

# SAFEGUARDING POLICY

(Public version)

**Magic Breakfast**

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<b>Issuer</b>	Safeguarding Lead		

# SAFEGUARDING POLICY

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# 1 Purpose of the policy

1.1 The core purpose of the policy is to ensure we embrace the statutory requirement to take reasonable steps to protect from harm people who come in contact with the charity.

1.1.1 In operationalising the policy, the aim is to provide a clear and consistent procedural framework which underpins and guides our approach to safeguarding. It also outlines how we work in partnership with stakeholders and third parties, recognising they also have safeguarding obligations to the children and young people who are beneficiaries of Magic Breakfast services.

1.1.3 Building on these aims are to ensure we create a culture in Magic Breakfast where the principles of safeguarding are embedded and our culture actively supports recognising, recording, reporting and responding in order to protect children, young and vulnerable people from harm.

## 1.2 Commitment

1.2.1 We embrace the principles of Safeguarding and the link to our values, where children and young people are at the heart of everything we do. In our mission to reduce child morning hunger now and for good we are committed to do all we can to stop the mistreatment and abuse of children and young people through embedding this policy with collective responsibility across the charity.

1.2.2 We are aware that those who face social exclusion have a greater risk of experiencing harm. Our beneficiaries are those who face food insecurity and experience morning hunger.

1.2.3 In that context, Magic Breakfast works with a range of people and other stakeholders in our mission including schools, food suppliers, delivery companies, other charities and corporate partners and is fully committed to safeguarding and promoting the welfare of children and young people.

1.2.4 Magic Breakfast expects everyone involved with the organisation to share this commitment and is committed to practice that protects them from harm and abuse.

1.2.5 Equity, diversity and inclusion are central to our mission. We will ensure that in our approach to safeguarding we strive to identify and address any unconscious bias, privilege or expectations that might negatively influence a proactive approach to recognising and responding to safeguarding concerns.

## 1.3 Working with others to support safeguarding aims

1.3.1 As a charity our primary service which comes into contact with children and young people, the beneficiaries of the charity, is the provision of food and advice to our partner schools so they can deliver stigma and barrier free breakfast provision.

1.3.2 We also deliver engagement activities in the community, engaging with children, parents, families, local stakeholders, educators, school staff and teachers to promote the importance of breakfast to reduce morning hunger as a barrier to learning.

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- 1.3.3 We may also act as a broker for volunteers from our corporate partners or other stakeholders attending our partner schools for varying short term activities which involves contact with school children. We recognise in that scenario the main safeguarding responsibilities lay with the employer of the volunteer and the school.
- 1.3.4 We are committed within this brokered relationship to support others to exercise their safeguarding duties as far as reasonable or practicable. We also recognise we may be arranging school visits for politicians, funders, the media or others and this is a different brokered arrangement but with similar practical considerations.
- 1.3.5 In carrying out our work we recognise that we will usually be entering schools or other community settings where there will be others in direct care of children who will have their own safeguarding responsibilities and framework in place with responsibilities under additional statutory guidance.
- 1.3.6 We recognise successful outcomes for children depend on strong partnership working between parents/carers and the practitioners working with them. We know that through this partnership we need to maintain a child centred approach as this is vital to meeting the needs of the whole family.
- 1.3.7 Separate guidance will support colleagues with any incident reporting and escalation to the safeguarding processes of other partner organisations along with any appropriate follow up or signposting to external agencies where concerns arise that procedures are not being followed, or risk of harm remains despite the reporting.
- 1.3.8 There will be guidance for applying and raising awareness of this policy through school visit process to ensure that through the brokered arrangements those we support on a visit including politicians, media, corporate partners and others understand their responsibilities and the safeguarding arrangements in place.

#### 1.4 Application

- 1.4.1 This policy applies to paid staff members, volunteers, trustees, and anyone working on behalf of Magic Breakfast in all of our services.

## 2 Principles underlying this policy

### 2.1 Our beliefs – Magic breakfast recognises and fully believes that

- 2.1.1 We have a responsibility to promote the welfare of all children and young people and that their welfare is paramount.
- 2.1.2 All children and young people, irrespective of their socioeconomic background, situation, gender, age, disability, religion or beliefs, culture, ethnicity, sexual orientation or identity have the right to equal protection from all types of harm.

- 2.1.3 Working in partnership with children, young people, their parents, carers and other agencies is essential in promoting the welfare of children, young people and vulnerable adults.
- 2.1.4 It is the responsibility of everyone involved with Magic Breakfast to develop their awareness of the issues that cause children and young people harm and to report any abuse discovered or suspected.

### **3 Key Policy Objectives**

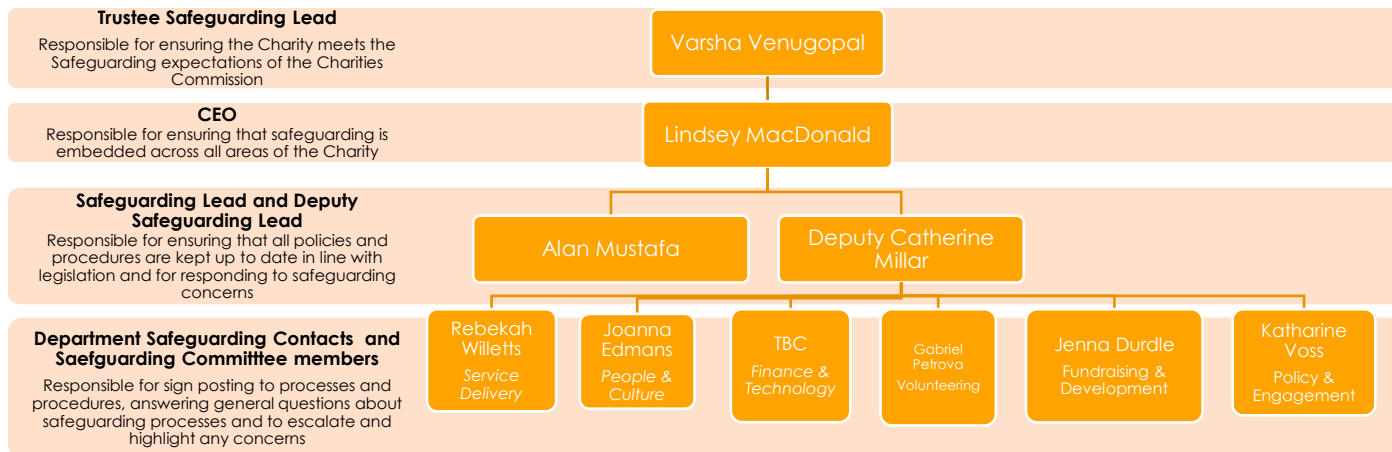
- 3.1 Magic Breakfast will endeavour to safeguard children and young people by
  - 3.1.1 Listening to, valuing and respecting the voices and the views of children, young people and vulnerable adults to ensure an appropriate response.
  - 3.1.2 Identifying specific individuals who are responsible for taking a lead on safeguarding and child protection issues.
  - 3.1.3 Developing safeguarding policies and procedures which reflect best practice.
  - 3.1.4 Ensuring that safeguarding policies and procedures are reviewed at least annually and when necessary, updated immediately to reflect changes in legislation and guidance or the learning from specific incidents.
  - 3.1.5 Adopting safer recruitment procedures for paid and unpaid roles, including board members, to help deter, reject or identify people who might pose a risk or inappropriate influence to children, young people and vulnerable adults. To ensure that the appropriate background checks are carried out in conjunction with the Criminal Records Check Policy.
  - 3.1.6 Ensuring that all existing and new workers understand their roles and responsibilities under safeguarding legislation and statutory guidance to be alert to signs of abuse or maltreatment and refer concerns to the appropriate person using agreed procedures and to undertake appropriate training.
  - 3.1.7 Providing effective management for workers through a high-quality code of practice, supervision, support, training and quality assurance systems.
  - 3.1.8 Having robust systems in place to address, without delay, any failure to comply with safeguarding policies and procedures.
  - 3.1.9 Using our safeguarding procedures to share concerns and relevant information with the agencies that need to know and involving children, young people, families and carers appropriately.
  - 3.1.10 Ensuring that confidential, detailed and accurate records of all safeguarding concerns are maintained and securely stored in accordance with GDPR guidelines and requirements.
  - 3.1.11 Promoting and prioritising the safety and wellbeing of children, young people and vulnerable adults with our workers and the staff of third-party organisations who work on our behalf.

## 4 Legal and Procedural Framework

4.1 Our approach is informed by relevant legislation, statutory guidance and local safeguarding procedures

<b>Legislation, statutory guidance and local procedures</b>	
<b>Legislation and statutory guidance</b>	<ul style="list-style-type: none"> <li>• Children Act 1989 and 2004</li> <li>• Working Together to Safeguard Children 2023</li> <li>• Keeping Children Safe in Education 2024</li> <li>• UN Convention on the Rights of the Child 1991</li> <li>• Care Act 2020</li> <li>• The Mental Capacity Act 2019</li> <li>• The Health and Care Act 2022</li> <li>• Sexual Offences Act 2003</li> <li>• Domestic Abuse Act 2021</li> <li>• Protection of Freedoms Act 2012</li> <li>• The Equality Act 2010</li> <li>• Domestic Abuse (Scotland) Act 2018</li> <li>• Mental Health (Scotland) Act 2015</li> <li>• Data Protection Act 2018</li> <li>• Sexual Offences (Scotland) Act 2009</li> <li>• Safeguarding Vulnerable Groups Act 2006 (England and Wales)</li> <li>• Protection of Vulnerable Groups (Scotland) Act 2007 (Scotland)</li> <li>• Safeguarding and protecting people for charities and trustees – Government Guidance from the Charities Commission</li> <li>• Working Together to Safeguard Children</li> <li>• Getting it right for every child (GIRFEC) framework in Scotland</li> </ul>
<b>Internal policies, procedures and guidance for staff</b>	<ul style="list-style-type: none"> <li>• Safeguarding Disclosure Procedure</li> <li>• Code of Conduct to support safeguarding</li> <li>• Disciplinary policy and the Management of allegations against staff, volunteers and trustees</li> <li>• Whistleblowing policy</li> <li>• Performance Management Policy.</li> <li>• Recruitment Policy</li> <li>• Criminal Records Check Policy</li> <li>• Confidentiality policy</li> <li>• Data protection and information sharing policy.</li> <li>• Behaviour and Respect Policy</li> <li>• Equity, Diversity and Inclusion Policy</li> <li>• Health and safety policies and procedures</li> <li>• School visits procedure</li> <li>• Safeguarding online presence procedure</li> <li>• Volunteer agreement and code of conduct procedure</li> <li>• Volunteer safeguarding handbook</li> <li>• Crisis Management procedure</li> <li>• Allegations procedure</li> <li>• Disclosure procedure</li> </ul>

## 5 Key Contacts



## 6 Reporting a potential safeguarding concern

**If there is an immediate safeguarding incident or concern, please contact either the Safeguarding Lead – Alan Mustafa on [Alan.mustafa@magicbreakfast.com](mailto:Alan.mustafa@magicbreakfast.com) or the Deputy Safeguarding Lead - Catherine.Millar@magicbreakfast.com**

**There is also a dedicated safeguarding mailbox which is accessed by the Safeguarding committee: [safeguarding@magicbreakfast.com](mailto:safeguarding@magicbreakfast.com)** For internal reporting by colleagues at Magic Breakfast-see the appendix 4 and incident reporting page for full details on reporting.

## 7 Ownership and review of this policy

### 7.1 Ownership of the policy

7.1.1 This policy is owned by the Safeguarding Lead (Director of People & Culture)

7.1.2 The Safeguarding Lead is responsible for ensuring regular review and effective implementation of the policy.

### 7.2 Non-compliance with this policy

7.2.1 Non-compliance with this policy can result in Magic Breakfast's disciplinary policy being initiated.

7.2.2 If concerned that this policy has not been complied with this should be raised in the first instance with the policy owner.

### 7.3 Reviewing this policy

7.3.1 We will review this policy annually.

## Appendix 1 Roles and responsibilities

### Board of Trustees

Key aim: To take overall responsibility for the effective delivery of the charity's purposes

#### Proactive

- Be assured of safeguarding requirements meet legal minimum and wider sector expectations
- Set values and approve strategy, policies, procedures & code of conduct for organisation
- Show curiosity and challenge each other, staff and leadership to organisations approach to safeguarding
- Model and nurture a participatory ethos and positive safeguarding culture

#### Reactive

- Engage and monitor safeguarding concerns and ensure serious incidents reported to authorities
- Recognise boundaries of their role in safeguarding

### Trustee Safeguarding Lead

Key aim: Strategic overview and scrutiny role on safeguarding to support operational delivery

#### Proactive

- Champion how strategy reflects risks and adequate resource for regulatory requirements
- Help to develop Safeguarding policies & procedures and review at least annually
- Understand the monitoring your charity does to see whether policies and procedures are effective.
- Engage with team and beneficiaries to understand safeguarding on the ground.

#### Reactive

- Oversee safeguarding concerns with Designated Safeguarding Lead (and CEO/SLT).
- Be a point of contact for staff or volunteers in relation to safeguarding concerns

### SLT

Key aim: Ensuring appropriate resources and focus is in place which is needed to meet safeguarding requirements

#### Proactive

- Ensure safeguarding risks are reflected in approach to managing risk (register and mitigation)
- Ensure designated safeguarding leads have capability and capacity to function efficiently and effectively
- Make safeguarding a central part of the organisation's culture, strategy and delivery.
- Building safeguarding into line management arrangements and overview

#### Reactive

- Support Designated Safeguarding Leads and provide information to all stakeholders
- Recognise boundaries of their role in safeguarding

## Designated Safeguarding Lead

The role of the Designated Safeguarding lead is enabling the collective responsibility and commitment to safeguarding across the charity. In this it supports colleagues to recognise the needs of children, including protection from possible abuse or neglect and the means to respond, record and report concerns.

Magic Breakfast is committed to ensuring this role has sufficient time, funding, supervision and support to fulfil their responsibilities.

Key responsibilities of the role are:

### Proactive

- Role model behaviours that promote safeguarding, nurturing a participatory ethos and person centred approach
- Own the policy and procedure, ensuring it is updated to reflect best practice and changes in legislation and lead on its operationalisation
- Ensure the effective promotion of the policy and procedures, enabling everyone to understand how to recognise, record, report and respond to safeguarding concerns.
- Work with the board safeguarding lead to keep training and awareness of safeguarding responsibilities active, as well as reviewing incident data and reporting to the board.
- Maintain relevant links with professional bodies and agencies as required

### Reactive

- Manage safeguarding concerns, allegations or incidents raised with Magic Breakfast
- Manage any referrals to key safeguarding agencies e.g. local authorities or the police

## Safeguarding Committee and members

See appendix 2

## Appendix 2: Safeguarding Committee Terms of Reference

### Committee Purpose

The purpose of the Safeguarding Committee (SC) is:

- To lead on the operational oversight of the Safeguarding policy and associated procedures, tools and systems.
- To support the Designated Safeguarding Lead and act as representatives of safeguarding and lead on communication, consultation, guidance, engagement and training for staff.

To this end, the function of the committee is to:

- Act as champions and ensure awareness of this policy and use of related procedures is embedded
- Ensure the charities approach to Safeguarding, the committee, communication, training, policy and procedures remain up to date and are adapted to cover new legislation or best practice along with usability and continuous improvement as principles
- Ensure good partnerships with relevant regulatory bodies or stakeholders that could have a bearing on the successful use of this policy and related referrals
- Briefings, training and communication including the promotion and socialisation of this policy and related procedures.
- Commission and review inspections/audits around internal processes or incident follow ups as appropriate
- Keep under review the incident reporting process to ensure appropriate usage, provide advice on general or specific incidents and oversee record keeping. To make recommendations to support the reduction of issues and best meet the aims of this policy.

Through close collaboration throughout the Magic Breakfast and in liaison with SLT, CMG, QMG and where appropriate the board, the committee will:

- Ensure the charity meets its statutory obligations around Safeguarding but also...
- Champion and engage to ensure an awareness of and culture to support safeguarding is properly embedded, with representation from key Magic Breakfast functions or departments.

### Scope

The scope for the Committee is everything within or associated with the Safeguarding policy including systems and procedures as well as the communication and engagement of staff and workers or stakeholders engaged on its behalf. It is also focused on ensuring any new sector or best practice developments or legislation are brought into scope.

The oversight of volunteers through third party partners or stakeholders is not directly in scope but the committee have commissioned a joint review with the Health and Safety to ensure confidence for colleagues brokering volunteers through a third part. The committee will explore how knowledge colleagues involved in this or other work outside of the scope of the policy can still engage the committee for informal advice or signposting.

The committee will be look at minimising reputational risk and navigating expectations of the scope of responsibilities. This will be balanced with ensuring we use our knowledge appropriately in the interests of effective safeguarding to support partners and stakeholders e.g. briefings can include recommendations e.g. photo guidance, DBS checks

## Role of Members

- Support the DSL or deputy DSL with incidents or manage directly if appropriate and possible
- Provide any guidance sought from their departments or others if needed.
- Champion Safeguarding, promote the policy and associated tools.
- Undertake and contribute to training and briefings
- Review any documents or relevant materials for the agenda prior to the meetings.
- Consider ideas and issues raised.
- Active challenge and scrutiny to drive standards and best practice
- Foster positive communication and engage with departments proactively.
- Support consensus, accepting majority decisions.

## Membership

The committee will consist of the following members and will be reviewed annually in line with the policy review:

Name	Title / Focus Area
Alan Mustafa	Director of People and Culture, chair of committee and designated safeguarding lead
Catherine Millar	Innovation Manager, (product test and learn, school visits focus) Deputy chair and designated safeguarding lead
Rebekah Willetts	Business Development Manager, local authorities and other commissioned income partner focus
Joanna Edmans	People and Culture Manager, (DBS and recruitment focus)
Jenna Durdle	Corporate Partnerships Manager, (corporate partners and wider fundraising focus)
Kathy Voss	Campaigns Manager, (campaign events and engaging with any voluntary youth positions/ambassadors or young people involved in campaigning)-Policy and Engagement rep and to cover Social Media usage through engaging with dept
Gabriel Petrova	Volunteering focus
Priya Sahota	Engagement Partner (schools visit) Representative
TBC	Area Manager, Community Engagement and schools visit focus
TBC	Finance and Tech representative

- A quorum will consist of a minimum of 75% of the members.
- New members and guest attendees will be identified and invited by the existing committee
- Sub-Groups and working groups can be established as required.

## Meeting Schedule and Process

- The Committee will meet for up to 60 minutes every 3 months. The Chair and Secretary will schedule the meetings, prepare the agenda, and arrange any practicalities.
- The secretary will take a general note of the meeting with actions clearly recorded.
- There will be a Microsoft Teams channel for the group where agendas, notes, relevant documents and resources will be saved.
- Each agenda will include a review of any incident reports that have arisen and there will be a regular trend review.

## Appendix 3: Safeguarding actions checklist

### Policy, procedures, training

<p>Ensure Magic Breakfast has appropriate policies and procedures in place, followed by all staff, trustees, volunteers and beneficiaries</p>	<p>Board overall accountability but with leadership from the Trustee Safeguarding Lead (TSL) and operational lead through the Designated Safeguarding Lead (DSL) and Deputy Safeguarding Lead (DeSL) in conjunction with the Safeguarding committee</p> <p>Specific review points are:</p> <p>Every three years: Policy review: using formal policy review schedule and framework:</p> <p>Annual: Safeguarding committee and TSL formal review of all documents and procedures in place to ensure all are as effective as possible, in line with new legislation or best practice or learning through the year. Any changes or additions recommendations raised.</p> <p>Ongoing as needed: recommendations to support efficiency, learning, best practice and new legislation</p>	<p>Ongoing, annual and every three years</p>
<p>Regular review of best practice, changes to legislation or guidance</p>	<p>DSL and DeSL with support from the committee, anything identified noted to TSL for sharing with the board</p>	<p>Ongoing with standing item twice yearly at the committee</p>
<p>Ensure colleagues have relevant checks to determine they are suitable to take up and carry out their roles</p>	<p>People and Culture team</p>	<p>Ongoing for new staff, re-checking in Criminal Records Check Policy</p>
<p>Training and engagement of staff and volunteers</p>	<p>DSL, DeSL and Committee working with the People and Culture Team</p>	<p>Ongoing and as planned</p>

## Awareness, reacting, reporting and responding

Action	Responsible person(s)/group	When
Understand our Policy and procedures, develop awareness of the issues that cause children and young people harm and be alert to any concerns or incidents in relevant settings.	All staff	Ongoing
Review and act on anything notified through Incident reporting	DSL or DeSL with support from the relevant committee members	As incidents are reported
Any reporting to the police or local authorities if required as not being managed by DSL or staff at school or setting	DSL or DeSL with support from the relevant committee members	If required when incidents are reported
Reporting to Charity Commission if classed as a serious incident	TSL or chair of the People and Culture committee in their absence	If required when incidents are reported
Triggering the Crisis Comms process if any press concerns or external impact likely	DSL and/or DeSL, with notification to TSL	If required when incidents are reported
Follow up to check incident managed within the setting and any learnings to note	DSL or DeSL in conjunction with the relevant colleague or manager(s)	If required when incidents are reported
Ensure details of any incident reporting is kept secure	DSL and DeSL	Ongoing
Review report of incidents	Safeguarding Committee quarterly, report and analysis to board by the DSL and TSL	Quarterly

## Appendix 4: Handling and reporting incidents and concerns

### What is a Safeguarding Incident and how are they managed?

A safeguarding issue or concern is anything that might impact on children and young people's safety and welfare, cause them harm, or put them at risk of harm. Concerns related to the wellbeing of a member of staff should be raised with their line manager and/or the People and Culture team,

The principles to follow for the handling and reporting of incidents and concerns are they will be:

- reported to the Safeguarding lead in the relevant location as a priority
- acted upon quickly, to stop or minimise any further harm or damage
- handled and recorded in a sensitive, secure and responsible way
- reported via our incident reporting process
- managed in line with our Safeguarding policies and procedures

It is vital that Magic Breakfast is reassured that local reporting has led to appropriate action, following up if any concerns remain. This may mean escalation within the site and/or reporting to the police and relevant Local Authority Social Services and Ofsted.

### How might you be aware of an incident?

- This could arise from a vulnerable adult, child or young person telling you something directly (known as a disclosure) either about themselves or someone else.
- You may also be made aware of a concern about a child or young person by another adult with you within the setting.
- You may also witness something that you makes you believe the child has been harmed or is at risk of harm or there is an issue around their safety and welfare.

### What should you do if you witness harm or believe there is an immediate or imminent risk to the child or young person?

- The priority is to remove the child from the immediate risk and the first step is notify a staff member, ideally the Safeguarding Lead in the setting where the child or young person is located.
- As soon as you are confident the matter is being managed by the Safeguarding Lead and staff you should then follow the Incident reporting steps and any relevant guidance on managing incidents within schools.
- The guidance covers the follow up with the school or site to ensure you reasonably believe the incident has been channelled appropriately into the site safeguarding procedures.

Note: You should not be in a position that you are not in easy contact of a staff member or alone with a child. However, in an unprecedented situation where you cannot contact a staff member you should call the police.

### How are incidents reporting details managed?

- Incident reporting details will be notified to the DSL and DeSL
- They will review the incident details, engage the relevant department Safeguarding committee contact and/or other relevant. colleagues, setting staff, stakeholders, or agency.
- If the incident is a serious one they will notify the Lead Safeguarding trustee as this may need to be reported to the Charity Commission under the Serious Incident Reporting process.
- The DSL and/or DeSL will check how this has reported through the school or setting to their relevant local authority and if any further reporting or input is required.

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## How are incidents recorded and analysed?

- The anonymised details of every incident or near miss will be recorded in a secure format that will be a standing item for review at each quarterly committee meeting.
- The Safeguarding committee are responsible for identifying any learning or actions from trends identified or specific incidents.
- There will also be a report to the board on a quarterly basis which will cover the number of incidents, types, trends and actions taken as well as any learning or actions proposed. This will be presented by the DSL and LST.

## What should be considered to ensure the incident or concern has been managed appropriately?

- Has the incident or concern been **referred to the safeguarding lead of the relevant site**? If not this should be done as a priority.
- Does the incident or concern involve **criminal behaviour**? If yes, then it should be **reported to the police**-and this would normally be done by the relevant Safeguarding Lead, noting...
  - Where a criminal offence has been or has potentially been committed, in the UK, and/or there are safeguarding risks to a child or adult, **it should usually be reported to the police force local to where the offence took place.**
  - If the incidents have taken place across different police force areas, the charity should initially report the incident to the police force **where the primary offence or greatest prevalence of offending took place.**

Source: Charity Commission [guidance on reporting to the police \(ODT, 33.7 KB\)](#)

## What is a 'serious incident' and how should it be reported?

- In some cases it may be necessary to [send a serious incident report to the Charity Commission](#) and other regulators or government departments. This would be led by the Trustee Safeguarding Lead.
- There may also need to be some reporting to funders or stakeholders, and this will be reviewed by the DSL in consultation with others internally as required.
- For a school they will need to refer all safeguarding concerns with children or adults at risk to their local safeguarding children (LADO) or adult team at their local authority.

The Charity Commission define a serious incident as 'an adverse event, whether actual or alleged, which results in or risks significant:

- harm to your charity's beneficiaries, staff, volunteers or others who come into contact with your charity through its work (who are collectively referred to throughout this guidance as people who come into contact with your charity through its work)
- loss of your charity's money or assets
- damage to your charity's property
- harm to your charity's work or reputation

For the purposes of this guidance, "significant" means significant in the context of your charity, taking account of its staff, operations, finances and/or reputation.'

They set out some [examples in a document](#).