimate interests Get up and Grow will do a balancing test and be confident that their legitimate interests in using the data in a particular way – for

example in providing their services or raising funds to support them – are not overridden by the interests of the individual.

There are additional considerations where Get up and Grow may have to hold for the purposes of individual funded projects – information about people's racial or ethnic origin, political opinions, religious or philosophical beliefs, or health data or data concerning their sexual orientation. Get up and Grow will legitimise the use of any of these categories of data by having the individual's *explicit* consent.

Data Protection Principles

Data Protection compliance is based largely on a set of Principles.

The six GDPR Principles say that:

- Whatever you do with people's information has to be fair and legal. This includes making sure that they know what you are doing with the information about them.
- When you obtain information, you must be clear why you are obtaining it, and must then use it only for the original purpose(s).
- You must hold the right information for your purposes: it must be adequate, relevant and limited to what is necessary.
- Your information must be accurate and, where necessary, up to date.
- You must not hold information longer than necessary.
- You must have appropriate security to prevent your information being lost, damaged, or getting into the wrong hands.

Get up and Grow's policy sections below reflect each of these principles in a bit more detail.

Transparency & purposes (first and second Principles)

Get up and Grow will make key information available to people at the time they collect information from them.

This includes:

- The identity and contact details of our Get up and Grow and the person who is responsible for Data Protection;
- The purposes they intend to use the data for and their 'legal basis' for this (see above);
- What they regard as their 'legitimate interests', if this is our basis for processing;
- Any specific recipients of the data (e.g. Big Lottery, grant funders etc) or categories of recipients.

Other information will be made available where relevant.

This includes:

- The period for which the personal data will be stored, or if that is not possible, the criteria used to determine that period;
- Details of the individual's rights, such as to request a copy of all the data held;
- The right to withdraw consent if that is the legal basis for processing (but not retrospectively);
- Whether the provision of personal data is a statutory or contractual requirement, or a requirement necessary to enter into a contract, as well as whether the data subject is obliged to provide the personal data and of the possible consequences of failure to provide such data.

In both cases, Get up and Grow will only tell people things they won't already know. When a client or individual works with the organisation they know that they will keep a record about them and their activities.. When a volunteer comes along it's the same. Get up and Grow will therefore tell them anything that may not be entirely obvious to them.

This could include things like:

Any **direct marketing** that Get up and Grow may want to carry out (see below), or any additional purpose(s) that they might use the data for – publicity, perhaps. ('Data' can include photos, videos, CCTV, audio recordings, etc, not just written records.)

Direct marketing

One explicit right that people have is to stop Get up and Grow sending them marketing material (by post, phone, email or text) if they don't want it.

When information is collected from people that might be used for marketing Get up and Grow will say so at the time and ask them if they are happy to hear from them. The wording will be along the lines of: "We would like to keep you up to date with information about opportunities and events within Get up and Grow, and how you can support us. Please tick here to indicate which method(s) you are happy for us to use: Mail o, Phone o, Email o, Text o"

These rules are only for marketing. They do not stop the organisation from contacting people in whatever is the most convenient way to give them information about things they have already signed up to, or for other administrative purposes.

Data quality, record keeping and retention (third, fourth and fifth principles)

Get up and Grow's activities will be more effective and appropriate if they have good quality records about the people they are working for and with. GDPR insists on this.

The organisation will ensure they have the information they need, but no more (it must be adequate, relevant and limited to what is necessary) and it will be as accurate as they can make it and – where necessary – kept as up to date as possible. Get up and Grow will not keep it longer than necessary.

They will remind staff and volunteers that the individual concerned has the right to see all the information recorded about them by the organisation. While Data Protection concerns should never prevent from recording information Get up and Grow believe they need (especially in cases relating to safeguarding or other serious misbehaviour), being over-casual, rude or injudicious in an email could easily cause a major crisis for the organisation. This can be a useful discipline in deciding what to record and how to record it.

Get up and Grow has a clear policy on how long to keep information. They have a retention schedule, taking each type of record they hold and specify how long they normally keep it, and their justification for this. The organisation will set up a process for ensuring that data is deleted or destroyed routinely at the appropriate time.

Security (sixth principle)

Get up and Grow will take good care of the information they hold, whether on computer or on paper, and make sure that they have provided guidance and training to our staff and volunteers so that they treat the information appropriately.

In particular the organisation will think about the risks when data is 'in transit' – either on portable devices or when it is being sent out. For example:

- If people are using their personal phone, laptop, camera or other device there will be clear expectations of how they should be secured.
- When sending information, particularly by email, steps should be taken to prevent confidential information being sent to the wrong person. For example, by using password-protected documents and sending the password in a separate email.
- Care must be taken not to disclose people's email addresses or other information inappropriately by carelessly copying in a large number of people or forwarding an email that has been copied widely.
- Information on paper will not be left lying around and will only be taken out of a secure location when this is really necessary.
- Where information is processed for Get up and Grow externally the external organisation has to be able to give satisfactory guarantees about the security measures they take.

Responsibilities

Responsibility for compliance with Data Protection lies with the organisation, not with any specific individual. The Directors and members of the organisation will be responsible to keep up to date with any developments, to check that they are complying and have the evidence to prove it, to give advice to staff and volunteers and to handle any issues such as a data breach or a Subject Access Request.

They will notify the relevant authorities or individuals (e.g. schools, contractors, grant funders etc) in the event of a serious issue eg a data breach.

When Get up and Grow work in collaboration with other organisations they will sort out clearly (and in writing) who is responsible for what, in order that there are no Data Protection gaps.

If Get up and Grow engage external suppliers to handle data for them in any way, their contract will set out their responsibilities to handle data in a way that will not cause the organisation to be in breach.

GDPR Privacy Policy

What information does Get up and Grow collect?

Get up and Grow collect information about individuals who complete relevant forms, including evaluation forms and volunteer application forms.

How does Get up and Grow use the information?

We will use the information about you to administer gardening sessions and activities and for our own evaluation purposes. Other information may be used for specific research purposes but we will obtain your permission for this to happen. We will not disclose any information about you to any company other than noted above, or if required to do so by law.

Marketing

We would like to send you newsletters and other information about how you can take part in activities provided by Get up and Grow. If you have consented to receive marketing, you may opt out at a later date. You have a right at any time to stop us from contacting you for marketing purposes.

Access to your information and correction

You have the right to request a copy of the information that we hold about you. We want to make sure that your personal information is accurate and up to date. You may ask us to correct or remove information you think is inaccurate.

Retention of data

See section 3.4