



GIG
CYMRU
NHS
WALES

Ymddiriedolaeth GIG
Prifysgol Felindre
Velindre University
NHS Trust

QS12

SAFEGUARDING AND PUBLIC PROTECTION POLICY

Executive Sponsor & Function	Executive Director of Nursing, Allied Health Professions and Health Sciences
Document Author:	Head of Safeguarding and Vulnerable Groups
Approved by:	Quality, Safety and Performance Committee
Approval Date:	16 th May 2023
Date of Equality Impact Assessment:	2 nd February 2020
Equality Impact Assessment Outcome:	This policy has been screened for relevance to equality. No potential negative impact has been identified.
Review Date:	May 2026
Version	Version 3

Contents	Page
1. Policy Statement	3
2. Scope of Policy	3
3. Aims & Objectives	3
4. Responsibilities	4
5. Definitions	4-5
6. Implementation	6-8
6.1. Safeguarding Children	
6.2. Safeguarding Adults	
6.3. Cardiff and Vale Regional Safeguarding Board Policies & Procedures	
6.4. Individual Roles & Responsibilities to Safeguard Children & Adults at Risk	
6.5. Concerns about the behaviour of a member of staff	
6.6. Deprivation of Liberty Safeguards Procedures (DoLS)	
6.7. Multi Agency Public Protection Arrangements (MAPPA)	
6.8. Violence Against Women Domestic Abuse Sexual Violence Procedures (VAWDASV)	
6.9. Information Sharing.	
7. Equality Impact Assessment	8
8. Getting Help	9
9. Related Policies	9
10. Training and Education	9
11. Legislation and NHS Requirements	9
12. Review and Audit	10
13. Acknowledgements	10
Appendix 1 - Duty to Report Process	11
Appendix 2 – OfW Adult Safeguarding Report	12-15
Appendix 3 – OfW Young Person Safeguarding Report	16-19

1. POLICY STATEMENT

Velindre University NHS Trust (hereafter 'the Trust') has statutory duties to comply with legislation in relation to safeguarding and public protection. It discharges these duties by working within regional partnership arrangements and complying with both UK Government and Welsh Government Codes of Practice and national safeguarding procedures.

2. SCOPE OF POLICY

This Policy applies to all staff employed by or working within the Trust, regardless of whether or not their employment brings them into direct contact with adults or children at risk. The principles set out in this Policy will also apply to other individuals and groups, including bank staff and agency workers, students, contractors, honorary contract holders, volunteers and trainees. In every incident of alleged abuse of a child or adult at risk, staff must comply with the Wales Safeguarding Procedures.

3. AIMS AND OBJECTIVES

To ensure that all staff who work within the Trust understand their responsibilities in relation to safeguarding children and adults at risk, and in relation to public protection.

This document will ensure that staff are clear about their statutory duties and about action they must take in response to safeguarding and/or public protection concerns.

To enable the Trust to fulfil its statutory duties safely and competently it must:

- Ensure effective measures are in place to safeguard people and protect children and adults at risk; and,
- Ensure appropriate systems and processes are in place, including those to support sharing of information, to enable staff to work effectively and in partnership with other agencies with regard to safeguarding and public protection.

4. RESPONSIBILITIES

Governance & Reporting Arrangements

The Trust's governance and reporting structure is set out below.

Executive Responsibility	<ul style="list-style-type: none">• The Chief Executive Officer has overall responsibility for safeguarding and public protection.• The Executive Portfolio is delegated to: Executive Director of Nursing, Allied Health Professionals and Health Science.• Supported by: The Deputy Director of Nursing, Quality & Patient Experience.
---------------------------------	--

Operational Responsibility	<ul style="list-style-type: none"> • Director, Velindre Cancer Centre • Supported by: The Director of Operations, Velindre Cancer Centre • Director, Welsh Blood Service • Supported by: The Head of Nursing
Named Lead	Head of Safeguarding & Vulnerable Groups, or the Deputy Director of Nursing, Quality & Patient Experience will provide advice, guidance, and support for any safeguarding or public protection concerns disclosed, witnessed or suspected within the Trust.

The Trust has a legal obligation to ensure that the protection and safeguarding of children and adults at risk is of paramount importance. Situations may arise where the privacy rights of others may have to be balanced against the needs of the child/adult at risk.

Employee Responsibilities

The Social Services and Wellbeing (Wales) Act (2014) states that everyone has a duty to report all incidents of alleged abuse of children and adults at risk.

All employees must take positive and decisive action when witnessing incidents, experiencing concerns or receiving information alleging abuse or inappropriate care of a child or adult at risk. Employees can obtain advice and support about concerns they may have with their line manager or the Safeguarding Lead.

Employees also have a responsibility to comply with their relevant professional Code of Conduct which will include the standards of behaviour expected outside of work.

All employees must comply with their statutory and mandatory training requirements, including Safeguarding Adults and Safeguarding Children training.

5. DEFINITIONS

Safeguarding involves working with partner agencies to protect children and adults at risk of abuse, neglect or other kinds of harm, and involves activities to actively prevent individuals from becoming at risk of abuse, neglect or other kinds of harm.

Public Protection includes actions taken to protect, promote and improve the health, safety and well-being of the population.

Safeguarding Children

A child is defined by the Children Act 1989 as anyone less than 18 years of age.

A '**child at risk**' is defined in the Social Services & Wellbeing (Wales) Act 2014 as a child who:

- a) Is experiencing or is at risk of abuse, neglect or other kinds of harm; and
- b) Has needs for care and support (whether or not the Local Authority is meeting any of those needs).

Safeguarding children is the responsibility of everyone working in the Trust. This responsibility extends to children who are patients, children who are visitors to the Trust, children of any adults who are patients or donors of the Trust, and children of staff members.

Adults at Risk An 'adult at risk' is defined in the Social Services & Wellbeing (Wales) Act 2014 as an adult who:

- a) Is experiencing or is at risk of abuse or neglect;
- b) Has needs for care and support (whether or not the Local Authority is meeting any of those needs); and
- c) As a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it.

Statutory Duty to Report

From April 2016 the Social Services & Wellbeing (Wales) Act 2014 introduced the statutory duty for all who work for the Trust to report to the Local Authority any concerns that a child or an adult is at risk. See Appendix 1

Deprivation of Liberty Safeguards (DoLS)

The process to protect people who, for their own safety and in their own best interests, need care and treatment that may deprive them of their liberty, but who lack the capacity to consent to that care and/or treatment, and where detention under the Mental Health Act 1983 is not appropriate.

Multi Agency Public Protection Arrangements (MAPPA)

The Trust is required to discharge its duties as a Multi-Agency Public Protection Arrangement (MAPPA) Duty to Co-operate Agency under s325 Criminal Justice Act 2003.

MAPPA is the process through which the police, probation and the prison services (Responsible Authority) work together with other agencies that have a duty to cooperate to manage the risks posed by violent and sexual offenders living in the community, in order to protect the public.

A MAPPA Strategic Management Board (SMB) covering the South Wales Police Force area is responsible for overseeing MAPPA related activity, including agreeing the role and representation of different agencies within the SMB, and developing protocols and memoranda of understanding which formalise these. The Trust is not represented on the MAPPA Strategic Management Board.

MAPPA offenders are managed on a multi-agency basis through Multi-Agency Public Protection meetings at Level 2 and 3:

- MAPPA 2: High risk of harm – monthly meetings
- MAPPA 3: Very high risk of harm – on a basis of need

Violence against Women, Domestic Abuse and Sexual Violence (VAWDASV)

The Violence against Women Domestic Abuse and Sexual Violence (Wales) Act 2015 definitions are:

Gender Based Violence—

- a) Violence, threats of violence or harassment arising directly or indirectly from values, beliefs or customs relating to gender or sexual orientation.
- b) Female genital mutilation.
- c) Forcing a person (whether by physical force or coercion by threats or other psychological means) to enter into a religious or civil ceremony of marriage (whether or not legally binding);

Domestic Abuse is abuse where the victim of it is or has been associated with the abuser.

Sexual Violence includes sexual exploitation, sexual harassment, or threats of violence of a sexual nature.

6. IMPLEMENTATION

6.1 Safeguarding Children and Adults at Risk:

The Wales Safeguarding Procedures describe in detail actions to be taken at all stages of the child and adult safeguarding process.

They are available via the Trust's policies page and on the Trust's safeguarding & public protection intranet pages. The procedures must be adhered to in all safeguarding matters.

http://www.myguideapps.com/projects/wales_safeguarding_procedures/default/

6.2 Cardiff and Vale Regional Safeguarding Board Policies & Procedures

All multi-agency safeguarding policies and procedures are approved by the Cardiff and Vale Regional Safeguarding Board, of which the Trust is a member agency. They are available via their website at www.cardiffandvalersb.co.uk

6.3 Individual Roles & Responsibilities to Safeguard Children & Adults at Risk

All staff must know who to contact to express concerns and how to report those concerns to the Local Authority

- If it is believed the child or adult **is or may be at risk** this must be **reported immediately by telephone** to the relevant Local Authority.
- The **reporting** of concerns should be **discussed with** the child's **parents** and the child as appropriate to their age and understanding. Or with the **adult at risk** or their family/representative if they lack mental capacity to make decisions for themselves.

- The **exception** to this is if such a discussion would place the child/adult at greater risk of harm.
- The telephone report must be **confirmed in writing** within **24 hours** using the referral Forms (available on the Safeguarding and Public Protection website).
- If, having made the initial report in writing the report maker has not received an acknowledgement from social services **within 7 working days**, they must contact social services.
- Referrers who are **not satisfied** with the response from the Local Authority must discuss this with the Trust's Safeguarding Lead.
- All staff must discuss any **uncertainty** about concerns or **differences of opinion** with the Trust's Safeguarding Lead.
- If the Trust's Safeguarding Lead is **unavailable** the concern must be discussed with the relevant Local Authority Social Worker.
- After this discussion a **decision** must be made as to whether or not the child or adult meets the definitions of a child or adult at risk.
- If it is believed that the child or adult is **not at risk** consider if they would benefit from additional services and with their **consent** make the appropriate referrals.

See Trust Adult at Risk and Child Risk Reporting forms. APPENDIX 2&3

6.5 Concerns about the behaviour of a member of staff

If the behaviour of a member of the Trust staff, in or out of work, causes concern and may pose a risk to children or adults at risk, staff are instructed:

- Do not dismiss concerns;
- Do escalate your concerns
- To discuss concerns with the Trust's Safeguarding Lead or if not available a senior member of the Workforce and OD Team.
- The Trust Safeguarding Lead or the Workforce Business Partner will act in accordance with the Trust Policy for the Management of Safeguarding Allegations/Concerns about Practitioners and those in a Position of Trust.

6.6 Deprivation of Liberty Safeguards Procedures [DoLS]

The Trust flowchart describes the actions to be taken in the Cancer Centre with regards to the Deprivation of Liberty Safeguards process.

They are available via the Trust's Policies Page and on the Trust's Safeguarding & Public Protection intranet pages.

6.7 Multi Agency Public Protection Arrangements [MAPPA]

The Trust has a flowchart for when high risk offenders or prisoners are admitted to hospital.

They are available via the Trust's Policies Page and on the Trust's Safeguarding & Public Protection intranet pages.

6.8 Violence Against Women Domestic Abuse Sexual Violence Procedures [VAWDASV]

The Trust has Policy and Guidance to support victims of violence against women, domestic abuse and sexual violence. The policy and guidance is designed to promote the safety of victims of domestic and sexual violence who are receiving services provided by the Trust, and explains the processes and procedures that staff will use to identify and respond to violence against women, domestic abuse & sexual violence.

They are available via the Trust's Policies Page and on the Trust's Safeguarding & Public Protection intranet pages.

6.9 Information Sharing

Information must be shared in accordance with the Data Protection Regulations 2018 and the common law duty of confidentiality. Both allow for the sharing of information and should not be automatically used as a reason for not doing so.

In exceptional circumstances, personal information can be lawfully shared without consent where there is a legal requirement or the practitioner deems it to be in the public interest. One of the exceptional circumstances is in order to prevent abuse or serious harm to others. It is not possible to give guidance to cover every circumstance in which sharing of confidential information without consent will be justified. You **must** make a judgement on the facts of the individual case. Where there is a clear risk of significant harm to a child or serious harm to an adult, the public interest test will almost certainly be satisfied. There will be other cases where you will be justified in sharing limited confidential information in order to make decisions on sharing further information or taking action – the information shared should be necessary for the purpose and be proportionate.

Safeguarding information will be retained in line with Trust information governance related policy.

<https://gov.wales/information-sharing-safeguard-children-and-adults-leaflet>

You should seek advice from the Information Governance Lead and Safeguarding Lead if you are unsure

7. EQUALITY IMPACT ASSESSMENT

The Trust is committed to ensuring that as far as is reasonably practicable, the way it provides services to the public and the way it treats its employees reflects their individual needs and does not discriminate against individuals or groups.

The Trust has undertaken an Equality Impact Assessment and received feedback on this policy and the way it operates. The Trust wanted to know of any possible or actual impact that this procedure may have on any groups in respect of gender (including maternity and pregnancy as well as marriage or civil partnership issues) race, disability, sexual orientation, Welsh language, religion or belief, transgender, age or other protected characteristics.

The assessment found that any impact from the policy would have a positive effect to the equality groups mentioned.

Where appropriate the Trust will make plans for the necessary actions required to minimise any stated impact to ensure that it meets its responsibilities under the equalities and human rights legislation

8. GETTING HELP

Contact Senior Nurse Safeguarding and Public Protection

[See Safeguarding and Public Protection Guidance Booklet for referral process flowcharts]

9. RELATED POLICIES

- Data Protection and Confidentiality Policy (2017)
- Disciplinary Policy (2017)
- Disclosure and Barring Checks on Trust Post Guidance
- NHS Wales Procedure for NHS Staff to Raise Concerns
- Wales Safeguarding Procedures (2019)
- Violence, Domestic Abuse and Sexual Violence Workplace Policy and Procedure (2018)
- Records Management Policy (2018)
- Policy for the Management of Safeguarding Allegations/Concerns about Practitioners and those in a Position of Trust

10. TRAINING AND EDUCATION

Safeguarding and Public Protection training is vital in protecting our patients and donors, their families and our communities from harm.

Safeguarding training is available both on a single agency and a multi-agency basis in line with the NHS Safeguarding Training Framework.

11 LEGISLATION AND NHS REQUIREMENTS

The Trust has to comply with relevant legislation, external standards and good practice guidance including:

- Social Services & Well-being (Wales) Act 2014 and the related Codes of Practice; Part 6 [Looked After Children] & Part 7 [Safeguarding Children & Adults at Risk]
- Children Act 1989, section 47 [child protection investigations]
- Children Act 2004 sections 25, 27 and 28 [duty to cooperate to safeguard & promote welfare of children]
- Mental Capacity Act 2005 as amended in the Mental Health Act 2007 [Supervisory Body and Managing Authority requirements for the Deprivation of Liberty Safeguards]
- s325 Criminal Justice Act 2003 [Multi-Agency Public Protection Arrangement (MAPPA) Duty to Co-operate Agency]
- Violence Against Women, Domestic Abuse, Sexual Violence (Wales) Act 2015 [develop and implement a local strategy with the Local Authority]
- s5B of the Female Genital Mutilation Act 2003 (amended by Serious Crime Act 2015) [mandatory reporting of FGM in under 18s to the police]
- Counter Terrorism & Security Act 2015 [to address those drawn into, or at risk of being drawn into terrorist and extremist behaviour]
- Safe Care Standard 2.7 of Health & Care Standards in Wales
- Duty of Candour 2023 (To be open and honest with people they are caring for if things go wrong and harm has occurred.)

12 REVIEW AND AUDIT

Review of this policy will be undertaken no later than three years after the date of approval. The policy may be subject to audit and will be assessed in line with normal audit planning processes, the outcome of any audits undertaken will be reported to the Trust Safeguarding and Public Protection Management Group.

13 ACKNOWLEDGEMENTS

This policy has been informed by a similar policy: Cwm Taf UHB Safeguarding and Public Protection Policy (2018)



Appendix 1

An overview of the duty to report process

I am aware of a child or adult that may be at risk of harm? of a child or adult that may be at risk of harm? What evidence do I have: disclosure; observation; information?



I am aware of a child or adult that may be at risk of harm? of a child or adult that may be at risk of harm? What evidence do I have: disclosure; observation; information?



I am aware of a child or adult that may be at risk of harm? of a child or adult that may be at risk of harm? What evidence do I have: disclosure; observation; information?



I am aware of a child or adult that may be at risk of harm? of a child or adult that may be at risk of harm? What evidence do I have: disclosure; observation; information?



I am aware of a child or adult that may be at risk of harm? of a child or adult that may be at risk of harm? What evidence do I have: disclosure; observation; information?



I am aware of a child or adult that may be at risk of harm? of a child or adult that may be at risk of harm? What evidence do I have: disclosure; observation; information?

Appendix 2

Details of the person making the report	
Name	
Designation	
Contact Telephone Number	
Email Address	
Date of Report	

Reason for report	
Report in relation to:	
Type of Abuse	
Does this involve a professional concern?	
Reason for the report / nature of concerns	
Did you discuss the views and wishes with the victim	
What are their views and wishes and what would they like the outcome to be?	
If not discussed, why not?	
Does the adult at risk have/need an advocate?	
Adult at risk advocate details	
Is the adult at risk subject to legislative powers, such as DoLS, MHA or Power of Attorney?	
If yes, please provide details	
Is the adult at risk aware of the report?	
If No, please explain why	
Is there any evidence to suggest that the adult at risk lacks mental capacity to consent to this report?	
Do they consent to their information being shared with other agencies?	
Is there an overriding reason to share this concern without consent?	

Where the abuse occurred	
Where did the alleged Abuse occur?	
Address if not Home/Hospital	
If this occurred in an NHS Service, if so, please state which service and where	
Service	Location
Other - Please State:	

Details of the person affected	
Who has been affected by the alleged abuse?	
What type of person is affected	
NHS Number	
Subtype of Person Affected	
Forename	
Surname	
Gender	
Date of Birth	
Address Line 1	
Address Line 2	
Address Line 3	
Email	
Primary Contact Number	
Secondary Contact Number	
Preferred Language	
Is interpreter required	
Ethnicity	
Are there Other Adults or Children at the Property?	
If Yes, are they also at risk	
Please give details of this risk	
Are there any disability considerations?	
Persons Circumstances	
Disabilities	
Any other relevant information:	
Was the person injured in the incident?	
Injury – Check Merge code	
Body Part Check Merge code	
Treatment Check Merge code	

Care and Support	
Does the individual have care and support needs and as a result of those needs are they unable to protect themselves against the abuse, neglect or harm or the risk of it?	
What are those care needs and how are they met?	
Why are they not able to protect themselves?	
Is the individual experiencing or is at risk of abuse, neglect or other kinds of harm?	
What action has been taken to safeguard the individual?	

Other Person(s) Affected	
Are there adults or children at the property?	
Are they also considered at risk?	
If yes - what is the risk?	

Associated Persons	
Is the associated person a member of the same household?	
Are they a Service User/Relative/Member of the Public/Employee or member of staff?	
Title	
Forenames	
Surname	
Address	
Telephone Number	
Language	
Disabilities (if any)	
Relevant Risk Factors (including Substance Misuse, Mental ill-health, Physical ill-health, Domestic Abuse, History of violent behaviour)	

Employees	
Contact Role	
Contact Type	
Subtype	
Relationship to Individual at Risk	
Title	
Forenames	
Surname	
Email	
Address Line 1	
Address Line 2	
Address Line 3	
Telephone Number	
Other Employer Details	
Does the alleged person of concern have any contact with children in any employment role?	
Does the alleged person of concern have any contact with adults in any employment role?	
Is the alleged person of concern aware of the report?	
Any other relevant information about this individual Put N/A if there is no other information	

Witnesses	
Type (Service User/ Relative/ Public/ Employee/ Other)	
Forenames	
Surname	
Address	
Postcode	
Telephone	
Relationship to victim:	
Is witness a child?	
Is witness aware of report?	

Agency Involvement	
Agency Role	
Contact Number	
Contact Email	

Local Authority Reporting to	
------------------------------	--

Appendix 3

Details of the person making the report	
Name	
Designation	
Contact Telephone Number	
Email Address	
Date of Report	

Reason for Report	
Report in relation to:	
Type of Abuse	
Does this involve a professional concern?	
Reason for the report / nature of concerns	
Did you discuss the views and wishes with the victim	
What are their views and wishes and what would they like the outcome to be?	
If not discussed, why not?	
Has consent for report been obtained from the person with the parental responsibility?	
Has consent been obtained from the child/young person?	
Is there an overriding reason to share this concern without consent?	
If yes, please explain why	
Views of the person with the parental responsibility about making this report	
Views of the Child / Young Person about making this report:	

Where the abuse occurred	
Where did the alleged Abuse occur?	
Other Please state:	
Address if not Home/Hospital	
If this occurred in an NHS Service, if so, please state which service and where	
Location	
Secondary Location	
Service Submitting report	
Service Responsible for Individual at Risk	

Details of the person affected	
Who has been affected by the alleged abuse?	
What type of person is affected	
NHS Number	
Forename	
Surname	
Gender	
Date of Birth	
Address Line 1	
Address Line 2	
Address Line 3	
Email	
Primary Contact Number	
Secondary Contact Number	
Has the family resided in another area	
If yes, why and where?	
Has the Child / Young Person arrived from overseas?	
Immigration Status:	
If yes, Date of Arrival?	
Home Office Registration Number:	
Preferred Language	
Is interpreter required	
Communication Needs	
Cultural Needs:	

Ethnicity	
CP Register	
Are there any disability considerations?	
Persons Circumstances	
Disabilities	
Any other relevant information:	
Looked after?	
Injuries	
Injury	
Body Part	
Treatment	

Care and Support	
Does the individual have care and support needs and as a result of those needs are they unable to protect themselves against the abuse, neglect or harm or the risk of it?	
What are those care needs and how are they met?	
Why are they not able to protect themselves?	
Is the individual experiencing or is at risk of abuse, neglect or other kinds of harm?	
What action has been taken to safeguard the individual?	

Other persons involved

Are there Other Adults or Children at the Property?	
If Yes, are they also at risk	
Please give details of this risk	

Associated Persons	
Is the associated person a member of the same household?	
Relationship	
Are they a Service User/Relative/ Member of the Public/Employee or member of staff?	
Contact Subtype	
Title	
Forenames	
Surname	
ID Number Type	
ID Number	
Gender	
Date of Birth	

Date of Death	
Email	
Address	
Postcode	
Primary Telephone Number	
Secondary Telephone Number	
Language	
Disabilities (if any)	
Relevant Risk Factors <i>(including Substance Misuse, Mental ill-health, Physical ill-health, Domestic Abuse, History of violent behaviour)</i>	

Witnesses	
Type (Service User/ Relative/ Public/ Employee/ Other)	
Forenames	
Surname	
Address	
Postcode	
Telephone	
Relationship to victim:	
Is witness a child?	
Is witness aware of report?	

Agency Involvement	
Agency Role	
Contact Number	
Contact Email	

Local Authority Reporting to	
-------------------------------------	--