



Magic Breakfast Safeguarding Policy

March 2021

Contents

| | |
|--|---|
| The purpose and scope of this policy | 2 |
| Contact details | 2 |
| Policy review dates | 2 |
| Magic Breakfast Safeguarding Statement | 3 |
| Roles and Responsibilities | 4 |
| Dealing appropriately with safeguarding concerns | 4 |
| • Recognising abuse | 5 |
| • Responding to a Disclosure | 5 |
| • Recording | 6 |
| • Reporting | 6 |
| Safeguarding in Practice at Magic Breakfast | 7 |
| • Ways of working | 7 |
| • Recruitment, Selection and continued engagement | 7 |
| • Visits to schools | 8 |
| • Managing visits to partner sites | 8 |
| Allegations of Abuse against Magic Breakfast staff or volunteers | 8 |
| • Receiving Allegations | 8 |
| • Investigation | 8 |
| • Disciplinary action | 9 |
| • Duty of disclosure | 9 |
| • Additional support and guidance | 9 |

The purpose and scope of this policy

Safeguarding is everyone's responsibility: Magic Breakfast's safeguarding policy applies to all staff at all levels of the charity including senior managers and the board of trustees, paid staff, volunteers, agency staff, students or anyone working on behalf for or on behalf of Magic Breakfast. The Charity has a responsibility to promote the welfare of children and other vulnerable individuals and to keep them safe.

The purpose of the policy is to set out the ways Magic Breakfast protect children and other vulnerable individuals from harm and promoting their well-being

This policy provides all Magic Breakfast staff and volunteers with guidance about the safeguarding procedures and processes they should follow if they suspect a child or other vulnerable individual may be experiencing or be at risk of harm.

This policy sets out the steps we take to ensure that all staff and volunteers are informed about safeguarding in line with our duty to ensure that all adults who work with or on behalf of children and other vulnerable individuals in organisations are competent, confident and safe to do so.

The Charity complies with all the legal obligations placed upon it by legislation such as the Children Act 2004, Safeguarding Vulnerable Groups Act 2006 (England and Wales) and the Protection of Vulnerable Groups (Scotland) Act 2007 (Scotland).

Contact details

Should there be any safeguarding concerns these should be with at least one of the following individuals.

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|---------------------------------------|---|
| Designated Safeguarding Lead: | Deborah Woolf, HR Manager, Deborah.woolf@magicbreakfast.com , 07947513584 |
| Cover Designated Safeguarding Lead: | Derek Morgan, Chief Operating Officer Derek.morgan@magicbreakfast.com , 07903 216885 |
| Chief Executive Officer: | Antony Kildare Antony.Kildare@magicbreakfast.com , 07793 544944 |
| Trustee responsible for Safeguarding: | Nicola Noble Nicola.Noble@ssq.org.uk |
| Chair of Trustees: | Joanne Thompson Joanne.thompson@magicbreakfast.com |

Magic Breakfast Safeguarding Statement

We believe that:

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

We recognise that:

- the welfare of children is paramount in all the work we do and in all the decisions we take all individual, age, disability, gender, racial heritage, religious belief, sexual orientation or identity, have an equal right to 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
- vulnerable adult's welfare is of equal importance where we come into contact within them in course of our work, they have an equal right to protection from all types of harm or abuse
- working in partnership with children, young people, vulnerable adults, their parents, carers and other agencies is essential in promoting their welfare

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

- appointing a nominated child protection lead, a deputy and a lead trustee for safeguarding
- adopting child protection and safeguarding best practice through our policies, procedures
- providing effective management for staff and volunteers so that all staff and volunteers know about and follow our policies, procedures and behaviour codes confidently and competently.
- recruiting and selecting staff and volunteers safely, ensuring all necessary checks are made
- recording, storing and using information professionally and securely, in line with data protection legislation and guidance.
- making sure that affected individuals know where to go for help if they have a concern.
- promoting a fair, open and positive culture and ensuring that anyone affected feels able to report concerns, confident that they will be heard and responded to.
- 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 our staff and volunteers, by applying health and safety measures in accordance with the law and regulatory guidance.
- building a culture where staff and volunteers, treat each other with respect and are comfortable about sharing concerns.

Roles and Responsibilities

Our Trustee's will ensure that:

- The charity has a suitable safeguarding policy and procedures in place
- The charity operates safer recruitment procedures and makes sure that all appropriate checks are carried out on staff and volunteers who work for the charity
- The charity has procedures for dealing with allegations of abuse against staff and volunteers
- A member of the charity's management team is designated to take lead responsibility for safeguarding and child protection issues, providing advice and support to other staff
- They remedy, without delay, any deficiencies or weaknesses regarding safeguarding and child protection arrangements
- A trustee is nominated to be responsible for liaising with the school, LA and /or partner agencies in the event of allegations of abuse being made against the CEO.
- They review their policies and procedures annually

Management will ensure that:

- The policies and procedures approved by the Trustee Board are fully implemented, and followed by all staff
- Sufficient resources and time are allocated to enable the Designated Safeguarding Lead and other staff to discharge their responsibilities
- All staff and volunteers feel able to raise concerns about poor or unsafe practice regarding children and vulnerable adults and such concerns are addressed sensitively and effectively in a timely manner in accordance with agreed policies

Designated Safeguarding Lead will:

- Act as a source of support, advice and expertise within the charity
- Be the point of contact for all safeguarding and child protection concerns
- Where necessary refer cases of suspected abuse or allegations to the relevant investigating agencies and liaise with other agencies in a timely manner
- Liaise with Management and the Trustee Board to inform of any issues and ongoing investigations and ensure there is always cover for this safeguarding role

All staff and volunteers will:

- Fully comply with the safeguarding policies and procedures of the charity and any other partner organisations such as schools when they are visiting them
- Complete appropriate safeguarding training
- Refer and adhere to Safeguarding guidance when facilitating or undertaking visits to schools or partner organisations
- Immediately and appropriately act on any safeguarding concerns, including informing the Designated Safeguarding Lead

Dealing appropriately with safeguarding concerns

Everyone has a duty to **Recognise, Respond, Record** and **Report** concerns but they should maintain an open mind in doing so. It is not the responsibility of the staff or volunteers to investigate concerns or determine the truth of any disclosure or allegation. They should liaise with the charity's Designated Safeguarding Lead who will make an informed decision of what to do next.

Recognising abuse

Abuse may be a single incident or may be something that occurs repeatedly over a long period of time. It can take many forms including, but not limited to:

- physical abuse
- mental or emotional abuse
- neglect and failures to act
- sexual harassment, abuse and exploitation
- financial or material abuse or exploitation
- threats of abuse or harm
- controlling or intimidating conduct
- self-neglect
- domestic abuse
- modern slavery
- criminal exploitation
- cyber abuse
- bullying or harassment
- health and safety
- extremism and radicalisation
- forced marriage
- human trafficking
- female genital mutilation
- discrimination on any of the grounds in the Equality Act 2010

Concerns that staff and volunteers must immediately report

- any behaviours which give rise to suspicions that a child or vulnerable adult may have suffered harm
- any concerns that a child or vulnerable adult is presenting signs or symptoms of abuse or neglect
- any hint or disclosure of abuse from any person
- any concerns regarding person(s) who may pose a risk to children
- **If an individual is in immediate danger, call the police or other relevant service on 999.**

Responding to a Disclosure

Staff or volunteers may receive information which may be classed as a disclosure and should therefore ensure they are aware of the steps they need to take in these circumstances to ensure that they listen and take seriously any disclosure.

Children, young people and vulnerable adults may disclose abuse or harm in a variety of ways, including:

- **directly** – making specific verbal statements about what has happened to them
- **indirectly** – making ambiguous verbal statements which suggest something is wrong
- **behaviourally** – displaying behaviour that signals something is wrong (this may or may not be deliberate)
- **non-verbally** – writing letters, drawing pictures or trying to communicate in other ways.

However, a disclosure is made the individual receiving the disclosure should ensure they respond appropriately. The following are some key points to follow if a child, young person or vulnerable adult reports or discloses abuse:

- **Stay calm**, ensure the child, young person or vulnerable adult is safe and feels safe., approach the conversation with sensitivity.
- **Tell** the child, young person or adult that you will try to offer support, but you will have to pass the information on.
- **Allow** the child, young person or adult to speak without interruption, accepting what you have been told. Keep questions to a minimum and if a question is asked to ensure it is of an 'open' nature, making sure these are not leading in nature
- **Reassure** the child, young person or adult and stress that they are not to blame, tell them that they are right to tell you and that you will try to offer support

- **Alleviate** feelings of guilt and isolation, without passing any judgement. Try not to show signs of shock, horror or surprise and do not express feelings or judgements regarding any person or allegation to have harmed the child
- **Do not** rush into details that may be inappropriate, make promises to keep information confidential or delay in passing on information

Recording

Whether you have concerns, receive a disclosure or witness in appropriate behaviour you should record this as soon as possible after the event, writing up a detailed account of what you and the child, young person or adult discussed. This should be recorded electronically where possible however paper records should be signed and dated.

These notes should be objective and clearly distinguish between observation, fact, opinion, and hypothesis. Any information disclosed will be recorded verbatim where possible.

Reporting

Notes should be shared with the Designated Safeguarding Lead or other responsible individual in a timely manner so they can advise regarding next steps.

Employees may be asked to refrain from discussing alleged abuse with fellow colleagues, other than those specified by the Designated Safeguarding Lead, to avoid the spread of potentially harmful misinformation and to protect the validity of any investigation.

School Visits: If a disclosure or incident takes place in a school setting, the school will have their own safeguarding policy in place and a named Designated Safeguarding Lead. You should immediately report the incident to the school's Designated Safeguarding Lead as well as notifying the charity's Designated Safeguarding Lead.

Magic Breakfast partner organisation visits: If a disclosure or incident takes place in another setting e.g. at a partner organisation, but with children from a Magic Breakfast supported school. This will be considered a school trip by the school and fall within their Safeguarding Policy and incidents should be reported to school's Designated Safeguarding Lead as well as notifying the charity's Designated Safeguarding Lead and the partner organisation's Safeguarding Lead.

If an individual is not in immediate danger, where possible you should liaise with the charity's Designated Safeguarding Lead regarding the child, young person or vulnerable adult who is suffering or at risk of suffering significant harm, however there may be circumstances where this is not possible in which case you can

- Contact your **local child protection services**. Their contact details can be found on the website for the local authority the child lives in. If you have made a verbal referral to local children's services you should follow this up with a written referral as soon as possible, ideally within 48 hours.
- Contact the **police**. They will assess the situation and take the appropriate action to protect the child.
- Contact the **NSPCC Helpline** on 0808 800 5000 or by emailing help@nspcc.org.uk

Safeguarding in Practice at Magic Breakfast

Ways of working

All Magic Breakfast staff and volunteers, and contractors are responsible for their own actions and behaviour. They should avoid any conduct which would lead any reasonable person to question their motivation and intentions. Particularly they should avoid lone working with children, young people and vulnerable adults.

Staff and volunteers should be aware that breaches of the law and other professional guidelines could result in criminal or disciplinary action being taken against them.

All Magic Breakfast staff and volunteers have a duty to report any incidents immediately to the appropriate individuals usually the charity's Designated Safeguarding Lead. They should also discuss and/or take advice from charity's Designated Safeguarding Lead over any incident which may give rise to concern.

Recruitment, Selection and continued engagement

Although Magic Breakfast does not currently undertake work which falls into the definition of regulated activity, given the nature of our work all roles have the potential to visit schools and interact with children and young people, being perceived by the children as a safe and trustworthy adult. We will ensure that all appropriate measures are applied in relation to the recruitment and selection of all Magic Breakfast staff and volunteers.

In line with statutory changes, underpinned by regulations, we will ensure that

- Safer recruitment practices are carried out including:
 - using suitable selection processes
 - verifying identity and right to work status
 - obtaining professional references to verify previous employment history and where relevant qualifications
 - where necessary the completion of a satisfactory Disclosure and Barring Service check
- Up to date DBS Enhanced Disclosure is in place for all employees
 - to be audited annually to ensure the check was obtained within the last 3 years by the HR team in liaison with the Designated Safeguarding Lead and checked by the Safeguarding Trustee lead
- We will assess volunteers and other workers and obtain DBS checks where this is appropriate for the needs of their role
- At least one member of staff from each department will have undergone Safer Recruitment Training in the last year
- Ensure staff undertake Safeguarding Training at least every 3 years

If a staff or volunteer is charged with a criminal offence or become added to the children and adults barred lists by either disclosure body, they are required to inform their line manager or the charity's Designated Safeguarding Lead of their inclusion on the list at the earliest opportunity. A failure to do so may be deemed a disciplinary matter to be dealt with under the disciplinary procedure.

If a staff or volunteer is unable to provide a satisfactory disclosure check, refuses to undertake a disclosure check or become added to the children and adults barred lists by either disclosure body the Charity will consider the options for redeployment into any available suitable job roles.

If this is not possible, the Company may need to consider dismissal of the individuals because of the statutory ban imposed by the disclosure. The Company may be unable to continue to

engage the individual in any capacity if the continued association cannot be maintained, causes reputational damage to the employer or other reasons that harm its position in the marketplace.

Visits to schools

A school will have their own safeguarding policy in place and a named Designated Safeguarding Lead. Magic Breakfast should follow the school's procedure in respect of safeguarding. Prior to proceeding with a visit staff should also ensure they have completed Safeguarding Training are familiar with the Magic Breakfast guidance document relating to school visits

When organising or facilitating school visits with partner organisations, the responsibility for Safeguarding is the School and staff should be led by the school's procedures and policies. Where there is no guidance issued by the school, staff should ensure all individuals have been provided with Magic Breakfast guidance document relating to school visits.

Managing visits to partner sites

These visit where they involve school children should be managed and over seen by the school in line with their procedure around offsite school trips and visits. The school will need to ensure they have adequate staff accompanying them and have carried out appropriate checks in liaison with the partner organisation's Safeguard lead. Any Magic Breakfast staff present should not be used in a supervisory capacity.

Where visits are organised by Magic Breakfast staff directly e.g., when involving Youth Campaigners, Safeguarding will be the responsibility of Magic Breakfast and staff involved must ensure they have carried out appropriate checks and risk assessment in liaison with the partner organisation's Safeguard lead and the charity's Designated Safeguarding lead.

Allegations of Abuse against Magic Breakfast staff or volunteers

Receiving Allegations

Magic Breakfast will treat all complaints, allegations or suspicions of abuse by employees, workers, volunteers (including trustees), and other third parties linked with the Charity with the utmost seriousness.

The person, who has received an allegation should immediately inform the charity's Designated Safeguarding Lead or other responsible individual.

Investigation

Where an allegation is made against any person working for or on behalf of the charity the allegations will be investigated fully, and all such reports are taken seriously. The investigation will be conducted in a discrete and timely manner and will involve the collation of evidence typically derived from witness statements and other relevant material.

If it is suspected that a criminal act may have been committed, the Charity will report this to the police and follow their guidance. The Charity may also need to involve an external organisation such as a school however this should only be done once the matter has been discussed with the Designated Safeguarding Lead or other responsible individual to determine if this is appropriate

Employees suspected of abuse may be suspended on full pay pending a full investigation of the complaints. It should be noted that this suspension is not an indication of the employee's guilt, but rather a necessity given the circumstances. The Charity appreciates the impact prolonged suspension can have on an employee's reputation, even when allegations are later found to be incorrect, and does not take the decision to suspend lightly.

The Company may be under a duty to disclose allegations of abuse to the Disclosure and Barring Service or Disclosure Scotland as appropriate. The organisation may also consider it necessary to inform the police of allegations under investigation's

Disciplinary action

If the investigation reveals that abuse has happened, or is happening, the Charity will set up a disciplinary hearing for the employee concerned. Abuse of service users is regarded by the Charity as an act of gross misconduct and the allegation could result in summary dismissal, in line with the Charity's disciplinary procedure. Employees will have the chance to appeal any disciplinary action that is taken against them.

Duty of disclosure

The Company is legally required to send information to the Disclosure and Barring Service or Disclosure Scotland if a decision is taken to dismiss an employee or remove them from working in regulated activity or work. The Company may also be required to inform the Disclosure and Barring Service or Disclosure Scotland if the Company suspends an employee, or an employee resigns in suspicious circumstances, as the referral duty criteria may already be met at that stage.

Additional support and guidance

The Charity will endeavour to provide up to date support and guidance to all staff when it comes to safeguarding and their duty to protect vulnerable individuals. Employees who wish for further information on safeguarding are encouraged to contact their line manager, relevant HR representative, the Designated Safeguarding Lead or other responsible individual.

Policy review

This policy and process will be reviewed and updated to reflect any changes in legislation that would require Magic Breakfast to amend its policy and procedures. As a minimum, it will be reviewed every two years.

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Next Review Date: March 2022

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December 2019 updated by Derek Morgan
March 2021 Updated and refreshed content in line with current best practice by Deborah Woolf

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